

Ms Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

22 March 2017

Dear Ms McNally

**Determination of Modification Application
MLC Senior School Centre (SSD 6484 MOD 1)**

Thank you for your Department's letter received on 7 March 2017 referring the above modification application to the Planning Assessment Commission (Commission) for determination under Ministerial delegation of 14 September 2011. Lynelle Briggs AO, Chair of the Commission, nominated Abigail Goldberg (as chair) and Garry West to constitute the Commission to determine the application.

Methodist Ladies College (Applicant) seeks to modify the development consent for the approved redevelopment of its campus in Park Road and Grantham Street, Burwood. The proposed modifications would:

- increase the height of the approved Teaching and Learning Building from three storeys to four storeys;
- delete the approved additions to the year six building and Sutton wing; and
- increase the gross floor area (GFA) across the school site by 862 square metres (m²).

As part of the consideration of this modification the Commission has been briefed by the Department, met with Burwood Council and the Applicant, and conducted a site inspection. Minutes of these meetings are attached at **Appendix A**. The Commission notes that both the Applicant and the Department subsequently clarified floor space calculations for the proposed modifications as detailed below.

Table 1: Net changes to Gross Floor Area (GFA)

Location	Approved (m ²)	Proposed (m ²)	Change (m ²)
Middle School Year 6 Building (approved addition)	774	0	-774
Middle School Sutton Wing Addition (approved addition)	338	0	-338
Middle School Sutton Wing (existing)	-3,768	-3,448	+320
<i>Sub-Total Middle School</i>			<i>-792</i>
Teaching and Learning Building	4,934	6,588	+1,654
Remaining Buildings Across Site	9,184	9,184	0
Net Total GFA	11,462	12,324	+ 862 (i.e. -792 + 1,654)
Increase as a percentage of approved GFA			7.5%

The Commission notes that the proposed modifications would allow for the co-location of science and language areas, and additional facilities for the history as well as science, technology, engineering and maths (STEM) faculties, and a staff room. The modifications provide for collaborative learning spaces in line with current pedagogical trends, and for the replacement of older class rooms. The modifications do not increase the number of classrooms overall at the school, nor is an increase in the number of students or teachers accommodated at the school proposed.

The Commission has considered carefully the Department's assessment report, the information provided by the Applicant, recommendations from government agencies and section 96(2) of *Environmental Planning and Assessment Act 1979* (EP&A Act).

Key matters for this modification are highlighted by Burwood Council's objection to the application. They include whether the modifications comply with section 96(2) of the EP&A Act, compatibility with the zone objectives in the *Burwood Local Environmental Plan 2012*, and building height, setback and floor space issues.

The Commission has reviewed the Department's assessment of these matters and is satisfied with the Department's recommendations. In particular, the Commission is satisfied that the modifications are within the scope of section 96(2) of the EP&A Act, despite Council's concerns. In this regard, the character and intensity of the proposed use remains the same, while the additional height (1 storey) and floor space (862m² or 7.5%) are relatively minor and would not result in additional amenity impacts.

The Commission accepts the Department's evaluation of the zone objectives for the land. While zoned for low-density residential uses, the (long established) use is for education purposes. In light of the existing built character of the site, and the approved development, it would not be appropriate to argue that the buildings should now have a low density residential character. The Commission also notes the Department is satisfied that the modification is consistent with the design principles in *Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*.

Finally, the Commission accepts the Department's assessment of built form issues. In particular, the Commission notes that the additional overshadowing does not affect private property and that visual impacts are not significant owing to the additional storey being seamlessly integrated in with the existing approved building. The Commission notes that the boundary setbacks have already been approved, and, incidentally, allow for additional ground level green spaces to be created within the school site.

For the reasons set out above, the Commission accepts the Department's recommendation that this proposal be approved. Consequently, the Commission has determined to approve the modification application subject to the conditions set out in the draft instrument of approval.



Abigail Goldberg
Member of the Commission (Chair)



Garry West
Member of the Commission

cc. The Hon. Anthony Roberts, MP
 Minister for Planning
 GPO Box 5341
 SYDNEY NSW 2001

Meeting Notes: Briefing from the Department of Planning and Environment

This meeting is part of the determination process.		
Date: 20 March 2017	Notes Prepared by: David Way	Time: 1:00 pm
1. PROJECT: MLC Senior School Centre (SSD 6484 MOD 1)		
Meeting place: Planning Assessment Commission Offices, Level 3, 201 Elizabeth Street		
Attendees: Commission Members: Ms Abigail Goldberg (Chair) and Mr Garry West. Commission Secretariat: Mr David Mooney (Team Leader) and Mr David Way (Planning Officer). Department of Planning and Environment (the Department): Mr Anthony Witherdin (Director Regional Assessments, Planning Services, Key Sites & Industry Assessment) and Ms Natasha Harras (Team Leader, Planning Services Key Sites & Industry Assessment)		
The purpose of the meeting: To brief the Commission on the Department's assessment of the proposed modification.		
Topics discussed included: <ol style="list-style-type: none"> 1. Appropriateness of considering the project as a section 96 modification. 2. Project layout and components. 3. Potential changes to impacts as a result of the modification as compared to the current approval. <ul style="list-style-type: none"> - Expected changes to overshadowing impacts - Expected changes and increases to the visual amenity of Park 4. The consideration of the Draft SEPP (Education and Day care Facilities). Actions: <ol style="list-style-type: none"> 1. The Department to provide clarification regarding the net change in gross floor area for the MLC site overall. 		
Meeting close: 1:30 pm		

Meeting Notes: Meeting with Burwood Council

This meeting is part of the determination process.		
Date: 20 March 2017	Notes Prepared by: David Way	Time: 2:45 pm
2. PROJECT: MLC Senior School Centre (SSD 6484 MOD 1)		
Meeting place: Burwood Council Chambers, Paisley Room		
Attendees: Commission Members: Ms Abigail Goldberg (Chair) and Mr Garry West. Commission Secretariat: Mr David Mooney (Team Leader) and Mr David Way (Planning Officer). Burwood Council: Mr Brian Olsen (Manager Building & Development) and Mr Bruce Macdonnell (Deputy General Manager Land, Infrastructure & Environment).		
The purpose of the meeting: To discuss Burwood Council's submission regarding the proposed modification of the MLC Senior School Centre.		
Topics discussed included: 1. Council's submission on the proposed Methodist Ladies College (MLC) Campus modification including: <ul style="list-style-type: none">- Appropriateness of considering the project as a section 96 modification.- Potential changes to impacts as a result of the modification as compared to the current approval, including:<ul style="list-style-type: none">o overshadowing; ando visual amenity of Park Road.		
Meeting close: 3:15 pm		

Meeting Notes: Meeting with Methodist Ladies College

This meeting is part of the determination process.		
Date: 20 March 2017	Notes Prepared by: David Way	Time: 4:00 pm
3. PROJECT: MLC Senior School Centre (SSD 6484 MOD 1)		
Meeting place: MLC Senior School Centre, Park Road, Burwood		
<p>Attendees:</p> <p>Commission Members: Ms Abigail Goldberg (Chair) and Mr Garry West.</p> <p>Commission Secretariat: Mr David Mooney (Team Leader) and Mr David Way (Planning Officer).</p> <p>Methodist Ladies College (MLC): Ms Louise Robert-Smith (Principal, MLC School), Mr Ross Kirby (Head of Finance, Systems and Administration, MLC School), Mr Robert Farrell (Director, Farrell Coyne Projects), Mr James Harrison (Director, JBA) and Ms Kate Tudehope (Principal Planner, JBA)</p>		
The purpose of the meeting: To discuss the proposed amendment to the MLC Campus and observe the current streetscapes along Park Road and Grantham Street.		
<p>Topics discussed included:</p> <ol style="list-style-type: none"> 1. Project description and changes to the school layout, including: <ul style="list-style-type: none"> - clarification of the net change in gross floor area; and - a broad description of the facilities to be provided. 2. The rationale for project modification since State significant development approval was granted, and anticipated benefits. 3. Visual impacts, including overshadowing and visual amenity of Park Road. 4. Traffic management, including use of designated pick up areas for junior school. <p>Actions:</p> <ol style="list-style-type: none"> 1. The Applicant to provide clarification regarding the net change in gross floor area for the MLC site overall. 		
Meeting close: 4:45 pm		