



Samuel Gilbert Public School Modification 3

State Significant Development Modification Assessment
(SSD 9274 MOD 3)

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Glossary

| Abbreviation | Definition |
|---------------------|---|
| Applicant | New South Wales Department of Education |
| Council | The Hills Shire Council |
| Department | Department of Planning and Environment |
| EP&A Act | <i>Environmental Planning and Assessment Act 1979</i> |
| Minister | Minister for Planning |
| SSD | State Significant Development |
| TfNSW | Transport for NSW |
| TTM | Transport Technical Memorandum |

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1 Introduction

This report provides the NSW Department of Planning and Environment's (the Department) assessment of an application to modify the State significant development (SSD) consent for Samuel Gilbert Public School redevelopment (SSD 9274).

The application was lodged on 14 March 2022 by NSW Department of Education (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The modification application (SSD 9274 Mod 3) seeks approval for the modification of a condition of consent relating to a drop-off/pick up area adjoining the school on Ridgecrop Drive.

1.1 Background

The site is located at 20 Gilbert Road (corner of Gilbert Road and Ridgecrop Drive), Castle Hill and is legally described as Lot 1 in DP 719671. The site has an area of approximately 8.29 hectares with frontages to Gilbert Road, Ridgecrop Drive and Excalibur Road (**Figure 1**).

The site currently contains a primary school for students in kindergarten to year six. Works associated with the development consent (SSD 9274) (**Section 1.2**) have commenced on site and the school is currently in operation.

Vehicular access to an existing car park and turning area is located on Ridgecrop Drive. Pedestrian access to the site is provided from Ridgecrop Drive and Gilbert Road.



Figure 1 | Local Context Map (Base source: Nearmap 2022)

1.2 Approval history

On 15 February 2020, development consent was granted by the then Minister for Planning and Public Spaces, for the redevelopment of Samuel Gilbert Public School (SSD 9274). The development consent approved the following works:

- demolition of classroom spaces and removal of trees
- construction of a new three storey building along Ridgescrop Drive containing 23 new teaching spaces, new staff and administration offices, new library and school entry forecourt
- construction of a new school hall with a separate entrance for out of school hours and community use
- alterations and additions to the existing administration building and library building to convert these into six new home bases
- refurbishment of two toilet blocks
- associated works including construction of a new circulation axis, landscaping and signage.

Condition A2 of the consent approved a plan detailing the location and length of the drop-off/pick-up area.

The consent was modified on one occasion and one previous modification application was withdrawn (see [Table 1](#)).

Table 1 | Summary of Modification Applications

| Mod No. | Summary of Modification Applications | Approval Authority | Type | Approval Date |
|----------------|---|---------------------------|-------------|----------------------|
| MOD 1 | Deletion of Condition D17(c) requiring four additional parking spaces and amendment of Condition B30(a) to allow vehicles to reverse into the site. | Department | 4.55(1A) | Withdrawn |
| MOD 2 | Amended Condition B30(a) relating to construction vehicles entering and leaving the site in a forward direction to allow construction vehicles to reverse into the site and to remove the kiss and drop off area along Gilbert Road and relocate it along Ridgescrop Drive. | Department | 4.55(1A) | 25 November 2021 |

2 Proposed modification

The modification application seeks approval to amend condition A2 by replacing the approved drop-off/pick-up area plan which would reduce the length of the approved drop-off/pick-up area on Ridgescrop Drive by 27m.

The previous modification application (SSD 9274 Mod 2) amended the location of the drop-off/pick-up area from Gilbert Road to Ridgescrop Drive. However, the length of the approved amended drop-off/pick-up area did not align with the Hills Shire Council's (Council) parking restriction plan for the drop-off/pick-up area which was approved by Council's Local Traffic Committee on 19 July 2021 and endorsed by Council on 24 August 2021. The modification application corrects this inconsistency by reducing the length of the drop-off/pick-up area on Ridgescrop Drive by 27m. The reduced drop-off/pick area is shown in **Figure 2**.



Figure 2 | Proposed reduced drop-off/pick-up area on Ridgescrop Drive marked in yellow (Base source: Nearmap 2022)

3 Strategic context

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

- it is consistent with the Greater Sydney Commission's A Metropolis of Three Cities, The Greater Sydney Regional Plan, as it proposes new school facilities to meet the growing needs of Sydney
- it is consistent with the vision outlined in the Greater Sydney Commission's Central City District Plan, as it would provide much needed school infrastructure conveniently located near existing public transport services and opportunities to co-share facilities with the local community
- it is consistent with the Transport for NSW's Future Transport Strategy 2056, as it would provide a new educational facility in an accessible location and provide access to additional new employment opportunities close to public transport
- it is consistent with Infrastructure NSW's State Infrastructure Strategy 2018 – 2038 Building the Momentum, as it proposes:
 - facilities to support the growth in demand for primary student enrolments
 - a school design to accommodate infrastructure and facilities sharing with communities.
- it would provide direct investment in the region of approximately \$34,762,000, which would support 50 construction jobs and 35 new operational jobs.

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

The Minister for Planning is the consent authority for the application under section 4.5(a) of the EP&A Act. In accordance with the Minister's delegation to determine SSD applications, signed 9 March 2022, the Team Leader, School Infrastructure Assessments, may determine this modification application as:

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

The Department conducted a comprehensive assessment of the project against the mandatory matters for consideration as part of the original assessment of SSD 9274. 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 or the conclusions of the original assessment.

5 Engagement

5.1 Department's engagement

The Department did not exhibit or notify the application due to the minor nature of the proposed modification. However, the modification application was made publicly available on the Department's website and was referred to Transport for NSW (TfNSW) and Council for comment. No community submissions were received.

Council and TfNSW did not object to the modification application. Council provided Local Traffic Committee minutes detailing approved parking restrictions along Ridgecrop Drive and TfNSW noted Ridgecrop Drive and Gilbert Drive are local classified roads.

6 Assessment

In assessing the merits of the proposed modification, the Department has considered:

- the Modification Report and associated documents (**Appendix A**)
- the environmental assessment for the original project and the conditions of approval
- comments received from Council and TfNSW on the proposal (**Appendix A**)
- previous Modification Application assessment (**Appendix A**)
- relevant Environment Planning Instruments, policies and guidelines
- the requirements of the EP&A Act.

6.1 Drop-off/pick-up area

The modification application seeks to reduce the approved drop-off/pick-up area on Ridgescrop Drive by 27m to align with the Council approved parking restriction plan for the drop-off/pick-up area on Ridgescrop Drive (Figure 2).

The modification application provides details of Council's Local Traffic Committee approved parking restrictions which approved 'No Parking 8.00 to 9.30am and 2.30 to 4.00pm School Days' on Ridgescrop Drive at a length of approximately 110m. No parking restrictions were approved in the area subject to the proposed reduction of 27m drop-off/pick-up area.

A Transport Technical Memorandum (TTM) was provided with the modification application that assessed the capacity of the reduced drop-off/pick-up area to accommodate the expected trips associated with the school's approved 1000 student capacity. The assessment concludes that the reduced Ridgescrop Drive drop-off/pick-up area would have sufficient capacity to accommodate 352 expected trips in the AM peak and 249 expected trips in the PM peak with 22 spaces provided.

The TTM also provides Council correspondence which details Council's preference for a reduced drop-off/pick-up length due to the unlikely need for additional drop-off/pick-up parking, and additional drop-off/pick-up capacity not aligning with targets for sustainable transport shifts detailed in the School's School Transport Plan.

The modification was referred to TfNSW and Council. TfNSW provided no comment relevant to the reduced drop-off/pick-up area. Council stated that it raised no objection to the proposed modification and provided minutes from the Local Traffic Committee meeting of 19 July 2021 which detailed their approved parking restrictions in the amended drop-off/pick-up area.

The Department has reviewed the information provided by the Applicant and considered the proposal in the context of the Department's original SSD and the Modification 3 assessment. The Department considers that the proposed modification is appropriate as:

- the Applicant has demonstrated that the capacity of the reduced drop-off/pick-up area would be sufficient to cater for the expected demand
- the proposed reduced length of the drop-off/pick-up area aligns with Council's parking restriction plan for the drop-off/pick-up area which was approved by Council's Local Traffic Committee on 19 July 2021 and endorsed by Council on 24 August 2021
- a 27m reduction to the drop-off/pick-up area would support sustainable transport mode shifts detailed in the approved School Transport Plan.

7 Evaluation

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is appropriate on the basis that:

- the proposed modification does not result in any intensification of the use of the site
- the amended drop-off/pick-up area would provide adequate capacity for safe and efficient traffic flow
- the proposed modification would support the School's sustainable transport initiatives
- the development to which the modification relates remains substantially the same.

Consequently, the proposal is in the public interest and it is recommended that the modification 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 9274 MOD 3) 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 9274
- **signs** the attached approval of the modification (**Appendix B**).

Prepared by:



Tuong Vi Doan
Planning Officer
Social and Infrastructure Assessments

Recommended by:



Dimitri Gotsis
Senior Planning Officer
Social and Infrastructure Assessments

9 Determination

The recommendation is **Adopted** by:

T. Alexander.

Tahlia Alexander

A/Team Leader

School Infrastructure Assessments

as delegate of the Minister for Planning

Appendices

Appendix A – List of referenced documents

Applicant's modification application

<https://www.planningportal.nsw.gov.au/major-projects/projects/samuel-gilbert-ps-mod-3-amended-kiss-and-drop>

Applicant's Original application SSD-9274

<https://www.planningportal.nsw.gov.au/major-projects/projects/samuel-gilbert-public-school-redevelopment>

Appendix B – Instrument of Modification

<https://www.planningportal.nsw.gov.au/major-projects/projects/samuel-gilbert-ps-mod-3-amended-kiss-and-drop>