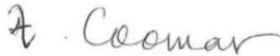


# Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Aditi Coomar  
**Team Leader**  
**Social and Infrastructure Assessments**

Sydney

30 July 2021

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## SCHEDULE 1

- Development consent:** **SSD-9227** granted by the Executive Director, Infrastructure Assessments on 14 July 2020
- For the following:** Construction and operation of a new school (Amity College) in eight stages, to accommodate up to 1000 students, comprising:
- 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;
    - multipurpose halls;
    - library; and
    - 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 zones, drainage works and service connections.
- Applicant:** Amity College
- Consent Authority:** Minister for Planning and Public Spaces
- The Land:** Lot 1 DP 525996, 85 Byron Road and Lot 2 DP 525996, 63 Ingleburn Road, Leppington NSW
- Modification:** **SSD-9227-Mod-2** involving amendments to the:
- construction staging to accelerate delivery of the school;

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

## SCHEDULE 2

The consent (**SSD-9227**) is modified as follows:

1. Schedule 2 Part A – Administrative Conditions – Condition A2 is amended by the insertion of the **bold and underlined** words and deletion of ~~struck-out~~ words as follows:

### Terms of Consent

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) generally in accordance with the EIS, ~~and Response to Submissions,~~ **and SSD-9227-Mod-2;**
  - (d) in accordance with the approved plans in the table below:

<b>Survey plans prepared by Total Surveying Solutions</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
180370_C	-	Plan Showing Detail & Levels Over Lots 1 & 2 in DP 525996 Sheets 1 to 3	9/7/2019
<b>Subdivision plan prepared by TSS Total Surveying Solution</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
191149-1	C	Plan of Proposed Subdivision of Lots 1&2 DP 525996	19/7/19
<b>Architectural Plans prepared by Gran Associates</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
010	<del>DE</del>	Site Plan	<del>31/7/19</del> <b><u>16/4/21</u></b>
100	<del>DE</del>	Ground Floor Plan	<del>19/11/19</del> <b><u>16/4/21</u></b>
101	<del>BC</del>	First Floor Plan	<del>31/5/19</del> <b><u>16/4/21</u></b>
102	B	Second Floor Plan	31/5/19
103	B	Third Floor Plan	31/5/19
104	<del>BC</del>	Roof Plan	<del>31/5/19</del> <b><u>16/4/21</u></b>
105	<del>BC</del>	Basement Floor Plan	<del>31/5/19</del> <b><u>16/4/21</u></b>
110	A	Typical Home Base Plan Ground Floor 01	30/4/19
111	A	Typical Home Base Plan Ground Floor 02	30/4/19
112	A	Typical Home Base Plan First Floor 01	30/4/19
113	A	Typical Home Base Plan First Floor 02	30/4/19
200	B	North & East Elevations	31/5/19
201	<del>CD</del>	South & West Elevations	<del>19/11/19</del> <b><u>16/4/21</u></b>
300	B	Section AA & BB	31/5/19
301	B	Section CC & DD	31/5/19
302	B	Section EE & FF	31/5/19

303	B	Section GG & HH	31/5/19
304	B	Section II	31/5/19
310	A	Typical Home Base Cross Section	30/4/19
320	A	Typical Home Base Section Detail	2/7/19
321	A	Typical Circulation Link (Lift/Stairway) Sectional Detail	2/7/19
600	<del>CE</del>	Staging Plan Stage 1	<del>3/7/19</del> <u>16/4/21</u>
601	<del>CE</del>	Staging Plan Stage 2	<del>3/7/19</del> <u>16/4/21</u>
602	<del>CE</del>	Staging Plan Stage 3	<del>3/7/19</del> <u>16/4/21</u>
603	<del>CE</del>	Staging Plan Stage 4	<del>3/7/19</del> <u>16/4/21</u>
604	<del>CE</del>	Staging Plan Stage 5	<del>3/7/19</del> <u>16/4/21</u>
605	<del>CE</del>	Staging Plan Stage 6	<del>3/7/19</del> <u>16/4/21</u>
606	<del>C</del>	<del>Staging Plan Stage 7</del>	<del>3/7/19</del>
607	<del>C</del>	<del>Staging Plan Stage 8</del>	<del>3/7/19</del>
800	A	Materials, Colours and Precedents	30/4/19
801	<del>AB</del>	Materials, Colours and Precedents	<del>30/4/19</del> <u>16/4/21</u>
802	A	Materials, Colours and Precedents	30/4/19
803	A	Materials, Colours and Precedents	30/4/19
804	<del>AB</del>	Materials & Colour Schedule	<del>30/4/19</del> <u>16/4/21</u>
<b>Landscape Plans prepared by Michael Siu</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
<del>LC2/6 –</del> <u>K23503</u>	<del>AC</del>	Landscape Master Plan	<del>28/5/19</del> <u>13/4/21</u>
<del>LC3/6 –</del> <u>K23503</u>	<del>AC</del>	Landscape – Oval	<del>28/5/19</del> <u>13/4/21</u>
<del>LC4/6 –</del> <u>K23503</u>	<del>AC</del>	Library Terrace & Plant Schedule	<del>28/5/19</del> <u>13/4/21</u>
<del>LC5/6 –</del> <del>K23503</del>	<del>AC</del>	Landscape <del>Staging</del> <u>Master</u> Plan	<del>28/5/19</del> <u>13/4/21</u>
<del>LC6/6 –</del> <del>K23503</del>	<del>AC</del>	Landscape <del>Staging</del> <u>Master</u> Plan	<del>28/5/19</del> <u>13/4/21</u>
<b>Civil Works Plans prepared by Martens &amp; Associates Pty Ltd</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
<del>PS04</del> <u>PS08</u> - A050	<del>HA</del>	Development Overview Plan	<del>20/11/19</del> <u>28/4/21</u>
<del>PS04</del> <u>PS08</u> - B100	<del>HB</del>	Stage 1 Overview Plan	<del>20/11/19</del> <u>29/4/21</u>

PS01-B300	I	Sediment & Erosion Control and Clearing Plan (Ultimate Development)	24/4/20
<del>PS01</del> <b>PS08</b> -B301	<del>B</del> <b>B</b>	Sediment & Erosion Control and Clearing Plan (Stage 1)	<del>24/4/20</del> <b>29/4/21</b>
PS01-B305	B	Sediment & Erosion Control Rusle Calculation	11/7/19
PS01-B310	C	Sediment & Erosion Control Details Sheet 1	28/6/19
PS01-B311	B	Sediment & Erosion Control Details Sheet 2	28/6/19
<del>PS01</del> <b>PS08</b> -C100	<del>H</del> <b>A</b>	Earthworks Grading Plan (Ultimate Development)	<del>20/11/19</del> <b>28/4/21</b>
<del>PS01</del> <b>PS08</b> -C101	<del>E</del> <b>B</b>	Earthworks Grading Plan (Stage 1)	<del>20/11/19</del> <b>29/4/21</b>
<del>PS01</del> <b>PS08</b> -C500	<del>F</del> <b>A</b>	Bulk Earthworks Cut-Fill Plan (Ultimate Development)	<del>24/7/19</del> <b>28/4/21</b>
<del>PS01</del> <b>PS08</b> -C501	<del>D</del> <b>B</b>	Bulk Earthworks Cut-Fill Plan (Stage 1)	<del>24/7/19</del> <b>29/4/21</b>
<del>PS01</del> <b>PS08</b> -C600	<del>E</del> <b>A</b>	Earthworks Section (Sheet 1)	<del>11/7/19</del> <b>28/4/21</b>
<del>PS01</del> <b>PS08</b> -C601	<del>C</del> <b>A</b>	Earthworks Section (Sheet 2)	<del>11/7/19</del> <b>28/4/21</b>
<del>PS01</del> <b>PS08</b> -C602	<del>C</del> <b>A</b>	Earthworks Section (Sheet 3)	<del>11/7/19</del> <b>28/4/21</b>
<b>PS08-C603</b>	<b>A</b>	<b>Earthworks Section (Sheet 4)</b>	<b>28/4/21</b>
PS01-D100	H	Roadworks Plan (Ultimate Development)	20/11/19
<del>PS01</del> <b>PS08</b> -D101	<del>E</del> <b>B</b>	Roadworks <b>Plan</b> (Stage 1)	<del>20/11/19</del> <b>29/4/21</b>
PS01-D200	D	Concept Future Byron Road (21-MRC01) Longitudinal & Typical Section	28/6/19
PS01-D201	F	Road 1 (21-MRC02) & Primary Drop-Off (21-MSC01) Longitudinal & Typical Sections	20/11/19
PS01-D202	C	Road 2 (21-MRC03) & Future Road (21-MRC03A) Longitudinal & Typical Sections	20/11/19
PS01-D300	F	Roadworks Details Plan	20/11/19

2. Schedule 2 Part A – Administrative Conditions – Condition A34 is amended by the deletion of ~~struck out~~ words as follows:

**~~Temporary Use of Demountables during Construction Stage 1~~**

~~A34. The single storey demountables as part of construction Stage 1 must only be on the site for seven years from the issue of the relevant occupation certificate.~~

3. Schedule 2 Part B – Prior to the Issue of a Construction Certificate – Condition B1 is amended by the deletion of ~~struck out~~ words as follows:

**~~Modified Plans~~**

~~B1. To ensure pedestrian safety and additional soft surface area fronting Byron Road, the Applicant must submit an amended landscape plan and site plan to the satisfaction of the Certifier, prior to the issue of the construction certificate for construction Stage 1, including:~~

- ~~(a) The deletion of nine visitors' parking spaces fronting Byron Road along with the vehicular access proposed in Stage 4;~~

- ~~(b) evidence to demonstrate that no access (either vehicular or pedestrian) is proposed at this location after Stage 3; and~~
- ~~(c) additional landscaping and planting of this location to be implemented in Stage 4.~~

4. Schedule 2 Part B – Prior to the Issue of a Construction Certificate – Condition B2 is amended by the insertion of the **bold and underlined** words and deletion of ~~struck-out~~ words as follows:

### **Road Works and Design Requirements**

- B2. Prior to the issue of a construction certificate for Byron Road roadworks proposed under construction Stage ~~3~~ **2**, the Applicant must submit the following design plans to the satisfaction of Council:
- (a) details of the site's Byron Road frontage footpath, kerb and gutter and verge matching Council's concept design levels for Byron Road;
  - (b) design of a temporary / interim road pavement along Byron Road (matching into Byron Road's frontage gutter lip level) with cross fall grades at Byron Road, between 1% and 5%;
  - (c) details of a 2.5m wide shared path along the north-western verge of Byron Road for future cyclist movement;
  - (d) details of a temporary 20 metres (m) long taper along Byron Road at both ends of the temporary road pavement in accordance with the applicable Transport for NSW (TfNSW) design guides;
  - (e) details of a footpath connection from the site, along Byron Road to the existing bus stop on Ingleburn Road;
  - (f) details to demonstrate that the pavement treatment for this footpath is consistent with the concrete footpath treatment shown on plan *PS01-G400, Pavement Plan and Details Revision F*, dated 20/11/2019 prepared by Martens & Associates Pty Ltd;
  - (g) details of underground electrical, water and telephone services located at the Byron Road frontage that would require relocation as part of the design of the Byron Road frontage;
  - (h) cross-sections at 15m intervals along the Byron Road frontage of the site showing temporary / interim and the ultimate levels of Byron Road levels in relation to the site and the development; and  
*Note: Reference should be made to Section 2.2.3 of Council's Engineering Design Specifications in relation to the cross sections on Byron Road and 100% concept design plans for Byron Road provided to the Applicant by Council on 11 November 2019.*
  - (i) details of the Byron Road's drainage system along the site's frontage, consistent with Council's concept design, which caters for the developed upstream catchment (and other DAs lodged with Council) in accordance with the Leppington Precinct Water Cycle Management Strategy (2012) by Parsons Brinckerhoff to demonstrate that:
    - (i) the Byron Road and internal site drainage system within the site can accommodate the ultimate developed upstream catchment, in accordance with the Leppington precinct's indicative layout plan and the Leppington Precinct Water Cycle Management Strategy (2012) by Parsons Brinckerhoff.

5. Schedule 2 Part B – Prior to the Issue of a Construction Certificate – Condition B9 is amended by the insertion of the **bold and underlined** words and deletion of ~~struck-out~~ words as follows:

### **Operational Car Parking, Bicycle parking, End-of-trip facilities and Service Vehicle Layout**

- B9. Prior to the issue of any construction certificate for each relevant stage, evidence of compliance of the proposed access and parking arrangements with the following requirements must be submitted to the satisfaction of the Certifier:
- (a) all vehicles are able to enter and leave the site in a forward direction unless otherwise indicated for the secondary school hall loading bay per the *Traffic and Transport Assessment, Amity College 85 Byron Road and 63 Ingleburn Road, Leppington*, dated November 2019 and prepared by Traffix, Traffic and Transport Planners;

- (b) the swept path of the longest vehicles entering and exiting the site, as well as manoeuvrability through the Site, are in accordance with the latest version of AS 2890.2, unless otherwise indicated for the secondary school hall loading bay per the *Traffic and Transport Assessment*, dated November 2019 and prepared by Traffix, Traffic and Transport Planners;
- (c) the layout, and design of all on-site car parking and drop-off / pick-up spaces must comply with latest versions of AS2890.1 and AS 2890.6 (for disabled parking spaces);
- (d) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3:2015 *Parking facilities - Bicycle parking*, and be located in easy to access, well-lit areas that incorporate passive surveillance;
- (e) end-of-trip facilities for staff are provided within the site;
- (f) appropriate pedestrian and cyclist advisory signs are provided;
- (g) ramps to the basement car parks are designed in accordance with AS 2890.1-2004;
- (h) basement car parking areas are designed in accordance with AS 2890.1-2004; and
- (i) the total number of on-site car parking spaces, drop-off / pick-up spaces and bicycle parking spaces for use during operation of the development, provided in accordance with the Table below:

Construction Stage	Total Student population	Total Staff numbers	Total Number of on-site car spaces	Total on-site drop-off / pick-up spaces	Total off-site drop-off / pick-up spaces	Total on-site bicycle spaces
Stage 1	<del>75</del> <b><u>300</u></b>	<del>8-5</del> <b><u>24</u></b>	<del>10</del> <b><u>62</u></b>	17	<b>0</b>	<del>0</del> <b><u>20</u></b>
Stage 2	<del>250</del> <b><u>500</u></b>	<del>25</del> <b><u>39</u></b>	<del>28</del> <b><u>62</u></b>	17	<b>0</b>	<del>20</del> <b><u>36</u></b>
Stage 3	<del>250</del> <b><u>500</u></b>	<del>25</del> <b><u>43</u></b>	<del>28</del> <b><u>62</u></b>	17	<b>0</b>	36
Stage 4	<del>500</del> <b><u>700</u></b>	<del>43</del> <b><u>58</u></b>	<del>45</del> <b><u>62</u></b>	17	<b>0</b>	<del>36</del> <b><u>46</u></b>
Stage 5	<del>750</del> <b><u>1000</u></b>	<del>63</del> <b><u>83</u></b>	<del>87</del> <b><u>94</u></b>	<del>32</del> <b><u>17</u></b>	<b>15</b>	46
Stage 6	1000	<del>81</del> <b><u>85</u></b>	<del>104</del> <b><u>94</u></b>	<del>32</del> <b><u>17</u></b>	<b>15</b>	<del>46</del> <b><u>62</u></b>
Stage 7	1000	83	104	<del>32</del> <b><u>2</u></b>		62
Stage 8	1000	85	104	<del>32</del> <b><u>2</u></b>		62

6. Schedule 2 Part C – Prior to Commencement of Construction – Condition C13 is amended by the insertion of the **bold and underlined** words and deletion of ~~struck-out~~ words as follows:

### Stormwater Management System

- C13. Prior to the commencement of works for each relevant construction stage (not including demolition works) the Applicant must design an operational stormwater management system for the development in accordance with Council's requirements, in consultation with Council, and submit it to the satisfaction of the Certifier. The system must:
- (a) be designed by a suitably qualified and experienced person(s) incorporating the results of hydraulic modelling and the size of the on-site detention tank in accordance with condition B14;
  - (b) be generally in accordance with the conceptual design in the EIS as listed in the following plans:

Civil Works Plans prepared by Martens & Associates Pty Ltd			
Dwg No.	Rev	Name of Plan	Date
<del>PS04</del> <b><u>PS08</u></b> -E100	<del>A</del> <b><u>A</u></b>	Drainage (Ultimate Development)	<del>24/4/20</del> <b><u>6/5/21</u></b>
<del>PS04</del> <b><u>PS08</u></b> -E101	<del>A</del> <b><u>A</u></b>	Drainage Plan (Stage 1)	<del>24/4/20</del> <b><u>6/5/21</u></b>

PS01-E110	B	Basement Floor Plan (Ultimate Development)	24/4/20 <u>6/5/21</u>
<del>PS01</del> <u>PS08</u> -E200	<del>GA</del>	OSD and Drainage Details	24/4/20 <u>6/5/21</u>
<u>PS08-E201</u>	<u>A</u>	<u>Table Drain &amp; Kerb Flow Calculation</u>	<u>6/5/21</u>
<del>PS01</del> <u>PS08</u> -E300	<del>FA</del>	Drainage Longitudinal Sections (Sheet 1)	24/4/20 <u>6/5/21</u>
<del>PS01</del> <u>PS08</u> -E301	<del>FA</del>	Drainage Longitudinal Sections (Sheet 2)	24/4/20 <u>6/5/21</u>
<del>PS01</del> <u>PS08</u> -E302	<del>FA</del>	Drainage Longitudinal Sections (Sheet 3)	24/4/20 <u>6/5/21</u>
<del>PS01</del> <u>PS08</u> -E303	<del>EA</del>	Drainage Longitudinal Sections (Sheet 4)	24/4/20 <u>6/5/21</u>
<del>PS01</del> -E304	F	<del>Drainage Longitudinal Sections (Sheet 5) &amp; Pit Schedule</del>	24/4/20
<del>PS01</del> <u>PS08</u> -E310	<del>BA</del>	Drainage Longitudinal Sections (Sheet 6) & Pit Schedule	24/4/20 <u>6/5/21</u>

7. Schedule 2 Part C – Prior to Commencement of Construction – Condition C32 is amended by the deletion of struck-out words as follows:

**Landscaping Nest boxes**

- C32. Prior to the commencement of construction for ~~construction~~ Stage 1, ~~updated landscape plans must be submitted to and approved by~~ **evidence demonstrating that individual tree hollows removed from the site have been replaced at a minimum 1:1 ratio with nest boxes** must be submitted to and approved by the Planning Secretary, ~~and must include the following:~~
- ~~(a) updates to Landscape Plan LC3/6 title Landscape – Oval, dated 28/5/2019 prepared by Michael Siu Landscape Architects to include deciduous tree species for 50% of the replacement / new tree plantings in and around the oval and the spill out area;~~
  - ~~(b) include details of street tree planting along the verges of Road 1 and Road 2 in accordance with the species in the Camden Growth Centre Precincts Development Control Plan;~~
  - ~~(c) 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; and~~
  - ~~(d) be consistent with the Applicant's Management and Mitigation Measures within the EIS.~~

**End of modification  
(SSD-9227-MOD-2)**