

# WILLOWTREE PLANNING



16 June 2022

Your Ref: SSD-10371-Mod-2

Our Ref: WTJ22-024-MOD2

Department of Planning and Environment  
4 Parramatta Square  
12 Darcy St  
Parramatta NSW 2150

**Attention: Aditi Coomar**

**RE: ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (EP&A Act 1979)  
SECTION 4.55(1) - MODIFICATION APPLICATION  
SSD-10371-MOD2 AT TRINITY GRAMMAR SCHOOL**

Dear Aditi,

This letter has been prepared by Willowtree Planning Pty Ltd on behalf of The Council of Trinity Grammar School (the Applicant) in relation to the Development Consent (**SSD-10371-MOD2**) issued by Department of Planning and Environment (DPE) on 26 May 2022, which granted consent for the following scope of development:

*Minor design amendments to the landscape including removal of two existing trees and replacement with new tree planting.*

Pursuant to discussions with DPE in relation to the issued stamped plans and the issued modified consent, we note the following minor errors on the issued documentation as set out in **TABLE 1**:

| TABLE 1. MINOR ERRORS CONTAINED WITHIN SSD-10371-MOD-2 AND STAMPED PLANS |         |   |  |
|--|---------|---|--|
| Plan   | Date    | Provided Information for DPE Approval   | Section 4.55(1)  |
| DA133 Rev B  | 24/8/21 | <p>On 24 September 2021 <b>SSD-10371</b> was approved by the IPC of which plan reference <b>DA133 Rev B - Proposed Performing Arts Precinct Plan &amp; Multipurpose Pavilion Plan L1</b> was approved by this consent.</p> <p>This consent was updated pursuant to the deferred commencement details contained within Part A of <b>SSD-10371</b> which were accepted on 18 January 2022.</p> <p>Subsequently MOD2 sought to amend the landscaping details of <b>SSD-10371</b> and encapsulate the deferred commencement details.</p> <p>However, <b>DA133 Rev B</b> was not captured under either the deferred commencement details or included within the MOD2 amendment.</p> <p>The <b>SSD-10371-MOD-2</b> consent refers to the wrong plan being <b>DA133 Rev A</b> dated 3/2/20. This appears</p> | Formally approve <b>DA133 Rev B</b> dated 24/8/21 as per the SSD approval. |

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| <b>TABLE 1. MINOR ERRORS CONTAINED WITHIN SSD-10371-MOD-2 AND STAMPED PLANS</b> |             |   |   |
|---|-------------|---|---|
| <b>Plan</b>   | <b>Date</b> | <b>Provided Information for DPE Approval</b>  | <b>Section 4.55(1)</b>  |
|   |             | to be an administrative error made by DPE when issuing the consent.   |   |
| <b>DA134 Rev B</b>  | 24/8/21     | <p>On 24 September 2021 <b>SSD-10371</b> was approved by the IPC of which plan reference <b>DA134 Rev B - Proposed Performing Arts Precinct Plan &amp; Multipurpose Pavilion Plan L2</b> was approved by this consent.</p> <p>This consent was updated pursuant to the deferred commencement details contained within Part A of <b>SSD-10371</b> which were accepted on 18 January 2022</p> <p>Subsequently MOD2 sought to amend the landscaping details of <b>SSD-10371</b> and encapsulate the deferred commencement details.</p> <p>However, <b>DA134 Rev B</b> was not captured under either the deferred commencement details or included within the MOD2 amendment.</p> <p>The <b>SSD-10371-MOD-2</b> consent refers to the wrong plan being <b>DA134 Rev A</b> dated 3/2/20. This appears to be an administrative error made by DPE when issuing the consent.</p>  | Formally approve <b>DA134 Rev B</b> dated 24/8/21 as per the SSD approval.  |
| <b>DA135 Rev B</b>  | 24/8/21     | <p>On 24 September 2021 <b>SSD-10371</b> was approved by the IPC of which plan reference <b>DA135 Rev B - Proposed Performing Arts Precinct Plan &amp; Multipurpose Pavilion Plan L3</b> was approved by this consent.</p> <p>This consent was updated pursuant to the deferred commencement details contained within Part A of <b>SSD-10371</b> which were accepted on 18 January 2022.</p> <p>Subsequently MOD2 sought to amend the landscaping details of <b>SSD-10371</b> and encapsulate the deferred commencement details.</p> <p>However, <b>DA135 Rev B</b> was not captured under either the deferred commencement details or included within the MOD2 amendment.</p> <p>The <b>SSD-10371-MOD-2</b> consent refers to the wrong plan being <b>DA135 Rev A</b> dated 3/2/20. This appears to be an administrative error made by DPE when issuing the consent.</p> | Formally approve <b>DA135 Rev B</b> dated 24/8/21 as per the SSD approval.  |
| <b>DA151 Rev E</b>  | 27/4/22     | <p>On 13 May 2022 Plan reference <b>DA151 Rev E</b> was provided to DPE in response to a request for further information (<b>SSD-10371-MOD 2</b>) pertaining to Site levels.</p> <p>Plan reference <b>DA151 Rev E</b> dated 27/4/22 was included within the modified consent reference <b>SSD-10371-MOD-2</b>. However, in the approved stamped plans (sheet no.7 of 19) plan reference <b>DA151 Rev D</b> dated 1/2/22 is stamped as approved.</p>   | DPE are requested to remove stamped plan <b>DA151 Rev D</b> and replace it with the correct stamped plan reference <b>DA151 Rev E</b> as cited in the consent ( <b>SSD-10371-MOD-2</b> ). |



| TABLE 1. MINOR ERRORS CONTAINED WITHIN SSD-10371-MOD-2 AND STAMPED PLANS |      |   |                 |
|--|------|---|-----------------|
| Plan   | Date | Provided Information for DPE Approval   | Section 4.55(1) |
|  |      | This is incorrect and does not correlate with the <b>SSD-10371-MOD-2</b> Consent, dated 26 May 2022. This appears to be an administrative error made by DPE when issuing the stamped plans. |                 |

As such, this application is submitted to DPE, pursuant to Section 4.55(1) of the EP&A Act and supported by the following information:

- **Appendix 1** – Consent **SSD-10371-MOD-2** with incorrect plan cited highlighted in gray
- **Appendix 2** – Correct Plan reference **DA151 Rev E** which was provided to DPE on 13 May 2022

Pursuant to Section 4.55(1) this modification is made to correct a minor error in the issuing of the consent for **SSD-10371-MOD-2**. For ease of reference Section 4.55(1) of the EP&A Act 1979 is set out below:

***Modifications involving minor error, misdescription or miscalculation*** A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, **modify a development consent granted by it to correct a minor error, misdescription or miscalculation**

For the reasons set out in **TABLE 1** this modification application seeks to amend minor errors made by DPE on the issuing of the consent and stamping of the plans. We note the correct plans **DA133 Rev B**, **DA134 Rev B** and **DA135 Rev B** were assessed and approved by the IPC on 24 September 2021 and were not updated, changed or altered by the deferred commencement details or MOD2. We stress that this Section 4.55(1) application is not an opportunity to re-review or seek further clarification on these already approved plans. It simply seeks to amend an error made by DPE when the consent **SSD-10371-MOD-2** was issued.

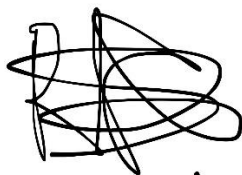
Similarly, this Section 4.55(1) application seeks to ensure the plan reference **DA151 Rev E** provided by request to DPE dated 13 May 2022 and cited as an approved plan on the consent for **SSD-10371-MOD-2** is reflected in the stamped plan set. This plan was reviewed under the MOD2 assessment and does not present DPE with an opportunity to re-review or seek further clarification on an already approved plan.

Overall, this Section 4.55(1) application seeks to amend the consent issued pursuant to **SSD-10371-MOD-2** to ensure it includes and cites the correct plans. The plans were previously assessed and approved under Section 4.15 of the EP&A Act and we stress this application is not an opportunity to re-review or seek further clarification on the already approved plans.

We appreciate the matter is a minor error and request that DPE expedite the issue of the modified Development Consent and confirm the correct plans are included and stamped.

We trust this information is sufficient for your purposes, however, should you wish to discuss the contents of this letter in further detail, please contact the undersigned.

Your sincerely,



**SECTION 4.55(1) APPLICATION**

SSD-10371 at Trinity Grammar School

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Richard Seaward  
Senior Planner  
Willowtree Planning Pty Ltd



# WILLOWTREE PLANNING

## APPENDIX 1

Consent **SSD-10371-MOD-2** mark-up

# Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Independent Planning Commission, under delegation issued on 19 November 2021, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



David Gibson  
**Team Leader**  
**Social Infrastructure**

Sydney

26 May 2022

## SCHEDULE 1

|                             |   |
|-----------------------------|---|
| <b>Development consent:</b> | <b>SSD-10371</b> granted by the Independent Planning Commission on 24 September 2021  |
| <b>For the following:</b>   | <p>Alterations and additions to Trinity Grammar School in construction stages and changes to staff and student numbers comprising:</p> <ul style="list-style-type: none"><li>• demolition of existing buildings including New School building, dwelling houses at 119 Prospect Road and 50 and 52 Seaview Street and part demolition of Music Building and Assembly Hall;</li><li>• Construction of a:<ul style="list-style-type: none"><li>○ new building with a basement known as the T&amp;L Building;</li><li>○ new Multi-Purpose Pavilion; and</li><li>○ new Maintenance Building on Seaview Street;</li></ul></li><li>• alterations and additions to existing buildings to create a Performing Art Building;</li><li>• refurbishment of the Music Building, New Founders Building, the Assembly Hall and North Quad Building;</li><li>• extension and reconfiguration of the Jubilee carpark and the staff carpark to increase the car parking spaces from 312 to 324 and a new underground connection;</li><li>• associated landscaping, removal of 29 trees, road and public domain works, ancillary signage;</li><li>• staged increase in student numbers from 1,500 to 2,100 and increase in FTE staff from 277 to 321.</li></ul> |
| <b>Applicant:</b>           | The Council of Trinity Grammar School   |
| <b>Consent Authority:</b>   | Independent Planning Commission   |
| <b>The Land:</b>            | 119 Prospect Road and 50-52 Seaview Street, Summer Hill<br>(Lot 11 DP 1171965, Lot 5 DP 15765 and Lot 6 DP 15765)   |
| <b>Modification:</b>        | <b>SSD-10371-Mod-2:</b> Minor design amendments to the landscape including removal of two existing trees and replacement with new tree planting.  |

## SCHEDULE 2

The consent (SSD-10371) is modified as follows:

1. Schedule 2 – Part B – Administrative Conditions – Condition B2 is amended by the deletion of the ~~struckout~~ words/numbers and adding the words/numbers in **bold and underline** as follows:

### Terms of Consent

B2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) generally in accordance with the EIS, Response to Submissions and ~~Supplementary Response to Submissions~~ **and SSD-10371-Mod-2**;
- (d) in accordance with the approved plans in the table below:

| Architectural Plans prepared by <i>PDML Architecture</i> |                                 |  |  |
|--|---------------------------------|--|--|
| Dwg No.  | Rev                             | Name of Plan   | Date   |
| DA003  | B                               | Site Masterplan  | 15/1/21  |
| DA100  | A                               | Site Demolition Plan B2  | 3/2/20   |
| DA101  | A                               | Site Demolition Plan B1  | 3/2/20   |
| DA102  | <del>A</del><br><b><u>B</u></b> | Site Demolition Plan L0 + above  | <del>3/2/20</del><br><b><u>11/2/2022</u></b>   |
| DA110  | C                               | Proposed Site Plan B2  | 10/12/21                                       |
| DA111  | <del>E</del><br><b><u>F</u></b> | Proposed Site Plan B1  | <del>21/12/21</del><br><b><u>11/2/2022</u></b> |
| DA112  | <del>F</del><br><b><u>G</u></b> | Proposed Site Plan L0  | <del>21/12/21</del><br><b><u>11/2/2022</u></b> |
| DA113  | <del>D</del><br><b><u>E</u></b> | Proposed Site Roof Plan  | <del>21/12/21</del><br><b><u>11/2/2022</u></b> |
| DA120  | B                               | Proposed T&L Precinct Plan B1  | 16/12/21                                       |
| DA121  | C                               | Proposed T&L Precinct Plan L0  | 10/12/21                                       |
| DA122  | C                               | Proposed T&L Precinct Plan L1  | 10/12/21                                       |
| DA123  | D                               | Proposed T&L Precinct Plan L2  | 10/12/21                                       |
| DA124  | D                               | Proposed T&L Precinct Plan L3  | 10/12/21                                       |
| DA125  | D                               | Proposed T&L Precinct Plan L4  | 10/12/21                                       |
| DA126  | D                               | Proposed T&L Precinct Plan Roof Plan                                   | 16/11/21                                       |
| DA130  | C                               | Proposed Performing Arts Precinct Plan & Multipurpose Pavilion Plan B2 | 10/12/21                                       |
| DA131  | <del>D</del><br><b><u>E</u></b> | Proposed Performing Arts Precinct Plan & Multipurpose Pavilion Plan B1 | <del>21/12/21</del><br><b><u>11/2/2022</u></b> |
| DA132  | <del>D</del><br><b><u>E</u></b> | Proposed Performing Arts Precinct Plan & Multipurpose Pavilion Plan L0 | <del>21/12/21</del><br><b><u>11/2/2022</u></b> |

|       |                          |  |  |
|-------|--------------------------|--|--|
| DA133 | A                        | Proposed Performing Arts Precinct Plan & Multipurpose Pavilion Plan L1 | 3/2/20                                       |
| DA134 | A                        | Proposed Performing Arts Precinct Plan & Multipurpose Pavilion Plan L2 | 3/2/20                                       |
| DA135 | A                        | Proposed Performing Arts Precinct Plan & Multipurpose Pavilion Plan L3 | 3/2/20                                       |
| DA140 | E                        | Proposed Maintenance Plan B1   | 10/12/21                                     |
| DA141 | D                        | Proposed Maintenance Plan L0   | 16/11/21                                     |
| DA142 | C                        | Proposed Maintenance Plan L1   | 16/11/21                                     |
| DA143 | C                        | Proposed Maintenance Roof Plan   | 16/11/21                                     |
| DA150 | B                        | Proposed Oval 3 Car Park B2  | 16/11/21                                     |
| DA151 | <del>C</del><br><b>E</b> | Proposed Oval 3 Car Park B1  | <del>21/12/21</del><br><b><u>27/4/22</u></b> |
| DA152 | B                        | Proposed Oval 2 Car Park B1  | 16/11/21                                     |
| DA153 | <del>C</del><br><b>D</b> | Proposed Oval 2 L0   | <del>21/12/21</del><br><b><u>11/2/22</u></b> |
| DA160 | A                        | Schematic Bicycle Parking Plan   | August 21                                    |
| DA200 | D                        | Streel Elevations 01,02  | 18/2/21                                      |
| DA201 | B                        | Streel Elevations 03,04  | 15/1/21                                      |
| DA300 | B                        | Site Sections AA, BB, GG   | 15/1/21                                      |
| DA301 | B                        | Site Sections CC, DD   | 15/1/21                                      |
| DA302 | D                        | Site Sections EE, FF   | 21/12/21                                     |
| DA306 | A                        | Building Elevations  | 28/8/20                                      |
| DA307 | A                        | Building Elevations  | 28/8/20                                      |
| DA308 | D                        | Building Elevations - Seaview Maintenance                              | 16/11/21                                     |
| DA309 | C                        | Building Sections - Seaview Maintenance                                | 16/11/21                                     |
| DA320 | B                        | Building Elevations  | 16/11/21                                     |
| DA321 | A                        | Building Elevations  | 24/8/21                                      |
| DA322 | B                        | Building Elevations  | 16/11/21                                     |
| DA330 | B                        | Site Sections AA   | 16/11/21                                     |
| DA331 | B                        | Site Sections BB   | 16/11/21                                     |
| DA332 | A                        | Site Sections CC   | 24/8/21                                      |
| DA333 | B                        | Site Sections DD   | 16/11/21                                     |
| DA334 | B                        | Site Sections EE   | 21/12/21                                     |
| DA340 | B                        | Jubilee Sections   | 21/12/21                                     |
| DA501 | A                        | Signage Location Plan  | 28/8/20                                      |
| DA502 | A                        | Signage Blade Wall   | 28/8/20                                      |
| DA503 | A                        | Lift Tower Signage   | 28/8/20                                      |
| DA504 | B                        | Scoreboard Signage   | 15/11/21                                     |



|   |                                 |                                      |   |
|---|---------------------------------|--------------------------------------|---|
| DA505   | C                               | Prospect Road Signage                | Not dated                                       |
| DA506   | A                               | Centenary Centre Signage             | 28/8/20   |
| DA507   | A                               | Seaview Maintenance Signage          | 28/8/20   |
| DA600   | A                               | Material's Board Western Facade      | 28/8/20   |
| DA601   | A                               | Material's Board Southern Facade     | 28/8/20   |
| DA602   | A                               | Material's Board Eastern Facade      | 28/8/20   |
| DA604   | C                               | Material's Board Seaview Maintenance | 24/2/21   |
| <b>Landscape Plans prepared by Arcadia Landscape Architecture</b> |                                 |                                      |   |
| <b>Dwg No.</b>  | <b>Rev</b>                      | <b>Name of Plan</b>                  | <b>Date</b>                                     |
| 000   | <del>E</del><br><b><u>G</u></b> | Coversheet                           | <del>Dec 2021</del><br><b><u>April 2022</u></b> |
| 100   | <del>E</del><br><b><u>G</u></b> | Landscape Masterplan                 | <del>Dec 2021</del><br><b><u>April 2022</u></b> |
| <b><u>101</u></b>   | <b><u>G</u></b>                 | <b><u>Plan Index</u></b>             | <b><u>April 2022</u></b>                        |
| 200   | <del>E</del><br><b><u>G</u></b> | Landscape Plan                       | <del>Dec 2021</del><br><b><u>April 2022</u></b> |
| 201   | <del>E</del><br><b><u>G</u></b> | Landscape Plan                       | <del>Dec 2021</del><br><b><u>April 2022</u></b> |
| 202   | <del>E</del><br><b><u>G</u></b> | Landscape Plan                       | <del>Dec 2021</del><br><b><u>April 2022</u></b> |
| 203   | <del>E</del><br><b><u>G</u></b> | Landscape Plan                       | <del>Dec 2021</del><br><b><u>April 2022</u></b> |
| 204   | <del>E</del><br><b><u>G</u></b> | Landscape Plan                       | <del>Dec 2021</del><br><b><u>April 2022</u></b> |
| 205   | <del>E</del><br><b><u>G</u></b> | Landscape Plan                       | <del>Dec 2021</del><br><b><u>April 2022</u></b> |
| 206   | <del>E</del><br><b><u>G</u></b> | Landscape Plan                       | <del>Dec 2021</del><br><b><u>April 2022</u></b> |
| 207   | <del>E</del><br><b><u>G</u></b> | Landscape Plan                       | <del>Dec 2021</del><br><b><u>April 2022</u></b> |
| 601   | E                               | Landscape Details and Specification  | Dec 2021  |
| L-650   | A                               | Landscape Details – planting         | 24/8/21   |
| 634   | -                               | Landscape Details – Jubilee Planter  | Not dated                                       |

**Note: The plans referred to and modified in the table in condition B2 are the plans that have been approved by the Independent Planning Commission on 18 January 2022, upon satisfaction of the deferred commencement condition.**

- Schedule 2 – Part F – Prior to the issue of the occupation certificate/commencement of operation – Condition F29 is amended by the deletion of the ~~struck out~~ words/numbers and adding the words/numbers in **bold and underline** as follows:

## Landscaping

F29. Prior to the issue of the occupation certificate of any construction stage, the Applicant must provide suitable evidence to the Certifier that the landscaping of the site has been completed in accordance with landscape plan(s) approved under condition A1(2) **B2**.

3. Schedule 2 – Part F – Prior to the issue of the Occupation Certificate/Commencement of Operation – Condition F29 is amended by the deletion of the ~~struck out~~ words/numbers and adding the words/numbers in **bold and underline** as follows:

## Planting on Yeo Park

F33. Prior to the issue of the occupation certificate of any relevant construction stage, the Applicant must provide additional canopy trees along the northern boundary of Yeo Park in consultation with Council, to assist with screening the visual of the Multi-Purpose Pavilion (identified in Landscape Plan **200 and 203 (issue G)** prepared by Arcadia Landscape Architecture dated ~~Oct 2020~~ **April 2022**). A copy of the consultation with the Council must be provided to the Planning Secretary prior to landscaping commencing.

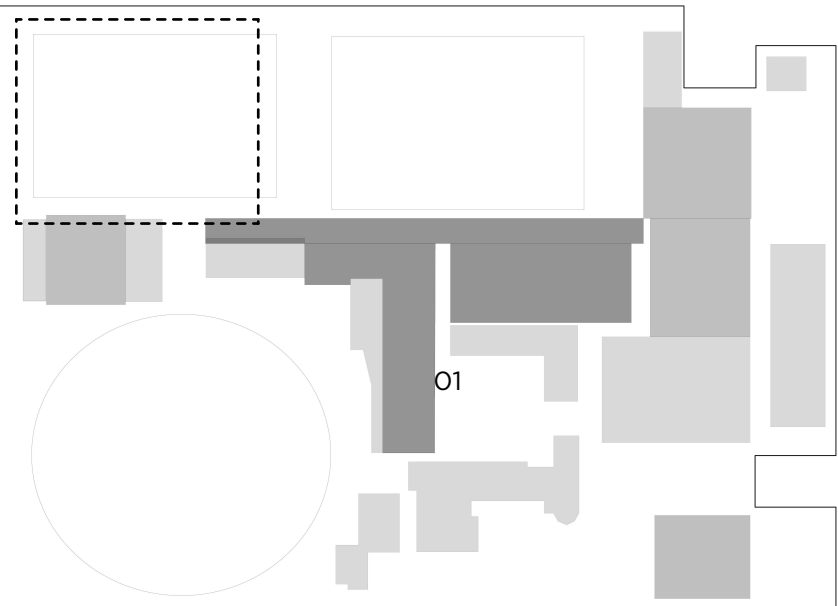
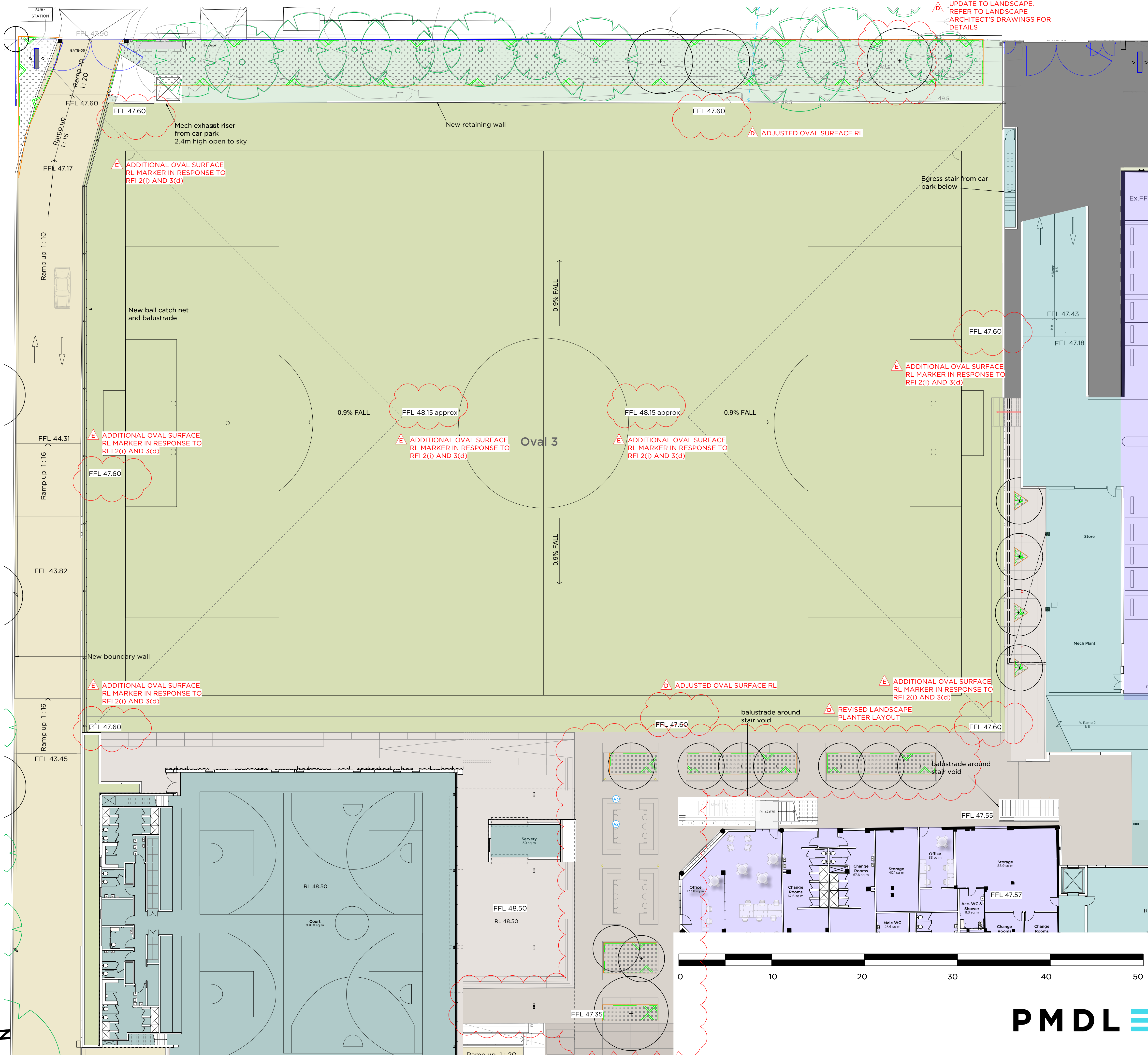
**End of modification**

**(SSD-10371-Mod-2)**

## **APPENDIX 2**

Plan **DA151 Rev E** as provided to DPE on 13 May 2022 and cited in the **SSD-10371-MOD-2** consent.





Location Plan - NTS

Legend:

- Site Boundary
- Existing Building - No works
- Proposed New Building Works
- Existing Building to be Refurbished
- Proposed Walls & Structure
- Existing Walls & Structure
- Demolish
- Previously proposed Building outline

01 PLAN  
Oval 3 Car Park Level B2 Proposed  
Scale 1:200

|   |          |  |
|---|----------|--|
| E | 27/4/22  | Response to Modification RFI           |
| D | 11/2/22  | Submission for Modification            |
| C | 21/12/21 | Revise for SSD DCC Part A resubmission |
| B | 16/11/21 | SSD DCC Part A resubmission            |
| A | 24/8/21  | Response to IPC                        |

| ISSUE | DATE    | REVISION                     |
|-------|---------|------------------------------|
| 01    | 27/4/22 | Response to Modification RFI |

DO NOT SCALE FROM DRAWING. USE FIGURED DIMENSIONS ONLY.  
CHECK ALL DIMENSIONS ON SITE BEFORE MANUFACTURE OR CONSTRUCTION.

|                          |  |           |          |
|--------------------------|--|-----------|----------|
| PROJECT                  | TGS Renewal Project                                      | PROJECT # | 2808     |
| CLIENT                   | Trinity Grammar School                                   | DWG #     | DA151    |
| DWG                      | Proposed Oval 3 Car Park B1                              | SCALE     | 200@A1   |
| CLIENT REF & CONTACT     | 119 Prospect Rd, Summer Hill                             | DATE      | Aug 2021 |
| ARCHITECTURE             | PMDL ARCHITECTURE + DESIGN PTY LTD ABN 56 002 960 357    | DRAWN     | KC       |
| NSW NOMINATED ARCHITECTS | ANDREW PENDER 5317 DAVID MORRIS 5865 VICKI VAN DIJK 9476 | CHWD      | SC       |
|                          |  | REVISION  | E        |

**PMDL** ARCHITECTURE  
INTERIORS  
MASTERPLANNING

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NSW NOMINATED ARCHITECTS: ANDREW PENDER 5317 DAVID MORRIS 5865 VICKI VAN DIJK 9476