

**ANGEL PLACE
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SYDNEY NSW 2000**

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Dear Jason,

SECTION 4.55(1A) APPLICATION TO AMEND SSD_9343 – MEADOWBANK SCHOOL

1. INTRODUCTION

This letter has been prepared on behalf of NSW Department of Education (DoE) and School Infrastructure NSW (**the Proponent**) in support of a Section 4.55(1A) application to modify SSD_9343 in relation to Meadowbank Education and Employment Precinct Schools Project, at 2 Rhodes Street, Meadowbank (Lot 10 123584).

The application seeks to amend the approved architectural and landscape plans under Condition A2 to facilitate minor internal and external design changes.

The application has been prepared in accordance with the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and *Environmental Planning and Assessment Regulations 2000* (the **Regulations**). The proposal is the subject of a Section 4.55(1A) modification because the amendments will result in a scheme that is substantially the same as that originally approved and will have minimal environmental impact.

This Statement of Environmental Effects (**SEE**) is accompanied by the following documentation:

- Amended Architectural Plans prepared by Woods Baggot (**Appendix A**).
- Amended Landscape Plans prepared by Urbis (**Appendix B**).

This SEE provides the following:

- A description of the site and surrounding development.
- A detailed description of the proposed modifications.
- An assessment of the modified proposal against all relevant environmental planning instruments and the likely impacts of the proposal.

2. PROJECT BACKGROUND

On 21 May 2020 development consent was granted by the Minister for Planning and Public Spaces for SSD_9343. Consent was granted for the following:

Development of the Meadowbank Education and Employment Precinct Schools Project, providing for new co-located primary and secondary schools and intensive English learning centre, comprising:

- *Construction of an up to seven storey multi-purpose building, including:*
 - o *Collaborative general and specialist learning hubs and adaptable classroom home bases.*
 - o *library, laboratories and workshops.*
 - o *indoor gymnasium, canteens and multi-purpose communal hall.*
 - o *staff workplaces.*

Site landscaping, open space and open and covered sports courts/fields, tree removal and planting, fencing and pathways.

Flooding and stormwater management works.

60 staff car parking spaces.

School building identification signage.

A subsequent S4.55(1) modification was lodged and approved on 13 July 2020 for the following:

SSD-9343 Mod 1

Modification of Condition B24 of SSD-9343 to correct an error in the number and type of ecosystem credits to be retired to offset the residual biodiversity impacts of the development.

3. SITE DETAILS

The site is located at 2 Rhodes Street, Meadowbank and is legally described as Lot 10 DP 1232584. The site is an irregular shaped parcel, with a primary frontage to Rhodes Street and a total area of 3.3 hectares. The site is bounded by Rhodes Street to the northeast, the Sydney Water site to the north, the remaining TAFE NSW campus to the east and south, and the T1 Northern railway line to the west (with Meadowbank station located opposite the southern boundary of the TAFE NSW site).

The site is generally undulating and features a central depression at the centre. This results in the site having falls of approximately 14m to both the east and west.

4. PROPOSED MODIFICATIONS

4.1. MINOR DESIGN AMENDMENTS

This Section 4.55(1A) modification application seeks consent to modify SSD_9343 as summarised below:

Playground:

- Rearrangement of fire stairs which no longer extend to playground.
- Minor amendments to landscaping, including:
 - Line marking of sports courts.
 - Amphitheatre and seating steps redesigned
 - Relocation of shed on western side of sports courts.
 - Veggie patch reconfigured and turf type amended.
 - Bound gravel replaced with garden bed and turf.
 - Additional path adjacent to stairs.

Car Park Level:

- Stairs and bleachers amended to allow larger area for canteen queuing.
- Amendments to toilet layout.
- Waste storage amended to be contained within one room.
- Fire and rainwater steel tanks located within same room.
- Car parking and bike parking layout including lift lobby access amended.

Lower Ground Floor:

- Toilet and change room layout amended, moved to adjacent side of the corridor.
- Layout of service rooms amended. Pump room moved to be associated with water tanks.

Ground Floor:

- Planters removed to all Covered Outdoor Learning Areas (COLA) façade edges.
- Full height balustrade added to COLA on both sides for student safety.
- Primary School fence simplified and design change to primary school entrance from Rhodes Street.
- Landscaping to High School entry.
- Void added to High School corridor.
- Landscape modifications, including:

- Additional paths, reconfiguration of stairs and amended to planting extent
- Location of trees amended with no reduction
- Steps, tactile and handrails added.
- Additional planting to replace removed planting

Level 1:

- Planters removed to all COLA façade edges.
- Tree locations amended and planters added.
- Level 1 toilets added.
- Voids deleted at eastern edge of public school outdoor covered area. This has been removed from communal hall glazing.

Level 2:

- Planters removed to all COLA façade edges of primary school and high school.
- Planter extent amended.
- Three void light wells removed from terrace of primary school outdoor uncovered area.
- Amendments and additions of voids.

Level 3 & 4:

- Planters removed to all COLA façade edges of primary school and high school.
- Amendments and additions of voids.
- Stair layout and planter extent amended.

Level 5 & Roof:

- Canopy roof updated – materiality changed to metal.
- Revised plant room layout and enclosure.

The application will not result in any significant changes to the built form of the School in terms of, building envelopes, building heights, the civil and stormwater design. It is noted that the GFA reduced by 79sqm (from 23206sqm to 23127sqm) due to services coordination and incorporation of risers.

The design changes are a positive outcome for the development and do not compromise the intent of the design that GANSW and SDRP have already endorsed. On the basis that the changes do not compromise the intent of the design, it was not considered necessary to meet with GANSW and SDRP.

The modification is the result of detailed design development and arise out of consultant coordination, for example the location of voids, and as a result of stakeholder consultation, for example, the Safety stakeholders within SINSW have driven minor adjustments in balustrade treatment to increase safety. Overall, the design is almost entirely as the approved SSDA with no change to user experience, layouts, materials, urban response and composition.

Amended Architectural Plans and Landscape Plans incorporating these design changes are attached at **Appendix A** and **Appendix B** respectively.

4.2. PROPOSED AMENDMENTS TO DEFINITIONS INCLUDED THE CONSENT

The proposed modifications to Condition A2 of the consent are shown by a strike through for the deleted text and **red text** for new text. To ensure consistency is maintained, the approved architectural and landscape set of plans is proposed to be completely replaced by a new set that incorporates the proposed design amendments and change to the school name.

Terms of Consent

A2. The development may only be carried out ...(d) in accordance with the approved plans in the table below:

Architectural drawings prepared by Woods Bagot			
Dwg No.	Rev	Name of Drawing	Date
MSP-WB-AR-DA200	6	Playground level Plan	20/04/20
MSP-WB-AR-DA201	10	Car Park Level Plan	20/04/20
MSP-WB-AR-DA202	9	Lower Ground Floor	20/04/20
MSP-WB-AR-DA203	8	Ground Floor Plan	20/04/20
MSP-WB-AR-DA204	8	Level 1 Floor Plan	20/04/20
MSP-WB-AR-DA205	9	Level 2 Floor Plan	21/04/20
MSP-WB-AR-DA206	8	Level 3 Floor Plan	20/04/20
MSP-WB-AR-DA207	9	Level 4 Floor Plan	21/04/20
MSP-WB-AR-DA208	11	Roof Plan	21/04/20
MSP-WB-AR-DA301	11	North & South Building Elevations	24/04/20
MSP-WB-AR-DA302	10	East & West Elevations	21/04/20
MSP-WB-AR-DA303	10	Internal Building Elevations Sections	24/04/20
MSP-WB-AR-DA304	5	Overall Elevations Sections Sheet 01	20/04/20
MSP-WB-AR-DA305	6	Overall Elevations Sections Sheet 02	20/04/20
DA402	3	GFA	20/04/20
Landscape Plans prepared by Urbis			
Dwg No.	Rev	Name of Drawings	Date
MB-UR-LA-12000	6	Overall Site Plan	21.01.2020
MB-UR-LA-25011	6	Primary School Detail West	21.01.2020
MB-UR-LA-25012	5	Primary School Detail East	21.01.2020
MB-UR-LA-25013	6	High School Detail North	21.01.2020
MB-UR-LA-25014	5	High School Detail South	21.01.2020
MB-UR-LA-25000	5	Central Terrace Landscape Plans – LG	21.01.2020
MB-UR-LA-25010	5	Central Terrace Landscape Plans – GL	21.01.2020
MB-UR-LA-25100	5	Central Terrace Landscape Plans – LV1	21.01.2020
MB-UR-LA-25200	5	Central Terrace Landscape Plans – LV2	21.01.2020
MB-UR-LA-25300	5	Central Terrace Landscape Plans – LV3	21.01.2020
MB-UR-LA-25400	5	Central Terrace Landscape Plans – LV4	21.01.2020
Un-numbered plan		Proposed Planting in Central Landscape	Undated

Replace the above drawing references with the below:

Architectural drawings prepared by Woods Bagot			
Dwg No.	Rev	Name of Drawing	Date
MSP-WB-AR-DA200	7	Playground level Plan	10/11/20
MSP-WB-AR-DA201	11	Car Park Level Plan	10/11/20
MSP-WB-AR-DA202	10	Lower Ground Floor	10/11/20
MSP-WB-AR-DA203	9	Ground Floor Plan	10/11/20
MSP-WB-AR-DA204	9	Level 1 Floor Plan	10/11/20
MSP-WB-AR-DA205	10	Level 2 Floor Plan	10/11/20
MSP-WB-AR-DA206	9	Level 3 Floor Plan	10/11/20
MSP-WB-AR-DA207	10	Level 4 Floor Plan	10/11/20
MSP-WB-AR-DA208	12	Roof Plan	10/11/20
MSP-WB-AR-13001	C	Elevations - North & South Building	13/11/20
MSP-WB-AR-13002	C	Elevations - East & West Building	13/11/20
MSP-WB-AR-13003	C	North and South - Internal Elevations	13/11/20
MSP-WB-AR-13004	C	Sections – Longitudinal Landscape Sections	13/11/20
MSP-WB-AR-13005	C	Sections – Short Sections	13/11/20
DA402	B	GFA	03/11/20
Landscape Plans prepared by Urbis Pty Ltd			
Dwg No.	Rev	Name of Plan	Date
MSP-UR-LA-00003	H	Site Plan	13/11/2020
MSP-UR-LA-20017	I	Playground – Part 1 Finishes Plan	17.11.2020
MSP-UR-LA-20018	I	Playground - Part 2 Finishes Plan	17.11.2020
MSP-UR-LA-20040	I	Ground level Finishes Plan	17.11.2020
MSP-UR-LA-20100	I	Level 01 Finishes Plan	17.11.2020
MSP-UR-LA-20200	I	Level 02 Finishes Plan	17.11.2020
MSP-UR-LA-20300	I	Level 03 Finishes Plan	17.11.2020
MSP-UR-LA-20400	I	Level 04 Finishes Plan	17.11.2020
Un-numbered plan		Proposed Planting in Central Landscape	Undated
DA904	H	Softscape Details	13.11.2020

4.3. REASONS FOR THE MODIFICATION

The minor design modification is a result of ongoing detailed design of the development, stakeholder engagement and buildability inputs including structural coordination. In particular, the modifications will provide improved safety, access and amenity for students while retaining the design intent of the approved development.

5. SECTION 4.55(1A) ASSESSMENT

The matters referred to in Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) need to be considered in the assessment of the proposed modifications. Each of the matters relevant to the proposal is assessed below:

5.1. MINIMAL ENVIRONMENTAL IMPACT

In accordance with Section 4.55(1A) the proposed modifications are of minor environmental impact as it:

- Will not alter the approved development in terms of its use, bulk, scale or overall appearance or the nature of the development.
- Remains consistent with the relevant environmental planning instruments and provisions as detailed in the original application.
- The design modification is predominantly internal to the site and within the approved building envelopes and simply seek to reconfigure minor aspects of the design to improve internal circulation and achieve improved internal amenity.
- The minor external changes retain the overall appearance and scale of the building. The external changes are a result of design development and do not detract from the original design intent.
- The landscape modifications retain the existing planting schedule and only result in minor rearrangements to trees and planters. The landscape modifications reflect and are consistent with the changes to internal and external layout.

Therefore, the proposed modification will have negligible impacts on the surrounding environment.

5.2. SUBSTANTIALLY THE SAME DEVELOPMENT

In accordance with Section 4.55(1A) the proposed modifications will not alter the nature of the proposed development as it:

- Does not represent a significant departure from the approved plans.
- Does not propose any changes to the approved land uses at the site.
- Does not result in any intensification of uses proposed at the site.
- Does not increase the approved height or gross floor area of the buildings, rather there is a minor reduction gross floor area.
- Will not substantially alter the appearance of the overall development as the modifications continue to facilitate a building design, land use and landscape outcome that is consistent with the consent and intent of the conditions contained within.
- Do not result in any substantial environmental, economic or social impacts as demonstrated in Section 5.1 above.
- Does not result in changes to parking numbers, rather will improve access arrangements within the basement consistent with relevant Australian Standards.

Considering the above, it is our opinion that the proposed modifications will result in substantially the same development for which consent has already been granted.

6. SECTION 4.15 ASSESSMENT

The application has been assessed in accordance with the relevant matters for consideration listed in Section 4.15 of the EP&A Act. Each of the matters relevant to the proposal is assessed below.

6.1. ENVIRONMENTAL PLANNING INSTRUMENTS

The proposed modifications have been assessed in accordance with the relevant State and local environmental planning instruments, including:

- *Biodiversity Conservation Act 2016;*
- *State Environmental Planning Policy (State & Regional Development) 2011;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017;*
- *State Environmental Planning Policy 55 – Remediation of Land;*
- *Draft State Environmental Planning Policy (Remediation of Land);*
- *Draft State Environmental Planning Policy (Environment);*
- *Ryde Local Environmental Plan 2014; and*
- *Ryde Development Control Plan 2014*

A comprehensive assessment of the project against the above instruments was undertaken as part of the original assessment under SSD_9343.

The proposed modifications are not considered to result in any changes to the proposal's compliance with the relevant objectives and controls contained in the relevant environmental planning instruments.

6.1.1. Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act) is the legal framework for land management and biodiversity conservation in New South Wales. Division 2 of the Act identifies that any state significant development or infrastructure must be accompanied by a biodiversity development assessment. This is a requirement for any application seeking development consent under Part 4 of the Environmental Planning and Assessment Act 1979. Accordingly, a biodiversity development assessment was submitted and approved with SSD.

6.1.2. State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) identifies development types that are of state significance, or infrastructure types that are of state or critical significance. As the proposal relates to the construction and operation of an approved new school, it remains an SSD under Clause 15(1) of Schedule 1 of the State and Regional Development SEPP.

6.1.3. State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP) balances the need to deliver additional educational infrastructure with a focus on good design.

The proposed modification is consistent with Schedule 4 of the Education SEPP which outlines the design quality principles that are proposed for consideration of applications for school developments. The proposal continues to respond to these design quality principles.

6.1.4. State Environmental Planning Policy No 55 – Remediation of Land

The *State Environmental Planning Policy No 55 – Remediation of Land* (SEPP 55) provides a state-wide planning approach to the remediation of contaminated land. SEPP 55 requires the consent authority to consider whether the subject land is contaminated.

The site has already been remediated in accordance with the conditions of consent of SSD_9343.

6.1.5. Ryde Local Environmental Plan 2014

Ryde Local Environmental Plan 2014 (RLEP 2014) is the principal environmental planning instrument governing development at the site. The proposal continues to comply with the objectives of the SP2 - Infrastructure zone and is compliant with other relevant controls. It is noted that there is no maximum Height of Building or Floor Space Ratio for the site.

6.1.6. Ryde Development Control Plan 2014

Ryde Development Control Plan 2014 (RDCP) provides detailed controls for specific developments types and locations. The proposal will continue to comply with these provisions.

However, in accordance with Clause 11 of the State and Regional Development SEPP, Development Control Plans do not apply to state significant development. Notwithstanding, the modified proposal remains consistent with the original submission, and complies with all relevant controls of the DCP.

6.2. DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

The applicable draft environmental planning instruments applying to the site are:

- *Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)*
- *Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)*

A comprehensive assessment of the proposal against the above draft instruments was undertaken as part of the original assessment under SSD_9343 and the proposed modifications are not considered to result in any changes to the proposal's compliance with the relevant objectives and controls contained in the relevant draft environmental planning instruments.

6.3. PLANNING AGREEMENT

No planning agreements are relevant to this application.

6.4. REGULATIONS

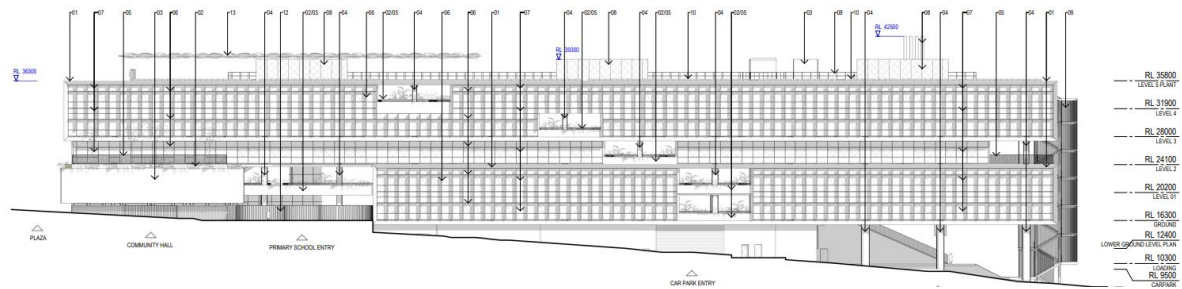
The application has been prepared in accordance with the relevant provisions of the *Environmental Planning and Assessment Regulation 2000*.

6.5. LIKELY IMPACTS OF THE PROPOSAL

The proposed modifications have been assessed considering the potential environmental, economic and social impacts as outlined below:

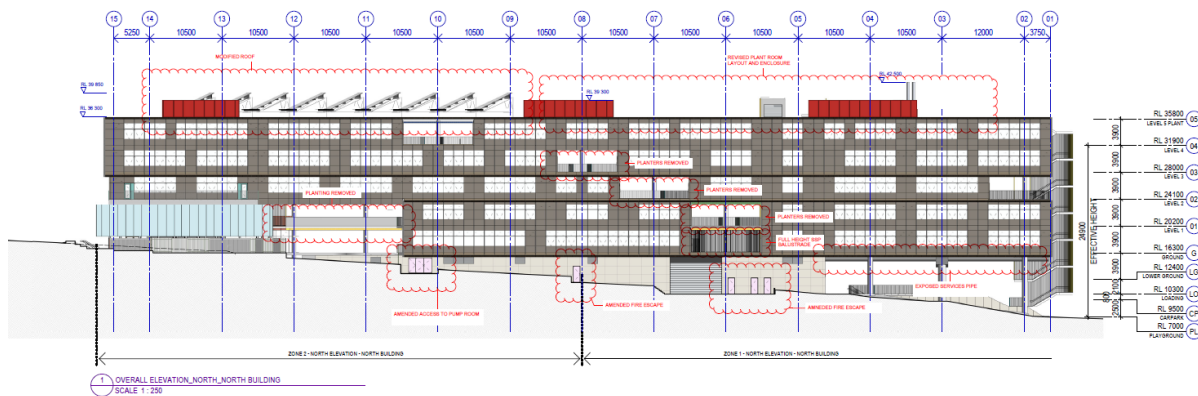
- There will be no additional social or economic impacts as a result of the proposed modifications beyond those previously assessed as part of the approved development under SSD_9343. The proposal has positive social and economic impacts because it provides important social infrastructure and construction and operation jobs.
- The proposed amendments to the design are minor and do not involve any changes to the location and/or scale of any of the approved school buildings. As such there will be no additional overshadowing, noise or visual privacy concerns to neighbouring properties above those which have already been assessed.
- Improved circulation and access for student and staff will be provided through rationalised locations for lifts, stairways and corridors.
- Minor internal layout changes will enhance the internal learning environment.
- The minor external changes retain the overall appearance and scale of the building. The external changes are a result of design development and do not detract from the original design intent. A comparison of the approved and proposed Rhodes Street frontage demonstrates that the external changes are minor and will barely be perceptible from the street.
- The landscape modifications retain the existing planting schedule and quantity. The landscape modifications reflect and are consistent with the changes to internal and external layout.
- No changes are proposed to the existing number of car parking spaces to be provided or to pick up and drop off arrangements. As such, this modification application will not result in any additional traffic or parking impacts.

Figure 1 Rhodes Street Facade



Picture 1 Approved Elevation

Source: Woods Bagot



Picture 2 Modified Elevation

Source: Woods Bagot

6.6. SUITABILITY OF THE SITE

The site remains suitable for the proposed development, as modified. The site is near multiple public transport services and is in a locality currently under significant transformation that can accommodate a development of this nature. The proposed modification is for minor design changes only. The works are permissible with consent.

6.7. SUBMISSIONS

Section 117(3B) of the EP&A Regulation specifies that the notification requirements do not apply to State significant development. Given the nature of the modification, discretionary notification should not be required.

6.8. PUBLIC INTEREST

The approved development was deemed to be in the public interest. The modification is consistent with the approval and therefore remains in the public interest.

7. CONCLUSION

The proposed modifications have been assessed in accordance with section 4.55(1) and section 4.15 of the EP&A Act and are considered appropriate as summarised below:

- The proposal as modified is of minimal environmental impact.
- The proposal as modified is substantially the same development as that approved.
- The proposal as modified satisfies the applicable planning controls and policies.
- The social and economic impacts are acceptable.
- The proposal as modified remains suitable for the site.
- The proposal as modified is in the public interest.

Having considered all relevant matters, the proposed modifications are appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

We trust this information is sufficient to enable assessment and approval of the proposed modification request. Should you wish to discuss any aspect of the application, please do not hesitate to contact the undersigned.

Kind regards,

A handwritten signature in blue ink, appearing to read "Elaine Roff".

Elaine Roff
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