

Notice of decision [SSD modification that was publicly exhibited]

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development modification
Application number and project name	SSD-10349-Mod-2 Multi-Trades and Digital Technology Hub at TAFE Meadowbank-Mod-2
Applicant	TAFE NSW
Consent Authority	Minister for Planning

Decision

The Director under delegation from the Minister for Planning has, under 4.55(2) of the *Environmental Planning and Assessment Act 1979* (**the Act**) modified the consent subject to the recommended conditions.

A copy of the instrument of modification and conditions is available at:

<https://www.planningportal.nsw.gov.au/major-projects/projects/multi-trades-and-digital-technology-hub-tafe-meadowbank-ssd10349-mod-2-additional-two-levels-approved-car-park>

A copy of the Department of Planning & Environment's assessment report is available at:

<https://www.planningportal.nsw.gov.au/major-projects/projects/multi-trades-and-digital-technology-hub-tafe-meadowbank-ssd10349-mod-2-additional-two-levels-approved-car-park>

Date of decision

15 June 2022

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2021*;
- the reasons given by the consent authority for the grant of the original consent;
- the objects of the Act;
- all information submitted with the modification application during the assessment and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report;
- the submissions made concerning the modification; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The decision maker was satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted was modified.

The key reasons for granting the modification are as follows:

- 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 issues raised by the community during consultation and in submissions have been considered and adequately addressed through recommended conditions of consent; and
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 31 January until 14 February (14 days) and received ten (10) submissions on the proposal, of which all were unique submissions. Of the submissions received, two were from NSW Government agencies, one was from the local Council, and seven were from members of the community. Of the submissions from the community, one was in support of the proposal and six were in objection to the proposal.

The issues raised in the public submissions consisted primarily of amenity impacts including traffic, noise, light pollution, visual impact (including bulk and scale) and overshadowing of neighbouring residential properties on See Street.

<i>Issue</i>	<i>Consideration</i>
<i>Traffic and congestion</i> <ul style="list-style-type: none"> Increase in parking may generate additional traffic 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The additional parking spaces are not anticipated to generate additional traffic beyond that estimated for the original approval. Rather, the additional parking will assist in containing the anticipated parking demand within the subject site and will alleviate some of the existing on-street parking demand generated by the TAFE. The additional spaces offset parking loss of 100 car spaces within the western portion of the site. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Condition D14 is to be updated that) require the investigation of opportunities to reduce reliance on car parking and promote use of active and sustainable transport modes including the provision of bicycle end of trip facilities.
<i>Noise</i> <ul style="list-style-type: none"> Increase in parking may increase noise, including construction noise 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> Transport for NSW and Council raised no objections or concerns on the potential noise impacts of the proposed modification. The Department acknowledges that the car park would generate some level of noise from its operation. However, the Department considers that the operational noise generated by the proposal is acceptable, noting that the noise would not be excessive or sustained over prolonged periods. <p><i>Conditions</i></p> <ul style="list-style-type: none"> The Department has recommended both operational and construction noise conditions in the original consent requiring the Noise and Vibration Impact Assessment noise management and mitigation measures be implemented and adhered too. These conditions will remain applicable to this modification. The implementation of these suitable management measures ensures that noise emissions are not intrusive and are unlikely impact on the amenity of nearby residential properties.
<i>Visual impact (including bulk and scale)</i> <ul style="list-style-type: none"> The additional 2 stories of carpark may have a visual impact 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The site is not subject to a maximum height of buildings control or a maximum floor space ratio control under the Ryde LEP 2014. The Department has assessed the architectural plans and is satisfied that the height and design are appropriate in the site context and would not have a detrimental visual impact on the character of the surrounding area, setting or significance of nearby local heritage items. <p><i>Conditions</i></p> <ul style="list-style-type: none"> No additional conditions or amendments are necessary.
<i>Amenity impacts</i> <ul style="list-style-type: none"> Increase in parking may result in additional light pollution and overshadowing 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The modification application included shadow diagrams and a specialist lighting report The specialist lighting report concluded that the selected lighting will be compliant with Australian Standards and will be positioned to avoid light spill. Further, the lighting will be controlled through time clock and occupancy sensors. Outside the time clock zone, the occupancy sensors will switch off automatically and 24-hour lighting will dim to 50% where possible during unoccupied hours, with minimum safety lighting requirements being met at all times. Overshadowing was an issue raised in the public submissions. The Department has reviewed the shadow diagrams and acknowledges that the proposed modification will result in an increase in shadows given the

	<p>additional two levels. However, the shadows fall predominantly on See Street as a result of the favourable north to south orientation of the site. As such, the proposed carpark levels will not result in any additional overshadowing of residential properties on See Street until after 3pm at the winter solstice</p> <p><i>Conditions</i></p> <ul style="list-style-type: none"> Existing conditions of consent will remain relevant to this modification application.
<p><i>Heritage</i></p> <ul style="list-style-type: none"> Concerns were raised that the proposed car park would have an adverse impact on the significance of local heritage items 	<ul style="list-style-type: none"> The application was referred to Heritage NSW and City of Ryde Council and no comments or objections were made. The Department concludes the proposal would not have an adverse impact on the significance of the heritage items on See Street and that the additional storeys of the car park are considered appropriate.