



Proposed 4.55 (1A) Modification
SSD Application No SSD 8790

Amendment to the State Significant Development
Approval for the Redevelopment of
Parramatta West Public School

June 2021

© Copyright Barker Ryan Stewart Pty Ltd
2021 All Rights Reserved

Project No.	CC160183
Author	LW
Checked	IS
Approved	LW

Rev No.	Status	Date	Comments
1	Draft	24/05/2021	
2	Final	03/06/2021	
3	Amended Final	21/06/2021	Amended information

COPYRIGHT

Barker Ryan Stewart reserves all copyright of intellectual property in any or all of Barker Ryan Stewart's documents. No permission, licence or authority is granted by Barker Ryan Stewart to any person or organisation to use any of Barker Ryan Stewart's documents for any purpose without the written consent of Barker Ryan Stewart.

REPORT DISCLAIMER

This report has been prepared for the client identified in section 1.0 only and cannot be relied on or used by any third party. Any representation, statement, opinion or advice, expressed or implied in this report is made in good faith but on the basis that Barker Ryan Stewart are not liable (whether by reason of negligence, lack of care or otherwise) to any person for any damage or loss whatsoever which has occurred or may occur in relation to that person taking or not taking (as the case may be) action in any respect of any representation, statement, or advice referred to above.



SYDNEY
P (02) 9659 0005
E sydney@brs.com.au

CENTRAL COAST
P (02) 4325 5255
E coast@brs.com.au

HUNTER
P (02) 4966 8388
E hunter@brs.com.au

SOUTH EAST QUEENSLAND
P (07) 5582 6555
E seqld@brs.com.au

Table of Contents

1	Introduction.....	4
2	Site Analysis	4
3	Proposed Modifications.....	5
4	Statutory Matters	8
5	Section 4.15 Assessment	9
6	Conclusion	10

Appendices:

Appendix A – Heritage Assessment

1 Introduction

This Section 4.55(1A) modification has been prepared on behalf of the NSW Department of Education.

State Significant Development (SSD) Application 8790 was approved by the NSW Department of Planning Industry and Environment (DPIE) on 2 December 2019 for redevelopment of Parramatta West Public School. Two subsequent modifications were approved on 3 March 2020 and 6 November 2020.

This Section 4.55(1A) seeks to further amend SSD Application 8790 to facilitate the retention of two demountables for special programs located within the existing school infrastructure on the 'South Site' of Parramatta West Public School.

A discussion of the proposed changes is provided in section 3 of this report.

2 Site Analysis

Parramatta West Public School is located in Parramatta on a site with access from Railway and Auburn Streets. The real property descriptions are Lot 2 DP 1113697 Lot 407 DP 729082 and Lot 406 DP 729083, as shown in Figure 1. The subject site is zoned R2 Low Density Residential under Holroyd Local Environmental Plan 2013.

The site is located over two sides of Railway Street, including the existing school or "South site" and the existing playground/oval space or "North site". The total site area is approximately 2.4 ha, 14,340m² on the South and 9,739m² on the North.



Figure 1: Aerial View of School and Surrounding Locality (Source: NearMap April 2021)

The aerial photograph in Figure 1 is more recent and shows that the new building is almost complete and most of the demountables have already been moved from the south site.

3 Proposed Modifications

The proposed modification to the consent relates to the removal of demountable buildings. Part D of the Consent relates to works and requirements "Prior to Commencement of Operation" of the alterations and additions to the school.

Specifically, Condition D5 states the following:

- D5. To ensure that adequate open space is available for students at all times, the following must be completed within 3 months of commencement of operation of the new building on the North Site:
- (a) removal of all demountables on the north-western and southern section of the South Site, as identified in the drawing titled Open Play Space Diagram SK02-E Rev E dated 05/08/2019 prepared by Conrad Gargett; and
 - (b) reinstatement of open space in these areas of the South Site and ensuring that the open space is suitable for use as play space by the school students.

The intent of this condition was to require the removal of demountables of the South site and re-establishment of play space. Diagram SK02-E showed the following (less the markup):

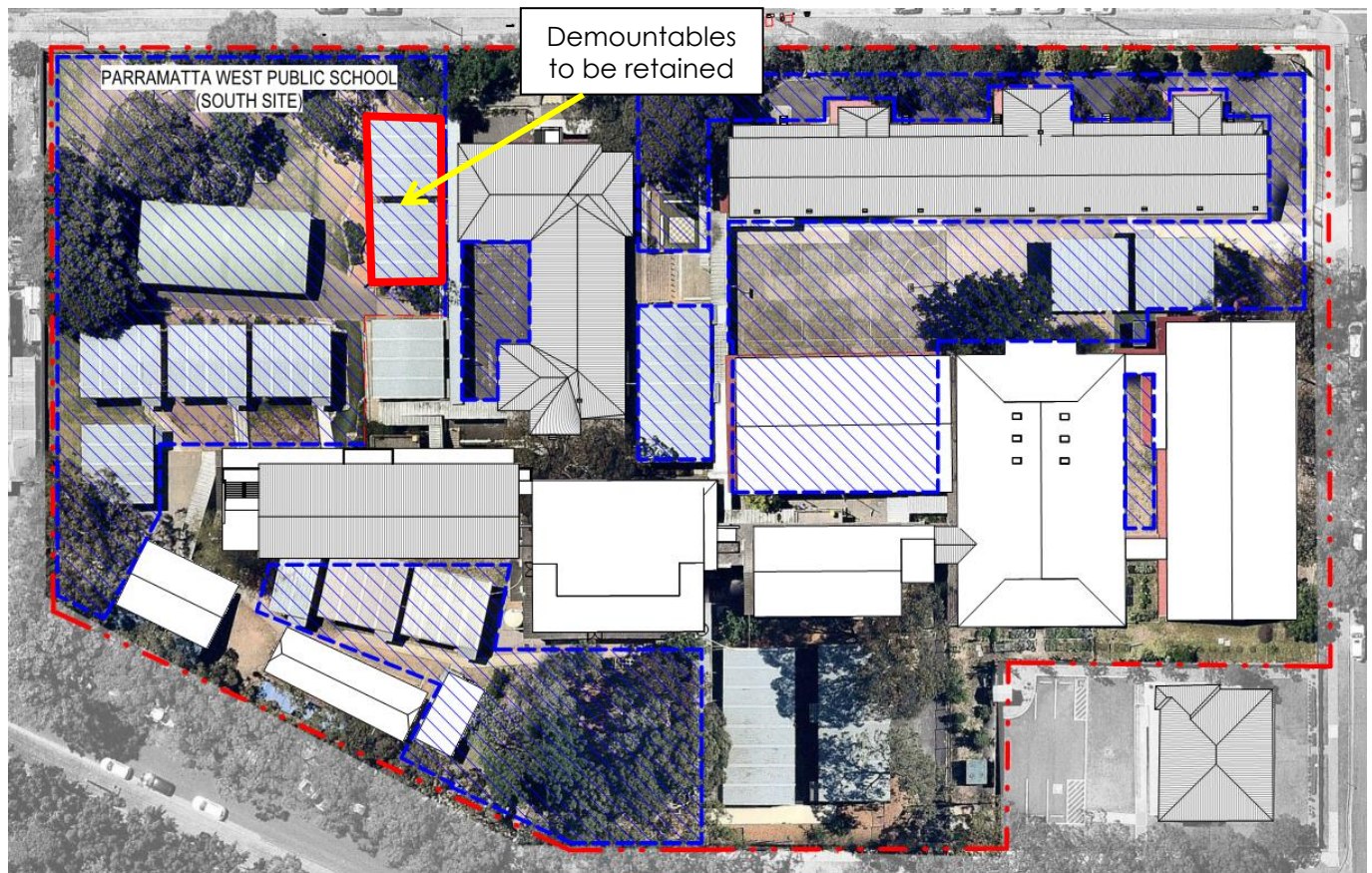


Figure 2: Location of demountables to be removed and proposed for retention

The school has recently identified that it would like to retain two (2) demountable buildings to allow the retention of special programs space to cater for its existing student's needs. There is no intent to increase the student capacity. These rooms currently provide functional spaces for students with special needs such as learning support, disabilities or where English is a second language. The proposed demountables to be retained are highlighted above in Figure 2 in red.

Diagram SK02-E also showed that even with the retention of all the original demountables there would be 9,500m² of play space and 11,000m² of play space with all demountables removed. The demountables to be retained cover a maximum of 300m² which means that there will still be 10,700m² of play space remaining.

The requirement is 10m² of play space per student. For the proposed maximum student numbers of 961 students, this would equate to 9,610m² which is less than the 10,700m² proposed under this modification.

As can be seen from the more detailed aerial photograph in Figure 3 below, all the demountables that are required to be removed have been, apart from the two (2) mentioned above and two in the centre of the site marked in yellow below. These two demountables (marked yellow) will be removed during the mid year break.

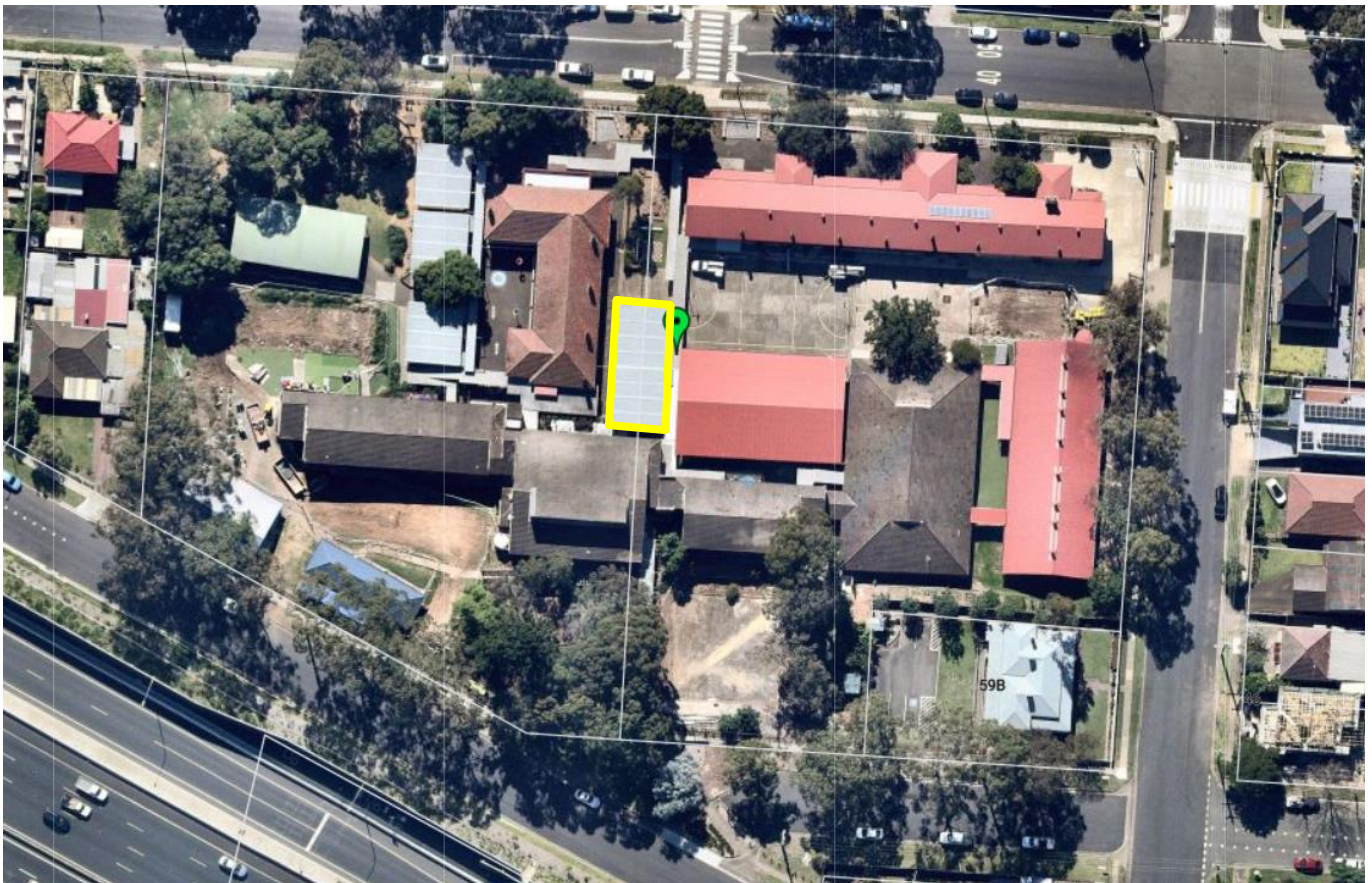


Figure 3: Aerial Photograph of the South Site, April 2021

Figure 4 below shows the building plan for the south site of the school prior to the demountables being removed. The demountables that still need to be removed during the school break are identified as buildings D10679 and D12606 and are highlighted yellow. The three months identified in the original condition expires on 25 June 2021, however as this is the beginning of the school term break, it is suggested that the condition be amended to refer to four months so that there is no breach.

Therefore, it would be appropriate to amend the condition D5 to read:

- D5. To ensure that adequate open space is available for students at all times, the following must be completed within 4 months of commencement of operation of the new building on the North Site:
- removal of all remaining required demountables on the South Site, as identified as buildings D10679 and D12606, and
 - reinstatement of open space where demountables were previously located on the South Site so that the open space is suitable for use as play space by the school students.

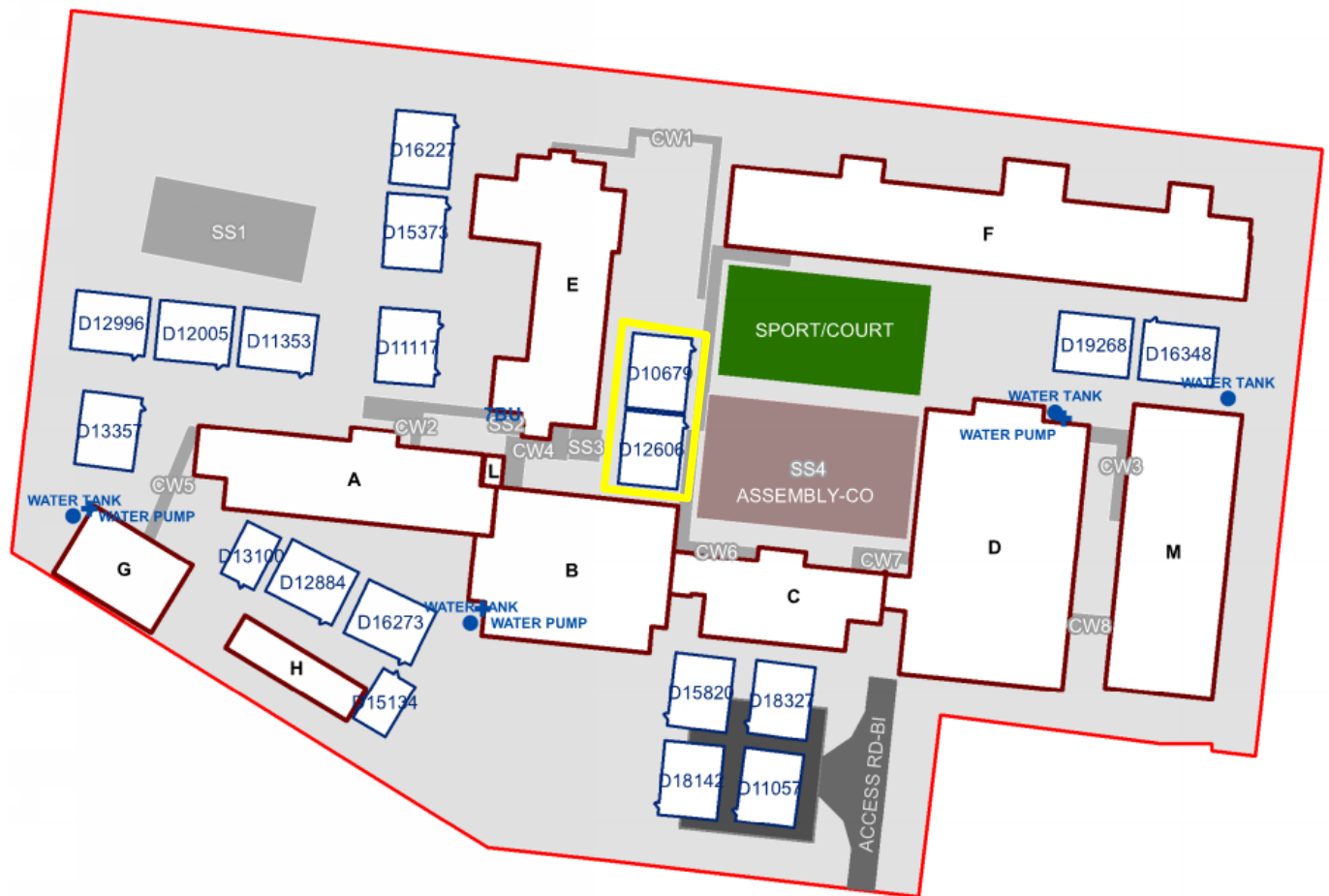


Figure 4: School Building Plan extract, South Site

4 Statutory Matters

Under the provisions of Section 4.55(1A) of the Environmental Planning and Assessment Act, 1979 the following applies.

- (1A) **Modifications involving minimal environmental impact** A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—
- (a) it is satisfied that the proposed modification is of minimal environmental impact, and
 - (b) 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), and
 - (c) it has notified the application in accordance with—
 - (i) the regulations, if the regulations so require, or
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and
 - (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

Subsections (1), (2) and (5) do not apply to such a modification.

It is our opinion that the proposed modification falls within Section 4.55(1A) of the Act. The modification is substantially the same as the originally granted consent and it is considered that the amendment will not cause any adverse environmental impacts.

Table 1 below confirms that the Section 4.55(1A) modification has been prepared in accordance with clause 115 of the EP&A Regulation 2000.

Table 1 – Clause 115 Requirements

Clause 115 Requirements	Comment
(a) the name and address of the applicant,	The applicant is NSW Department of Education. Address – Level 8, 259 George Street, Sydney NSW 2000
(b) a description of the development to be carried out under the consent (as previously modified),	Redevelopment of Parramatta West Public School.
(c) the address, and formal particulars of title, of the land on which the development is to be carried out,	Auburn, Young, Railway and Crimea Streets, Parramatta NSW 2150 Lot 2 DP 1113697, Lot 407 DP 729082 and Lot 406 DP 729083
(d) a description of the proposed modification to the development consent,	Refer sections 1, 2 and 3.
(e) a statement that indicates either: (i) that the modification is merely intended to correct a minor error, misdescription or miscalculation, or (ii) that the modification is intended to have some other effect, as specified in the statement,	The purpose of the modification is to enable the retention of two demountables for special programs. Refer section 3.0 for further details.

Clause 115 Requirements	Comment
(f) a description of the expected impacts of the modification,	The proposed modifications will cause negligible environmental impacts. Refer section 4 for further details.
(g) an undertaking to the effect that the development (as to be modified) will remain substantially the same as the development that was originally approved,	The proposed changes to the consent will not alter the nature of the development and it is considered that the development will remain substantially the same as the approved development.
(g1) in the case of an application that is accompanied by a biodiversity development assessment report, the reasonable steps taken to obtain the like-for-like biodiversity credits required to be retired under the report to offset the residual impacts on biodiversity values if different biodiversity credits are proposed to be used as offsets in accordance with the variation rules under the Biodiversity Conservation Act 2016,	Not applicable
(h) if the applicant is not the owner of the land, a statement that the owner consents to the making of the application (except where the application for the consent the subject of the modification was made, or could have been made, without the consent of the owner).	The owner is The Minister for Education and agrees to the submission of the modification.
(i) a statement as to whether the application is being made to the Court (under Section 4.55) or to the consent authority (under Section 4.56).	Not applicable.

5 Section 4.15 Assessment

Social & Economic Impact

The retention of two demountable buildings at Parramatta West Public School will not have any adverse social or economic impacts. The changes to the school generally will have positive impacts such as improved access to teaching spaces and creation of employment opportunities during and after construction.

Stormwater

No changes to the existing stormwater infrastructure will be required as part of the proposed retention of demountables.

Context and Setting

The retention of two demountables will not have an adverse impact on the setting of the school. The demountables are not within significant view lines and there will be significant areas of open space retained on site through the removal of the other demountables. This cleared area is visible in Figure 3 above.

Heritage

The south site is heritage listed and an assessment was considered with the original development application of potential impacts of future development. A heritage assessment has been prepared relating to the retention of the demountables and is included in Appendix A to this report. This assessment confirms that as the demountables are not permanent buildings the potential for impacts on the heritage significance by their retention is minimal. Below is an extract:

This report assesses the proposed retention of Demountable Buildings D16227 and D15373 to facilitate the retention of special programs space for Parramatta West Public School as having no detrimental impact on the significant building fabric and features, nor a detrimental impact on the setting of the heritage place. Furthermore, these demountable structures are temporary and reversible in nature with no impact on the heritage place if removed in the future. As the proposal to retain the Demountables has very little or no impact on the Cultural Significance of the Heritage Place, the proposal to amend the SSD application should be approved.

Sustainability

The retention of the demountables will not have any adverse impacts on the sustainability of the site and proposed development.

Biodiversity / Trees

No vegetation removal is required with the modification therefore no impacts to existing vegetation or biodiversity.

Access, Traffic and Parking

No changes to access or parking is proposed as part of the modification.

Accessibility

No change to the accessibility of the site is proposed.

Public Interest

The public interest is best served by promoting sustainable development that is rational, orderly and economic. The amended proposal is permissible and will generate positive social, environmental and economic benefits.

6 Conclusion

The proposed modification does not alter the potential environmental effects as considered under Section 4.15 of the Act and is substantially the same development as that approved in the original State Significant Development Application.

It is considered that the proposed amendments will:

- Contribute to the functionality of the educational facilities on the site through retention of demountables used for educational purposes;
- Remain consistent with relevant statutory and strategic controls;
- Retain sufficient play space on the site; and
- Generate no adverse impact to heritage, amenity, biodiversity, parking or traffic.

The proposed modifications will not cause any unacceptable environmental impacts and should be supported.

Appendix A – Heritage Assessment

18 June 2021



HERITAGE LETTER OF SUPPORT FOR THE RETENTION OF TWO EXISTING DEMOUNTABLES ON THE GROUNDS OF PARRAMATTA WEST PUBLIC SCHOOL

To facilitate the redevelopment of Parramatta West Public School State Significant Development (SSD) Application 8790 was approved by the NSW Department of Planning Industry and Environment (DPIE) on 2 December 2019.

The school has recently identified that it would like to retain two (2) Demountable buildings on the west side of Building E to allow the retention of special programs space to cater for its existing student's needs. Under the original development application and conditions of approval, the majority of the Demountables on the school grounds were to be removed.

Following Parramatta West Public School's request to retain Demountable buildings D16227 and D15373, a further heritage assessment is required to assess the impacts of retention on the heritage significance of Building E and on the overall setting of the school. This will be submitted as part of an application to amend the abovementioned SSD application.

This heritage letter summarises the proposal and its impacts on the Heritage values of Building E and overall setting of the school as a result of the proposed retention of the two Demountables on the west side of Building E (see **Figure 1**). As the proposal has very little or no impact on the heritage values of the Place and does not involve changes to any significant building fabric and no changes to settings, we consider the DPIE will have no objection in approving the retention of these two (2) Demountable buildings.

THE HERITAGE PLACE

Parramatta West Public School is located in Parramatta on a site with access from Railway and Auburn Streets (see **Figures 1**). The site of Parramatta West Public School is noted as a listed local Heritage Item as Number I13 on the schedule 5 of Environmental Heritage of Holroyd Local Environmental Plan (HLEP) 2013 (**Figures 2**). The subject site is zoned R2 Low Density Residential under Holroyd Local Environmental Plan 2013.

The school is located over two sides of Railway Street, including the existing school or "South site" and the existing playground/oval space or "North site" which has since been partially developed with the new buildings which were part of this SSD application.



Figures 1 (left): Aerial image showing the significant listed heritage buildings (highlighted and labelled) at the subject site. (Source: Nearmap/Conrad Gargett)

Figures 2 (right): Heritage map for the immediate area showing the subject site – with heavy outline (I13). (Source: NSW Government, Holroyd City Council)

THE PROPOSAL

As discussed above, the school administration has recently requested that it wishes to retain two (2) demountable buildings on the west side of Building E to allow the retention of the special programs space to cater for its existing student's needs (see **Figure 3**). The Demountables currently provide functional spaces for students with special needs such as learning support, disabilities or where English is a second language.

The two existing demountable structures to be retained will be used as a special programs space. As no other works are proposed, the two existing demountable structures will continue to be set back from Building E and Railway Street, visually sitting lower than the roof level of the heritage building as seen from Railway Street (see **Figure 4**).

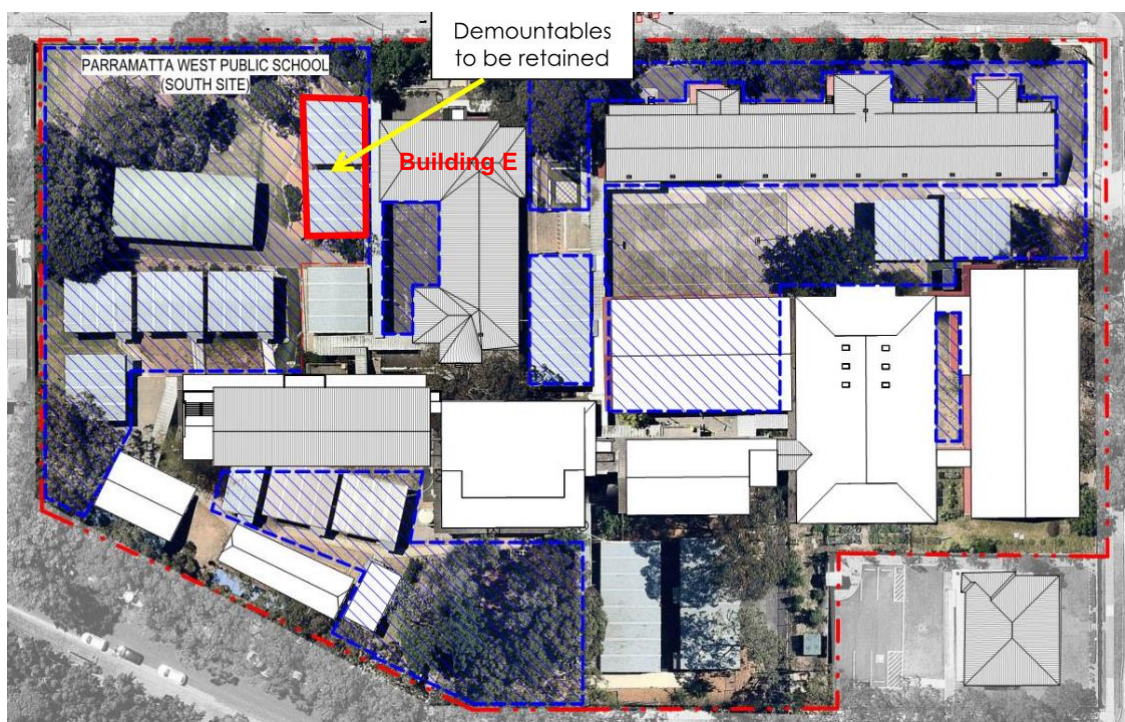


Figure 3: Aerial photo showing the south side of Parramatta West Public School and proposed locations (marked with red outline) demountable structures to be retained on the west side of Building E. (Source: Barker Ryan Stewart)

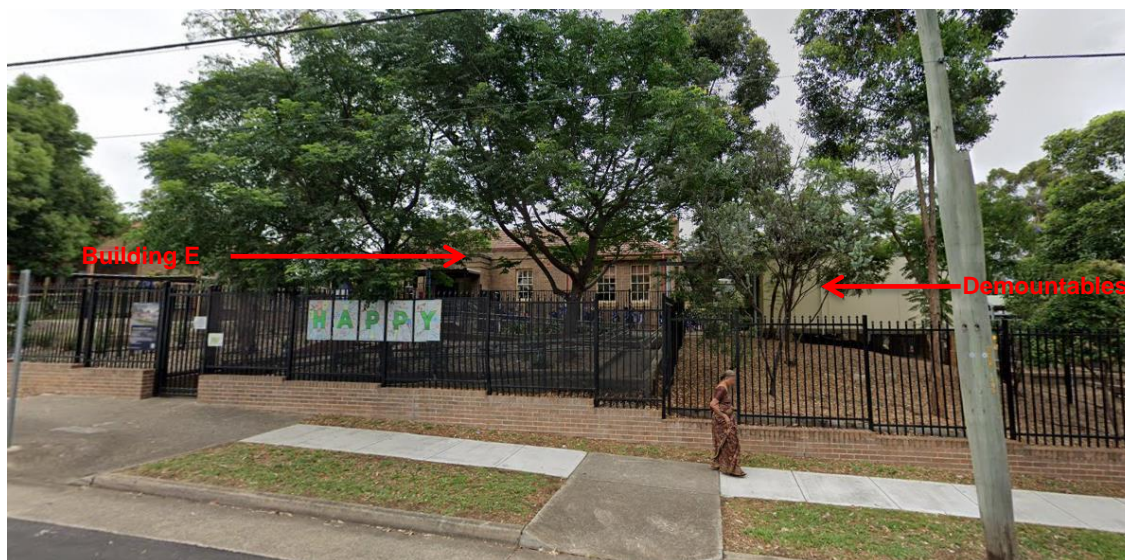


Figure 4: Street view photo showing the Building E (left) and existing demountable structures (right) as seen from Railway Street. (Source: Google Street View)

ASSESSMENT OF IMPACT

The existing demountable structures to be retained will continue to facilitate the special programs space for the school. No new works are proposed in retaining Demountable Buildings D16227 and D15373. The structures are typical single-storey demountable buildings clad in colorbond sheeting with aluminum windows and low pitched roof. There are no new services proposed that will impact the setting of the school.

The existing Demountables are set back from the existing Building E, with relatively low height with small footprint, partially hidden behind existing trees, and are not prominent as seen from Railway Street (see **Figure 4**). The demountable structures are designed to be temporary, reversible and therefore, if required, will be removed in future with no changes to the heritage Building E and no permanent changes to the landscape settings of the school or the heritage values of the locally listed place.

Views to the Railway Street are minimally altered as the existing demountable structures are of a relatively small scale, single storey with a low pitch roof and simple form. The existing trees fronting Railway Street partially screen the structures from public view.

This report assesses the proposed retention of Demountable Buildings D16227 and D15373 to facilitate the retention of special programs space for Parramatta West Public School as having no detrimental impact on the significant building fabric and features, nor a detrimental impact on the setting of the heritage place. Furthermore, these demountable structures are temporary and reversible in nature with no impact on the heritage place if removed in the future. As the proposal to retain the Demountables has very little or no impact on the Cultural Significance of the Heritage Place, the proposal to amend the SSD application should be approved.

Your favorable assessment of this proposal to retained Demountable Building D16227 and D15373 would be appreciated.

Yours sincerely,

Salman Muhammad
Heritage Consultant