

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Karen Harragon
Director
Social and Infrastructure Assessments

Sydney

12 November 2020

SCHEDULE 1

- Development consent:** SSD 7610 granted on 28 February 2018
- For the following:** Development of the New Inner Sydney High School, involving:
- redevelopment of the existing Cleveland Street Intensive English High School;
 - demolition of Building 4 and associated covered walkways;
 - adaptive reuse of existing heritage-listed buildings; and
 - a proposed new 13 storey building, including basement and rooftop basketball court.
- Applicant:** NSW Department of Education
- Consent Authority:** Minister for Planning and Public Spaces
- The Land:** 242A and 244 Cleveland Street, Surry Hills (Corner of Chalmers and Cleveland Streets, Surry Hills – Lot 8 DP 821649, Lot 1 DP 797483 and Lot 1 DP 797484)
- Modification:** SSD 7610 MOD 4:
- Modification of conditions D4 and D5 to allow for the relocation of drop-off/pick-up from the eastern side of Chalmers Street to the western side adjoining the school and revised timing for associated monitoring requirements.
 - Modify the conditions of the consent to allow for the staging of the development.

SCHEDULE 2

The above consent is modified as follows:

- (a) Schedule 2 Part A - Administrative Conditions, the heading of Condition A5 is amended by the insertion of **bold and underlined** words and deletion of the ~~**bold and struckout**~~ words as follows:

Staging, ~~of the development~~ **combining and updating strategies, plans or programs**

- (b) Schedule 2 Part A - Administrative Conditions, Conditions A23, A24, A25, A26, A27 are inserted using **bold and underlined** words as follows:

Staging

A23. The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the satisfaction of the Planning Secretary. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of staged components as detailed in the Staging Report (unless otherwise agreed to in writing by the Planning Secretary) of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).

Note: Works may commence upon the Planning Secretary's approval of a Staging Report and satisfaction of all relevant conditions.

A24. Should the staging of the project (for construction or operation) change from that set out in a Staging Report approved under condition A23, a revised Staging Report must be submitted to the satisfaction of the Planning Secretary.

A25. A Staging Report prepared in accordance with condition A23 or A24, must:

- (a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;**
- (b) if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);**
- (c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and**
- (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.**

A26. Where a Staging Report is approved under conditions A23 or A24, the project must be staged in accordance with the latest Staging Report approved by the Planning Secretary.

A27. Where construction or operation is being staged in accordance with a Staging Report approved under conditions A23 or A24, the terms of this consent that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the latest Staging Report approved by the Planning Secretary.

- (c) Schedule 2 Part D – Prior to the Occupation or Commencement of Use, Condition D4 is deleted as shown by the ~~bold and struckout~~ words/number and replaced with the insertion of the **bold and underlined** words/number as follows:

D4. Prior to the commencement of operation, the Applicant must apply to Council for approval to **provide a** ~~extend the existing~~ **17.7m long** 'No Parking' zone on the ~~eastern~~ **western** side of Chalmers Street ~~adjacent to opposite~~ the main entry of the school to accommodate **for the drop-off/pick-up of five vehicles** ~~for dropping-off/picking-up~~ students.

- (d) Schedule 2 Part D - Prior to the Occupation or Commencement of Use, Condition D5 is amended by the insertion of **bold and underlined** words and deletion of the ~~bold and struckout~~ words as follows:

D5. The drop-off/pick-up zone on the ~~eastern~~ **western** side of Chalmers Street ~~opposite the adjacent to main entry of~~ the school must be monitored during the AM and PM peak drop-off/pick-up periods twice weekly ~~for the first school term of operation from day one of term three (Tuesday 21 July 2020)~~ and one day per week during the AM and PM peak drop-off/pick-up period ~~for the second school term from day one of term four (Monday 12 October 2020) of operation~~ unless otherwise agreed by the Secretary. A monthly report over a six-month period must be prepared by a suitably qualified person including a discussion of the results of the monitoring including:

- a) Time period monitored (date, time);
- b) Number of students exiting/alighting vehicles;
- c) Number of vehicles using the drop-off/pick-up zone;
- d) Length of time each vehicle loads/unloads students;
- e) An assessment of how the drop-off/pick-up zone is operating, and whether there is any observed impact on the Cleveland Street / Chalmers Street intersection (eg queuing, illegal stopping, safety etc);
- f) verification based of the results of traffic surveys at similar Sites; and
- g) Any other relevant information as required.

If after six months ~~of operation~~, the results of the monitoring indicate insufficient capacity of the drop-off/pick-up zone, alternative arrangements must be made in consultation with Council, TfNSW and RMS to address this issue. Alternative arrangements are to be incorporated into an updated OPTMP and submitted to the Secretary for approval.

End of modification

(SSD 7610-MOD-4)