



Alterations and Additions to Meriden School (Mod 1)

State Significant Development Modification Assessment
(SSD 9692 Mod 1)

January 2021

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
CIV	Capital Investment Value
CPP	Community Participation Plan
CNVMSP	Construction Noise and Vibration Management Sub-Plan
Council	City of Strathfield
Crown Lands	Crown Lands, DPIE
DAWE	Department of Agriculture, Water and the Environment (formerly DoEE)
Department	Department of Planning, Industry and Environment
DPI	Department of Primary Industries, DPIE
DRG	Division of Resources & Geoscience, DPIE
Education SEPP	State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
EESG	Environment, Energy and Science Group, DPIE
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
Heritage	Heritage NSW, Department of Premier and Cabinet
ICNG	EPA's Interim Construction Noise Guideline (DECC, 2009)

LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
NPWS	National Parks & Wildlife Service, DPIE
NRAR	Natural Resources Access Regulator, DPIE
OSD	on-site stormwater detention
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
RMS	Roads and Maritime Services, TfNSW
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SLEP 2012	Strathfield Local Environmental Plan 2012 (2013 EPI 115)
SDCP 2005	Strathfield Development Control Plan 2005
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
SSI	State Significant Infrastructure
TfNSW	Transport for NSW
TPR	Traffic & Parking Report

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1 Introduction

This report provides an assessment of an application seeking to modify the State Significant Development (SSD 9692) approval for alterations and additions to Meriden School in the Strathfield Local Government Area (LGA). The application was lodged on 19 September by Meriden School (the Applicant) pursuant to section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

1.1 Background

Meriden School is located at 10-28 Redmyre Road, Strathfield, and is legally described as Lot 101 in DP862040 (the site), which is located in Strathfield Local Government Area (LGA). Meriden school is located 12 kms from Sydney CBD as shown in **Figure 1**.

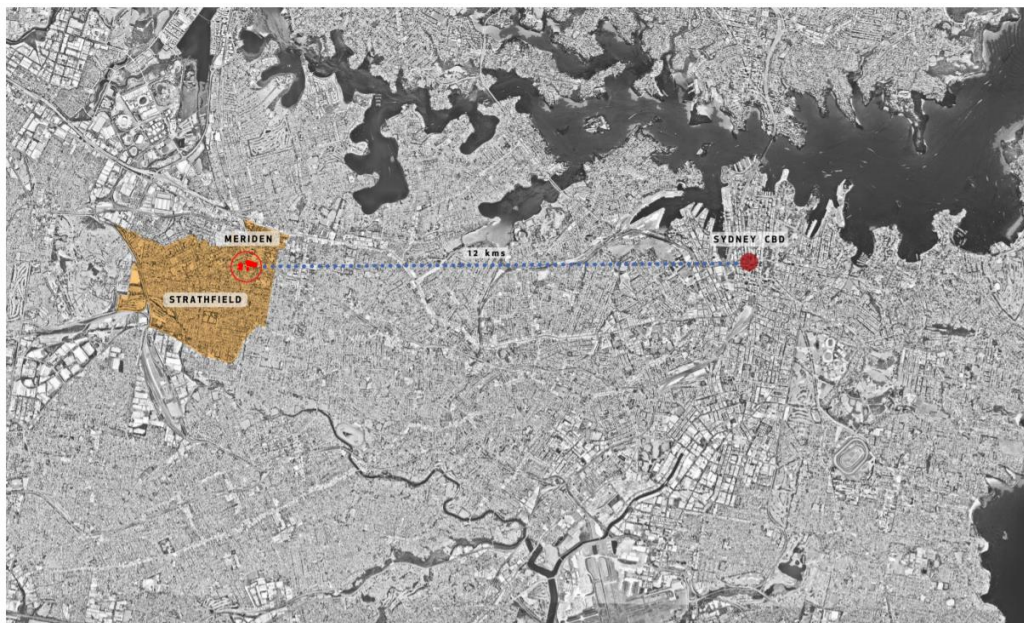


Figure 1 | Regional Context of site location (Source: Applicant's EIS 2020)

The school campus is split over three properties as the Senior, Junior and Lingwood Prep School as shown in **Figure 2**. The Senior School Campus slopes from the Margaret Street frontage towards Redmyre Road and has a site area of approximately 15,042sqm. The applicant's modifications only relate to changes at the Senior campus, with the exception of an administrative amendment.

The area around Meriden School includes Strathfield town centre, Strathfield train station, mixed-use activities, and residential areas at high, medium and low density.



Figure 2 | School Campus Precinct (Source: Applicant's Mod Report 2020)

1.2 Approval history

On 20 March 2020, the Executive Director, Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces, granted development consent for alterations and additions to Meriden School for a range of building and landscaping works across the three Meriden school campuses, including works within the Senior campus, consisting of:

- demolition of the staff common room on the Senior School, the existing business office on the Prep School and the house and garage at 4 Vernon Street on the Junior School currently used as the uniform shop.
- site remediation and excavation on the Junior School and Prep School.
- construction of a new three storey Music and Drama Centre with two basement levels at the Senior School.
- construction of a new two storey Administration and Student Centre building at the Prep School
- construction of a new outdoor landscaped space with outdoor furniture, pergola and noise barrier at the Junior School.
- a change of use at 4 Vernon Street from a residential dwelling to an educational establishment.
- ancillary public domain works, landscaping, drainage works and service connections.

The development consent has not been modified previously.

The demolition of the existing staff building (the Building) located in the southwest corner of the Senior campus and to the west of the CMD was approved for demolition under local DA DA2014/023, however demolition has not commenced and the Building continues to be used by the school.

2 Proposed modification

The Applicant has lodged a Section 4.55(1A) modification application (SSD 9692 MOD 1) seeking approval to modify the approved consent. The modification involves amendments to the design that are a result of design development and seek to improve the development outcome. The modifications include:

- retention of the existing staff building (the Building) that was approved for demolition under Local DA DA2014/023 (**Figure 3 & 4**). A Section 4.55(1A) Modification application has been concurrently lodged with Strathfield Council to retain this building.
- landscape design changes to the west of the approved Centre for Music and Drama (CMD) building as the result of retaining the Senior School staff common building located between the CMD and the western boundary (**Figure 3 & 4**).
- a new OSD tank located to the rear of the CMD building. The approved rainwater tank has been relocated next to the OSD tank as a result of the detail design change post approval.
- increase of the Senior School student capacity by 130 senior students. Student capacity within Junior and Prep Schools remain unchanged.
- housekeeping amendment to Condition C10 to correct the address of the dwelling and garage at 4 Vernon Street that forms part of the development site.

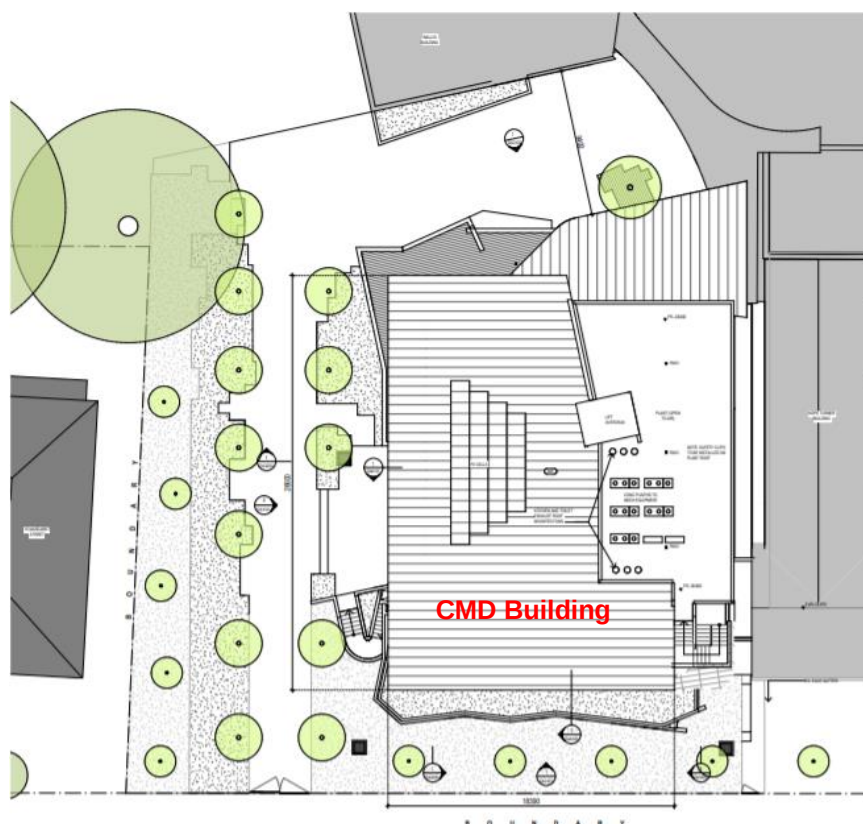


Figure 3 | Senior School Campus: CMD building and landscape as approved by SSD 9692 (Source: Applicant's EIS SSD-9692 2019)

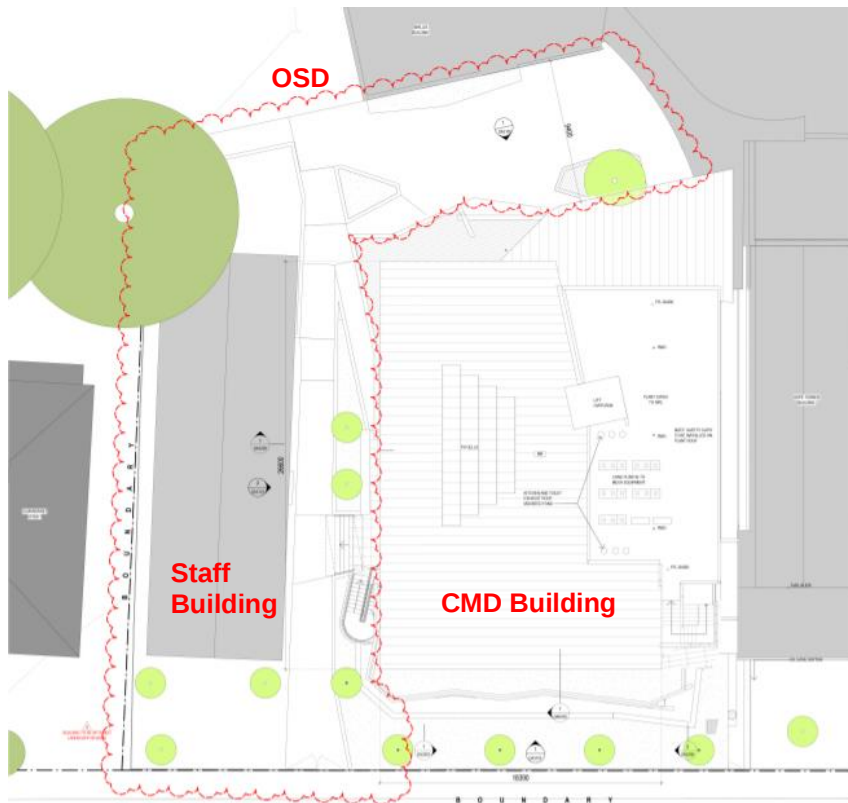


Figure 4 | Senior School Campus: CMD, retention of staff building, and landscape plans as requested in modification report (Source: Applicant's Mod Report 2020)

No physical building changes are proposed to the Prep School, and no changes are proposed to Junior School campus existing approvals.

The proposed stormwater OSD has been designed to satisfy the water quality and discharge limit requirements of the Strathfield Stormwater Management Code (1994). The water quality specifications of the OSD would also contribute to implementing water quality measures to meet building ESD performance requirements.

The intent of the amended landscape design is to provide landscape integration between the CMD and the reinstated staff building by reinstating paving between the buildings to blend in with the existing brick. New landscape treatment is provided in front of the staff building, which includes a staggered lawn fronting Margaret Street, and Bradford pear trees and Urbanite Ash trees to retain the landscape outlook along the streetscape.

The revised landscape design will assist in integrating the approved CMD building and the reinstated staff building, retaining the landscape and design intent of the proposal. The landscape changes only relate to the part of the senior campus located west of the CMD building as per the Architectural Drawings (Appendix A of the modification report) and Landscape Drawings (Appendix B of the modification report) the Applicant has submitted in support of the modification application.

3 Strategic context

The Department considers that the proposed development continues to be appropriate for the site given the proposal is consistent with the:

- NSW Future Transport Strategy 2056, as it would support the ongoing provision of a modern educational facility in an accessible location, and is the subject site benefits from being near a major train station, which is aligned with the strategy objective of access to the nearest metropolitan centre within 30 minutes, seven days a week using public transport.
- vision outlined in the Greater Sydney Commission's Eastern City District Plan, as it would support the provision of services and social infrastructure to meet the changing needs of the School.
- priorities to improve education results through the provision of better education facilities associated with the Meriden School, as the retained building is better suited to educational needs than demountable classrooms.
- State Infrastructure Strategy Update 2018-2038, as it proposes:
 - facilities to support the ongoing growth in demand for secondary student enrolments for the LGA of Strathfield.
 - the modifications relate to upgrading an existing school, to provide more capacity for delivering education through a larger school on an existing site, ensuring that a school can flexibly accommodate increasing student numbers with school expansions.

4 Statutory context

4.1 Scope of modifications

Section 4.55(1A) of the EP&A Act provides that a consent authority may, on an application being made by the applicant, modify a development consent granted by it, involving minimal environmental impact. Any application must be made in accordance with Clause 115 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

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.

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 will be the consent authority under section 4.5(a) of the EP&A Act.

Minister's delegate as consent authority

The Minister for Planning and Public Spaces is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 9 March 2020, the Executive Director, Social & Infrastructure Assessment, may determine the application.

4.3 Mandatory matters for consideration

The following EPI's and draft EPIs apply to the site:

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)
- Draft State Environmental Planning Policy (Education) (Draft Education SEPP)
- State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64)
- Strathfield Local Environmental Plan (SLEP) 2012

The Department conducted a comprehensive assessment of the project against the above EPIs and draft EPIs under section 4.15 of the Act as part of the original assessment of SSD 9692.

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 Act and conclusions made as part of the original assessment.

5 Engagement

5.1 Summary of Engagement

Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to State significant development with minimal environmental impact.

Although not required to be exhibited by the EP&A Regulation the modification was placed on public exhibition for 14 days between 4 October 2020 and 27 October 2020 to give members of the public the opportunity to make submissions on the proposal. This was done as a discretionary measure to seek community views on the proposal in accordance with the Department's Community Participation Plan, and in line with the Department's community participation objectives.

The proposal was also referred to Council and TfNSW for comment.

5.2 Summary of submissions

The Department received one submission from a member of the public in response to public exhibition of the proposal. The member of the public objected to the proposal and raised concerns about potential impacts on road traffic around the proposal.

Upon review of the modification application TfNSW provided feedback to the Department that no objection was raised to the proposal, as the proposal would have minimal impact on the transport network. It should be noted that no objection was raised by Council in relation to the local road network.

5.3 Key issues raised by Council

The Department did not receive a submission from Council. Council did not raise any objection to the proposed modification or raise any other issue.

5.4 Response to Submissions

The Applicant provided the Department with a response to submissions (RtS) on 7 December 2020. In the RtS the Applicant advised the department that:

- traffic issues raised by the member of the public had been considered by the Traffic and Parking Report (Appendix F) of modification application (TPR).
- TfNSW indicated support the proposal, and the conclusions and recommendations of the TPR.

5.5 Additional Issues

The Applicant's modification initially sought to amend conditions B3 and F12 of development consent SSD 9692 to seek an alternative pathway to Green Star accreditation requirements in demonstrating compliance with Ecologically Sustainable Development (ESD) performance criteria. The Department

advised the applicant that modification to conditions B3 and F12 was not required to seek the Planning Secretary's agreement for an alternative certification process. The Applicant revised the modification application and modification report in response to the Department's advice to remove the requested modification of ESD conditions B3 and F12.

6 Assessment

The proposed modification application has been considered in the context of the original approved development in its assessment. The Department considers the key assessment issues to be the acceptability of impacts to transport, traffic and noise due to additional student capacity at the Senior School, and potential impacts of building stormwater retention across the site.

The Department's assessment of these matters is detailed in Section 6.1 and 6.2. Other issues taken into consideration during the assessment of the proposal and are discussed in Section 6.2, including the administrative change to condition C10 as a housekeeping amendment of the development consent.

6.1 Additional Student Capacity

The Applicant proposes to increase the number of students attending the Senior school by 130 bringing the total number of students to a maximum of 1080 students. No changes to the approved CMD building, or to the student capacity at the Junior School or Lingwood Prep School campus have been proposed in relation to this proposal.

The proposal will not result in any significant physical changes to the approved CMD building or new buildings approved under SSD 9692, apart from landscape changes as the result of the reinstated staff building.

The landscape design of the modified proposal requires that trees which had been intended to be planted to the west of the CMD can no longer be accommodated on the site of the now retained building. The Department notes that site spatial constraints and the location of the CMD building basement prevent these trees from being relocated elsewhere on site. The trees would have been newly planted trees (not reinstatement of previously removed trees) located in the existing staff building demolition footprint, and a planted screen to provide privacy to neighbouring properties due to the removal of the staff building. The Department notes that the privacy screen is no longer required as privacy is maintained at current levels for neighbouring properties by retaining the staff building. The Department is satisfied that other aspects of the project design incorporate ESD measures to minimise the urban heat island effect adequately, and that the removal of the trees is an acceptable modification to the proposal landscape design.

The proposed increase in student numbers is limited to the Senior School only. The Department considers that the key assessment issues relating to increases in student numbers are potential traffic and transport, and noise impacts on the surrounding environment and nearby land uses, which are discussed in detail below.

Traffic and transport impacts

The Applicant consulted TfNSW (RMS) in preparing the TPR. The TPR methods, results and conclusions included:

- detailed on-site observation conducted to assess existing traffic congestion, flow and safety, noting that the drop-off and pick-up periods operated efficiently and safely during peak periods.

- details of the School's approach to car parking provision which restricts students from driving to and from School, and aims to reduce the volume of staff that would also seek to drive to the School noting that the School is located next to a major public transport node and well-developed pedestrian infrastructure.
- SIDRA Intersection analysis for key intersections that concluded they would continue to operate with consistent Degree of Saturation, Average Vehicle Delay and Level of Service.

The Applicant also updated its Green Travel Plan, providing details regarding implementation of strategies to encourage students and staff to alternative modes of transport and increase non-car travel to the School.

The Department consulted TfNSW on the Applicant's approach to assessing, avoiding and mitigating traffic and transport impacts. TfNSW raised no objection to the proposed modifications and advised the Department that the proposal would result in minimal impact to the transport network. The Department notes the TfNSW advice and concurs that significant impacts to the transport network would not result from the modification.

The Department is satisfied that relevant traffic and transport impacts generated by the increased student capacity have been appropriately considered and can be satisfactorily managed and mitigated.

Operational noise impacts

The Applicant submitted an Acoustic Statement (Appendix E) with the modification application addressing the noise impacts associated with the presence of an additional 130 students at the School Senior School campus. The Acoustic Statement assessed the potential for any impact at residences based on the relative increase in existing play noise levels, which form part of the existing noise environment at surrounding residential receivers to the west of the Senior School campus.

The Department is satisfied that this approach is appropriate as school operational activity noise is not subject to the criteria contained in the NSW Noise Policy for Industry. The increase in play noise associated with the additional 130 students was quantified in the application as being an increase of up to increase in existing play noise levels by up to 0.6 dB(A), which considered not noticeable in comparison to existing levels.

The Department considers that proposed increase in student numbers by 130 students at the Senior School Campus is not likely to result in significant adverse increase in noise levels to receivers. Further, the Department is satisfied that this is an acceptable impact in public interest considering the strategic context in relation to the growth of student numbers.

On-site detention — Stormwater management and construction noise impacts

In retaining the existing staff building, an on-site stormwater detention (OSD) system has been introduced to the proposal to comply with Strathfield Development Control Plan 2005 (SDCP 2005) and Strathfield Council Stormwater Management Code 1994. The proposed OSD is approximately 30m³ and is located underground behind the CMD and next to the relocated rainwater tank.

In the case of construction noise, the Applicant's Acoustic Statement notes that there will be no additional construction activities and therefore no change in noise levels to that which was presented in the original assessment. The Department notes that an OSD is required to be constructed to facilitate retention of the existing staff building at an average depth of 0.75m.

The Department notes while the construction of an OSD is an addition to the proposal's civil engineering design for stormwater management, the impacts of noise generation from methods of construction (e.g. use of an excavator with rock-break attachment) that would be used to construct the OSD have already been assessed in the CONR.

The Department considers that the construction works associated with the addition of the OSD are consistent with the scope of impacts assessed in the original application, and would be appropriately avoided and mitigated through the Construction Noise and Vibration Management Sub-Plan (CNVMSP) required by the existing condition of consent C16. The CNVMSP must have regard to achieving compliance with the EPA's Interim Construction Noise Guideline (DECC, 2009) (ICNG), and requires:

- compliance with NSW noise management levels (NMLs) cited within the ICNG.
- measures to be implemented to manage high noise generating in close proximity to sensitive receivers (such as pile driving).
- joint development of strategies with the community for managing high noise.
- Implementation of a complaints management system for the duration of the construction.
- Development and implementation in accordance with the Construction and Operational Noise Report, Version E, dated 13 January 2020, prepared by Wilkinson Murray (the CONR), which contains appropriate measures to limit the impact of construction noise, and respond to community issues.

The Department is satisfied that the original proposal adequately assessed construction noise impacts that would arise from the construction of an OSD. The existing conditions of consent require the Applicant to avoid, mitigate and manage construction noise impacts to minimise potential noise impacts to sensitive receivers.

The Department considers that the proposed increase in student numbers is acceptable, subject to the existing conditions of consent and the Department's recommended new conditions requiring the Applicant to implement the revised Green Travel Plan, and install and maintain the proposed OSD.

On this basis, the Department considers that, consistent with the principles outlined in the DPIE Planning Circular 'Regulating expansion of schools' PS 17-004 (September 2017), the proposed increase in student numbers can be accommodated through appropriate site access, siting and design of buildings, and stormwater management.

6.2 Other issues

The Department's consideration of other issues is proved in **Table 3**.

Table 3 | Department's assessment of other issues

Issue	Findings	Recommendations
Built Form	The Applicant submitted an Architectural Design Intent Statement (Appendix G) assessing the environmental impacts of retaining the existing building previously approved for demolition, which states retaining the building would not result in additional adverse environmental or amenity impacts to surrounding residents and land users. The proposal will not alter the height of the existing and approved buildings, and there will be no impacts regarding bulk and scale on the public domain.	The Department is satisfied that the proposed modifications have been designed to integrate with the approved CMD building and as such the modifications continue to align with the design principles and intent as set-out in the original proposal Architectural Design Statement EIS Appendix C of approved SSD 9692. There is no height of building control that applies to the site under SLEP. Architectural and landscape changes, including in materiality would not be perceptible from public areas. The Department considers that the proposed modification would not have detrimental impact on the built form of the approved development on the site.
Housekeeping amendment to Condition C10	The change of the address corrects the address of the dwelling and garage at 4 Vernon Street which has already been approved for demolition by DPIE and forms part of the development site. The change is an administrative change only.	The Department has recommended that the address at condition C10 be changed from the incorrect address "2 Vernon Street" to the correct address "4 Vernon Street" in the instrument of approval.

7 Evaluation

The Department has assessed the modification application and supporting documentation 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 is of minimal environmental impact;
- development as proposed to be modified is substantially the same development as development for which the consent was granted;
- the modification would facilitate improved facilities and an essential service for the school.

Consequently, the proposal is in the public interest and it is recommended that the modification be approved.

8 Recommendation

It is recommended that the Director, Social and Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

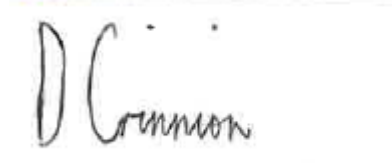
- **determines** that the application MOD 1 falls within the scope of section 4.55(1A) of the EP&A Act;
- **forms the opinion** under section 7.17(2)(c) of the Biodiversity Conservation Act 2016 that a biodiversity assessment report is not required to be submitted with this application as the modification will not increase the impact on biodiversity values of the site;
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **agrees** with the key reasons for approval listed in the draft notice of decision;
- **modifies** the consent SSD 9692;
- **signs** the attached approval of the modification (**Appendix C**).

Recommended by:



Benjamin Cox
Senior Planner
Social and Infrastructure Assessments

Recommended by:



Dominic Crinnion
Team Leader
Water and Intermodal Assessments

9 Determination

The recommendation is **Adopted** by:

A handwritten signature in black ink, appearing to read 'KH', with a large circular flourish at the end.

28 January 2020

Karen Harragon

Director

Social and Infrastructure Assessments

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – List of referenced documents

Section 4.55(1A) Modification Report dated 18 September 2020, revised Modification Report dated 24 November 2020 prepared by Urbis and Response to Submissions dated 7 December 2020 prepared by Urbis (**Mod Application**)

<https://www.planningportal.nsw.gov.au/major-projects/project/37086>

Appendix B – Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/37086>

Appendix C – Instrument of modification

SSD 9692 Mod 1 Instrument of Modification

Appendix D – Consolidated Consent

SSD 9692 Mod 1 Consolidated Consent