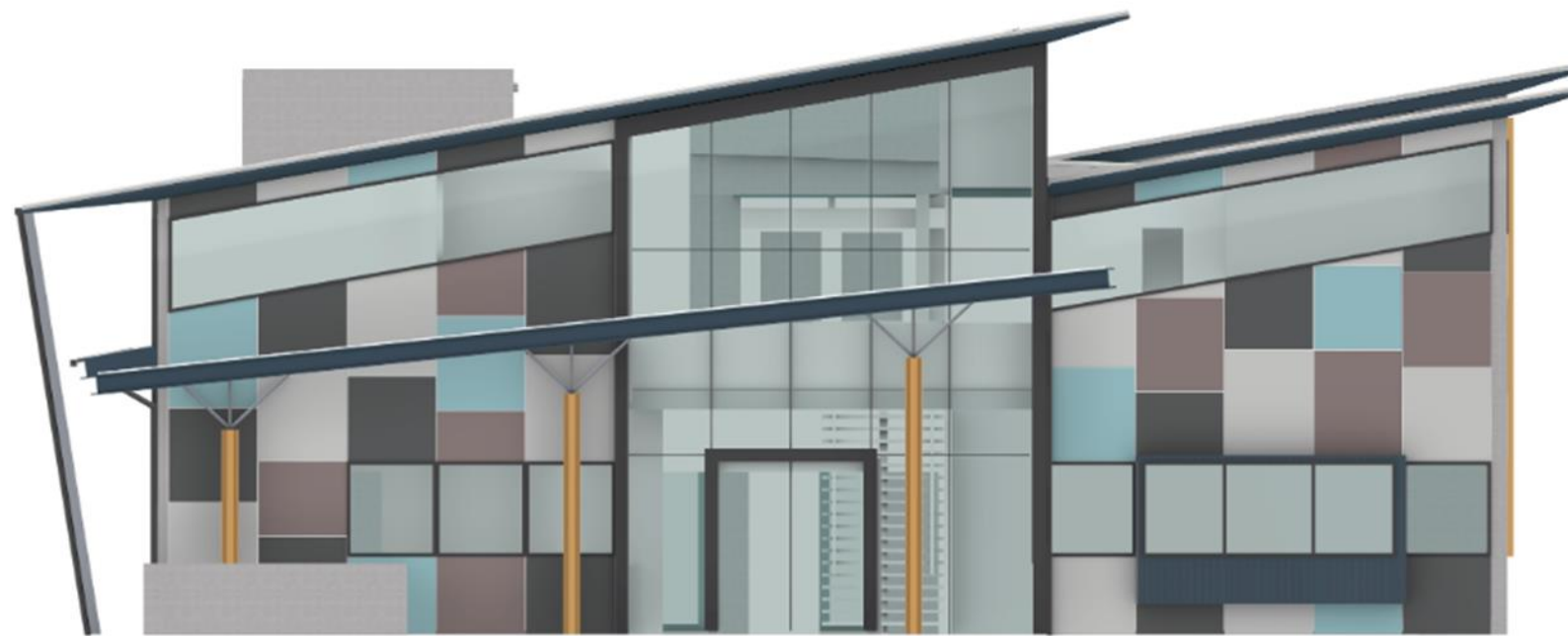


SSD-10420

SECTION S4.55(1A) MODIFICATION REPORT

6A WATSFORD ROAD, CAMPBELLTOWN



Prepared by Planning Lab

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1 Introduction

1.1 Applicant details

This Modification Report has been prepared by Planning Lab on behalf of Warakirri College in support of an S4.55(1A) modification to SSD-10420. SSD-10420 approved the development of a new Warakirri College campus at 6A Watsford Road, Campbelltown.

Warakirri College is an independent High School operated by MTC Australia. MTC Australia is a public benevolent institution specialising in delivering high impact employment, training and youth programs that help around 20,000 people every year to gain skills for employment and entrepreneurship, build self-worth, and enable possibilities for transformative change.

Warakirri College is a registered charity and Public Benevolent Institution which was first opened in Parramatta in 2008 where it began to help people between the ages of 15 to 22 years complete their high school studies. A new campus opened in Fairfield in 2011 and the smaller Parramatta campus was closed in 2013 while expanding the Fairfield site. In 2017, a second campus was opened in Blacktown. In 2019, a third campus was opened in an existing building in the Campbelltown CBD. However, the Campbelltown campus reached its maximum enrolment capacity within 6 months due to the significant need in the region. The development approved under SSD-10420 will be a second Campbelltown campus to address the existing demand for enrolments. Warakirri College accepts students referred by local high schools, the Department of Communities and Justice, the Department of Health and non-government community support organisations.

1.2 Approved project

SSD-10420 approved the development of the Warakirri College Campbelltown Campus with a capacity for up to 120 students and 14 staff members. The approved building is two storeys with a single basement level that has been purpose-designed as an adult learning environment. The building is currently under construction and includes the following elements:

- Site preparation: Excavation to facilitate a basement level.
- Basement: 11 car parking spaces for staff, including 1 disabled car parking space, bin room, bulk storage room, and an indoor recreational area (290m²), lift, and two stairs.
- Ground floor (internal): reception room, staff lunch room, collaborative learning area, bathrooms, function room, Head of Campus' office, food technology and science room with storage room, an external terrace for collaborative learning, stairs and lift.
- Ground floor (external): the ground floor level extends out to a garden area to the rear with places to sit, BBQ facilities, and a vegetable garden. Vehicular access to the site is provided by a 5.3m wide driveway connecting to two at grade car spaces and a down ramp to the basement. Pedestrian access is via a separate pathway located in the middle of the site and adjoined by landscaped front gardens. A bicycle rack is included adjacent to the main entrance.
- First floor: Eight learning spaces (classrooms), staff area with two offices, a quiet break out space, storage room, building services room, bathrooms, stairs and lift.

- Signage: An illuminated pylon sign (1.2m x 2.4m) is proposed within the front setback adjoining the pedestrian entrance to the site. Two school identification signs are proposed with one on the north-west elevation and one on the south-west elevation. Both identification signs are located on the roof of the covered entranceway.

1.3 Site Identification

The proposal relates to the property at 6A Watsford Road, Campbelltown ('the site') which is formally recognised as Lot 113 in DP 1183297. The site is rectangular and encompasses an area of 1,748.2m². Its sole frontage is to Watsford Road and there is a railway corridor on its southern border.

The extant vegetation at the time of granting consent was grass cover. The site experiences a fall of about 3.86m from the south-eastern boundary near the rail corridor to the north-western boundary at Watsford Road. The ground level of the site undulates with the highest point along the southwestern boundary being 3.86m higher than the ground level at the lowest point along the north-eastern boundary. Excavation has been since undertaken and construction on site has commenced.

The site is located within an industrial business park and backs onto the T8 railway line to the south-east. The southwestern neighbouring building is a two-storey office used as a radio station. The north-eastern neighbour is a Pedders Suspension workshop which is a single storey mechanic workshop building with no windows facing the site. Directly opposite the site at 5 Watsford Road is the Hillsong South West Campus. At 7 Watsford Road is the National Indoor Sports Centre. In the general vicinity, there are also several other places of worship and indoor sporting facilities. It is significant that places of worship do not operate during school hours and the three sports centres experience their busiest hours after school and during school holidays when the students do not attend.

The site is near public transport being about a 400m walk from Campbelltown rain Station and within easy walking distance of numerous bus services. It is similarly close to the Campbelltown CBD where a range of services are available.

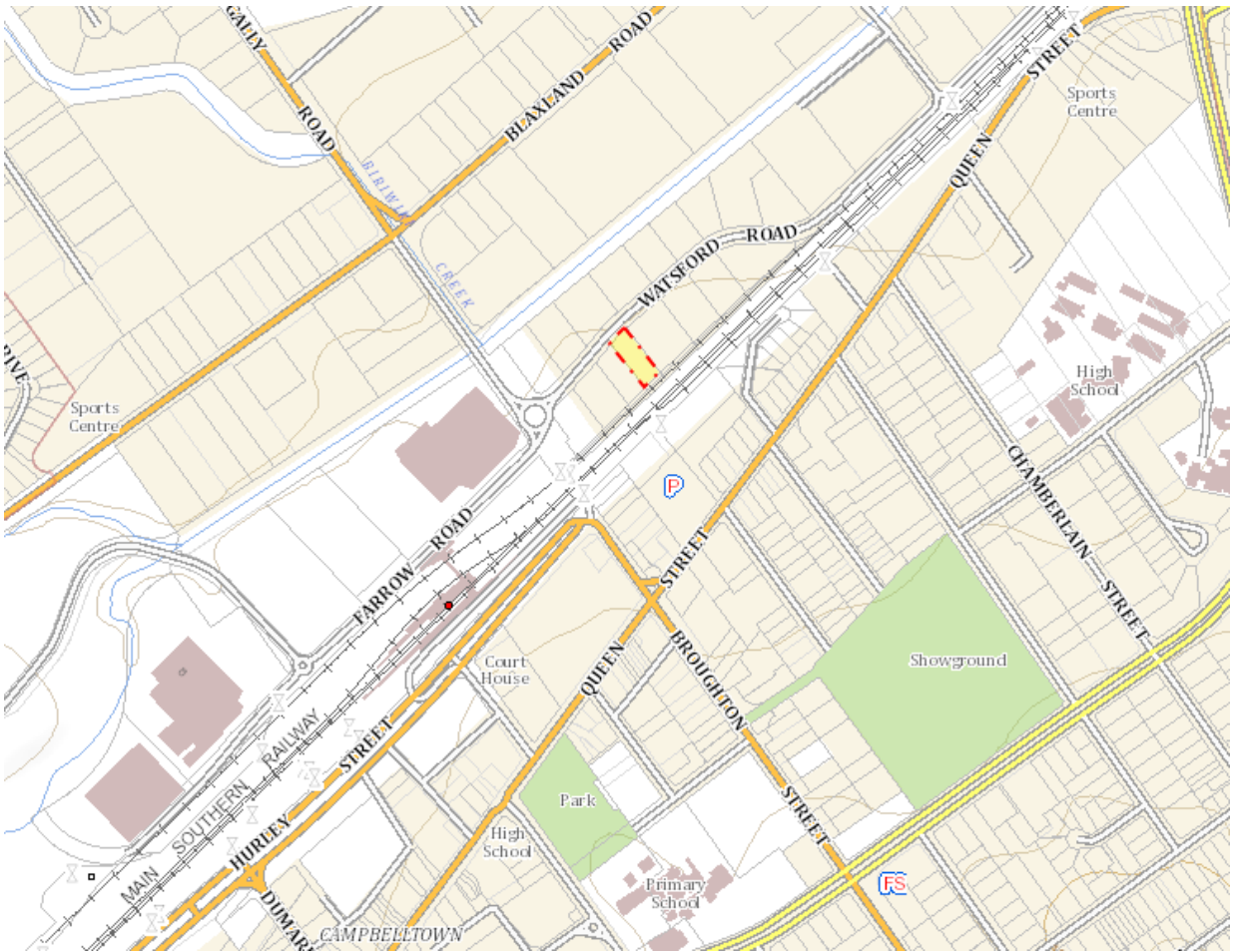


Figure 1 - Locality map identifying the site (Six Maps).



Figure 2 - Aerial image identifying the site (Six Maps)

1.4 Proposed Modification

Excavation has been completed onsite and construction of the building is currently underway. This S4.55(1A) modification seeks to make three general groups of amendments to the approved development:

1. Rearrangement of some partition walls and joinery to more efficiently utilise the floor plate and rearrangement of rear open space.
2. Amendments to the Reduced Levels (RLs) shown on the architectural plans to correct an error on the original survey whereby the Australian Height Datum (AHD) level of the site was described as being 330mm lower than it actually is.
3. Amendments to the basement depth and vertical transport were necessitated by the original survey errors.

1. Internal modifications to partition walls and joinery

This modification seeks approval to make minor changes to the layout of offices, meeting rooms and staff facilities including the rearrangement of joinery. These modifications make more efficient use of the floorplate and are better suited to the school's needs following design refinement. Steps in the rear landscaped area are also proposed to be replaced with seating. These modifications do not alter the sizes of class rooms, the student or staff populations, the approved gross floor area or have any external impacts.

2. Correction of RLs

The design originally approved under SSD-10420 had been developed using a site survey by "Project Surveyors" that was lodged as part of SSD-10420. Since receiving approval, it has been discovered that the AHD levels described by Project Surveyors were 330mm lower than actual site conditions. A new site survey has been undertaken by GeoSurv during the construction certificate (CC) stage which identified the error and which is lodged with this modification. As a result of this original error, the architectural plans also described incorrect RLs associated with the project.

The discovery of this error following excavation required design modifications to accommodate the additional basement depth. A new error adjusted the construction plans by 330mm in the wrong direction, compounding the issues. The result is that the basement depth has been increased by 660mm and the Ground Floor level has been lowered by 60mm in relation to ground level on site. This results in the entire building envelope being shifted downwards by 60mm in relation to ground level and the basement having its floor to floor height increased from 3m to 3.6m.

This modification application will correct the building RLs and accommodates the modified basement depth and lowered Ground Floor level.

3. Amendment to basement depth and vertical transport

The survey error was discovered following the excavation of the basement. A correction was made to the design plans intended to compensate for the survey error. In a compounding error, the basement floor

was amended 330mm downwards instead of 330mm upwards as would have been correct. The result is that there was an additional 660mm of excavation leaving the basement floor level 660mm deeper relative to the site's ground level. In response, the RL of the Ground Floor level has been reduced by 60mm relative to site ground level shifting the entire building envelope lower by 60mm relative to ground level.

This modification seeks approval for the use of the basement which has been built 660mm deeper relative to ground level and with a floor to floor height of 3.6m rather than 3m as approved under SSD-10420. It also seeks approval for the reduction in height of the structure from the Ground Level by 60mm along with modifications to the stairs and lift core that are necessary to service the deeper basement level.

The survey errors and subsequent design alterations shift the building envelope down by 60mm relative to ground level.

2 Strategic Context

The EIS provided as part of the original application for Warakirri College under SSD-10420 considered the project's strategic planning context. This modification does not alter the intended use of Warakirri College, nor does it modify the approved student population. Accordingly, the strategic planning context is not altered by the proposed modification.

3 Description of Modifications

SSD-10420 approved the development of the Warakirri College Campbelltown Campus. It is approved as a two-storey building with a single basement level that is purpose-designed as an adult learning environment. The approved development involves the construction of a new building with the following elements on the vacant site:

- Site preparation: Excavation to facilitate a basement level.
- Basement: 11 car parking spaces for staff, including 1 disabled car parking space, bin room, bulk storage room, and an indoor recreational area (290m²), lift, and two stairs.
- Ground floor (internal): reception room, staff lunch room, collaborative learning area, bathrooms, function room, Head of Campus' office, food technology and science room with storage room, an external terrace for collaborative learning, stairs and lift.
- Ground floor (external): the ground floor level extends out to a garden area to the rear with places to sit, BBQ facilities, and a vegetable garden. Vehicular access to the site is provided by a 5.3m wide driveway connecting to two at grade car spaces and a down ramp to the basement. Pedestrian access is via a separate pathway located in the middle of the site and adjoined by landscaped front gardens. A bicycle rack is included adjacent to the main entrance.
- First floor: Eight learning spaces (classrooms), staff area with two offices, a quiet break out space, storage room, building services room, bathrooms, stairs and lift.

- Signage: An illuminated pylon sign (1.2m x 2.4m) is proposed within the front setback adjoining the pedestrian entrance to the site. Two school identification signs are proposed with one on the north-west elevation and one on the south-west elevation. Both identification signs are located on the roof of the covered entranceway.

This S4.55(1A) modification seeks to amend condition A2 of SSD-10420 to replace the approved architectural drawings with those lodged under this modification. The modified plans involve the following changes:

- Minor modifications to some internal partitions and joinery.
- Modification of the rear landscaped area to convert steps to seating.
- Amend the approved architectural plans to correct the stated RLs in response to new survey information.
- Amend the basement depth to permit increased floor to ceiling height from 3m to 3.6m.
- Minor modifications to vertical transport to respond to increased basement height.
- Amend the Ground Floor to sit 60mm lower relative to ground level.

Joinery, partitions and outdoor seating

This modification application seeks approval to make minor changes to the layout of offices, meeting rooms and tea room facilities including the rearrangement of joinery. The modifications make more efficient use of the approved internal space and improve staff supervision of students. These modifications do not alter the sizes of class rooms, the student or staff populations, the approved gross floor area or have any external impacts. They relate to both Ground and Level 1.

The modification also seeks to amend the outdoor stairs to turf areas to seating which is more attuned to how Warakirri anticipates students will interact with the space.

RL corrections and vertical transport

The design originally approved under SSD-10420 had been developed using a site survey by “Project Surveyors” (plan D04460-Detail) that was lodged as part of SSD-10420. Since receiving approval, it has been discovered that the datum origin noted on plan D0446-Detail was from PM 55148 which is situated approximately 55km away in Waverley. It’s not currently clear why or how this survey mark was used to obtain the AHD for the project.

Geosurv has produced a new site survey to correct the inaccuracies and accompany this application. This survey shows that the actual AHD of the site is 330mm higher than shown on D0446-Detail. As a result of this error, the architectural plans depicted RLs that were 330mm lower than they should have been.

This modification corrects the RLs of the project but also increases the depth of the basement by 660mm and reduces the Ground Floor Level by 60mm. As a result, the basement floor to floor level is increased from 3m to 3.6m and the building envelope from the Ground Floor is shifted downwards into the site by 60mm as demonstrated in Table 1.

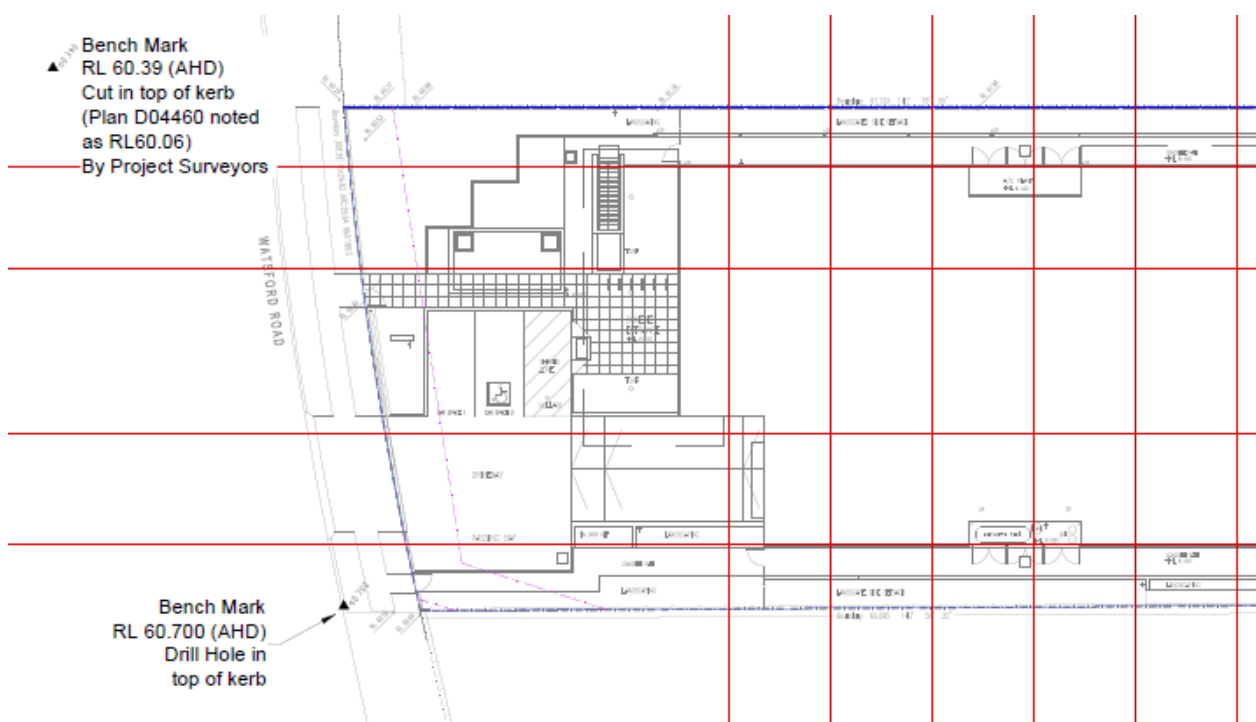
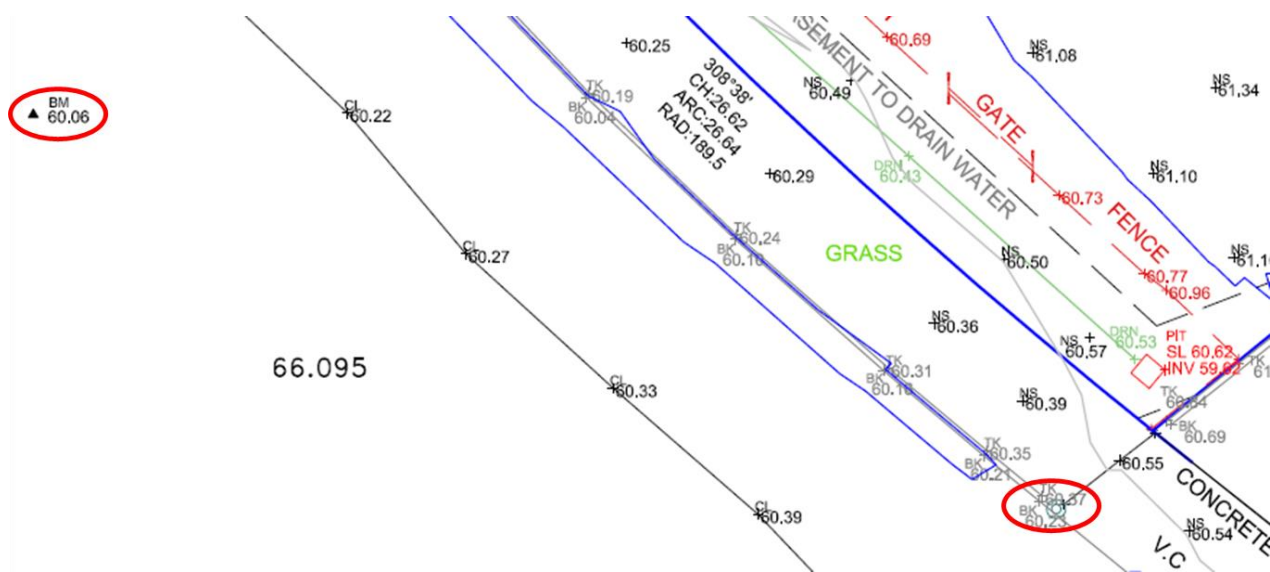


Table 1 - Changes to RLs

| RL Point | Approved RL (incorrect AHD) | Approved RL corrected by +330mm | Proposed RL | RL Change | Floor to Floor height change |
|--------------|--------------------------------|---------------------------------------|-------------|-----------|---------------------------------|
| Basement | 58.150 | 58.48 | 57.82 | -330mm | +0.6m |
| Ground Floor | 61.150 | 61.48 | 61.42 | +270mm | No change |
| First Floor | 64.750 | 65.08 | 65.02 | +270mm | No change |
| Top of Wall | 69.450 | 69.78 | 69.72 | +270mm | No change |

Consideration against the provisions of Section 4.55(1A)

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* enables a consent authority to modify a development consent upon application being sought by the applicant or any person entitled to act on the consent, provided that:

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and*
- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*

The proposed modifications will have minimal environmental impacts. The modifications to joinery partitions and outdoor seating/steps are intended to better reflect the operational requirements and needs of the school. The increased basement depth has increased excavation on the site but is otherwise concealed from view and will improve use of the basement recreational area. Modifications to the envelope above ground shift the structure down by 60mm but retain the same external design having a negligible impact. The proposed modifications will allow for the good operation of the school and correct the errors made on the original survey.

The development remains a two-storey with basement school with a capacity of 120 students and 14 staff. It is substantially the same as the approved development.

The modification may be assessed under s4.55(1A) as it has minimal environmental impacts and remains substantially the same.

4 Statutory Context

The proposed modification relates to the correction of mislabelled AHD levels in the approved consent and the minor rearrangement of some internal partitions and joinery. The proposed modifications do not alter the building's approved use as a school for 120 students or floor area. The proposal does result in the building's height being reduced by 60mm relative to ground level. The external appearance remains otherwise the same.

The proposed modifications are not of a nature that they alter the development's compliance with any statutory planning instrument.

4.1 State Environmental Planning Policy (Transport and Infrastructure) 2021

Part 3 of the State Environmental Planning Policy (Transport and Infrastructure) 2021 ('Transport and Infrastructure SEPP') applies to the development of child care centres, schools, TAFEs and universities. Under section 3.6, the Transport and Infrastructure SEPP overrides any controls which would otherwise apply to the site under the Campbelltown LEP 2015 and DCP 2015 where they contradict the provisions of the SEPP.

The site is located in a B5 zone under the Campbelltown LEP 2015 which does not permit the development of Educational Facilities. Under section 3.34 of the Transport and Infrastructure SEPP, a B5 Business Development Zone is listed as being a "prescribed zone". Under section 3.36(1) "Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone". The Transport and Infrastructure SEPP prevails and Educational Facilities are permitted within the B5 zone.

The consent authority for the development of a new school campus on site would be required under section 3.36(6) to consider:

"(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and

(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community."

The proposed modifications are minor, having no impact on the development's compliance with the 7 design quality principles or diminish its ability to provide shared community facilities. The development's compliance with the relevant provisions of the Transport and Infrastructure SEPP is unaltered by the proposed modifications.

4.2 Campbelltown Local Environmental Plan 2015

The proposal has no impact on the approved use of the site or its floor space ratio. As noted above, the use of the site as a school is permitted in the B5 zone by the Transport and Infrastructure SEPP.

The proposal shifts the building's envelope 60mm downwards into the site resulting in the overall building height being reduced by 60mm. The height of the development is accordingly reduced from 9.3m to 9.24m which remains compliant with the Campbelltown Local Environmental Plan 2015 height limit of 15m under cl 4.3. The minor reduction in height does not give rise to any additional adverse

environmental impacts and remains consistent with the relevant objectives.

4.3 Campbelltown DCP 2015

The Campbelltown DCP 2015 is divided into parts applying to specific types of development. There is no part which specifically applies to the development of a school or educational establishment. The most relevant controls are listed under Part 6 which contains controls relevant to commercial development and the B5 zone. The proposed modifications do not give rise to any matter for consideration under the Campbelltown DCP 2015.

5 Engagement

The proposed modification has no adverse impact on any surrounding development and retains the approved use and occupancy levels. No community engagement was considered necessary in relation to the proposed modification.

6 Assessment of Impacts

The minor environmental impacts associated with the proposal relate to excavation and a reduced building height. The errors in the original survey combined with a further compounding error have resulted in an additional excavation depth of 660mm below the originally approved depth. The excavation relates only to a single basement level that will not be visible from the ground level and there is no associated impact. The proposal also includes the modification of stairs, steps and the lift to accommodate the additional depth.

The proposed modifications to internal joinery and partitions along with amendments to the rear open space have been designed with further input from Warakirri College. The amendments are intended to better suit the school's needs and more efficiently utilise the floor plate. These amendments have no associated environmental impacts.

7 Justification of Modified Project

The proposed amendments associated with basement depth and floor levels are necessary to ensure that an occupation certificate can be issued following completion of construction. The modifications will have no adverse environmental impacts and will not impede the good function of the building. The amendments do not give rise to any non-compliances with regard to the relevant government legislation, plans, policies and guidelines.

Amendments to the floor layouts are designed to better suit the school's needs and more efficiently utilise the floor plate. The extent of the modification is minor and the school will continue to have the capacity for 120 students and 14 staff members. No adverse environmental impacts arise and the amendments do not give rise to any non-compliances with regard to the relevant government legislation, plans, policies and guidelines.

8 Appendices

8.1 Updated Project description

No update is required to the project description. The project description provided in the EIS will continue to accurately describe the development as amended.

8.2 Updated mitigation measures table

No update is required to the mitigation measures table. The mitigation measures table provided in the EIS will continue to accurately describe the development as amended.

8.3 Supporting Information

This Modification Application is accompanied by the following documents:

- a. Architectural Plans – Koturic & Co
- b. Survey Plans – Geosurv