



Inner Sydney High School Modification 4

State Significant Development Modification Assessment
(SSD-7610-MOD-4)

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Glossary

Abbreviation	Definition
CIV	Capital Investment Value
Council	City of Sydney
Department	Department of Planning, Industry and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
Minister	Minister for Planning and Public Spaces
SSD	State Significant Development
TfNSW	Transport for NSW

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1 Introduction

This report provides the Department of Planning, Industry and Environment’s (the Department) assessment of an application to modify the state significant development (SSD) consent for Inner Sydney High School. The modification application seeks approval to amend conditions of the consent that relate to a drop-off/pick-up area on Chalmers Street and add conditions to allow staging of the development.

The application was lodged by the Department of Education (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 Background

The subject site comprises the former Cleveland Street Intensive English High School located at 242A and 244 Cleveland Street, Surry Hills (the site). The site abuts Prince Alfred Park to the north and west, and fronts onto Chalmers Street to the east and Cleveland Street to the south. The site is 5,695 square metres in area.

Demolition works on site are complete, comprising demolition of a 1960’s building and associated covered walkways. Construction works are currently underway including a 13 storey building and converted existing school buildings which are both nearing completion. The school is partially occupied and is operating at a current intake of 167 Year Seven students.

An existing carpark and service vehicle driveway is located in the south-western corner of the site with access from Cleveland Street. The former main entrance to the site is located on the western side of Chalmers Street and is currently operating as a main pedestrian entrance to the school. The location and context of the site are shown in **Figure 1** and **Figure 2**.

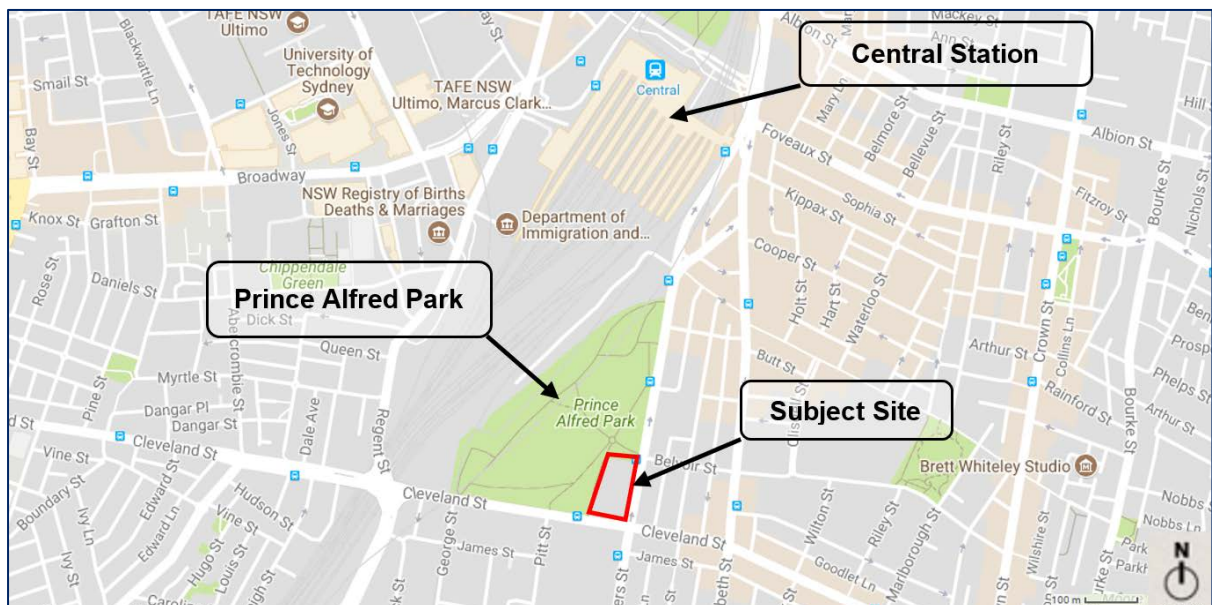


Figure 1 | Regional Context Map (Base source: Nearnmap 2018)

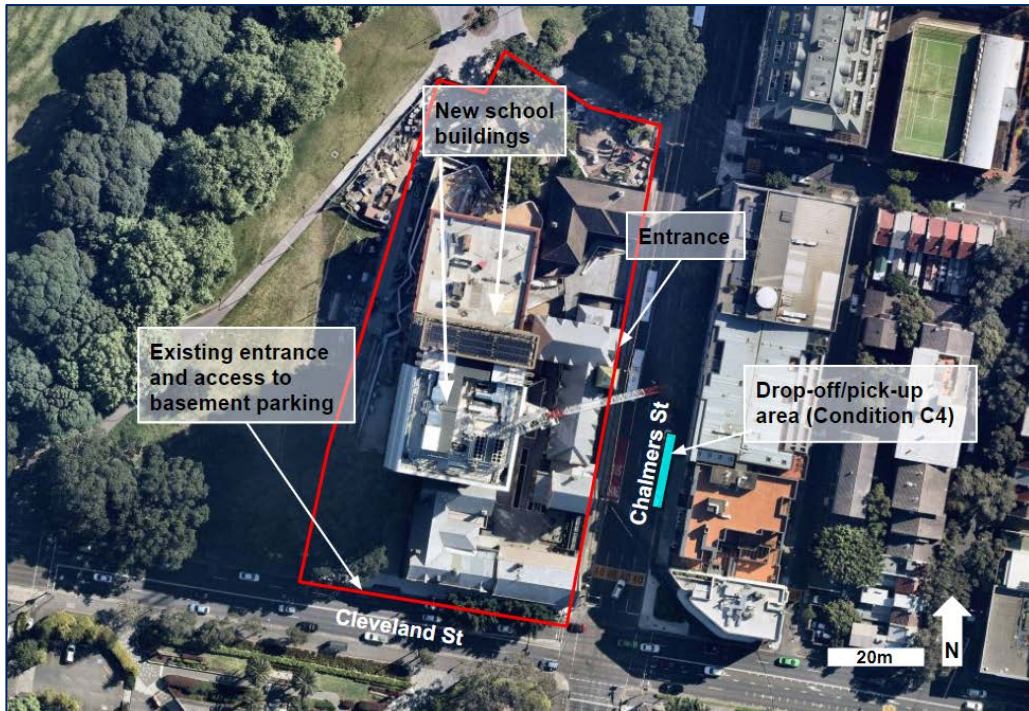


Figure 2 | Local Context Map (Base source: Nearmap 2020)

1.2 Approval history

On 28 February 2018, the Executive Director Priority Projects Assessments, as delegate of the Minister for Planning, granted SSD approval for the 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.

Condition D4 of the consent requires the provision of five spaces on the eastern side of Chalmers Street as an extension of an existing no parking zone for use a drop-off/pick-up area (**Figure 2**).

The development consent has been modified on three occasions (see **Table 1**)

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
MOD 1	Clarification of the timing for satisfaction of conditions B33 (Tree protection) and B34 (Further justification for tree removal) of the consent. Condition B35 was also revised as a consequence of these modifications.	Executive Director, Priority Projects	4.55(1)	1 June 2018
MOD 2	Adjustments to the timing for satisfaction of conditions A7	Executive Director, Priority Projects	4.55(1A)	21 September 2018

(Design modification), B23 (Final excavation reports), B36 (Paving design over trees 1 and 17) and B46 (Stormwater and drainage works design) of the consent.

MOD 3	Amended conditions B31 (Car parking and service layout), B36 (Paving design over trees 1 and 17) and B37 (Public domain works) of the consent and an adjustment to the timing required to satisfy those conditions.	Executive Director, Priority Projects	4.55(1A)	13 December 2018
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2 Proposed modification

The modification application seeks approval to amend conditions D4 (relocation of drop-off/pick-up area) and D5 (drop-off/pick-up monitoring) of the consent and would allow:

- the relocation of a drop-off/pick-up zone from the eastern side of Chalmers Street to the western side.
- changes to requirements for monitoring of drop-off/pick-up activity to reflect the revised relocation of the drop-off/pick-up zone and impacts associated with the COVID-19 pandemic.
- a reduction of the number of drop-off and pick-up spaces from five to three.

The application also seeks to include staging conditions in the consent to allow the development to be constructed and operated in stages subject to the submission and approval of a staging report.

Condition D4

Condition D4 requires the Applicant to apply to Council for approval to extend the existing “No Parking” area on the eastern side of Chalmers Street to create a drop-off/pick-up zone to accommodate five vehicles.

The Applicant seeks approval to amend Condition D4 to allow for the relocation of drop-off/pick-up to the western side of Chalmers Street (see **Figure 3**). This would comprise a 17.7 metre long “No Parking” zone and require partial removal of a ‘bus only’ lane.

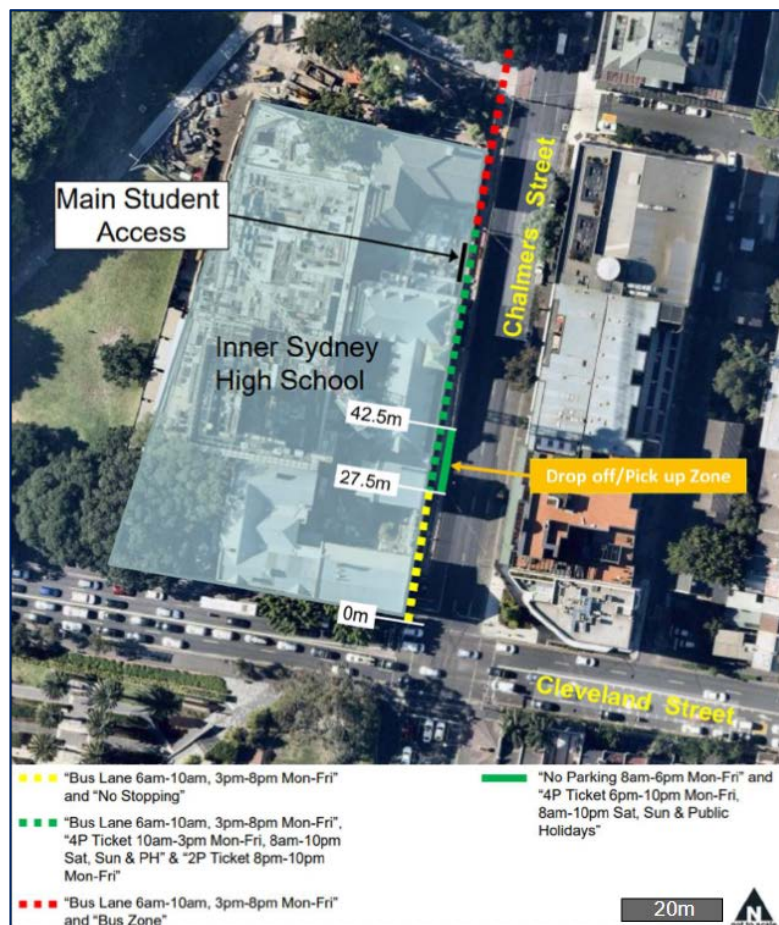


Figure 3 | Relocated drop-off/pick-up area (Source: Applicant's modification application 2020)

Condition D5

Condition D5 requires monitoring of the drop-off / pick-up zone throughout the first and second terms of operation of the school.

The Applicant advises that due to the COVID-19 pandemic and its impact on school operations, monitoring of the drop-off/pick-up zone was unable to be completed in first term of operation (Term 1 2020). Monitoring of the drop-off/pick-up zone re-commenced on day 1 of Term 3 on 21 July 2020. The Applicant seeks to amend Condition D5 to reflect the operational impacts on monitoring requirements.

Staging

As the existing consent does not allow for staged construction and operation of the development, the Applicant proposes to include additional conditions in the consent to allow for staged operation and construction of the approved development in accordance with a staging report to be submitted and approved by the Planning Secretary.

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 improved school facilities to meet the growing needs of Sydney.
- is consistent with the vision outlined in the Greater Sydney Commission's Central City District Plan, as it would provide much-needed school infrastructure conveniently located near existing public transport services and opportunities to co-share facilities with the local community.
- is consistent with the NSW Future Transport Strategy 2056 as it would provide an upgraded educational facility in an accessible location and provide access to additional new employment opportunities near to public transport.
- is consistent with the State Infrastructure Strategy 2018 – 2038 Building the Momentum as it proposes facilities to support the growth in demand for infant and primary student enrolments.
- would provide direct investment in the region of approximately \$60 million, which would support 80 construction jobs and 100 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 impacts 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 is the consent authority for the application under section 4.5(a) of the EP&A 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.

4.3 Mandatory matters for consideration

The Department conducted an assessment of the project against the mandatory matters for consideration as part of the original assessment. The Department considers the modification application would not result in significant changes that would alter the mandatory matters for consideration under section 4.15 of the EP&A Act and conclusions made as part of the original assessment.

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 referred to Transport for NSW and Council for comment. No community submissions were received.

Council and Transport for NSW (TfNSW) did not object to the modification application. Council recommended that Condition D4 be amended to reflect the new western location of the drop-off/pick-up on Chalmers Street. TfNSW acknowledged the referral and provided that no comment was required.

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.

6.1 Relocation of drop-off/pick-up spaces

A traffic assessment was included with the modification application that assessed the current and future operational adequacy of the relocated drop-off/pick-up area to accommodate for expected drop-off/pick-up activity, and the associated traffic, parking and pedestrian impacts.

The Applicant advised that an application was made to Council in mid-2019 seeking Council's endorsement of a drop-off/pick-up zone on the eastern side of Chalmers Street as required by Condition D4 of the consent. The Applicant advised that Council's Local Pedestrian, Cycling and Traffic Calming Committee did not support the provision of drop-off/pick-up spaces on the eastern side of Chalmers Street. This was due to concerns over the safety of students exiting vehicles onto trafficable lanes, as well as impacts to the operation of adjoining businesses.

A copy of the minutes from Council's Local Pedestrian, Cycling and Traffic Calming Committee Meeting on 12 December 2019 was provided with the modification application. The minutes detail Council's endorsement for the reallocation of parking on the western side of Chalmers Street as a 17.7m 'No Parking' area between 8am to 6pm on Mondays to Fridays, and ticketed parking and unrestricted parking at remaining times. This would allow for drop-off/pick-up of students during the morning and afternoon peaks.

The traffic assessment advises that the 17.7m 'No Parking' area endorsed by Council has the capacity to accommodate three vehicles in keeping with Australian Standards for parallel parking and finds that three spaces is sufficient to accommodate the drop-off/pick-up demands of the school as:

- expected mode share forecasts of students who would travel to / from the school as a vehicle passenger in the Green Travel Plan (GTP) lodged with the original application was 5%.
- current student enrolment at the school is 167 students, equating to 9 students (5%) requiring use of the drop-off/pick-up area in morning and afternoon peaks.
- conservative estimates of one student per vehicle equates to a capacity of 45 student drop-off/pick up movements.
- a student uptake of 167 students per year is expected and therefore the drop-off/pick up area would not require expansion for four years.

The traffic assessment finds that the proposed relocation of drop-off/pick-up spaces would have a positive impact on traffic, parking and pedestrians as:

- driver access to the relocated spaces would be quicker and limit impacts on traffic flow as parking on the left side of Chalmers Street is a more natural manoeuvre compared to a right side manoeuvre.
- the relocation of drop-off/pick-up spaces would negate the need to remove public parking and service vehicle spaces adjoining business premises as is currently required by Condition D4.
- the shortening of the bus lane on the western side of Chalmers Street would not result in any net loss of available parking for public or service vehicles in Chalmers Street.

- the relocation of drop-off/pick-up spaces to the western side of Chalmers Street would allow for drop-off/pick-up movements on the same side as the school and would reduce the need for students and parents/carers to cross the road to access the school entry.

The modification was referred to TfNSW as the proposal would require its approval for the partial removal of a 'bus only' lane. TfNSW advised that it did not have any comments to make.

The Department has reviewed the information provided by the Applicant and considered the proposal in the context of the Department's original assessment. In that original assessment, the Department noted that:

- two vehicles could be accommodated at a time for drop-off/pick-up at the existing 'No Standing' zone on the eastern side of Chalmers Street in the AM peak.
- based on information provided in the Applicants transport impact assessment, the existing 'No Standing' would adequately cater for demand in the AM peak but that there may be capacity in the PM peak.
- expansion of the 'No Standing' zone so that it could accommodate five spaces would satisfy potential demand generated by the proposed development.

On the basis of the above, the Department is satisfied that the proposed modification is appropriate as the Applicant has demonstrated capacity of the relocated drop-off/pick-up area would be sufficient to cater for expected immediate demand. In addition, the proposal would provide an equivalent number of additional drop-off/pick-up spaces (three) to those required under the original assessment. The location and arrangement of the relocated drop-off/pick-up area would also provide more direct and convenient access to the school and safer access for students.

6.2 Drop-off/pick-up monitoring

The Applicant provides that monitoring of drop-off/pick-up activity as required by Condition B5 was interrupted due to the operational impacts associated with COVID-19 restrictions. Monitoring recommenced at the start of Term 3 and the Applicant requires Condition D5 to be amended to reflect the timing of monitoring at the start of Term 3. The Applicant provides that this change would allow for a more accurate assessment of current demand and capacity and would form the basis for future drop-off/pick-up operational decisions.

The Department acknowledges that the restrictions associated with COVID-19 has affected the Applicant's ability to undertake effective monitoring of drop-off/pick-up during normal school operations. The Department considers monitoring and reporting reflective of usual school operations necessary to ensure capacity, confirm there are no additional traffic impacts, and/or understand whether alternative arrangements are to be made in consultation with Council.

Given that the delay in drop-off and pick-up monitoring will not give rise to any additional impacts on amenity of the surrounding area, the Department is satisfied that the delay in timing for monitoring to occur is appropriate and in the public interest.

6.3 Staging conditions

The applicant provides that the inclusion of staging conditions would allow for the lodgement of a Staging Report which can provide for flexibility where elements of the development are not completed at the same time and would formalise approval for continued operation of the school in stages with minimal disruption to school operation.

The Department considers that the inclusion of staging conditions is acceptable on the basis that:

- staging would be subject to the submission and approval of a detailed staging report.
- approval of the staging report would ensure that appropriate measures are put in place to ensure the safety of staff, students and visitors while in the operational areas of the site.
- it would allow new facilities to be occupied as they are completed ensuring that educational facilities are provided to meet demand.
- it would not change the proposed built form or other environmental outcomes of the development as approved in the original consent.
- it would not result in additional significant environmental impacts as the construction works would be required to continue to comply with the environmental management measures set out in the conditions of the development consent and approved management plans.

7 Evaluation

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

- proposed changes would not result in any significant environmental impacts.
- staging of the development would allow the site to continue operations and provide an essential service to the community.
- development to which the modification relates remains substantially the same.
- Applicant would implement appropriate arrangements to ensure the safe ongoing operation of the school.

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 Other 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 Inner Sydney High School (SSD-7610-Mod-4) 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 approve the modification.
- **modify** the consent SSD 7610.
- **signs** the attached approval of the modification (**Appendix B**).

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Social and Infrastructure Assessments

Recommended by:



Jason Maslen

Team Leader

Schools Infrastructure Assessments

9 Determination

The recommendation is **Adopted** by:



12 November 2020

Karen Harragon

Director

Social and Infrastructure Assessments

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – Modification and Staging Report

<https://www.planningportal.nsw.gov.au/major-projects/project/38156>

Appendix B – Notice of modification

<https://www.planningportal.nsw.gov.au/major-projects/project/38156>