



Amity College, Leppington Modification 2

State Significant Development Modification Assessment
(SSD-9227-Mod-2)

July 2021

Published by the NSW Department of Planning, Industry and Environment

dpie.nsw.gov.au

Title: Amity College, Leppington Modification 2

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Glossary

Abbreviation	Definition
Applicant	Amity College Australia Limited
BCA	Building Code of Australia
Council	Camden Council
Department	Department of Planning, Industry and Environment
DOPU	Drop-off and pick-up
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
GFA	Gross floor area
GLA	General learning area
Minister	Minister for Planning and Public Spaces
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
SSD	State Significant Development
TfNSW	Transport for NSW

Contents

1	Introduction	1
1.1	The site.....	1
1.2	Surrounding development	3
1.3	Approval history.....	4
2	Proposed modification	6
2.1	Construction staging	6
2.2	Earthworks and site remediation.....	13
2.3	Built form and car parking	14
2.4	Landscaping	16
3	Strategic context.....	19
4	Statutory context	20
4.1	Scope of modifications	20
4.2	Consent authority	20
4.3	Modification of consents.....	20
5	Engagement.....	22
6	Assessment	23
6.1	Project staging.....	23
6.2	Earthworks and site remediation.....	24
6.3	Built form, car parking and landscaping.....	24
7	Evaluation.....	29
8	Recommendation.....	30
9	Determination.....	31
	Appendices	32
	Appendix A – List of documents	32
	Appendix B – Instrument of modification	32

1 Introduction

This report provides the NSW Department of Planning, Industry and Environment's (the Department) assessment of an application to modify the State significant development (SSD) consent for the approved Amity College new school campus in Leppington (SSD-9227).

The modification application sought consent to amend the:

- construction staging to accelerate the delivery of the school.
- civil works plans to reflect the revised Stage 1 development footprint and extent of site remediation.
- built form and layout of the primary school building, on-site car parking and landscaping provisions.

The modification application has been lodged by Outline Planning Consultants Pty Ltd on behalf of Amity College Australia Limited (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 The site

The site is located at 85 Byron Road and 63 Ingleburn Road, Leppington in the Camden local government area (LGA) and is legally described as Lot 1 and Lot 2 in DP 525996.

The site is located approximately 38 kilometres (km) south-west of the Sydney central business district and 1.2km south-east of Leppington railway station. The site in its regional context is shown in **Figure 1**.

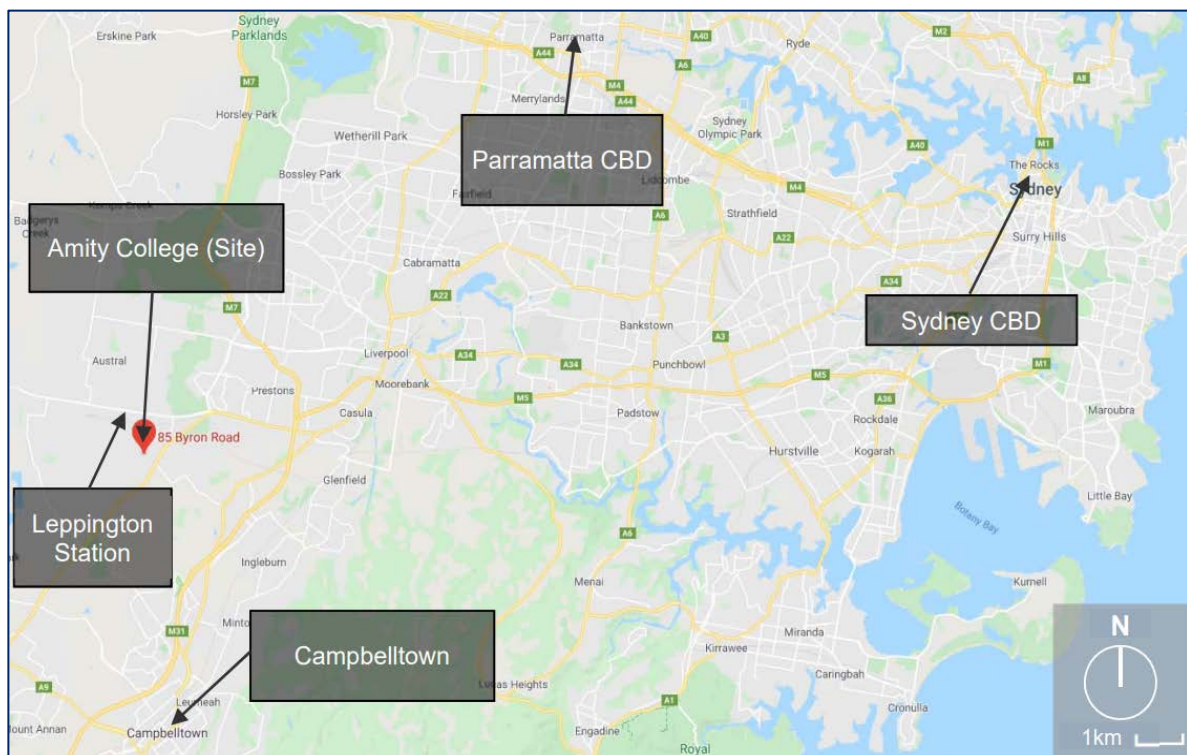


Figure 1 | Site location – regional context (Source: Nearmap 2020)

The site formerly covered an area of approximately 3.2 hectares (ha) and was bound by Ingleburn Road to the north, Byron Road to the east, Pluto Avenue to the south and open paddocks to the west.

Development consent was granted to a boundary readjustment of Lot 1 and Lot 2 in DP 525996 as part of SSD-9227 (**Figure 2**). The development of the school (Amity College) was approved in stages on Lot 2 and covers an area of approximately 2.3 ha (outlined in red below).



Figure 2 | Site boundaries (Source: Applicant's EIS 2019)

The site formerly contained a single-storey brick and weatherboard dwelling fronting Ingleburn Road and a separate fibro and metal shed which have since been demolished to enable construction of the approved school. Aerial imagery of the site from May 2021 shows the commencement of site earthworks (**Figure 3**) pursuant to the recent development consent for the new school on the site.

The site is in the Leppington Priority Precinct of the South West Growth Area, an emerging greenfield corridor with planned urban development for a range of residential, commercial and community uses. State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the site and sets out the relevant development controls for land within the South West Growth Area.



Figure 3 | Commencement of earthworks on the site (Source: Nearmap 2021)

1.2 Surrounding development

The site is located in a predominately low-density residential area. However, the site forms part of the Leppington Priority Precinct which proposes a substantial increase in residential density surrounding the site with future retail and commercial development on the northern side of Ingleburn Road.

The Leppington Precinct Indicative Layout Plan (ILP) in the Camden Growth Centre Precincts Development Control Plan (DCP) identifies the site as a future school. The adjoining land to the west is identified as future passive open space and residential development is identified to the north and south. The site and future land uses in accordance with the Leppington Precinct ILP is shown in **Figure 4**.

As shown in **Figure 3** above, the locality surrounding the site is in the early stages of transition from rural residential and agricultural land uses to low and medium density residential development.

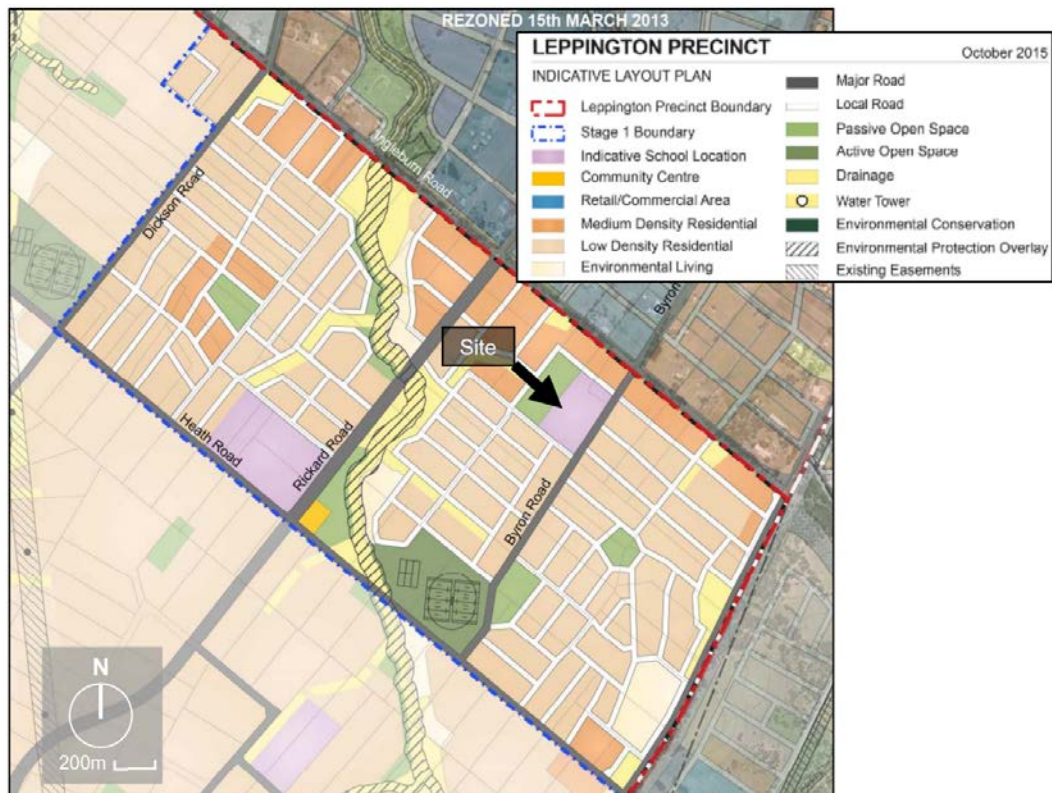


Figure 4 | Leppington Precinct Indicative Layout Plan (Source: DPIE 2015)

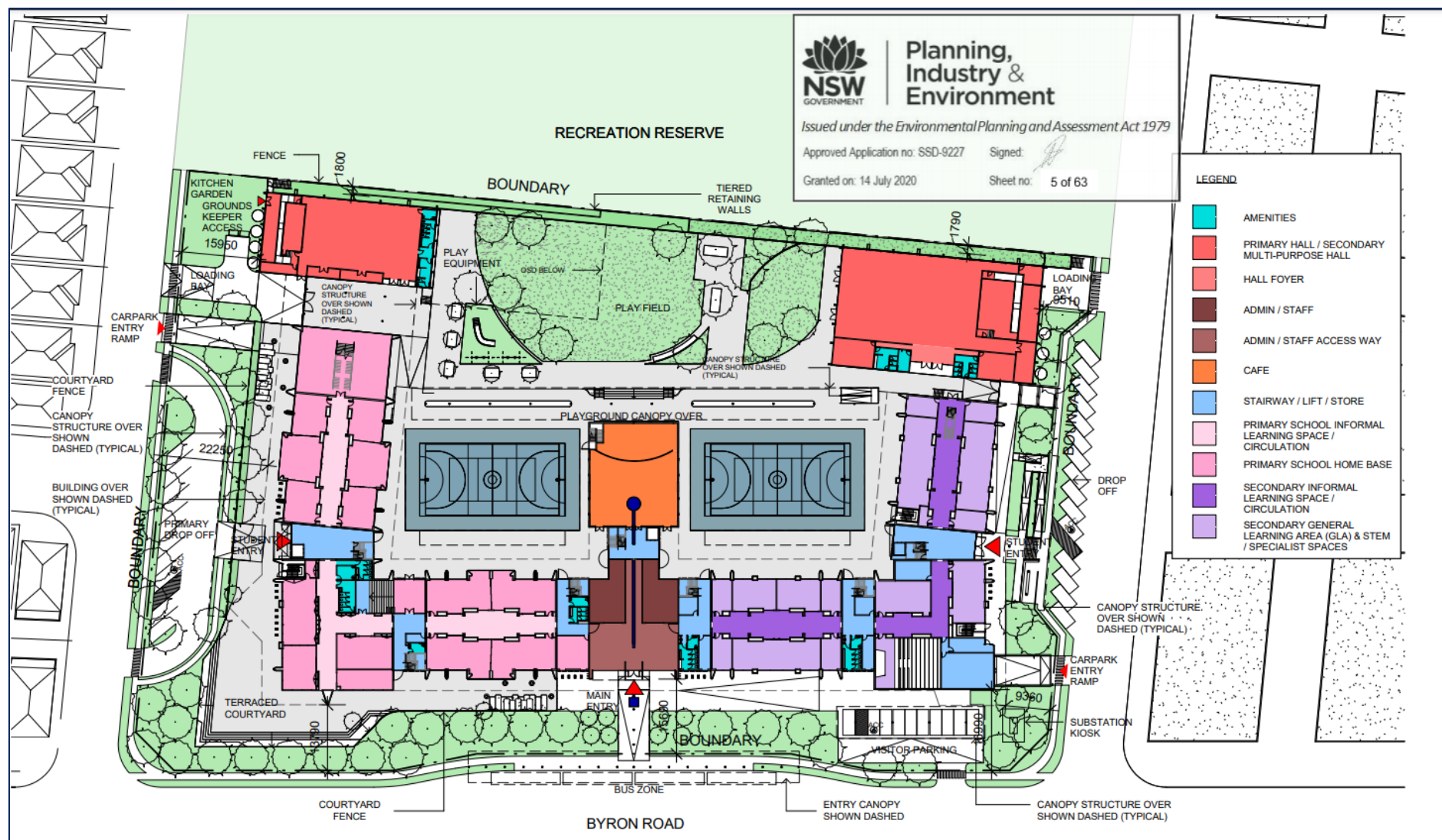
1.3 Approval history

On 14 July 2020, the Executive Director, Infrastructure Assessments granted consent the construction and operation of a new school (Amity College) in eight stages to accommodate 1000 students, comprising the following:

- Site preparation, demolition of existing structures, vegetation clearing, bulk earthworks and site remediation.
- Boundary adjustment to create the site boundaries.
- Construction of two – four storey buildings to accommodate:
 - the primary and secondary school classrooms.
 - multi-purpose halls.
 - library.
 - administrative areas.
- At-grade / basement car parking and bicycle parking areas.
- Construction of bus bays on Byron Road.
- Landscaping, stormwater and public domain works.
- Construction of new local roads, on-street car parking spaces, drop-off / pick-up (DOPU) zones, drainage works and service connections.

The layout of the approved school campus (all stages complete) is shown in **Figure 5**.

The development consent has not previously been modified. A section 4.55(2) modification application (SSD-9227-Mod-1) was previously withdrawn by the Applicant in June 2021.



2 Proposed modification

The modification application sought consent to amend the:

- construction staging to accelerate the delivery of the school.
- civil works plans to reflect the revised Stage 1 development footprint and extent of site remediation.
- built form and layout of the primary school building, on-site car parking and landscaping provisions.

The proposed modifications are described in further detail in **Sections 2.1 to 2.4** below.

2.1 Construction staging

The Applicant sought to accelerate the delivery of the school by amending the approved construction staging and reducing the total number of development stages from eight to six.

The modified construction staging program would enable the development of permanent school infrastructure to accommodate additional students and staff in the earlier stages of the development. The revised staging plans (as proposed to be modified and shown in comparison to the approved staging plans) are presented in **Figure 6 to Figure 17** below.

The revised student and staff numbers at each project stage, as well as the revised number of on-site car parking and bicycle parking spaces, are indicated in bold and strikethrough in **Table 1** below.

Table 1 | Proposed amendments at each construction stage

Construction stage	Total students	Total staff	On-site car parking spaces	On-site drop-off and pick-up spaces	Bicycle parking spaces
Stage 1	75 300	8.5 24	40 62	17	0 20
Stage 2	25 500	25 39	28 62	17	20 36
Stage 3	250 500	25 43	28 62	17	36
Stage 4	500 700	43 58	45 62	17	36 46
Stage 5	750 1000	63 83	87 94	32	46
Stage 6	1000	84 85	404 94	32	46 62
Stage 7	4000	83	404	32	62
Stage 8	4000	85	404	32	62

Stage 1 comparison

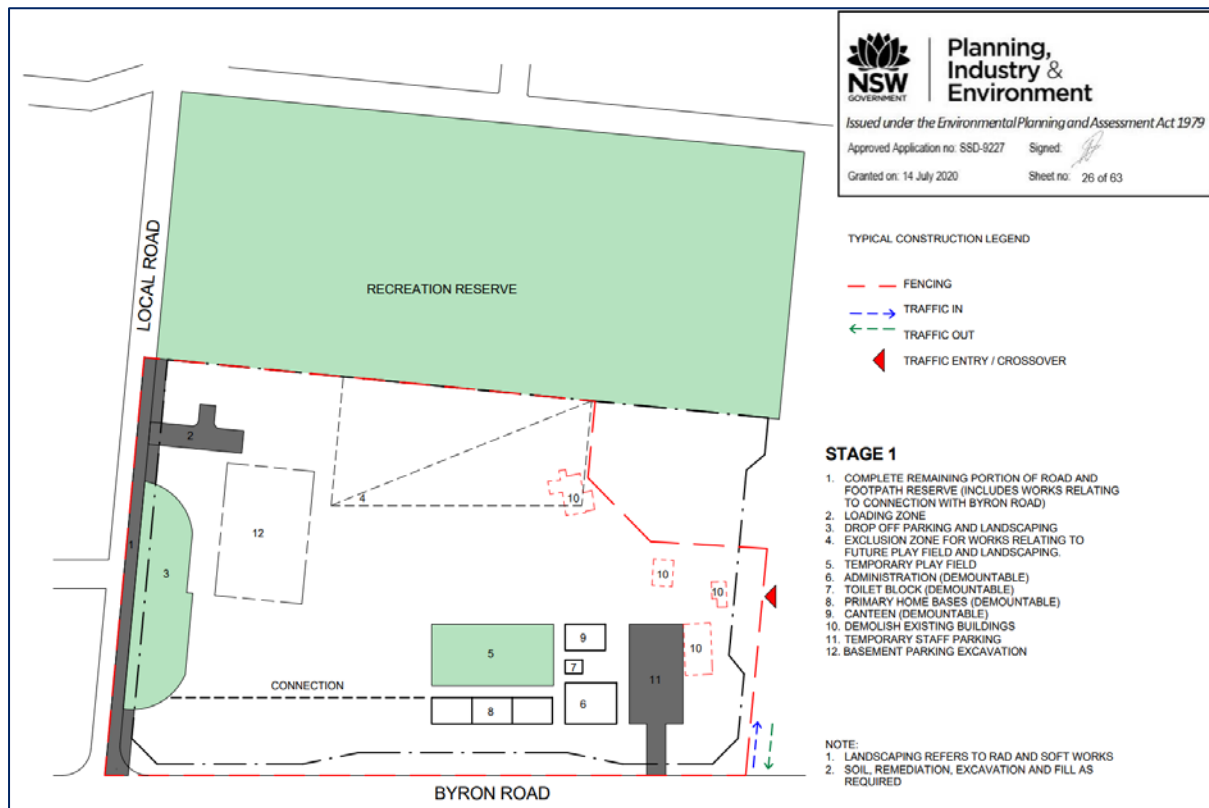


Figure 6 | Stage 1 site plan – as approved (Source: SSD-9227 Approved Plans)

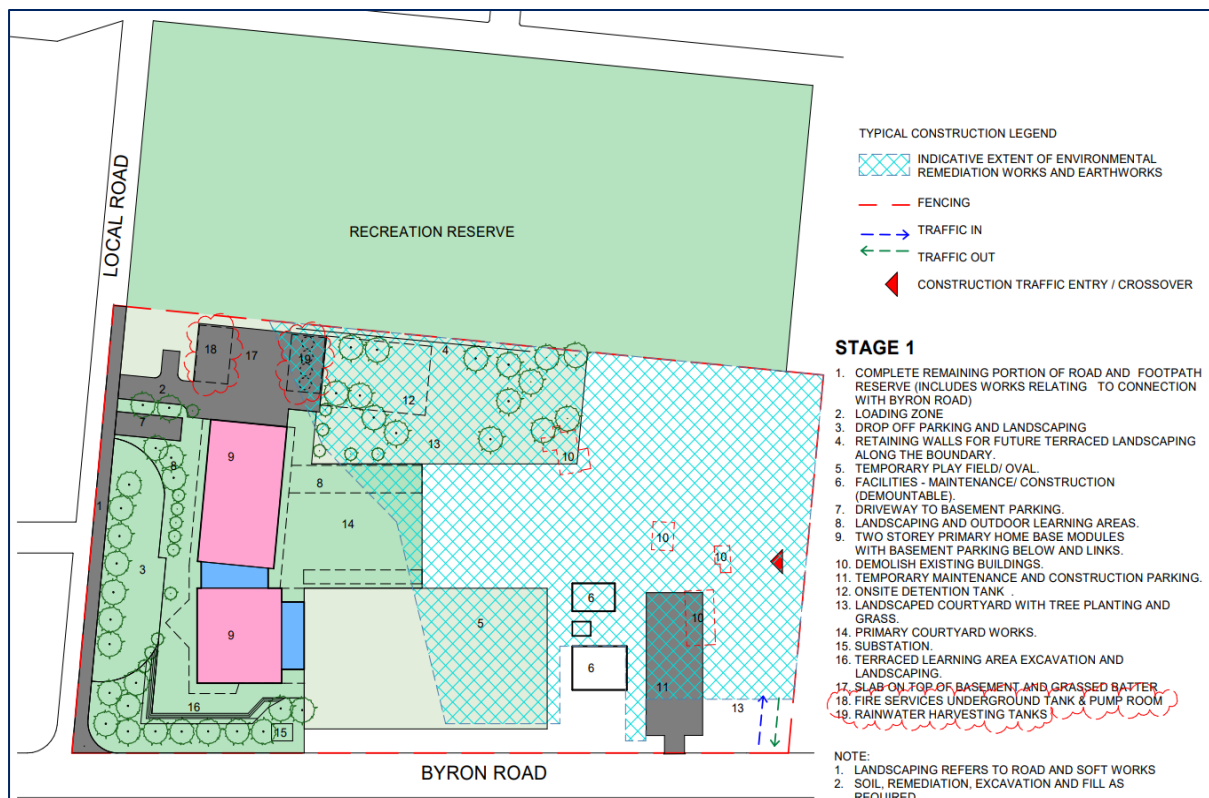


Figure 7 | Stage 1 site plan – as proposed to be modified (Source: Applicant's Modification Report)

Stage 2 comparison

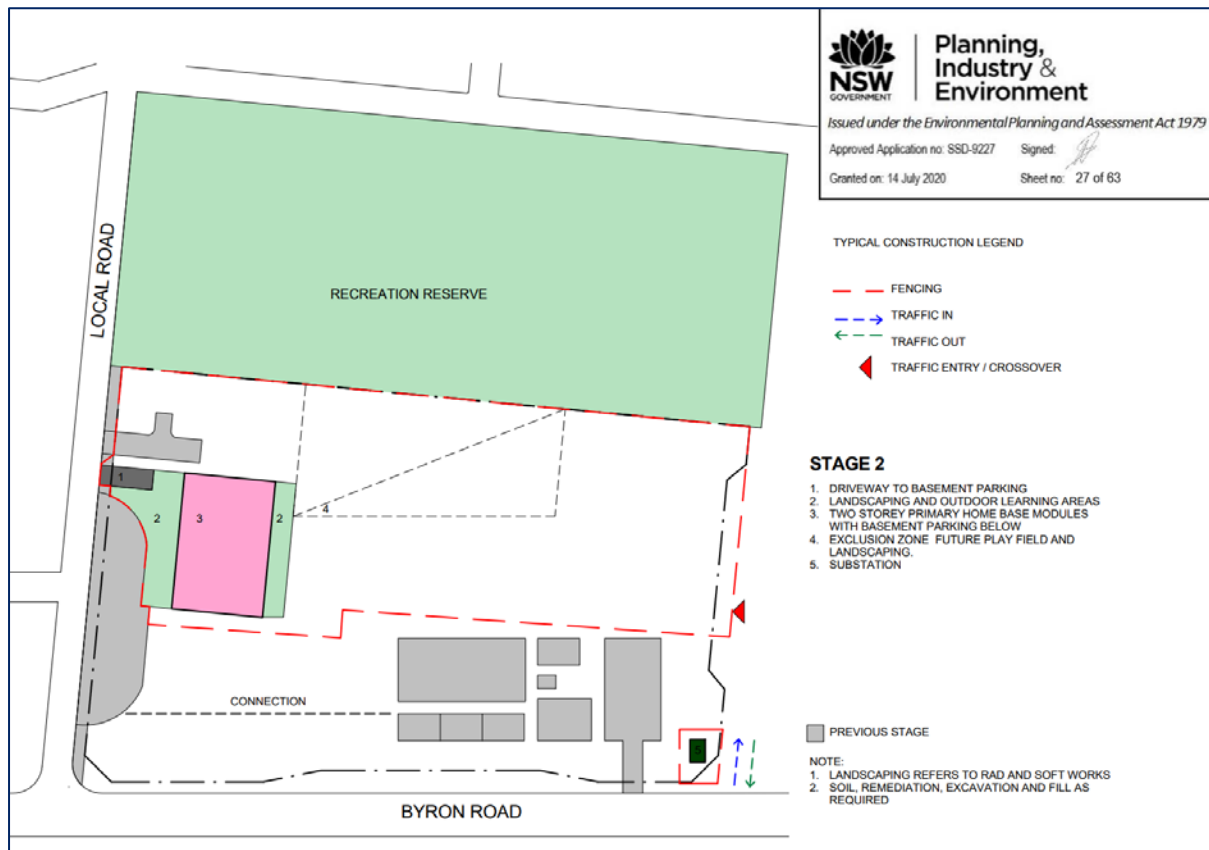


Figure 8 | Stage 2 site plan – as approved (Source: SSD-9227 Approved Plans)

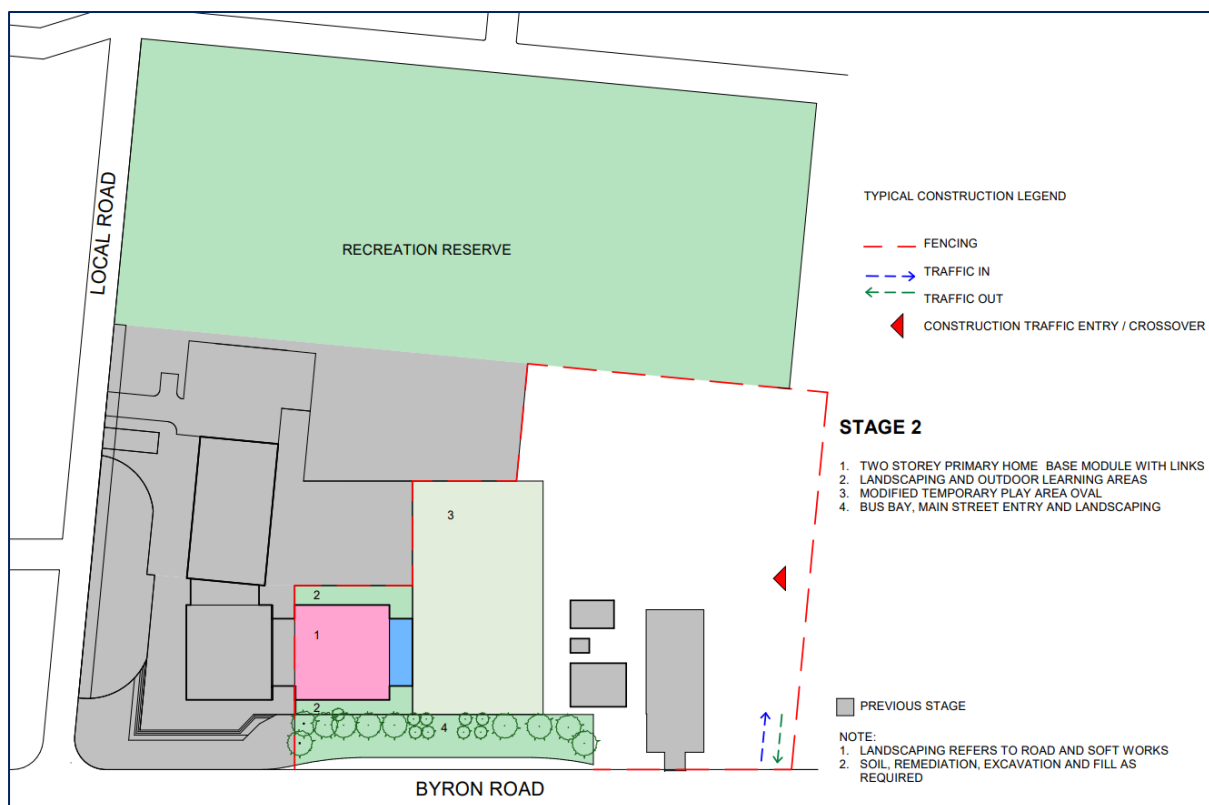


Figure 9 | Stage 2 site plan – as proposed to be modified (Source: Applicant's Modification Report)

Stage 3 comparison

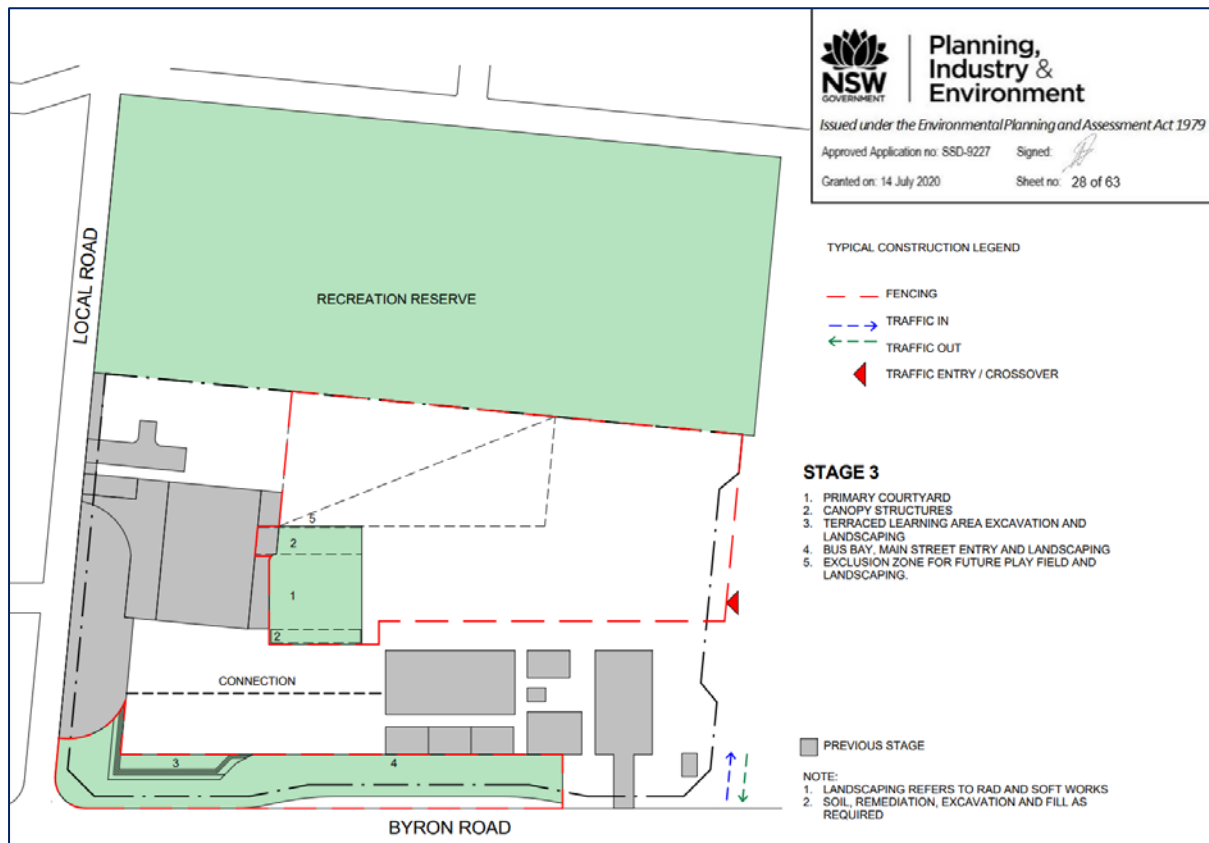


Figure 10 | Stage 3 site plan – as approved (Source: SSD-9227 Approved Plans)

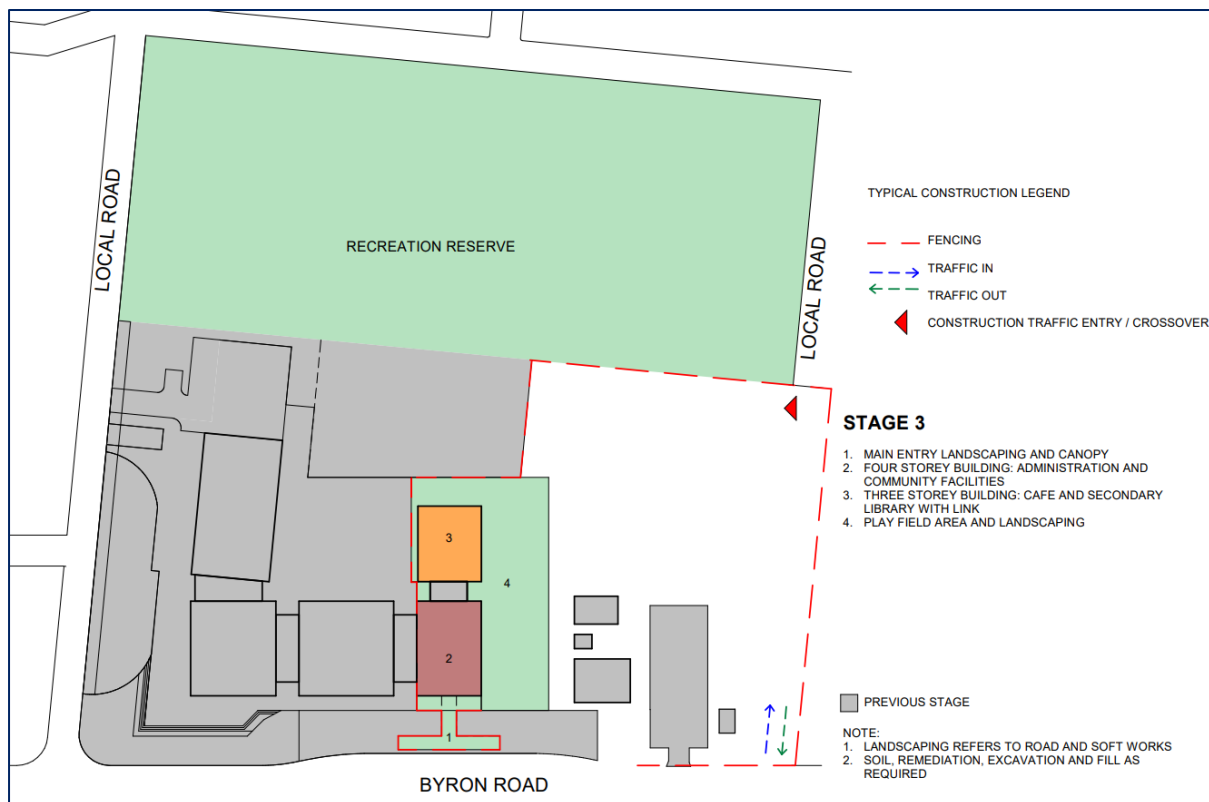


Figure 11 | Stage 3 site plan – as proposed to be modified (Source: Applicant's Modification Report)

Stage 4 comparison

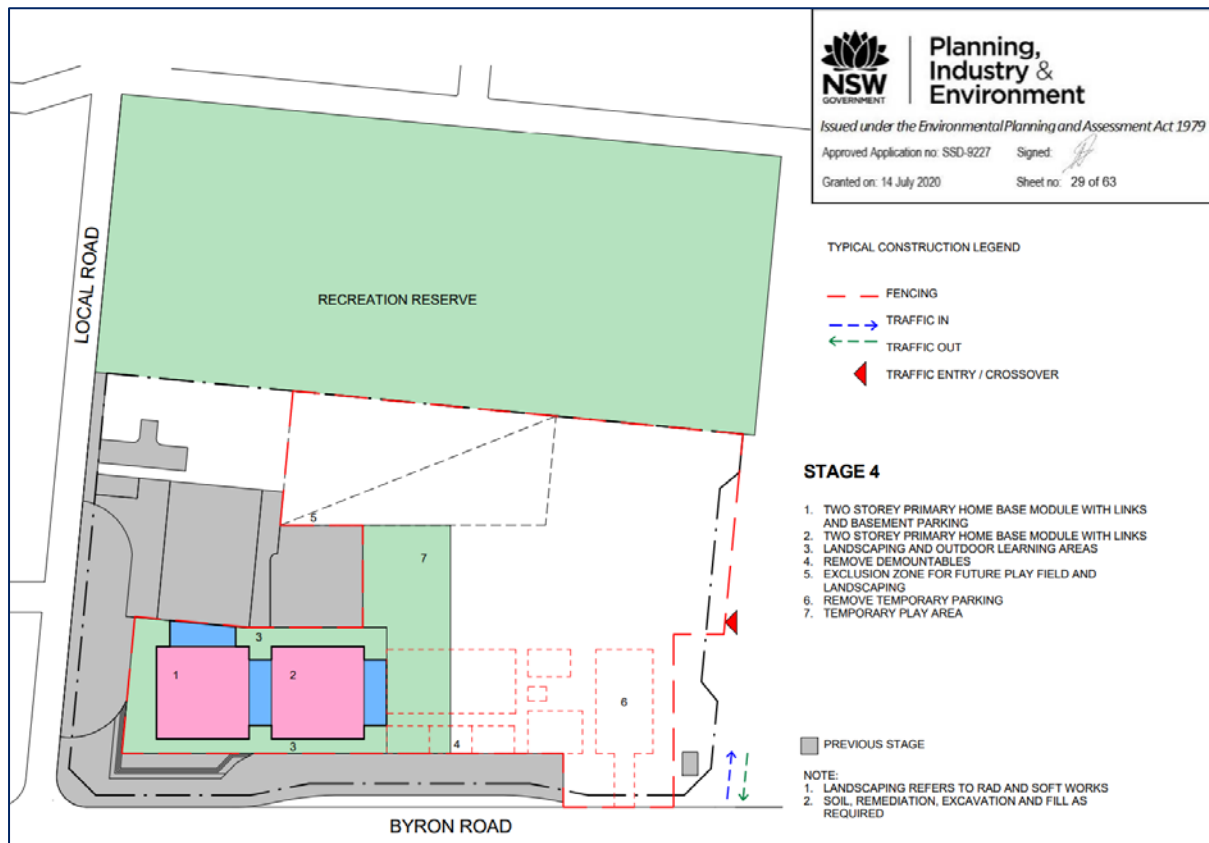


Figure 12 | Stage 4 site plan – as approved (Source: SSD-9227 Approved Plans)

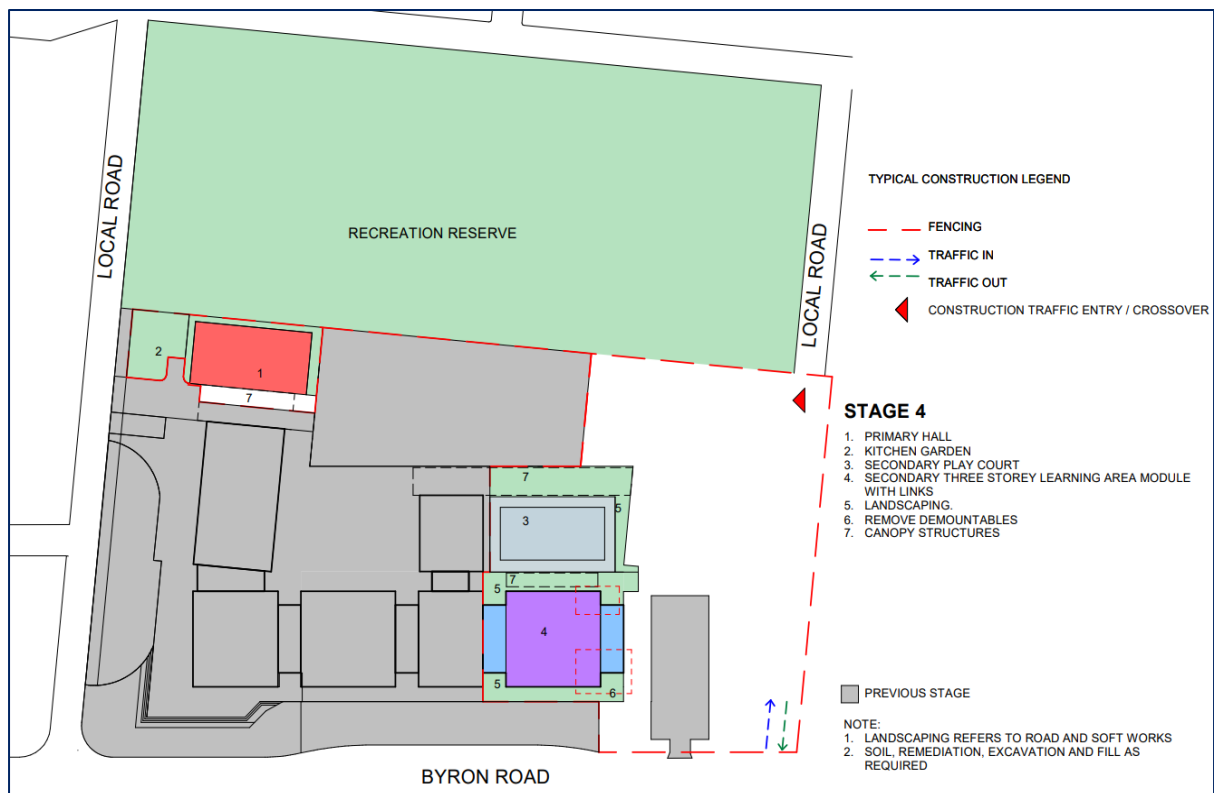


Figure 13 | Stage 4 site plan – as proposed to be modified (Source: Applicant's Modification Report)

Stage 5 comparison

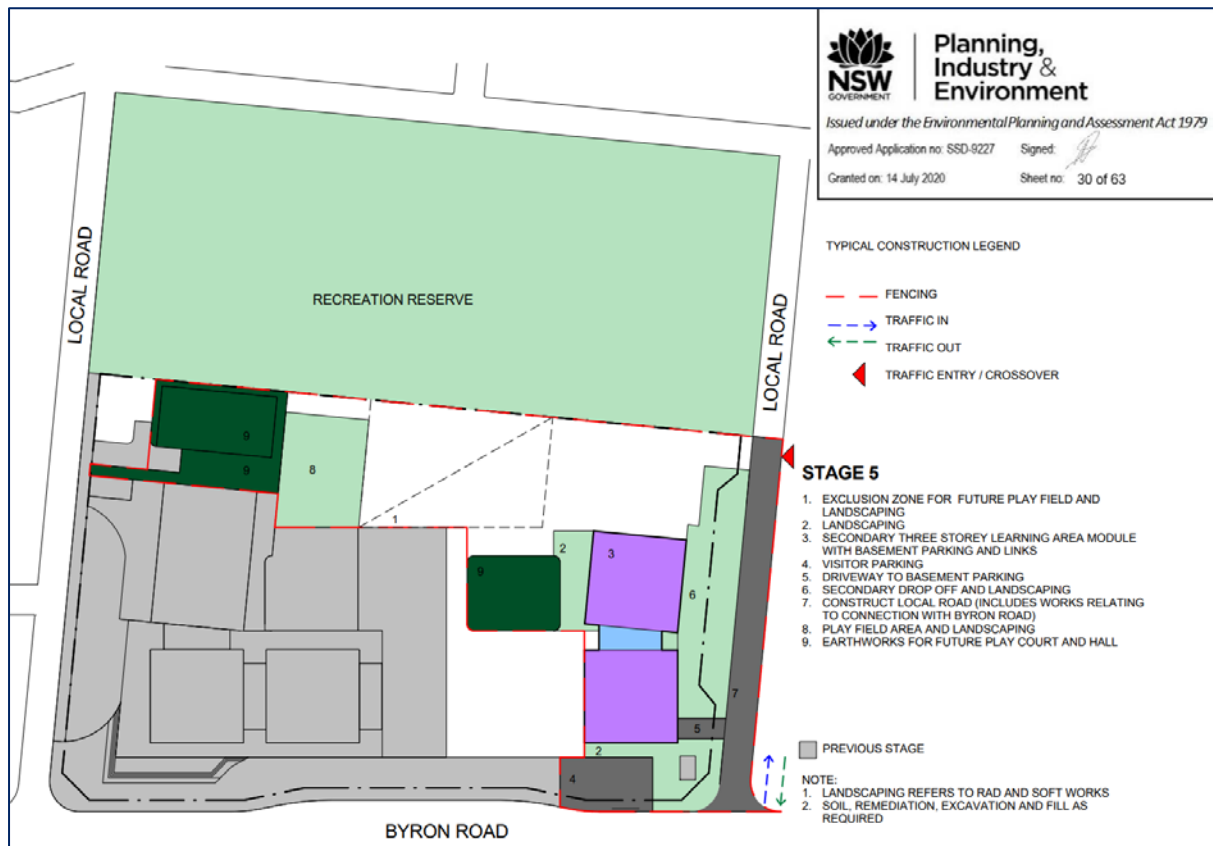


Figure 14 | Stage 5 site plan – as approved (Source: SSD-9227 Approved Plans)

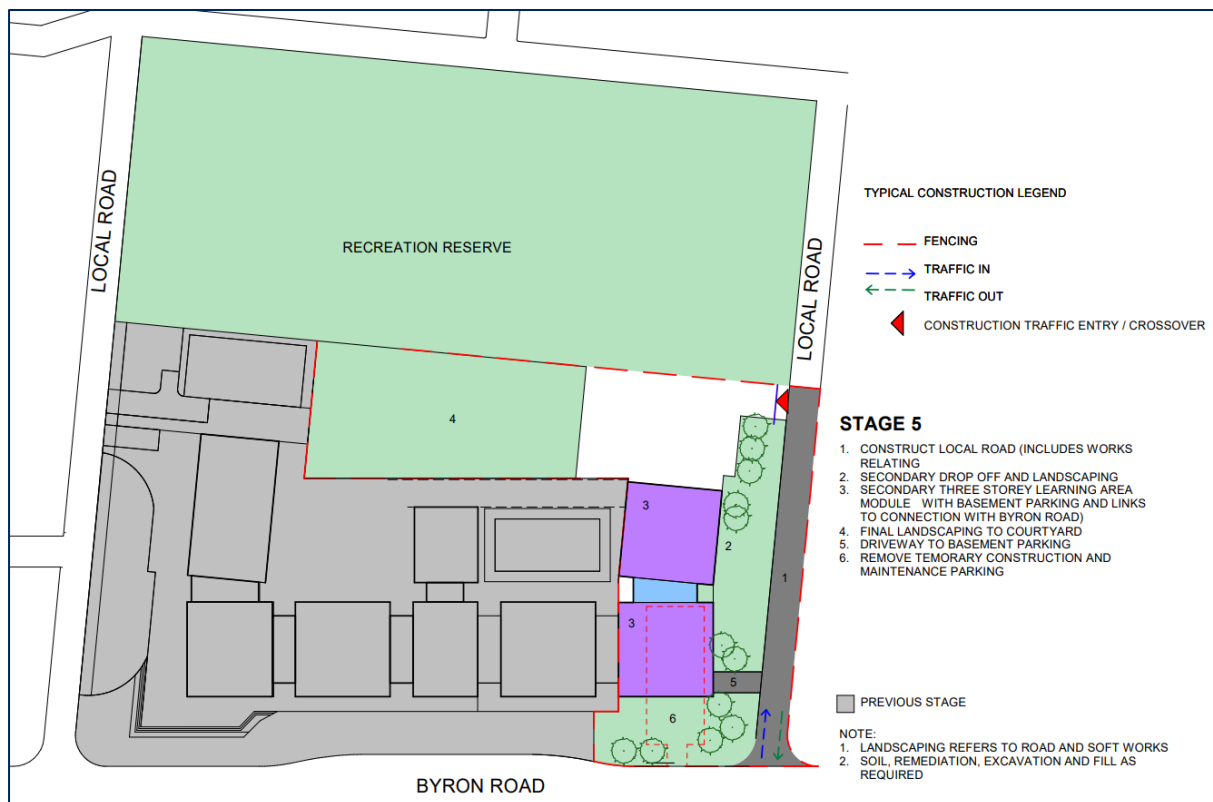


Figure 15 | Stage 5 site plan – as proposed to be modified (Source: Applicant's Modification Report)

Stage 6 comparison

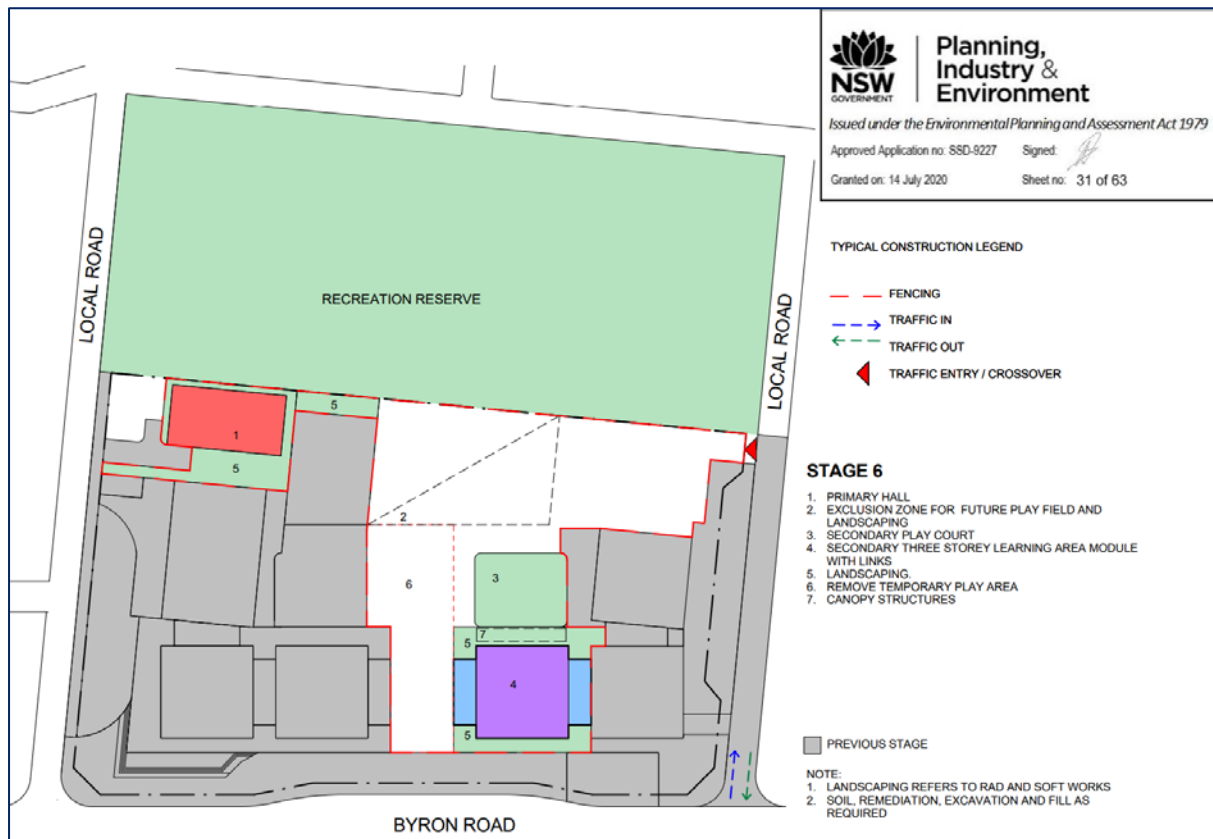


Figure 16 | Stage 6 site plan – as approved (Source: SSD-9227 Approved Plans)

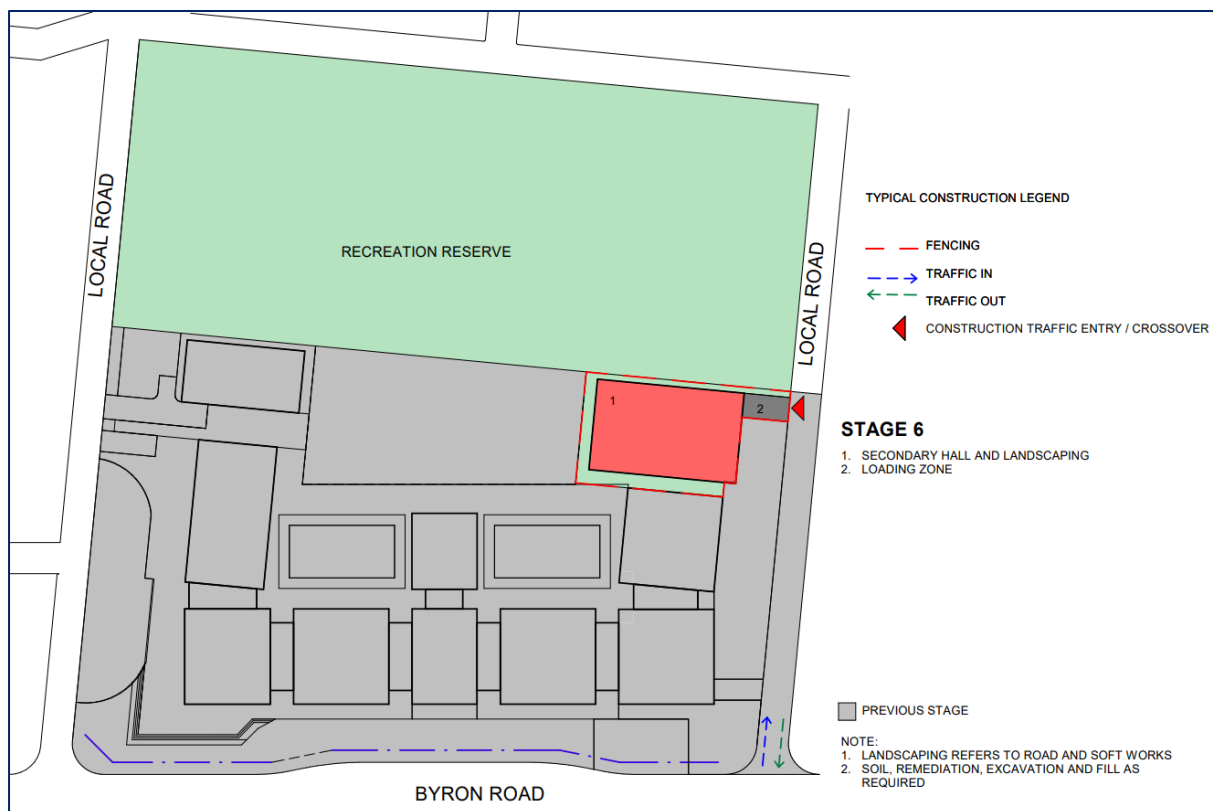


Figure 17 | Stage 6 site plan – as proposed to be modified (Source: Applicant's Modification Report)

2.2 Earthworks and site remediation

The extent of Stage 1 civil works, including earthworks and remediation is proposed to involve a larger footprint than what was originally approved. The approved civil engineering plans are therefore proposed to be amended as part of the modification.

The Stage 1 extent of works, as proposed to be modified and shown in comparison to the approved Stage 1 civil works plan, is presented in **Figure 18** and **Figure 19** below.

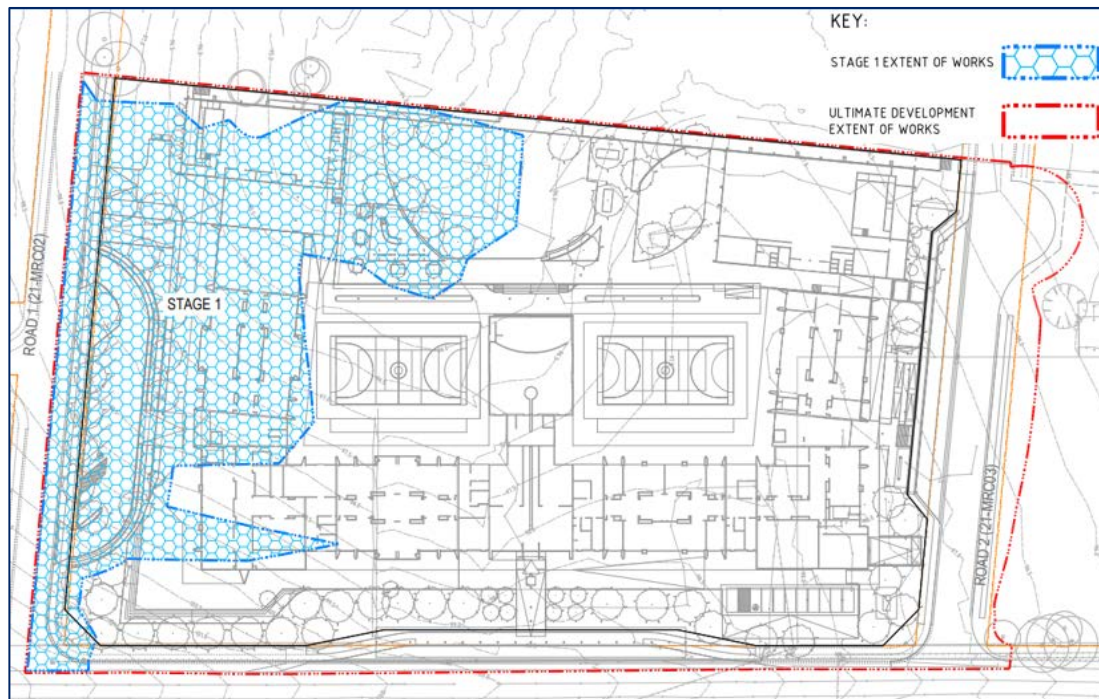


Figure 18 | Approved Stage 1 extent of civil works (Source: SSD-9227 Approved Plans)

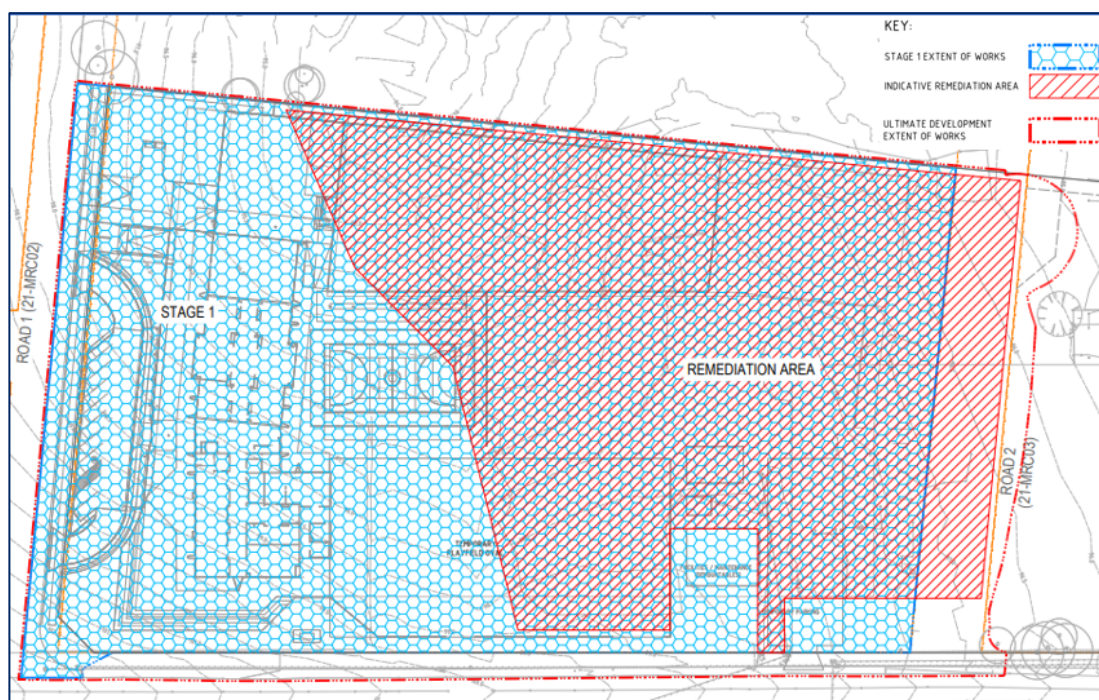


Figure 19 | Proposed Stage 1 extent of civil works (Source: Applicant's Modification Report)

2.3 Built form and car parking

The modification application proposed minor amendments to the built form of the primary school building and on-site car parking provisions, including:

- minor additions within the basement level of the building to incorporate end-of-trip facilities, an accessible car parking space and storage rooms for rainwater harvesting tanks and fire services and pumping facilities (**Figure 20**).
- minor reconfiguration of the general learning areas (GLAs) and internal spaces at the south-eastern corner of the building (**Figure 21**).
- amendments to the southern facade of the building to incorporate larger windows (**Figure 22**).
- the provision of a pedestrian path and egress stairs between the basement level and ground level (**Figures 20 and 23**).
- the removal of 10 temporary visitor car parking spaces near the corner of Byron Road and new local Road 2 (replaced with landscaping) and a relocated substation kiosk (**Figure 23**).

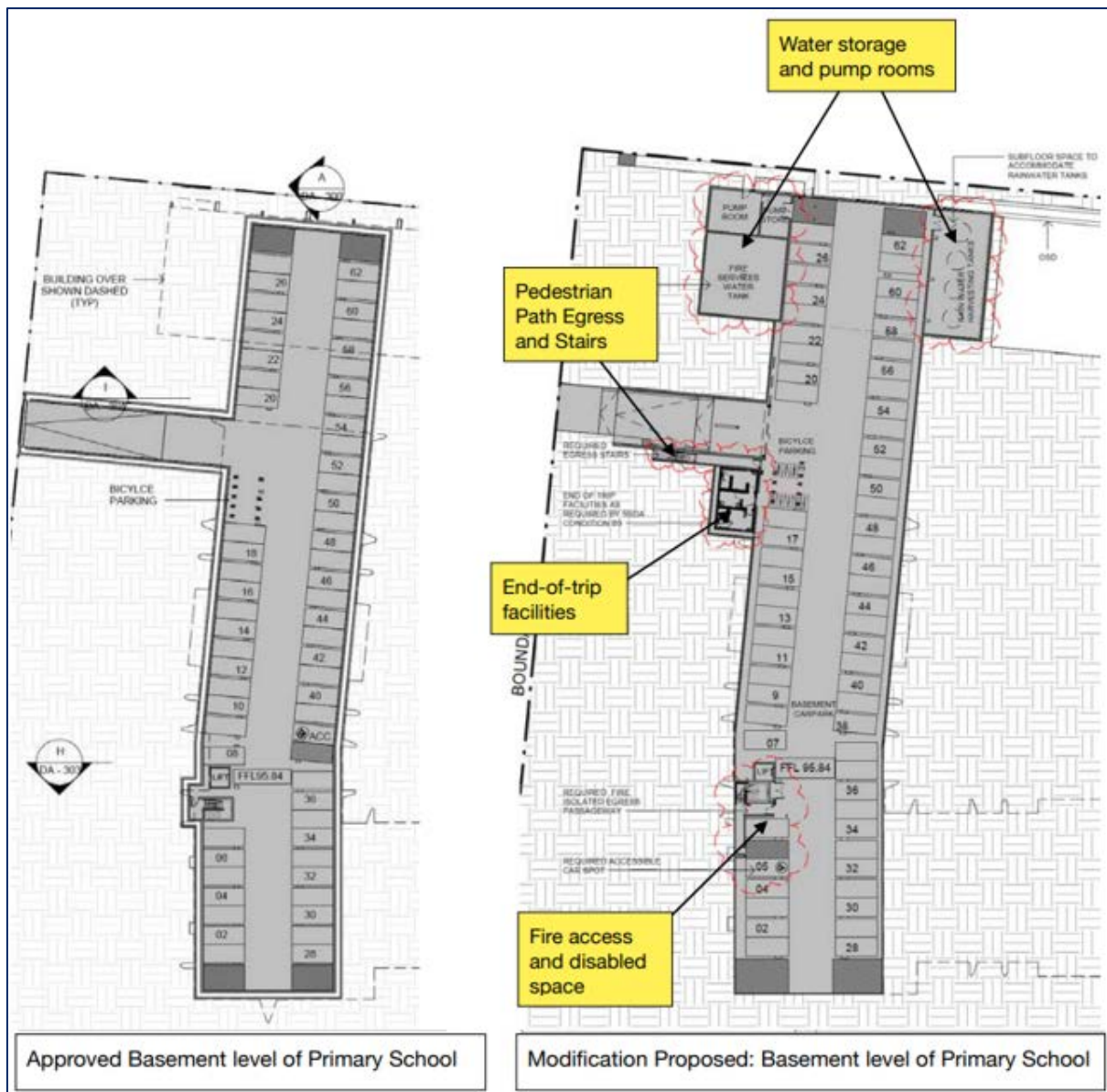


Figure 20 | Proposed modifications at basement level (Source: Applicant's Modification Report)

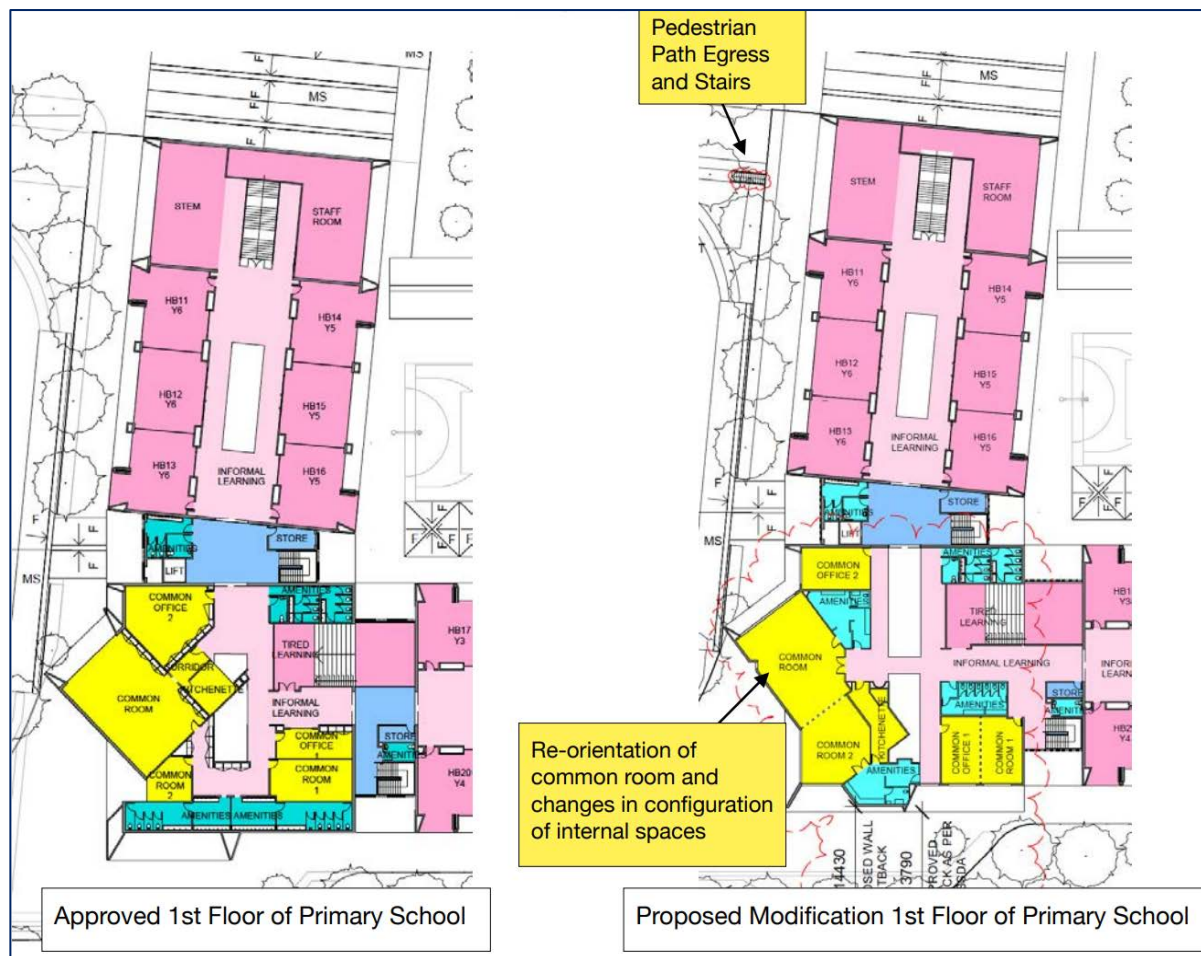


Figure 21 | Proposed modifications at Level 1 (Source: Applicant's Modification Report)

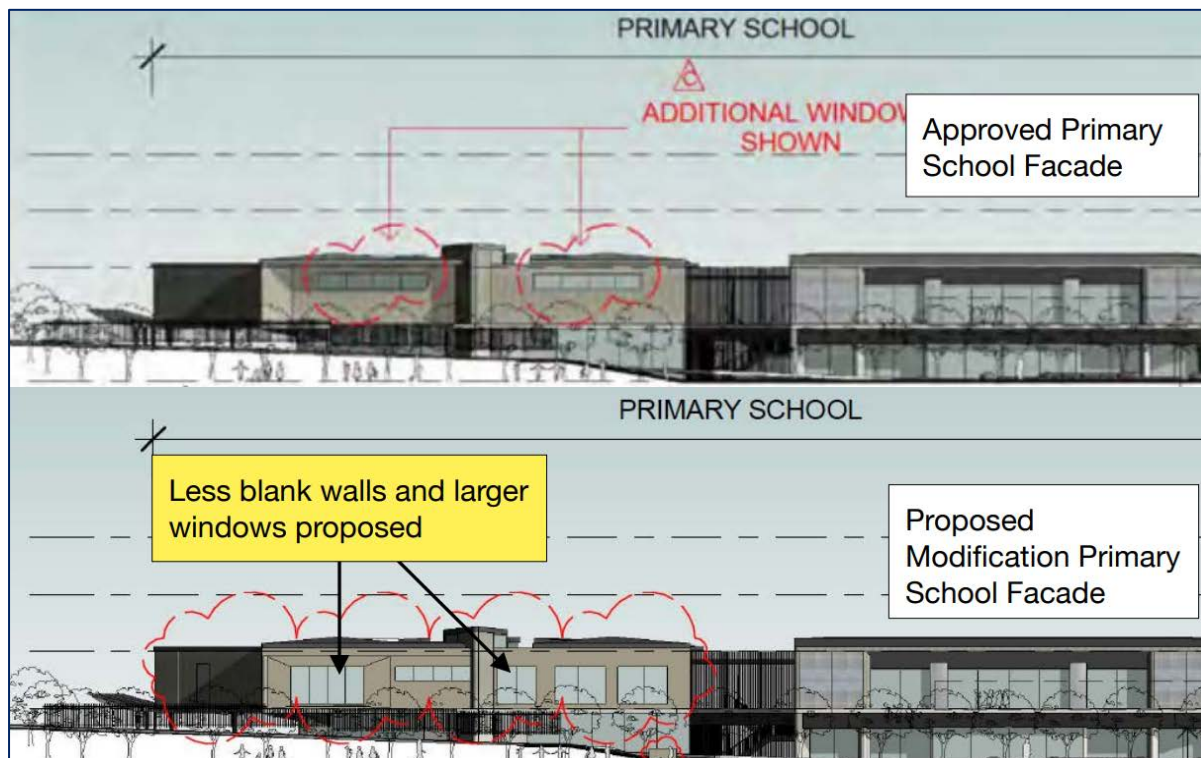


Figure 22 | Proposed modifications – southern facade (Source: Applicant's Modification Report)



Figure 23 | Proposed modifications at ground level (Source: Applicant's Modification Report)

2.4 Landscaping

The modification application proposed revisions to the approved landscaping plans, including the clearing of all existing trees and vegetation from the site and the establishment of extensive and permanent landscaping from the commencement of operation in Stage 1.

The Stage 1 landscape plan, as proposed to be modified and shown in comparison to the approved Stage 1 landscape plan, is presented in **Figure 24** and **Figure 25**.

The modified landscape masterplan for the site is shown in **Figure 26**.

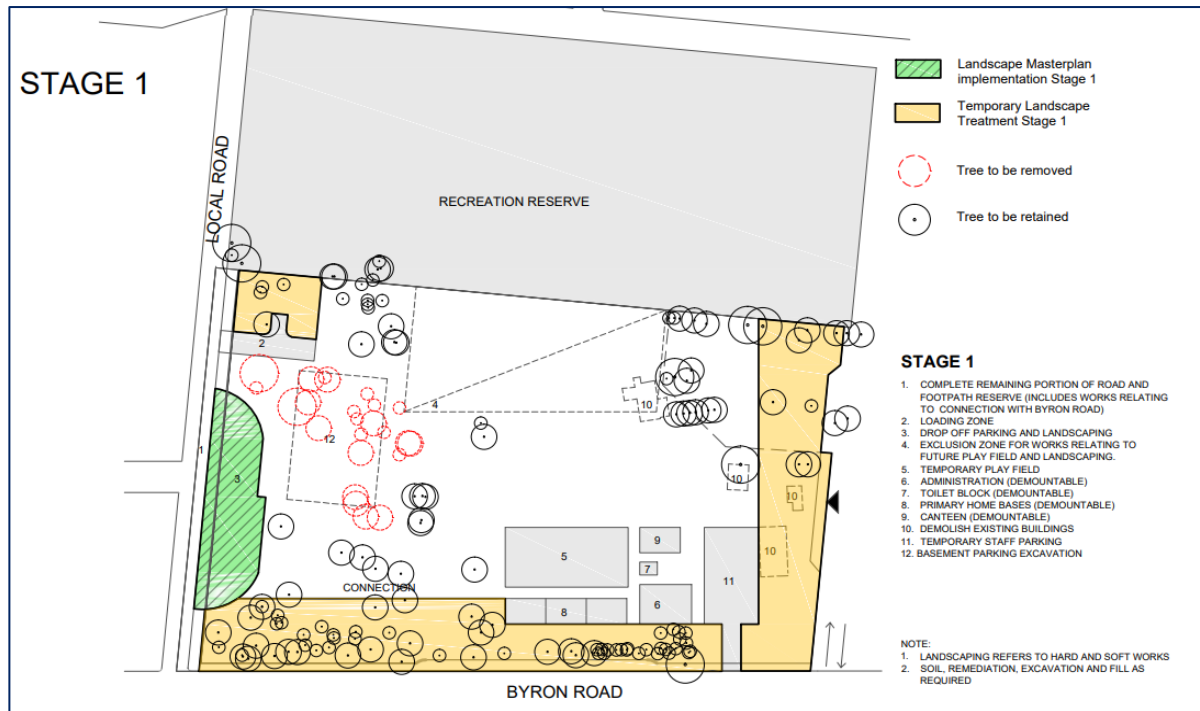


Figure 24 | Stage 1 landscape plan – as approved (Source: SSD-9227 Approved Plans)

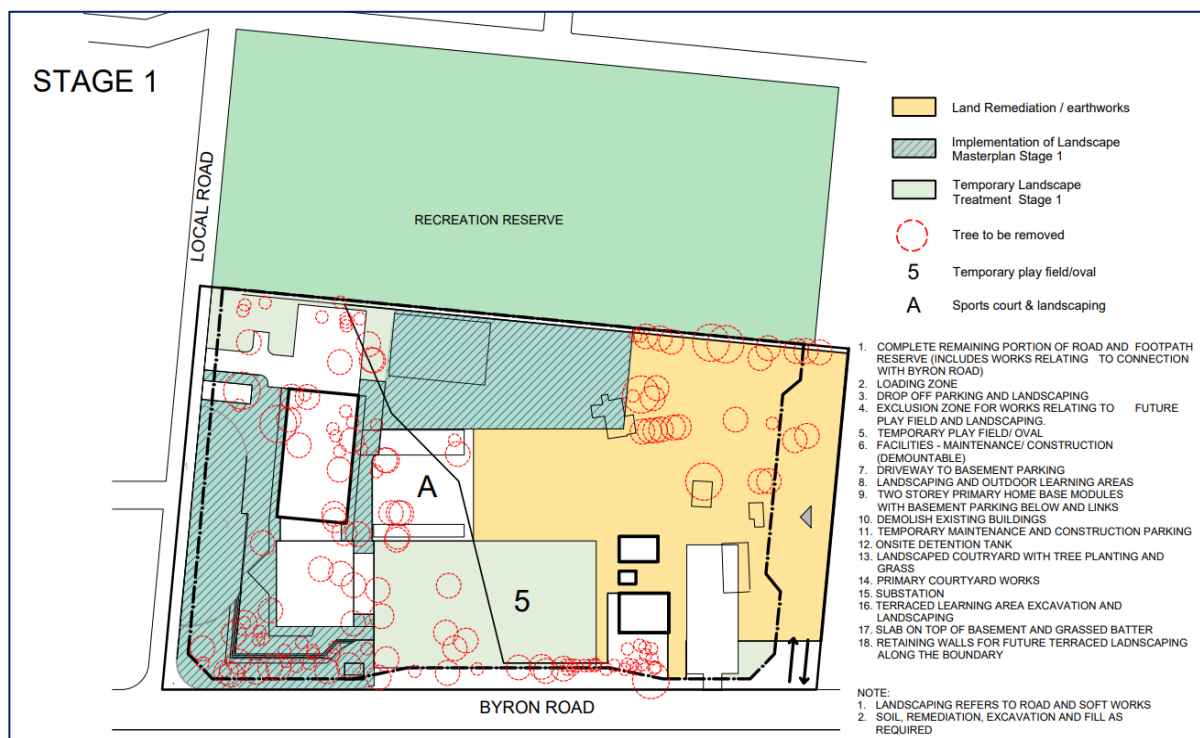


Figure 25 | Stage 1 landscape plan – as proposed to be modified (Source: Applicant's Modification Report)

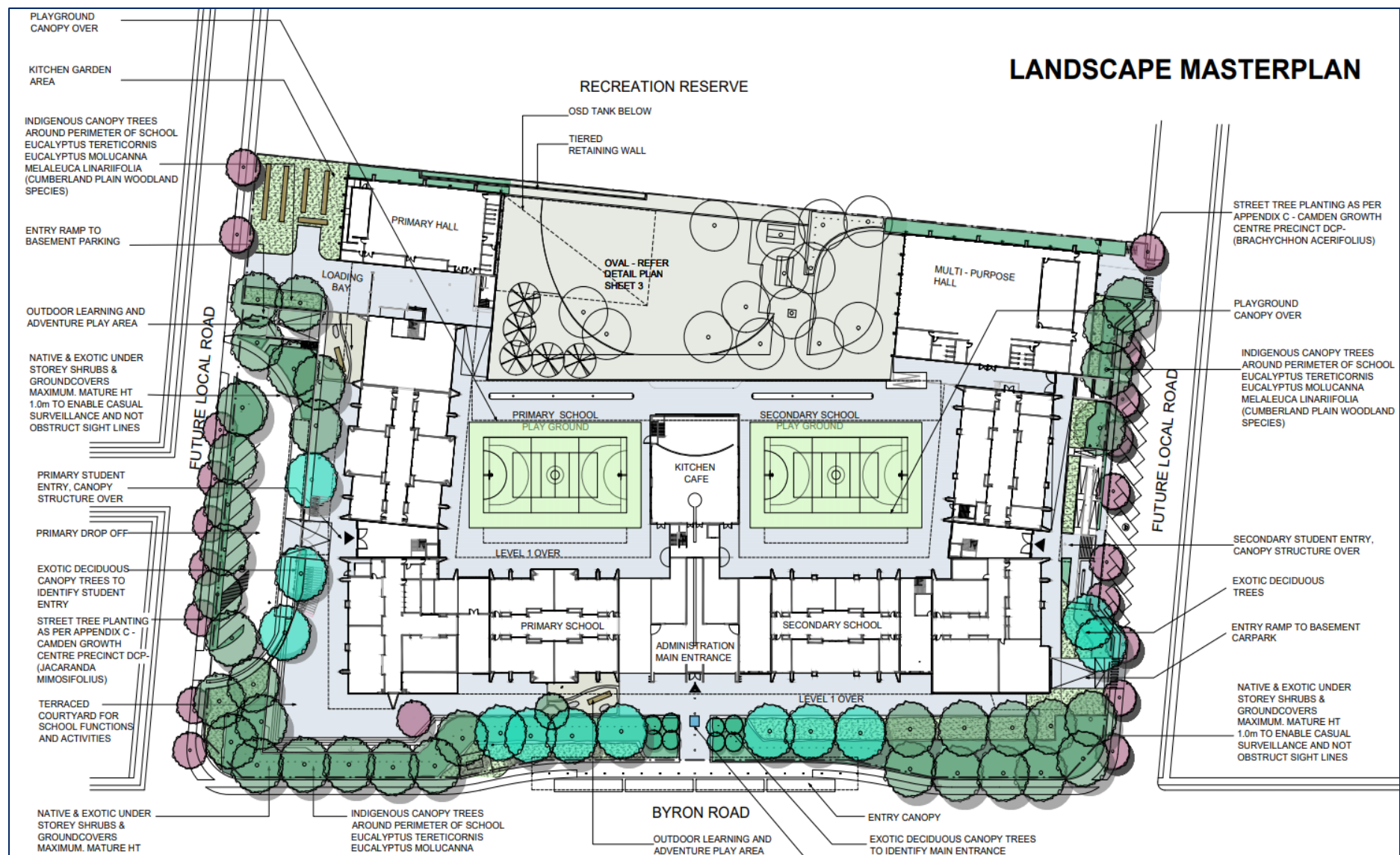


Figure 26 | Landscaping masterplan, as proposed to be modified (Source: Applicant's Modification Report)

3 Strategic context

The development, as modified, remains consistent with the assessment of the strategic context in the original application and would not alter the key components or outcomes of the proposal.

The Department considers the development, as modified, would remain consistent with the relevant provisions of the:

- Greater Sydney Region Plan – A Metropolis of Three Cities, as it would provide new school facilities to meet the growing needs of Sydney.
- Western City District Plan, as it would provide much needed school infrastructure and opportunities to share facilities with the local community.
- State Infrastructure Strategy 2018 – 2038 Building the Momentum, as it would provide new school facilities to support the growth in demand for primary and secondary student enrolments and facilitates sharing with communities.
- NSW Future Transport Strategy 2056, as it would provide a new educational facility in an accessible location.

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 and Public Spaces (the Minister) is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 26 April 2021, the Team Leader, School Infrastructure Assessments, may determine the application as:

- the relevant local council has not made an objection.
- a political disclosure statement has not been made.
- there were no public submissions by way of objection.

4.3 Modification of consents

Section 4.55(1a) of the EP&A Act requires the matters listed in **Table 2** to be considered by the consent authority for an application to modify a development consent.

Table 2 | Consideration of the proposal against the objects of the EP&A Act

Matter	Consideration
Whether the proposed modification is of minimal environmental impact.	<p>The proposed modification is considered to be of minimal environmental impact and would not involve any additional impacts outside of the approved disturbance area for the project.</p> <p>The proposed modification principally involves the amendments to the project staging to accelerate the delivery of the school and minor</p>

Matter	Consideration
	amendments to the approved built form of the primary school building, car parking and landscaping provisions that would have a minimal environmental impact.
Whether the development to which the consent as modified related is substantially the same development.	The development, as proposed to be 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.	<p>In accordance with the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation), the notification requirements for an application under section 4.55(1A) of the EP&A Act do not apply if the application is in respect of SSD. Accordingly, the application was not formally notified or advertised.</p> <p>However, the modification application was referred to Council and TfNSW for comment and was made publicly available on the Department's website.</p> <p>The Department's engagement is discussed further in Section 5.</p>
Any submission made concerning the proposed modification has been considered.	A submission was received from TfNSW and has been considered by the Department as part of its assessment of the modification application in Section 6 .
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-9227. The Department considers the modification application does not result in any significant changes that would alter the conclusions made as part of that 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-9227. 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

Clause 117(3B) of the EP&A Regulation specifies that the notification requirements for an application under section 4.55(1A) of the EP&A Act do not apply if the application is in respect of SSD. The modification application was, therefore, not formally notified or advertised.

However, it was made publicly available on the Department's website and was referred to Council and TfNSW for comment. Council did not provide comment on the modification application and no submissions were received from the public.

TfNSW did not object to the proposed modification as there would be no change to the approved student and staff population. However, this was on the basis that TfNSW's traffic and transport requirements relevant to the original application remain applicable.

The Department has considered the comments raised in the submissions as part of its assessment of the modification application (**Section 6**) and by way of recommended conditions in the instrument of modification (**Appendix B**).

6 Assessment

The Department has considered the modification application in the context of the approved development (SSD-9227) in its assessment. Consideration of the key elements are assessed below.

6.1 Project staging

Accelerated construction program and school delivery

The Applicant's modification report stated that the construction and operation of the school was originally proposed to be delivered in eight stages over a 10 to 15 year timeframe. An accelerated construction program has since been made possible with the Applicant securing additional funding through the Association of Independent Schools of NSW.

The Applicant is therefore able bring forward the project staging that would enable approved Stages 1 and 2 and part of Stages 3 and 4 to be completed in a single stage (as part of an amended Stage 1). The development of the school would be undertaken over an accelerated time period, in the order of 10 years or less.

The sequence of proposed physical works and layout of the site, shown in comparison to the approved staging plans, is provided in **Figure 6 to Figure 17** (refer **Section 2.1**). The works approved in Stages 7 and 8 are sought to be undertaken in the earlier stages of the development and are, therefore, proposed to be deleted as part of the modification.

Student and staff numbers

Stage 1 of the development, as proposed to be modified, would enable the Applicant to accommodate up to 300 primary school students and 24 staff and is an additional 225 students and 15 staff than what was originally approved for the first stage of the development.

The modification does not seek to amend the approved maximum school capacity of 1000 students and 85 staff. Rather, the school would have a larger population in the earlier stages of the development. The total number of students and staff proposed at each stage of the project, as proposed to be modified, is outlined in **Table 1** (refer **Section 2.1**).

Department's consideration

The Department finds the proposed modification would enable the Applicant to expedite the provision of educational infrastructure and increase the student capacity in the earlier stages of the development, including 225 additional primary school placements at the commencement of operation.

In addition, the revised construction staging would ensure the primary school complex is developed in its entirety in Stage 1, therefore eliminating the need for temporary demountable classrooms and administration facilities on the site. The provision of civil infrastructure works approved as part of the original application would also be brought forward, including drainage and roadworks.

The Department notes the approved site layout (at project completion) would be maintained, and that no amendments are sought to the school's overall capacity of 1000 students and 85 staff. Accordingly, no significant environmental impacts are anticipated by bringing forward the approved construction staging or by the additional student enrolments in the earlier stages of the development.

On balance, the Department supports the proposed modifications to accelerate the delivery of the school as it would support a growing population in the Leppington Priority Precinct within the South West Growth Area.

6.2 Earthworks and site remediation

Condition C38 of the consent requires site remediation works to occur prior to the commencement of construction of Stage 1 and in accordance with the approved Remediation Action Plan prepared by GeoEnviro Consultancy Pty Ltd and submitted with the Environmental Impact Statement (EIS).

The Applicant's modification report confirmed that site remediation works commenced in November 2020 and are largely complete. However, the remediation investigations and excavation works revealed more widespread contamination across the site than previously thought, necessitating the need for approximately 2,000 cubic metres of additional soil to be removed, and which would need to be replaced to level the site.

In addition, the Stage 1 development footprint (including extensive site clearing and excavation works) would be increased as part of the modification in response to the accelerated project staging (discussed in **Section 6.1**). The Stage 1 development footprint, as proposed to be modified, is shown in **Figure 18** and **Figure 19** (refer **Section 2.2**).

The Applicant included revised drawings as part of the modification application that reflect the accelerated civil works program including revised site clearing plans, earthworks plans, erosion and sediment control plans and stormwater management plans.

Department's consideration

The Department accepts the modification would result in a larger development footprint and additional site clearing than what was originally approved in Stage 1. However, it is noted that the full extent of site clearing and earthworks across the development site (i.e. all project stages complete) would remain consistent with what was originally approved. The Department therefore raises no concerns in response to the revised Stage 1 site clearing and earthworks.

The Department acknowledges that the approved package of civil engineering plans would need to be modified to reflect the revised project staging and extent of works in Stage 1. It is therefore recommended that the civil engineering plans under Condition A2 and the stormwater drainage plans under Condition C13 be updated accordingly.

6.3 Built form, car parking and landscaping

Built form amendments

The proposed built form amendments include the provision of end-of-trip facilities and water storage facilities within the basement level of the primary school and minor reconfiguration of the GLAs and internal spaces at Level 1 at the south-eastern part of the building. The proposed amendments are shown in **Figure 20** and **Figure 21** (refer **Section 2.2**).

The Applicant's modification report stated that the built form amendments are necessary to address the requirements set out in the conditions of consent, including:

- Condition B9, which requires end-of-trip facilities be provided for staff and for the design of the basement car park to comply with the Australian standards for off-street car parking facilities (AS2890.1) and accessible car parking (AS2890.6).
- Condition B10, which requires the basement car park to include a pump-out system that has been designed in accordance with the Australian standards for stormwater drainage (AS3500.3.2–1998).
- Condition C20, which requires a rainwater reuse/harvesting system to be incorporated as part of the development.

The built form amendments would result in an additional 76m² of gross floor area (GFA), beyond what was originally approved for the site. This includes an additional 47m² attributed to the end-of-trip facilities at the basement level and an additional 29m² attributed to the minor reconfiguration of the GLAs and internal spaces at Level 1.

Department's consideration

The Department acknowledges the proposed amendments to the basement level of the building are required to ensure compliance with the conditions of consent and the relevant Australian standards. No concerns are raised in response to the minor additions to the GFA at the basement level.

The proposed reconfiguration of the Level 1 GLAs and internal spaces at the south-eastern part of the building would result in a minor deviation from the approved building layout and would not increase the building's overall bulk and scale. The approved building footprint would be retained as part of the modification and there would be no change to the approved building height.

The Department accepts Applicant's justification that the minor amendments proposed to the southern facade of the building and inclusion of larger windows would improve the visual appearance of building, when viewed from Byron Road.

Overall, the Department raises no concerns in response to the built form amendments proposed as part of the modification.

Car parking

The table under clause (i) of Condition B9 of the consent sets out the total number of on-site car parking spaces, DOPU spaces and bicycle parking spaces required at each stage of the development. The Applicant sought to make amendments to the table to reflect the revised number of car parking and bicycle parking spaces that would be provided as part of the revised project staging. The proposed amendments are shown in **Table 1** (refer **Section 2.1**).

The Applicant's modification report stated that there would be a significant increase in on-site car parking provided in the earlier stages of the project to accommodate the proposed increase in student and staff numbers. A total of 79 permanent car parking spaces are proposed as part of the revised Stage 1, comprising 62 basement car parks and 17 DOPU spaces.

The Applicant further sought to amend the table under clause (i) of Condition B9 to amend an error in the consent which currently identifies the 15 angled DOPU spaces (within new local Road 2) as on-site spaces rather than off-site spaces (i.e. to be shared with the community).

Department's consideration

The Department is satisfied the school (once fully developed) would continue to provide the same number of car parking and bicycle parking spaces as originally approved, including:

- 94 basement car parking spaces including 62 spaces allocated to the primary school and 32 spaces allocated to the secondary school.
- 32 DOPU spaces including 17 on-site spaces and 15 off-site (angled street parking) spaces.
- 62 bicycle parking spaces.

It is acknowledged that the additional student and staff numbers proposed in the earlier stages of the development would generate the need for additional car parking and bicycle parking from the commencement of operation. The proposed amendments to the table under clause (i) of Condition B9 are therefore supported. The Department has also recommended a new column be inserted within the table to separately identify the total number of required on-site and off-site DOPU spaces.

Landscaping

The approved landscape scheme for the school includes a range of multi-functional landscape spaces including a central playing field, sports courts, outdoor learning areas, tree canopy areas with native and exotic tree species and rooftop play courts above the library for passive and active recreation.

The Applicant's modification report stated that the landscaping plans approved as part of the original application largely involved temporary landscape treatments in the interim stages of the development and do not reflect the extent of vegetation clearing that has occurred as part of the site remediation works. Extensive and permanent landscaping is therefore proposed from the commencement of operation (in Stage 1), rather the provision of temporary landscaping treatments on a stage-by-stage basis as the site develops.

The Applicant's modification report stated that the early establishment of permanent tree plantings at project commencement would provide a 'green link' between the school site and the future public open space area adjoining the school to the west, as well as providing a 'green edge' to the two street frontages.

The revised design also provides for an overall increase in landscaping and a reduction in hard surfaces including walkways and parking areas, as shown in **Table 3**.

Table 3 | Comparison of landscaping provisions

Site element	Total area (approved)	Total area (proposed)	Difference
Site coverage	7081 m ²	7081 m ²	N/A
Impervious play area	7159 m ²	7159 m ²	0 m ²
Pervious play area	1573 m ²	1573 m ²	0 m ²
Landscaped area	4405 m ²	4733 m ²	+ 328 m ²
Walkways and parking areas	3015 m ²	2687 m ²	- 328 m ²

The extent of landscaping, impervious and pervious play areas on the site (as proposed to be modified) is shown in **Figure 27**. The broader landscape masterplan for the site (as proposed to be modified) is shown in **Figure 26** (refer **Section 2.4**).

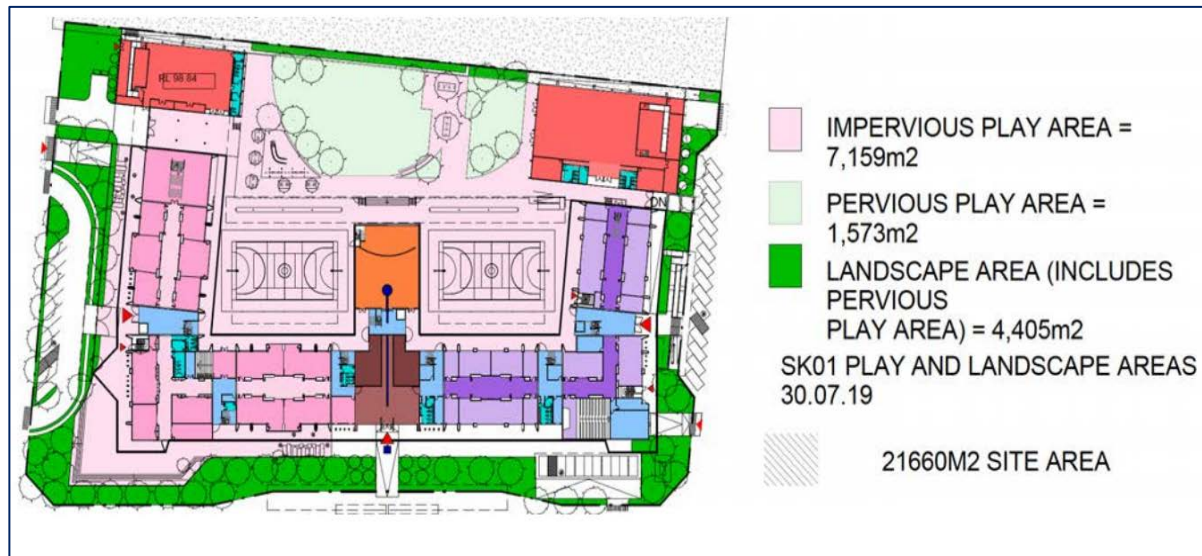


Figure 27 | Proposed site landscaping at project completion (Source: Applicant's Modification Report

Department's consideration

The Department supports the proposed modifications to the approved landscaping plans and considers that the provision of permanent and extensive landscaping from the commencement of operation would provide a positive outcome for the site and the surrounding locality. The Department also supports the proposed 328 m² of additional landscaped area and equivalent reduction of impermeable surfaces previously attributed to internal walkways and car parking areas.

Deletion of Condition C32

The Applicant sought to delete Condition C32 as part of the modification. The condition requires updated landscape plans to be submitted to the Planning Secretary for approval, prior to the commencement of construction of Stage 1. The updated landscape plans must:

- demonstrate that up to 50 per cent of the replacement / new tree plantings in and around the school oval and the spill out area include deciduous species.
- include details of street tree planting along the verges of Road 1 and Road 2 in accordance with the species list in the Camden Growth Centre Precincts Development Control Plan.
- include details to demonstrate that, in case of removal of each individual tree hollow, it is replaced at a minimum 1:1 ratio with nest boxes.
- be consistent with the Applicant's Management and Mitigation Measures in the EIS.

The Applicant's modification report stated that the landscape plans have been revised and submitted to the Planning Secretary as part of the modification application. The condition was therefore considered to be redundant.

Department's consideration

The deletion of Condition C32 in its entirety is not supported on the basis that the documentation submitted by the Applicant as part of the modification application did not provide evidence demonstrating that individual tree hollows would be replaced with nest boxes. As such, the Department recommends this requirement be retained as part of Condition C32. The remaining requirements under the condition are considered to have been satisfactorily addressed as part of the modification and are, therefore, recommended for deletion.

7 Evaluation

The Department has reviewed the Applicant's Modification Report and assessed the merits of the modified proposal. The Department is satisfied that all environmental issues associated with the proposal have been thoroughly addressed.

The approved development would not significantly change as a result of the proposed modification. Further, the Department's existing conditions of consent and the recommended conditions of consent would ensure the ongoing environmental management of the development.

The proposed modification would not impact upon the environmental amenity of the surrounding area and the development would remain consistent with the original development consent.

The Department considers that the application is consistent with the objects of the EP&A Act and continues to be consistent with strategic directions for the State.

The Department concludes the impacts of the proposed modification are acceptable. Consequently, the Department considers the development is in the public interest and 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 and Public Spaces:

- **considers** the findings and recommendations of this report.
- **determines** that the application SSD-9227-Mod-2 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-9227.
- **signs** the attached instrument of approval of the modification (**Appendix B**).

Recommended by:



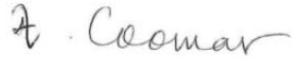
Brent Devine

Principal Planner

School Infrastructure Assessments

9 Determination

The recommendation is **adopted** by:



30/07/2021

Aditi Coomar

Team Leader

School Infrastructure Assessments

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – List of documents

<https://www.planningportal.nsw.gov.au/major-projects/project/42161>

Appendix B – Instrument of modification

<https://www.planningportal.nsw.gov.au/major-projects/project/42161>