



Jordan Springs Public School

*State Significant
Development
Modification Assessment
(SSD 9354 MOD 1)*

October 2019

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Glossary

Abbreviation	Definition
CBD	Central Business District
COLA	Covered Outdoor Learning Area
Consent	Development Consent
Council	City of Penrith Council
Department	Department of Planning, Industry and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
LGA	Local Government Area
OOSH	Out of School Hours
RtS	Response to Submissions
SEPP	State Environmental Planning Policy
SSD	State Significant Development
The Applicant	NSW Department of Education
The Minister	Minister for Planning and Public Spaces
The Site	Jordan Springs Public School - 14 – 28 Cullen Avenue, Jordan Springs



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1. Introduction

This report provides an assessment of a modification application to modify the State significant development consent (SSD) for Jordan Springs Public School (SSD 9354). The application has been prepared by Urbis, on behalf of NSW Department of Education (previously Schools Infrastructure NSW) (the Applicant).

The modification application seeks approval to amend several administrative errors within original consent by amending the names, revisions and dates of architectural plans that were incorrectly approved as part of Condition A2 in Schedule 2.

The application was lodged on 12 September 2019 pursuant to section 4.55(1) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

1.1 Background

The subject site is located at 14 – 28 Cullen Avenue, Jordan Springs (the site) and is legally described as Lot 22 in DP 1194338 within the Penrith local government area (LGA). The site is located approximately 47km north west of the Sydney central business district (CBD) and 4km north east of Penrith city centre, the closest town centre.

The site is a greenfield site within a developing suburb. It has an area of approximately 28,400m², with frontages to Cullen Avenue and Lakeside Parade and is relatively flat and currently vacant, with no vegetation or buildings on site. The site is bounded by low density residential development to the north and west, a child care centre, community hub and commercial zone and medium density housing to the south-west. To the east is a swale and Jordan Springs Village Oval (open space) which is managed by the City of Penrith Council (Council).

The site and its surrounding context is shown in **Figure 1**.



Figure 1 | Site Location (Source: Jordan Springs Assessment Report 2019)

The area surrounding the site has significantly increased in density since 2010, which has resulted in demand for a new primary school. Land immediately to the south of the site has been cleared for residential development. The adjacent buildings to the north and west are generally two-storeys in height. Medium density residential development to the south-west is up to six storeys in height.

1.2 Approval History

Planning approval was obtained by the Applicant from the Executive Director, Infrastructure Assessments, as delegate for the Minister for Planning and Public Spaces (the Minister) on 5 September 2019. The consent allows for the construction and operation of a new primary school for up to 1000 primary school students and 70 full-time equivalent staff. Approved construction works comprised of four two-storey buildings containing:

- reception.
- administrative facilities.
- amenities.
- canteen.
- collaborative learning spaces.
- learning studios.
- Covered Outdoor Learning Areas (COLA).
- practical activity areas.

The construction of two bicycle racks to provide 60 bike parking spaces, two at-grade car parks to provide 63 space car parking spaces and a single storey building including a hall with a performance stage and Out of School Hours (OOSH) care facilities were also approved as part of the consent. The site plan is shown in **Figure 2**.

The development consent has not been previously modified.

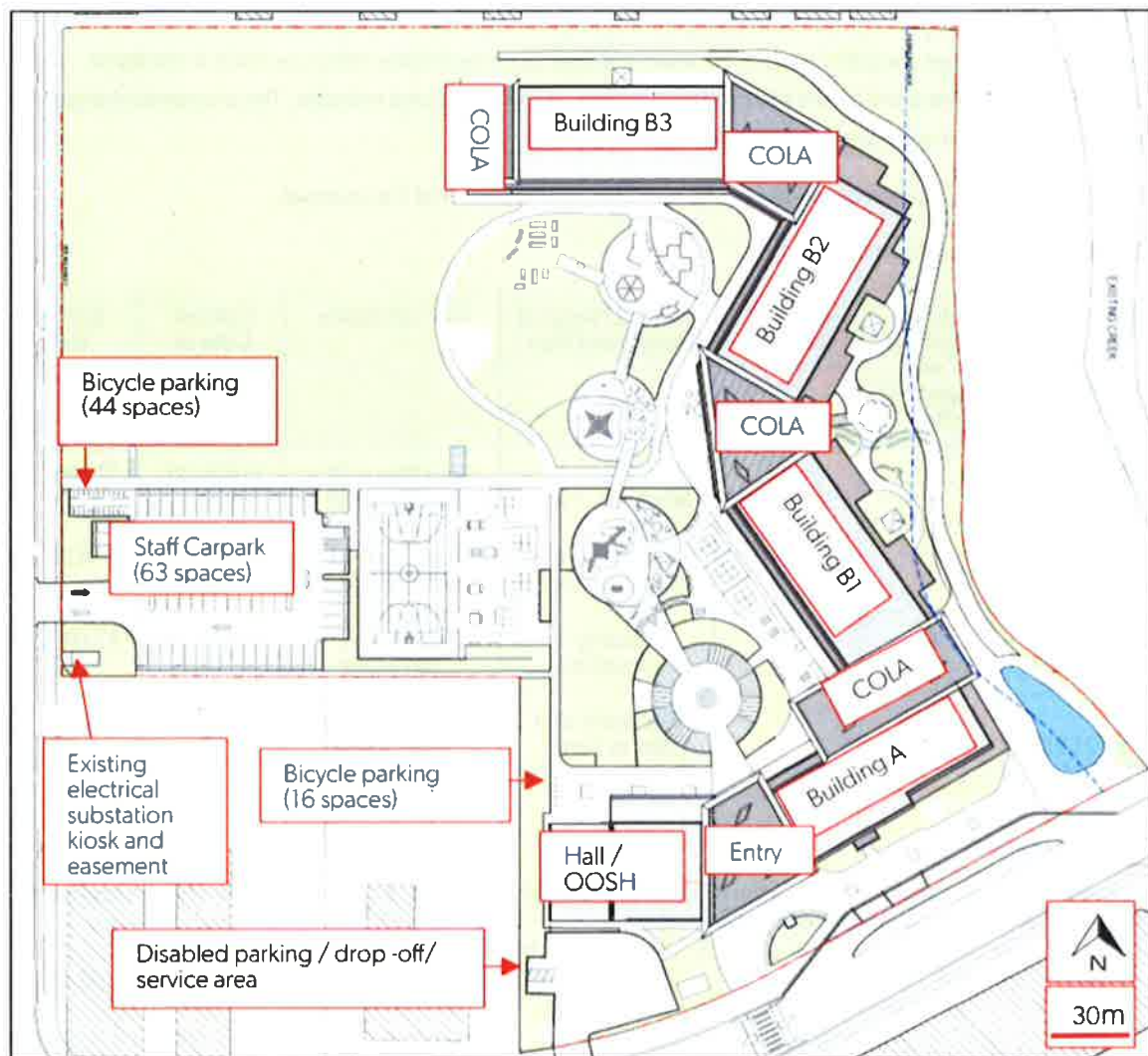


Figure 2 | Site Plan (Source: Applicant's Response to Submissions (RtS) for SSD 9354, 2019)

1.3 Other Approvals

The site was previously used for defence purposes, which is listed in State Environmental Planning Policy (SEPP) 55 as an activity that may cause contamination. A separate development application was lodged and approved by Council for bulk earth works at the site, which considered the previous uses of the site.



2. Proposed Modification

The proposal is the subject of a Section 4.55(1) modification that seeks to modify the original SSD consent to amend errors in the list of plans that were approved for the site as part of Condition A2 of Schedule 2 in the original consent.

The proposed changes are administrative in nature and seek to correct minor reference errors in the list of approved architectural plans for the site in relation to their names, dates and revisions. The proposed changes are listed in **bold** and underlined in **Table 1**.

This modification application does not seek to amend any other aspect of the approval.

Table 1 | Proposed modifications

Drawing Number	Current Revision of Approved Plan	Correct Revision	Current Name of Approved Plan	Correct Name	Current Date of Approved Plan	Correct Date
180646 JS-AR-2004	E	E	Floor Plan – GF – Block B2 – Part 5	Floor Plan – GF – Block B3 – Part 5	31/05/2019	31/05/2019
180646 JS-AR-2014	E	E	Floor Plan – L1 – Block B2 – Part 5	Floor Plan – L1 – Block B3 – Part 5	31/05/2019	31/05/2019
180646 JS-AR-3000	E	H	Building C Elevations	Building C Elevations	31/05/2019	<u>17/07/2019</u>
182535 DAC04.02	6	6	Siteworks and Storm Water Management Plan – Sheet 02	Siteworks and Storm Water Management Plan – Sheet 02	31/05/2019	<u>16/05/2019</u>

The modification also seeks to change the Applicant for the project from Schools Infrastructure NSW (Applicant for SSD 9354) to the NSW Department of Education.



3. Strategic Context

Public school enrolments across NSW are anticipated to be 40,000 students higher in 2019-2020 than they were in 2015-16. In response to the need for additional public education infrastructure as a result of increased demand, the NSW Government is investing \$6.7 billion over the next four years to deliver new and upgrade existing schools.

The Department considers that the proposal remains appropriate from a strategic context given it is:

- consistent with The Greater Sydney Regional Plan, A Metropolis of Three Cities, as it proposes new school facilities to meet the growing needs of Sydney.
- consistent with the NSW Future Transport Strategy 2056 as it would provide a new educational facility and provide access to additional new employment opportunities close to public transport (bus routes).
- consistent with the vision outlined in the Greater Sydney Commission's Western City District Plan, as it would provide much needed school infrastructure with opportunities to co-share facilities with the local community.
- consistent with State Infrastructure Strategy 2018 – 2038 Building Momentum as it would integrate school and community facilities and proposes:
 - a large school
 - new facilities to support the growth in demand for primary student enrolments for 1000 primary school students in the Jordan Springs area
 - a school design to accommodate infrastructure and facilities sharing with communities.
- provides direct investment in the region of \$49,536,397, which would support 300 construction jobs and 70 new operational jobs.



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 minor errors under section 4.55(1) as the proposal:

- would not increase the environmental impacts of the project as approved.
- is substantially the same development as originally approved.
- 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(1) 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(1) of the EP&A Act rather than requiring a new development application to be lodged.

4.2 Consent Authority

The Minister is the consent authority under section 4.5 of the Act.

In accordance with the Minister's delegation to determine SSD applications, signed on 11 October 2017, the Director, Social and Infrastructure Assessments may determine this application as:

- the relevant Council has not made an objection.
- there are less than 25 public submissions in the nature of objection.
- a political disclosure statement has not been made.

The proposed modification meets the terms of this delegation.



5. Engagement

5.1 Department's Engagement

The Department made the modification application available on its website from 20 September 2019. Due to the minor administrative nature of the modification application, the Department did not formally seek submissions on the application.

No submissions were received by the Department relating to the proposed modification.



6. Assessment

The Department has assessed the modification application in accordance with the relevant requirements of the EP&A Act. Following a review of the proposed modifications to condition A2 in Schedule 2 of the original consent, the Department notes that the proposed changes are administrative and minor in nature.

The modification application seeks to modify the consent to amend administrative errors relating to the name, date and issue of the architectural plans that have been approved. The proposed changes do not seek to add new or altered architectural site plans within the consent, but rather aim to ensure that the correct architectural drawings are referenced. As such the proposed modifications would ensure consistency within the consent and would assist it in achieving its intended purpose.

The changes are of minimal environmental impact and would not amend any aspect of the approved development. The suitability of the site to accommodate the development will not be impacted.

The proposed modification is considered to be in the public's interest. The modification seeks to maintain clarity and transparency within the project by ensuring that the development consent contains reference to the most up to date architectural plans that have been approved for the site. The proposed changes would not result in a change in the site's building heights, proposed gross floor area or building form.

Further, the Department has assessed the request to change the Applicant for the project from Schools Infrastructure NSW to the NSW Department of Education. This has been requested on the basis that Schools Infrastructure NSW forms part of the NSW Department of Education. The Department accepts this change and recommends that the Applicant be amended accordingly.

On this basis, the Department is satisfied that the modification is in the public's interest as it would result in a development that is substantially the same as the one that was previously approved. The Department considers the application to be of minor nature. Therefore, it is recommended that the modification application be approved to ensure consistency within the development consent for the site and to support the establishment of an essential service for the surrounding community.



7. Evaluation

The Department's assessment concludes that the proposed modification is appropriate on the basis that:

- the proposed changes would result in substantially the same development as the original approval.
- the proposed changes to condition A2 would not change the use of the site or approved building heights, forms or GFA.
- the administrative changes would allow the original consent to achieve its intended effect.
- the proposal does not result in any additional matters that require consideration under Section 4.15(1) of the EP&A Act.

As such, the Department considers the proposed administrative changes are appropriate and minor in nature.



8. Recommendation

It is recommended that the Director, Social and Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report;
- **determines** that the application Jordan Springs Public School SSD 9354 MOD 1 falls within the scope of section 4.55(1) 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;
- **modify** the consent [SSD 9354]; and
- **signs** the modifying instrument (**Appendix A**).

Recommended by:

Rita Hatem

Student Planner

Schools Infrastructure Assessments

Recommended by:

Andrew Beattie

Team Leader

Schools Infrastructure Assessments



9. Determination

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

A handwritten signature in black ink, appearing to read 'KH'.

Karen Harragon

10/10/19

Director

Social and Infrastructure Assessments



Appendices

Appendix A – List of Documents

The following supporting documents and information to this assessment report can be found on the Department's website as follows:

1. Modification Application

<https://www.planningportal.nsw.gov.au/major-projects/project/25431>

2. Instrument of Modification

<https://www.planningportal.nsw.gov.au/major-projects/project/25431>

3. Consolidated Consent

<https://www.planningportal.nsw.gov.au/major-projects/project/25431>