



# Trinity Grammar Modification 3

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State Significant Development Modification Assessment  
(SSD-10371-Mod-3)

June 2022



Published by the NSW Department of Planning and Environment

[dpie.nsw.gov.au](http://dpie.nsw.gov.au)

Title: Trinity Grammar School Redevelopment Modification 3

*Cover image: View of proposed building form the Victoria Street entry (source PMDL Architecture)*

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# Glossary

Abbreviation	Definition
<b>AIA</b>	Arboriculture Impact Assessment Report
<b>Applicant</b>	The Council of Trinity Grammar School
<b>Council</b>	Inner West Council
<b>Department</b>	Department of Planning 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 2021
<b>IPC</b>	Independent Planning Commission
<b>Minister</b>	Minister for Planning
<b>Planning Secretary</b>	Secretary of the Department of Planning and Environment
<b>SSD</b>	State Significant Development

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# 1 Introduction

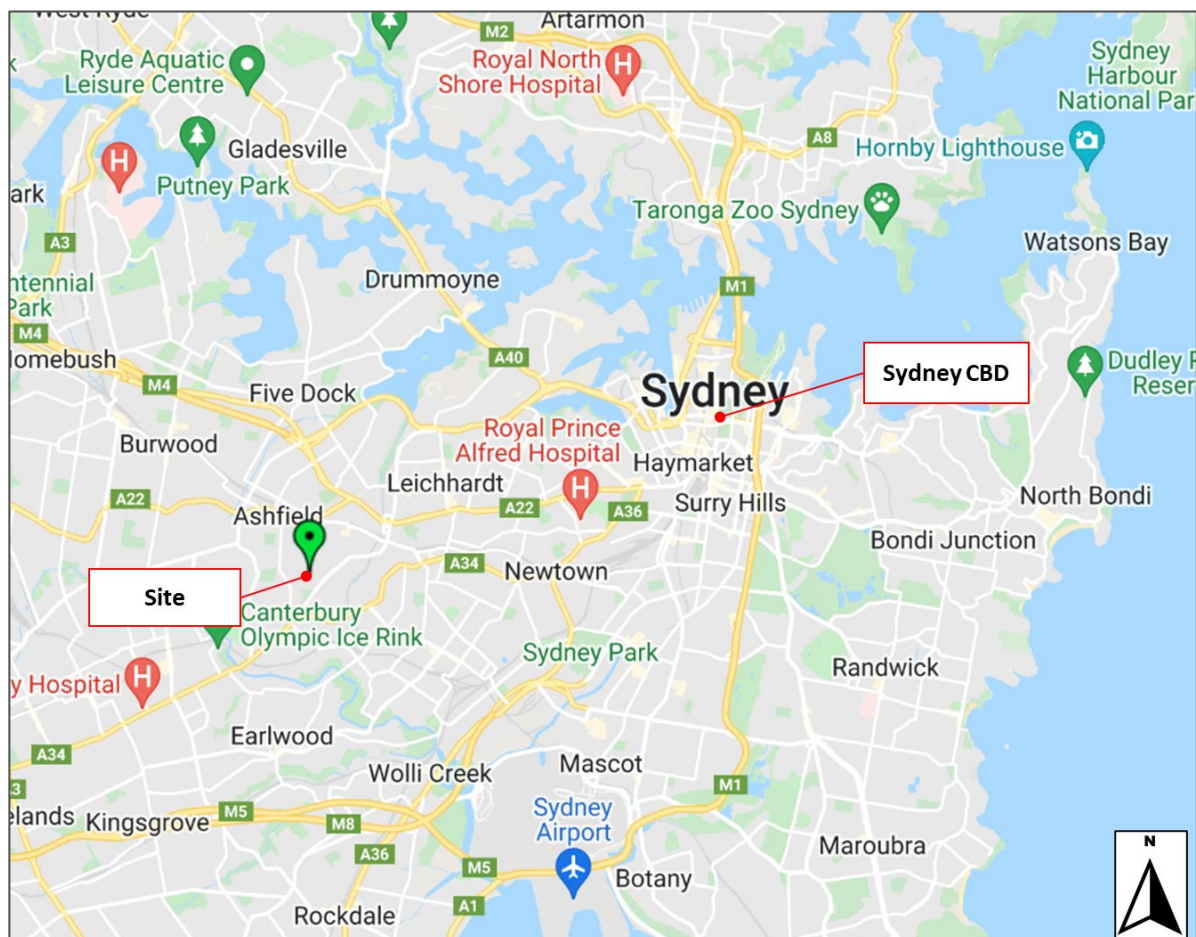
This report provides the NSW Department of Planning and Environment's (the Department's) assessment of an application to modify the State Significant Development (SSD) consent for the redevelopment of Trinity Grammar School, Summer Hill campus (SSD-10371-Mod-3).

The modification application seeks to correct plan revisions and dates referenced in Modification 2 to SSD-10371, approved by the Department on 26 May 2022.

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

## 1.1 Site description

The Trinity Grammar School (the school) is located at 119 Prospect Road Street, Summer Hill, within the Inner West Local Government Area (LGA), approximately 7 kilometres (km) south-west of the Sydney central business district (CBD), as identified in **Figure 1**.



**Figure 1 | Regional Context Map (Source: Nearmap 2022)**

The site comprises the Trinity Grammar School located at 119 Prospect Road, and the residential properties at 50-52 Seaview Street, Summer Hill. The legal description of the site is Lot 11 DP



1171965 and Lots 5 and 6 DP 15765. It is bounded by Prospect Road to the east, Yeo Park to the south, Victoria Street to the west and Seaview Street to the north as identified in **Figure 2**.



**Figure 2 | Local context** (Source: Nearthmap 2022)

The site is generally flat with a total area of 65,596 square metres (sqm) and currently accommodates the junior, middle, and senior schools with students from kindergarten to year 12.

## 1.2 Approval history

On 24 September 2021, development consent was granted by the Independent Planning Commission (IPC) for the alterations and additions to Trinity Grammar School in construction stages, including changes to staff and student numbers (SSD-9912). The development, as approved, comprises:

- demolition of existing buildings and dwelling houses at 119 Prospect Road and 50 and 52 Seaview Street and part demolition of Music Building and Assembly Hall.
- construction of a:
  - new building with a basement known as the Teaching and Learning Building.
  - new Multi-Purpose Pavilion.
  - new Maintenance Building on Seaview Street.
- alterations and additions to existing buildings to create a Performing Art Building.

- refurbishment of the Music Building, New Founders Building, the Assembly Hall and North Quad Building.
- extension and reconfiguration of the Jubilee carpark and the staff carpark to increase the car parking spaces from 312 to 324 and a new underground connection.
- associated landscaping, removal of 29 trees, road and public domain works, ancillary signage.
- staged increase in student numbers from 1500 to 2100 and increase in full time equivalent staff from 277 to 321.

The consent was granted subject to a deferred commencement condition, which required the Applicant to submit amended architectural and landscape plans incorporating amendments that were stipulated by the IPC. The Applicant subsequently submitted the drawings to the satisfaction of IPC, whereby the consent was activated on 18 January 2022.

The development has been subject to two modification applications (see **Table 1**).

**Table 1 | Summary of Modifications**

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
<b>Mod-1</b>	Regularisation of the increase in student and staff numbers.	Department	4.55(1A)	Under assessment
<b>Mod-2</b>	Minor design amendments to the landscape including removal of two existing trees and replacement with new tree planting.	Department	4.55(1A)	26 May 2022

## 2 Proposed modification

In order to reflect the latest revision of the architectural plans that were considered by the IPC as part of its assessment, the modification application seeks to amend Schedule 2 – Part B, Condition B2(d) as presented in Table 2. Insertion of correct references has been included in **bold** and letters/numbers that are superseded are shown as ~~struckout~~.

**Table 2 | Proposed modifications**

Architectural Plans prepared by <i>PDML Architecture</i>			
Dwg No.	Rev	Name of Plan	Date
DA133	A <b>B</b>	Proposed Performing Arts Precinct Plan & Multipurpose Pavilion Plan L1	<del>3/2/20</del> <b>24/8/21</b>
DA134	A <b>B</b>	Proposed Performing Arts Precinct Plan & Multipurpose Pavilion Plan L2	<del>3/2/20</del> <b>24/8/21</b>
DA135	A <b>B</b>	Proposed Performing Arts Precinct Plan & Multipurpose Pavilion Plan L3	<del>3/2/20</del> <b>24/8/21</b>

In addition, the Applicant requested that drawing No. DA151, Proposed Oval 3 Car Park B1, dated 27/4/22, revision E that were assessed and approved by the Department as part of the Modification 2 be stamped.



## 3 Statutory context

### 3.1 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 error, misdescription or miscalculation. Section 4.55(1) of the EP&A Act states that

*“A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify a development consent granted by it to correct a minor error, misdescription or miscalculation. Subsections (1A), (2), (3), (5) and (6) and Part 8 do not apply to such a modification”.*

Based on the above, 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.

### 3.2 Consent authority

#### IPC's delegate as consent authority

The IPC is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the IPC's delegation dated 14 June 2022, the Team Leader, School Infrastructure Assessments, may determine the application as:

- a political donation disclosure statement has not been made.
- there were no public submissions by way of objection.
- the relevant local Council has not made an objection.

## 4 Engagement

The Department made the modification application and modification report available on its website from 29 June 2022. Given the minor nature of the modification application, the Department did not formally seek submissions on the application or comments from Government agencies and/or Inner West Council.

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

## 5 Assessment

The modification application seeks to amend errors relating to dates and revisions of architectural plans within the Instrument of Modification 2 (SSD-10371-Mod-2) and stamped plans.

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, the Department acknowledges that relevant plans referenced within the instrument of Modification 2 are not reflective of the design approved by the IPC. The plans to be referenced have been previously reviewed and endorsed by the IPC as part of the SSD consent. No additional plans are proposed to be included in the consent that the Department has not already assessed. The drawing that has been proposed to be stamped was assessed and approved by the Department as part of Modification 2.

The Department also acknowledges that the approved drawings need to be stamped to reflect the current set of plans in condition B2 of the consent.

As such, the Department is satisfied that the modification is in the public interest as it would maintain clarity and transparency by ensuring consistent references to the most up-to-date architectural plans for the development.

## 6 Evaluation

The Department's assessment concludes that the proposed modifications are appropriate on the basis that:

- the proposed changes would result in substantially the same development as currently approved.
- the proposed changes to condition B2 would not change the use of the site or the approved building height, built form or gross floor area.
- the administrative changes would provide for the 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.

## 7 Recommendation

It is recommended that the Team Leader, School Infrastructure Assessments, as delegate of the Independent Planning Commission:

- **considers** the findings and recommendations of this report.
- **determines** that the application SSD-10371-Mod-3 falls within the scope of section 4.55(1) of the EP&A Act.
- forms the opinion under section 7.17(2)(c) of the *Biodiversity Conservation Act 2016* that a biodiversity assessment report is not required to be submitted with this application as the modification will not increase the impact on biodiversity values of the site.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification.
- **modify** the consent SSD-10371.
- **signs** the attached instrument of approval of the modification (**Appendix A**).

**Recommended by:**



**Nima Salek**  
Planning Officer  
School Infrastructure Assessments

## 8 Determination

The recommendation is **adopted** by:

A handwritten signature in black ink that reads "A. Coomar". The signature is written in a cursive, flowing style.

**Aditi Coomar**

Team Leader

School Infrastructure Assessments

**as delegate**



# Appendices

Appendices should follow this general layout but may be modified for specific reporting needs where necessary:

## Appendix A – List of referenced documents

1. Modification application

<https://www.planningportal.nsw.gov.au/major-projects/projects/trinity-grammar-school-mod-3-correction-plan-references>

2. Instrument of Modification

<https://www.planningportal.nsw.gov.au/major-projects/projects/trinity-grammar-school-mod-3-correction-plan-references>

3. Consolidated consent

<https://www.planningportal.nsw.gov.au/major-projects/projects/trinity-grammar-school-mod-3-correction-plan-references>