



Alexandria Park Community School Modification 3

State Significant Development Modification Assessment
(SSD-9373-MOD-03)

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Glossary

Abbreviation	Definition
Brush Box	Lophostemon Confertus
Council	City of Sydney Council
Curtain Fig	Ficus macrocarpa
Department	Department of Planning and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
Minister	Minister for Planning
Planning Secretary	Secretary of the Department of Planning and Environment
SLEP	Sydney Local Environmental Plan 2012
SSD	State Significant Development

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1 Introduction

This report provides the Department of Planning and Environment's (the Department) assessment of an application to modify the State significant development (SSD) development consent for the Alexandria Park Community School (SSD-8373).

The modification application (SSD-8373-MOD-3) seeks to amend the approved architectural and landscape plans to include a new stair and modify the design of the approved stair from the multi-purpose sports field to Park Road, and include one additional replacement tree along the eastern boundary on Park Road.

The application has been lodged on 20 April 2022 by the NSW Department of Education (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 The site

The site is located at 7-11 Park Road, Alexandria in the City of Sydney local government area and is approximately 2.5 kilometres south of Sydney CBD. The site comprises six lots, legally described as:

- Lot 11 in DP 615964
- Lot 1 in DP 74696
- Lot 2 and 3 in DP 69494
- Lot A and B in DP 109038.

The site now also incorporates Park Road (the part subject to road closure by City of Sydney in 2019). The site is irregular in shape and is 2.83 hectares in area. The site has frontages to Park Road, Belmont Street and Buckland Street (**Figure 1**). A 6m wide stormwater drainage easement traverses the site in a south-west to north-east direction. The drain is a covered concrete channel.



Figure 1 | Aerial of the site and surrounds (Source: Nearmap 2022)

Residential, recreational, industrial and commercial land uses surround the site including (**Figure 1**):

- low density terrace houses and the commercial area of Australian Technology Park to the north
- to the east is Alexandria Park (a locally listed heritage item), which contains a large sports oval, tennis and basketball courts and a children's playground. Residential flat and mixed-use commercial buildings are located further east of the site
- to the south, land uses include light industrial and bulky goods retail uses. Green Square town centre and Railway Station is located 750m south west of the site
- to the west, a range of residential uses, including low scale terrace houses and high density residential flat buildings.

1.2 Approval history

On 11 February 2019, development consent was granted by the Executive Director for Priority Projects for the staged redevelopment of Alexandria Park Community School (SSD-8373). The development consent permits the following works:

- site preparation, including demolition of all existing buildings and structures, including temporary pop-up schools
- site remediation
- construction of multiple school buildings up to five storeys in height, including a childcare centre and a community centre
- construction of a sports hall, multiple outdoor sports courts and all-weather multi-purpose sports field
- construction of 28 on-site car parking spaces and ancillary vehicular access
- associated site landscaping and ancillary infrastructure services.

Construction works have commenced for the approved development (SSD-8373). The development consent has been modified on two previous occasions as shown in **Table 1**.

Table 1 | Summary of modifications

Mod No.	Summary of Modifications	Type	Approval Date
MOD 1	Amendment of the approved construction phasing and design changes, including interim roof for level three, and changes to the façade screen design to enable the introduction of the additional interim roof, to be extended when the fourth level is constructed.	4.55(1A)	21 July 2020
MOD 2	Modification of: <ul style="list-style-type: none">• the Alexandria Park Community School multi-purpose sports field beyond the school boundary into the former Park Road reserve to increase the width of the 'field of play' and provide additional vegetation and a five metre wide shared path	4.55(1A)	18 April 2021

- the site description on the development consent to now include part of Park Road
 - the approved architectural drawing, landscape plans and stormwater/draining drawings to reflect the expanded sports field as part of an executed Joint Venture with City of Sydney Council (Council), including:
 - one stair from the north-eastern corner of the multi-purpose sports field to Park Road
 - planting of seven replacement trees along Park Road, adjoining the multi-purpose sports field.
-

2 Proposed modification

The proposal seeks to amend the approved architectural and landscape plans in condition A2 of the consent to:

- amend the design of the approved stair at the north-east corner of the multi-purpose sports field to retain the existing *Ficus macrocarpa* tree (Curtain Fig) (**Figure 2**)
- include one new stair to provide connection between the centre of the multi-purpose sports field and Park Road (**Figure 3**).

The proposal also seeks to modify conditions A28 and A29 in relation to additional tree planting along the eastern boundary of the multi-purpose sports field between Park Road (**Figure 4**), including:

- increasing the number of additional trees planted from seven to eight
- revising the location of the replacement tree planting.

The Applicant states that the proposed modifications reflect ongoing consultation with Council which sought to improve community access to the multi-purpose sports field, increase tree canopy coverage and retain the Curtain Fig near the north-east corner of the field.

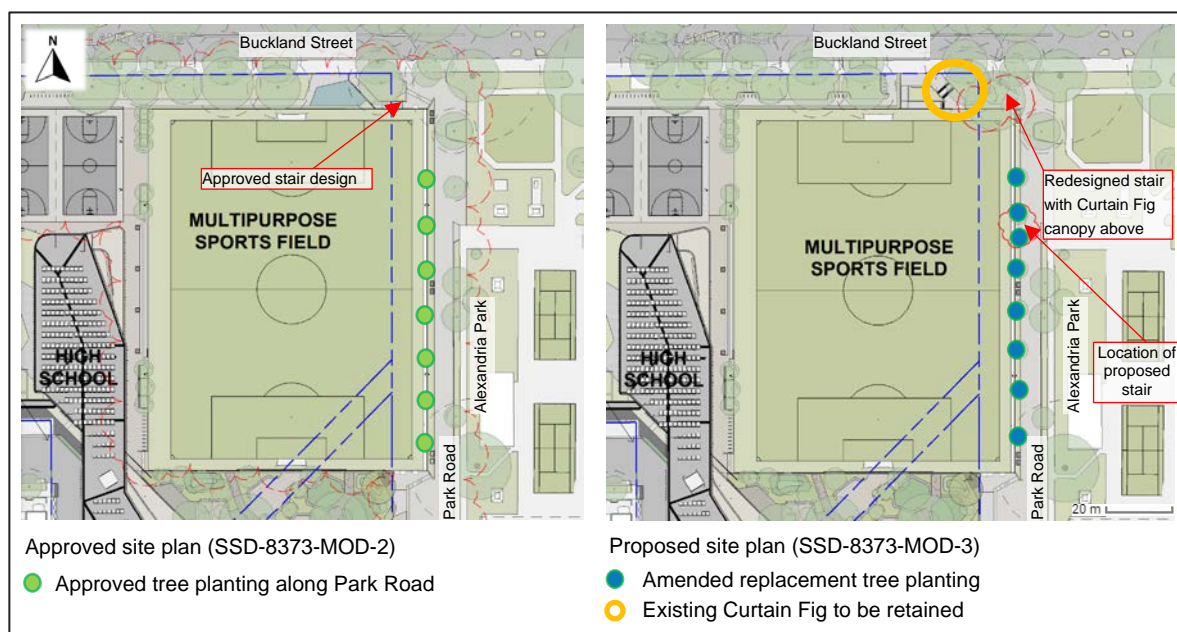


Figure 2 | Approved and proposed stair and tree locations (Source: Applicant's Modification report 2022)

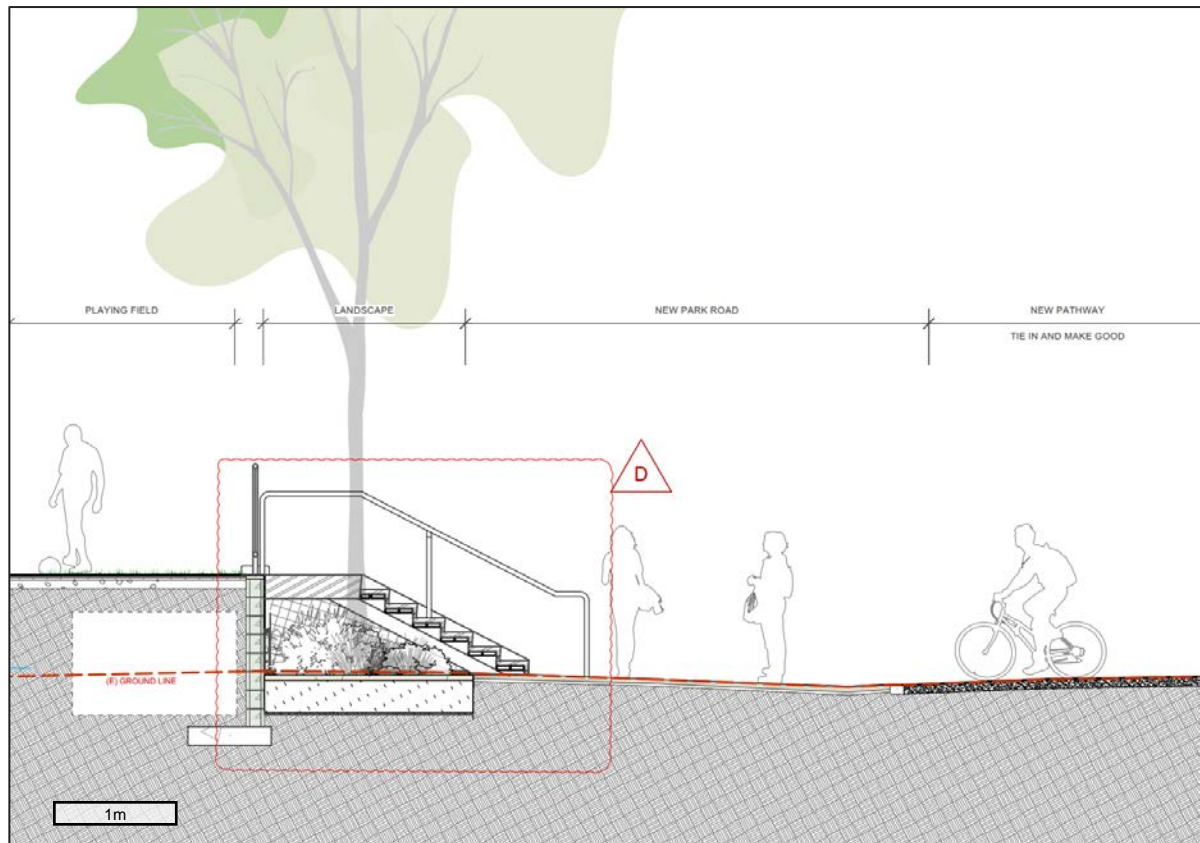


Figure 3 | New stair from multi-purpose sports field (Source: Applicant's Modification report 2022)

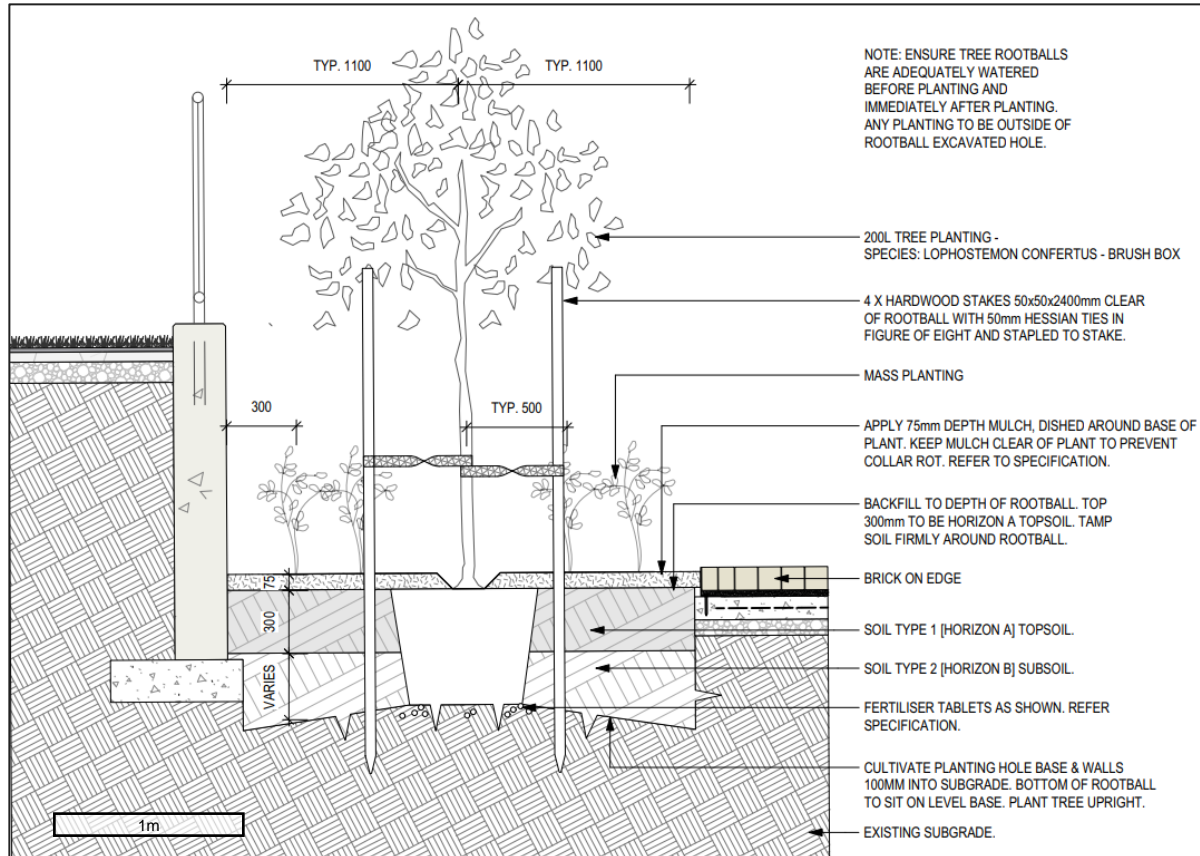


Figure 4 | Planting details of Brush Box on Park Road (Source: Applicant's RtS 2022)

3 Strategic context

The Department considers the proposed amended development continues to be appropriate for the site given it remains consistent with:

- Greater Sydney Commission's Greater Sydney Regional Plan: A Metropolis of Three Cities, as it provides high quality community facilities in a co-location context, to enable improved efficiencies in the use of the new school facilities to meet the growing needs of Sydney
- Greater Sydney Commission's Eastern City District Plan, as it provides co-share facilities within the local community that are conveniently located near existing public transport services
- Transport for NSW's Future Transport Strategy 2056, as it would provide an upgraded educational facility generating additional employment opportunities close to public transport accessible by staff and provide improvements to pedestrian connectivity to the site
- Infrastructure NSW's State Infrastructure Strategy 2018 – 2038 Building the Momentum as it proposes:
 - an expansion to the existing school capacity and function
 - facilities to support the growth in demand for primary student enrolments within the school catchment
 - a school design to accommodate infrastructure and facilities sharing with communities.

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 significantly 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 (Minister) would be the consent authority 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 2022, the Team Leader, School Infrastructure Assessments may determine this modification application as:

- the application has not been made by a person who has disclosed a reportable political donation under Section 10.4 of the EP&A Act in connection with the modification application
- Council has not made a submission by way of objection under the mandatory requirements for community participation in Schedule 1 of the EP&A Act
- there are no public submissions in the nature of objection.

4.3 Mandatory matters for consideration

The Department conducted a comprehensive assessment of the project against the mandatory matters for consideration as part of the original assessment of SSD-8373. The Department considers this modification application does 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.

The Department has considered the findings and recommendations in the Department's Assessment Report for SSD-8873, including the key reasons for granting consent. The Department is satisfied that the key reasons for granting of the consent continue to be applicable to the development, as modified.

5 Engagement

5.1 Department's engagement

Section 105(4) of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to section 4.55(1A) modifications with minimal environmental impact applications. Accordingly, the application was not notified or advertised. However, it was made publicly available on the Department's website on 20 April 2022 and Council was notified in writing.

5.2 Summary of advice received from Council

The Department received advice from Council which supported the redesign of the stairs at the north-eastern corner of the multi-purpose sports field to retain the Curtain Fig. In relation to the new tree planting along the eastern boundary of the multi-purpose sports field, Council advised that additional information is required to detail the quantity, soil depth and irrigation of the new trees and recommended that the Applicant increase tree planting across the site. Council also recommended that:

- a revised Tree Protection Plan is required to be prepared and approved prior to construction of the stairs to address retention of the Curtain Fig
- construction of the north-eastern stairs must not include a continuous strip footing to protect the roots of the Curtain Fig
- both stairs and all associated landscape and paving should avoid additional stepping to the Buckland Street and Park Road footpath and be flush with the public domain.

5.3 Response to Submissions (RtS)

The Department placed Council's advice on its website and requested the Applicant provide a response to Council's advice. On 16 June 2022, the Applicant provided a RtS, including updated landscape plan and detailed tree planting schedule. The RtS clarified:

- that no strip footing would be included in the redesigned stair to avoid impact to the Curtain Fig
- the paving and material associated with the redesigned and new stairs
- details in relation to the new tree planting along the eastern boundary of the multi-purpose sports field, including the proposed species, soil depth and irrigation.

The RtS argued that any more additional tree planting on the site would compromise student outdoor play and learning areas. The Applicant also argued that the modification would improve the tree canopy coverage as it would retain the Curtain Fig and includes one additional replacement tree.

5.4 Council response to RtS

The RtS was made publicly available on the Department's website and referred to Council. Council provided comments which acknowledged that additional trees would be planted. However, Council recommended two additional medium sized trees could be planted in the central open courtyard (to the south of the multi-purpose sports field) to further increase tree canopy coverage.

5.5 Supplementary Response to Submissions (SRtS)

The Department reviewed the RtS and requested that the Applicant address concerns raised by Council regarding the proposed tree planting and landscaping.

On 25 July 2022, the Applicant submitted a SRtS which stated that Council's comments in relation to the RtS are contrary to the approved project deed between the NSW Department of Education Joint Venture with City of Sydney Council (**Section 1.2**) which covers works on Park Road except for the two stairs from the multi-purpose sports field to Park Road and one additional replacement tree along the eastern boundary on Park Road.

5.6 Council response to SRtS

On 10 August 2022, Council withdrew comments made in its previous submission relating to the preparation and approval of a revised Tree Protection Plan and additional canopy cover across the site. Council did not retract its comments in relation to the design and construction of the two stairs from the multi-purpose sports field to be flush with Park Road.

6 Assessment

The Department has considered the modification application in the context of the original approved development and the matters raised in Council's advice. The Department considers that the key issues for the modification are community access, landscape and heritage. Each of these is discussed below.

6.1 Community access

In 2019, the Applicant entered into a project deed with Council to provide community and sporting groups out of school hours joint use of the school's indoor and outdoor sports courts, including the multi-purpose sports field. The project deed included the closure of Park Road to accommodate expansion of the school multi-purpose sports field. The design modifications required to reflect the Project Deed with Council were approved as part of SSD-8373-MOD-2, including the north-eastern stair from the multi-purpose sports field.

The Department notes that Council's advice to the modification report stated that both stairs must be designed and constructed so that they are flush with the adjoining public domain footpath.

The Department has considered the information provided and is satisfied that the Applicant has demonstrated that the redesigned north-eastern stair and the new stair are suitable as they:

- provide the community with additional direct access to the multi-purpose sports field from Buckland Street, Park Road and Alexandria Park.
- further improve integration of Park Road and Alexandria Park with the school and multi-purpose field
- can be constructed to meet existing public domain levels and be made of materials and finishes consistent with what is already approved and existing in the public domain
- continue to achieve the joint use agreement as outlined in Council's Project Deed.

In addition to the modification of condition A2 to reflect the redesigned stair and new stair, the Department has recommended a condition that requires both stairs are flush with the adjoining public domain footpath and address Council's detailed design and construction requirements.

6.2 Landscape

The Applicant's proposed redesigned stair seeks to ensure there are no unreasonable impacts to the health and longevity of the Curtain Fig immediately adjacent. The Department's assessment and the Applicant's Arboricultural Impact Assessment provided in SSD-8373-MOD-2 established that this Curtain Fig is mature and in a good condition with dominant crown form and significant spread. This tree condition continues to remain in this condition for this subject modification application.

The Department considers that retention of the tree would continue to have significant positive outcomes as it maintains the consistent row of Curtain Fig trees along Buckland Street, continue to provide amenity/tree canopy coverage and preserve the heritage interface of Alexandria Park (**Figure 5**).

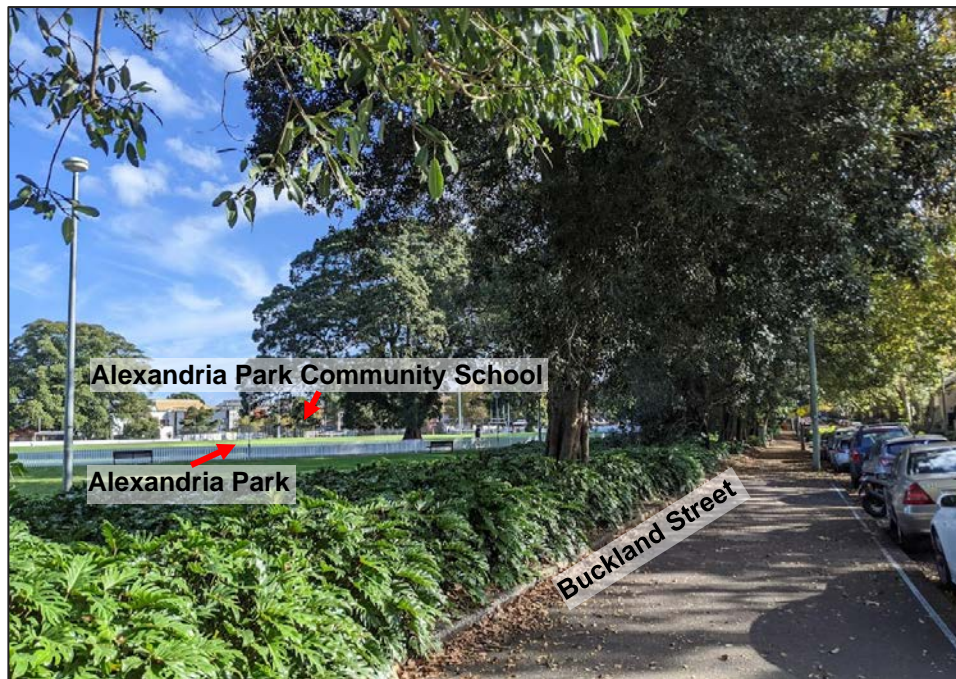


Figure 5 | Row of tree planting along Buckland Street (Source: DPE 2022)

The Department considers that the modification to the replacement tree planting along Park Road is minor and the inclusion of an additional tree *Lophostemon Confertus* (Brush Box) would improve natural shade for pedestrians using Park Road. The Applicant's RtS confirmed that all trees in this row are the same brush box species. The additional brush box proposed would enhance visual screening of the multi-purpose sports field to differentiate it from other uses in Alexandria Park and provide a scaled transition from the row of Curtain Row figs on the Buckland Street frontage.

6.3 Heritage

The eastern edge of site is partially located in the Alexandria Park Conservation Area and adjoins Alexandria Park to the east. Alexandria Park is a locally listed heritage item in the Sydney Local Environmental Plan 2012 (SLEP) and this listing includes landscaping (**Figure 6**).

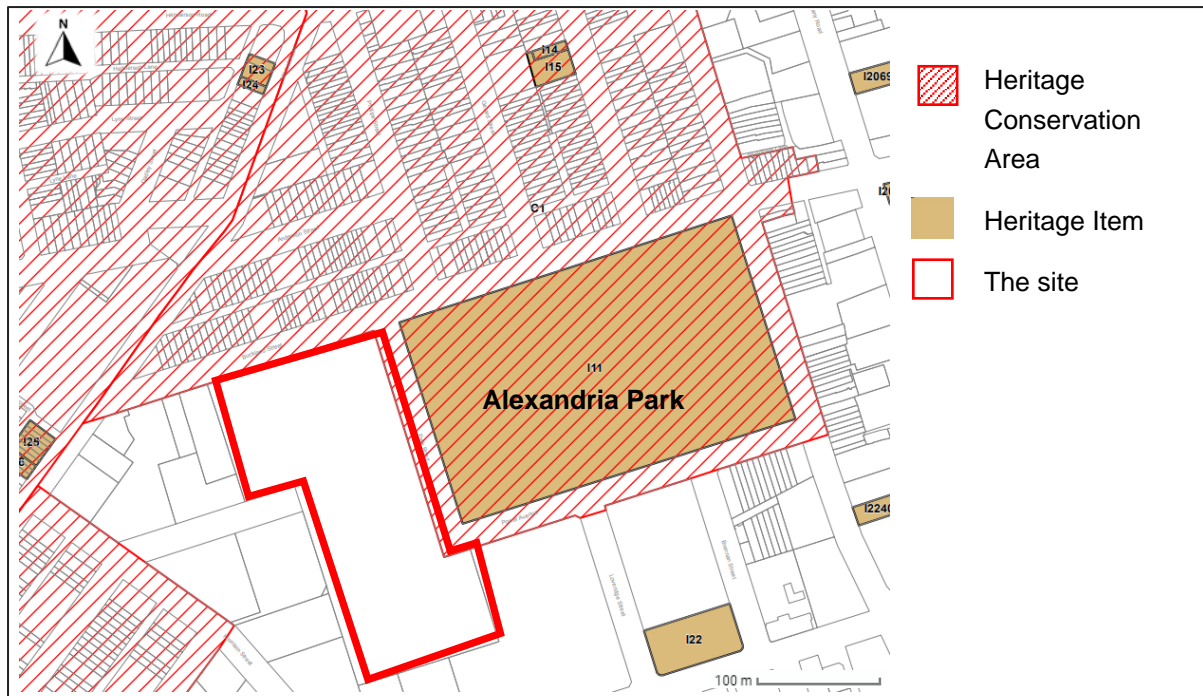


Figure 6 | SLEP 2012 Heritage Map (Base source: SLEP 2012)

The Applicant states that due to the low scale nature of the proposal there would not be a detrimental heritage impact. The Applicant also argues the modification proposal would conserve the environmental heritage of Alexandria Park by ensuring the Curtain Fig tree is retained and sympathetic additional planting is provided in consultation with Council.

Council did not make any comments in relation to heritage.

The Department has considered the proposal in relation to the SLEP and heritage factors for Alexandria Park and considers that the modifications would not have unreasonable impact on the heritage significance of Alexandria Park or on the Alexandria Park Conservation Area, including associated fabric, settings and views for the following reasons:

- the stairs are unenclosed and are limited to steps and hand railings
- the stairs comprise lightweight material, such as stainless steel handrails, and could be reversed
- the redesigned stair and new stair remain consistent with the already approved appearance and finish of school boundary/Park Road interface
- the retention of the Curtain Fig would maintain the row of Fig tree planting along Buckland Street
- the location of the Box Brush tree would be consistent with the seven approved replacement tree planting along Park Road and is not of a size or scale that would detract upon the curtilage of Alexandria Park.

As recommended in the **Section 6.1**, to ensure that the new and redesigned stairs remain consistent with the existing interface and public domain levels, the Department has recommended a condition requires both stairs are flush with the adjoining public domain footpath and address Council's detailed design and construction requirements.

7 Evaluation

The Department has reviewed the information provided by the Applicant and has assessed the merits of the modification, taking into consideration the issues raised in Council's advice. The Department's assessment concludes that the proposed modification is appropriate on the basis that:

- the redesigned stair access means that the existing mature Curtain Fig can be retained
- the new stair provides a central point of access to the shared use multi-purpose sports field for the community
- the amendment to the landscape plans would increase the tree canopy coverage
- there would be no detrimental impacts upon the surrounding built or landscaped heritage
- the development to which the modification relates to remains substantially the same.

Consequently, the proposal is in the public interest and it is recommended that the modification be approved.

8 Recommendation

It is recommended that the Team Leader, School Infrastructure Assessment as delegate of the Minister :

- **considers** the findings and recommendations of this report
- **determines** that the application SSD-8373-MOD-3 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
- **modifies** the consent SSD-8373
- **signs** the attached approval of the modification (**Appendix A**).

Prepared by:



Jenny Chu
Planning Officer
School Infrastructure Assessments

Recommended by:



Navdeep Shergill
Senior Planning Officer
School Infrastructure Assessments

9 Determination

The recommendation is **Adopted** by:

A handwritten signature in black ink that reads "T. Alexander." with a period at the end.

Tahlia Alexander

Team Leader

School Infrastructure Assessment

as delegate of the Minister for Planning

Appendices

Appendix A – List of referenced documents

1. Modification report

<https://www.planningportal.nsw.gov.au/major-projects/projects/mod-3-addition-two-stairs-multi-purpose-sports-field>

2. Instrument of modification

<https://www.planningportal.nsw.gov.au/major-projects/projects/mod-3-addition-two-stairs-multi-purpose-sports-field>

3. Consolidated consent

<https://www.planningportal.nsw.gov.au/major-projects/projects/mod-3-addition-two-stairs-multi-purpose-sports-field>