



Rouse Hill Anglican College

*State Significant
Development
Modification Assessment
(SSD 8006 MOD 1)
February 2019*

February 2019

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Glossary

Abbreviation	Definition
COLA	Covered Outdoor Learning Area
Consent	Development Consent
Council	Blacktown City Council
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
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
ESD	Ecologically Sustainable Development
LEP	Local Environmental Plan
Minister	Minister for Planning
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State Significant Development



Contents

Glossary	iii
1. Introduction	1
1.1 Background	1
1.2 Approval History	2
2. Proposed Modification	4
3. Strategic Context	6
4. Statutory Context	7
4.1 Scope of Modifications	7
4.2 Consent Authority	7
5. Engagement	8
5.1 Department's Engagement	8
5.2 Summary of Submissions	8
6. Assessment	9
6.1 Level Change	9
6.2 Revised Landscaping	10
6.3 Access	11
6.4 Section 7.11 Contributions	11
7. Evaluation	12
8. Recommendation	13
9. Determination	14
Appendices	15
Appendix A – Modification Application	15
Appendix B – Notice of Modification	15



1. Introduction

This report provides an assessment of an application to modify the State Significant Development (SSD) approval for the redevelopment of Rouse Hill Anglican College in the Blacktown City Council Local Government Area (LGA). The application seeks approval to modify the landscape levels to minimise the offsite disposal of spoil, associated landscape amendments and minor carpark adjustments.

The modification application was lodged on 26 September 2018 by Ingham Planning on behalf of The Anglican Schools Corporation (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

1.1 Background

The Rouse Hill Anglican College (the site) is currently operating and under construction at 7 and 37 Worcester Road, Rouse Hill. The site is located approximately 1.3km north west of the Rouse Hill Town Centre and approximately 700 metres north east of Tallawong Metro Station. The site comprises of two irregular shaped allotments with a total area of 9.413 hectares described as Lot 130 DP 1138775 and Lot 14 DP 1120290. The approved works are located on Lot 14 (37 Worcester Road, Rouse Hill). The site context and location are shown in **Figure 1** below.



Figure 1 | Site Location (Source: Nearmap 2019)

To the north of the site are rural residential properties and a Sydney Water reservoir site, with the Second Ponds Creek to the east. Located north east of the site is Rouse Hill Regional Park which contains the historic Rouse Hill House and Farm.

The subject site includes six existing school buildings, two playing fields, three hard courts, a volleyball court and associated roads and parking. Construction works for the proposed Junior School Stage 1 are currently underway with Block K and early works of the Stage 1 car park. The existing school site is shown in **Figure 2** below.



Figure 2 | Existing School Site (Source: Nearmap 2019)

The site forms part of the North West Growth Centre located in Cudgegong Road / Area 20 Precinct, which is currently undergoing significant redevelopment. The area was zoned in 2015 to allow for residential development. The Precinct Plan includes future roads along the northern and southern property boundaries.

1.2 Approval History

On 6 June 2018, the Executive Director, Priority Projects Assessments, as delegate of the Minister for Planning, granted SSD approval for the redevelopment of Rouse Hill Anglican College (SSD 8006), involving (refer to **Figure 3**):

- construction of a new, relocated and expanded junior school comprising of three new buildings each with eight classrooms, central learning areas, storage and amenities.
- construction of a new library facility including teaching rooms, student common room and study areas.
- demolition of existing junior school buildings (Building A and B).
- construction of a new senior school building with upgraded connections to the existing senior school.
- new multi-purpose building including rehearsal room, performance stage, music practice rooms, classrooms, amenities, equipment and storeroom areas.
- clearing of vegetation and earthworks.
- landscaping of terraced central Covered Outdoor Learning Area (COLA) and grassed courtyard area.
- new school signage.
- new central junior school carpark.

The approved development on the site is to occur in seven stages as seen in **Table 1**.

Table 1 | Proposed staging of Works

Stage	Proposed works
1	<ul style="list-style-type: none"> • construction of junior classrooms – Block K. • Stage 1 car park.
2	<ul style="list-style-type: none"> • construction of junior classrooms – Block L. • Stage 2 car park. • Northern internal road network.
3	<ul style="list-style-type: none"> • construction of senior classrooms.
4	<ul style="list-style-type: none"> • construction of library. • construction of COLA.
5	<ul style="list-style-type: none"> • construction of senior classrooms. • construction of new service access road to the south of the Stage 1 car park.
6	<ul style="list-style-type: none"> • construction multi-purpose centre.
7	<ul style="list-style-type: none"> • construction of junior classrooms – Block M. • construction of bus drop-off/pick up.

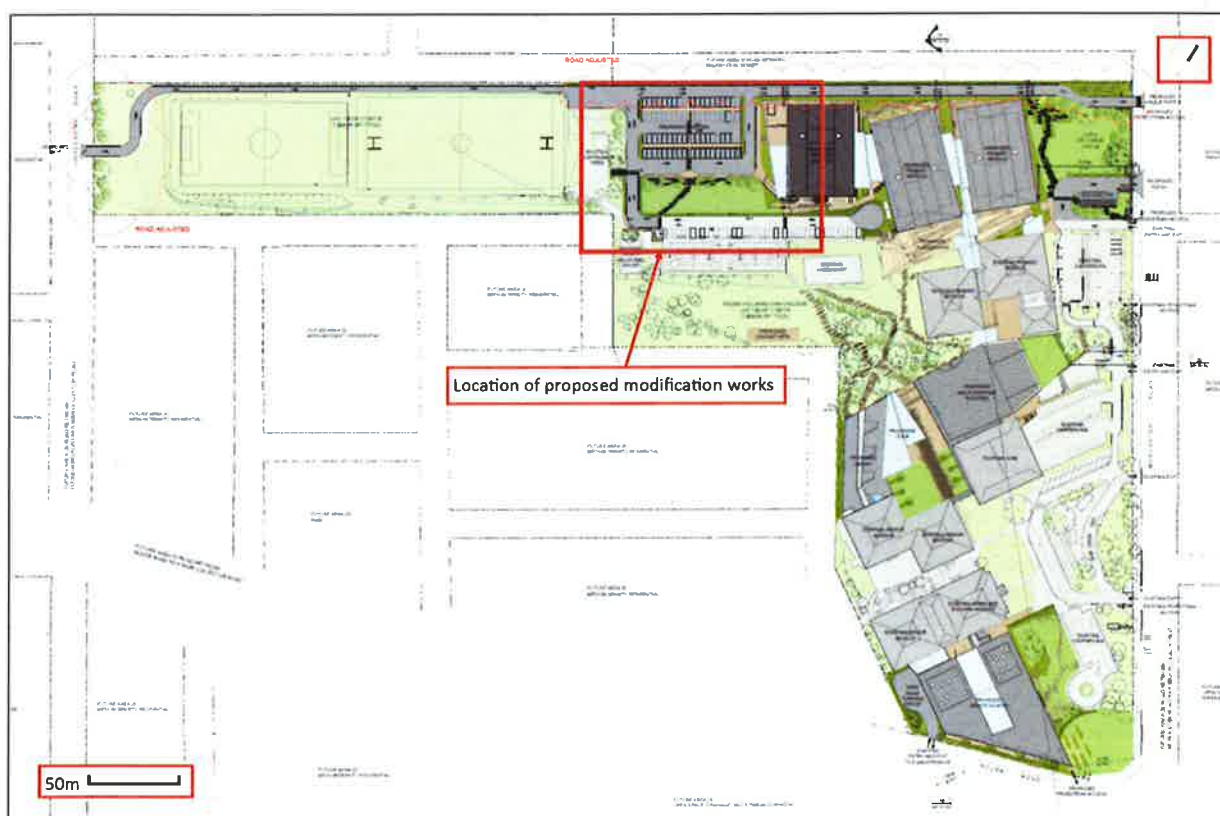


Figure 3 | Approved Site Plan (Source: SSD 8006)

A Complying Development Certificate (170365) was issued for the demolition of the existing dwelling and swimming pool within the school grounds on Lot 14 (37 Worcester Road) on 12 September 2017.



2. Proposed Modification

On 26 September 2018, the Applicant lodged an application (SSD 8006 MOD 1) seeking approval for (refer to **Figure 4** and **5**):

- minor change in levels of central grassed area.
- provision of retaining wall to southern and south-western edge of grassed area.
- provision of access ramp from Covered Outdoor Learning Area (COLA) adjacent to Block K to grassed area.
- minor modification to landscaping including removal of row a of proposed planting (mix of *Callistemon* sp. mature height of 2m) along south western edge of the grassed area.
- removal of central pathway through the grassed area and pedestrian crossing to the western end of the hardcourts.
- minor reconfiguration of 4 approved car parking spaces adjacent to Block K.

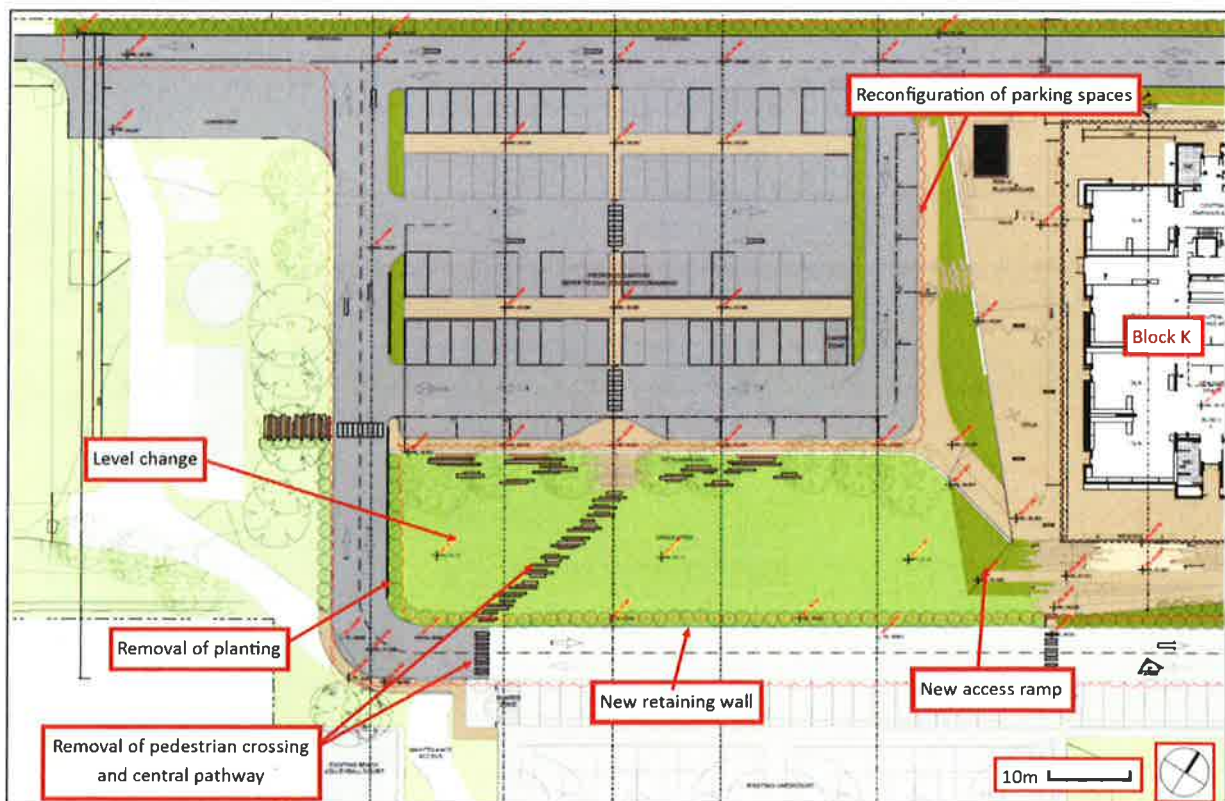


Figure 4 | Approved Plan No.MP-JS-10-04 (Source: SSD 8006)

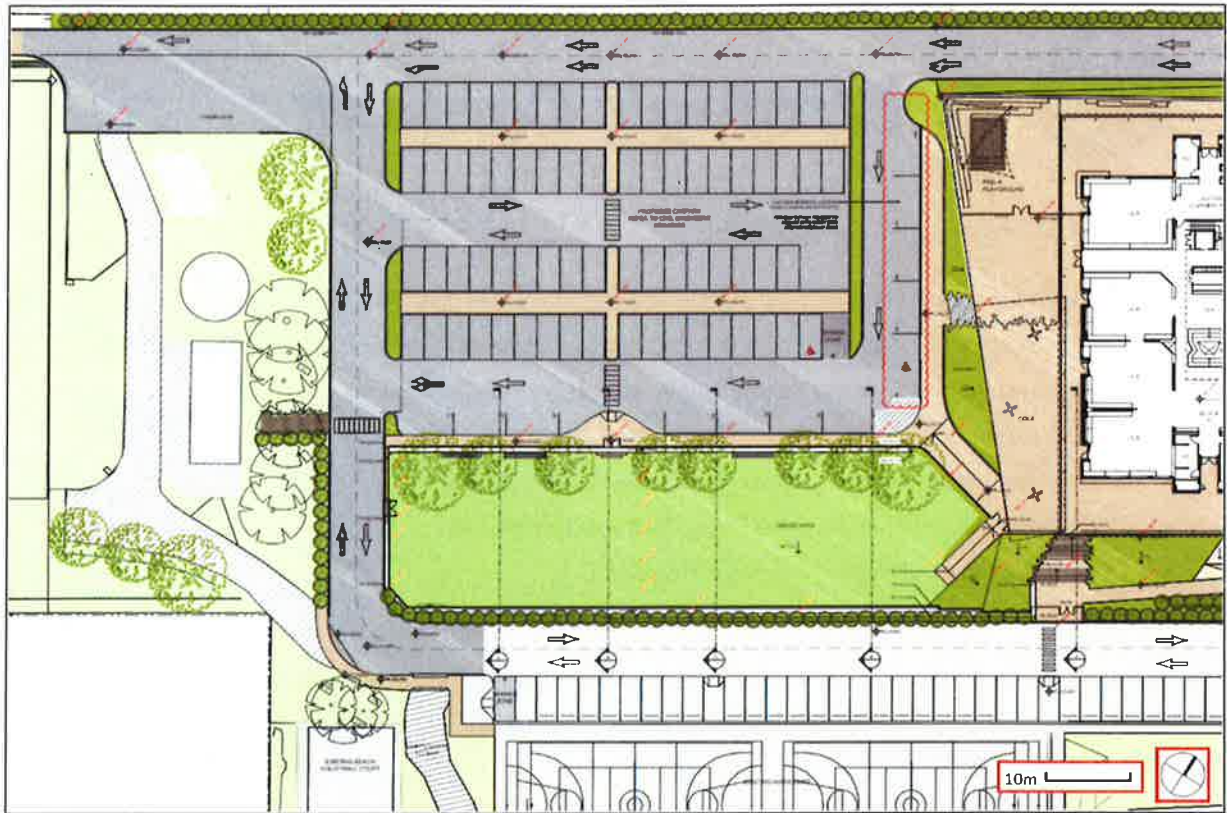


Figure 5 | Proposed Plan No.MP-JS-10-04 (Source: SSD 8006 MOD 1)



3. Strategic Context

The following EPIs are relevant to the application:

- State Environmental Planning Policy (State and Regional Development) 2011.
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006.
- State Environmental Planning Policy No. 64 – Advertising Signage.
- State Environmental Planning Policy No. 55 – Remediation of Land.
- Draft State Environmental Planning Policy (Remediation of Land).
- Draft Environmental Planning Policy (Environment).
- State Environmental Planning Policy (Infrastructure) 2007.

The Department undertook a comprehensive assessment of the application against the abovementioned EPIs in its original assessment. The Department has considered the above EPIs and is satisfied that the modification is generally consistent with the EPIs.



4. Statutory Context

4.1 Scope of Modifications

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 increase the environmental impacts of the project as approved
- is substantially the same development as originally approved, and
- would not involve any further disturbance outside the already approved disturbance areas for the project.

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 for Planning is the consent authority for the application. However, the Director Social and Other Infrastructure Assessments may determine the application under delegation as:

- the relevant local council has not made an objection.
- a political disclosure statement has not been made.
- there are no public submissions in the nature of objections.



5. Engagement

5.1 Department's 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.

Accordingly, the application was not notified or advertised. However, it was made publicly available on the Department's website on 7 January 2019 and was referred to Blacktown City Council for comment.

5.2 Summary of Submissions

One submission was received from Council in relation to the proposed modification. The submission has raised no objection to drainage or site layout, however did raise concerns with the deletion of the approved wombat pedestrian crossing along Cudgegong Road and raised concern regarding the incorrect conditions previously imposed by the Department, relating to section 7.11 contributions.

The Department has considered the comments raised in Council's submission (see **Section 6**).



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 issues raised in the application to be the level change, revised landscaping and access.

6.1 Level Change

Site excavation for Phase 1 for the School has resulted in excess quantities of cut material which is currently being stockpiled on the site. The modification involves a minor change in level for the grassed area located behind Block K to the minimise offsite disposal of excavated material and to better manage the balance of cut and fill material on site. The approved levels of the grassed area compared to the proposed level ranges from a 1m to 2m increase.

The Department notes that there would be no change to the built form of the approved school, car parking, or the arrangement of school facilities and services as a result of the level change. The size of the area remains relatively the same with some minor landscaping changes proposed to the grassed area (refer to **Section 6.2**). The Department has noted Council raised no objection on drainage grounds.

The volume of cut approved in the original application (refer to **Figure 6**) provided a level that was consistent with the existing road to the south. The modification now provides a raised grassed area with retaining wall to separate the grassed area from the existing road.

The Department considers the proposed works are satisfactory as the environmental impact would be minimal due to reducing the extent of excavation and the volume of exposed soil on the site. There would also be reduced risks associated with stockpiling and exporting of soil as any dust, soil and water impacts would be minimised. The raised level is setback from the nearest road and the resultant level change would have minimal impact on visual amenity from the public domain.

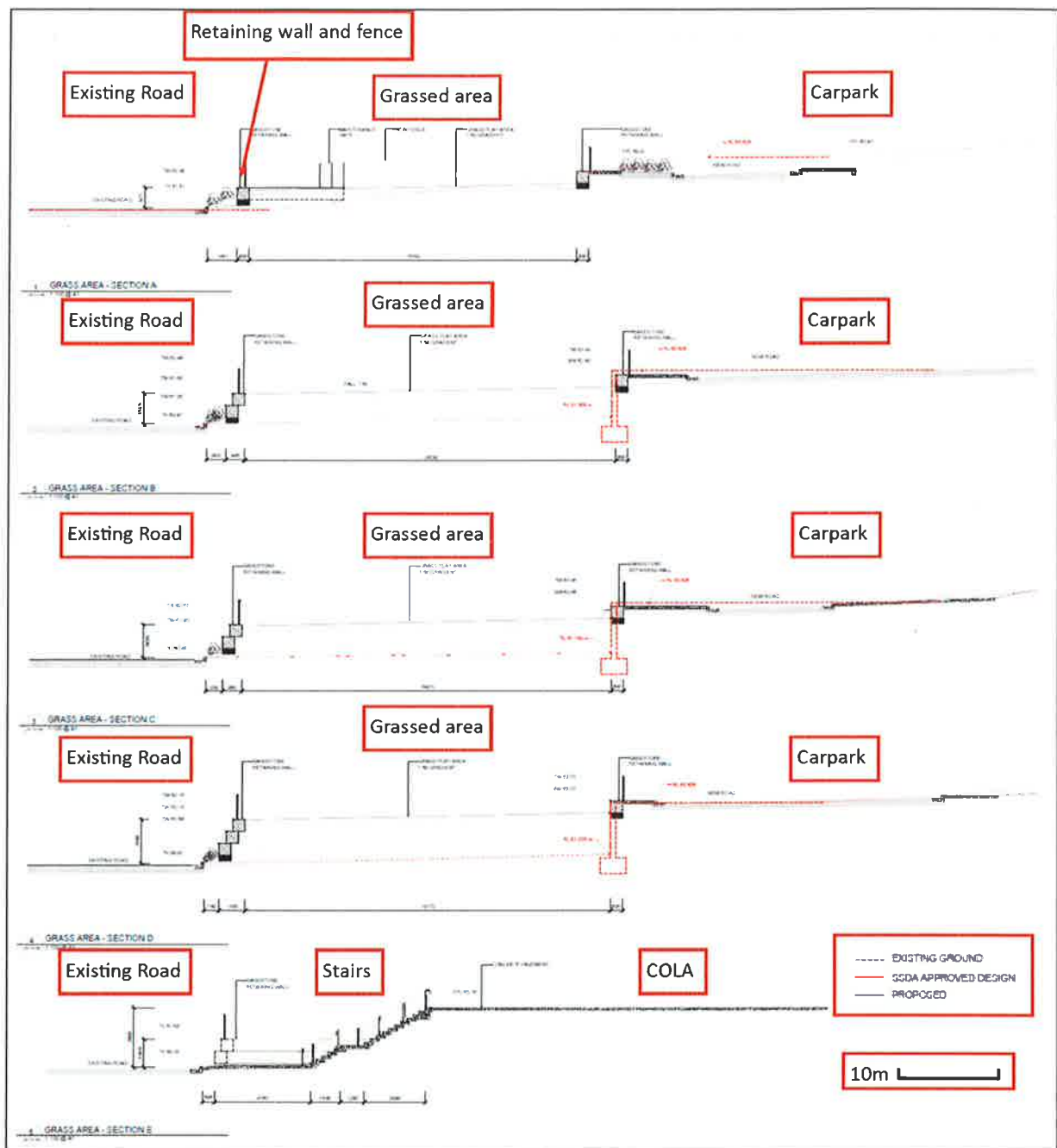


Figure 6 | Modified Carpark Section No.MP-JS-30-02 (Source: SSD 8006 MOD 1)

6.2 Revised Landscaping

The modified landscape design includes the removal of approved planting along the south-western edge of the grassed area, provision of a retaining wall, access ramp for the COLA to the grassed area and removal of the central pathway through the grassed area.

The Applicant is seeking approval for the removal of 10 (mix of *Callistemon* sp.) plants, which has resulted from the level change and introduction of a retaining wall. The proposed stepped sandstone retaining wall is a functional element separating the existing internal road from the grassed area. The height of the proposed retaining wall would range between approximately 1m to 2m. It is considered that the amendments serve a functional purpose and would not significantly change the overall landscape design.

The central pathway has been removed as the Applicant states it is no longer required as access to the grassed area would only be through safe entry points. The Department raises no objection to the removal of this pathway.

6.3 Access

The modification seeks approval to reconfigure four approved parking spaces adjacent to Block K. The modification also seeks removal of the internal approved pedestrian crossing to the western end and removal of the proposed connection from the carpark to the approved central pathway (now proposed to be deleted).

The Department notes the four car parking spaces have been relocated slightly south to provide a safe vehicular entry into the drop-off/pick-up zone. The total number of car parking spaces remains unchanged from the original approval. The pedestrian crossing has been removed due to the removal of the central pathway as pedestrian access is no longer required.

The Department considers the car parking amendments to be minor yet would improve the safety and efficiency of the drop-off/pick-up zone. The removal of the pedestrian crossing is not considered to result in any safety issues as an approved crossing closer to Block K would be retained, ensuring connectivity across the school site.

Council does not support the removal of the wombat pedestrian crossing at Cudgegong Road to the school. However, this wombat pedestrian crossing is not the subject of this modification. The Department notes that the wombat pedestrian crossing referred to in Council's submission was previously requested in Council's response to the Environmental Impact Statement on the original SSD and is not the same crossing as that proposed to be deleted. The Department at the time considered this request unreasonable and unnecessary given that no pedestrian access was proposed to Cudgegong Road. As such, no condition was imposed requiring this crossing on Cudgegong Road at the time of approval.

6.4 Section 7.11 Contributions

Council raised concerns regarding the Section 7.11 Contributions condition in relation to the original SSD consent. The Council advises that the condition previously imposed by the Department is incorrect and does not align with Council's requirements and wording, particularly in relation to indexing. The Department investigated this concern and confirms the previously imposed condition refers to indexing of the amount of payment to occur from the date of determination. The draft condition provided by the Council at the time the original application was assessed, requested indexing to occur from the baseline that is referenced in Council's Section 7.11 Contributions Plan, of September 2017. The Department communicated its intention to correct existing condition B5 to the Applicant. The Applicant considered the issues and raised no objection to the modified condition.



7. *Evaluation*

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department considers the proposed modification remains consistent with the original conditions of consent, with minimal potential for environmental impact. The Department's assessment concludes that the proposed modification is appropriate. Consequently, it is recommended that the modification be approved.



8. Recommendation

It is recommended that the Director, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **determines** that the application Rouse Hill Anglican College (SSD 8006 MOD 1) falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the application
- **agrees** with the key reasons for approval listed in the draft notice of decision;
- **modify** the consent SSD 8006
- **signs** the attached approval of the modification (Attachment C).

Prepared by:

Jasmine Tranquille

Para-Planner

Social and Other Infrastructure Assessments

Recommended by:

Andrew Beattie

Team Leader

Schools Infrastructure Assessments



9. Determination

The recommendation is: **Adopted** / Not adopted by:


Karen Harragon
Director

28/02/2019

Social and Other Infrastructure Assessments



Appendices

Appendix A – Modification Application

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9644

Appendix B – Notice of Modification

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9644

