



AKD/KT
14487
17 June 2016

Ms Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms McNally

**SECTION 96(1A) - MODIFICATION APPLICATION TO SSD 6840
ST VINCENT'S PRIVATE HOSPITAL SYDNEY - REVISED STATEMENT OF ENVIRONMENTAL
EFFECTS**

On behalf of St Vincent's Private Hospital Sydney (SVPHS), we hereby submit an application pursuant to section 96(1A) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) to modify Development Consent SSD 6840 relating to the approval of the East Wing building and the SVPHS high-rise building located within the St Vincent's Hospital campus (the site).

This application relates to a range of minor internal and external modifications, a minor reduction in the height of the East Wing and changes to the building identification signage. The proposed changes are the result of the ongoing design process, and the development of an improved architectural design that is more suitable to the proposed use.

This section 96(1A) application identifies the applicable development consent and describes the proposed modifications. It includes an assessment of the proposal in terms of the matters for consideration as listed under section 79C(1) and section 96 of the EP&A Act. This application is accompanied by:

- A copy of the Notice of Determination for SSD 6840 (**Attachment A**); and
- Revised Architectural Drawings prepared by Hassell Architects (**Attachment B**).

1.0 BACKGROUND

Development consent (SSD 6840) was granted on 17 September 2015 by the NSW Department of Planning and Environment. The project comprises the redevelopment of the existing private hospital including the construction of a 13 storey East Wing building, addition of a storey over the existing SVPHS low-rise building and internal and external refurbishment works to the existing SVPHS low-rise and high-rise buildings.

Following issue of the consent, SVPHS has identified a number of design modifications that will improve the appearance of the building and its internal functionality. Accordingly, a Section 96(1A) application was submitted to the Department in May 2016. Since this modification was submitted, some additional amendments have been made to further rationalise the depths of the spandrel panels on the upper levels of the East Wing's façade. Following consultation with the Department, this addendum application has been prepared to seek consent for these additional modifications.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT MODIFICATIONS

The proposed modifications to SSD 6840 are illustrated in the Architectural Drawings included at **Attachment B** and include the following:

- minor amendments to the internal layout and configuration of the East Wing and SVPHS high-rise buildings;
- amendments to the façade design and external materiality of the East Wing and high-rise buildings;
- amendments to the floor to floor heights from Levels 12 - 15 of the East Wing building to accommodate the previously approved hydrotherapy pool, and introduction of a split level on Level 12;
- removal of an external business identification sign from the western elevation of the East Wing building, and installation of an additional building identification sign on the northern elevation of the East Wing building;
- increase in hoist size serving Levels 5 to 8;
- extension of stair 5, at the south-eastern corner of the East Wing building; and
- increase in the extent of the ensuites in the high-rise building and removal of the high level windows to ensuites.

2.1 Modifications to the Development

Table 1 below provides a detailed floor by floor account of the proposed modifications at each level of the building.

Table 1 – Schedule of changes

Level	Description of Proposed Modification	Drawing No.	Revision
Demolition Layout – Level 3	<ul style="list-style-type: none"> ■ Provision of hoist penetrations; and ■ Removal of retaining wall. 	DA-00-801	E
Demolition Layout – Level 4	<ul style="list-style-type: none"> ■ Provision of hoist penetrations; ■ Increase to the extent of the demolition area; and ■ Removal of trees within the north eastern portion of the site. 	DA-00-802	E
Demolition Layout – Level 5	<ul style="list-style-type: none"> ■ Provision of hoist penetrations; ■ Reduction in the extent of internal demolition; and ■ No demolition to Victoria Street elevation of the high rise building. 	DA-00-803	E
Demolition Layout – Level 6	<ul style="list-style-type: none"> ■ Provision of hoist penetrations. 	DA-00-804	E
GA Plan – Level 02	<ul style="list-style-type: none"> ■ Minor reconfiguration of the internal layout to incorporate additional plant and storage rooms. 	DA-01-002	E
GA Plan – Level 03	<ul style="list-style-type: none"> ■ No change. 	DA-01-003	D
GA Plan – Level 04	<ul style="list-style-type: none"> ■ Minor reconfiguration of the internal layout. 	DA-01-004	E
GA Plan – Level 05	<ul style="list-style-type: none"> ■ Infill of the existing void; and ■ Increase in the size of the hoist. 	DA-01-005	F
GA Plan – Level 06	<ul style="list-style-type: none"> ■ Increase in the size of the ensuites to the north elevation of the high rise wing. 	DA-01-006	E
GA Plan – Level 07	<ul style="list-style-type: none"> ■ Inclusion of additional planter boxes; ■ Amendments to the façade line; ■ Increase in the size of the hoist; and ■ Increase in the size of the ensuites to the north elevation of the high rise wing. 	DA-01-007	E
GA Plan – Level 08	<ul style="list-style-type: none"> ■ Increase in the size of the hoist; ■ Increase in the extent of stair 5; and 	DA-01-008	F

Level	Description of Proposed Modification	Drawing No.	Revision
	<ul style="list-style-type: none"> ▪ Increase in the size of the ensuites to the north elevation of the high rise wing and East Wing Building. 		
GA Plan – Level 09	<ul style="list-style-type: none"> ▪ Increase in the size of the hoist; ▪ Inclusion of additional plant on the CSSD roof (low-rise building); ▪ Increase in the extent of stair 5; and ▪ Increase in the size of the ensuites to the north elevation of the high rise wing and East Wing Building. 	DA-01-009	F
GA Plan – Level 10	<ul style="list-style-type: none"> ▪ Increase in the extent of stair 5; and ▪ Increase in the size of the ensuites to the north elevation of the high rise wing and East Wing Building. 	DA-01-010	F
GA Plan – Level 11	<ul style="list-style-type: none"> ▪ Incorporation of a sliding door to the terrace; ▪ Increase in the extent of stair 5; and ▪ Increase in the size of the ensuites to the north elevation of the East Wing building. 	DA-01-011-L11-OA	F
GA Plan – Level 12	<ul style="list-style-type: none"> ▪ Increase in the extent of stair 5; and ▪ Introduction of a split floor level. 	DA-01-012	F
GA Plan – Level 13	<ul style="list-style-type: none"> ▪ Increase in the extent of stair 5. 	DA-01-013	E
GA Plan – Level 14	<ul style="list-style-type: none"> ▪ Increase in the extent of stair 5. 	DA-01-014	E
GA Plan – Level 15	<ul style="list-style-type: none"> ▪ Inclusion of additional meeting room; ▪ Increase in the extent of stair 5; and ▪ Minor amendments to the layout and extent of plant enclosure. 	DA-01-015	F
Victoria Street Elevation	<ul style="list-style-type: none"> ▪ Vertical extensions to ensuites; ▪ Extension of the louvre screen on the East Wing to the underside of the parapet; and ▪ Reduction of the depth of the spandrel panels on the East Wing. 	DA-03-001	F
East Wing – West Elevation	<ul style="list-style-type: none"> ▪ Increases and reductions to the floor to floor levels to accommodate the previously approved hydrotherapy pool and inclusion of a split level on Level 12; ▪ Deletion of the high level windows to the ensuites of the high rise building; ▪ Removal of the business identification sign comprising the St Vincent's Hospital logo; ▪ Amendments to the vertical shading design on the East Wing building to increase the extent of the glazing; ▪ Realignment of the spandrel panel to reflect the inclusion of a split level on Level 12; ▪ Reduction in the height of the lift shaft; ▪ Minor amendments to the materiality of the building; ▪ Extension of the louvre screen on the East Wing to the underside of the parapet; and ▪ Reduction of the depth of the spandrel panels on the East Wing. 	DA-03-002	F
East Wing – North Elevation	<ul style="list-style-type: none"> ▪ Inclusion of additional business identification signage; ▪ Lift shaft height modified; ▪ Amendments to the awning; ▪ Minor amendments to the materiality of the building; ▪ Extension of the louvre screen on the East Wing to the underside of the parapet; and ▪ Reduction of the depth of the spandrel panels on the East Wing. 	DA-03-003	F
East Wing – South Elevation	<ul style="list-style-type: none"> ▪ Amendments to the vertical shading design on the East Wing building to increase the extent of the glazing; ▪ Realignment of the spandrel panel to reflect the inclusion of a split level on Level 12; and ▪ Increase in the extent of stair 5. 	DA-03-004	E

Level	Description of Proposed Modification	Drawing No.	Revision
East Wing – East Elevation	<ul style="list-style-type: none"> Increases and reductions to the floor to floor levels to accommodate the previously approved hydrotherapy pool and split level; Deletion of the high level windows to the East Wing building; Redesign of the shading to the East Wing to improve views; Realignment of the spandrel panel to reflect the inclusion of a split level on Level 12; and Extension of the louvre screen on the East Wing to the underside of the parapet. 	DA-03-005	F
GA Section East West	<ul style="list-style-type: none"> Inclusion of a split level on Level 12; and Increases and reductions to the floor to floor levels to accommodate the previously approved hydrotherapy pool and inclusion of a split level on Level 12. 	DA-04-001	E
GA Section North South	<ul style="list-style-type: none"> Inclusion of a split level on Level 12; Increases and reductions to the floor to floor levels to accommodate the previously approved hydrotherapy pool and inclusion of a split level on Level 12; and Extension of the louvre screen on the East Wing to the underside of the parapet. 	DA-04-002	F

The modifications set out in **Table 1** that require further explanation are described below.

Signage

The proposed modifications include the installation of a building identification sign on the northern elevation of the East Wing (refer to **Figure 1**). The signage is proposed to comprise an external, back-lit cross with a height of 4.1m and a width of 2.1m. The proposed sign projects 300mm from the building façade.

The proposed modifications also comprise the removal of the external back-lit building identification sign comprising the St Vincent's Hospital logo from the western (Victoria Street) façade, however seeks to retain the originally proposed cross on this elevation.



Figure 1 – Proposed signage
Source: Hassell

Internal Reconfigurations

The internal configuration of the buildings has been modified to improve the efficiency of the layout and improve amenity. Internal reconfigurations include:

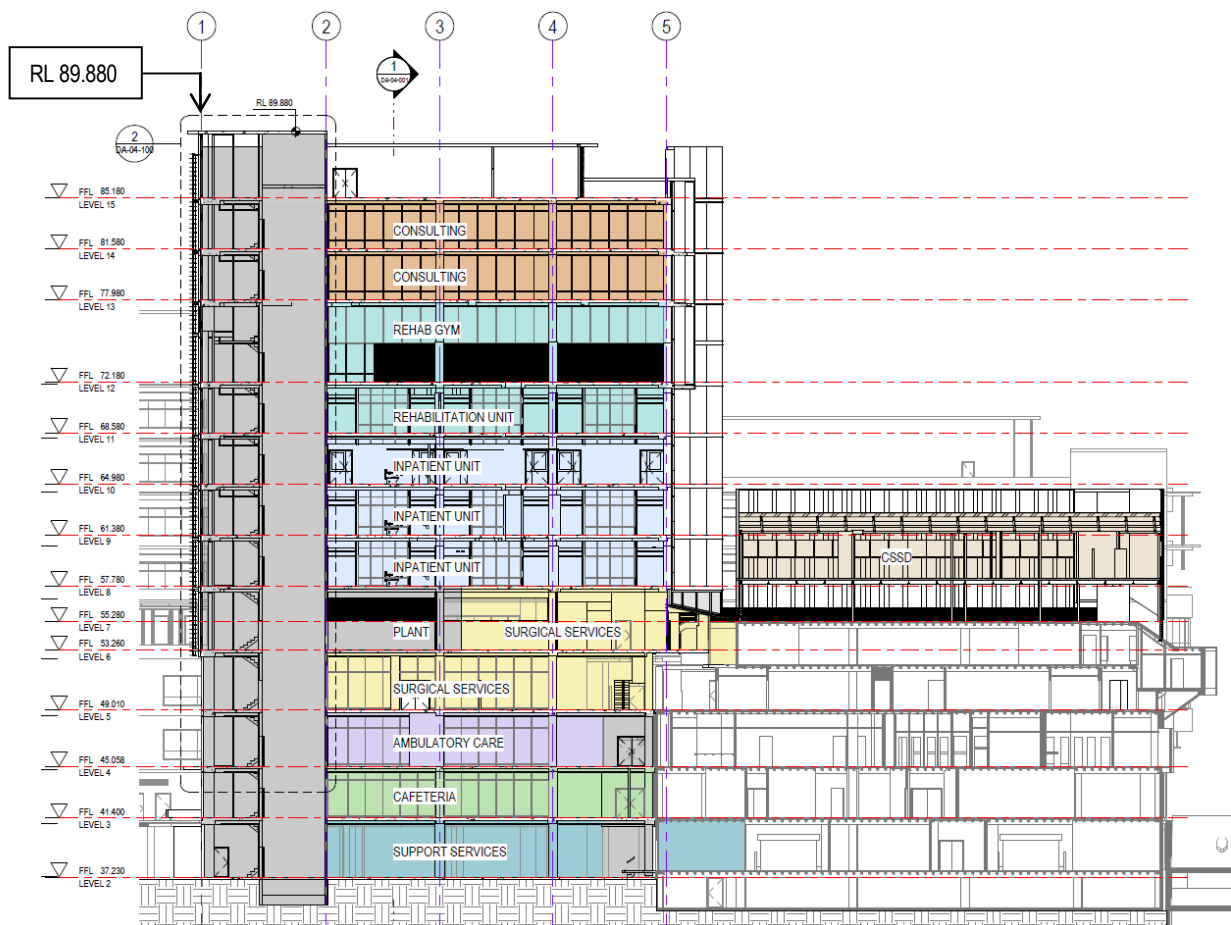
- minor increase in the extent of the ensuites within the high-rise and East Wing buildings;
- infilling of the void on Level 5;
- introduction of a split on Level 12 to accommodate the previously approved hydrotherapy pool; and
- inclusion of additional plant on the CSSD roof above the SVPHS low-rise building.

The proposed internal reconfigurations will result in a GFA increase of 69m², taking the total additional GFA of the development to 7,882m².

Floor to Floor Levels and Building Envelope

Amendments to the floor to floor heights are required to accommodate the aforementioned split level on Level 12 and the previously approved hydrotherapy pool. Whilst increases to the floor to floor heights are proposed on Level 12, those on Levels 14 and 15 have been reduced to maintain consistency with the building's approved height. The proposed changes are illustrated below in **Figure 2** and are detailed in **Table 2**.

Further, a slight amendment is proposed to the building height where the lift overrun is located on the north eastern section of the East Wing building. The amendment results in a decrease in the building height from 48.48m (RL 89.880) to 48.18m (RL 89.580), resulting in a 300mm reduction in height.



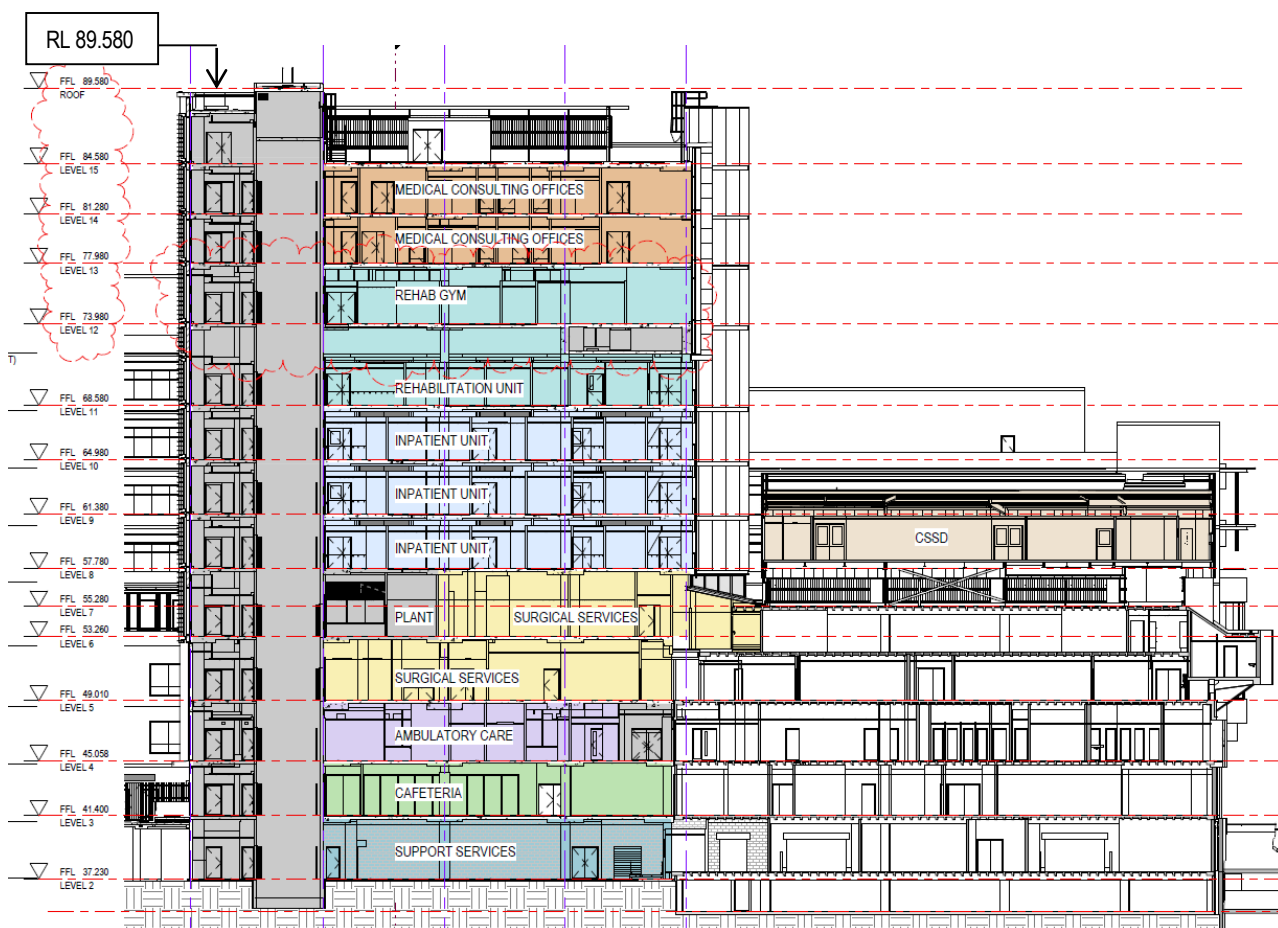


Figure 2 – Approved design (above) and proposed split level (below)

Source: Hassell

Table 2 – Proposed changes to floor to floor heights

Level	Use	Approved (RL)	Proposed (RL)	Change (m)
Level 12	Plant / Rehab Gym / Hydrotherapy Pool	72.180	73.980	+1.8
Level 13	Consulting Suites	77.980	77.980	0
Level 14	Consulting Suites	81.580	81.280	-0.3
Level 15	Plant / Lobby / Meeting Room	85.180	84.58	-0.6

Façade Amendments

The facades of both buildings have been amended to provide for an improved design that incorporates a diversity of materials. Improvements to the treatment of the façade consist of introducing new glazing and cladding materials. In particular, the extent of the cladding on the northern façade of the high-rise building has been increased whilst the glazing on the eastern side of the same elevation is proposed to be removed.

The introduction of a split level on Level 12 of the East Wing building necessitates updates to the external façade comprising an increase to the extent of the spandrel panels on the east, south and west elevations. The depth of the spandrel panels has also been amended to ensure a consistent depth when viewed externally, and the louvres have been taken to the underside of the parapet to create a more cohesive façade design. Further, the vertical sun shading devices on the East Wing building have been revised to allow for improved access to views.

Notwithstanding these changes, the facades of the high-rise and East Wing buildings maintain a vertical expression and colour pallet reflective of the surrounding streetscape, as show in the approved and proposed photomontages at **Figures 3 and 4**.



Figure 3 – The development, as approved
Source: Hassell



Figure 4 – The development, as proposed
Source: Hassell

2.2 Modifications to Conditions

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in ***bold italics***.

2.3 Development in Accordance with Plans

A2. The Applicant shall carry out the development generally in accordance with the:

- a) *Environmental Impact Statement St Vincent's Private Hospital Redevelopment*, prepared by JBA Urban Planning Consultants and dated March 2015;
- b) *Response to Submissions* prepared by JBA Urban Planning Consultants and dated 7 August 2015;
- c) The conditions of this consent; and
- d) The following drawings, expect for:
 - i) Any modifications which are Exempt or Complying Development
 - ii) Otherwise provided by the conditions of this consent.

Architectural and Landscape Drawings Prepared by Hassell			
Drawing No.	Revision	Name of Plan	Date
DA-00-801	D <i>E</i>	Demolition Layout – Level 3	13/02/15 <i>17/12/15</i>
DA-00-802	D <i>E</i>	Demolition Layout – Level 4	13/02/15 <i>17/12/15</i>
DA-00-803	D <i>E</i>	Demolition Layout – Level 5	13/02/15 <i>17/12/15</i>
DA-00-804	D <i>E</i>	Demolition Layout – Level 6	13/02/15 <i>17/12/15</i>
DA-00-805	D	Demolition Layout – Level 7	13/02/15
DA-00-806	D	Demolition Layout – Level 8, 9 & 10	13/02/15
DA-01-002	D <i>E</i>	GA Plan. Level 02	13/02/15 <i>17/12/15</i>
DA-01-003	D	GA Plan. Level 03	13/02/15
DA-01-004	D <i>E</i>	GA Plan. Level 04	13/02/15 <i>17/12/15</i>
DA-01-005	D <i>F</i>	GA Plan. Level 05	13/02/15 <i>22/04/16</i>
DA-01-006	D <i>E</i>	GA Plan. Level 06	13/02/15 <i>17/12/15</i>
DA-01-007	D <i>E</i>	GA Plan. Level 07	13/02/15 <i>17/12/15</i>
DA-01-008	D <i>F</i>	GA Plan. Level 08	13/02/15 <i>22/04/16</i>
DA-01-009	D <i>F</i>	GA Plan. Level 09	13/02/15 <i>22/04/16</i>
DA-01-010	D <i>F</i>	GA Plan. Level 10	13/02/15 <i>22/04/16</i>
DA-01-011	D <i>F</i>	GA Plan. Level 11	13/02/15 <i>22/04/16</i>
DA-01-012	D <i>F</i>	GA Plan. Level 12	13/02/15 <i>22/04/16</i>
DA-01-013	D <i>E</i>	GA Plan. Level 13	13/02/15 <i>22/04/16</i>
DA-01-014	D <i>E</i>	GA Plan. Level 14	13/02/15 <i>22/04/16</i>
DA-01-015	D <i>F</i>	GA Plan. Level 15	13/02/15 <i>22/04/16</i>
DA-02-901	D	Level 3 – Landscape Plan	20/02/15
DA-02-902	D	Level 4 – Landscape Plan	20/02/15
DA-02-903	C	Level 4 – Remediation Strategy	12/02/15
DA-02-904	C	Level 8 – 12 – Landscape Plan	12/02/15
DA-02-905	C	Level 4 – Existing Tree Plan	12/02/15
DA-03-001	D <i>F</i>	Victoria Street Elevation	13/02/15 <i>08/06/16</i>
DA-03-002	D <i>F</i>	East Wing – West Elevation	13/02/15 <i>08/06/16</i>
DA-03-003	D <i>F</i>	East Wing – North Elevation	13/02/15 <i>08/06/16</i>
DA-03-004	D <i>E</i>	East Wing – South Elevation	13/02/15 <i>22/04/16</i>
DA-03-005	D <i>F</i>	East Wing – East Elevation	13/02/15 <i>08/06/16</i>
DA-04-001	D <i>E</i>	GA Section. East-West	13/02/15 <i>17/12/15</i>
DA-04-002	D <i>F</i>	GA Section. North-South	13/02/15 <i>08/06/16</i>

3.0 SUBSTANTIALLY THE SAME DEVELOPMENT

Pursuant to section 96(1A) of the EP&A Act, the consent authority may modify 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 consent was originally granted and before that consent as originally granted was modified (if at all)”*.

None of the proposed modifications, whether considered individually or as a whole, will substantially alter the essence of the approved development. The proposed development is substantially the same as the approved in that:

- It retains the same use as the approved development, providing for a health services facility on a site zoned Special Uses 2 – Health Services Facility (SP2);
- The proposed modifications are generally consistent with the approved building envelope, resulting in a minor reduction in the height and therefore will not adversely alter the bulk, mass or scale of the development;
- The public benefits delivered by the development in the form of facilities and amenity will continue to be provided; and
- The environmental impacts are the same as the approved development.

The incorporation of the proposed modifications will result in a development which is substantially the same as the approved development. The modification of the SSD approval can therefore be lawfully made under section 96 of the EP&A Act.

4.0 ENVIRONMENTAL ASSESSMENT

Section 96(1A) of the EP&A Act states that a consent authority may modify a development consent if *“it is satisfied that the proposed modification is of minimal environmental impact”*.

The following assessment demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

4.1 Compliance with Statutory Plans

The development, as proposed to be modified, remains generally consistent with the following statutory plans and policies:

- A Plan for Growing Sydney;
- NSW Long Term Transport Masterplan 2012;
- Sydney's Cycling Future 2013;
- Sydney City Centre Access Strategy 2013;
- Sydney's Walking Future 2013;
- Healthy Urban Development Checklist, NSW Health;
- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP);
- State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure);
- State Environmental Planning Policy 33 – Hazardous and Offensive Development (SEPP 33);
- State Environmental Planning Policy 55 – Remediation (SEPP 55);
- State Environmental Planning Policy 64 – Advertising and Signage (SEPP 64);
- Sydney Local Environmental Plan 2012 (SLEP 2012);
- Sydney Development Control Plan 2012; and
- City of Sydney Development Contributions Plan 2006.

The planning assessment of the proposed modified development remains generally unchanged with respect to the above matters. The proposal will continue to be consistent with the provisions of SLEP 2012 and other applicable planning policies. An assessment of the proposed signage against the provisions of SEPP 64 is provided below.

State Environmental Planning Policy No. 64 – Advertising and Signage

SEPP 64 applies to all signage that under an environmental planning instrument is displayed with or without development consent and is visible from any public place or public reserve.

Under SEPP 64 and as discussed in **Table 3**, the below definitions are applicable to the proposed signage.

***building identification sign** means a sign that identifies or names a building, and that may include the name of a business or building, the street number of a building, the nature of the business and a logo or other symbol that identifies the business, but that does not include general advertising of products, goods or services.*

SEPP 64 specifies that when carrying out planning functions under the Act a consent authority must not grant development consent to an application to display signage unless the signage is consistent with the objectives of the SEPP as set out in clause 3(1)(a) which are as follows;

- (a) to ensure that signage (including advertising):
 - (i) is compatible with the desired amenity and visual character of an area, and
 - (ii) provides effective communication in suitable locations, and
 - (iii) is of high quality design and finish, and
- (b) to regulate signage (but not content) under Part 4 of the Act, and
- (c) to provide time-limited consents for the display of certain advertisements.
- (d) to regulate the display of advertisements in transport corridors, and
- (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

The proposed signage satisfies the objectives of SEPP 64 as it remains compatible with the visual character of the area. The proposed signage is to be constructed using durable high quality materials and remains consistent with the signage incorporated into the approved design, specifically the back-lit cross located on the western elevation of the East Wing building. The signage is to be located in an area that is easily legible and identifiable whilst not appearing obtrusive from the surrounding streetscape.

SEPP 64 also requires the signage to be assessed in the development application to satisfy the assessment criteria specified in Schedule 1. The proposal's consistency with this criteria is addressed in **Table 3** below:

Table 3 – SEPP 64 Assessment Criteria

Assessment criteria	Comments	Complies?
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed sign is situated within the broader St Vincent's development that is located within an area containing a range of retail and commercial uses. Accordingly, the proposed sign is suitable for the context. Further, the sign remains consistent with the signage already approved within the campus.	✓
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed sign is consistent with the signage approved under the original development, specifically the approved back-lit cross located on the western elevation of the East Wing building.	✓
2 Special Areas		
Does the proposal detract from the amenity or visual quality of any	The proposed sign is not located within proximity to environmentally sensitive areas, heritage conservation areas, natural or other conservation areas, open	✓

Assessment criteria	Comments	Complies?
environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	space, waterways or rural landscapes. Whilst the site is located in proximity to various heritage items, the additional sign is considered to represent a minor amendment and will have no material impact on these sites. Further, the signage is located within the context of other health services buildings and is suitable for the surrounds.	
3 Views and Vistas		
Does the proposal obscure or compromise important views?	The additional sign is to be affixed to the façade of the approved building. Accordingly, it will not protrude in a way that obscures or comprises important views.	✓
Does the proposal dominate the skyline and reduce the quality of vistas?	The sign does not protrude above the building envelope and will therefore not dominate the skyline or reduce the quality of vistas.	✓
Does the proposal respect the viewing rights of other advertisers?	The proposed sign is not located within the immediate vicinity of other advertisers. Further, the building is one of the tallest on the site and will not impact upon any advertisers viewing rights.	✓
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposal is consistent with approved signage affixed to the East Wing building and is therefore appropriate for the streetscape.	✓
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed sign is of high quality design and constructed from durable materials. The signage is of an appropriate scale and complementary to the architectural design of the building.	✓
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	Not applicable	✓
Does the proposal screen unsightliness?	Not applicable	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed sign does not protrude above the height of the building.	✓
5 Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The scale and proportion of the sign is consistent with the approved development and therefore compatible with the scale of the building. It is also scaled appropriately to allow for adequate legibility.	✓
Does the proposal respect important features of the site or building, or both?	The sign is to be affixed to a blank façade and will not obscure the visibility of important building or site features.	✓
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The sign has been designed to complement the architecture of the building. Specifically, it adopts a refined colour pallet to ensure it complements the materiality of the approved building. At night the sign will be backlit to correspond with the illuminated glazing of the building.	✓
6 Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The sign is backlit and therefore includes illumination.	✓
Would illumination result in unacceptable glare?	As illumination emanates from backlighting the proposal will not result in any unacceptable glare.	✓
Would illumination affect safety for pedestrians, vehicles or aircraft?	The sign will not reduce the safety of pedestrians and drivers within the surrounding streetscape.	✓
Would illumination detract from the amenity of any residence or other form of accommodation?	The sign is located within land zoned Special Uses 2 – Health Services Facility (SP2) and is not located within the immediate vicinity of residential dwellings. Accordingly, it is not anticipated the sign will reduce the amenity of residence or other forms of accommodation.	✓
Can the intensity of the illumination be adjusted, if necessary?	The proposed illumination will have the capacity to be adjusted, if necessary.	✓
Is the illumination subject to a curfew?	There is no curfew outlined in the Sydney CBD for illuminated sign.	✓

Assessment criteria	Comments	Complies?
Would the proposal reduce the safety for any public road?	The sign will not reduce the safety of pedestrians and drivers within the surrounding roads.	✓
8 Safety		
Would the proposal reduce safety for pedestrians/cyclists?	The proposed sign is confined to the building envelope and located on the upper levels, and therefore will not obscure the sightlines for pedestrians and cyclists.	✓
Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed sign has a projection of only 300mm, and as such the sightlines from public areas are not affected.	✓

4.2 Section 79C (1)(b) Impact on the Environment

The EIS submitted with the original application assessed the potential impacts of the overall development with regard to the following key planning issues:

- Compliance with Relevant Strategic and Statutory Plans and Policies
- Permissibility
- Urban Design and Built Form
- Environmental Amenity
- European Heritage
- Archaeology
- Traffic, Parking and Access
- Crime Prevention through Environmental Design
- Water Cycle Management
- Structural Stability
- Environmentally Sustainable Development
- Tree Removal and Ecological Impacts
- Consultation
- Construction Impacts
- Social and Economic Impacts

The planning assessment of the proposed modified development remains generally unchanged with respect to the above matters. However, the following matters warrant further assessment.

4.3 Urban Design and Built Form

The proposed amendments will not alter the configuration or massing of the approved buildings, or the presentation of the development to the public domain. Similarly, whilst minor changes are proposed to the approved materiality and façade concept, the proposal continues to reflect the original colour palette and geometric pattern.

4.4 Environmental Amenity

The proposed development will not give rise to any adverse amenity impacts, or alter the assessment contained in the original EIS. The minor reduction in building height would result in an improvement in overshadowing impacts.

4.5 S.79C(1)(c) Suitability of the site for the proposed development

The site remains suitable for the proposed development for the reasons outlined in the EIS lodged with the original application.

5.0 CONCLUSION

In accordance with section 96(1A) of the EP&A Act, the modified development will be substantially the same as the originally approved development. This section 96 application seeks to facilitate amendments in order to improve the functionality of the approved development and provide for an improved design. The proposed modifications will not alter the environmental impacts assessed and approved as part of the existing development consent, nor will they give rise to any additional adverse amenity impacts.

In accordance with section 96(1A) of the EP&A Act, the Minister or his delegate may modify the consent as:

- The consent, as proposed to be modified, is substantially the same development as that originally approved;
- The modifications will improve amenity offered by the approved health facility;
- The modifications are a result of ongoing design development and will improve the aesthetic appearance of the development and its internal layout; and
- The proposal will not result in any unacceptable adverse environmental, social or economic impacts.

In light of the above, we therefore recommend that the proposed modification is supported by the Minister.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification. Should you have any queries in relation to the above, please do not hesitate to contact me on 9956 6962 or ktudehope@jbaurban.com.au

Yours faithfully



Kate Tudehope
Principal Planner