



AKD/KT
14448
10 August 2016

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

Attention: Natasha Harras (Team Leader, Modification Assessments)

Dear Ms McNally

**SECTION 96(1A) - MODIFICATION APPLICATION TO SSD 6952
WENONA SCHOOL**

On behalf of Wenona School Limited, 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 6952 relating to the approval of a new educational facility at Wenona School, North Sydney.

This application relates to a range of minor internal and external modifications. Specifically, the application seeks approval for the reconfiguration of the internal layouts (and associated changes in GFA), minor changes to the external façade and building envelope, amendments to the landscaping, relocation of a vertical exhaust riser, increase in the size of the roof plant and deletion of the retractable awning over the rooftop terrace. The modifications also involve subdivision to accommodate the approved pedestrian bridge, as well as the redesign of the shoring system and the underpinning of the neighbouring properties during the construction phase. The proposed modifications will not result in significant changes to the approved building envelope, and will not increase the height of the approved building.

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:

- Revised Architectural Drawings prepared by Tonkin Zulaikha Greer (**Attachment A**);
- Revised Landscape Concept Plans prepared by 360 (**Attachment B**);
- Revised Construction Management Plan by EPM Projects (**Attachment C**);
- Section 96 Stormwater Statement prepared by TTW (**Attachment D**);
- Draft Subdivision Plan prepared by Michael Alexander Brown (**Attachment E**);
- Structural Statement prepared by Taylor Thomson Whitting (**Attachment F**);
- Acoustic Statement prepared by Wilkinson Murray (**Attachment G**); and
- Accessibility Statement prepared by MGAC Consulting (**Attachment H**).

1.0 BACKGROUND

Development consent (SSD 6952) was granted on 18 December 2015 by the NSW Department of Planning and Environment. The project comprises works to the existing Wenona School campus at 255 - 265 Miller Street, North Sydney including the demolition of existing buildings, construction of a six (6) storey education building, construction of a new pedestrian overpass crossing at Elliott Street, minor alterations and additions to the existing Miller Street campus building, relocation of existing sandstone pillars and gateposts, installation of a new substation and associated landscaping.

Since the consent was issued, Wenona School Limited has identified a number of design modifications that will improve the appearance of the building, enhance its internal functionality and facilitate the construction process. Accordingly, this application seeks consent for these modifications.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT MODIFICATIONS

The proposed modifications to SSD 6952 are illustrated in the Architectural Drawings included at **Attachment A** and include the following:

- minor reconfiguration of the internal layout including the removal and relocation of plant, inclusion of additional W/C facilities, and minor changes to the meeting room and classroom layouts;
- relocation of the vertical exhaust riser from the eastern side of the building to the southern side of the building;
- correction of the floor to floor heights on Level 4 through to Level 6 due to revised survey information (there will be no change to the approved height);
- amendments to the shoring system, underpinning of the neighbouring properties and increase to the extent of the mechanical trenching;
- design development of the building's Miller Street façade to remove surplus louvres over the timber balustrade to provide a consistent presentation of the balcony frontages;
- relocation and reconfiguration of the approved on site detention tank;
- reconfiguration of terrace gardens on Level 3 and Level 5;
- removal of the two awnings located above the rooftop terrace;
- increase in the extent of the roof level plant room; and
- minor increase in the quantum of GFA.

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
Approved Name / Proposed Name			
Lower Ground Floor 3 / Level 0	<ul style="list-style-type: none"> ■ relocation of the vertical exhaust riser from the eastern side of the building to the southern side of the building. ■ amendments to the internal layout of the pool plant room including; <ul style="list-style-type: none"> - relocation of two (2) balance tanks; - inclusion of a boiler room; - addition of a partition wall; - and reconfiguration of the entrance; 	A – 1002	A

Level Approved Name / Proposed Name	Description of Proposed Modification	Drawing No.	Revision
	<ul style="list-style-type: none"> increases to the extent of the mechanical trenching; and minor increase in GFA from Level 1 to Level 6; and amendments to the shoring design. 		
Lower Ground 2 / Level 1	<ul style="list-style-type: none"> underpinning of neighbouring properties to the north and south-east; minor reconfiguration to the layout of the change room facilities and reception area; relocation and reconfiguration of the approved OSD tank; minor increase in to the GFA; and amendments to the shoring design. 	A – 1003	A
Lower Ground 2 Mez / Level 2	<ul style="list-style-type: none"> underpinning of neighbouring properties to the north and south-east; minor reconfiguration to the layout of the change room facilities and reception area; minor increase in to the GFA; and amendments to the shoring design. 	A – 1004	A
Lower Ground 1 / Level 3	<ul style="list-style-type: none"> deletion of the W/C facilities adjacent to sports foyer; minor reconfiguration of the staff meeting room; amendments to the layout of the terrace landscaping, including the replacement of paving with timber decking and revised planter species; and amendments to the shoring design on the northern and western elevations. 	A – 1005	A
Ground Floor Plan / Level 4	<ul style="list-style-type: none"> boundary readjustment to reflect revised allotment; inclusion of doors to the fire hydrant / booster system on Miller Street; removal of the window to the chemical store on the site's southern boundary; amendments to the terrace landscaping, including the configuration of the garden beds, seating and plant species; and minor reconfigurations to the internal layout of the Stem Hub 4, Stem Hub 5, the Prep Room and the food technology room. 	A – 1006	A
Level 1 / Level 5	<ul style="list-style-type: none"> refinement of storage design in the north eastern corner to accommodate additional lockers; internal amendments including the removal of W/C facilities and the inclusion of additional lockers; removal of plant comprising the air handling unit; installation of a rainwater tank on the outdoor terrace; removal of storage space in the north-western portion of the floor plate to accommodate larger W/C facilities and a resultant increase in GFA; amendments to the outdoor learning terraces, including reconfiguration of the garden beds, seating and wetland water feature; and conversion of the concrete balustrade fronting the Elliott Street to a concrete planter wall with glass balustrade with a total height of 1570mm. 	A – 1007	A
Level 2 / Level 6	<ul style="list-style-type: none"> minor relocation of the pool plant services situated on the roof and minor change to the roof pitch; increase in the size of the roof plant by approximately 40m² and reconfiguration of plant within the existing Miller Street building; amendments to the terrace landscaping, including the garden bed and plant species; and 	A – 1008	A

Level Approved Name / Proposed Name	Description of Proposed Modification	Drawing No.	Revision
	<ul style="list-style-type: none"> minor amendments to the layout of the "Senior Ecosystem". 		
Roof Plan	<ul style="list-style-type: none"> increase in the size of the roof plant by approximately 40m²; amendment to the configuration of the glass roof; and minor changes to the roof type and pitch. 	A – 1009	A
Elevation Miller Street	<ul style="list-style-type: none"> minor amendments to the RLs floor to floor levels; and inclusion of three (3) entrance doors to the fire hydrant / booster system. 	A – 2001	A
Elevation Elliott Street	<ul style="list-style-type: none"> minor correction of RLs of the floor to floor levels in response to survey details; conversion of the concrete balustrade fronting the Elliott Street to a concrete planter wall with glass balustrade with a total height of 1570mm; reconfiguration to the layout of the glass roof; and removal of the window located on Level 3 / Lower Ground 1. 	A – 2002	A
Elevation North	<ul style="list-style-type: none"> minor correction of RLs of the floor to floor levels in response to survey details; conversion of the concrete balustrade fronting the Elliott Street to a concrete planter wall with glass balustrade with a total height of 1570mm; and provision of a small area of additional roofing to weatherproof between the existing and new buildings at the roof line. 	A – 2003	A
Section AA	<ul style="list-style-type: none"> increase to the extent of the mechanical trenching; minor correction of RLs of the floor to floor levels in response to survey details; conversion of the concrete balustrade fronting the Elliott Street to a concrete planter wall with glass balustrade with a total height of 1570mm; and installation of a rainwater tank on the Level 5 terrace. 	A – 3000	A
Section B-B, C-C	<ul style="list-style-type: none"> minor correction of RLs of the floor to floor levels in response to survey details; provision of a small area of additional roofing to weatherproof between the existing and new buildings at the roof line; change to the materiality of the southern side of the bridge; increase to the extent of the mechanical trenching; and boundary adjustment to reflect the alignment of the bridge. 	A – 3001	A
Section CC	<ul style="list-style-type: none"> minor correction of RLs of the floor to floor levels in response to survey details; provision of a small area of additional roofing to weatherproof between the existing and new buildings at the roof line; relocation of kitchen exhaust; increase to the extent of the mechanical trenching; and increase to the extent of the louvres. 	A – 3002	A

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

Floor to Floor Heights

The approved floor-to-floor heights have been corrected in response to updated survey information. It is noted that the revised floor to floor levels do not alter the overall height of the approved building. The proposed changes are detailed below in **Table 2**.

Table 2 – Proposed changes to floor to floor heights

Level (Approved Name / Proposed Name)	Approved (RL)	Proposed (RL)	Change(m)
Level 0 / Lower Ground 3	73,500	73,450	-0.50
Level 1 / Lower Ground 2	76,200	76,200	0
Level 2 / Lower Ground 2 (mez)	79,200	79,200	0
Level 3 / Lower Ground	81,500	81,500	0
Level 4 / Ground	84,800	84,850	+0.50
Level 5 / Level 1	88,315	88,290	-0.25
Level 6 / Level 2	91,575	91,540	-0.35
Roof	95,175	95,175	0
Total Change			-0.60

External Amendments

The building has been amended to provide for an improved design and to respond to the operational requirements of the new facility. The proposed external amendments include:

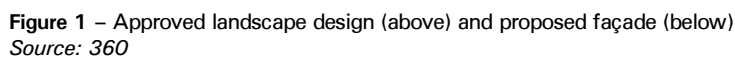
- replacement of the concrete balustrade on the eastern elevation with a concrete planter featuring a glass balustrade above for improved student safety;
- relocation of the vertical exhaust riser from the eastern side of the building to the southern side of the building to reduce the visual impact of the riser on the building's Elliott Street elevation;
- design development of the building's Miller Street façade to remove surplus louvres over the timber balustrade to provide a consistent presentation of the balcony frontages;
- removal of the window located on the eastern elevation at Level 3 and on the chemical store at Level 4 to achieve compliance with the Australian Standard;
- replacement of the timber cladding on the southern side of the pedestrian bridge with metal cladding to address fire safety requirements; and
- three (3) fire doors added to the fire hydrant / booster system on Miller Street.

Building Envelope

The building envelope is generally consistent with the building envelope established under the approved design, as detailed in the Architectural Plans at **Attachment A**. However, some minor, isolated variations are proposed to the approved envelope. Specifically, the relocated exhaust riser (to the south) protrudes above the existing building line and the extent of the rooftop plant footprint has increased by approximately 40m². It is noted that these changes will not increase the height of the building, which will remain at a maximum height of 14.8 metres as per the approved design.

Landscaping

The proposed landscape modifications relate to the outdoor learning terraces and garden terraces located from Level 3 to Level 6, as detailed in the Landscape Drawings at **Figure 1** and **Attachment B**. Specifically, the modifications relate to minor changes to the configuration of the garden beds, the wetland water feature, the planter boxes and plant species. The changes also comprise the inclusion of additional outdoor furniture and replacement of the paving with timber decking on Level 3. These modifications improve the aesthetic appearance of the landscape area and further encourage the utilisation of these outdoor spaces.



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

- 6

- relocation of existing stairs on Level 3; and
- inclusion of accessible W/C facilities on Level 3.

The modifications result in a GFA increase of 56m². This change brings the overall GFA of the development to 6,919m², increasing the FSR from 2.06:1 to 2.07:1. A further assessment is within **Section 4.3**.

Boundary Shoring

Following further resolution of the construction methodology, shoring, anchoring and structural underpinning will occur along the site's northern boundary to ensure the stability of the adjacent properties and footpaths during the excavation process. Shoring and temporary anchoring will also occur along the boundaries of Miller Street, Elliott Street and at 54 McLaren Street (refer to **Attachment C** and **Attachment F**). In particular, excavation along the northern boundary is to be undertaken vertically and a 280mm thick shoring wall is to be cast.

On Site Detention

The approved On Site Detention (OSD) tank was located below the entry ramp off Elliott Street. The original location is now occupied by mechanical structures, and so the tank has been relocated to a more linear alignment adjacent to the site's south-eastern boundary. The area of the tank will remain the same as originally approved. An assessment of revised OSD tank is provided at **Section 4.2** and **Attachment D**.

Services Trenching

Following detailed design of in-ground services, additional trenching is proposed to accommodate the necessary mechanical services. To accommodate the additional in-ground services, the extent of the mechanical trenching is proposed to be increased in depth as shown on the Architectural Plans at **Attachment A**.

Subdivision

The lot boundaries are required to be amended to ensure that they reflect the alignment of the pedestrian bridge approved under SSD 6952, as shown in the Draft Subdivision Plan at **Attachment E**. Specifically, this modification seeks to relocate the lot that accommodates the existing bridge connection further to the north, and subdivide Lots 2 and 3 to create Lot 100 and 101 in DP 1064209. The approved bridge connection is proposed to sit within Lot 101.

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***.

Terms of Consent

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

- a) *State Significant Development Application SSD 6952;*
- b) *Environmental Impact Statement, except where amended by the Response to Submissions;*
- c) *The following drawings, expect for:*
 - i) *any modifications which are Exempt or Complying Development*
 - ii) *otherwise provided by the conditions of this consent.*

Architectural (or Design) Drawings prepared by Tonkin Zulaikha Greer Architects			
Drawing No.		Name of Plan	Date
A-0010		General Demolition	16.07.15 29.07.16
A-0011		No. 255 Miller Street LG 2 Demolition Plan	16.07.15 29.07.16
A-0012		No. 255 Miller Street LG 1 Demolition Plan	16.07.15 29.07.16
A-0013		No. 255 Miller Street LG 1 Mez Demolition Plan	16.07.15 29.07.16
A-0014		No. 255 Miller Street G.F Demolition Plan	16.07.15 29.07.16
A-0015		No. 255 Miller Street Level 1 Demolition Plan	16.07.15 29.07.16
A-0016		No. 255 Miller Street Level 2 Demolition Plan	16.07.15 29.07.16
A-1001		Site Plan	16.07.15 29.07.16
A-1002		Lower Ground 3 Plan	16.07.15 29.07.16
A-1003		Lower Ground 2 Plan	16.07.15 29.07.16
A-1004		Lower Ground 2 Mez Plan	16.07.15 29.07.16
A-1005		Lower Ground 1 Plan	16.07.15 29.07.16
A-1006		Ground Floor Plan	16.07.15 29.07.16
A-1007		Level 1 Plan	16.07.15 29.07.16
A-1008		Level 2 Plan	16.07.15 29.07.16
A-1009		Roof Plan	16.07.15 29.07.16
A-2001		Elevation Miller Street	16.07.15 29.07.16
A-2002		Elevation Elliott Street	16.07.15 29.07.16
A-2003		Elevation North	16.07.15 29.07.16
A-3000		Section A-A	16.07.15 29.07.16
A-3001		Section B-B, C-C	16.07.15 29.07.16
A-3002		Section C-C	16.07.15 29.07.16
A-5002		Materials Schedule	16.07.15 29.07.16
Landscape Plans prepared by 360°			
Sheet	Issue	Name of Plan	Date
2	B	Lower Ground Mez Plan Public Domain Make-Good Works	26.05.15
3	A B	Lower Ground Plan Level 3 Landscape Plan	01.05.15 14.06.15
4	A B	Ground Floor Plan Level 4 Landscape Plan	01.05.15 14.06.15
5	A C	Level 1 Plan Level 5 Landscape Plan	01.05.15 14.06.15
6	A B	Level 2 Plan Level 6 Landscape Plan	01.05.15 14.06.15
7	A	Planting Schedule & Palette	01.05.15 14.06.15
1	A	Tree Location Plan & Tree Schedule	16.10.15
8	C	Landscape Sections	14.06.2016

3.0 SUBSTANTIALLY THE SAME DEVELOPMENT

Section 96(1A)(b) 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 in that:

- it retains the same use as the approved development in that it provides an educational establishment;
- the proposed modifications do not seek to modify the type of educational facilities provided by the development;
- the proposed modifications are generally consistent with the approved building envelope and will not significantly alter the bulk, mass or scale of the development;

- the fundamental elements and public benefits delivered by the development comprising the proposal's presentation to Miller and Elliott Streets, high level of disabled access, and the proposal's relationship to the existing built form, will continue to be provided; and
- the environmental impacts are the same as the approved development.

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"*.

4.1 Compliance with Statutory Plans

The EIS submitted with the original DA addressed the proposed development's level of compliance against relevant planning instruments, including:

- *Environmental Planning and Assessment Act 1979* (EP&A Act);
- *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP);
- *State Environmental Planning Policy (Infrastructure) 2007* (SEPP Infrastructure);
- *State Environmental Planning Policy 55 – Remediation* (SEPP 55);
- *North Sydney Local Environmental Plan 2013* (North Sydney LEP 2013);
- North Sydney Development Control Plan 2013 (North Sydney LEP 2013);
- North Sydney Section 94 Contributions Plan 2013;
- NSW 2021;
- A Plan for Growing Sydney
- NSW Long Term Transport Masterplan 2012;
- Sydney's Cycling Future 2013;
- Sydney's Walking Future 2013; and
- Healthy Urban Development Checklist, NSW Health.

The proposed modifications do not substantially alter the development and are proposed for the purposes of improving the efficiency of the layout, facilitating the construction process and enhancing the design of the building. As the proposed changes do not significantly alter the development's bulk, mass and scale, compliance with relevant planning instruments remains generally unchanged. Where variations are proposed, these are discussed below.

North Sydney LEP 2013 - Floor Space Ratio

Since consent was granted in December 2015 a planning proposal to amend the non-residential FSR requirements of North Sydney LEP 2013 has been gazetted. As such, this section 96 application needs to be considered against the amendment to the LEP standard.

A planning proposal (PP_2015_North_003_00) to remove the maximum 1:1 non-residential FSR requirement over land subject to Clause 4.4A within a B4 Mixed Use zone was gazetted in late 2015. As such, a minimum non-residential FSR of 0.5:1 applies to the site, with no maximum FSR control. Accordingly, the proposed FSR increase from 2.06:1 to 2.07:1 is consistent with LEP 2013.

In addition to the above, the increased GFA is minor and predominantly arises due to the rationalisation of plant. As a result, the increased floor space will not alter the building envelope, and will not be perceptible from the public domain. The increased FSR will also contribute to the improvement of the internal layout, providing additional circulation space and room to accommodate additional facilities such as lockers and desks. As such, it is considered that the

proposed increase improves the amenity of the design, whilst not resulting in any adverse environmental impacts.

4.2 S.79C(1)(b) Impact on the Environment

The EIS submitted with the original application addressed the likely environmental impacts of the development, including:

- Consistency with Relevant EPIs, Policies and Guidelines
- Urban Design and Built Form
- Heritage
- Parking and Traffic
- Amenity Impacts
- Tree Removal and Ecological Impacts
- Stormwater Management
- Construction Impacts
- BCA and Fire Safety
- Accessibility
- Structural Adequacy
- Soils, Geotechnical and Groundwater
- Environmentally Sustainable Development
- Crime Prevention Through Environmental Design
- Development Contributions
- Site Suitability
- Public Interest

Compliance with relevant strategic and statutory plans and policies has been considered above. The planning assessment of the proposed modified development remains generally unchanged with respect to the above matters. However, the following matters warrant further assessment.

Urban Design and Built Form

The proposed building envelope is generally consistent with the approved development. Specifically, the proposed relocation and configuration of the exhaust riser does not extend beyond the approved building height. Further, the additional rooftop plant is located centrally to the roof, does not result in any additional height and will continue to be screened and separated from neighbouring residential uses. The extended plant zone will not be visible from the public domain.

Based on the above, and because the maximum height of the development will remain consistent with the development approved under SSD 6952, the design as proposed to be modified will not result in any adverse amenity or visual impacts.

Façade Amendments

The proposed changes to the Miller Street façade comprise a reduction in the extent of the glass louvres. The intent and general appearance of the façade remains the same, with the changes required for practical reasons such as maintenance and buildability (refer to **Figure 2**).

Improvements to the treatment of the Elliott Street frontage consist of amending the concrete balustrade on the eastern elevation to a high concrete planter with glass balustrade above. The layout of the glass roof on the eastern elevation has also been amended to enhance the vertical expression of the façade. These two changes, together with the relocation of the exhaust riser, will improve the presentation of the development to Elliott Street as shown in **Figure 3** below.



Figure 2 – Existing (above) and proposed (below) Miller Street facade
Source: Tonkin Zulaikha Greer Architects



Figure 3 – Existing location of exhaust (above) and proposed relocation (below)

Source: Tonkin Zulaikha Greer Architects

Stormwater Management

TTW has prepared a Stormwater Statement to support the proposed relocation and reconfiguration of the OSD tank (refer to **Appendix E**). TTW has confirmed that the new OSD tank location is suitable with a provision for overland flow in the event of the tank being blocked. The overland flow path flows in a southerly direction, consistent with the pre-development overland flow regime and natural fall of the ground. The OSD tank system is designed to cater for up to and including the 100-year Average Recurrence Interval (ARI) storm event. TTW's analysis shows that the new OSD tank location will not have any adverse impact on the neighbouring properties. Further, TTW has confirmed that the modified OSD tank remains consistent with the Council-required OSD storage and permissible site storage.

Geotechnical and Structural

To mitigate possible impacts to the adjoining property, excavation along the northern boundary is to be undertaken vertically and a 280mm thick structural wall is to be cast. Systematic rock bolting will occur at each of the existing pile locations, and at the contiguous piles at the western end of the site.

A Structural Engineering Statement has been prepared by TTW and is included at **Attachment F**. The statement confirms that the proposed modifications are consistent with the structural provisions the relevant Australian Standards and Engineering principles and practices.

Construction Management

A revised Preliminary Construction Management Plan has been prepared by EPM Projects at **Attachment C**. The preliminary CMP details the principles that will govern the construction process. In light of the proposed modifications, the CMP makes provisions for the underpinning and shoring works and indicates consultation with potentially affected neighbours will be undertaken prior to construction. The report concludes that with the adoption of the recommended measures, the proposed works will not adversely affect the health, safety and amenity of the public, neighbours and employees of the school.

Acoustic Impacts

An Acoustic Statement has been prepared by Wilkinson Murray and is included at **Attachment G**. The statement confirms the noise impacts are to remain the same with the approved development. As such, the proposed modifications are not anticipated to result in any undesirable noise emissions.

Accessibility

An Accessibility Statement has been prepared by Morris Goding Accessibility Consulting (MGAC) (refer to **Attachment H**). The report concludes that the proposed design changes do not alter the approved building's consistency with the relevant standards. As such, the proposal will continue to achieve sufficient level of accessibility.

Environmental Amenity

The proposed development will not give rise to any adverse amenity impacts, or alter the assessment contained in the original EIS.

Revised Shadow Diagrams have been provided as part of the Architectural Drawings at **Attachment A** which demonstrate that the modified design will not result in any significant changes to shadow impacts on the adjoining property to the south-east. Notwithstanding this, the diagrams show that the relocated exhaust riser will result in a very small area of additional shadow on the site of the recently demolished building at 54 McLaren Street at 3pm on the Equinox.

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 educational facility and provide for an improved design. The proposed modifications will not alter the environmental impacts assessed and approved as part of the original 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 educational 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



Alicia Desgrand
Junior Urban Planner



Kate Tudehope
Principal Planner