

Modification of Development Consent

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

As delegate of the Minister for Planning, I modify the consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Karen Harragon
Director
Social and Other Infrastructure Assessments

Sydney

21 / 9 / 2018

SCHEDULE 1

- Development consent:** SSD 7610 granted on the 28 February 2018
- For the following:** Development of the new Inner Sydney High School, involving:
- redevelopment of the existing Cleveland Street Intensive English High School;
 - demolition Building 4 and associated covered walkways;
 - adaptive reuse of existing heritage-listed buildings; and
 - a proposed new 13 storey building, including basement and rooftop basketball court.
- Applicant:** NSW Department of Education
- Consent Authority:** Minister for Planning
- The Land:** 242A and 244 Cleveland Street, Surry Hills (Corner of Chalmers and Cleveland Streets, Surry Hills - Lot 8 DP 821649, Lot 1 DP 797483 and Lot 1 DP 797484)
- Modification:** SSD 7610 MOD 2:
- Modification of condition A7 (design modification) to vary the timing required to satisfy the condition from prior to commencement of building works to within three months of the commencement of building works.
 - Modification of condition B23 (final excavation reports) to vary the timing required to satisfy the condition, provide that an interim and final excavation report is required to be lodged, and correct a minor typographical error.
 - Modification of condition B36 (paving design over trees 1 and 17) to vary the timing required to satisfy the condition from prior to commencement of construction to prior to commencement of building works.
 - Modification of condition B46 (stormwater and drainage works design) to vary the timing required to satisfy the condition from prior to commencement of construction (excluding demolition) to prior to commencement of building works.

- Renumbering of condition B67 to B21 and repositioning of the condition to the end of Part D of the consent to correct a typographical error in the numbering of the condition.

SCHEDULE 2

The consent (SSD 7610) is modified as follows:

- (a) Schedule 2 Part A Administrative Conditions – Condition A7 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

A7. The Applicant, in consultation with the Government Architect NSW, must develop a simplified design of the exterior of the tower indicating further refinement and simplification of expression to compliment the retained heritage buildings on the Site, whilst retaining design integrity present. This simplified design must be submitted to the satisfaction of the Design Integrity Panel (DIP), prior to **within three months of** the commencement of building works. Evidence of the DIP's agreement to the design modifications must be submitted to the Secretary prior to **within three months of the** commencement of building works.

- (b) Schedule 2 Part B Prior to Commencement of Works – Conditions B23, B36 and B46 are amended by the insertion of the bold and underlined words / numbers and deletion of the struckout words/numbers as follows:

B23. **An interim excavation report is to be submitted to the Heritage Council of NSW, Council and the Department prior to the commencement of construction (excluding demolition).** ~~After any archaeological works have been undertaken, a~~ A copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, Council and the Department **within 12 months of the commencement of construction**. The Applicant shall also be required to nominate a repository for the relics salvaged ~~form~~ **from** any historical archaeological excavations.

B36. **Prior to the commencement of building works,** ~~t~~The area of proposed paving over the root zones of both tree 1 (Moreton Bay fig) in the Site's south west and the area of proposed 'suspended slab' paving around tree 17 (Queensland kauri tree) near Building 3 must be designed in consultation with Council and a qualified arborist to ensure the non-compaction of the root zones of these significant trees.

B46. Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional and in accordance with the requirements of Council must be approved by Council prior to the commencement of ~~construction (excluding demolition)~~ **building works**. The hydrology and hydraulic calculations must be based on models described in the current edition of Australian Rainfall and Runoff.

- (c) Schedule 2 Part D Prior to Occupation or Commencement of Use – Condition B67 is renumbered to D21 and is repositioned to the end of Part D.

END OF MODIFICATION