

**ANGEL PLACE
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SYDNEY NSW 2000**

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13 April 2022

Mr Mark Wisely
NSW Department of Planning, Industry and Environment

Email: mark.wisely@planning.nsw.gov.au

Dear Mark,

SECTION 4.55(1A) APPLICATION TO AMEND SSD 8373

This letter has been prepared on behalf of NSW Department of Education in support of a Section 4.55(1A) application to modify SSD 8373 which applies to the approved redevelopment and operation of Alexandria Park Community School at 7-11 Park Road, Alexandria.

The application seeks to modify condition A2 of the consent to amend the approved architectural drawings to allow additional mid-way stairs between the public domain and the sports field. The application has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and *Environmental Planning and Assessment Regulations 2021* (the Regulations).

1. BACKGROUND

1.1. SSD 8373

On 11 February 2019, the Minister for Planning approved SSD 8373 for:

Redevelopment and operation of Alexandria Park Community School, comprising:

- *Site preparation works including demolition of existing all existing buildings and structures, including temporary pop-up schools.*
- *Site remediation works.*
- *Construction of multiple school buildings up to five storeys in height accommodating:*
 - *A childcare centre*
 - *A community centre*
- *Construction of a sports hall, multiple outdoor sports courts and all-weather multipurpose sports field.*

- *Construction of 28 on-site car parking spaces and ancillary vehicular access.*
- *Associated site landscaping and ancillary infrastructure services.*

1.2. MODIFICATION 1

In July 2020, the delegate to the Minister for Planning and Open Spaces approved a modification (SSD 8373 MOD 1) to the consent for the staged redevelopment of Alexandria Park Community School to amend the construction phasing and design of the external screen.

1.3. MODIFICATION 2

In April 2021, the delegate to the Minister for Planning and Open Spaces approved a modification (SSD 8373 MOD 2) to the consent to amend the site description and architectural, landscape and stormwater drawings to provide an expanded sports field.

1.4. SITE AND SURROUNDING CONTEXT

The site is located at Park Road, Alexandria within the City of Sydney Local Government Area (LGA). It comprises six lots, legally described as:

- Lot 11 in DP 615964
- Lot 1 in DP 74696
- Lot 2 in DP 69494
- Lot 3 in DP 69494
- Lot A in DP 109038
- Lot B in 109038
- Park Road (the part subject to road closure by City of Sydney).

The site is irregular in shape, has an area of 2.632 hectares and has frontages to Park Road and Buckland Street.

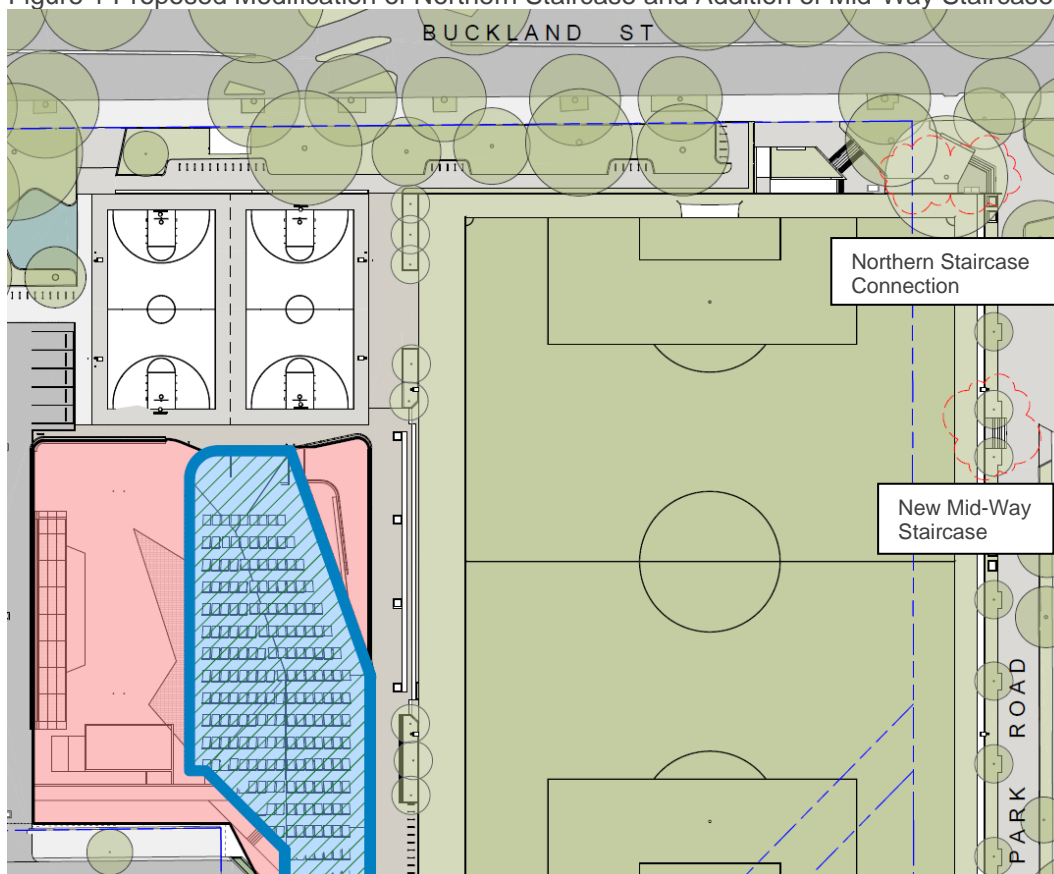
2. PROPOSED MODIFICATION

2.1. DESIGN CHANGES

This Section 4.55(1A) application proposes to modify SSD 8373 for additional sets of mid-way stairs on the north eastern corner of the sports field and a set on the eastern edge of the sports field. The proposed staircases, requested and supported by the City of Sydney Council, connects the sports field to the public domain and Alexandria Park. The addition of the mid-way stairs will help link the sports field to the public domain, improving community accessibility. The northern stair was removed from the previous MOD to retain tree 109, and now, at the request of the City of Sydney Council, is reinstated and redesigned in a way to allow the stair and tree to exist.

Figure 1 outlines the proposed modification to the Alexandria Park Community School development (SSD 8373).

Figure 1 Proposed Modification of Northern Staircase and Addition of Mid-Way Staircase



Source: TKD Architects

2.2. AMENDED CONDITIONS

The proposed modification makes no significant change that will affect the schedule of the development. The proposal seeks to modify condition A2 of the consent to amend the approved plans. The modified architectural plans are provided at Appendix A and the modified Landscape Plans are provided at Appendix B. The modification seeks to amend the following plans:

Dwg No.	Rev.	Name of Plan	Date
AR.DA. 1101	B D	Proposed Site Plan	06.04.20 08.03.22
AR.DA. 1102	B D	Proposed Site Plan – Phase 2 Completion	06.04.20 08.03.22
AR.DA. 1201	B -D	Existing and Proposed Site Plans	06.04.20 08.03.22
AR.DA. 1202	A	Phase 1 – Construction Extent	06.04.20
AR.DA. 1203	B D	Phase 2 – Construction Extent	06.04.20 08.03.22
AR.DA. 1204	A D	Phase 3 – Construction Extent	06.04.20 08.03.22
AR.DA. 1205	A C	Existing and Proposed Site Plans – Phase 2 Completion	06.04.20 08.03.22
AR.DA. 2001	P5 C	Campus Plans – Ground and First Floors	06.04.20 08.03.22
L.COS.9002a	C -D	Finishes & Levels Plan 2a of 8	17/06/2020 16.03.22
L.COS.9002	C D	Finishes & Levels Plan 2 of 8	17/06/2020 16.03.22

L.COS.9100	€ D	Section	17/06/2020 16.03.22
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3. SECTION 4.55 ASSESSMENT

The proposed modifications have been assessed in accordance with section 4.55(1A) of the EP&A Act in the following sections of this correspondence.

3.1. MINIMAL ENVIRONMENTAL IMPACT

The proposed modification will have minimal environmental impacts in terms of heritage and vegetation. The development of the mid-way staircase will not significantly impact any previously proposed tree coverage or sustainability aspects of the development.

Based on the above, the proposed modifications can be assessed in accordance with section 4.55(1A) of the EP&A Act.

3.2. SUBSTANTIALLY THE SAME DEVELOPMENT

The modified proposal is substantially the same as the original SSD application. The addition of the mid-way staircase will not alter or transform the proposed use of the site, that being for sporting and educational purposes. The addition will help further connect community facilities to the Alexandria Park education precinct.

The general appearance and functionality of the site remains consistent with the nature of the development previously approved. Accordingly, the proposed modifications can be assessed in accordance as a modification to the original development in accordance with section 4.55 of the EP&A Act.

3.3. PUBLIC NOTIFICATION AND SUBMISSIONS

The section 4.55 application will not need to be modified to consider any submissions.

4. SECTION 4.15 ASSESSMENT

The application has been assessed in accordance with the relevant matters for consideration listed in Section 4.15 of the EP&A Act.

4.1. ENVIRONMENTAL PLANNING INSTRUMENTS

The proposed modifications have been assessed in accordance with the relevant State and local environmental planning instruments. The proposal remains compliant and consistent with the relevant planning policies. Only relevant provisions have been included in this assessment.

Table 1 Statement of Consistency with Environmental Planning Instruments

Schedule/Clause	Provision	Consistency
State Environmental Planning Policy (Transport and Infrastructure) 2021		
Schedule 3.43 State Significant Development for the purpose of schools	Development consent may be granted for development for the purpose of a school that is State Significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted.	The proposed modification to the approval of SSD 8373 will remain consistent with this SEPP and is appropriately characterised as SSD.
Sydney Local Environmental Plan 2012		
Clause 5.10 - Heritage Conservation	The site is located directly adjacent to an item of local heritage significance (I11 – Alexandria Park including entrance gates, landscaping and grounds) and is surrounded by 3 heritage conservation areas.	The proposed development of the mid-way staircase will not result in a detrimental heritage impact. The staircase will cover a space between the sports field and Park Road, helping to improve the linkage. The proposal will conserve the environmental heritage of the item.

4.2. DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

There are no draft environmental planning instruments relevant to the assessment of this modification.

4.3. PLANNING AGREEMENT

No planning agreements are relevant to this proposal.

4.4. REGULATIONS

The application has been prepared in accordance with the relevant provisions of the *Environmental Planning and Assessment Regulation 2021*.

4.5. LIKELY IMPACTS OF THE PROPOSAL

The proposed modification has been assessed considering the potential environmental, economic and social impacts and there is no likely impacts from the staircase, as vegetation and heritage remains unaffected from the previously approved SSD development. There is no change to building bulk or scale and there will be no additional impacts on amenity of adjoining properties or the public domain.

4.6. SUITABILITY OF THE SITE

As demonstrated within this report and the original EIS in respect to the approved SSD 8373, the proposed development as modified is expected to provide positives for the surrounding community and broader residents through improved accessibility and functionality of the site.

4.7. SUBMISSIONS

Notification will not be required for this application.

4.8. PUBLIC INTEREST

The modified proposal is considered in the public interest for the following reasons:

- The proposed modification is consistent with relevant State and local strategic plans and complies with the relevant State and local planning controls.
- No adverse environmental, social or economic impacts will result from the proposal.
- The proposal will provide improved accessibility and functionality of the site.
- The proposal will help connect the public domain and the sports field.

5. CONCLUSION

The proposed modification has been assessed in accordance with section 4.55(1A) and section 4.15 of the EP&A Act and are considered appropriate as summarised below:

- The proposal is of minimal environmental impact.
- The proposal is substantially the same development.
- The proposal satisfies the applicable planning controls and policies.
- The social and economic impacts are acceptable.
- The proposal remains suitable for the site.
- The proposal is in the public interest: the proposal is in the public interest.

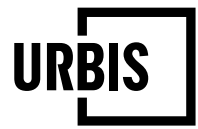
Having considered all relevant matters, we conclude that the proposed modifications are appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

Please do not hesitate to contact me should you wish to discuss our application in greater detail.

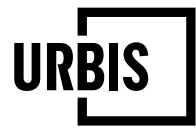
Kind regards,

A handwritten signature in blue ink, appearing to read "Elaine Roff".

Elaine Roff
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APPENDIX A



APPENDIX B