



# New Catherine Field Primary School Modification 1

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State Significant Development Modification Assessment (SSD-9477-MOD-1)

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Title: New Catherine Field Primary School Modification 1 Assessment Report

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# Glossary

Abbreviation	Definition
<b>Consent</b>	Development Consent
<b>Council</b>	Camden Council
<b>Department</b>	Department of Planning, Industry and Environment
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2000
<b>LGA</b>	Local Government Area
<b>SSD</b>	State Significant Development
<b>The Applicant</b>	NSW Department of Education
<b>The Minister</b>	Minister for Planning and Public Spaces
<b>The Site</b>	Lot 1001 DP1234527 O'Keefe Drive, Oran Park

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# 1 Introduction

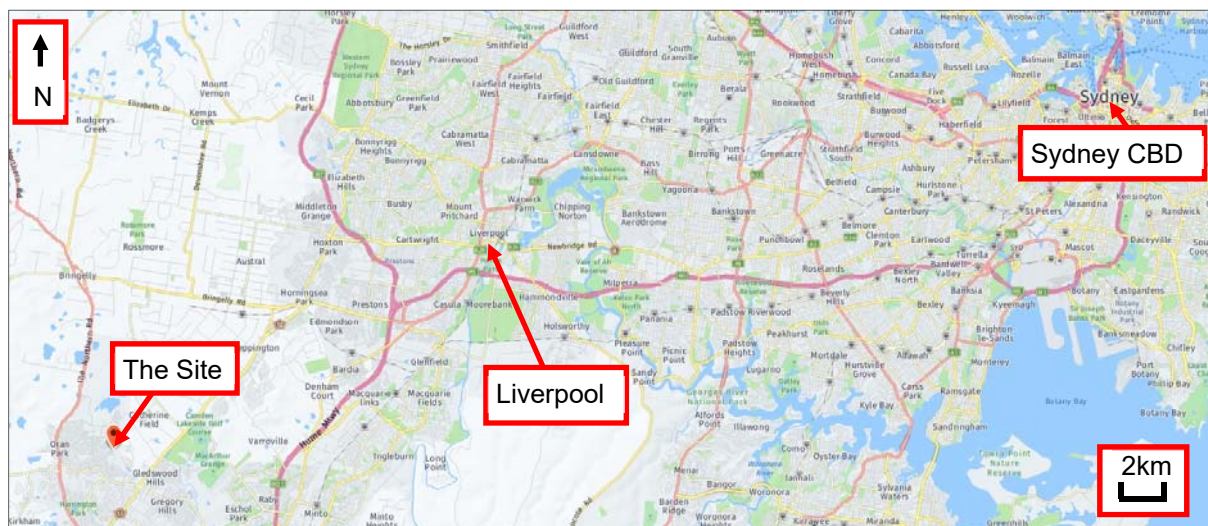
This report provides an assessment of an application to modify the state significant development consent (SSD) for New Catherine Field Primary School (SSD-9477). The application has been prepared by NSW Department of Education (the Applicant).

The modification application seeks approval to allow school staff to attend the site to undertake operational readiness work ahead of the formal operation of the development as a school with students in attendance. It also seeks to incorporate details of a retaining wall omitted from the approved plans.

The application has been lodged pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

## 1.1 Background

The site is located at O'Keefe Drive, Oran Park within the South West Priority Growth Area in the Camden Local Government Area. The site is located approximately 45 kilometres (km) south-west of Sydney Central Business District (CBD), 19km south-west of the Liverpool CBD. The location of the site within the context of Sydney region is shown in **Figure 1**.



**Figure 1 | Location of the site in Sydney Region (Base source: Google maps 2020)**

The site is legally described as Lot 1001 DP1234527 and is bordered by O'Keefe Drive to the west, road 610 to the south and road 3301 to the east. The site is irregular in shape with an area of approximately 20,820 square metres (sqm).

Construction works associated with the approved development have commenced on site with construction of the proposed school buildings well advanced.

The area surrounding the site is undergoing transition to urban development. Land to the west of the site has been developed and for residential purposes. Land to the north of the site is proposed to be developed as open space containing sporting fields. Land to the east and south-east is currently being development for medium density development.

The conditions of the site and surrounds in early October 2020 is shown in **Figure 2**.



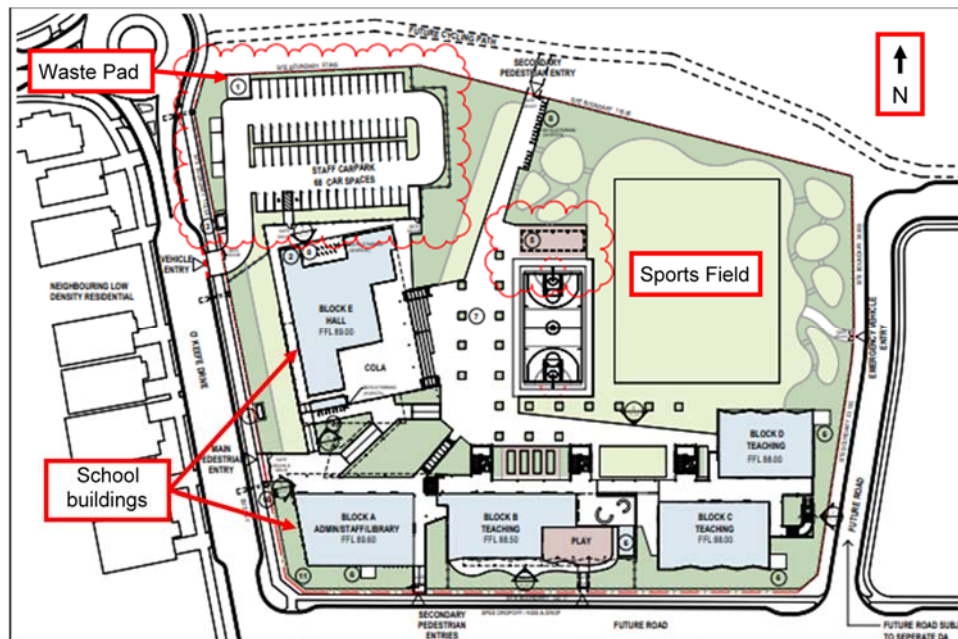


**Figure 2 | Existing conditions of the site in early October 2020 (Base source: Nearmap 2020)**

## 1.2 Approval history

On 17 June 2020, the Executive Director, Infrastructure Assessments, as delegate for the Minister for Planning and Public Spaces (the Minister), granted consent for the construction and operation of a new school including home bases, a multi-purpose hall, library and administrative building and associated works including covered outdoor learning area, landscaping, drop-off / pick-up facilities, car parking, signage and infrastructure works.

The approved site plan is shown in **Figure 3**.



**Figure 3 | Approved Layout (Source: Department's Original Assessment Report 2020)**

A second modification (SSD-9477-Mod-2) has been lodged by the Applicant for changes to the access point and layout of the staff carpark proposed in the north-western corner of the site. This proposes to move the access point from its current proposed location on the site's western boundary on O'Keefe Drive to the site's northern boundary. The revised access point would access a proposed new Council road and car park to be constructed on a proposed Council reserve immediately to the north of the site. Associated changes to drop-off/pick-up arrangements on O'Keefe Drive are also proposed. This modification is currently under consideration and has yet to be determined.

The map illustrates the proposed layout for the Catherine Field Public School and Recreation Reserve. The school grounds are shown in pink, including baseball fields and a central building. The proposed recreation reserve is shown in green, featuring a riparian corridor along South Creek and Kolumbo Creek. A proposed road is shown as a dashed line to the north of the site. Key access points are highlighted with yellow arrows: one for approved car park access and another for proposed revised car park access. The map also shows surrounding tranches (9, 33, 34 DA04, 34 DA05, 34 DA06) and local roads (Fifth Ave, Banfield Drive, Catherine Drive, Perkins Drive). A scale bar indicates 60m.

Site

Provision for revised access to school carpark

FUTURE SPORTFIELD

SPORTFIELD ENTRY

CH4.65

CH35.00

CH15.00

CH6.00

CH42.25

CH30.00

CH15.00

CH6.00

MATCH TO PROPOSED SCHOOL SITE LEVELS AT BOUNDARY

10m

**New Catherine Field Primary School Modification 1 (SSD-9477-Mod-1) | Modification Assessment Report**



## 2 Proposed modification

The application seeks to modify the consent to allow staff to enter the completed buildings on the site to undertake operational readiness work ahead of the formal commencement of operations of the new school. The Applicant advises that:

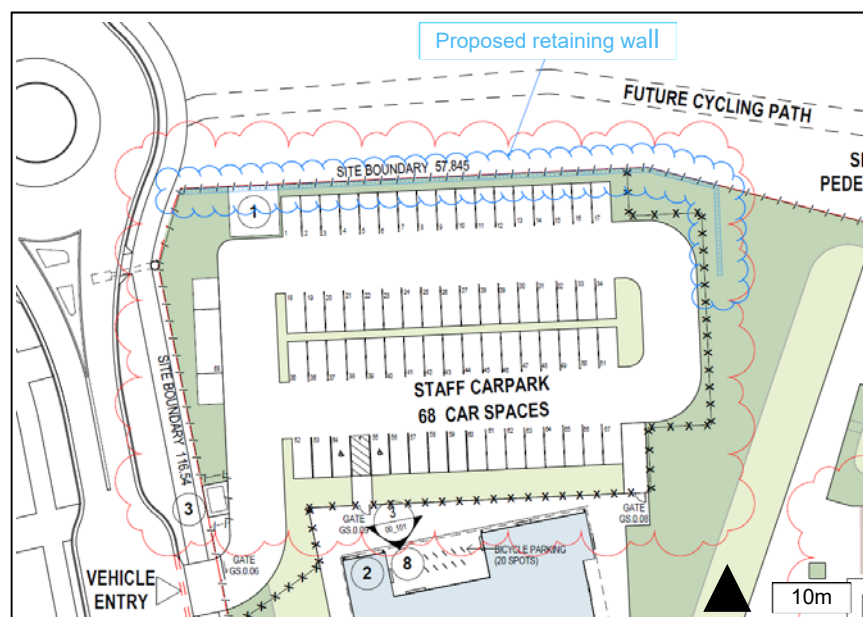
- staff would be provided with safe ingress and egress to the buildings where operational readiness work would occur, with access routes fenced off from the construction areas.
- up to 15 staff would be involved at any one time.
- details of the proposed arrangements, including how it would be managed to ensure safe operations and minimal environmental impacts, would be submitted to the Certifier prior to the commencement of any operational readiness work.

In addition, the modification seeks to incorporate additional details of a retaining wall originally shown on the submitted civil plans but omitted from the original approved site plan. The original civil plans also failed to detail the height of the proposed wall.

The Applicant has submitted an amended site plan showing the location of the wall and an elevation showing the height of the wall. This wall is proposed in the north-western corner of the site along the site boundary adjacent to the proposed car park and would range from 0.8m to 1.8m high. It is required to manage the change in level between the carpark and the land to the north of the site.

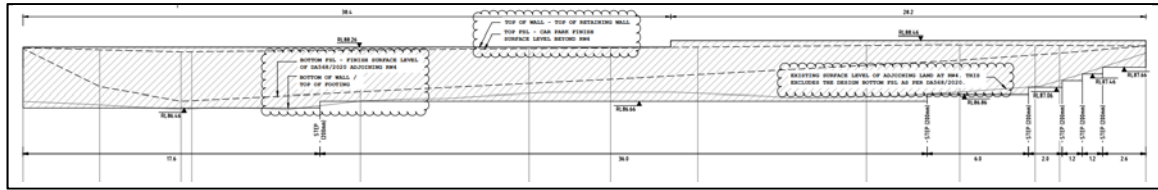
It is anticipated that the retaining wall would be removed or buried when the land to the north of the site is developed as a Council reserve (see **Section 1.2.1**) and the difference in levels between the two sites removed. Plans for the proposed reserve currently being considered in a local development Applicant by Council show that the level to the north of the site would be raised to match the finished levels of the site (**Figure 5**).

An extract of the revised site plan is included in **Figure 6** and elevation in **Figure 7**.



**Figure 6 | Proposed revised layout (Source: Applicant's Modification Application 2020)**





**Figure 7 I Proposed retaining wall elevation (Source: Applicant's Modification Application 2020)**

### 3 Strategic context

The Department considers the development, to which the modification relates, remains consistent with its applicable strategic context given that it is consistent with the:

- *Greater Sydney Region Plan, A Metropolis of Three Cities*, as it proposes new school facilities to meet the growing needs of Sydney.
- vision outlined in the Greater Sydney Commission's *Western City District Plan*, as it would provide much needed school infrastructure and opportunities to co-share facilities with the local community.
- *NSW Future Transport Strategy 2056*, as it would provide a new educational facility in an accessible location.
- *State Infrastructure Strategy 2018 – 2038 Building the Momentum*, as it would provide new school facilities to support the growth in demand for primary student enrolments and integrate school and community facilities.
- *Sydney's Cycling Future 2013*, as it would promote and cater for bicycle use through the provision of end-of-trip facilities.

The proposal would also provide direct investment in the region of approximately \$45 million, and support 355 construction jobs and 56 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 minimal environmental impact under section 4.55(1A) 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(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 and Public Spaces (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 9 March 2020, the Director, Social and Infrastructure Assessments may determine this application as:

- the application had not already been referred by the Planning Secretary to the Independent Planning Commission at the time the delegation was issued.
- the application has not been made by a person who has disclosed a reportable donation in connection with the application.
- there are less than 10 public submissions in the nature of objection.

## 5 Engagement

The Department did not give public notification of the application due to the minor nature of the proposed modifications. However, the modification application was made publicly available on the Department's website and was referred to Council for comment.

A submission was received from Council which advised:

- that it did not object to the proposed operational readiness work subject to the controls proposed by the Applicant and the provision of on-site parking arrangements.
- the retaining wall should be revised to be consistent with the location of the wall as depicted in the further revised site plan submitted in SSD-9477-Mod-2.
- details of the material of the wall should be provided. Sandstone was recommended.
- a balustrade may be needed at the top of the wall depending on its height to comply with the Building Code of Australia.
- a standard condition of consent should be imposed requiring the retaining wall to comply with standard design requirements as follows:

*Any retaining wall must comply with the following requirements:*

- a) retaining walls shall be designed and certified by a suitably qualified structural engineer;*
- b) retaining walls in cut shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;*
- c) retaining walls in fill shall be constructed to ensure all associated drainage and backfill remain wholly within the subject property;*
- d) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connect to, a stormwater disposal system within the property boundaries;*
- e) retaining walls shall not be erected within drainage easements;*
- f) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited; and*
- g) retaining walls are to be finished with anti-graffiti coating.*

The submission was referred to the Applicant which provided the following response:

- on-site parking for operational readiness work is not possible given construction works continue on site. However, alternative arrangements are proposed to avoid impacts on the local road network, including for staff to park at nearby schools with shared transport to the site.
- the layout of the retaining wall proposed in SSD-9477-Mod-2 will be reviewed to ensure that it reflects the layout intended.
- the retaining wall would be made of blockwork given that the wall is intended to be temporary visible.
- it is expected that a balustrade would not be required as the land to the north of the site is expected to be developed (and the level change removed) prior to completion of the car park.
- the proposal would comply with the requirements of the condition recommended by Council.



## 6 Assessment

The Department has considered the modification application in the context of the original approved development in its assessment. Consideration of the key elements of the modification is included below.

### **Operational readiness work**

The Department has reviewed the information provided by the Applicant and considers that the use of the completed buildings on-site by staff to undertake operational readiness activities would be acceptable as:

- traffic movements to the site would be significantly fewer than that of the full operation of the school considered in the Department's original assessment. That assessment found that the local road network has capacity for the proposal.
- car parking demand would be minimal and arrangements are proposed that would minimise impacts on the local road network.
- operational readiness work would be undertaken from within the completed buildings and would generate significantly lower noise levels than expected from the full operation of the school considered in the Department's original assessment. That assessment concluded that the operational noise levels of full operation of the school would not have unacceptable impacts on surrounding sensitive receivers.
- the Applicant has proposed suitable arrangements for measures to be put in place to ensure the safety of staff during the construction of the uncompleted portions of the development.

Given the above, the Department considers that the proposed operational readiness work would not result in any additional environmental impacts as a result of traffic and parking or noise. Accordingly, the Department considers that the proposed modification to be acceptable subject to conditions that require:

- details of the proposed management arrangements to be submitted to the Certifier prior to commencement.
- the approved arrangements to be implemented.
- the number of staff involved not to exceed 15.

### **Retaining wall details**

The Department notes that the proposed retaining wall was shown in the civil drawings submitted as part of the original SSD application and that modification is required to correct the omission of details of the wall (principally the height).

Overall, the Department considers that the incorporation of the additional details of the wall, including the elevation, to be appropriate to enable the completion of the development in compliance with the provisions of the consent. The wall is necessary to manage the level change between the finished levels of the site and the existing levels of the land to the north.

The following comments are made having regard to issues raised by Council:

- any discrepancies between plans submitted Mod-1 and Mod-2 can be resolved prior to determination of Mod-2.

- the use of blockwork for the wall is appropriate given that it will only be visible on a short-term basis. A recommended condition of consent requires the wall to be painted if proposals for the land to the north of the wall were to change such that the wall would be permanently visible.
- the development is required to be constructed in accordance with the Building Code of Australia. In addition, the approved site plan shows that a 2.1m high palisade fence is to be built along the top of the wall on the site boundary which would act as a safety barrier at the level change.
- Council's recommended condition is accepted except for the requirement for graffiti protection given the cost of doing so and the expected short-term exposure of the wall. Instead, a condition has been recommended that graffiti be removed with 24 hours and that graffiti protection be provided if proposals for the land to the north of the wall were to change such that the wall would be permanently exposed.

On the basis of the above, the Department considers that the proposed modification would not result in additional significant environmental impacts. Accordingly, the Department considers the proposed modification to be acceptable subject to the following amendments to the consent:

- revision of the approved plans listed in condition A2 to incorporate the revised site plan and elevation of the retaining wall.
- inclusion of Council's recommended condition as revised above to omit the requirement for graffiti protection.
- inclusion of a condition requiring graffiti to be removed within 24 hours.
- inclusion of a condition requiring the wall to be painted and graffiti protection be applied if the wall remained exposed six months after the commencement of operation.

## 7 Evaluation

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

- the proposal would allow staff to make use of the completed portions of the site to ensure the school is ready to operate (and accommodate students) in early 2021.
- the proposal would ensure the timely and effective operation of an essential service to the community.
- the proposal would not alter the nature of the development as provided in the original approval.
- the proposal would not result in any significant environmental impacts.

Consequently, the proposal is in the public interest and it is recommended that the modification be approved.

## 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 New Catherine Field Primary School Modification 1 (SSD-9477-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.
- **modifies** the consent SSD-9477.
- **signs** the modifying instrument (**Appendix A**).

Recommended by:



**Jason Maslen**

Team Leader

Schools Infrastructure Assessments



## 9 Determination

The recommendation is: **Adopted** by:

A handwritten signature in black ink, appearing to read 'KH', with a long horizontal flourish extending to the right.

30 October 2020

**Karen Harragon**

Director

Social and Infrastructure Assessments

as delegate of the Minister for Planning and Public Spaces

# Appendices

## Appendix A – List of Documents

1. Modification report

<https://www.planningportal.nsw.gov.au/major-projects/project/40211>

2. Instrument of modification

<https://www.planningportal.nsw.gov.au/major-projects/project/40211>

3. Consolidated Consent

<https://www.planningportal.nsw.gov.au/major-projects/project/40211>