

30 September 2020
Our Ref: 9809A.15PS_s4.55(1A)_Mod 2



Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

planning consultants

Dear Sir/Madam

**RE: SECTION 4.55(1A) APPLICATION TO MODIFY SSD 8365 (MOD 2)
PENSURST PUBLIC SCHOOL
510 FOREST ROAD, PENSURST**

1.0 Introduction

DFP Planning has been commissioned by Grindley Constructions to prepare an application on behalf of School Infrastructure (SINSW) under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify development consent No. SSD 8365 (as modified) for the redevelopment and operation of Penshurst Public School.

The section 4.55(1A) application (Mod 1) seeks to modify Condition A2 relating to the approved plans in order to facilitate minor amendments to plans including adjustments to landscaping, extending the face brick work to roof line on the northern elevation to address water proofing issues, and installation of a double gate to the perimeter fence for Fire Brigade access.

This letter has been prepared in support of the section 4.55(1A) application and includes the information necessary for Council to assess and determine the application including:

- A background outlining the approved development;
- Details and reasons for the proposed modifications;
- An environmental assessment; and
- Our conclusion and recommendations.

We have concluded that the proposed modification will not substantially alter the approved development and accordingly are considered to satisfy the requirements to enable these modifications to be approved by Council pursuant to section 4.55 of the EP&A Act.

The proposed modifications are unlikely to result in any adverse environmental impacts and accordingly, we are of the view that the proposed modifications are acceptable in this particular instance.

2.0 Background

On 21 February 2019, the Department of Planning, Industry and Environment (DPIE) granted development consent to State Significant Development application No. SSD-8365 for the redevelopment and operation of Penshurst Public School at 510 Forest Road, Penshurst. The approved project includes the construction of a new three-storey built form with ground floor and roof top open spaces. The building footprint is approximately 50 metres wide by 130

metres in length with the ground floor being rectangular in floor plate, while the two upper levels are designed with a curvilinear layout. At ground level, there are three (3) separate buildings which are linked by an undercroft created by the levels above. The redevelopment increases the capacity of the school from 439 to 1,012 students, providing a total of 47 teaching spaces (see **Figure 1**).



Figure 1 Render of approved built form under SSD 8365

The site strategies for the approved built form included:

- A clear and well-defined entry for the school which acts as a meeting point;
- Retention of existing entry points, maximising separation between vehicle crossing and pedestrian crossing/the intersection of Arcadia Street and Forest Road;
- Establishing building setbacks so that facades facing the adjacent school are minimised and are separated from the boundary to reduce visual encroachment;
- Aligning the building volume to the eastern side of the Site, creating a central open play area;
- Building scale to match existing streetscape and neighbouring school;
- Utilising site contours to minimise earthworks; and
- Maximising retained trees.

On 6 April 2019, DPIE granted consent to a modification to SSD-8365 (Mod 1) to adjust two (2) stairwells, incorporate a new stairwell to reduce egress distances and implement some minor layout changes, as well as include a fire sprinkler system.

Condition A2 of the Development Consent relates to approved plans and states:

“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 and Response to Submissions; and*
- (d) In accordance with the approved plans in the table below: ...”*

A number of the plans listed in the Table (an extract is provided below) under Condition A2 (as modified) will be impacted by the proposed modifications:

<i>Architectural Drawings prepared by Perumal Pedavoli Architects</i>			
<i>Dwg No.</i>	<i>Rev</i>	<i>Name of Plan</i>	<i>Date</i>
3199-ARC-DD_00_001	A	Legend Sheet	31/08/18
3199-ARC-DD_00_002	n/a	Site Survey Plan	28/03/18
3199-ARC-DD_00_003	n/a	Demolition Plan	28/03/18
3199-ARC-DD_00_011	n/a	Site Signage Plan	28/03/18
3199-ARC-DD_00_100	A	Overall Site Fence Plan	31/08/18
3199-ARC-CD-00_200	06	Overall Site Masterplan	28/10/19
3199-ARC-CD-01_101	11	Floor Plan – Level 0 – Part 1	05/11/19
3199-ARC-DD_01_102	A	Floor Plan – Level 0 – Part 2	31/08/18
3199-ARC-CD-01_103	09	Floor Plan – Level 0 – Part 3	30/10/19
3199-ARC-CD-01_111	09	Floor Plan – Level 1 – Part 1	28/10/19
3199-ARC-DD_01_112	A	Floor Plan – Level 1 – Part 2	31/08/18
3199-ARC-CD-01_113	07	Floor Plan – Level 1 – Part 3	29/10/19
3199-ARC-CD-01_121	09	Floor Plan – Level 2 – Part 1	28/10/19
3199-ARC-DD_01_122	A	Floor Plan – Level 2 – Part 2	31/08/18
3199-ARC-CD-01_123	07	Floor Plan – Level 2 – Part 3	29/10/19
3199-ARC-CD-01_131	05	Floor Plan – Level 3 – Part 1	28/10/19
3199-ARC-DD_01_132	A	Floor Plan – Level 3 – Part 2	31/08/18
3199-ARC-CD-01_133	04	Floor Plan – Level 3 – Part 3	29/10/19
3199-ARC-CD-01_141	04	Roof Plan – Part 1	28/10/19
3199-ARC-DD_01_142	A	Roof Plan – Part 2	31/08/18
3199-ARC-CD-01_143	04	Roof Plan – Part 3	29/10/19
3199-ARC-CD-01_201	05	Elevations – Sheet 1	16/10/19
3199-ARC-CD-01_202	05	Elevations – Sheet 1	16/10/19
3199-ARC-CD-01_203	06	Elevations – Sheet 1	28/10/19
3199-ARC-CD-01_211	03	Sections – Sheet 1	31/08/18
3199-ARC-CD-01_212	03	Sections – Sheet 2	29/10/19
3199-ARC-CD-01_213	04	Sections – Sheet 3	28/10/19
3199-ARC-DD_01_214	A	Sections – Sheet 4	31/08/18
3199-ARC-CD-01_215	02	Sections – Sheet 5	29/10/19
3199-ARC-DD_01_216	A	Sections – Sheet 6	28/10/19
3199-ARC-DD_01_217	A	Sections – Sheet 7	31/08/18
3199-ARC-DD_01_220	A	Wall Sections – Sheet 1	29/10/19
3199-ARC-DD_01_221	A	Wall Sections – Sheet 2	28/10/19
3199-ARC-DD_01_222	A	Wall Sections – Sheet 3	31/08/18
3199-ARC-DD_01_223	A	Wall Sections – Sheet 4	29/10/19
3199-ARC-DD_01_224	A	Wall Sections – Sheet 5	16/10/19
3199-ARC-CD-01_401	03	Finishes Plan – Level 0 – Part 1	28/10/19
3199-ARC-DD_01_402	A	Finishes Plan – Level 0 – Part 2	31/08/18
3199-ARC-CD-01_403	04	Finishes Plan – Level 0 – Part 3	16/10/19
3199-ARC-CD-01_411	02	Finishes Plan – Level 1 – Part 1	16/10/19
3199-ARC-DD_01_412	A	Finishes Plan – Level 1 – Part 2	31/08/18
3199-ARC-CD-01_413	02	Finishes Plan – Level 1 – Part 3	16/10/19
3199-ARC-CD-01_421	02	Finishes Plan – Level 2 – Part 1	16/10/19
3199-ARC-DD_01_422	A	Finishes Plan – Level 2 – Part 2	31/08/18
3199-ARC-CD-01_423	02	Finishes Plan – Level 2 – Part 3	16/10/19
3199-ARC-CD-01_431	02	Finishes Plan – Level 3 – Part 1	16/10/19
3199-ARC-DD_01_432	A	Finishes Plan – Level 3 – Part 2	31/08/18
3199-ARC-CD-01_433	02	Finishes Plan – Level 3 – Part 3	16/10/19
<i>Landscape Drawings prepared by Lorna Harrison Landscape Architects</i>			
<i>Dwg No.</i>	<i>Rev</i>	<i>Name of Plan</i>	<i>Date</i>

555 LAN CD 01	2	Landscape Site Plan – Trees Retained/Removed	17/10/19
555 LAN CD 02	2	Landscape Site Plan – Ground Level	17/10/19
555 LAN DD 02_C	A	Landscape Site Plan – Ground Level Central Zone	31/08/18
555 LAN DD 02_N	A	Landscape Site Plan – Ground Level North	31/08/18
555 LAN CD 02_2	2	Landscape Site Plan – Ground Level South	17/10/19
Stormwater/Drainage Drawings prepared by Woolacotts Consulting Engineers			
Dwg No.	Rev	Name of Plan	Date
3199-CIV-CD_01_001	03	Standard Notes and Drawing List	05/11/19
3199-CIV-CD_01_002	07	Civil Works Plan	05/11/19
3199-CIV-CD_01_005	05	Civil Works Details – Sheet 1	05/11/19
3199-CIV-CD_01_006	04	Civil Works Details – Sheet 2	16/10/19
3199-CIV-CD_01_007	03	Civil Works Details – Sheet 3	16/10/19
3199-CIV-CD-01-008	01	Erosion and Sediment Control Plan	10/05/19

3.0 Proposed Modification

The proposed modifications relate to minor architectural and landscape design and layout changes, as detailed below:

- Increase turfed area, decrease astro turf and re-align pathway and drainage (see **Dark Blue** mark up in **Figure 2**);
- Amend planting locations for ten (10) Crepe Myrtle (*Lagerstroemia* 'Natchez') trees (see **Orange** mark up in **Figure 2**) with no change to total number of plantings;
- Change tree species along boundary to Lilly Pilly (*Acmena smithii* 'Redhead') in order to limit crown spread and reduce overhanging branches over boundary (pursuant to discussions and agreement with neighbours) (see **Light Blue** mark up in **Figure 2**);
- Install new double gate to allow access for Fire Brigade (see location identified in **Pink** in **Figure 2**); and
- Extend brickwork to roof line on northern façade (see **Red** bubble in **Figure 3**).

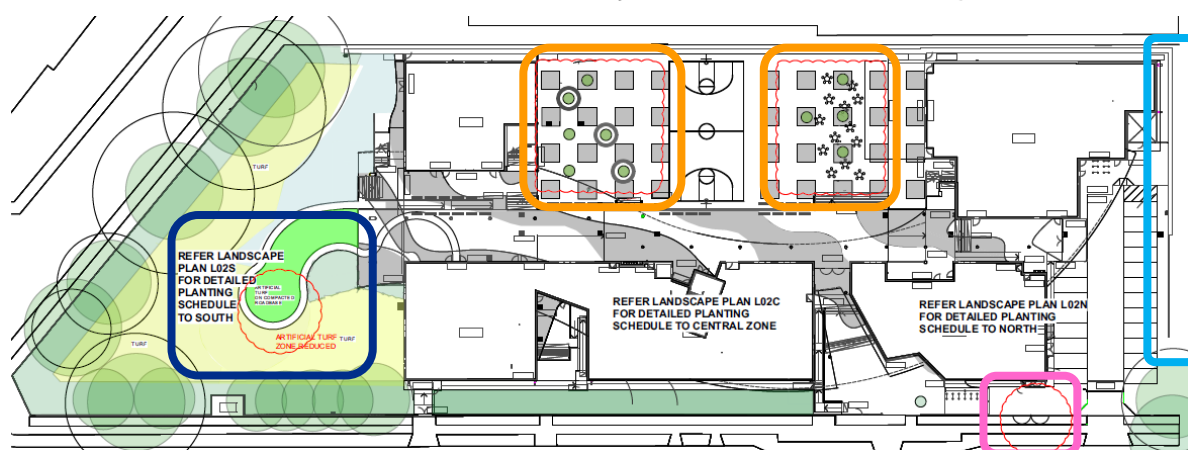


Figure 2 Proposed Landscape Plan



Figure 3 Northern façade indicating modification

3.1 Details of Modifications to Condition A2

The proposed modifications warrant updates to a number of the approved plans listed under Condition A2. Changes to this Condition are set out as follows [~~delete~~ and ~~add~~]:

Architectural Drawings prepared by Perumal Pedavoli Architects			
Dwg No.	Rev	Name of Plan	Date
3199-ARC-DD_00_001	A	Legend Sheet	31/08/18
3199-ARC-DD_00_002	n/a	Site Survey Plan	28/03/18
3199-ARC-DD_00_003	n/a	Demolition Plan	28/03/18
3199-ARC-DD_00_011	n/a	Site Signage Plan	28/03/18
3199-ARC-DD_00_100	A	Overall Site Fence Plan	31/08/18
3199-ARC-CD_00_100	06	Overall Site Fence Plan	14/09/20
3199-ARC-CD_00_200	06	Overall Site Masterplan	28/10/19
3199-ARC-CD_00_200	10	Overall Site Masterplan	14/09/20
3199-ARC-CD_01_101	11	Floor Plan – Level 0 – Part 1	05/11/19
3199-ARC-DD_01_102	A	Floor Plan Level 0 – Part 2	31/08/18
3199-ARC-CD_01_102	17	Floor Plan Level 0 – Part 2	14/09/20
3199-ARC-CD_01_103	09	Floor Plan Level 0 – Part 3	30/10/19
3199-ARC-CD_01_103	20	Floor Plan Level 0 – Part 3	14/09/20
3199-ARC-CD_01_111	09	Floor Plan – Level 1 – Part 1	28/10/19
3199-ARC-DD_01_112	A	Floor Plan – Level 1 – Part 2	31/08/18
3199-ARC-CD_01_113	07	Floor Plan – Level 1 – Part 3	29/10/19
3199-ARC-CD_01_121	09	Floor Plan – Level 2 – Part 1	28/10/19
3199-ARC-DD_01_122	A	Floor Plan – Level 2 – Part 2	31/08/18
3199-ARC-CD_01_123	07	Floor Plan – Level 2 – Part 3	29/10/19
3199-ARC-CD_01_131	05	Floor Plan – Level 3 – Part 1	28/10/19
3199-ARC-DD_01_132	A	Floor Plan – Level 3 – Part 2	31/08/18
3199-ARC-CD_01_133	04	Floor Plan – Level 3 – Part 3	29/10/19
3199-ARC-CD_01_141	04	Roof Plan – Part 1	28/10/19
3199-ARC-DD_01_142	A	Roof Plan – Part 2	31/08/18
3199-ARC-CD_01_143	04	Roof Plan – Part 3	29/10/19
3199-ARC-CD_01_201	05	Elevations – Sheet 1	16/10/19
3199-ARC-CD_01_202	05	Elevations – Sheet 1	16/10/19
3199-ARC-CD_01_202	11	Elevations – Sheet 1	23/09/20
3199-ARC-CD_01_203	06	Elevations – Sheet 1	16/10/19
3199-ARC-CD_01_211	03	Sections – Sheet 1	16/10/19
3199-ARC-CD_01_212	03	Sections – Sheet 2	16/10/19
3199-ARC-CD_01_213	04	Sections – Sheet 3	16/10/19
3199-ARC-DD_01_214	A	Sections – Sheet 4	31/08/18
3199-ARC-CD_01_215	02	Sections – Sheet 5	16/10/19

3199-ARC-DD_01_216	A	Sections – Sheet 6	31/08/18
3199-ARC-DD_01_217	A	Sections – Sheet 7	31/08/18
3199-ARC-DD_01_220	A	Wall Sections – Sheet 1	31/08/18
3199-ARC-DD_01_221	A	Wall Sections – Sheet 2	31/08/18
3199-ARC-DD_01_222	A	Wall Sections – Sheet 3	31/08/18
3199-ARC-DD_01_223	A	Wall Sections – Sheet 4	31/08/18
3199-ARC-DD_01_224	A	Wall Sections – Sheet 5	31/08/18
3199-ARC-CD-01_401	03	Finishes Plan – Level 0 – Part 1	16/10/19
3199-ARC-DD-01_402	A	Finishes Plan – Level 0 – Part 2	31/08/18
3199-ARC-CD-01_402	07	Finishes Plan – Level 0 – Part 2	14/09/20
3199-ARC-CD-01_403	04	Finishes Plan – Level 0 – Part 3	16/10/19
3199-ARC-CD-01_403	08	Finishes Plan – Level 0 – Part 2	14/09/20
3199-ARC-CD-01_411	02	Finishes Plan – Level 1 – Part 1	16/10/19
3199-ARC-DD_01_412	A	Finishes Plan – Level 1 – Part 2	31/08/18
3199-ARC-CD-01_413	02	Finishes Plan – Level 1 – Part 3	16/10/19
3199-ARC-CD-01_421	02	Finishes Plan – Level 2 – Part 1	16/10/19
3199-ARC-DD_01_422	A	Finishes Plan – Level 2 – Part 2	31/08/18
3199-ARC-CD-01_423	02	Finishes Plan – Level 2 – Part 3	16/10/19
3199-ARC-CD-01_431	02	Finishes Plan – Level 3 – Part 1	16/10/19
3199-ARC-DD_01_432	A	Finishes Plan – Level 3 – Part 2	31/08/18
3199-ARC-CD-01_433	02	Finishes Plan – Level 3 – Part 3	16/10/19
3199-ARC-CD-90_900	05	Site Signage Plan	14/09/20
Landscape Drawings prepared by Lorna Harrison Landscape Architects			
Dwg No.	Rev	Name of Plan	Date
555 LAN CD 01	2	Landscape Site Plan – Trees Retained/Removed	17/10/19
555 LAN CD 02	2	Landscape Site Plan – Ground Level	17/10/19
555 LAN CD 02	7	Landscape Site Plan – Ground Level	22/09/20
555 LAN DD 02_C	A	Landscape Site Plan – Ground Level Central Zone	31/08/18
555 LAN DD 02_C	6	Landscape Site Plan – Ground Level Central Zone	14/09/20
555 LAN DD 02_N	A	Landscape Site Plan – Ground Level North	31/08/18
555 LAN DD 02_N	6	Landscape Site Plan – Ground Level North	22/09/20
555 LAN CD 02_S	2	Landscape Site Plan – Ground Level South	17/10/19
555 LAN CD 02_S	4	Landscape Site Plan – Ground Level South	14/09/20
Stormwater/Drainage Drawings prepared by Woolacotts Consulting Engineers			
Dwg No.	Rev	Name of Plan	Date
3199-CIV-CD_01_001	03	Standard Notes and Drawing List	05/11/19
3199-CIV-CD_01_002	07	Civil Works Plan	05/11/19
3199-CIV-DC_01_002	10	Civil Works Plan	14/09/20
3199-CIV-CD_01_005	05	Civil Works Details – Sheet 1	05/11/19
3199-CIV-CD_01_006	04	Civil Works Details – Sheet 2	16/10/19
3199-CIV-CD_01_006	05	Civil Works Details – Sheet 2	14/09/20
3199-CIV-CD_01_007	03	Civil Works Details – Sheet 3	16/10/19
3199-CIV-CD-01-008	01	Erosion and Sediment Control Plan	10/05/19

4.0 Statutory Provisions

Section 4.55 of the EP&A Act contains the provisions that must be considered by Council in determining an application to modify a Notice of Determination. In this regard, the relevant provision is section 4.55(1A) of the EP&A Act.

This application is lodged under section 4.55(1A) as the amendment proposed is considered to be minor in nature and will have only minimal environmental impact.

In addition to the EP&A Act, Clause 115 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) contains the information that must be submitted with an application to modify a consent. The requirements under the EP&A Act and EP&A Regulation are detailed below.

4.1 Section 4.55(1A) of the Act

Section 4.55(1A) of the Act applies to modifications where a minimal environmental impact may occur. Specifically, section 4.55(1A) provides that a number of matters be addressed, as discussed below:

“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 the consent if:

- (a) It is satisfied that the proposed modification is of minimal environmental impact”***

The proposed modifications will result in minor amendments to landscaping, the inclusion of a double gate to the boundary fence to enable fire brigade access and an extension of the approved brickwork to the roofline on the northern façade to address waterproofing issues. These modifications are considered to be of minimal environmental impact and will not give rise to any additional impacts beyond those considered acceptable by DPIE under SSD-8365.

- “(b) 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 proposed modifications are all minor in nature and address small improvements in design resulting from design development as well as consultation with the school and neighbours with a primary aim to improve student amenity and operations at the school. No change is proposed to the approved number of students and staff, hours of operation, number of classrooms or car parking spaces. The proposed modifications will result in a development that is substantially the same as the development for which consent was originally granted.

- “(c) It has notified the application in accordance with:***
(i) The regulations, if the regulations so require, or
(ii) A development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modifications of a development consent,”

Hurstville Development Control Plan No. 1 applies to the site. The proposed modification will not significantly alter the intensity or likely adverse impact of the development, accordingly it is our opinion that notification is not required. However, this will be at the discretion of the Consent Authority.

- “(d) It has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be”***

Should the Consent Authority notify the subject application in accordance with section 4.55(1A)(c), it must consider any submissions made during a notification period.

Subsections (1) and (2) of section 4.55 do not apply to the proposed modification. Subsection (3) is addressed in Section 5.0 of this submission.

4.2 Clause 115 of the EP&A Regulation 2000

Subclause 115(1) of the Regulation details the information required to be submitted with an application to modify a Development Consent under section 4.55. These details are contained in this letter and the accompanying application form.

5.0 Environmental Planning Assessment

Section 4.55(3) of the EP&A Act requires that such of the matters referred to in section 4.15(1) as are of relevance to the proposed modification must be taken into consideration in determining the application for modification. Accordingly, the following subsections provide an assessment of any such relevant matters.

The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

5.1 Section 4.15(1)(a) – Planning Controls

5.1.1 Hurstville Local Environmental Plan (LEP) 2012

Pursuant to Clause 2.2 of the Hurstville LEP, the site is zoned SP2 Infrastructure (Church and Educational Establishment). The proposed modifications are consistent with the objectives of the SP2 Zone and are permissible with consent.

5.1.2 Hurstville Development Control Plan (DCP) No. 1

There are no specific clauses that deal with landscape requirements and façade treatments for educational establishments in Hurstville DCP No. 1. However, the minor amendments to landscaping and built form are in keeping with the objectives in Section 3.0 General Planning Considerations of the DCP.

5.2 Section 4.15(1)(b) – Natural and Built Environmental Impacts

5.2.1 Built Form

The only change to the built form is a small extension of the approved brickwork to the roof line on the northern façade, proposed to address waterproofing of the gap between the roof and the metal clad finish that was originally intended to extend down past the roof line, as approved. The modification is minimal and will not result in any change to massing or structure of the building. Accordingly, further assessment of the visual impact is not warranted in this regard.

The proposed modification to the built form is considered minor in nature and will result in little to no discernible impacts in terms of the built environment.

5.2.2 Flora and Fauna

The minor amendments to the landscaping layout will result in a small increase in grass area to consolidate the play area for students (at the request of the school) and will not result in any reduction of tree planting in this area.

The modification to tree species along the northern boundary is in response to discussions with the neighbour about minimising branch overhanging by changing the tree species with a screening hedge which achieves the height and privacy without the crowning tree spread over the neighbouring properties. The modifications will reduce the number of plantings along the northern boundary from 22 to 16, however these have been increased in pot size from 45L to 100L to achieve earlier screening.

5.2.3 Stormwater Drainage

The minor landscaping amendments at the southern end of the site require minor adjustments to footpath, swale and stormwater pit connections. These are reflected in the updated plans, and will not give rise to any adverse impacts.

5.2.4 Assessment of Changes to Approved Environmental Impacts

Part 6 of the Assessment Report prepared by DPIE in February 2019 for SSD 8365 provides an assessment of the range of environmental impacts associated with the original approval. The following table provides a summary assessment of the modifications against the range of environmental impacts addressed by DPIE under the original approval:

Summary Assessment of Modifications against Approved Environmental Impacts	
Environmental Impact	Impact Assessment of Modifications
Heritage impacts	No change to heritage outcomes of the proposal. The approved outcomes of SSD 8365 (demolition of the heritage building) will not be modified as a result of the proposed amendments. No further assessment required.
Built form and urban design	Refer to Section 5.2.1 above. No further assessment required due to the minor nature of the modifications.
Amenity and privacy impacts	No change to amenity (acoustic) and privacy impacts of the proposal. The changed tree species along the northern boundary is in response to a request by the neighbouring resident to plant a species that has a smaller crown to avoid overhanging branches. Visual privacy will still be maintained with the proposed species. No further assessment required.
Landscape and urban design	No change to the landscape and urban design outcomes of the proposal. Only minor changes are being made to increase the area of grass, a minor amendment to the location of tree planting and a change in species along the northern boundary in response to a request from the neighbouring resident. No changes are proposed to the landscape strategy for the site. No further assessment is required.
Traffic and transport	No changes proposed to traffic and transport outcomes of the proposal. No further assessment required.
Other issues – noise and vibration	No change to noise and vibration outcomes of the proposal. No further assessment is required.
Other issues – stormwater	No change to stormwater outcomes of the proposal, with only minor adjustments to the footpath, swale and stormwater pi. No further assessment is required.
Other issues – Aboriginal cultural heritage	No change to Aboriginal cultural heritage outcomes of the proposal. No further assessment is required.
Other issues – site contamination	No change to site contamination outcomes of the proposal. No further assessment is required.

Having regard to the assessment provided above, it can be concluded that the proposed modifications do not result in any changes to the approved environmental impact outcomes for SSD 8365.

5.3 Section 4.15(1)(b) – Social and Economic Impacts

The proposed works will not diminish the social and economic benefits for the locality provided by the original development consent and is therefore considered to be acceptable in this regard.

5.4 Section 4.15(1)(c) – Suitability of the Site for Development

The site has been assessed and approved for use as an educational establishment. The proposed amendments do not detract from the suitability of the use of the site for this purpose.

5.5 Section 4.15(1)(d) – Submissions

DPIE must consider any submissions in relation to this application.

5.6 Section 4.15(1)(e) – Public Interest

The proposed modifications will result in minor amendments to the landscaping layout and a change in species located adjacent to the northern boundary, both responding to school and neighbour feedback. The installation of the gate to enable access for the Fire Brigade will improve safety for students and staff in the event of a fire. Built form changes will not be discernible from the approved built form and will therefore result in little to no visible change to the approved development from the public domain. Accordingly, the modifications are considered to be in the public interest.

6.0 Conclusion and Recommendations

This submission, accompanies an application under section 4.55(1A) of the EP&A Act to modify Condition A2 of State Significant Development Consent No. 8365. The proposal involves a minor modification to the landscaping and northern building façade as well as installing a gate to facilitate access on site by the Fire Brigade to improve fire safety.

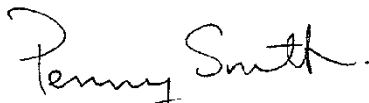
The modifications are considered to have minimal environmental impacts, will not substantially alter the approved development and accordingly, is considered to satisfy the requirements pursuant to section 4.55(1A) of the EP&A Act.

Accordingly, we are of the view that the proposed modification is acceptable in this particular instance and can be approved under section 4.55(1A).

We would be pleased to discuss this application further with DPIE should that be required and if you have any queries, please do not hesitate to contact Penny Smith from our office.

Yours faithfully

DFP PLANNING PTY LTD



PENNY SMITH
PRINCIPAL PLANNER

psmith@dfpplanning.com.au

Reviewed: 