

15 July 2016

**Our Ref:** 16-152/MK

**Northern Beaches Council (formerly Warringah Council)**

725 Pittwater Road,  
Dee Why NSW 2099

Dear Sir/Madam,

RE: S96(1A) MODIFICATION APPLICATION TO DA2011/1370 IN RELATION TO JOHN COLET SCHOOL, 8 WYATT AVENUE, BELROSE

This letter has been prepared for John Colet School by City Plan Strategy and Development Pty Ltd to accompany an application under Section 96(1A) of the Environmental Planning and Assessment Act 1979 (the Act).

This letter should be read in conjunction with the following accompanying information:

- Amended architectural plans prepared by Templum Design Architects
- Shadow diagrams prepared by Templum Design Architects
- Erosion and sediment control plan prepared by Templum Design Architects
- Cost summary report prepared by Templum Design Architects
- Waste management plan prepared by Templum Design Architects
- Access Statement prepared by Templum Design Architects
- Development Impact Tree Advice (arborist report) prepared by Accurate Tree Assessment
- Bushfire Protection Assessment prepared by Australian Bushfire Protection Planners
- Drainage Report, Plan and DRAINS model prepared by CPM Engineering
- Traffic Advice prepared by McLaren Traffic Engineering

## 1. THE APPROVED DEVELOPMENT

Consent No DA2011/1370 was granted by Warringah Council on 21 February 2012 for alterations and additions to an existing school including the construction of the administration building.

## 2. PROPOSED MODIFICATION

The proposed modification relates to the existing two (2) storey administration building at the frontage of the site. The location of this building is outlined in red in the figure below.



Figure 1 Aerial View showing frontage of the site (Source: SIX Maps)

The proposed modification is for an “in-fill” of the recessed front façade of the existing two (2) storey administration building. The in-fill extension will comprise two (2) storeys, consistent with the existing built form.

Below are some extracts of the proposed modification plans prepared by Templum Design Architects.

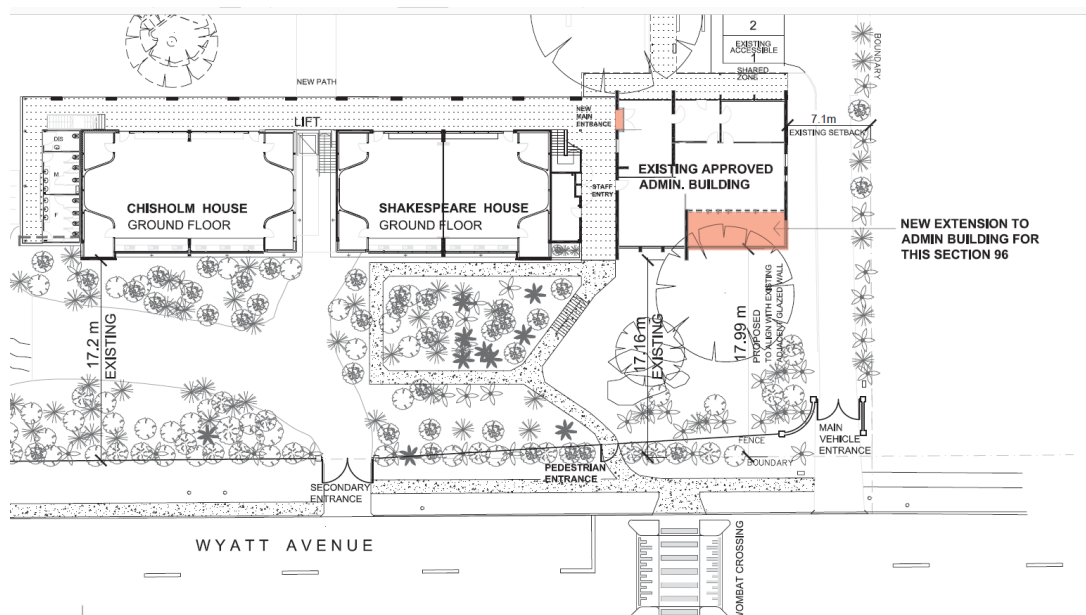


Figure 2 Proposed Site Plan, modifications confined to coloured areas (Source: Templum)

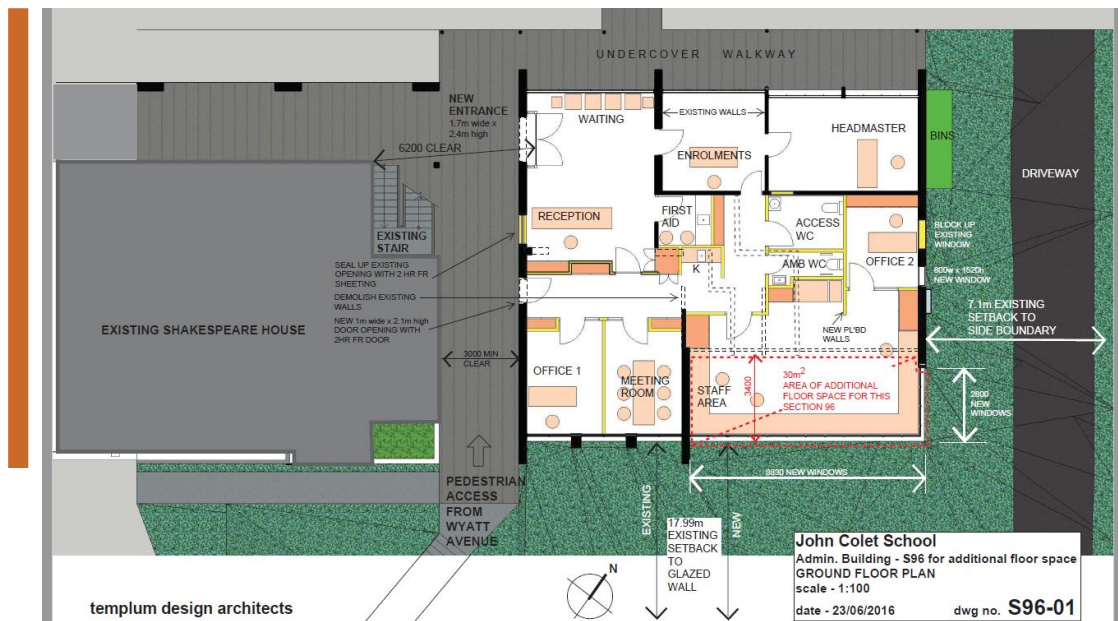


Figure 3 Proposed Ground Floor Plan, new extension outlined in red dotted line (Source: Templum)

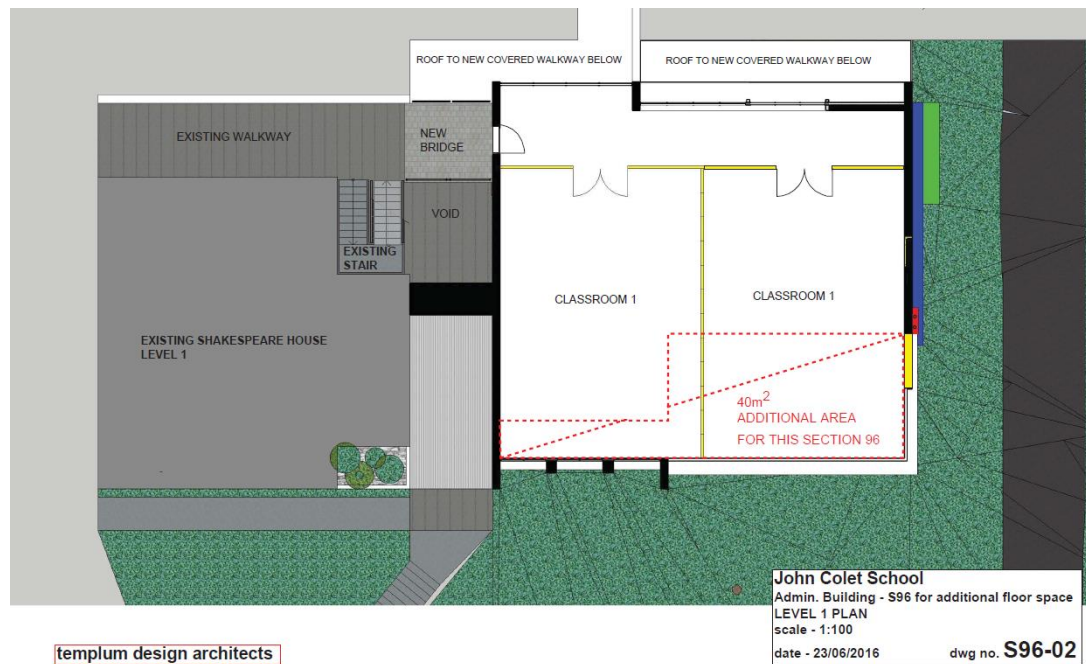


Figure 4 Proposed First Floor Plan, new extension outlined in red dotted line (Source: Templum)

The purpose of the proposed modification is to improve the functionality of the administration building by increasing the floor area of the ground floor administration areas and the classrooms at the upper level of the building.

### 3. CONDITIONS TO BE MODIFIED

The proposed modification will necessitate an amendment to Condition 1, which relates to the approved plans, to reflect the updated architectural plans for the administration building extension prepared by Templum Design Architects. A copy of these plans is at Appendix 1.

The reports/documentation schedule in Condition 1 will also need to be amended to include the updated consultants reports, which also accompany this letter as annexures.

#### 4. PRE-LODGE MENT DISCUSSION

A pre-lodgement meeting was held with the Northern Beaches Council (formerly Warringah Council) on 8 March 2016.

Minutes of that meeting were issued, which confirm that the proposal is considered to be minor and subject to the provisions of Section 96(1A) of the *Environmental Planning & Assessment Act, 1979*.

The minutes also acknowledged the minor non-compliances to the front and side setbacks, noting that the non-compliances are minor, consistent with the alignment of the existing administration building and other adjacent school buildings along the frontage and are therefore supported.

At the time of the meeting, it was not clear if there would be any breach to the height standard. There will be a minor breach of 425mm at the south-eastern corner only, which is considered supportable based on the same argument for the front and side setbacks, noting that the height of the extension (in RL terms) is consistent with the height of the existing administration building. The variation results from a slight fall in the land at that corner towards Wyatt Avenue. Further justification is provided in Section 5.3 of this statement for the height variation.

#### 5. MATTERS FOR CONSIDERATION

##### 5.1 Minimal Environmental Impact (Section 96(1A)(a))

The proposal involves a minor modification to the approved administration building to improve functionality of the internal areas. In considering environmental impact, the following are the primary considerations:

- Visual impact when viewed from Wyatt Avenue;
- Overshadowing;
- The potential impact of the extension on an adjacent tree;
- The potential impact of the development with respect to the bushfire prone classification of the land;
- The potential implications of the proposal with regard to traffic and parking matters;
- Confirmation that the proposal meets any relevant accessibility requirements; and
- Drainage associated with the proposed extension.

##### Visual Impact

The proposed extension will result in the in-fill of the front façade of the existing administration building. This extension will result in a very minor increase to the visual bulk and scale of the built form when viewed from Wyatt Avenue. However, as can be seen in the figure below, the setbacks, height and general scale have been designed to conform to that of the existing



building and adjacent buildings on the Wyatt Avenue frontage. Furthermore, the extension includes a variety of materials and finishes including a substantial glazing component to assist in mitigating the bulk and scale of the extension. All trees at the frontage will be retained, which will assist in screening the extension.

Refer to the southern elevation plan below which demonstrates the above.



Figure 5 Proposed Southern, Streetscape Elevation (Source: Templum)

As will be discussed in further detail in Section 5.2 of this statement, the proposed extension largely complies with the maximum height permitted under the Warringah LEP 2000 with the exception of a very small part of the south-eastern corner of the roof, which due to the fall in the land (which can be seen in the elevation plan above), results in a minor breach to the height standard. The impact of this breach is not of any consequence or impact and does not substantially contribute to the bulk of the extension.

For the reasons set out above, the proposed modification is considered to be acceptable in terms of visual bulk and scale and of minimal environmental impact.

### Overshadowing

Templum Design Architects has prepared shadow diagrams for 9am, 12 noon and 3pm in mid-winter. An extract is below.



9am, 21<sup>st</sup> June

12 noon, 21<sup>st</sup> June

3pm, 21<sup>st</sup> June

Figure 6 Mid-winter shadow diagrams (Source: Templum Design Architects)

The shadow diagrams demonstrate that there will be some overshadowing as a result of the proposed extension to the administration building. However, the overshadowing occurs within the front setback area (where there is already overshadowing from the existing building) and the road reserve (in the afternoon), with no shadow cast to any play areas. There are no

residential uses surrounding the site that will be impacted by the shadows noting that the land to the east is vacant Crown land.

## **Trees**

Accurate Tree Assessment has identified that the proposed extension has the potential to impact on one (1) existing *Eucalyptus botryoides* tree located at the frontage of the site.

Accompanying this statement is a letter of advice prepared by Accurate Tree Assessment which assesses the proposed impact, noting that the tree protection zone (TPZ) of the tree intersects with the proposed building footprint at 4.25 metres distance, giving an encroachment of 8.96% of the total TPZ area. The letter of advice confirms that in accordance with the relevant Australian Standard, this level of encroachment is minor and acceptable as *“there is scope to compensate for this incursion around the remaining perimeter of the TPZ”*.

The advice also notes that there is one branch in the north-western canopy that is likely to interfere with the roofline of the proposed extension. The advice recommends that the branch be removed to the branch collar in accordance with AS4373-2007, Pruning of Amenity Trees to avoid this conflict.

The advice also recommends the following:

- *“All excavation within the TPZ be carried out by hand so that root damage can be kept to a minimum, where roots greater than 30mm diameter are to be severed they are to be cleanly cut using sharp handtools under the supervision of a minimum AQF 3 qualified arborist.*
- *“Tree protection be provided in accordance with AS4970 (section 4) which will include the provision of temporary fencing to the perimeter of the TPZ or trunk and branch armouring where space does not permit fencing and the establishment of canopy protection”.*

Providing the recommendations of the advice are adopted, the proposed modification is considered to be minimal environmental impact with respect to trees. We anticipate the report will be included in the list of approved consultant reports in an amended condition 1 of the consent.

## **Bushfire**

Australian Bushfire Protection Planners has prepared a Bushfire Protection Assessment for the proposed modification. The assessment report concludes as follows:

*“This report has reviewed the proposed development against the requirements of clause 44 of the NSW Rural Fires Regulation 2013 and the requirement for ‘Special Fire Protection Purpose Development’ as detailed in Planning for Bushfire Protection 2006 guidelines and has determined that the proposed development is classified as ‘infill development’ pursuant to Section 4.2.5 of Planning for Bushfire Protection 2006.*

*Section 4.2.5 of Planning for Bushfire Protection 2006 identifies that in circumstances where alterations and additions to existing ‘Special Fire Protection Purpose Development’ are planned the NSW Rural Fire Service require an appropriate combination of bushfire protection measures and compliance with the intent and performance criteria of each measure within Section 4.3.5 of Planning for Bushfire Protection 2006.*

*The report has examined the adequacy of the bushfire protection measures and concludes that the development proposal satisfies the intent and performance criteria of each measure within Section 4.3.5 of Planning for Bushfire Protection 2006."*

The recommendations of the report regarding construction standards for the proposed extension to the administration building and asset protection zones in Section 5 of the assessment report should be complied with. We anticipate the report will be included in the list of approved consultant reports in an amended condition 1 of the consent.

### **Traffic and Parking**

McLaren Traffic Engineering has assessed the proposed modification and has concluded that the proposal will not result in any traffic or parking impact. A copy of the advice from McLaren Traffic Engineering accompanies this statement.

### **Accessibility**

Templum Design Architects has prepared a statement confirming that the design of the extension conforms to the relevant requirements of the BCA, DDA and AS1428. Refer to the statement, accompanying this letter, for further detail.

### **Drainage**

CPM Engineering has prepared a proposed drainage plan for the modified administration building and a letter of advice confirming that on-site detention is required to limit the proposed runoff from the extension back to the pre-developed runoff levels. The location of a new small stand-alone OSD system can be seen in the drainage plan prepared by CPM and accompanying this statement. CPM confirms that the DRAINS program has been used to model the system with the pertinent DRAINS model diagrams accompanying the letter of advice.

### **Conclusion**

As noted above, the proposal does not result in any increase in staff or student numbers or any other operational change.

Based on the discussion above, it is reasonable to conclude that the proposed modifications constitute minimal environmental impact.

## **5.2 Substantially the same development (Section 96(1A)(b))**

The proposed modification relates to a minor addition to a much larger approved (and existing) building on the site. The modification does not seek to change the use of the building but rather, to improve overall functionality with minimal impact on the existing built form at the school. The presence of a recess in the administration building provides the perfect opportunity to increase floor area without impacting on existing play areas or car parking at the site. The modification has also been designed to ensure that all existing trees can be retained.

Whilst the modification will change the physical external form of part of the administration building, the overall design intent of the original building remains the same with materials and finishes to match.

We therefore confirm that the development (as modified) will remain substantially the same as the development that was originally approved.

We note that the consent granted by Council under DA2009/0528 was physically commenced and therefore, can be modified under Section 96(1A) of the Act.

### **5.3 Section 79C(1) Considerations (Section 96(3))**

- **Statutory planning controls**

The principal planning controls applicable to the subject proposal are the Warringal Local Environmental Plan 2000 and Warringah Development Control Plan.

The proposed modification will result in some minor non-compliances with the following development standards under the WLEP for the C8 Belrose North Locality:

- Side (eastern) setback;
- Front (southern) setback; and
- Building height.

Clause 20 of the WLEP states that consent may be granted to a development even if it does not comply with one or more development standards *“provided the resulting development is consistent with the general principles of development control, the desired future character of the locality and any relevant State environmental planning policy”*.

Each of the proposed variations to the above standards are considered below in the context of the relevant matters for consideration under Clause 20 of the WLEP.

#### **Side Setback**

As can be seen below, the proposed side setback is 7.1 metres, which results in a 2.9 metre non-compliance with the WLEP setback standard.

The setback is considered to be appropriate as it is entirely consistent with the existing side setback of the administration building. Strict compliance would not result in any tangible benefit or better planning/architectural outcome, particularly given the outcome is consistent with the existing non-compliance. We also note that Council were supportive of this minor variation at the pre-lodgement meeting.



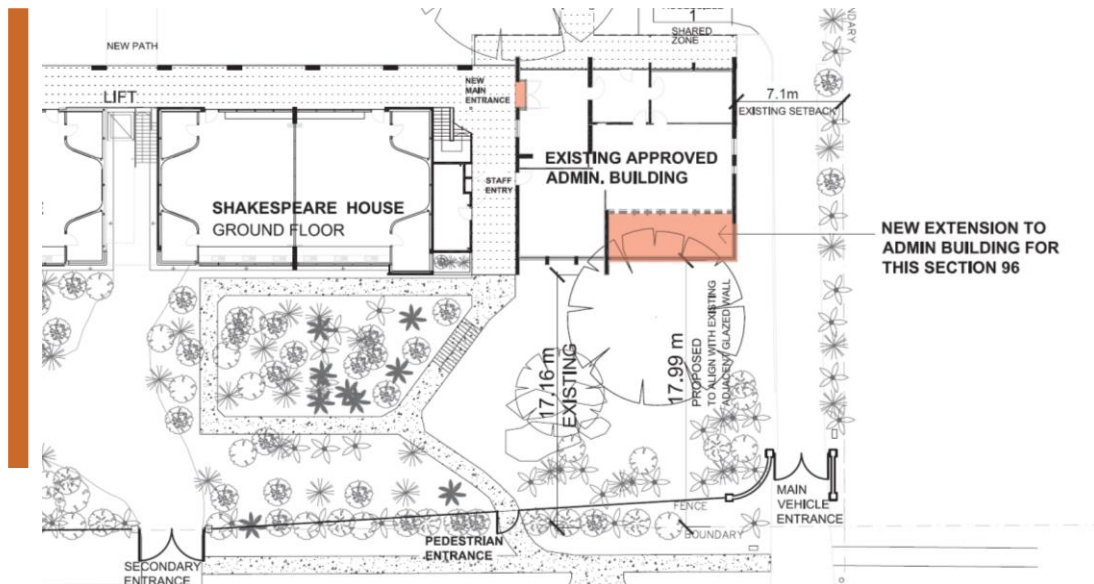


Figure 7 Proposed Site Plan Extract showing setbacks (Source: Templum)

The table below considers the variation against the relevant matters for consideration under the WLEP.

Table 1: Consideration of Clause 20 Matters

| Matter for Consideration                  | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| General Principles of Development Control | <p>Many of the general principles of development control do not apply or are not directly relevant to the proposed extension and variation. Those that are relevant are addressed below.</p> <ul style="list-style-type: none"> <li>The proposed extension will not result in any overspill or glare from any artificial illumination or sun reflection in accordance with Clause 38;</li> <li>Subject to standard conditions of consent for construction, the proposal will not result in any contravention of the construction requirements of Clause 42;</li> <li>The proposal will not result in any impact in terms of noise (cl 43), pollutants (cl 44), safety and security (cl 50), existing flora (cl 58), views (cl 61), access to sunlight (cl 62), privacy "cl 65), accessibility (cl 69), any traffic, access or parking matters (cl 71-75) or heritage (79-83);</li> <li>The bulk of the extension is considered to be acceptable having regard to the locality statement requirements and Clause 66;</li> <li>The proposed roof form does not contravene Clause 67;</li> <li>As demonstrated in the documentation prepared by CPM Engineering, the proposed drainage for the extension will be satisfactory and will meet the Council's requirements for on-site detention (cl 76); and</li> <li>An erosion and sediment control plan has been prepared by Templum which addresses Clause 78.</li> </ul> |
| Desired Future Character of the Locality  | <p>The proposed extension will not result in any change to the natural landscape, noting that the extension has been sited to minimise disturbance to vegetation and landform.</p> <p>The design of the extension will "blend" with the colours and textures of the landscape and the other buildings fronting Wyatt Avenue for continuity.</p> <p>No fencing is proposed, nor are any works to Forest Way.</p> <p>The development is considered to be low intensity, low impact, noting that it merely consists of a minor extension to a much larger existing building, in a location that will not result in any adverse impact. No increase in student patronage of staff is proposed as a result of the works.</p> <p>Subject to adopting the erosion and sediment control measures in the plan prepared by Templum, there will be no downstream impact or potential siltation or pollution of Middle Harbour.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Any relevant SEPP                         | <p>The proposed modification and variation to the side setback standard does not result in any contravention of any relevant SEPP.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

For the reasons set out above, we consider the variation to the standard to be acceptable on merit and given the matters for consideration under Clause 20 have been adequately addressed.

### Front Setback

As can be seen below, the proposed front setback is 17.99 metres, which results in a 2.01 metre non-compliance with the WLEP setback standard.

The setback is considered to be appropriate as it is marginally greater than the existing setback of the administration building and is setback further than the existing adjacent buildings on the Wyatt Avenue frontage, including Shakespeare House. The minor variation to the setback will not result in any adverse visual impact, as discussed in Section 5.1 of this statement, noting that all existing vegetation fronting the extension will be retained and materials and finishes will break up the massing of the façade to minimise any visual impact. We also note that Council were supportive of this minor variation at the pre-lodgement meeting.

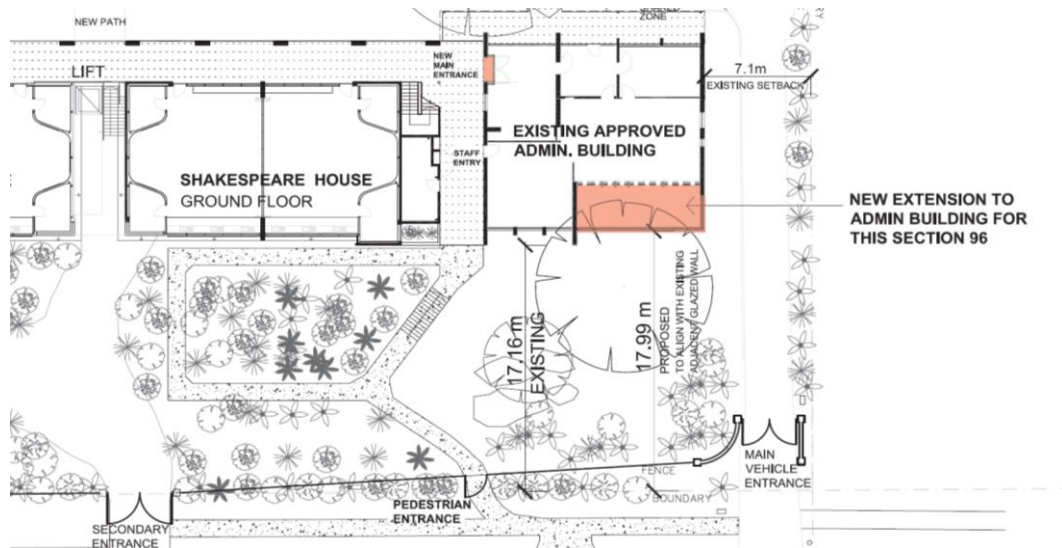


Figure 8 Proposed Site Plan Extract showing setbacks (Source: Templum)

The table below considers the variation against the relevant matters for consideration under the WLEP.

Table 2: Consideration of Clause 20 Matters

| Matter for Consideration                  |    | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------------------------------------------|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| General Principles of Development Control | of | <p>Many of the general principles of development control do not apply or are not directly relevant to the proposed extension and variation. Those that are relevant are addressed below.</p> <ul style="list-style-type: none"> <li>The proposed extension will not result in any overspill or glare from any artificial illumination or sun reflection in accordance with Clause 38;</li> <li>Subject to standard conditions of consent for construction, the proposal will not result in any contravention of the construction requirements of Clause 42;</li> <li>The proposal will not result in any impact in terms of noise (cl 43), pollutants (cl 44), safety and security (cl 50), existing flora (cl 58), views (cl 61), access to sunlight (cl 62), privacy (cl 65), accessibility (cl 69), any traffic, access or parking matters (cl 71-75) or heritage (79-83);</li> <li>The bulk of the extension is considered to be acceptable having regard to the locality statement requirements and Clause 66;</li> </ul> |

|                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                          | <ul style="list-style-type: none"> <li>• The proposed roof form does not contravene Clause 67;</li> <li>• As demonstrated in the documentation prepared by CPM Engineering, the proposed drainage for the extension will be satisfactory and will meet the Council's requirements for on-site detention (cl 76); and</li> <li>• An erosion and sediment control plan has been prepared by Templum which addresses Clause 78.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Desired Future Character of the Locality | <p>The proposed extension will not result in any change to the natural landscape, noting that the extension has been sited to minimise disturbance to vegetation and landform.</p> <p>The design of the extension will "blend" with the colours and textures of the landscape and the other buildings fronting Wyatt Avenue for continuity.</p> <p>No fencing is proposed, nor are any works to Forest Way.</p> <p>The development is considered to be low intensity, low impact, noting that it merely consists of a minor extension to a much larger existing building, in a location that will not result in any adverse impact. No increase in student patronage of staff is proposed as a result of the works.</p> <p>Subject to adopting the erosion and sediment control measures in the plan prepared by Templum, there will be no downstream impact or potential siltation or pollution of Middle Harbour.</p> |
| Any relevant SEPP                        | The proposed modification and variation to the side setback standard does not result in any contravention of any relevant SEPP.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

For the reasons set out above, we consider the variation to the standard to be acceptable on merit and given the matters for consideration under Clause 20 have been adequately addressed.

### Building Height

The WLEP states that "buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below".

The proposed extension seeks a height variation of 425mm, which is entirely as a result of the topography of the site, noting that the majority of the extension will comply with the height standard. This can be seen in the figures below. Strict compliance would result in a peculiar roof form and would not result in any tangible benefit particularly as it is limited to such a small area of the extension.



Figure 9 Proposed Roof Plan, showing location of roof non-compliance with height standard (Source: Templum)



Figure 10 Proposed Southern Elevation showing 8.5 metre height line, non-compliance shaded in red (Source: Templum)



Figure 11 Proposed Eastern Elevation showing 8.5 metre height line, non-compliance shaded in red (Source: Templum)

The table below considers the variation against the relevant matters for consideration under the WLEP.

Table 3: Consideration of Clause 20 Matters

| Matter for Consideration                  | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| General Principles of Development Control | <p>Many of the general principles of development control do not apply or are not directly relevant to the proposed extension and variation. Those that are relevant are addressed below.</p> <ul style="list-style-type: none"> <li>The proposed extension will not result in any overspill or glare from any artificial illumination or sun reflection in accordance with Clause 38;</li> <li>Subject to standard conditions of consent for construction, the proposal will not result in any contravention of the construction requirements of Clause 42;</li> <li>The proposal will not result in any impact in terms of noise (cl 43), pollutants (cl 44), safety and security (cl 50), existing flora (cl 58), views (cl 61), access to sunlight (cl 62), privacy "cl 65), accessibility (cl 69), any traffic, access or parking matters (cl 71-75) or heritage (79-83);</li> <li>The bulk of the extension is considered to be acceptable having regard to the locality statement requirements and Clause 66;</li> <li>The proposed roof form does not contravene Clause 67;</li> <li>As demonstrated in the documentation prepared by CPM Engineering, the proposed drainage for the extension will be satisfactory and will meet the Council's requirements for on-site detention (cl 76); and</li> <li>An erosion and sediment control plan has been prepared by Templum which addresses Clause 78.</li> </ul> |
| Desired Future Character of the Locality  | <p>The proposed extension will not result in any change to the natural landscape, noting that the extension has been sited to minimise disturbance to vegetation and landform.</p> <p>The design of the extension will "blend" with the colours and textures of the landscape and the other buildings fronting Wyatt Avenue for continuity.</p> <p>No fencing is proposed, nor are any works to Forest Way.</p> <p>The development is considered to be low intensity, low impact, noting that it merely consists of a minor extension to a much larger existing building, in a location that will not result in any adverse impact. No increase in student patronage of staff is proposed as a result of the works.</p> <p>Subject to adopting the erosion and sediment control measures in the plan prepared by Templum, there will be no downstream impact or potential siltation or pollution of Middle Harbour.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Any relevant SEPP                         | <p>The proposed modification and variation to the side setback standard does not result in any contravention of any relevant SEPP.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

For the reasons set out above, we consider the variation to the standard to be acceptable on merit and given the matters for consideration under Clause 20 have been adequately addressed.

We note that the proposed modification will not result in any non-compliance with the "bushland setting" requirement in the WLEP, which requires a minimum of 50 per cent of the site area is to be kept as natural bushland or landscaped with local species.

Further to the above, in the pre-lodgement meeting minutes, Council notes that this planning statement must consider Clause 15 of the WLEP as the proposal involves an existing "Category Three development". Clause 15 is considered in the table below.



Table 4: Consideration of Clause 15 Matters

| Matter for Consideration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| (1) A summary of the statement of environmental effects.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Whilst a SEE is not a requirement for a Section 96 modification application, we note that the earlier sections of this Section 96 planning statement provide a summary of the approved and proposed development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| (2) A statement indicating how the proposed development is consistent with the relevant desired future character statement and general principles of development control established by this plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | This is provided in Tables 1, 2 and 3 above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 3) A statement of the objectives of the proposed development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Refer to Section 2. The purpose of this amendment is to improve the functionality of the administration areas at the ground floor and two (2) classrooms at the upper level of the building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>(4) An analysis of any feasible alternatives to the carrying out of the development, having regard to its objectives, including:</p> <p>(a) the consequences of not carrying out the development, and</p> <p>(b) the reasons justifying the carrying out of the development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>John Colet School has provided the following feedback in relation to this point:</p> <p><i>"There are no feasible alternatives. Not increasing the floor space on both levels, significantly reduces the usage of the spaces and will be less cost effective than adding the floorspace to both levels.</i></p> <p><i>The ground floor will be used by administration and the extra floor space allows a meeting room and extra office space that cannot be located anywhere else in the school. The current amount of office space available for the existing staff numbers is not appropriate over the long term, and this extension will allow suitable flexibility in office arrangements. If the ground floor is not extended, then working conditions for current staff will remain less than ideal.</i></p> <p><i>The extra floor space on the first floor will increase further the level of flexibility to the building so that two full-sized classrooms can be accommodated here. The floor space in the original DA plan would only allow for 2 smaller learning spaces or a larger specialist area eg art room. Without the extra floor space, the operational choices are much limited, and the area will only be able to be used by smaller groups, not full classes. This extra area will make planning of classroom allocations much more simple and effective."</i></p> <p>From a planning perspective, the proposed development is justified on the basis of minimal environmental impact.</p> |
| <p>(5) An analysis of the development, including:</p> <p>(a) a full description of the development, and</p> <p>(b) a general description of the environment likely to be affected by the development, together with a detailed description of those aspects of the environment that are likely to be significantly affected, and</p> <p>(c) a description of the likely impact on the environment of the development, having regard to:</p> <p>(i) the nature and extent of the development, and</p> <p>(ii) the nature and extent of any building or work associated with the development, and</p> <p>(iii) the way in which any such building will be erected in connection with the development, and</p> <p>(iv) any rehabilitation measures to be undertaken in connection with the development, and</p> <p>(d) a full description of the measures proposed to mitigate any adverse effects of the development on the environment.</p> | <p>A description of the modification is provided in Section 2.</p> <p>An environmental assessment/potential impacts on the environment is provided in Section 5.1.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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| (6) The reasons justifying the carrying out of the development in the manner proposed, having regard to biophysical, economic and social considerations and the principles of ecologically sustainable development. | Given the minor nature of the development, the lack of environmental impacts as set out in this statement and the social benefits for the school, the proposed modification is considered to be consistent with principles of ESD.                                                                    |
| (7) The statement is to include a compilation (in a single section of the statement) of the measures proposed to mitigate any adverse effects of the development on the environment.                                | Other than the existing conditions of consent, the only other mitigation measures required relate to the recommendations of the consultant reports, mainly in relation to tree protection and bushfire protection. We anticipate these recommendations will be included as new conditions of consent. |
| (8) A list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out.                                                                                    | A 100B authorisation under the Rural Fires Act will be required as the school is a special fire protection purpose.                                                                                                                                                                                   |

As can be seen above, all relevant matters for consideration under Clause 15 are satisfied.

The modification does not affect the assessment of the original (approved) development pursuant to all other relevant sections of the WLEP or the WDCP.

#### ■ **Environmental / Economic / Social assessment**

There is nothing with respect to the modification that would result in any adverse environmental/economic/social impact, or affect the suitability of the site for the development as approved and as proposed to be modified. In fact, the improved functionality of the space within the administration building will result in a positive social outcome for the students and teachers of John Colet School.

In addition to the consideration of environmental impact matters in Section 5.1 above, we note that Templum Design Architects has prepared an erosion and sediment control plan to ensure potential downstream impacts during construction works are managed. Templum Design Architects has also prepared a waste management plan to demonstrate that the construction works will be undertaken in accordance with Council's waste management requirements.

#### ■ **The public interest**

Given the minor nature of the modifications and the lack of any environmental impact, there will be no conflict with the public interest.

## 6. CONCLUSION

This application seems consent to modify Condition 1 to reflect the proposed amendments to the existing administration building at John Colet School.

The proposed modification is minor in nature, will not generate any environmental impacts, will remain substantially the same as the approved application and does not contravene the public interest.

We therefore conclude that it is reasonable and appropriate for Council to approve the modification.

Should you require any further clarification or information in respect to this application, please contact Mel Krzus (Associate Director) on (02) 8270 3500.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'David Ryan', with a stylized loop and a trailing line.

**David Ryan**  
Executive Director