



# New Primary School at Edmondson Park Modification 1

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State Significant Development Modification Assessment  
(SSD 10224 MOD 1)

April 2022



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# Glossary

Abbreviation	Definition
<b>Council</b>	Liverpool City Council
<b>Department</b>	Department of Planning and Environment
<b>EIS</b>	Environmental Impact Statement
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2000
<b>EPI</b>	Environmental Planning Instrument
<b>LEP</b>	Local Environmental Plan
<b>Minister</b>	Minister for Planning
<b>SEARs</b>	Planning Secretary's Environmental Assessment Requirements
<b>Planning Secretary</b>	Secretary of the Department of Planning and Environment
<b>SRD SEPP</b>	State Environmental Planning Policy (State and Regional Development) 2011
<b>SSD</b>	State Significant Development
<b>SWGA</b>	South West Growth Area

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east and has a bank along part of the Faulkner Way frontage. The site previously formed part of the Ingleburn Training Facility and more recently it was used to hold a stockpile associated with the construction of Buchan Avenue. The site was cleared of vegetation in 2012, more recently earthworks has begun as approved in SSD-10224, the works are shown in Figure 3.

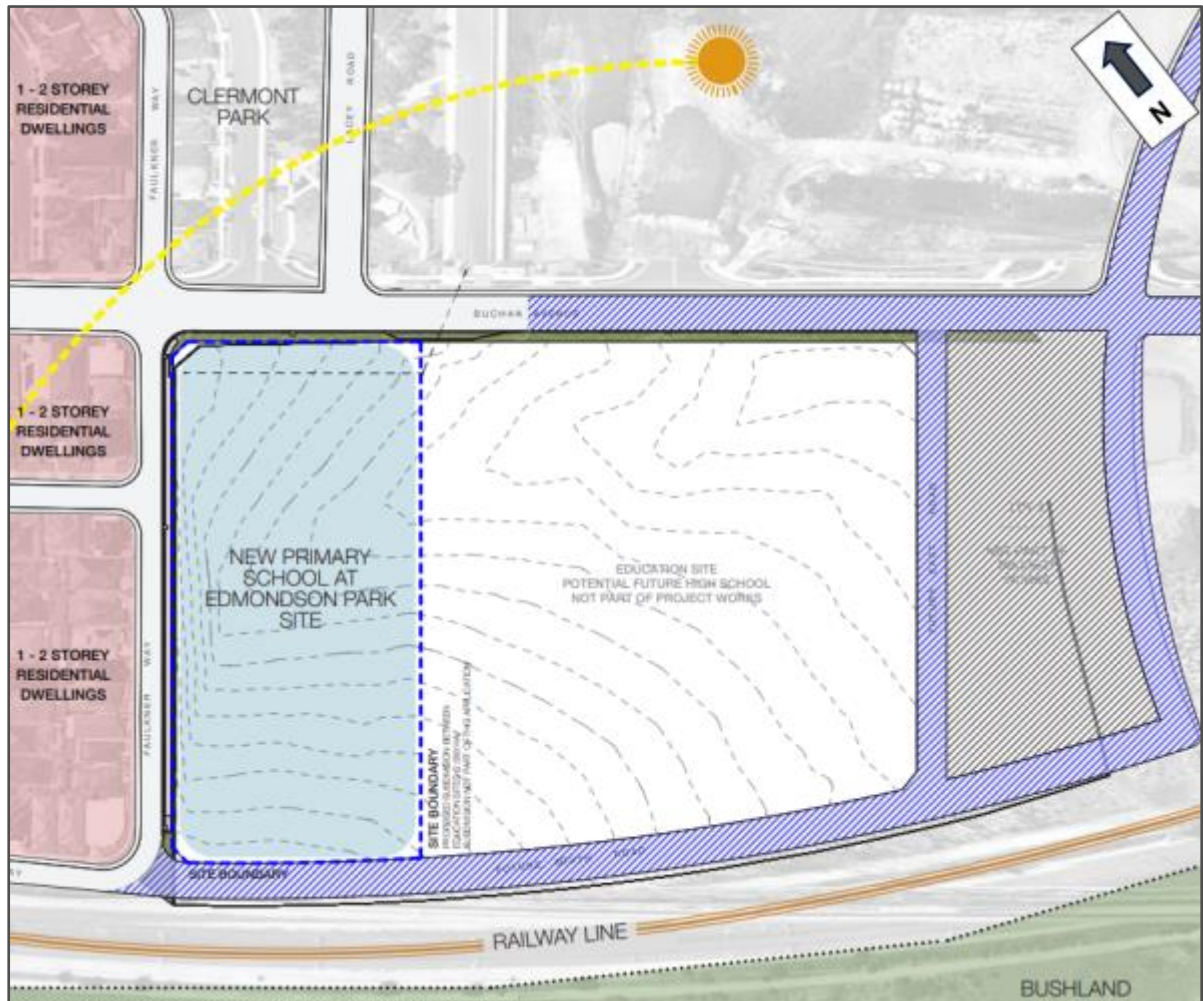


Figure 2 | Location of the site (Source: SSD-10224 Architectural Report)



**Figure 3 |** Aerial view of subject site (Source: Nearmaps)

## 1.2 Approval history

On 15 December 2021, development consent was granted by the Director of Regional Assessments for the development of the New Primary School at Edmondson Park (SSD-10224). The development consent permits the following:

- Construction of a single storey pre-school building accommodating up to 40 children, and construction and operation of a new educational facility to accommodate up to 1,012 students including:
  - Construction of school buildings ranging from 1 to 3 storeys, including
    - general and special support learning areas
    - staff rooms and administration office
    - hall
    - library
    - out of school hours care facility
  - landscaping works and open space improvements
  - parking, pick-up and set-down zones, bus zones and loading areas
  - associated works including school identification signage and on-site infrastructure and utilities.

The development consent has not been modified; one modification is currently under assessment (see **Table 1**).

**Table 1 | Summary of Modifications**

<b>Mod No.</b>	<b>Summary of Modifications</b>	<b>Approval Authority</b>	<b>Type</b>	<b>Approval Date</b>
<b>MOD 1</b>	Minor Design changes including: <ul style="list-style-type: none"><li>• Relocation of approved solar panels.</li><li>• Introduction of multiple mechanical enclosures.</li><li>• Minor landscaping amendments.</li></ul>	Department	4.55(1A)	Under assessment

## 2 Proposed modification

The modification application seek approval to amend condition A2, the stamped plans of SSD 10224, the proposed modification to the design includes:

- Relocating the approved solar panels from the roof of Block B (Hall and COLA building) to the roof of Block A.
- The addition of a roof access hatch to Block A to help servicing of the PV array.
- The addition of three mechanical enclosures along the Faulkner Way frontage. The enclosures will accommodate condenser units for the air-conditioning system.
- Modification of the landscape design along the Faulkner Way frontage to accommodate the proposed mechanical enclosures.
- The addition of a mechanical enclosure on the southern end of Block B.
- The addition of a small mechanical enclosure adjacent to the hall/out of school hours care on the south-eastern elevation of Block B.

The proposed modification is required as the result will provide an increase in site efficiency and sustainability. The relocation of the solar panels allows for an increase of 20kW of photovoltaic panels which will result in an overall capacity of 90kW, whilst also locating the panels at the highest point of the development preventing any reflection.

The three mechanical enclosures along the Faulkner Way frontage will accommodate condenser units for the air-conditioning system. The walls of the enclosures are proposed to be constructed of sound attenuating material and each will have a gate for access. The northern enclosure observes a setback of 750mm from the boundary, whilst the central and southern enclosures observe a setback of 1050mm both setbacks allow landscaping to be provided between them and the street.

The specific details of the enclosures are:

- Northern enclosure: 9.1m (L) x 5.3m (W) X 1.8m (H)
- Central enclosure: 11.3m (L) x 4.9m (W) x 1.8m (H)
- Southern enclosure: 11.6m (L) x 4.9m (W) x 1.8m (H).

As a result of the location of the mechanical enclosures on Faulkner Way, the landscape design has been amended to accommodate the proposed mechanical enclosures.

The proposed amendments can be seen in Figure 4, which shows proposed location of all proposed amendments.

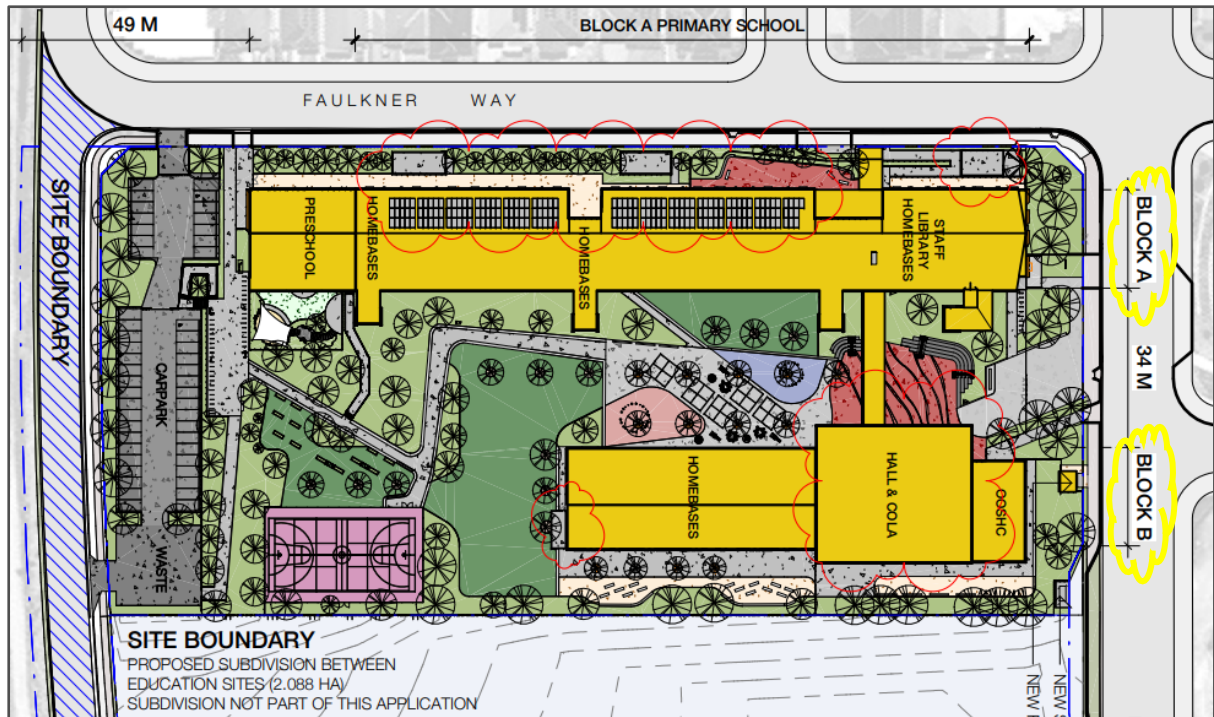


Figure 4 | Architectural Plans – amendments (Source: Applicants amended Architectural package)

### 3 Strategic context

The Department considers the development to which the modification relates, remains consistent with its applicable strategic context given that:

- NSW State Priorities, as it provides new and improved teaching and education facilities.
- Greater Sydney Commission's A Metropolis of Three Cities, as it proposes new school facilities to meet the growing needs of Sydney.
- Transport for NSW's Future Transport Strategy 2056, as it would provide a new educational facility in an accessible location.
- Greater Sydney Commission's Western City District Plan, as it would provide much needed school infrastructure and opportunities to co-share facilities with the local community.
- Infrastructure NSW's State Infrastructure Strategy 2018-2038 Building the Momentum, as it proposes facilities to support the growth in demand for primary student enrolments.
- Council's Local Strategic Planning Statement, as it would increase the number of school places provided in the local government area, encourage sustainable transport modes and increase the regions standing as an education destination. The proposal would also provide direct investment in the region of approximately \$60,143,604, which would support 350 construction jobs and 59 new operational jobs.

## 4 Statutory context

### 4.1 Scope of modifications

The Department has reviewed the scope of the modification application and considers that the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not significantly increase the environmental impacts of the project as approved
- is substantially the same development as originally approved; and
- would not involve any further disturbance outside the already approved disturbance areas for the project.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

### 4.2 Consent authority

The Minister for Planning is the consent authority for the application under section 4.5(a) of the EP&A Act. In accordance with the Minister's delegation to determine SSD applications, signed 9 March 2022, the Team Leader, State Significant Acceleration, may determine this modification application as:

- the application has not been made by a person who has disclosed a reportable political donation under section 10.4 of the EP&A Act in connection with the modification application
- there are no public submissions in objection, and
- the Council has not made a submission by way of objection under the mandatory requirements for community participation in Schedule 1 of the EP&A Act.

### 4.3 Mandatory matters for consideration

The Department conducted a comprehensive assessment of the project against the mandatory matters for consideration as part of the original assessment of SSD-10224. The Department considers this modification application does not result in significant changes that would alter the mandatory matters for consideration under section 4.15 of the EP&A Act and conclusions made as part of the original assessment.

## 5 Engagement

### 5.1 Department's engagement

The Department did not exhibit or notify the application due to the minor nature of the proposed modification. However, the modification application was made publicly available on the Department's website and was referred to Council for comment. No community submissions were received.

Council did not object to the modification application. Council provided a response raising two points. The points raised include comments on the relocation of the solar panels and an inconsistency between the submitted architectural plans and modification report.

Council noted that the proposed relocation of the solar panels will result in a minor increase in the building height, Council does not oppose the minor increase commenting *'the breach is only limited to a small section of the panel which will not significantly contribute to the bulk and scale of the approved building'* and *'the proposed non-compliant height will not be readily visible from the public domain and will not result in any significant overshadowing to the adjoining properties'*.

The second point raised by Council concerned a minor inconsistency within the submitted information; the architectural plans and the Modification Report depicted differing setbacks for the northernmost mechanical enclosure along Faulkner Way. The modification report identified that all enclosures located along Faulkner Way are setback 1050mm, however the architectural plans depict the central and southern enclosures at 1050mm whilst the northern enclosure was shown at 750mm. Despite the inconsistency Council noted *'the enclosures can be considered acceptable, should adequate planting be provided to screen them from the street in order to minimise their visual effect.'*

A request was sent to the applicant 19 April 2022 and a response was provided which clarified the concern. The applicant confirmed the northern enclosure will be setback 750mm whilst the central and southern enclosures are setback 1050mm. No further request for comment was sent to Council noting general acceptance of the proposal despite the inconsistency in submitted documents.

## 6 Assessment

In assessing the merits of the proposed modification, the Department has considered:

- the Modification Report and associated documents (Appendix A)
- the environmental assessment for the original project and the conditions of approval
- comments received from Council on the proposal (Appendix A)
- relevant Environment Planning Instruments, policies and guidelines
- the requirements of the EP&A Act.

### 6.1 Urban Design

The proposed modification seeks to include five mechanical plants including three along Faulkner Way seen in Figures 5,6 and 7 below. The other two mechanical plants are located on the southern aspect of Block A and next to the out of hours school care and school hall. The mechanical plants will accommodate condenser units for air conditioning across the school. The applicant identified that other options for passive environmental management was explored although the climate and nature of the site deemed air conditioning was essential for internal classrooms and buildings suitable for learning.

The mechanical enclosures along Faulkner Way are visible from the street, the applicant advises that the enclosures have been designed with the following design elements:

- Providing a minimum 750mm setback to separate the enclosures from the public domain
- Provision of landscaping within the 1050mm setback to establish a soft edge to the street and screen the enclosures
- Minimising the height of the enclosures to (1.8m), so that they predominantly sit below the height of the fence
- The northern enclosure (Figure 5) is set back behind the Buchan Avenue building line and is only 0.9m in height at street level. This arrangement will ensure that its visibility is minimised and it will not obstruct key sight lines in and around the secondary pedestrian entry on Faulkner Way, or vehicle sightlines at the intersection of Buchan Avenue and Faulkner Way.
- Using dark coloured materials with simple finishes that will be visually recessive (Appendix 5)
- Dispersing the enclosures along the site's frontages to maintain consolidated areas of landscaping on the street

The department considers the location, design and impact of the enclosures to be appropriate within the streetscape and will not significantly alter the architectural theme along Faulkner Way. No additional conditions of consent are required to manage the proposed modification, the requested changes to the stamped architectural and landscaping plans are appropriate in managing the change.



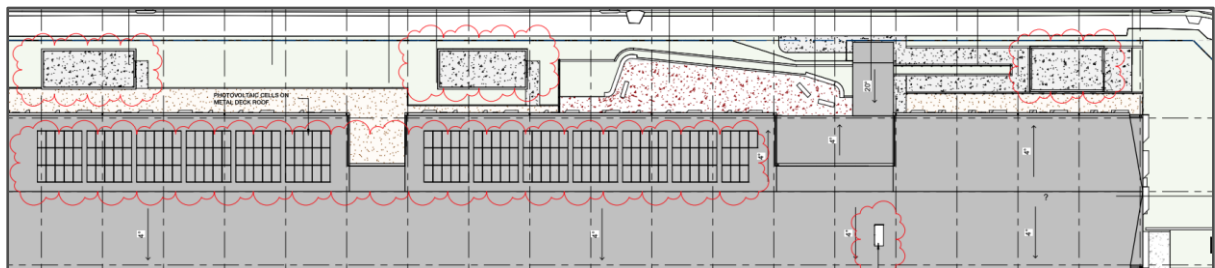
**Figure 5 |** northern mechanical enclosure from Faulkner Way (Source: Applicant's Modification Report)



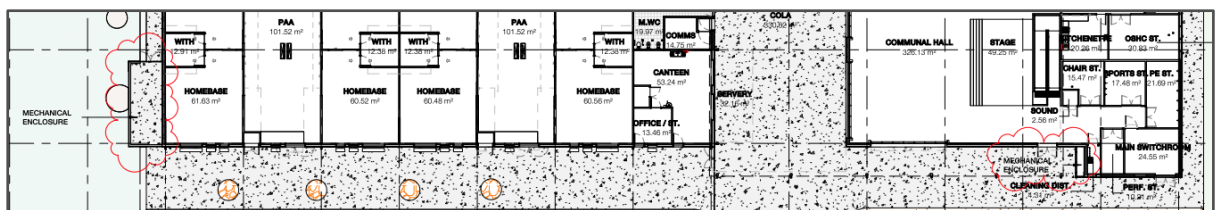
**Figure 6 |** Central mechanical enclosure from Faulkner Way (Source: Applicant's Modification Report)



**Figure 7 |** Southern mechanical enclosure from Faulkner Way (Source: Applicant’s Modification Report)



**Figure 8 |** Faulkner Way Mechanical Enclosures, Solar PV system and access hatch location (Source: Applicant’s Modification Report)



**Figure 9 |** mechanical enclosures (Source: Applicant’s Modification Report)

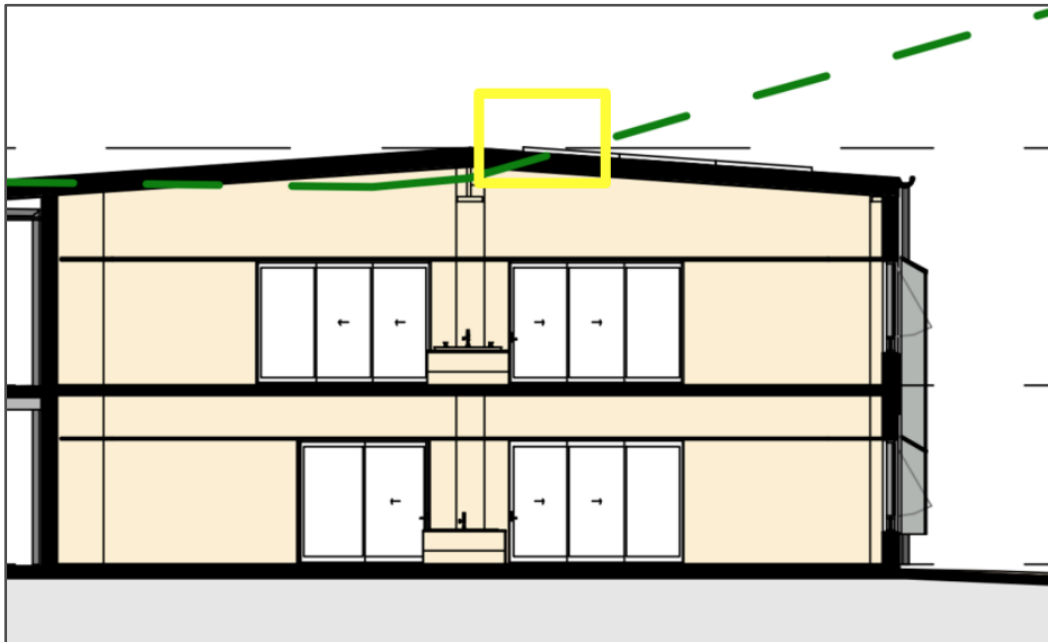
The modification also seeks to relocate solar PV system from Building B to Building A and add a roof access hatch at Building A which will provide essential access for the Solar PV system and other maintenance (Figure 8). The location of the solar PV system and access hatch will not be visible from the streetscape and therefore will not overshadow the site or surrounding properties. In line with the minor design changes outlined above, the listed architectural plans will be updated for consistency and to reflect the changes.

## 6.2 Building Height

The maximum height for the site is 15m which is stipulated in Clause 18 – Height of Buildings (Appendix 16) of the Precincts SEPP. The original SSD approved a minor exceedance to the height limit by between 0.5m and 1.6m along the ridgeline of Building A.

The modification seeks to include solar panels on the western side of Building A which would result in a minor exceedance to the building height as shown in Figure 10. The difference to the approved height is the narrow width of a solar panel. It is noted that the minor height exceedance is supported by Council

Due to the minor nature of the height exceedance the Department supports the proposed changes as it will not alter the scale of the buildings as originally approved and will not result in any overshadowing or impact on the local streetscape. Whilst providing addition 20kw capacity and locating the solar panels at the tallest point of the subject site.



**Figure 10** | height of building – PV panel highlighted (Source: Proponent's Modification Report, 2022)

### 6.3 Other issues

Issue	Findings	Recommendations
<p><b>Acoustic</b></p>	<p>The proposed mechanical enclosures are located on Faulkner way which is residential on one side of the road. The proposed enclosures are identified to house condensers for air conditioning units.</p> <p>The enclosures are proposed to be designed to comply with the requirements of the EPA's Noise Policy for Industry.</p> <p>The design of the proposed mechanical enclosures and the distance of approximately 15m to the nearest residential structures is satisfactory in mitigating any potential noise impacts.</p>	<p>The Department concludes that the proposal would not unreasonably impact on the acoustic amenity of surrounding occupants, subject to the existing conditions and design.</p>
<p><b>Landscaping</b></p>	<p>The proposed modification to include mechanical enclosures along Faulkner way results in minor landscaping amendments. The applicant advises that the changes do not result in loss of proposed tree planting. The proposed landscaping is appropriate in treating the enclosures when viewed from the public domain.</p>	<p>The Department concludes that the proposal does not significantly or detrimentally alter the approved landscaping and is considered appropriate subject to the existing conditions and design.</p>
<p><b>Other enclosures</b></p>	<p>In addition to the three enclosures located on Faulkner Way, another two are proposed within the school site. The proposed location of both enclosures, is not anticipated to have any noticeable or detrimental affect on the operation or use of the subject site.</p>	<p>Appropriate, no addition conditions are required.</p>

## 7 Evaluation

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is appropriate on the basis that:

- the proposed modification does not result in any intensification of the use of the site
- the proposed design and landscaping amendments are minor and would not alter the approved building height or gross floor area of the development.
- the slight increase in building height does not present a noticeable impact.
- it would not result in any significant adverse visual or amenity impacts on the surrounding area.
- it would not significantly change the appearance and scale of the development that was originally approved.
- it would enable the efficient operation of the site and increase the opportunity for solar power captured on the site.
- proposed changes are of a minor nature and would not result in significant environmental impacts.
- the development to which the modification relates remains substantially the same.

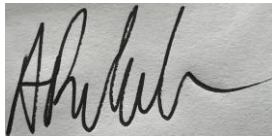
The Department concludes the impacts of the proposed modification are acceptable and that overall, the proposed modification is of minimal environmental impact. Consequently, the proposal is in the public interest and it is recommended that the modification be approved.

## 8 Recommendation

It is recommended that the Team Leader, State Significant Acceleration, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **determines** that the application SSD 10224 MOD 1 falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **modify** the consent SSD 10224
- **signs** the attached approval of the modification (**Appendix C**).

**Recommended by:**

A handwritten signature in black ink, appearing to read 'Anthony Richardson', is shown on a light-colored background.

**Anthony Richardson**  
Planning Officer  
State Significant Acceleration

## 9 Determination

The recommendation is **Adopted** by:

A handwritten signature in black ink that reads "G. Wardenburg". The signature is written in a cursive style with a large initial "G" and a long, sweeping underline.

**Gabriel Wardenburg**

Team Leader

State Significant Acceleration

as delegate of the Minister for Planning

# Appendices

Appendices should follow this general layout but may be modified for specific reporting needs where necessary:

## **Appendix A – List of referenced documents**

<https://www.planningportal.nsw.gov.au/major-projects/projects/modification-1-minor-design-changes-0>

## **Appendix B – Modification report**

<https://www.planningportal.nsw.gov.au/major-projects/projects/modification-1-minor-design-changes-0>

## **Appendix C – Notice of modification**

<https://www.planningportal.nsw.gov.au/major-projects/projects/modification-1-minor-design-changes-0>