

Modification of Development Consent

Section 4.55 (1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I modify the consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Karen Harragon
Director
Social and Other Infrastructure Assessments

Sydney

28 February 2018 2019



SCHEDULE 1

Development Consent: SSD 7742 granted on 11 August 2017

For the following: Redevelopment of Ballina High School into Ballina Coastal High School, comprising:

- demolition of Blocks T and W and removal of existing on-site car parking;
- retention of the existing Marine Discovery Centre, Aquaculture building, existing sports courts and Block C;
- construction of a new high school up to three storeys in height, for 1,000 students;
- construction of a new vehicular entry from Swift Street for a loading zone and support drop-off zone;
- construction of associated infrastructure services including a stormwater management system and electricity kiosk; and
- landscaping works including the removal of 61 trees, on-site relocation of one tree, construction of formal and informal learning areas and the planting of new vegetation.

Applicant: NSW Department of Education

Consent Authority: Minister for Planning

The Land: 37 – 49 Swift Street, Ballina (Lots 477 & 478 DP 729251, Lot 1 DP 1083219 and Lot 392 DP 755684)

Modification: SSD 7742 MOD 2:

- amendment of the layout of the sporting fields; and
- removal of 17 trees

SCHEDULE 2

The above consent is modified as follows:

- (a) Schedule 2 Part A – Condition A2 is amended by the insertion of the **bold and underlined** word/numbers and deletion of ~~struck-out~~ words/numbers as follows:

Terms of Consent

A2. The Applicant must carry out the development in accordance with the conditions of consent and generally in accordance with the:

- a) Environmental Impact Statement, New High School for Ballina, 37 – 49 Swift Street, Ballina Lots 477 & 478 DP 729251, Lot 1 DP 1083219 and Lot 392 DP 755684, prepared by ADW Johnson Pty Limited, dated December 2016;
- b) Ballina High School Development (SSD 7742) – Response to Submissions, prepared by GHD Pty Ltd, dated 23 May 2017 and accompanying attachments;
- c) Response to Submissions – St Francis Xavier School, prepared by GHD Pty Ltd, dated 29 May 2017;
- d) Revised Landscape Development Application, prepared by Terras Landscape Architects, submitted on 31 May 2017;
- e) Section 4.55 1(A) Modification Application – State Significant Development Application 7742 Ballina High School Redevelopment prepared by ADW Johnson PTY LTD dated September 2018;
- f) **Section 4.55(1A) Modification Application 2 to Amend Development Approved SSD 7742 (Mod 1) (issues B) prepared by ADW Johnson Pty Ltd dated 17/01/2019; and**
- g) **the** following drawings, except for:
 - i) any modifications which are Exempt or Complying Development; and
 - ii) as otherwise provided by the conditions of this consent.

Architectural Drawings prepared by EJE Architecture			
Dwg No.	Rev	Name of Plan	Date
DA-000	G	Coversheet	18/05/17
DA-001	Q H	Site Context Plan	18/05/17 25/09/18
DA-002	O	Site Plan	18/05/17
DA-003	C	Site Analysis Plan	18/10/16
DA-005	E	Shadow Diagrams	18/05/17
DA-006	4 H	Demolition Plan	May 2017 25/02/19
DA-007	B	Site Signage Location	18/05/17
DA-008	B	Site Signage Detail	18/05/17
DA-100	K	Ground Floor Plan	18/05/17
DA-101	H	Level 1 Floor Plan	18/05/17
DA-102	I	Level 2 Floor Plan	18/05/17
DA-200	H	Site Elevations	18/05/17
DA-201	A	Site Elevations	21/08/18
DA-300	C	Sections	18/10/16
DA-400	D	3D Perspectives	18/10/16
A-001	4	Site Plan	April 2017
A-010	1	Temporary Car Park Set-out Plan	November 2018

Landscape Drawings prepared by Terras Landscape Architects			
Dwg No.	Rev	Name of Plan	Date
L00	F G	Cover Page	30/05/17 24/09/18
L01	G F	Tree Diagram	18/07/16 24/09/18
L02	F	Landscape Concept	18/07/16 24/09/18
L03	G	Site Plan	18/07/16 24/09/18
L04	G	Main Entrance	18/07/16 24/09/18
L05	G	Inner Green Courtyard	18/07/16 24/09/18
L06	G	Active Recreation	18/07/16 24/09/18
L07	G	Primary Industry/Conservation	18/07/16 24/09/18
L08	G	Outer Green	18/07/16 24/09/18
L09	G D	Precedents	18/07/16 22/05/17
L10	G D	Planting Palette – Littoral Rainforest Entry Gardens	18/07/16 22/05/17
L11	G D	Planting Palette – Internal Courtyards & Playgrounds	18/07/16 22/05/17
L12	B	Sports Field Tree Diagram	26/02/19
Concept Stormwater Management Plans prepared by Northrop			
Dwg No.	Rev	Name of Plan	Date
C01	A	Coversheet and Drawing Schedule	31/10/16
C03	A	Concept Site Layout Plan	31/10/16
C10	A	Concept Erosion and Sediment Control Plan – Sheet 1	31/10/16
C11	A	Concept Erosion and Sediment Control Plan – Sheet 2	31/10/16
C12	A	Concept Erosion and Sediment Control Details	31/10/16
C20	A	Concept Stormwater Management and Levels Plan – Sheet 1	31/10/16
C21	A	Concept Stormwater Management and Levels Plan – Sheet 2	31/10/16
C30	A	Civil Details	31/10/16

- (b) Schedule 2 Part B - Conditions B36 and B37 are to be added by the insertion of the **bold and underlined** word/numbers as follows:

Biodiversity

B36. Prior to any clearing or construction works, the Applicant must purchase and retire 4 ecosystem credits to offset the removal of native vegetation on site. The ecosystem credits must be determined in accordance with the OEH's Framework for Biodiversity Assessment (FBA) and the Biobanking Assessment Methodology 2014 (BBAM).

Note: If the Applicant seeks a variation to the offset rules, the Applicant must demonstrate that reasonable steps have been taken to find like-for-like offsets in accordance with Section 10.5.4.2 of the FBA and Appendix A of the OEH's NSW Biodiversity Offsets Policy for Major Projects 2014

Landscaping

B37. Prior to commencement of vegetation clearing associated with Modification 2 relating to the playing fields, a final landscape plan with the detail of the species, height at

maturity and location of the 45 replacement tree planting must be submitted to the Certifying Authority and the Planning Secretary for information.

- (c) Schedule 2 Part C - Conditions C16 is amended by the insertion of the **bold and underlined** word/numbers as follows:

Tree Protection

C16.

- c) all trees on the Subject Site that are not approved for removal must be suitably protected during construction as per recommendations of the Arborist Report prepared by Terras Landscape Architects dated 5 December 2016, **Arboricultural Impact Assessment Report prepared by Northern Tree Care dated 10 September 2018 and Tree Assessment prepared by GeoLink dated 26 February 2019**; and
- (d) Schedule 2 Part E – Condition E15 is to be added by the insertion of the **bold and underlined** word/numbers as follows:

Landscaping

E15. Within 6 months of completion of playing fields, replacement plants as per the approved Landscape Plan - L12 Sports Field Tree Diagram (Rev A) prepared by Terras Landscape Architecture and dated 24/09/2018, and an updated by Condition B37, must be completed.

END OF MODIFICATION