

s72 Amendment and Secondary Consent Planning Assessment - Officer Report

PA2101392-4 141-169 Burwood Hwy, Burwood



Section 72 Amendment Planning Assessment - Officer Report
Development Assessment

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Department of Transport and Planning

OFFICIAL

Executive Summary



Key Information	Details								
Permit No:	PA2101392-3								
Proposed Permit No:	PA2101392-4								
Permit Allows:	Partial demolition and construction of buildings and works for a new sports and aquatic centre associated with an existing school in the General Residential Zone and Heritage Overlay, removal of trees in the Significant Landscape Overlay, removal of native vegetation under Clause 52.17, alter access to a road in a Transport Zone 2, and display of business identification signage, in accordance with the endorsed plans.								
Land Address:	141-169 Burwood Highway, Burwood								
Amendment Received:	18 December 2025								
Statutory Days:	28								
Applicant:	Presbyterian Ladies College c/- Taylors Development Strategists Pty Ltd								
Planning Scheme:	Whitehorse								
s72 Proposal Summary:	<p>The proposal seeks to amend planning permit PA2101392-3 pursuant to s72 of the 'Planning and Environment Act 1987' to accommodate the following changes:</p> <ul style="list-style-type: none">Removal of planning permit permission within permit preamble for removal of native vegetation removal, to retrospectively correct original permit decision error to grant approval for such when no approval for native vegetation removal was required.Correction to permit preamble to correctly reference internally illuminated signage and high wall signs classifications, of which have previously been approved but not described within permit preamble								
Secondary Consent Proposal	<p>The following plans are proposed to amended simultaneous to the subject permit amendment:</p> <ul style="list-style-type: none">Condition 1 – architecture plansCondition 3 – landscape plans								
Development Value:	<table><tr><td>Approved value: \$ 58 m</td><td>Amended value: No change</td></tr></table>	Approved value: \$ 58 m	Amended value: No change						
Approved value: \$ 58 m	Amended value: No change								
Why is the Minister responsible?	<p>Pursuant to Clause 72.01-1 of the Whitehorse Planning Scheme (the Scheme), the Minister for Planning is the responsible authority for a development at an existing primary or secondary school with a development value greater than \$3 million.</p> <p>S. 72 Application for amendment of a permit</p> <p><i>(1) A person who is entitled to use or develop land in accordance with a permit may apply to the responsible authority for an amendment to the permit.</i></p>								
Planning Controls:	<table><tr><td>Clause 32.08</td><td>General Residential Zone – Schedule 1 (GRZ1)</td></tr><tr><td>Clause 42.02</td><td>Significant Landscape Overlay – Schedule 9 (SLO9)</td></tr><tr><td>Clause 43.01</td><td>Heritage Overlay – Schedule 22 (HO22)</td></tr><tr><td>Clause 52.05</td><td>Signs</td></tr></table>	Clause 32.08	General Residential Zone – Schedule 1 (GRZ1)	Clause 42.02	Significant Landscape Overlay – Schedule 9 (SLO9)	Clause 43.01	Heritage Overlay – Schedule 22 (HO22)	Clause 52.05	Signs
Clause 32.08	General Residential Zone – Schedule 1 (GRZ1)								
Clause 42.02	Significant Landscape Overlay – Schedule 9 (SLO9)								
Clause 43.01	Heritage Overlay – Schedule 22 (HO22)								
Clause 52.05	Signs								
Background Information:	<p>A planning permit was issued on 20 June 2022.</p> <p>Since the permit was issued, plans have been endorsed in accordance with the conditions of the permit (including condition 1).</p>								
Planning History:	<p>On 20 June 2022, a planning permit was issued on 20 June 2022 for the construction of a new sports and aquatic centre associated with the existing Presbyterian Ladies College.</p>								



On 23 December 2022, plans to comply with conditions 1 (Amended Plans), 3 (Sustainability Management Plan), 6 (Landscape Plan) were endorsed.

On 11 September 2023, the planning permit was amended under section 72 of the Act to extend the basketball court storage area, extend the airlock room, various internal changes and new signage.

On 13 February 2024, the planning permit was amended under section 72 of the Act to delete two rainwater tanks along the eastern extent of the PLC Sports Aquatic and Fitness Centre (SAFC).

On 24 July 2024, the planning permit was amended to delete condition 22 (no illumination of signage).

Referral Authorities: Whitehorse City Council -s52(1)(b)

Public Notice: The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the *Planning and Environment Act 1987* (the Act), however it is considered that the proposal would not cause material detriment to any person and therefore notice was not given to surrounding properties.

Delegates List: Not required

Recommendation: The amendments to the permit are recommended for approval.

Background



1. The key milestones in the application process were as follows:

Milestone	Date
Application lodgement	18 December 2025
Further information requested	21 January 2026
Further information received	8 April 2026
Decision Plans	Architecture plans prepared by Warren and Mahoney Architects , titled ' 141 Burwood Hwy, Burwood ' and dated 12 September 2025. Landscape plans prepared by T.C.L., dated 9 December 2025
Other Assessment Documents	Native vegetation assessment prepared by Stantec, dated 2 December 2025.

2. The subject of this report is the decision plans (as described above).



Section 72 Amendment

3. The proposal can be summarised as follows:

s72 Proposal Summary	
	<p>The proposal seeks to amend planning permit PA2101392-3 pursuant to s72 of the 'Planning and Environment Act 1987' to accommodate the following changes:</p> <ul style="list-style-type: none"> • Removal of planning permit permission within permit preamble for removal of native vegetation removal, to retrospectively correct original permit decision error to grant approval for such when no approval for native vegetation removal was required. • Correction to permit preamble to correctly reference internally illuminated signage and high wall signs classifications, of which have previously been approved within endorsed plans but not described within permit preamble • Minor secondary consent amendments to endorsed plans described below to reflect as built conditions.

Section 72 Amendment Changes

4. The following change to permit which require approval via planning permit amendment are as follows:
- Removal within the planning permit for all references to the original permits approval for native vegetation removal.
 - NOTE: It was identified within a previously submitted secondary consent amendment for the below described changes that retrospective removal of trees previously thought to constitute native vegetation at time of permit decision, was in fact not classified as native vegetation (see detailed assessment below) and therefore did not require approval for such.
 - Correction to planning permit preamble to include correct reference to relevant classes of signage approved at time of parent permit approval.
 - NOTE: No additional signage or illumination is proposed under this amendment, only changes to preamble to accurately describe what has been approved in terms of signage classes.

Permit Preamble Changes

Change / Comment	
Current permit preamble	Partial demolition and construction of buildings and works for a new sports and aquatic centre associated with an existing school in the General Residential Zone and Heritage Overlay, removal of trees in the Significant Landscape Overlay, removal of native vegetation under Clause 52.17, alter access to a road in a Transport Zone 2, and display of business identification signage, in accordance with the endorsed plans.
Proposed amended permit preamble	Partial demolition and construction of buildings and works for a new sports and aquatic centre associated with an existing school in the General Residential Zone and Heritage Overlay, removal of trees in the Significant Landscape Overlay, removal of native vegetation under Clause 52.17 , alter access to a road in a Transport Zone 2, and display of business identification signage, internally illuminated signage, and high-wall signs in accordance with the endorsed plans.

Secondary Consent Alterations To Endorsed Plans:

5. The following retrospective design changes to endorsed plans are proposed to be made (described in detail within the assessment section of this report):
- Inclusion of crossover details approved under council issued permit WH/2025/253 (issued 8 January 2026)
 - Minor carpark internal reconfigurations.
 - Onsite pedestrian pathway alterations.
 - Retrospective nonnative tree removal of trees 458, 494, 502, 503 and 875 previously depicted to be retained within the currently endorsed landscape plan.



- Updates to signage strategy.



Site Description

6. The school site comprising the Presbyterian Ladies' College (PLC) is located at 141-169 Burwood Highway, Burwood and is located on the north side of Burwood Highway, between Parer Street and Elgar Road (see Figures 1 and 2 below).
7. The site is formally described as Lot 1 on Title Plan 077772X Volume 09442 Folio 047. There are no restrictions, covenants or section 173 agreements registered on the title.
8. The school consists of a Christian Independent girls' day and boarding school for 1619 students and 316 staff. The school has been in operation on this site since 1939 and now offers an Early Learning Centre, Junior School, Senior School, boarding and extensive recreational grounds.
9. The site comprises a total area of 15 hectares and is bound by Burwood Highway to the south, Elgar Road to the east, Parer Street to the west and the rear boundaries of properties facing Daniel Street. There is a significant fall in the land from the west to the east. The site contains a frontage to Burwood Highway of approximately 130m.
10. In the centre of the site, Hethersett House, Hethersett Hall and land within 5 metres of these buildings, excluding the Boarding House is included within an individual Heritage Overlay (HO22). The proposed areas associated with the current planning permit amendment application are not affected by HO22.
11. The location of the proposed development is situated along southern boundary of the site, adjacent to Burwood Highway and to the east of Gate 2 (see Figures 3 and 4 below).
12. Along the boundary with Burwood Highway is a stone retaining wall, with a picket fence and timber fence set back and above. This is proposed to be removed and replaced as part of the previously approved permit.



Figure 1: Subject site with yellow star showing approximate location of approved SAFC buildings

Site Surrounds

13. The subject site is within a mixed-use area that includes a variety of residential, commercial, industrial, and public land uses.
14. Development surrounding the site can be described as follows:
 - To the north of the development site is the remainder of the PLC campus, including Hethersett House and boarding house. To the north of the campus is a mixture of single and double storey dwellings fronting Daniel Street. On the north side of Daniel Street and beyond is a typical residential area within a General Residential Zone.




- To the east of the development site is the remainder of the PLC campus, including the Early Learning Centre, its outdoor spaces and associated car park. To the east of the campus is Elgar Road. Beyond Elgar Road is a residential area, Gardiners Creek, Bennettswood Reserve and Deakin University.
- To the south of the development site is Burwood Highway, a Transport Zone 2, with two lanes in each direction separated by a central tramline. On the south side of Burwood Highway is a mixture of single and double storey dwellings zoned within the Residential Growth Zone – Schedule 2, the continuation of Gardiners Creek, a service station and commercial buildings. A signalised pedestrian crossing over Burwood Highway is located between Gates 1 and 2 (see Figures 3 and 4 above).
- To the west of the development side is the remainder of the PLC campus, including the existing aquatic centre and a sports oval. To the west of the campus is Parer Street, a local street. On the west side of Parer Street is a mixture of single and double storey dwellings zoned within the Residential Growth Zone– Schedule 2.



Referrals

Municipal Council Comments

15. The Whitehorse City Council planning department provided the below detailed technical comments for the subject application.

Council Comments	Assessment Response
<p>Landscaping</p> <p><i>Council is not supportive of reduced tree planting compared to the endorsed plans in the below areas</i></p> <ul style="list-style-type: none"> <i>(refer to below image) of the subject site. The reduced planting does not assist in reinstating the</i> <i>canopy coverage lost by the new development and meeting the purpose of Condition 1B.</i> <i>Furthermore, the reduced landscaping will have a significant and adverse impact on the landscape</i> <i>character.</i> <p><i>It also appears the planting schedule quantities (page 10) have not been amended.</i></p> 	<p>Noted.</p> <p>The reduction in canopy tree planting in these two areas is partly a result of the development of the site.</p> <ul style="list-style-type: none"> At the first location, a crossover and driveway have been approved under Planning Permit WH/2025/252 and as a result, trees previously within this area have been relocated. At the second location, the internal footpath and driveway was constructed wider than originally planned, and as a result these trees required relocation. <p>It is noted that the currently endorsed Landscape Plan includes 111 canopy trees. This proposed amended Landscape Plan includes 110 canopy trees. It is considered that the relocation of these trees to the south-eastern interface with Elgar Road/Burwood Highway will provide for an excellent vegetation buffer between the school and the busy intersection, without compromising the landscape character of the site.</p> <p>The proposed landscaping changes are considered to be acceptable by DTP.</p>
<p><i>Council does not have any in-house ecologist staff to assess any Clause 52.17 matters. It is recommended the Department of Transport and Planning discuss this further with a suitably qualified ecologist and/or DECCA to review the submitted report prepared by Stantec Australia dated 2 December 2025 and to ascertain if any additional conditions are required to be included within the Planning Permit.</i></p>	<p>Noted.</p> <p>DTP is satisfied that trees 458, 494, 502, 503 and 875 previously identified within the arboriculture impact assessment report dated 21 October 2021, as at time of permit decision, based on the native vegetation assessment prepared by Stantec (dated 2 December 2025), were in fact exempt from requiring approval pursuant to Clause 52.17 given the trees have been sufficiently demonstrated to have constituted 'planted vegetation'.</p> <p>DEECA referral not required.</p>
<p><i>It appears the proposed Elgar Road signage (south-western corner area of site) conflicts with proposed large tree planting.</i></p> <p><i>For any permit issued Council recommends the Department of Transport and Planning consider including the below condition:</i></p> <ul style="list-style-type: none"> <i>1. During the operation of the sign, the maximum average luminance and threshold increment values as specified in below must not be exceeded:</i> <ul style="list-style-type: none"> <i>a. Maximum average luminance:</i> 	<p>Noted. Council recommendation not supported.</p> <p>The proposed sign was previously approved at time of parent permit decision as was depicted on endorsed plans to be illuminated. The proposal currently under consideration does not seek any additional illuminance, and the sign is noted to already be constructed.</p>



<ul style="list-style-type: none"> ▪ i. Full sun on face of signage: no limit. ▪ ii. Daytime luminance: 4,000 cd/m2. ▪ iii. Morning and evening twilight and overcast weather: 400 cd/m2. ▪ iv. Night time: 200 cd/m2. b. Threshold increment for night time: <ul style="list-style-type: none"> ▪ i. Max %: 15%. ▪ ii. Adaptation luminance: <p><i>Note: Threshold increment as defined and calculated in AS4282. Twilight is defined as the period when the sun is below the horizon but light from the sun is still indirectly visible. When the sun is 18 degrees or more below the horizon, the amount of visible light is very low and this is defined as Night time.</i></p>	
<p><i>Some columns are still within clearance required section (for example car parking space 4 and 5). Regardless of if there is a boom gate or structure at the waste & recycling area, they have provided a blind aisle of 1m as per the Australian Standards which will allow for appropriate access into these spaces. Likewise, the car parking spaces are wide enough at the entrance of the building (alongside with an additional 1m blind aisle) that car parking access to these spaces are satisfactory even if there is a gate located here. Dimensions should be provided for car spaces directly adjacent to structures (such as bike storage area). An offset of 300mm is required between the car space as per the Planning Scheme requirement.</i></p>	<p>No in-principle objection to revised carpark layout is noted.</p>
<p><i>No Certificate of Title included in application.</i></p> <p><i>Condition 9 should be amended to include Tree 504 and any other trees shown to be retained within proximity to any additional works.</i></p> <p><i>Condition 9 of State Government Issued Permit PA2403077 not satisfied (Council has no record of receiving the required Tree Protection Plan report prepared by a suitably qualified arborist).</i></p> <p><i>It is recommended the proposed vehicle crossover and signage approved under Planning Permit WH/2025/253 are clearly shown on all development and landscape plans (note, Planning Permit WH/2025/253 does not include any landscaping).</i></p>	<p>Noted.</p> <p>Copy of title provided.</p> <p>Appropriate landscaping remains as being depicted within the proposed amended landscape plan.</p>

Referrals

16. The application does not require any formal referral to any external referral agencies.



Notice

17. The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the *Planning and Environment Act 1987* pursuant to the following provisions:
 - Clause 52.05 – Signs.
 - Clause 42.03 – Significant Landscape Overlay.
3. The application was not advertised under section 52(1)(a) as it would not to cause material detriment to any person because:
 - The proposed amendment to delete permit preamble reference to native vegetation removal approval is of no consequence to any parties given planning permit approval for all vegetation described within currently endorsed (and proposed amended plans) on the subject site were exempt from requiring permission pursuant to clause 52.17 at time of permit decision, given such vegetation has been demonstrated within the native vegetation assessment prepared by Stantec on 2 December 2025 to be 'planted' vegetation. Thus the deletion of approval reference to native vegetation removal is a correction to a mistake made at time of permit decision.
 - The 5 trees of which retrospective approval for removal is sought for under the significant landscape overlay is minor in scale. An additional 5 trees propose for retrospective removal are deep within the subject site, of which have already been removed, and form part of the original approvals 115 tree removal approval. The removal of these additional trees is not considered to cause any material detriment upon any parties adjoining the subject site.
 - The amendment to permit preamble to correctly reference the approved classes of signage previously approved does not introduce any new signage to the subject development but rather corrects an administrative error within the planning permits wording.
 - The proposed changes to endorsed plans are predominantly tidy up corrections to account for minor built form changes produced during construction (Ie as built plans). The changes do not affect the external appearance of the development in terms of visual bulk, materiality appearance or any change to net signage.
4. Pursuant to Clause 53.19, an application to which Clause 53.19 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act. Clause 53.19 applies to this application, the determination is exempt from any appeal rights.



Planning Policy

18. None of the applicable policies under the Planning Policy Framework or statutory planning controls within the scheme have changed since the decision on the application and given the nature of the amendments these policies do not need to be re-examined.

Statutory Planning Controls

19. The zoning and overlay controls remain the same since the decision for the application was made. The following controls are applicable.

	Planning Scheme Control	Has the control changed since the original decision? (Yes/No)	Permit Required under S72 Amendment Application
Zoning	Clause 32.08 - General Residential Zone – Schedule 1	No	No
Overlays	Clause 42.03 - Significant Landscape Overlay – Schedule 9 Clause 43.01 - Heritage Overlay – Schedule 22	No No	No No
Other controls relevant to the changes to the proposal	Clause 52.05 – Signs Clause 52.06 – Car parking Clause 52.17 – Native Vegetation Clause 52.29 – Land adjacent to the principal road network Clause 53.18 – Stormwater Management in Urban Development Clause 53.19 – Non-Government Schools	No No No No No No	Yes – change to preamble No Yes – deletion No No No

20. Specifically, the proposed amendments to the approved development trigger the requirement for a permit pursuant to amend permit preamble as relevant to the following provision within the planning scheme:

Clause 42.03- Significant Landscape Overlay – Schedule 9

- Pursuant to clause 42.03-2 a permit is required to *'remove, destroy or lop any vegetation specified in a schedule to this overlay'*

Clause 52.05 – Signs

- Pursuant to Clause 32.08-15, sign requirements are at Clause 52.05 at Category 3.
- Pursuant to Clause 52.05-13 (Category 3 – High Amenity Areas), a permit is for the following classes of signage previously approved within the subject permit (but mistakenly omitted from reference within permit preamble):
 - Internally illuminated sign
 - High wall sign

21. It is noted that the proposal relevant to retrospective removal of trees benefits from the transitional provisions of clause 52.37 (canopy trees).

22. Clause 52.37-9 states that the requirements of clause 52.37 do not apply to 'The removal, destruction or lopping of a canopy tree associated with the construction of a building or the construction or carrying out works in accordance with a permit granted before the approval date of Amendment VC289' (15/9/2025). The trees are anticipated to have



been removed during 2023 to early 2024 during site works, noting that the subject building is already complete as at time of lodgement.

Amendments To Permit Preamble

Signage Changes:

- 23. It is noted that the current permit preamble currently describes the approval for business identification signage, whilst the endorsed plans since time of parent permit issue depict business identification signage, illuminated signage and high wall signage.
- 24. It is recommended that as part of this permit amendment that the preamble be updated to accurately reflect classes of signage approved.

Native Vegetation Approval Removed From Permit:

- 25. The current planning permit describes approval for native vegetation removal however does not include any permit conditions associated with native vegetation removal (including offsets).
- 26. The native vegetation exemptions letter provided by Stantec (dated 2 December 2025) demonstrates that the vegetation situated on the subject site has been planted based on a detailed aerial image breakdown of the site’s history back to 1943.
- 27. DTP is satisfied that the vegetation on site (including the below detailed trees submitted for retrospective approval for removal), are all constituted as planted vegetation, and therefore meet the native vegetation removal exemptions criteria of clause 52.17-7. On such basis no planning permit approval against the requirements of clause 52.17 was required at time of permit decision, and permit preamble reference to native vegetation removal was a mistake.
- 28. It is recommended that the permit preamble remove reference to approval for native vegetation removal given no such approval was required. It is noted that the parent permit did not have any conditions on permit relevant to vegetation removal, so not such condition changes are required in this regard.

Additional Vegetation Retrospective Removal Under Significant Landscape Overlay – Schedule 9

- 29. Trees 458, 494, 502, 503 and 875 were previously outlined to be retained on site, however have been inadvertently removed by builders during construction. These trees are situated within significant landscape overlay – schedule 9.
- 30. The original permit approval granted approval removal of 115 trees on site within the overlay pursuant to the vegetation removal trigger outlined in clause 42.03-2 (SLO9) to ‘remove, destroy or lop any vegetation specified in a schedule to this overlay’.
- 31. The amended landscape plan submitted in association with the subject proposal depicts these trees to be removed in addition to the trees nominated for removal at time of original approval. This amendment is proposed to retrospectively grant approval for removal of these trees under the SLO9.
- 32. It is considered that the proposed landscaping depicted within the proposed landscape plan for endorsement results in an appropriate landscaping outcome commensurate with the scale of the subject development approval. It is considered that the landscaping extent outlined does appropriately replace vegetation removed under the original approval plus these 5 additional trees nominate for removal retrospectively.

Secondary Consent Amendments To Endorsed Plans

33. The applicant has provided the following concept image/s of the proposal:

Change / Comment	
Proposed Change	<p>Inclusion of crossover details approved under council issued permit WH/2025/253 (issued 8 January 2026)</p> <p>An additional vehicle crossover to Burwood Highway is proposed to the south-east of the JMC which is to provide entrance access only and seeks to assist in alleviating the existing queuing issue on Elgar Road during PM pick-up periods.</p>



This addition is noted to require primary consent pursuant to clause 52.29 (land adjacent to the principal road network), however has been approved by council separate to the subject permit under council issued permit WH/2025/253). It is noted that as part of such assessment Head Transport for Vicotria was a determining authority and consented such approval.

The proposed amended site plan seeks to include the information of this crossover approved under the council issued permit for clarity and consistency between permits and respective endorsed plan sets.

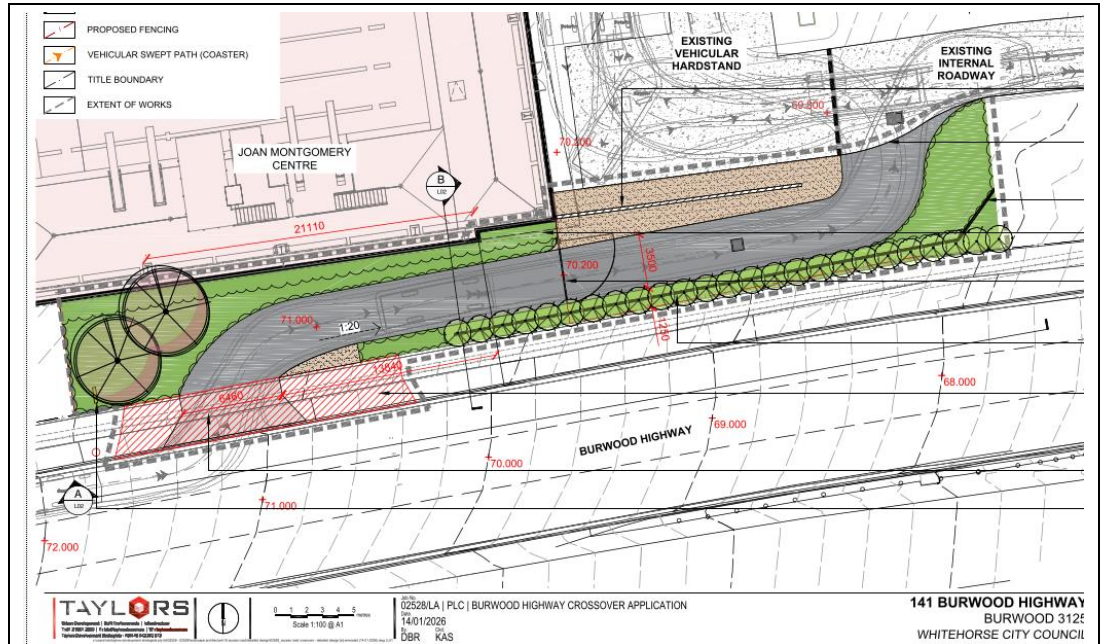


Figure 2: Council issued permit WH/2025/253) endorsed plans extract depicting vehicle crossover

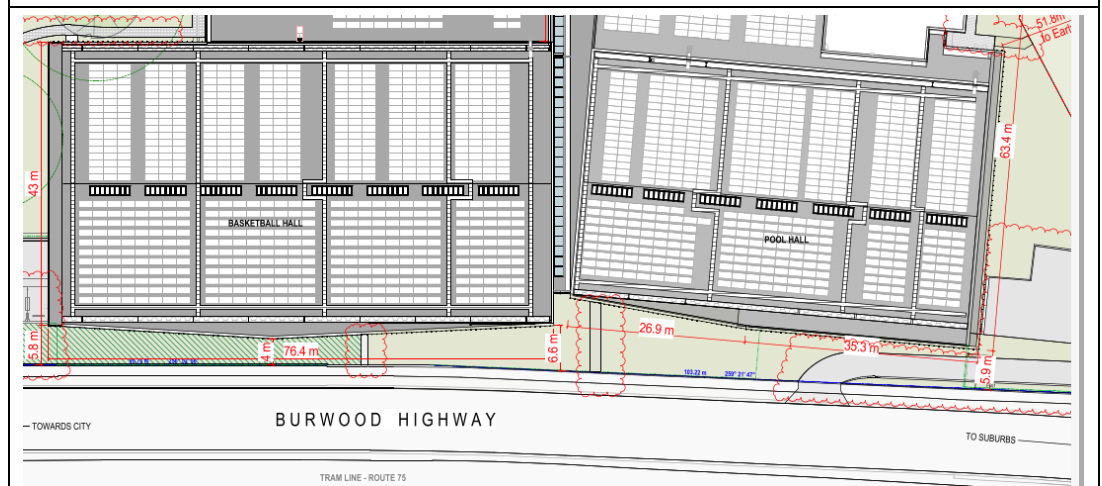


Figure 3: Proposed amended site plan for endorsement aligning within WH/2025/253 endorsed plans

Assessment

The proposed change to site plan includes details of the as-built crossover of which has been approved by the council. The change is considered to be acceptable given planning permit permission

has been granted external from the subject permit, and this update merely seeks to depict current site conditions.

Change / Comment

Proposed Change

Minor carpark internal reconfigurations.

Changes to the JMC carparking area are as follows:

- Minor internal redesign within the JMC car park where the newly proposed pedestrian path joins to the JMC.
- Inclusion of an additional 3 car parking spaces to the south-west corner of the JMC. Externally, an additional four (4) car parking spaces are proposed, while internal to the driveway entrance to the JMC car park, an additional six (6) car parking spaces have also been delivered.
- Minor changes to the carpark accessway ramp steepness grade from 1:12 to 1:26

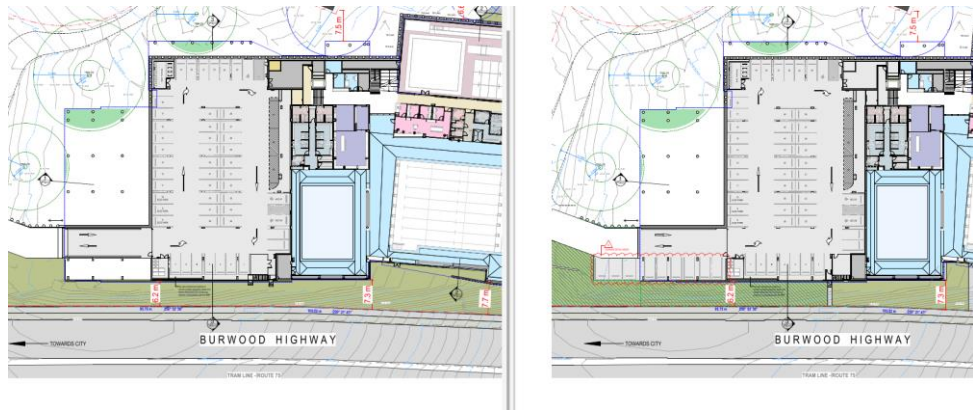


Figure 4: Currently endorsed (left) vs proposed (right) JMC carpark

Assessment

The proposed changes to include additional on site carparking still maintains compliance with the onsite carparking requirements of clause 52.06 and furthermore results in an appropriate response to the design standards of clause 52.06-9 on the basis of the following:

- It is noted that the previously noted 1:12 grade of the 'ramp' has now been updated to reflect the as-built arrangement. During construction, this internal road was instead built to 1:26 and 1:37. 1:26 (3.85%) and 1:37 (2.70%) are less than the maximum 5% grade per AS2890.1, and on this basis is considered to be acceptable.
- The balance of clause 52.06-9 design standards are not impacted by the changes.

These changes are considered acceptable.

Change / Comment

Proposed Change

Onsite pedestrian pathway alterations.

Minor design amendment to the pedestrian paths are as follows:

- Minor updates are sought to the paved pedestrian walkways within the subject site to widen them, so to provide better usability for the school.
- Two additionally pedestrian pathways are proposed between the JMC and Burwood Highway at the south of the site. The eastern path will provide a direct footpath from the

JMC swimming pool fire exit. The western path will provide improved pedestrian access between the car park and Burwood highway.

- Alterations to the north-eastern entrance of the JMC to change the angle of this pathway.
- Minor design amendment to the pedestrian path at the north-west corner of the JMC.
- Inclusion of a pedestrian path between the north-east corner of the JMC and the ELC which will provide better access between these areas of the school.

Assessment

The proposed changes do not result in the loss of internal interschool connectivity via pathed areas, but rather improves amenity in this regard. The changes are minor in nature and considered to be acceptable.

Change / Comment

Proposed Change

Retrospective non-native tree removal

An amended landscape plan to retrospectively accommodate the removal of trees 494, 458, 502, 504 and 875 outline within currently endorsed 11 September 2023.

The proposed tree planting plan has been amended to redescribe and relocate some trees to better reflect the amended design. Most of these trees have been relocated from the north-eastern corner of the study area and are now proposed for planting in the south-eastern corner which will provide excellent screening to the Burwood Highway and Elgar Road intersection, which is considered to provide an improved landscaping outcome for the school. It is noted that the previously endorsed plan includes the provision of 111 trees, while the amended design seeks to provide 110, an unnoticeable difference.

Additional minor changes to the previously proposed materials and surfaces are proposed to reflect the as built design.



Figure 5: Extract of currently endorsed landscape plan depicting trees to be retained (however mistakenly removed during construction)



Figure 6: Aerial image depicting existing conditions upon development completion

Assessment

As discussed in depth within the native vegetation exemptions letter prepared by Stantec (date 2 December 2025), 4 additional trees were removed outside of what was previously approved under this planning permit during construction. The parent permit granted permission for removal of vegetation under the Significant Landscape Overlay (SLO) and Clause 52.17, however upon further investigation it has been demonstrated that all trees removed from the site are exempt from the provisions of Clause 52.17 and therefore do not require native vegetation offsets given the vegetation has since been demonstrated as having been planted (refer above).

As detailed in the Vegetation Exemption Letter prepared by Stantec, it was unequivocally found that these trees were directly planted by the school and therefore are exempt from the requirements of Clause 52.17 and clause 42.03.

On this basis it is considered that the approval of native vegetation removal under Clause 52.17 is removed from the permit preamble and that an amended landscape plan be retrospectively be approved to reflect removal of the above trees.

Change / Comment

Proposed Change

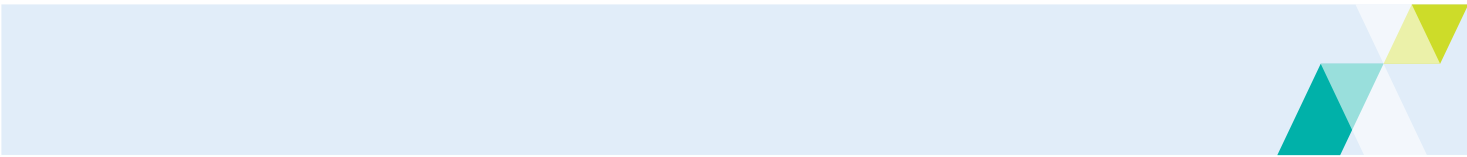
Updates to signage strategy

Changes to the signage strategy are as follows:

- The design of Gate 2 signage has been altered to what was previously endorsed. The proposed design change seeks to reflect the as built arrangement on site, which has reduced the extent of WT04 on the western side of the driveway and replace it with FE01. This amendment is incredibly minor and does not pose any internal or external amenity impacts to the subject site or neighbouring properties and drivers will still be able to clearly identify the gate entrance point from Burrows Highway. Additionally it is noted that a correction has been made to correctly reference gate 3 as gate 2 sign.
- The signage design at the corner of Elgar Road and Burwood Highway has been amended. The proposed feature wall has been replaced with a Metal Powdercoat Black, while the Totem sign has been retained. Again, we note that this amendment will not impact on the internal or external amenity of the site or surrounding properties.

Assessment

The proposed changes do not alter the location, dimensions or illuminance of any signs on site. The proposed changes are minor in nature and not considered to be of any material consequence.





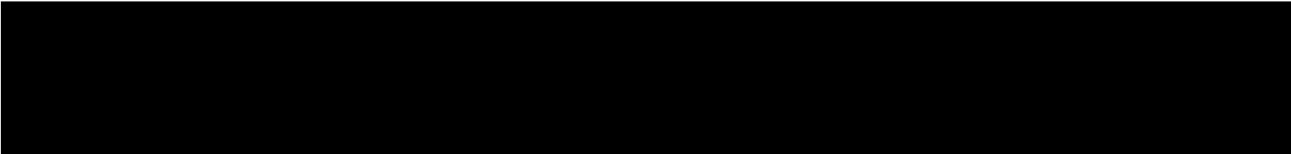
34. **It is recommended that the** amended Planning Permit No. PA2101292-4 for the Partial demolition and construction of buildings and works for a new sports and aquatic centre associated with an existing school in the General Residential Zone and Heritage Overlay, removal of trees in the Significant Landscape Overlay, alteration of access to a road in a Transport Zone 2, and display of business identification signage, internally illuminated signage, and high-wall signs in accordance with the endorsed plans, in accordance with the endorsed plans at 141-169 Burwood Highway, Burwood, subject to conditions.
35. It is recommended that the applicant and the council be notified of the above in writing.



Prepared by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form**.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.



Reviewed / Approved by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
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