



# Warakirri College Modification 1

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State Significant Development Modification Assessment  
(SSD-10420-MOD 1)

September 2022

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Title: Warakirri College MOD 1 - Amendments to floor levels

Subtitle: Modification to amend floor Reduced Levels and minor alterations.

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# Glossary

Abbreviation	Definition
<b>AHD</b>	Australian Height Datum
<b>BCA</b>	Building Code of Australia
<b>CIV</b>	Capital Investment Value
<b>Council</b>	Campbelltown City Council
<b>Department</b>	Department of Planning and Environment
<b>EIS</b>	Environmental Impact Statement
<b>EPA</b>	Environment Protection Authority
<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 2021
<b>EPBC Act</b>	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
<b>EPI</b>	Environmental Planning Instrument
<b>LEP</b>	Local Environmental Plan
<b>Minister</b>	Minister for Planning
<b>Planning Secretary</b>	Secretary of the Department of Planning and Environment
<b>Planning Systems SEPP</b>	State Environmental Planning Policy (Planning Systems) 2021
<b>RLs</b>	Reduced Levels
<b>SEARs</b>	Planning Secretary's Environmental Assessment Requirements
<b>SEPP</b>	State Environmental Planning Policy
<b>SSD</b>	State Significant Development
<b>TfNSW</b>	Transport for NSW

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# 1 Introduction

This report provides the NSW Department of Planning and Environment's (the Department's) assessment of an application to modify the State significant development (**SSD**) consent for the construction and operation of Warakirri College, Campbelltown (SSD-10420).

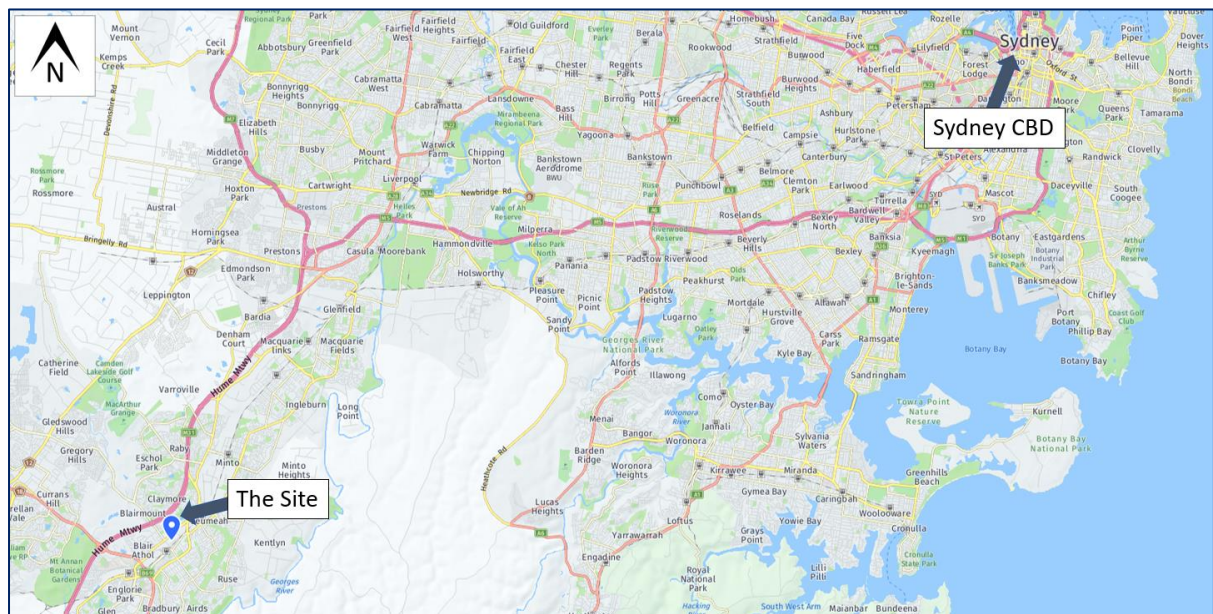
The modification application seeks approval for amendments to the internal floor Reduced Levels (RLs) shown on the approved plans to correct an error on the survey, increasing the depth of the basement by lowering the floor level, associated changes to vertical transport and minor rearrangement of internal partitions and garden layout.

The application has been lodged by Ibiz Commercial Interiors Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**).

## 1.1 Background

The site is located at 6A Watsford Road, Campbelltown and is legally described as Lot 113 in DP 1183297. It is located approximately 52 kilometres (km) south-east of the Sydney central business district (CBD) within the Campbelltown City Council local government area.

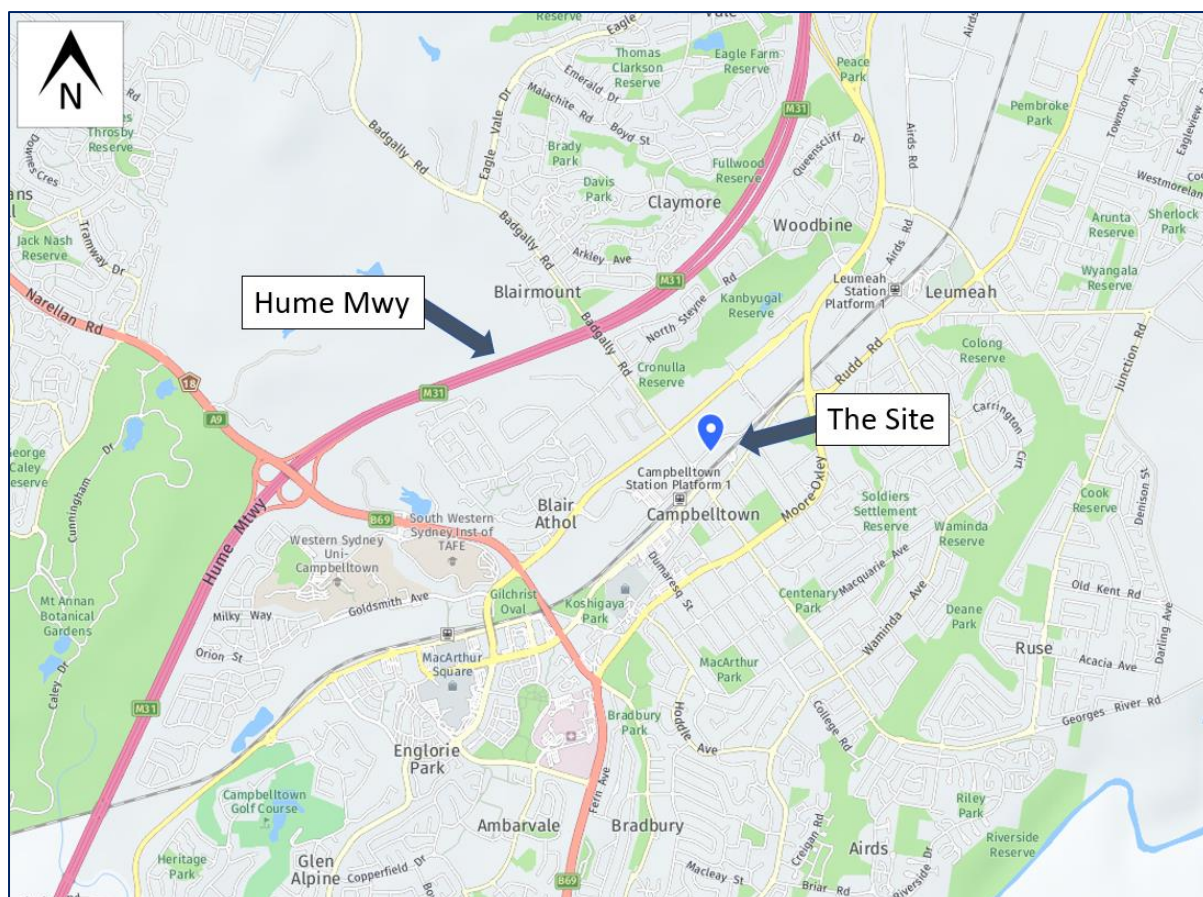
The site location is shown in a regional context in **Figure 1**.



**Figure 1 | Regional Context Map (Source: Nearmap, 2022)**

The site is rectangular in shape. It has a total area of 1748 square metres (sqm) with a frontage to Watsford Road and a southern boundary that adjoins the main southern rail line/T8 railway line. Campbelltown Railway Station is in a walking distance approximately 370m southwest of the site (**Figure 2**).

The topography of the land undulates with the highest point along the southwestern boundary being 3.86m higher than the lowest point located along the north-eastern boundary. The site in the local context is identified in **Figure 2**.



**Figure 2 | Local Context Map (Source: Nearmap, 2022)**

The Applicant is currently constructing a two-storey school building on the site pursuant to SSD-10420.

## 1.2 Approval history

On 12 August 2020, development consent was granted by the Executive Director as delegate for the then Minister for Planning and Public Spaces for the development of Warakirri College (SSD 10420). The application approved the design, construction, and operation of a new school for up to 120 students comprising modern learning spaces, student and staff facilities, an indoor sport/recreation area and a single basement carparking level, including:

- bulk earthworks and site preparation.
- construction of a two-storey educational building serviced by stairs, a lift and basement carparking comprising:
  - Basement floor with 11 car parking spaces, an indoor recreation area and services.
  - Ground floor with reception, staff rooms, collaborative learning areas (CLAs), speciality areas, services and function rooms, vegetable garden, partially covered courtyard with BBQ facilities and seating.
  - Second floor comprising eight classrooms, staff areas, break out areas and services.
- associated public domain works and landscaping comprising gardens, vegetation along Watford Road, seating and planting, artificially grassed open spaces, vegetable and herb gardens.



- vehicular and pedestrian access from Watford Road with two at grade parking spaces for drop-off/pick-up and visitors, including one accessible space.
- four bicycle parking spaces at the main entrance for staff and students.
- signage including one illuminated business identification sign and two roof-mounted building identification signs.

Construction has commenced on the works approved under the development consent.

## 2 Proposed modification

The proposed modifications are summarised:

- amendments to the approved RLs shown on plans.
- increase in depth of basement.
- changes to vertical circulation, internal layouts and landscaped garden layout.

These are discussed in further detail below.

### 2.1 Amendments to Reduced Levels

The design originally approved under SSD-10420 used a site survey by “Project Surveyors” (plan D04460-Detail). Since receiving approval, the Applicant identified that the datum origin noted on plan D0446-Detail was incorrectly obtained from PM 55148 which is situated approximately 55km away in Waverley.

Consequently, the Applicant has produced a new site survey to correct these inaccuracies. The amended survey shows that the actual Australian Height Datum (AHD) of the site is 330mm higher than shown on D0446-Detail. As a result of this error, the original architectural plans depicted reduced levels (RLs) that were 330mm lower than they should have been.

This modification seeks to correct the RLs of the approved architectural plans to align with the correct survey levels. It also proposes to increase the depth of the basement by 660mm and reduce the Ground Floor RL by 60mm. As a result, the basement floor to floor height would be increased from 3m to 3.6m and the building envelope above ground is shifted downwards by 60mm. The amendments to the RLs are demonstrated in **Figure 3**.

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

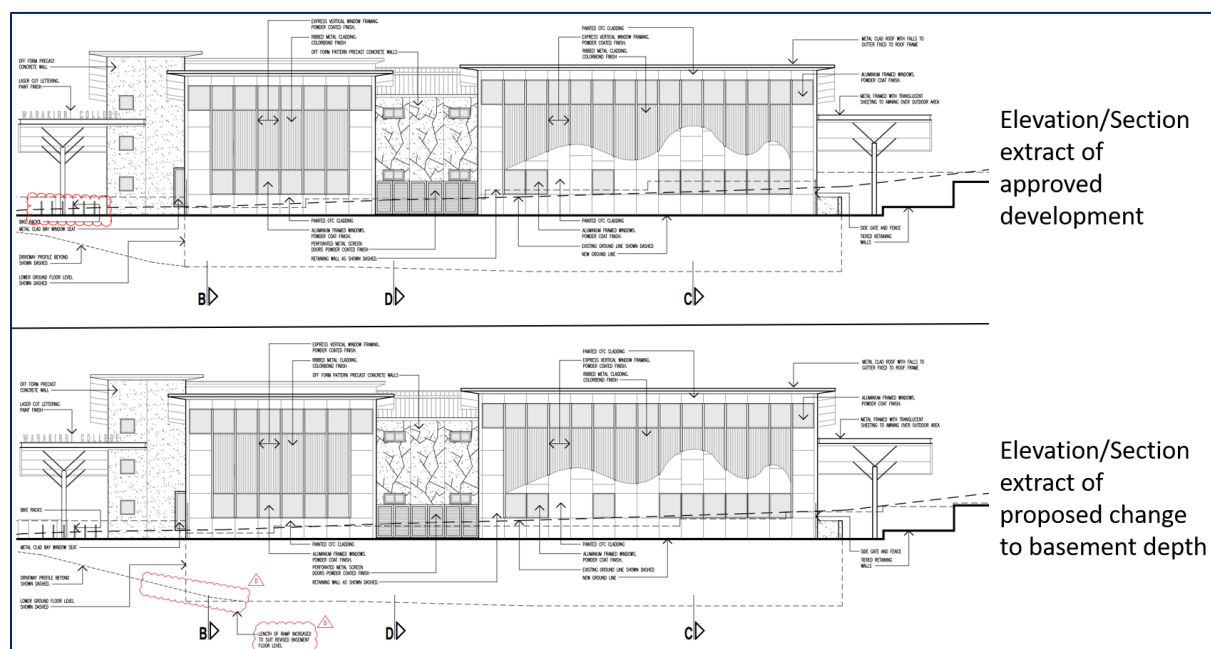
**Figure 3** | Table detailing changes to RLs (Source: Applicant's Modification Report, 2022)

### 2.2 Increase in basement depth

The Applicant identified the survey error (discussed above) following the excavation of the basement. A correction has been made to the design plans to compensate for the survey error, which has resulted in the basement floor being 330mm lower instead of 330mm higher up. The result is that



there was an additional 660mm of excavation (330mm x 2) leaving the basement floor level 660mm deeper relative to the site's ground level. In addition, the RL of the Ground Floor has been reduced by 60mm relative to site ground level shifting the entire building envelope lower by 60mm relative to ground level. These changes are shown in **Figure 4** below.



**Figure 4 |** Comparison of approved (above) and proposed (below) basement depth (Source: Applicant's Modification Report, 2022)

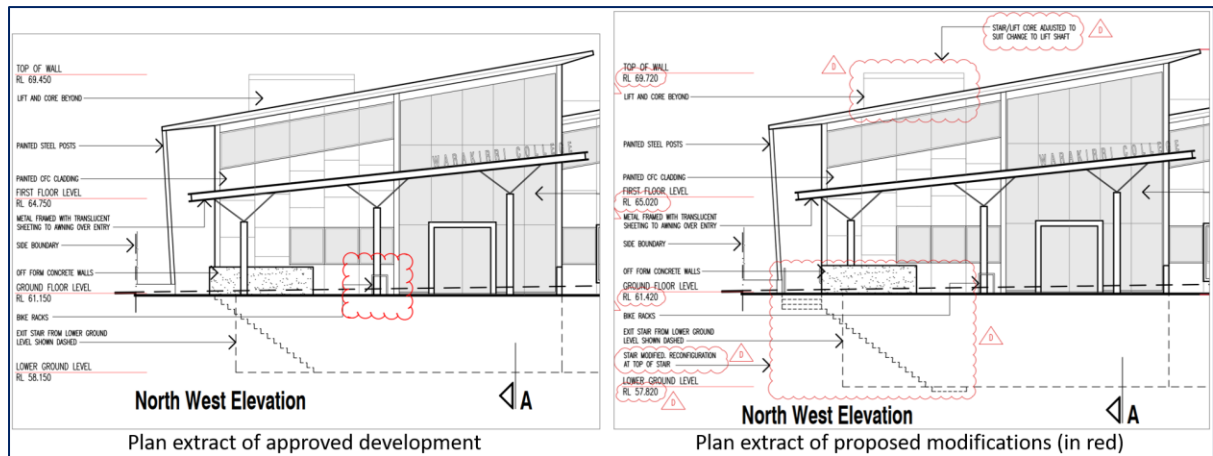
## 2.3 Changes to vertical circulation and layouts

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. This, combined with a minor reduction in height of the structure due to a lowering of the Ground Floor by 60mm requires modifications to the stairs and lift core that are necessary to service the basement level.

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

The modification also seeks to amend the outdoor stairs to turf areas to seating. The Applicant has advised that the proposed change is more attuned to how Warakirri anticipates student interaction with the space.

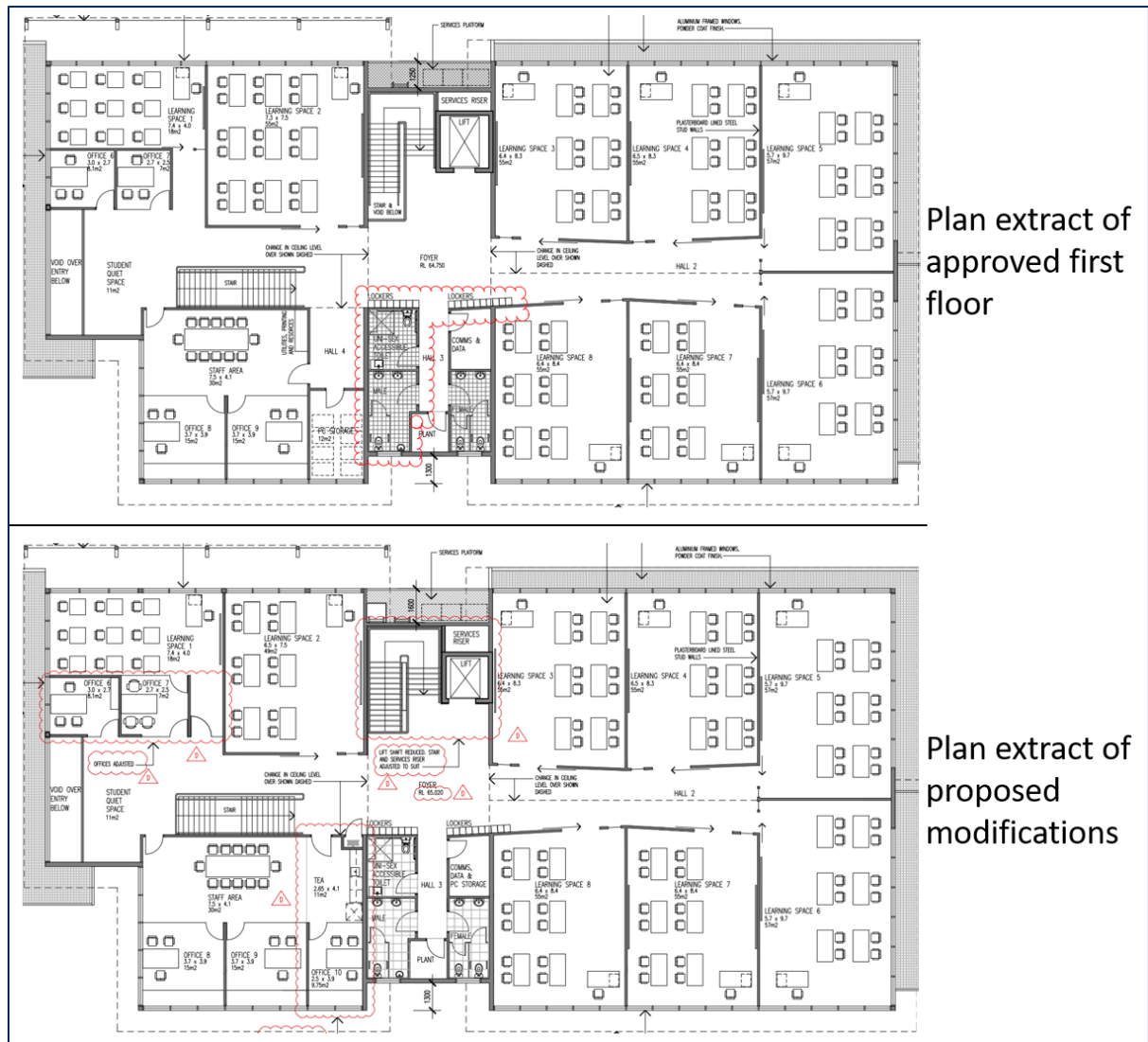
These alterations are shown in **Figures 5-8** below.



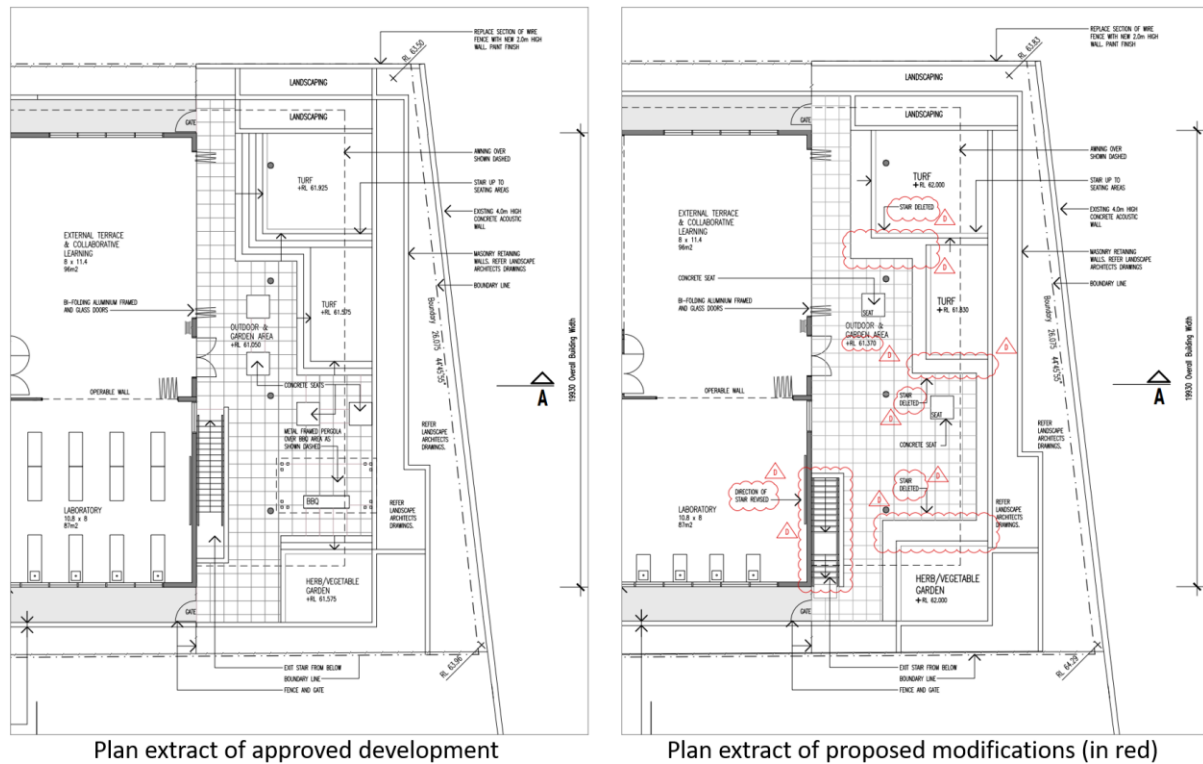
**Figure 5 |** Existing (left) and proposed (right) lift core and basement stairs (Source: Applicant's Modification Report, 2022)



**Figure 6 |** Approved (above) and proposed (below) Ground Floor layout (Source: Applicant's Modification Report, 2022)



**Figure 7 |** Approved (above) and proposed (below) Level 1 layout (Source: Applicant's Modification Report, 2022)



**Figure 8 |** Approved (left) and proposed (right) external garden area (Source: Applicant's Modification Report, 2022)

### 3 Strategic context

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

- Greater Sydney Regional Plan, A Metropolis of Three Cities, as it provides new and expanded school infrastructure to meet the growing needs of Sydney.
- Greater Sydney Commission's (GSC) Western City District Plan, as it provides significant additional educational facilities, contributing to social infrastructure to meet the educational needs of the growing community.
- NSW Future Transport Strategy 2056 as it improves an existing educational facility in an accessible location with access to public and school transport services.
- State Infrastructure Strategy 2018 – 2038 Building the Momentum, as it provides facilities to support the growth in demand for educational facilities and is designed to accommodate facilities sharing with the community.

## 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.
- 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

#### Minister's delegate as consent authority

The Minister for Planning is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 9 March 2022, the Team Leader, School Infrastructure Assessments, may determine the application, as:

- the application has not been made by a person who has disclosed a reportable donation under section 10.4 of the EP&A Act in connection with the modification application.
- there are no submissions in the nature of objection.
- 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

Since the determination of the original development application, all NSW State Environmental Planning Policies have been consolidated into 11 policies. The consolidated SEPPs commenced on 1 March 2022, with the exception of State Environmental Planning Policy (Housing) 2021, which commenced on 26 November 2021.

The SEPP consolidation does not change the legal effect of the repealed SEPPs, as the provisions of these SEPPs have simply been transferred into the new SEPPs. Further, any reference to an old SEPP is taken to mean the same as the new SEPP. As such, the Department has considered the development against the relevant provisions of the consolidated SEPPs.

Section 4.55(1A) of the EP&A Act requires the matters listed in **Table 1** to be considered for a modification application involving minimal environmental impact.



**Table 1 | Mandatory Matters for Consideration**

<b>Matter</b>	<b>Consideration</b>
Whether the proposed modification is of minimal environmental impact.	The proposed modifications sought under this application are considered to have minimal environmental impacts as discussed in <b>Section 6</b> .
Whether the development to which the consent as modified related is substantially the same development.	The development, as modified, is considered to be substantially the same development for which the consent was originally granted.
Whether notification has occurred, and any submissions have been considered.	Section 105(4) of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to section 4.55(1A) modifications with minimal environmental impact applications. Accordingly, the application was not notified or advertised. However, it was made publicly available on the Department's website on 6 September 2022 and was referred to Campbelltown City Council (Council) for comment.
Any submission made concerning the proposed modification has been considered.	Following consultation, no comments were received from Council.
Any relevant provisions of section 4.15(1) of the EP&A Act.	The Department conducted a comprehensive assessment of the project against the mandatory matters for consideration as part of the original assessment of SSD-10420. 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.
Consideration of the reasons for the granting of the consent that is sought to be modified.	The Department has considered the findings and recommendations of the Department's Assessment Report for SSD-10420. The Department is satisfied that the key reasons for the granting of consent continue to apply to the development, as proposed to be modified.

## 5 Engagement

### 5.1 Department's engagement

Section 105(4) of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to section 4.55(1A) modifications with minimal environmental impact applications. Accordingly, the application was not notified or advertised. However, it was made publicly available on the Department's website on 6 September 2022 and was referred to Council for comment. No comments were received from Council.

### 5.2 Department's consultation and request for information

On 9 September 2022, the Department requested the Applicant provide revised Structural Engineering and Landscaping plans to reflect the changes resulting from the proposed modification.

The Applicant submitted the Landscaping plans on 13 September 2022.

The Department then requested further Structural Engineering plans on 14 September 2022, with the Applicant providing them on 15 September 2022.

## 6 Assessment

The key issues of assessment are listed below and discussed in the following sections:

- amendments to RLs shown on plans.
- increase in depth of basement.

The other issues are discussed in **Sections 6.3**.

### 6.1 Amendments to Reduced Levels on plans

As discussed in **Section 2**, the RLs have been amended to rectify an error in the survey plan (**Figures 3 and 4**).

The result of this correction relates only to the RL numbers on the plans, with a negligible reduction in the height of the building of 60mm. There is no increase in building height or any change to the footprint of the building. The development remains a two-storey plus basement building, as originally approved.

Given the above, The Department considers that there are no additional impacts created by the proposal as a result of the correction of this error, and minor lowering of building height. Consequently, the modification is accepted as proposed.

### 6.2 Increase in basement depth

The survey error discussed in **Section 2** 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, there was an additional 660mm of excavation leaving the basement floor level 660mm deeper relative to the site's ground level.

The result of the above error and miscalculation is the construction of a basement with a floor to floor level of 3.6m instead of the 3m that was approved (**Figure 4**). However, as the error occurred during excavation, the additional depth of the basement is contained below ground level, and not visible externally. The Applicant has adjusted the access to the basement to allow for the extra depth, and has been done so without impacting on the access and parking arrangement of the basement. Stair and lift accesses have also been adjusted without impacting on the footprint of the building.

Given the above, The Department considers that there are no additional impacts created by the proposal as a result of the increase in the depth of the basement and that this modification is acceptable.

## 6.3 Other issues

**Table 2 |** Summary of other issues

Issue	Findings	Recommendations
<b>Vertical Circulation</b>	The modifications to the RLs within the building and the alteration to the basement result in a requirement to change the layout of the internal and external stairs, and to change the lift overrun. There would be minimal impacts on the appearance of the building with the only change being a reduction in the width of the lift overrun. This overrun remains the same height as approved and remains positioned below the top of the pitched roof of the building.	The Department considers the modifications to the lift core and vertical circulation to be satisfactory, and no additional conditions are required.
<b>Internal layout changes</b>	The Applicant has stated the proposed modifications to internal joinery and partitions have been designed with further input from Warakirri College to better suit the school's needs, make more efficient use of the approved internal space and improve staff supervision of students ( <b>Figures 6 and 7</b> ). These modifications do not alter the sizes of classrooms, external appearance. The student and staff numbers as originally approved.	The Department considers the modifications to the internal layout to be satisfactory, and no additional conditions are required.
<b>Garden layout changes</b>	The modification seeks to remove the stairs to the turf areas and replace them with seating ( <b>Figure 8</b> ), which the Applicant states is more appropriate for the Warakirri students. The change would be minor, not visible from the public domain, and would maintain the approved level of outdoor amenity space.	The Department considers the modifications to the garden layout to be satisfactory. The modification would maintain appropriate amenity for the students in the future, and no additional conditions are required.

## 7 Evaluation

The Department has reviewed the section 4.55(1A) application to modify SSD-10420 and assessed the merits of the proposal.

The Department, in the assessment of this application, has taken into consideration the advice received from Council. All environmental issues associated with the proposal have been thoroughly addressed. The Department concludes that a section 4.55(1A) modification to SSD-10420 is acceptable.

The approved development would not significantly change as a result of the proposed modification and the development, as modified, will remain consistent with the original development consent.

The proposed amendments to the floor levels, internal layout and basement depth would result in negligible changes to the external appearance of the building, and the staff and student numbers would remain as approved.

The Department considers that the modification application is consistent with the objects of the EP&A Act and continues to be consistent with the strategic direction for the State. The Department concludes that the impacts of the development will remain appropriately mitigated through the implementation of the recommended conditions of consent. Consequently, the Department considers the development is in the public interest and that the modification application should be approved.

## 8 Recommendation

It is recommended that the Team Leader, School Infrastructure Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **determines** that the application SSD-10420-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
- **agrees** with the key reasons for approval listed in the draft notice of decision;
- **modify** the consent SSD-10420
- **signs** the attached approval of the modification (**Appendix B**).

**Recommended by:**

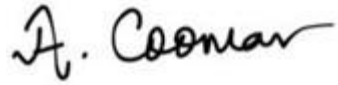


**Adam Flynn**  
Senior Planning Officer  
School Infrastructure Assessments



## 9 Determination

The recommendation is **Adopted** by:

A handwritten signature in black ink, appearing to read 'A. Coomar'.

**Aditi Coomar**

Team Leader

School Infrastructure Assessments

as delegate of the Minister for Planning

# Appendices

## Appendix A – List of referenced documents

Modification Report

Architectural Plans

<https://www.planningportal.nsw.gov.au/major-projects/projects/warakirri-college-mod-1-amendments-floor-levels>

## Appendix B – Notice of modification

<https://www.planningportal.nsw.gov.au/major-projects/projects/warakirri-college-mod-1-amendments-floor-levels>