

Modification Report

Fort Street Public School Redevelopment

SSD 10340 MOD 2



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.

By using the green and blue colours to represent NSW, this painting unites the contrasting landscapes. The use of green symbolises tranquillity and health. The colour cyan, a greenish-blue, sparks feelings of calmness and reminds us of the importance of nature, while various shades of blue hues denote emotions of new beginnings and growth. The use of emerald green in this image speaks of place as a fluid moving topography of rhythmical connection, echoed by densely layered patterning and symbolic shapes which project the hypnotic vibrations of the earth, waterways and skies.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We acknowledge the Gadigal people, of the Eora Nation, the Traditional Custodians of the land where this document was prepared, and all peoples and nations from lands affected.

We pay our respects to their Elders past, present and emerging.

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1.0 Introduction

This modification report has been prepared by Ethos Urban on behalf of Lendlease for the Department of Education, pursuant to section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify Development Consent SSD 10340 relating to the redevelopment of Fort Street Public School.

Lendlease is engaged as the D&C Contractor for the Fort Street Public School redevelopment and is responsible for the finalisation of the design. This modification relates to a limited scope of minor amendments that are necessary to finalise a compliant design and address identified coordination issues. The proposal has been presented to the State Design Review Panel and received its support. Moreover, these minor amendments do not result in any additional overshadowing to the public domain or surrounding sites. These amendments have a minimal environmental impact and are required to address integration with heritage fabric and meet the functional requirements of the school.

Specifically, minor raises in the height to the lift overrun and Stair 4 lift lobby are negligible and imperceptible from the public domain and surrounding sites. They retain a materiality and architectural expression that is consistent with the approved design. These minor height increases have a negligible effect on views to and from the public domain. This reinforces the minimal environmental impact of the proposed amendments.

This application identifies the consent, describes the proposed modifications and provides an assessment of the relevant matters contained in section 4.55(2) of the EP&A Act. This application is accompanied by:

- Updated project Description prepared by Ethos Urban (**Appendix A**).
- Architectural Design Statement prepared by FJMT (**Appendix B**).
- Amended Architectural Plans prepared by FJMT (**Appendix C**).
- Heritage Impact Statement prepared by Curio Projects (**Appendix D**).
- Visual Impact Assessment prepared by Ethos Urban (**Appendix E**).

This statement should be read in conjunction with the Environmental Impact Statement prepared by Ethos Urban dated 19 March 2020 submitted for SSD 10340, and the Statement of Environmental Effects prepared by Ethos Urban dated 1 April 2021 submitted for SSD 10340 MOD 1.

This Report has been prepared in accordance with Part 5 of the EP&A Regulations and the Department of Planning and Environment's (DPE) *State Significance Development Guidelines – Preparing a Modification Report*. It identifies the consent to be modified, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration.

1.1 Overview of the Approved Development

Development Consent (SSD 10340) was granted on 7 October 2020 by the then Department of Planning, Industry and Environment (DPIE). The approval granted consent for the redevelopment of Fort Street Public School comprising demolition of selected buildings and structures, construction of four new buildings, refurbishment of existing retained buildings, alterations to drop-off and pick-up arrangements and associated works, including tree removal, landscaping and consolidation of lots.

Development Consent (SSD 10340 MOD 1) was granted on 22 December 2021 by the NSW Department of Planning and Environment (DPE). It was the first modification to SSD 10340. This modification involved amendments to the design that were a result of design development and to improve the development outcome, particularly for the Met Building regarding avoidance of intrusive works, retention of heritage fabric and achieving adequate accessibility. They included various internal and external changes to Buildings J, H and G, the Met Building and the Messenger's Cottage, minor design changes to the façade, internal layouts and roof forms, landscape modifications including changes to the COLAs and rooftop play areas, and minor changes to the loop road pick-up and drop-off arrangement to improve safety and operation.

This is the second modification to the approved consent. The modification is described further at **Section 1.2**.

Construction of the Fort Street Public School Development has commenced. The proposed modifications are the result of emergent factors during construction that require necessary modifications to achieve a compliant design that meets the functional and equitable needs of the school.

1.2 Proposed Modifications

The proposed modifications to the development consent comprise the following minor amendments:

- Minor floor level amendments to Building G and Buildings H and J.
- Minor lowering of the Building F building envelope.
- Minor amendment to raise the lift shaft overrun and Stair 4 lobby within Building J.

There are no changes to building layouts, number of floors, materiality, landscaping, student or staff numbers, out of school hours care arrangements, community uses of the site, the number of trees to be removed or the approved principles around traffic and access.

The proposed modifications are described in more detail in **Section 3.0**. A detailed explanation of the minor design changes and their rationale is provided in the Architectural Design Statement prepared by FJMT at **Appendix B**, and corresponding Amended Architectural Drawings prepared by FJMT are provided at **Appendix C**.

1.3 Analysis of Alternatives

The design modifications are proposed in response to specific site conditions and constraints in the current design which preclude the achievement of building compliance and the necessary functional requirements set by School Infrastructure NSW. As such, Should the alternative, that is to do nothing, have been pursued, it would result in a non-compliant and non-equitable design that would not be suitable for the functional requirements of the school. These are summarised below. Further detail discussing project alternatives and reasons for adopting the proposed modifications is provided in the Architectural Design Report at **Appendix B**.

Floor Level Amendments

If the internal floor level amendments to Buildings F G, H and J were not proposed, then those buildings' relationship with existing heritage fabric especially the MET Building, and surrounding finished ground levels would remain suboptimal. Moreover, the opportunity would be lost to reduce soil fill in some instances to reduce the risk of exposing the site to potential contamination risks from off-site backfill materials.

Lift Overrun

The proposed lift overrun amendment is necessary. Any alternate lift options would either be deficient for the school's functional and equitable access requirements or require additional excavation which would result in unacceptable additional adverse heritage and archaeological impact to the existing in-ground Surgeon's Cottage footings, an area of the site with high archaeological potential. Relocating the lift is not a viable option, as its location is necessary to provide equitable access to the key functional areas of the MET Library, teaching spaces within Buildings H and J, and administration areas in Building H. Moreover, relocation is constrained by existing archaeological remnants, location of bedrock and necessity to preserve the visual prominence of the heritage buildings.

Stair 4 Height

The minor increase in height to Stair 4 is necessary to meet internal services, structural roof detailing and tolerance requirements and fire-rating compliance standards. The height of the roof cannot be further reduced due to the size of the sumps, the minimum falls required for the gutter and roof sheeting, and the required size of the steel structure for the roof to meet fire-rating standards. Therefore, any reductions to height would compromise fire rating compliance, structural design requirements and the efficiency of services, which would prohibit the use of the school and significantly affect the safety of users.

2.0 Strategic Context

Fort Street Public School is an established public school that serves primary-aged students in the inner Sydney area. Across NSW, it is anticipated that there will be a 21% growth in student numbers by 2031 across NSW compared to 2017. This means NSW schools will need to accommodate an extra 269,000 students, with 164,000 of these students in the public system. In response, the redevelopment of Fort Street Public School contributes to the need for additional public education infrastructure as a result of increased demand, and is part of the NSW Department of Education's \$6.7 billion investment over the past four years to deliver new schools and upgrade existing schools.

In summary, the Fort Street Public School redevelopment, as proposed to be modified, will continue to:

- Provide improved school facilities to meet the growing needs of Sydney, as consistent with the Greater Sydney Commission's (GSC) Greater Sydney Region Plan, A Metropolis of Three Cities
- Provide opportunities to co-share facilities with the local community, as consistent with the GSC Eastern City District Plan
- Provide an improved educational facility in an accessible location and provide access to additional new employment opportunities close to public transport, as consistent with Transport for NSW's Future Transport Strategy 2056
- Provide a school design to accommodate infrastructure and facilities sharing with communities, as consistent with the State Infrastructure Strategy 2018 – 2038 Building the Momentum
- Promote and cater for bicycle use through the provision of end-of-trip facilities, as consistent with the Sydney's Cycling Future 2013
- Provide direct investment in the region of approximately \$53,893,955, which would support 229 construction jobs and 20 operational jobs.

3.0 Description of Modifications

3.1 Overview

The proposed modifications to the development consent comprise the following minor amendments:

- Minor floor level amendments to Building G and Buildings H and J.
- Minor lowering of the Building F building envelope.
- Minor amendment to raise the lift shaft overrun and Stair 4 lobby within Building J.

Importantly, there are no changes to building layouts, number of floors, materiality, landscaping, student or staff numbers, out of school hours care arrangements, community uses of the site, the number of trees to be removed or the approved principles around traffic and access.

The proposed modifications are described in more detail below.

A detailed explanation of the minor design changes is provided in the Architectural Design Statement prepared by FJMT at **Appendix B**. Corresponding amended Architectural Drawings prepared by FJMT are provided at **Appendix C**, which contain clouding of the proposed amendments in this modification application and clouding of amendments subject to a concurrently lodged Section 60 Application to Heritage NSW.

A quantitative comparison between the originally approved development consent, first approved modification and proposed modification is summarised below in **Table 1** to demonstrate that the proposed modification results in substantially the same development.

Table 1 Comparison between the proposed, as modified development and the original approval

Component	As approved in SSD 10340	As approved in Modification 1	As proposed to be modified
Use	School	School	No change
Site area	6,192.2m ²	6,192.2m ²	No change
Maximum Height	RL 55.830	RL 55.690	RL 56.300
Car spaces	0	0	No change
Number of Students	550	550	No change
Number of Staff	37 (approx. based on a ration of 1:15 staff per student)	37 (approx. based on a ration of 1:15 staff per student)	No change
Core hours of Operation	9am – 3pm (with extra-curricular activities from 8am and until 4pm)	9am – 3pm (with extra-curricular activities from 8am and until 4pm)	No change
Before and After School Hours of Operation	Morning: 7am – 8:30am (teachers on-duty from 8:30am) Evening: 3pm – 6pm	Morning: 7am – 8:30am (teachers on-duty from 8:30am) Evening: 3pm – 6pm	No change
Number of trees planted	59	23	No change

3.2 Description of Design Modifications

3.2.1 Floor Level Amendments

Building G

The finished floor levels (FFL) of Building G are proposed to be lowered by 172mm from FFL 39.754 to FFL 39.582. This change has been driven by the following reasons:

- Improves relationships to existing heritage fabric and surrounding finished ground levels.
- Provides a taller floor-to-ceiling clearance to improve functionality of the internal space.
- Reduces amount of backfilling, which reduces the amount of exotic soil required to be brought to the site and number of traffic movements to the site.
- Reduces construction complexities and excavation timeframes.

Associated external finished levels are also proposed to be lowered, in conjunction with the reduction in grades for connected ramps to Building G. There is no change to the overall building envelope height or internal configuration of Building G.

Buildings H and J

The FFL of Buildings H and J are proposed to be lowered by 86mm from FFL 45.172 to FFL 45.086. This change is proposed in response to detailed site surveys and fabric analysis that has revealed that a small drop in the FFL is required to ensure the transitions and bridge to the existing Met Building's upper levels are more appropriately matched to Buildings H and J. These changes only affect internal floor levels, and will not change the outward volume, height or scale of the approved Building H and J form. This change in levels will also result in minor changes to the extent and articulation of the glass façade sills and headers where finished floor levels have been revised.

3.2.2 Building F Envelope Amendment

The whole building envelope of Building F is proposed to be lowered from FFL 41.555 to FFL 40.895, while the parapet will be lowered from RL 45.197 to RL 44.937, resulting in a total reduction in height of 260mm. This will result in an overall envelope height that is lower than the approved envelope. Associated adjacent external finished levels will also be lowered accordingly. This change is driven by an opportunity to improve the relationships to existing heritage fabric by enhancing the legibility of the lower portions of the MET building and its heritage detailing. This change also provides benefits in reducing backfilling required and subsequent simplification of materials handling and construction complexity.

3.2.3 Building J Lift Overrun and Stair 4 Amendment

The following minor changes are proposed to the roof height of the lift shaft and Stair 4 Lobby:

- Lift shaft roof raised from RL 55.690 to RL 56.300 (610 mm increase).
- Stair 4 lobby roof raised from RL 54.900 to RL 55.210 (310 mm increase).

These changes are required to optimise the lift's functionality and preserve heritage fabric. There is no change to the approved materiality or architectural expression of the lift shaft or stair.

3.3 Modifications to Conditions

The proposed modifications described above necessitate amendments to the consent condition A2, to update plan numbers, revisions and details to reflect the updated drawings that accompany this section 4.55 application. This schedule of drawings is detailed on drawing number DA-1001 within the Architectural Drawings at **Appendix C**. There are no other additional changes to conditions required.

4.0 Statutory Context

4.1 Substantially the Same Development

Section 4.55(2)(a) of the EP&A Act states that a consent authority may modify a development consent if *“it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)”*.

The development, as proposed to be modified, is substantially the same development as that originally approved and may therefore be lawfully approved under section 4.55 of the EP&A Act as it:

- Does not give rise to any new environmental impacts compared to the approved development in terms of relevant matters for consideration at section 4.15 of the EP&A Act (refer to Section 4).
- Retains the same land-use as the approved development, continuing to provide an educational facility within the B8 Metropolitan Centre zone.
- Does not change the building layout, number of floors, or landscaping within the scheme.
- Does not change the student or staff numbers ensuring associated impacts including traffic generation remain unchanged.
- Does not give rise to any additional unreasonable heritage impacts, and conversely, improves the heritage and archaeological outcomes of the development.
- Will continue to provide an architectural expression that is consistent with the approved development.
- Will continue to meet key objectives of the site's redevelopment, namely upholding the high quality educational and functional attributes of the campus, and ensuring a rich, supportive and dynamic environment for students.
- Does not alter the approved development's level of compliance with the applicable environmental planning instruments and policies.
- Is consistent with the mitigation measures established in the Development Consent to protect the environment from potentially adverse effects of the development.

4.2 Compliance with Environmental Planning Instruments

Table 2 below outlines the consistency of the development, as proposed to be modified, with the relevant legislation and environmental planning instruments.

Table 2 *Modification Application's consistency with applicable legislation and planning instruments*

Legislation/Instrument	Comment
Environmental Planning Instruments	
SEPP (Planning Systems) 2021	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.
SEPP (Transport and Infrastructure) 2021	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.
SEPP (Resilience and Hazards) 2021	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.
Sydney Local Environmental Plan 2012	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.

5.0 Engagement

Lendlease and SI NSW, in conjunction with the Project Team, have engaged with the following stakeholders either through dedicated consultation sessions or at ongoing engagement meetings:

- Department of Planning and Environment.
- Local Member for Sydney.
- Transport for NSW.
- Heritage NSW.
- City of Sydney Council.
- Heritage NSW.
- Museum of Applied Arts and Sciences (MAAS) / Sydney Observatory.
- National Trust.
- Government Architect NSW State Design Review Panel.
- Local Community – Millers Point Resident Action Group and Observatory Tower
- Project Control Group (PCG) – including representatives from SINSW, Department of Education, Root Partnerships, Elton Consulting.
- Project Reference Group (PRG) - including P&C Representatives.
- Observatory Hill Stakeholder Working Group (SWG) – including representatives from SINSW, Department of Education, Root Partnerships Infrastructure, Lendlease, FJMT, City of Sydney, TfNSW, National Trust, Heritage NSW, Bicycle NSW.

Throughout consultation, matters were raised relating to built form massing and height, materiality, alternative options to the minor height increase to the lift overrun and Stair 4 lobby, reasons driving the modifications and the public interest. These matters were responded to by the Project Team and have either been addressed or incorporated in this SEE or the documents submitted with this modification application. In particular, detailed responses to written comments provided by the State Design Review Panel, the National Trust and Heritage NSW are provided in the Architectural Design Report at **Appendix B**. Commentary responding to matters raised by Heritage NSW is also provided in the Heritage Impact Statement at **Appendix D**.

Accordingly, the proposed modifications are generally supported by the stakeholders and wider community.

6.0 Assessment of Impacts

Under section 4.55(3) the consent Authority must also take into consideration the relevant matters to the application referred to in section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

The following assessment considers the relevant matters under section 4.15(1) and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

6.1 Built Form and Urban Design

The height, density, bulk and scale of the scheme, as proposed to be modified, remains substantially consistent with the approved scheme as shown in the comparison views shown in **Figures 1-6** below. Minor lowering of the Building F envelope will improve campus amenity and visibility of the three existing heritage significant buildings that continue as the key anchors of the site – the Messenger's Cottage, Met Building and the Fort Street Public School Building.

Minor raises in the height to the lift overrun and Stair 4 lift lobby are negligible and imperceptible from the public domain and surrounding sites. They retain a materiality and architectural expression that is consistent with the approved design. These minor height increases have a negligible effect on views to and from the public domain. Moreover, these minor amendments do not result in any additional overshadowing to the public domain or surrounding sites.

The balance of the changes, including changes to finished floor levels and extent of internal demolition, are limited to internal changes that do not change the built form nor its outward appearance. The proposal remains consistent with the approved façade materiality and architectural expression.

Overall, the proposed modifications have a negligible impact on the built form, as compared to the approved built form. Therefore, the proposal, as modified, would have minimal environmental impact from a built form perspective.



Figure 1 View from east – approved scheme

Source: FJMT



Figure 2 View from east – modified scheme

Source: FJMT:



Figure 3 View from west – approved scheme

Source: FJMT



Figure 4 View from west – modified scheme

Source: FJMT



Figure 5 View from south – approved scheme

Source: FJMT



Figure 6 View from south – modified scheme

Source: FJMT

6.2 Heritage and Archaeology

Curio has prepared a Heritage Impact Statement (HIS) provided at **Appendix D** which assesses the heritage and archaeological impacts of the proposed modifications and their compliance with the policies of the Conservation Management Plan (CMP) prepared by Curio and TKD Architects dated 2020.

6.2.1 Heritage Impact

The HIS includes an assessment of the physical and visual heritage impacts generated by the proposed modifications.

Curio have found that there are no direct physical impacts to significant heritage fabric anticipated as a result of floor level amendments in Buildings G, H and J, envelope amendments to Building F and lift overrun amendments to Building J. The floor level amendments will improve connections between new buildings and existing heritage fabric in existing heritage buildings by providing compliant access-ways.

Regarding visual heritage impact, Curio have found that the floor amendments to Building G, H and J will have neutral visual heritage impact. Curio has concluded that the building envelope amendment to Building F will have a positive visual heritage impact as it will enhance visibility to the site's existing heritage buildings and improve the legibility of the MET Building within the site. The visual impact resulting from the slight height increase to the lift overrun is considered by Curio to be minor, as its visual impact is offset by the avoidance of known archaeological resources and heritage fabric impacts by retaining the current lift footprint. The minor height increase to the Stair 4 lobby driven by the introduction of spandrels is supported by Curio from a heritage perspective as it is an essential design change to achieve fire safety compliance.

6.2.2 Archaeological Impact

As Buildings G and H are located within areas with low potential for archaeological resources on the site, Curio has concluded that the lowering of the Building G and H floor levels is not anticipated to result in any impacts to significant archaeological resources. There is no additional archaeological impact as a result of the Building J envelope amendments, as the known archaeological remains of the Surgeon's Cottage footings will be retained as part of the building design. Curio has found that the lowering of Building F will have a negligible impact on potential archaeological resources as the additional excavation will occur in areas disturbed by previous remediation works, provided archaeological monitoring by an appropriately qualified archaeologist is carried out to ensure no intact, significant archaeological resources are removed or inappropriately managed during the construction program.

6.2.3 Conclusion

Given the significant heritage constraints and physical limitations of the site, Curio has considered the heritage and archaeological impacts of the site holistically, with a view to minimising heritage impact across the site while balancing the functional needs of the school development and other environmental considerations. Curio has concluded that while the proposed modifications will result in minor heritage visual impact, they will have an acceptable heritage impact in the overall context of overall improvements to heritage outcomes across the site and sensitive adoption of materiality and reduction in visual impact where possible. Curio's conclusion is subject to the recommendations outlined below, including that all archaeological management recommendations set out in the 2021a Archaeological Research Design (ARD) are followed.

6.2.4 Recommendations

Curio has recommended the following mitigation measures summarised below as a result of their assessment:

- Archaeological management in areas considered to contain low archaeological potential (Buildings G and H) in the form of ongoing heritage inductions and Unexpected Finds Protocols must be in place throughout the construction program to ensure no significant archaeological resources are impacted during the s4.55 Modification 2 Rev 4 works.
- Archaeological management in areas assessed as having moderate potential (Building F) must follow recommendations presented in the 2021a ARD throughout the duration of subsurface excavations in the area. This includes archaeological monitoring across the building footprint under an archaeological monitoring program supervised by a State Significant Excavation Director. Where intact or significant archaeological resources are uncovered, appropriate management as outlined in the ARD must be followed.
- All heritage interpretation initiatives developed for the project and outlined in the Heritage Interpretation Strategy (Curio Projects, in preparation) must be followed. Should intact archaeological resources be encountered during subsurface excavations in Buildings G, H and J, their incorporation into the Heritage Interpretation Strategy would be considered.
- All development works with potential for physical impact to heritage items should be guided, overseen and/or undertaken by qualified and experienced conservation professionals (i.e., including but not limited to built heritage experts archaeologists, structural engineers, heritage tradespeople, where required).

6.3 Visual Impact

A Visual Impact Assessment (VIA) prepared by Ethos Urban assessing the proposal's impact on public domain views and private views is submitted at **Appendix E**.

Public Domain Views

Based on the consideration of place, any relevant planning instruments and a site inspection, 5 viewpoints in the primary visual catchment were selected upon which to base the visual impact assessment. Photography, surveying and photomontages prepared in accordance with Land and Environment Court Policy was undertaken for each viewpoint. This provided two images – an existing baseline and an indication of the likely proposed future outcome.

As the photomontages showed that the proposal was likely to not be visible or be generally imperceptible from all the viewpoints, the proposed modification is consistent with the place character at the viewpoints and does not fundamentally alter the visible nature or the use or meaning of the school.

On this basis it was concluded that the visual impact of the proposal is low to negligible and appropriate having regard to the provisions of relevant parts of applicable planning instruments. In particular, it will not obstruct or fundamentally alter the nature of views obtained from key vantage points as identified in the primary visual catchment and will not result in view loss from locations in the public domain.

Private Views

To determine the visual impact on private views, an assessment using the steps outlined in *Tenacity v Warringah* [2004] NSWLEC 140 was undertaken. View impacts are limited to the low levels of the buildings and are considered to be minor/negligible. From the mid-level and above, there are no view impacts associated with the development, as proposed to be modified. Overall, the proposed modification is considered to cause a 'reasonable' view loss, based on the following:

- The proposal does not fundamentally change the nature of the view;
- The proposed view loss does not unreasonably affect iconic views, including those to the Harbour Bridge, Opera House or Sydney Harbour, and in particular retains the viewers ability to see and appreciate the nature of these elements;
- Views from mid and upper-levels remain unchanged, given the low-scale nature of the FSPS development and the significant separation between the FSPS site and surrounding buildings;
- There is no perceptible difference between standing views and sitting views; and
- An alternative design to reduce view loss to private apartments would compromise the heritage and functional/educational outcomes of the development, as proposed to be modified.

6.4 Site Suitability and Public Interest

The site remains suitable for the proposed development for the reasons outlined in the EIS lodged with the approved development. Consistent with the approved development, the proposed modifications will not increase the intensity of the use, nor materially change the built form and so there will be no additional impacts on the surrounding neighbourhood.

Further, the development is permissible in the zone, and involves modifications that will enhance the functionality and heritage outcomes of the site. Therefore, the proposed development is suitable for the site and in the public interest.

7.0 Justification of the Modified Project

7.1 Reasons for Granting Consent

The then Minister for Planning and Public Spaces' determination report sets out the following reasons for granting consent for the approval of SSD 10340. **Table 3** demonstrates that the proposed modification is consistent with these reasons for granting consent, and therefore the proposed modification is justified.

Table 3 *Consideration of consistency of Modification Application with reasons for granting original consent*

Reason for Granting Consent	Consistency of the Proposed Modification
<ul style="list-style-type: none"> The impacts of the development are acceptable and can be mitigated through the recommended conditions of consent. 	The proposal remains consistent with this statement.
<ul style="list-style-type: none"> The proposal is consistent with the objects of the Environmental Planning and Assessment Act 1979 and the State's strategic planning objectives for the site set out in the Greater Sydney Region Plan – A Metropolis of Three Cities and the Greater Sydney Commission's Eastern City District Plan, as it would provide much needed improved and expanded school infrastructure located near existing public transport and includes opportunities to co-share facilities with the community. 	The proposal remains consistent with NSW Government priorities and the strategic planning direction of Metropolitan Sydney and the Eastern City District.
<ul style="list-style-type: none"> The proposal is suitable for the site and the impacts of the proposal are considered satisfactory on balance in the context of the benefits for the local community and the highly constrained nature of the site. The proposal would provide functional access and drop-off / pick-up arrangements, subject to widening of Upper Fort Street and implementation of parking restrictions to provide sufficient queuing capacity on approach to the site. Implementation of proposed sustainable transport measures would reduce car-based travel to the site over time and further reduce impacts on the local road network. The redevelopment of the entry to the school would be phased to accommodate the existing and potential upgraded Sydney Harbour Bridge cycleway at the front of the site, and includes measures to manage potential conflict between pedestrians, cyclists and drivers. 	The proposal remains consistent with these statements. There are no changes proposed with respect to traffic and access arrangements.
<ul style="list-style-type: none"> The form, scale and design of the proposed alterations and additions to existing buildings and proposed new buildings are appropriate for the site and its context. The proposed built form would be respectful of the existing heritage items on and surrounding the site and the development would protect historical archaeology on the site. 	The proposal remains consistent with these statements notwithstanding the proposed minor modifications. In particular, the minor amendments to the lift overrun and stair lobby are negligible and essentially imperceptible from the surrounding public domain, while the proposal's interface with existing fabric and archaeology on the site is generally improved.
<ul style="list-style-type: none"> Acoustic, air quality and contamination constraints having been appropriately addressed. 	The proposal remains consistent with this statement. The proposed amendments do not result in any negative acoustic, air quality or contamination impacts. The reduction in backfilling will require less exotic topsoil to be transported to the site, reducing air quality impacts from transportation.
<ul style="list-style-type: none"> Construction impacts have been considered, including the need to relocate the school and divert the Sydney Harbour Bridge cycleway during construction. Appropriate mitigation measures have been proposed. 	The proposal remains consistent with this statement. The proposed minor modifications do not result in any changes to construction impacts.

Reason for Granting Consent	Consistency of the Proposed Modification
<ul style="list-style-type: none"> • The proposal is in the public interest as it would provide public benefits including: <ul style="list-style-type: none"> – provision of updated educational facilities to meet the needs of a growing area. – investment of \$53.9 million to deliver approximately 229 new construction jobs and 20 operational jobs. 	<p>The proposal remains consistent with this statement, with the proposed development a suitable use of the site and is in the public interest.</p>