

24 September 2021

218064

Jim Betts  
Planning Secretary  
Department of Planning, Industry and Environment  
12 Darcy Street, Parramatta NSW 150

**Attention: Jason Maslen (Team Leader), Dimitri Gotsis – School Infrastructure Assessments**

Dear Jason,

**SECTION 4.55(1A) MODIFICATION APPLICATION (SSD-9671)  
YOUNG HIGH SCHOOL LIBRARY AND JOINT\_USE COMMUNITY FACILITY**

This application has been prepared by Ethos Urban on behalf of NSW Department of Education, School Infrastructure NSW (SINSW) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify State Significant Development Consent SSD-9671 relating to Young High School Library and Joint-Use Community Facility at 9 Campbell Street, Young (the site).

The modification relates to amendments of the approved landscape design, specifically the works within Carrington Park and the internal school quadrangle. The proposed landscape modifications will ensure the development has a reduced impact on Carrington Park through the retention of trees and minimised landscape embellishments, and that the internal school quadrangle will provide appropriate open space, shade/tree canopy coverage, and seating for students in light of the required removal of two additional trees. The modifications have been discussed with Young High School and Hilltops Council, who expressed their support.

This letter should be read in accordance with the following attached documentation:

- Landscape Plans and Specifications prepared by 360 Degrees (**Attachment A**);
- Arborist Statement prepared by Hilltops Vegetation Services (**Attachment B**);
- Letter of Support prepared by Hilltops Council (**Attachment C**); and
- Landscape Design Statement prepared by 360 Degrees (**Attachment D**).

## 1.0 Consent proposed to be modified

Development consent SSD-9671 was granted by the NSW Department of Planning, Infrastructure and Environment (DPIE) on 21 May 2020 for:

*Partial redevelopment of Young High School and Carrington Park to accommodate a joint-use community and school library including:*

- *site preparation works;*
- *alteration and additions to existing school library to create a staff hub and student amenities;*
- *construction of a part two-storey and part three-storey new library building;*
- *extension to the existing Carrington Park carpark*
- *construction of the Currawong Walk and pathway connections to Carrington Park;*
- *landscaping works, including planting various shrubs, ground covers and concrete pattern finishes; and*
- *installation of services, stormwater system and signage.*

## 2.0 Proposed modifications to the consent

### 2.1 Modifications to the development

The following modifications are proposed to the approved development. The modifications are summarised here and described in greater detail below:

- Changes to the landscape works associated with Carrington Park, including:
  - Retention of 8 existing trees approved for removal in the original consent;
  - Amendments to proposed paving and paths;
  - Removal of seating;
  - Removal of gravel edging around paths; and
  - Relocation of lights.
- Updated landscape design for the internal school quadrangle, comprising:
  - Removal of two existing trees (due to unavoidable construction impacts);
  - Planting of additional garden beds and 10 additional semi-mature trees in lieu of the existing two trees to be removed;
  - Removal of proposed wooden decking;
  - Creation of additional open space area for students; and
  - Installation of additional seating.
- Amendments to proposed paving, paths and stairs, surrounding the library; and
- Miscellaneous minor landscape design changes.

#### 2.1.1 Amended landscape works associated with Carrington Park

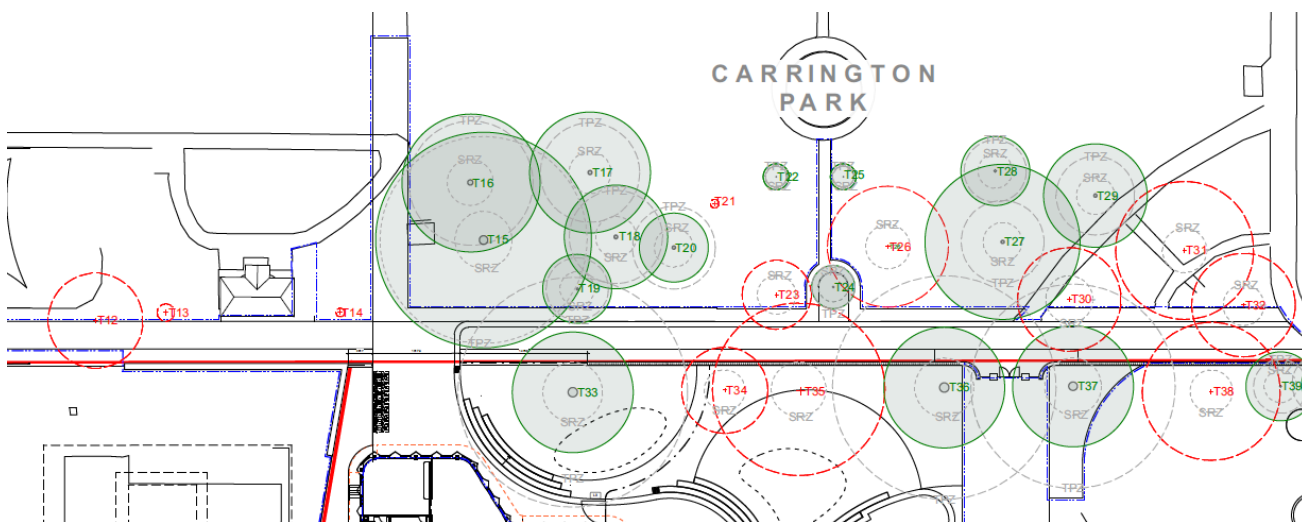
As outlined above there are number of proposed landscape changes associated with Carrington Park. Carrington Park is owned, managed and maintained by Hilltops Council. The modifications are primarily a result of Council requesting the retention of 8 existing trees approved to be removed and that the development to have as minimal impact as possible on Carrington Park. The modifications are described in more detail in the following sections and detailed in the amended Landscape Drawings at **Attachment A**.

#### Retention of existing trees

Hilltops Council requested the retention of additional trees within the council owned Carrington Park. Under the SSSDA approval, these trees were nominated for removal at the request of Heritage NSW to enable improved sight lines from the Park to the heritage listed courthouse. The retention of these trees will minimise the development's impact on Carrington Park. The trees approved for removal under the SSSDA consent now proposed for retention include:

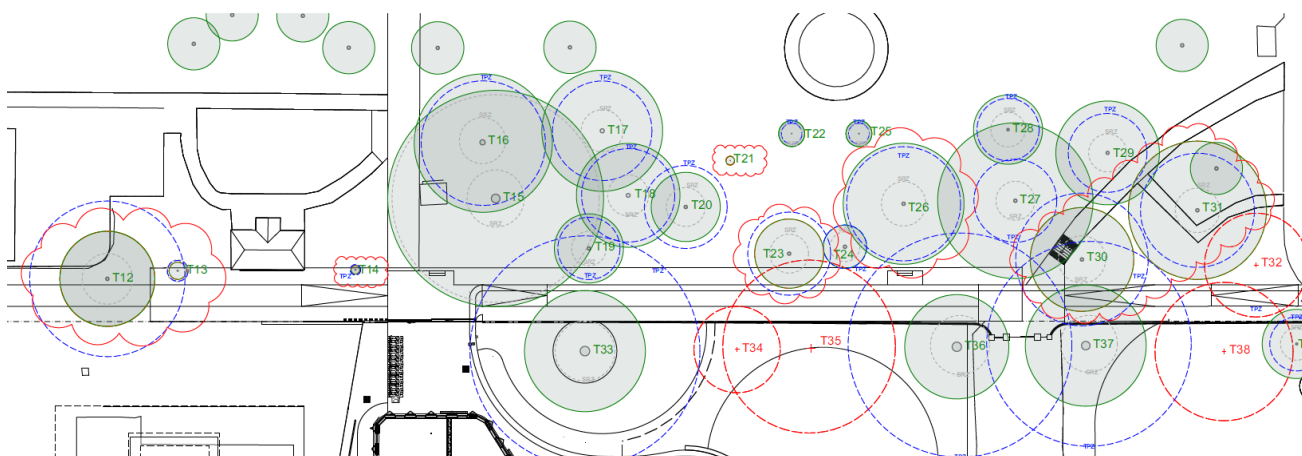
- Tree 12 - Grevillea Robusta Silky Oak;
- Tree 13 - Ulmus glabra lutescens Golden Elm;
- Tree 14 - Ulmus glabra lutescens Golden Elm;
- Tree 21 - Ulmus glabra lutescens Golden Elm;
- Tree 23 – Picea pungens Blue Spruce;
- Tree 26 - Cedrus deodara Himalayan cedar;
- Tree 30 - Eucalyptus cinerea - Argyle Apple; and
- Tree 31 - Cedrus deodara Himalayan cedar.

Council will take full ownership of the ongoing maintenance and safety of these trees in Carrington Park. A Letter of Support has been prepared by Hilltops Council (**Attachment D**). A comparison of the SSDA approved Tree Protection and Removal Plan and the proposed Tree Removal and Protection Plan for Carrington Park is shown in **Figure 1** and **Figure 2**.



**Figure 1** SSDA approved Tree Protection and Removal Plan for Carrington Park

Source: 360 Degrees



**Figure 2** Proposed Tree Protection and Removal Plan for Carrington Park (modifications are clouded)

Source: 360 Degrees

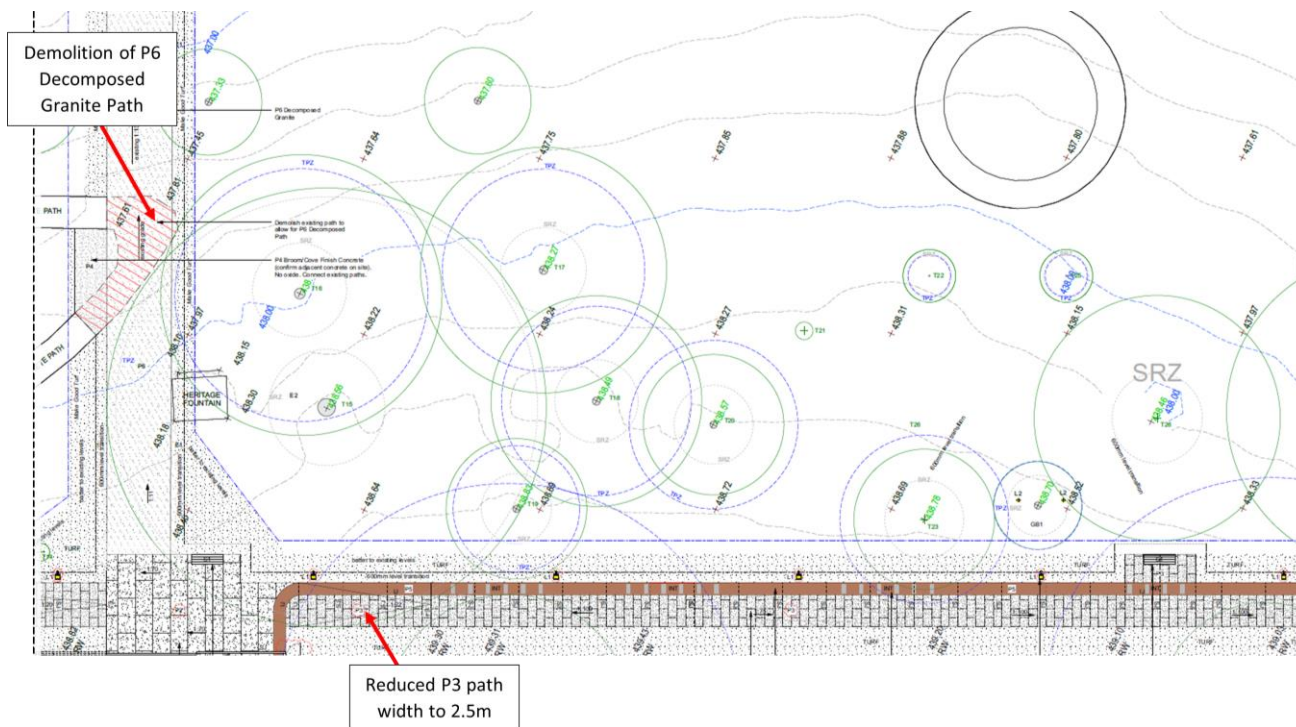
**Amendments to proposed paving and paths**

To help minimise the proposed development’s impact on Carrington Park, a range of amendments are proposed to the approved paving and paths. Changes include the retention of the path to the TAFE entry; the P3 path located in front of Carrington Park width is to be reduced to 2.5m, and removal of the P6 Decomposed Granite path located in Carrington Park. These amendments to the proposed paving and paths have been requested by Hilltops Council, as these additional works are no longer required and will minimise the impact of the development on the park.

In addition, the proposed path (P6) is to be removed surrounding the Reconciliation Tree, as the Project Arborist has advised the originally approved proposed works would likely cause damage to the Reconciliation Tree. Council has also advised no works are to be undertaken near or around the Reconciliation Tree, to prevent damage to the tree roots and minimise the impact to the park. Furthermore, the existing path from the Waterwise garden is to be

demolished and the stairs connecting to the existing path near the Waterwise Garden is to be amended, in order to achieve compliant grading of paths as required as per Australian Standard 1428.1.

An excerpt of the proposed modifications to the paths and paving located in and near Carrington Park is shown in **Figure 3**. Refer to the landscape plans L-103, L-104 and L-105 to view the detailed extent of the changes to the paths in Carrington Park.

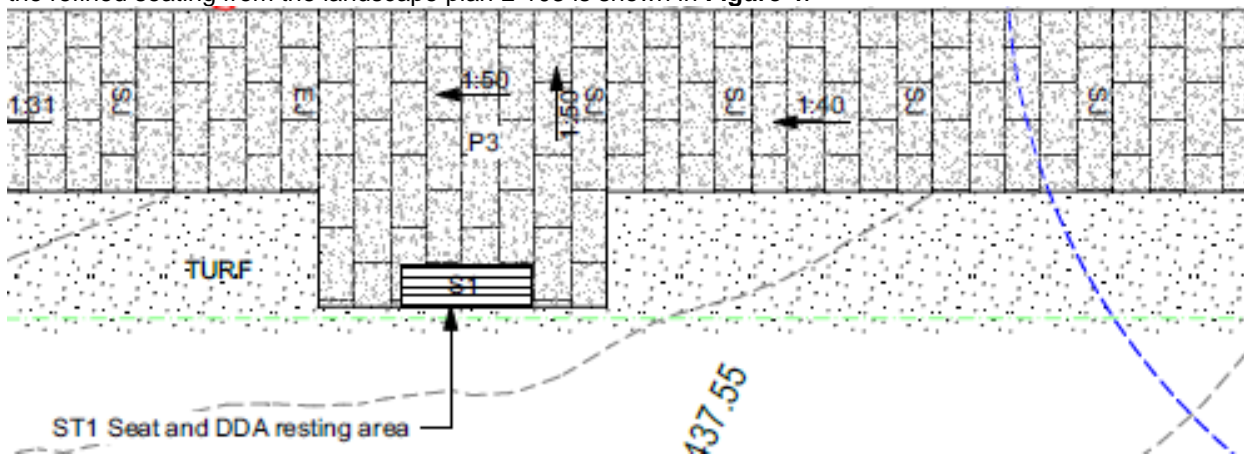


**Figure 3 Proposed path and pavement modifications in Carrington Park**

Source: 360 Degrees

**Removal of seating**

The proposed seating along the path adjoining Carrington Park is to be removed, as the Park already provides adequate seating. A single seat is to be retained in the middle section of the path and has been refined to satisfy Disability Discrimination Act (DDA) 1995 compliance for seating/resting areas every 60m as required. An excerpt of the refined seating from the landscape plan L-103 is shown in **Figure 4**.

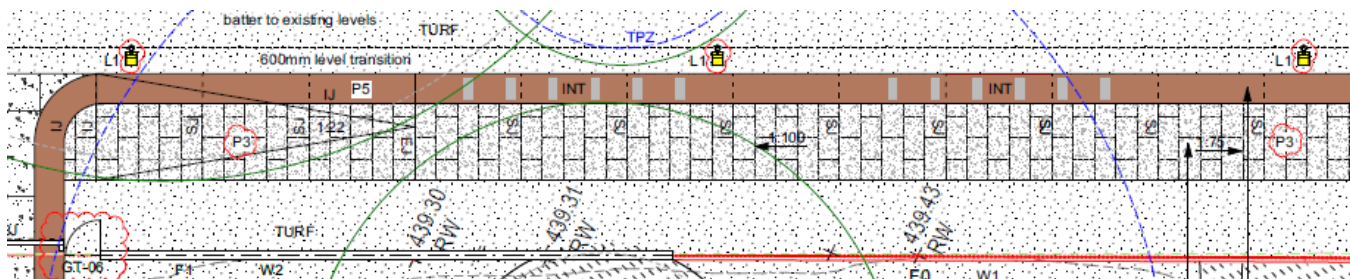


**Figure 4 Proposed refinement of seating in Carrington Park**

Source: 360 Degrees

### Relocation of lighting

The L1 lights are to be relocated to the northern side of the path in order to avoid Tree Protection Zones. The light has also been relocated to avoid trenching electrical conduit near the existing heritage fence. An excerpt of the landscape plan L-104 highlighting this change is shown in **Figure 5**.



**Figure 5 Proposed relocation of lighting**

Source: 360 Degrees

### Removal of gravel edging

The gravel edging located north of the Carrington walk is proposed to be removed as it currently encroaches Carrington Park. Council has requested the edging be removed to further minimise the development’s impact on the park and this additional work is no longer required.

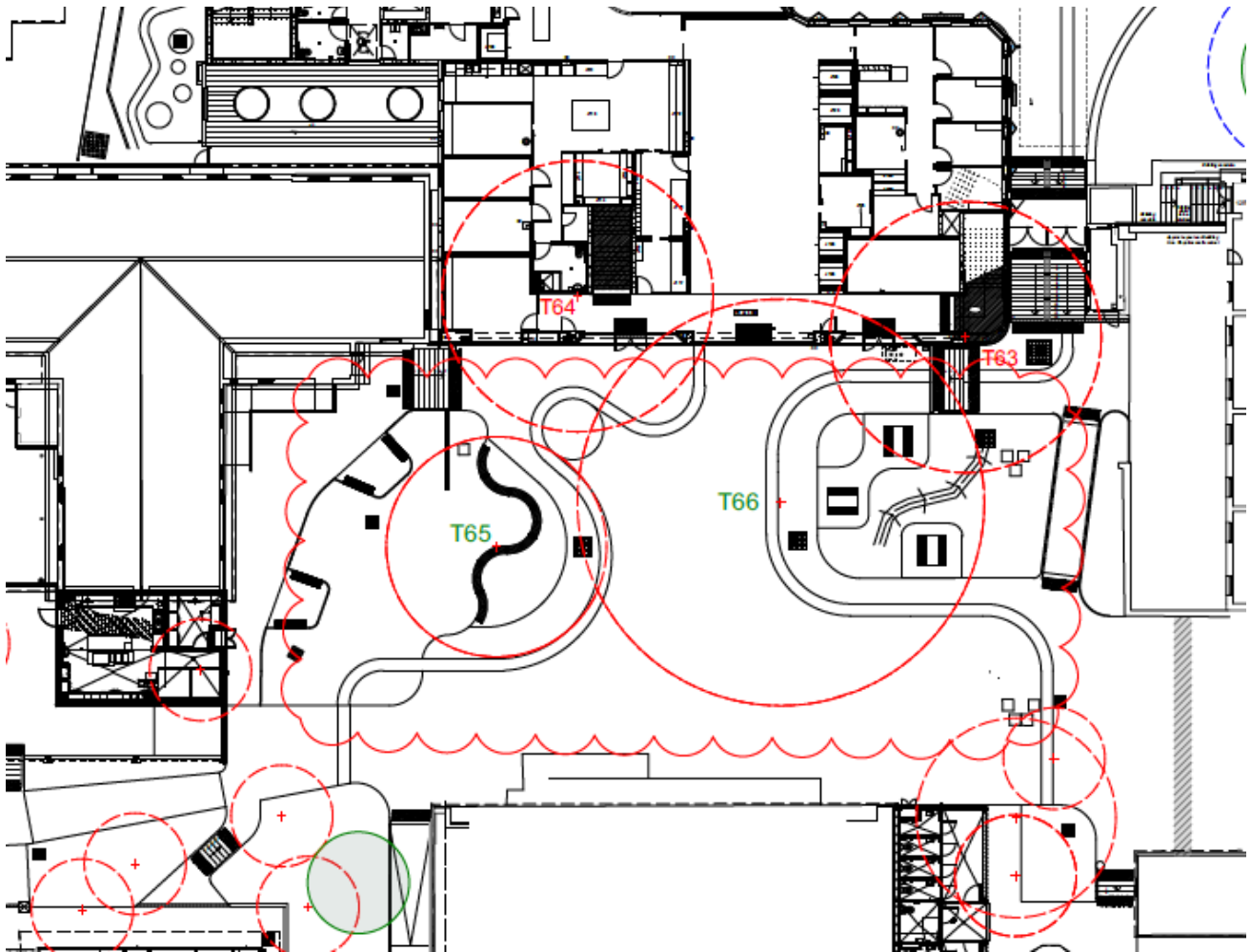
### 2.1.2 Updates to landscape design of internal school quadrangle

A number of minor modifications are proposed to the landscape design of the internal school quadrangle. The primary driver for changes to the landscape design is the life expectancy of the two large existing trees that were originally approved to be retained. Further detailed assessment by the project arborist has concluded that the trees have a very low chance of survival due to significant trimming to allow the erection of hoarding and intrusion into the root systems to allow wooden decking to be installed as approved (see **Attachment B**). A detailed description of the proposed modifications is provided below. The modifications are shown in detail at **Attachment A**.

### Removal of existing trees and additional planting of garden beds

The two existing trees (T66 – Lemon Scented gum and T65 – Chinese elm) located in the internal school quadrangle are proposed to be removed due to the original landscape design requiring half of the tree foliage to be trimmed in order to accommodate the construction of Block NN. Further to this, the other half of the tree foliage would need to be trimmed to balance the tree, this would likely cause the tree to not survive, and if it did it would stunt its ongoing regrowth. Additionally, the original landscape design required the construction of an elevated wooden frame above the tree roots and significant pruning being required to erect scaffolding for the new library. After review from the Project Arborist, it was noted the post holes which would be required for the elevated wooden deck would damage the tree roots and kill the tree. A Letter of Support has been provided by the Project Arborist (**Attachment C**), which supports the removal of the existing trees due to the significant excavation works required in proximity to the trees, resulting in minimal survival. A revised Tree Protection and Removal Plan has been prepared by 360 Degrees as part of the revised landscape plans at **Attachment A**, an excerpt of the plan identifying the trees proposed for removal in the internal school quadrangle is shown in **Figure 6** below.

In lieu of the removal of trees, additional garden beds are proposed, and 10 additional semi mature trees will be planted within the internal courtyard to compensate for the loss of tree canopy and shading. The Arborist Statement details the remaining trees within close proximity of excavation works are to be soil injected with fertiliser and ongoing inspection for root damage will be undertaken. For the garden beds, Young High School has requested the new garden beds be raised, to delineate the gardens from the play area/walkable area to prevent students from walking through the gardens. By including raised garden beds it will also prevent mulch in the garden beds from being spread across the playground.



**Figure 6 Proposed tree removal in internal school quadrangle**

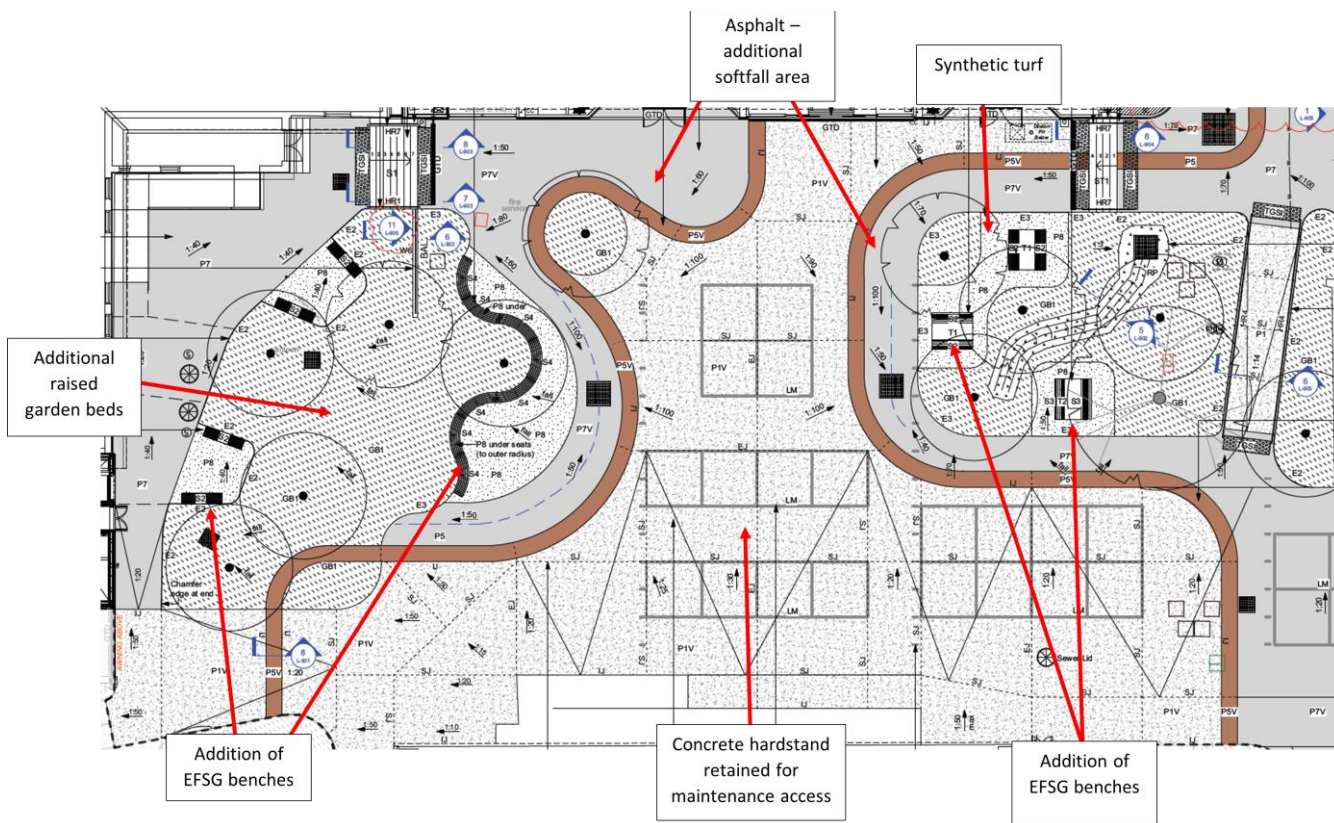
Source: 360 Degrees

### Redesign of playground

As a result of the proposed removal of the existing trees a redesign of the current playground is required. The redesign of the playground involves the removal of the proposed wooden deck, the extent of the concrete amended, and asphalt introduced, and addition of Educational Facilities Standards and Guidelines (EFSG) compliant bench seats and tables. These changes will allow for additional open space area for students and additional seating space. The introduction of asphalt and extent of the concrete being amended was at the request of Young High School wanting additional Softfall areas for student seating and congregation during school break times. It is to be noted, as a result of the proposed development the only open hardstand area remaining on site is the school playground, this has been retained to enable roof maintenance access for craneage during construction, as craneage is not possible from Carrington Park. As a result of the softfall and concrete redesigns, the stormwater and grated trench drains are proposed to be amended.

Educational Facilities Standards and Guidelines (EFSG) compliant bench seats and tables have been added as part of the playground redesign to provide Young High School with additional seating options for students during lunch and recess. Furthermore, the redesign of the playground includes the addition of synthetic grass within the playground.

The amended internal courtyard design is shown at **Figure 7**.



**Figure 7 Proposed amended landscape design for internal school quadrangle**

Source: 360 Degrees

### 2.1.3 Amendments to proposed paving, paths and stairs surrounding the library

The materiality of some paths are proposed to be modified. Specifically, the P1 paving is now Educational Facilities Standards and Guidelines (EFSG) insitu concrete and was updated to the Educational Facilities Standards and Guidelines (EFSG) for school pavements. Similarly, the P3 paving has been changed to insitu concrete with a sawcut pattern from a brick paving. The P3 paving was amended to increase constructability and long term maintenance.

Furthermore, the P5 Wiradjuri Line has been amended and removed on the stairs, as the contractor has noted it is hard to maintain a consistent finish of the Wiradjuri Line through the stair treads and risers. In addition, the continuation of the Wiradjuri Line on the stairs and would look visually disjointed.

### 2.1.4 Miscellaneous landscape design changes

There are a number of miscellaneous and minor modifications relating to the landscape design surrounding the library and broader area of Young High School, as a result of the changes above. The proposed modifications include:

- Reducing extent of the proposed new steps adjacent to the courthouse west wing wall;
- Updates to proposed walls; and
- Installation of new fence, egress gate and ramp.

## 2.2 Modifications to conditions

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in ***bold italics***.

### 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;
- (d) in accordance with the approved plans in the table below:

<b>Architectural Drawings prepared by Hayball</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
2277 SSDA01.21	29	Existing and Demolition Site Plan	22/01/2020
2277 SSDA01.22	26	Proposed Site Plan	29/10/2019
2277 SSDA02.01	1	Block NN – Lower Ground Plan	11/10/2019
2277 SSDA02.02	1	Block NN – Upper Ground Plan	11/10/2019
2277 SSDA02.03	1	Block NN – Level 1 Plan	11/10/2019
2277 SSDA02.04	1	Block NN – Roof Plan	11/10/2019
2277 SSDA06.01	1	Block NN – Elevations 01	11/10/2019
2277 SSDA06.02	1	Block NN – Elevations 02	11/10/2019
2277 SSDA06.11	1	Block NN – Section	11/10/2019
2277 SSDA09.01	1	Block NN – Façade Details	11/10/2019
2277 SSDA09.21	2	Block NN – Signage Types 1	22/01/2020
2277 SSDA09.22	1	Block NN – Signage Types 2	11/10/2019
2277 SSDA09.23	1	Block NN – Signage Types 3	11/10/2019
2277 SSDA11.01	1	Block NN – Site Operation	11/10/2019
2277 SSDA11.02	1	Block NN – Building Operation	11/10/2019
2277 SSDA12.01	1	Block NN – External Renders	11/10/2019
2277 SSDA72.01	26	Block EE – Ground Floor Plan – Existing & Demolition	11/10/2019
2277 SSDA72.02	26	Block EE – Ground Floor – Proposed	11/10/2019
2277 SSDA76.01	26	Block EE – Elevations – Existing & Demolition	11/10/2019
2277 SSDA76.01	26	Block EE – Elevations – Proposed	11/10/2019
<b>Landscape Plans prepared by 360 Degrees</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
<del>L-03</del> <b><i>L-091</i></b>	<del>G</del> <b><i>E</i></b>	<del>Legend and Schedules</del> <b><i>Legend &amp; Schedules</i></b>	<del>30/10/2019</del> <b><i>06/09/2021</i></b>
<del>L-04</del>	<del>E</del>	<del>Site Plan</del>	<del>28/10/2019</del>
<del>L-05</del> <b><i>L-093</i></b>	<del>H</del> <b><i>D</i></b>	<del>Tree Protection and Removal Plan</del> <b><i>Tree Protection and Removal Plan</i></b>	<del>23/01/2020</del> <b><i>15/09/2021</i></b>
<del>L-06</del>	<del>I</del>	<del>Landscape Plan 1 – Lower Ground Floor</del>	<del>30/10/2019</del>
<del>L-07</del>	<del>G</del>	<del>Landscape Plan 2 – Upper Ground Floor</del>	<del>29/10/2019</del>
<del>L-08</del>	<del>C</del>	<del>Landscape Plan 3 – Carpark</del>	<del>28/10/2019</del>
<del>L-09</del>	<del>E</del>	<del>Landscape Section A</del>	<del>28/10/2019</del>

L-10	E	Landscape Section B	28/10/2019
L-11	E	Landscape Section C	28/10/2019
L-12	E	Landscape Section D	28/10/2019
L-13	E	Landscape Section E	28/10/2019
L-14	E	Materials Palette	28/10/2019
L-15	E	Planting Palette	28/10/2019
L-101	I	Materials Plan – Forecourt	25/08/2021
L-102	I	Materials Plan – Quadrangle	25/08/2021
L-103	J	Materials Plan – Carrington Car Park	25/08/2021
L-104	J	Materials Plan – Currawong Walk 1	25/08/2021
L-105	J	Materials Plan – Currawong Walk 2	25/08/2021
L-301	C	Planting Plan – Forecourt	25/08/2021
L-302	C	Planting Plan – Quadrangle	25/08/2021

**Reason:** To ensure the conditions of consent reference the amended landscape drawings.

### 3.0 Substantially the same development

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if “it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)”.

The development, as proposed to be modified, is substantially the same development as that originally approved in that it:

- Does not seek to change any of the approved built form or land uses.
- Will result in the same environmental impacts as the approved development, if not better with the landscape design modification resulting in a reduced impact on Carrington Park as requested and supported by Hilltops Council.
- Seeks only to modify minor elements of the original landscape design in order for the proposed development to have a minimised impact on Carrington Park and enhance the landscape design of the Internal School Quadrangle.
- The modified landscape design remains consistent with the design intent of the originally approved landscape DA plans and is in accordance with relevant Conditions of Consent.

## 4.0 Environmental assessment

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if “*it is satisfied that the proposed modification is of minimal environmental impact*”. Under section 4.55(3) the consent authority must also take into consideration the relevant matters to the application referred to in section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

The EIS submitted for the original SSD Application assessed the proposal’s compliance against the following plans and policies:

- NSW State Priorities
- South East and Tablelands Regional Plan 2036
- Future Transport Strategy 2056
- State Infrastructure Strategy 2018-2038 Building the Momentum
- Better Placed
- People Places – A Guide for Public Library Buildings in NSW
- Draft guide for Urban Design for Regional NSW
- EP&A Act 1979
- EP&A Regulations 2000
- Biodiversity Conservation Act 2016
- SEPP 55
- SEPP (Infrastructure)
- SEPP (State and Regional Development)
- SEPP (Education and Child Care)
- SEPP 64 Advertising and Signage
- Young Local Environmental Plan 2010
- Young Development Control Plan 2010

The EIS also assessed the following impacts of the proposed development:

- Built form and urban design
- Operation
- Amenity impacts
- Visual privacy/view impacts
- Overshadowing
- Acoustic Impacts
- Wind
- Built Heritage
- Historical archaeological heritage
- Aboriginal heritage
- Transport and accessibility
- Ecologically Sustainable Development

- Social Impacts
- Waste
- Crime Prevention through Environmental Design
- Construction Impacts
- Contamination
- Hazardous materials
- Infrastructure and utilities
- Drainage/stormwater and flooding
- Tree removal
- Biodiversity
- Sediment, erosion and dust
- Accessibility
- Geotechnical/structural
- Groundwater/salinity
- Site suitability

Since the proposed modifications to the landscape design are minor and relate to a reduced impact on Carrington Park and redesign of the Internal School Quadrangle that will enhance student experience, the assessment of the proposed development remains essentially unchanged with regard to the above matters. The following assessment considers the relevant matters under section 4.15(1) that are impacted by the proposed modifications and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

#### 4.1 Landscape Design and BCA

The revised landscape design is compliant with the provision Clause A2.2 of the Building Code of Australia. A Design Statement has been prepared by 360 Degrees (**Attachment D**) which certifies that the landscape design shown in the Landscape Plans (**Attachment A**) is in accordance with normal engineering practice and satisfies the requirements of the Building Code of Australia, Part 7 of the Environmental Planning and Assessment Regulations, and relevant Australian Standards. The Design Statement confirms the modified landscape design is consistent with the design intent of the originally approved landscape DA plans and has been prepared in accordance with the relevant Conditions of Consent. Specifically, the revised design is in accordance with:

Australian Standards:

- AS 4419-2003 – Soils for Landscape and Garden Use
- AS 4455-2003 – Composts, Soil Conditioners and Mulches
- AS 1428.1-2009 – Design for Access and Mobility

#### 4.2 Tree removal

As stated above, the modified landscape design involves the removal of two existing trees (T66 and T65) located in the Internal School Quadrangle. The removal of the two trees is supported by the Project Arborist, with a Letter of Support prepared by Hilltops Vegetation Services (**Attachment C**). The Letter of Support details the inspection of the large Lemon Scented gum, Chinese elm and the construction plans that will be undertaken around these trees. The Project Arborist concluded in its letter that due to the significantly close proximity of excavation works around these trees, the chance of survival is minimal, as the excavation works would significantly damage the root zones. Therefore, it has been agreed and advised that both the Lemon Scented gum (T66) and Chinese elm (T65) are to be removed. To compensate for the removal of the two trees, it is proposed that established trees of a more

appropriate species are to be planted in the landscaped areas of the site. Furthermore, all remaining trees located within close proximity of excavation works are to be soil injected with fertiliser and ongoing inspection for root damage is to be undertaken once excavation works commence.

### **4.3 Biodiversity**

A BDAR Waiver was granted for the original development approval, therefore due to the minor nature of the landscape design modifications the biodiversity impacts are more or less the same as those assessed from the originally approved development.

### **4.4 Reasons given for granting consent**

The reasons for granting consent to the development application were given as follows:

- The project would provide a range of benefits for the region and the State as a whole, including \$21 million in capital investment and 110 jobs, by providing contemporary and improved learning and cultural facilities for the school and the community;
- The project is permissible with development consent, and is consistent with NSW Government policies including the State Infrastructure Strategy 2018 – 2038 and the South East and Tablelands Regional Plan 2036;
- The impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. The consent authority has imposed conditions relating to traffic, transport and accessibility, heritage, built form, landscaping, construction noise, Aboriginal cultural heritage, stormwater and crime prevention through environmental design.
- The issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent; and
- Weighing all relevant considerations, the project is in the public interest.

The proposed modifications do not result in any changes to the reasons for granting the original development consent. The revised landscape design will minimise the development's impact on Carrington Park through the reduction of trees required for removal, and the redesign of the Internal School Quadrangle will enhance student experience through the provision of additional open space and seating opportunities.

## 5.0 Conclusion

The modification relates to amendments of the approved landscape design, specifically the works within Carrington Park and the internal school quadrangle. The proposed landscape modifications will ensure the development has a reduced impact on Carrington Park through the retention of trees and minimised landscape embellishments, and that the internal school quadrangle will provide appropriate open space, shade/tree canopy coverage, and seating for students in light of additional tree removal required.

In accordance with section 4.55(1A) of the EP&A Act, Council may modify the consent as:

- the proposed modification is of minimal environmental impact; and
- the development, as proposed to be modified, is substantially the same development as development for which the consent was granted.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification request.

Yours sincerely,



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