



6 May 2021

Mr Jim Betts
Planning Secretary
NSW Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street,
PARRAMATTA NSW 2150

By email

Attention: Aditi Coomar, Team Leader, School Infrastructure Assessments

Dear Aditi,

SSD 9227 MOD 1: SECTION 4.55(2) MODIFICATION AMITY COLLEGE NEW SCHOOL CAMPUS AT No.85 BYRON ROAD & No.63 INGLEBURN ROAD, LEPPINGTON

Please find accompanying this correspondence details of our modification application under section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify Development Consent SSD 9227 which permits the development of a new school campus for Amity College at the above address.

Given that this is the first modification application lodged for the approved school development, and for the sake of simplicity, the application is hereafter referred to as SSD 9227 MOD 1.

The modification application has been prepared in support of SSD 9227 MOD 1 and includes the information necessary for the Planning Secretary and the Department of Planning, Industry and Environment to assess and to determine the modification application.

The trigger for SSD 9227 MOD 1 arises from the decision of Amity College to bring forward the staging of the project following the School's success in securing a larger-than-expected injection of upfront funding for the project from the NSW Government, facilitated through the Block Grant Authority AIS NSW. This has meant that the overall capital works budget for the intended, revised Stage 1 works has now been significantly increased, to in excess of \$15.5 million, meaning that a Primary School, accommodating up to 300 students, can now be constructed at project commencement. The proposed modification reflects the accelerated staging program now made possible through this increased funding.

The (Stage 1) school is planned to be ready for occupation in Term 1 of 2023.

Importantly, the proposed modification will not result in any change in the currently approved master plan layout of the school or any change to building heights or building footprint. The modification proposes bringing forward the building of the project, along with the earlier provision of on-site car parking and landscaping and school play spaces, the latter likely to result in demonstrable improvements in amenity, both for students and residents alike.

Minor changes to the design of the school are also proposed including a reconfiguration of school rooms, which results in a change to the 1st floor of the Primary School building and facade, as well as the provision of improved fire access, end-of-trip facilities, drainage and stormwater, the latter required under the current consent. Of the additional 76m² of floor space- an increase of only 0.4% of the total floor space approved for the SSD 9227 development- almost two thirds is required by Condition B9 of the consent. A number of consent conditions are also now redundant following satisfaction of the relevant consent condition, namely, SSD 9227 consent conditions A34, B1 and C32.

The modification does not seek to change the location or extent of any approved road works, including school bus bay on Byron Road, however these road works are now likely to be provided much sooner than the works as currently approved.



Details of the proposed modification, including a planning assessment of the relevant matters for consideration contained in section 4.55(2) of the EP&A Act are contained in the accompanying report prepared by Outline Planning Consultants entitled “[Approved Amity College School Project SSD 9227 s.4.55 Modification Application Report: SSD 9227 MOD 1](#)” dated 6 May 2021, accompanied by the the following:

- Revised architectural drawings and statement, prepared by Gran Associates Australia (**Appendix A**).
- Revised engineering drawings and statement, prepared by Martens & Associates, consulting engineers (**Appendix B**).
- Revised landscape drawings, prepared by Michael Siu, landscape architect (**Appendix C**).

Our 6 May 2021 SSD 9227 MOD 1 report should be read in conjunction with the original Environmental Impact Statement (EIS) for the school project and Response to Submissions, prepared by Outline Planning Consultants, as referred to in Condition A2(c) of the SSD 9227 consent.

A comparison of the currently approved school with that now proposed by SSD 9227 MOD 1 in this s.4.55(2) application is provided in the accompanying table:

Project Element of	Description of main features of currently approved school development SSD-9227	This s.4.55 application- SSD 9227 MOD 1
Project summary	Construction of a new school (K – 12) for 1000 students, comprising boundary adjustment, site preparation, vegetation clearing, bulk earthworks, site remediation, construction of two - four storey buildings, basement and at-grade car parking, landscaping, internal and external roadworks and stormwater works.	No change in overall projection description
Floor space & FSR	Gross floor area of 15,540m ² (fully developed). FSR of 0.717:1 (based on area of school campus, excluding new roads of 21,660m ²)	Minor change only. Gross floor area of 15,616m ² (fully developed) ie. an FSR of 0.720:1. Of the additional 76m ² of floor space proposed 47m ² comprises ramps and end-of-trip facilities required per Condition B9 of the consent ie. 62% of the additional floor space proposed. The other additional 29m ² of floor space arises from a minor reconfiguration of the 1st floor of the Primary School building.
Site coverage ie. built upon area	7,081m ² (32.69% of school site area, excluding local roads).	No change
Site area	2.2ha	No change
Site preparation works	▶ Demolition and site clearing. ▶ Bulk earthworks resulting in 7,166 cubic metres (m³) of cut and 24,111m³ of fill (with 16,945m³ of imported fill material).	Minor change to bulk earthworks given the extensive site remediation undertaken to date, the volume of contaminated material removed from the site to date, and the accelerated staging of the project.
Remediation	Category 1 remediation works involving implementation of a Remedial Action Plan for identified asbestos and hydrocarbon contaminants.	No change [NOTE: The contaminated areas identified in the contamination report accompanying the EIS have now been remediated]
Subdivision and easements	Boundary adjustments for existing Lots 1 and 2 DP 525996 to create the future site boundary for the school site.	No change
Staging of the school project	Eight (8) stages are proposed, over a period of 10-15 years.	Accelerated staging proposed. Currently approved stages 1-4 to be included in a revised Stage 1. Six (6) stages are now proposed, over a period of 10 years or less.

Buildings form and building components	The demountable buildings in Stage 1 will be one storey in height. The permanent school will comprise buildings of variable height, ranging from two storeys on the southern side (Primary School), up to three storeys for the Secondary School, and a maximum of 4 storeys for the main administration building. Heights of school buildings above natural ground level are as follows: ▶ Primary School buildings: 8.78m-12.96m above natural ground level. ▶ Primary School hall: 10.87m-13.97m above natural ground level. ▶ Secondary school building: 12.6m-15.47m above natural ground level. ▶ Secondary school hall: 10.15-11.81m above natural ground level. ▶ Central administration building and library: 14.49m- 15.87m above natural ground level.	Minor changes only. ▶ No change in height of any school buildings. ▶ No change in building footprint of any school buildings. ▶ No change in the location of school buildings. ▶ 7.4% increase in landscaped areas provided on the site due to reduction in sealed surfaces and relocation of above ground rainwater tanks to below ground. ▶ Minor change in building form to accommodate fire stairs and toilets required by BCA, a minor reorientation of the 1st floor common room. ▶ Improved building facade treatment to Primary School near corner of Byron Road and Pluto Avenue. ▶ As a result of the accelerated staging of the project, no demountable school buildings will be required in Stage 1.
Bicycle parking	62 bicycle spaces across the campus	No change
Student & staff numbers	▶ Once completed, the development will accommodate up to 1,000 students. ▶ A total of 85 full-time equivalent staff for the school is proposed, when fully developed.	No change in overall numbers, however, anticipated student and staff numbers to be brought forward with accelerated staging eg. In revised Stage 1 there will be 300 students (75 in current consent for Stage 1) and 24 staff (9 in current consent for Stage 1). Refer to Section 3.5 for further details.
Roadworks and services	▶ Construction of half road width of Pluto Avenue (referred to as Road 1). ▶ Construction of a new future local road off Byron Road (referred to as Road 2). ▶ Construction of bus bay on Byron Road and half-width road construction. ▶ Stormwater drainage within the road reserves.	No change, with the exception of additional below ground water and stormwater storage
Parking	▶ On site parking provided in drop off/pick up zone + basement car parking provided in Primary School and Secondary School buildings. ▶ Two loading bays provided, for Primary School and Secondary School buildings. ▶ Additional on-street parking to be constructed in Road 2, prior to dedication to Council.	No change in the approved, overall parking [NOTE: correction required to error in the table accompanying consent Condition B9(i), which relates to on-site car spaces]
Access	▶ Main pedestrian access from Byron Road. ▶ Primary and secondary student only access off Roads 1 and 2, respectively. ▶ Separate loading bays and basement car park ramps provided from Roads 1 and 2. ▶ Visitor parking and vehicular access off Byron Road- allowed until prior to Stage 4.	Substantially the same. Minor change only sought re: parking and vehicular access off Byron Road. Parking for construction traffic off Byron Road only allowed after revised Stage 1, with no visitor parking allowed after Stage 1. Vehicular access and parking in this area allowed until (revised) Stage 4, when required for building purposes.

Landscaping, school play areas	▶ School play areas 8,732m² (40.3% of site, excluding local roads and perimeter landscaped area). Includes impervious play areas (7,159m²) and pervious play areas (1,573m²) + 3,998m² (18.45% of site) being perimeter landscaped area. ▶ With the exception of landscaping in and around the school pick up/drop off zone and Pluto Avenue, no permanent landscape works in current Stage 1. ▶ Two small landscaping strips proposed in Stage 2, and around sealed sports court and Byron Road frontage in Stage 3. ▶ Strip landscaping proposed around Primary School buildings, with one temporary play area provided in Stage 4.	Provision of permanent landscaping is to be accelerated with proposed modification. In particular, in revised Stage 1: ▶ Permanent landscaping at school entry to and frontage of Primary School building. Includes landscaping in and around the school pick up/drop off zone and Pluto Avenue. ▶ Permanent landscaping in and around the two Primary School buildings. ▶ Creation of terraced learning area. ▶ Extensive permanent landscaping and play areas provided, including permanent tree plantings and landscaping in main school play area, as well as landscaping around sealed sports court. ▶ Construction of large (temporary) school playing field adjoining Byron Road.
Uses	▶ Educational establishment including ancillary food and drink premises ▶ Community use of multi-purpose halls and other school facilities.	No change
Hours of operation	▶ General operating hours: 7.00am and 9.00pm (out-of-hours community and school use inclusive). ▶ Service vehicles and deliveries between 7.00am to 5.00pm. ▶ Construction hours are between 7.00am-6.00pm Monday to Friday, and 8.00am to 1.00pm on Saturday.	No change
Jobs	Modest employment in Stage 1: demountables only	Potential for a total 124 construction jobs to be created in revised Stage 1 under the accelerated construction program proposed.
CIV	\$64,353,300	No change to overall cost of works. Approx. \$15.5 million of works to be undertaken in revised Stage 1.

Our May 2021 SSD 9227 MOD 1 report shows that:

- The modified development is substantially the same as the originally approved development: the **first 'test'** applicable to this s.4.55(2) modification application.
- No additional environmental impacts are likely to arise from SSD 9227 MOD 1, save for improved visual impacts resulting from a changed building facade of the Primary School building when viewed from local roads, the bringing forward of landscaping, and the early provision of school facilities on the school campus: thus satisfying the **second 'test'** applicable to this s.4.55(2) modification application.

As such, there are no jurisdictional impediments to approval of the SSD 9227 MOD 1 by the Department. Accordingly, the proposed modification application is considered to be acceptable in this particular instance and can be approved under section 4.55(2) of the EP&A Act.

We trust that this information is sufficient to enable a prompt assessment and approval of the proposed s.4.55(2) modification application.

If you have any queries, please contact the undersigned on via email at gpeacock@outline.com.au or by office phone.

Yours sincerely



GARY PEACOCK (BTP UNSW)
DIRECTOR
OULINE PLANNING CONSULTANTS PTY LTD