

# Alexandria Park Community School Modification 2

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State Significant Development Modification Assessment

Modification to the consent to amend the site description and architectural, landscape and stormwater drawings to provide an expanded sports field.

(SSD 8373 MOD 02)

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Title: Alexandria Park Community School- S4.55(1A) MODIFICATION TO SSD 17\_8373 Modification 02

Subtitle: Modification to the consent to amend the site description and architectural, landscape and stormwater drawings to provide an expanded sports field.

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# Glossary

| Abbreviation               | Definition  |
|----------------------------|---|
| <b>Applicant</b>           | NSW Department of Education   |
| <b>AIA</b>                 | Arboricultural Impact Assessment  |
| <b>BCA</b>                 | Building Code of Australia  |
| <b>Council</b>             | City of Sydney Council  |
| <b>Department</b>          | Department of Planning, Industry and Environment                          |
| <b>EIS</b>                 | Environmental Impact Statement  |
| <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 2000                     |
| <b>EPI</b>                 | Environmental Planning Instrument   |
| <b>LEP</b>                 | Local Environmental Plan  |
| <b>Minister</b>            | Minister for Planning and Public Spaces                                   |
| <b>Planning Secretary</b>  | Secretary of the Department of Planning, Industry and Environment         |
| <b>SEARs</b>               | Planning Secretary's Environmental Assessment Requirements                |
| <b>SEPP</b>                | State Environmental Planning Policy                                       |
| <b>SRD SEPP</b>            | State Environmental Planning Policy (State and Regional Development) 2011 |
| <b>SSD</b>                 | State Significant Development   |

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# 1 Introduction

This report provides the NSW Department of Planning, Industry and Environment's (the Department's) assessment of an application to modify the State Significant Development (**SSD 8373**) consent for the redevelopment and operation of Alexandria Park Community School (APCS).

This application seeks approval to:

- Expand the APCS multi-purpose sports field beyond the school boundary into the former Park Road reserve by approximately 9.4m – 9.5m to increase the width of the 'field of play' by 4m from 60m to 64m and provide a 2 metre wide vegetation zone and 5 metre wide shared pedestrian and bike path.
- Modify the site description on the consent to now include part of Park Road (the part of Park Road that received development consent by City of Sydney on 11 February 2019).
- Modify Condition A2 of the consent to amend the approved architectural drawings, landscape drawings and stormwater/drainage drawings. The amended drawings propose an expanded sports field as part of an executed Joint Venture with City of Sydney Council (CoS).

The application was lodged on 16 June 2020 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 Applicant operates three separate schools at 7-11 Park Road, Alexandria in the City of Sydney local government area (LGA). These include:

- APCS Park Road Campus (existing historical building), accommodating primary school students (Kindergarten to Year 6) and childcare centre within existing school buildings
- Intensive Language School, accommodated within new demountable buildings
- APCS Mitchell Road Campus, accommodating secondary school students with new demountable buildings.

Construction works have commenced within the APCS site pursuant to SSD 8373. The former school buildings and structures have been demolished to make way for the new four storey educational establishment.

Concept planning for shared use of the sports field and associated facilities within APCS commenced in 2017, in collaboration with City of Sydney as a joint partner. The operational objective is for SINSW to allow the community to use the indoor school sports facilities and City of Sydney to use the outdoor school sports facilities. The design objective is to provide a seamless transition between the outdoor playing and sporting zones of the school and Alexandria Park adjacent Park Road.

In mid-2017, the Lord Mayor of City of Sydney wrote to the Minister of Education advising that the City had a preference for the closure of Park Road for the provision of an expanded synthetic multi use sports field over the former road as a shared facility for students and the broader community. The City of Sydney requested that this opportunity be progressed, and for a Joint Use Agreement to be executed.

As preparation of the SSD application progressed through 2017, the specially convened Design Review Panel for the development was advised on the sports field proposal. The SSD application was lodged in December 2017, however the sports field expansion and closure of Park Road did not form part of the application as further development of the functional requirements was required and the road reserve had still not been formally closed under the Roads Act.

The process for closure of Park Road progressed through 2018 with the road declared closed at City of Sydney Council meeting of 13 August 2018. The Park Road reserve has been used the Applicant as a school play area since 2018 during phase one of construction phase of SSD 8373. Approval for the use of Park Road by Department of Education received development consent on 11 February 2019, while the Joint Use Agreement between the Department of Education and the Council of the City of Sydney was executed in late 2019.

## 1.2 The site

APCS is located in the suburb of Alexandria, approximately 2.5km south of Sydney CBD. 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 DP 109038.

The site now also incorporates Park Road (the part subject to road closure by City of Sydney in 2018).

The site is 2.632 hectares and has frontages to Park Road and Buckland Street. A 6m wide stormwater drainage easement traverses the site in a south-west to north-east direction. The drain is a covered concrete channel.

Residential, recreational, industrial and commercial land uses surround the site including:

- Low-density terrace houses and the commercial area of Australian Technology Park to the north.
- East of the site is Alexandria Park, a large recreational area 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
- South of the site, 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
- A range of residential uses, including low scale terrace houses and high-density residential flat buildings are located to the west of the site. The new residential Ashmore Precinct currently under construction, is approximately 500m west of the site.

Figure 1 and 2 show the local and regional context of the site.



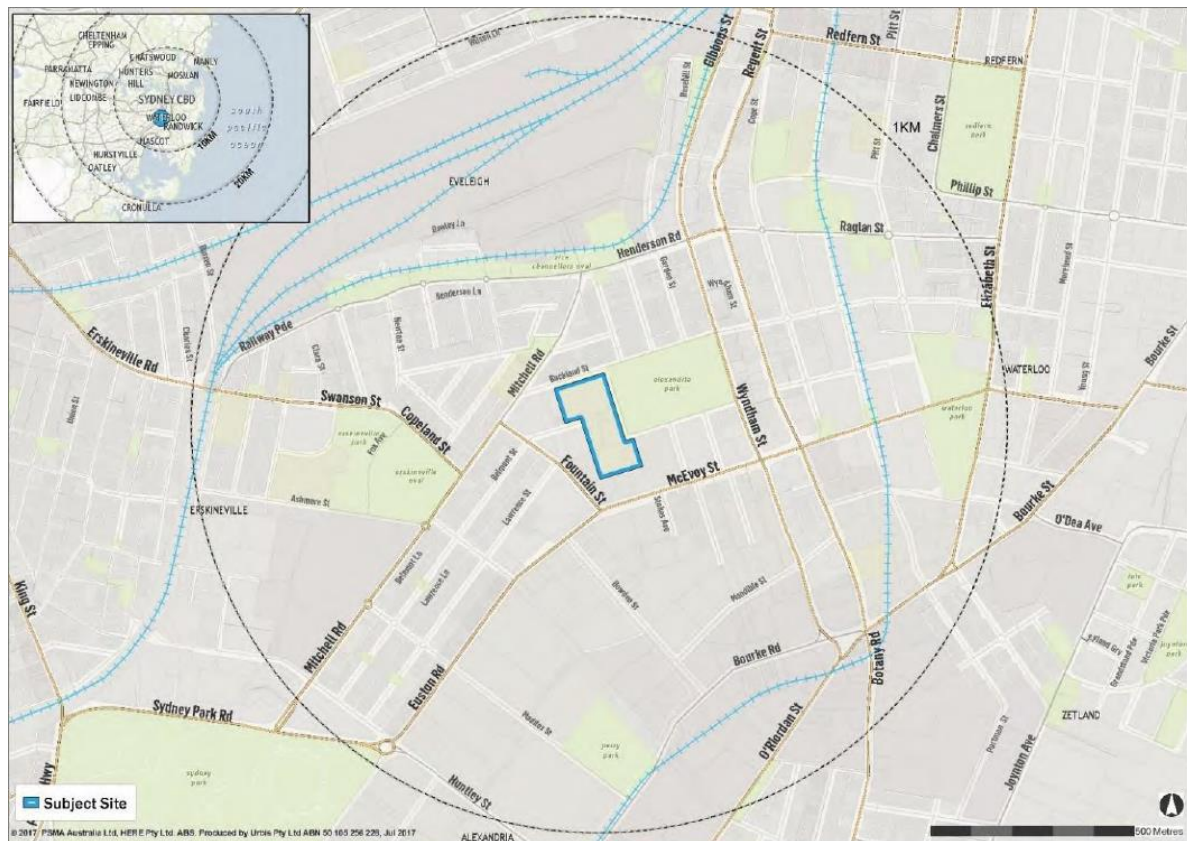


Figure 1 Regional Context Map with APCS in blue outline (Source: *Urbis Pty Ltd*)



Figure 2 Local Context Map with APCS in blue outline (Source: *Six maps*)

### 1.3 Approval history

On 11 October 2017, the Executive Director, Priority Projects Assessments granted development consent for the staged redevelopment of Alexandria Park Community School SSD 8373. The development consent permits the following works:

- 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, also accommodating a childcare centre and 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.

The development consent has been modified once (see Table 1).

| Mod No. | Summary of modifications  | Approval Authority             | Type     | Approval Date |
|---------|---|--------------------------------|----------|---------------|
| Mod-1   | <p>Amend the construction phasing to enable the staged construction and use of the first three levels of the high school component (interim scheme/phase 2), and a final construction phase (phase 3) to deliver the general learning classrooms and collaborative learning spaces on level four.</p> <p>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</p> | Director<br>(under delegation) | 4.55(1A) | 14 July 2020  |



## 2 Proposed modification

The proposed modification seeks to amend consent SSD 8373 under section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act) to:

- Expand the APCS multi-purpose sports field beyond the school boundary into the former Park Road reserve by approximately 9.4m – 9.5m to increase the width of the ‘field of play’ by 4m from 60m to 64m and provide a 2 metre wide vegetation zone and 5 metre wide shared pedestrian and bike path.
- Modify the site description on the consent to now include part of Park Road (the part of Park Road that received development consent by City of Sydney on 11 February 2019).
- Modify Condition A2 of the consent to amend the approved architectural drawings, landscape drawings and stormwater/drainage drawings. The amended drawings propose an expanded sports field as part of an executed Joint Venture with City of Sydney Council (CoS).

The modification application was lodged on 16 June 2020. Following feedback from the Department the Applicant submitted a request for information (RFI) response on 13 November 2020, which revised the Modification’s design and tree planting schedule.

### 2.1 Key design drawing changes

The proposed modification is for the following key design drawing changes:

- The expanded sports field increases the width of the ‘field of play’ by 4m from 60m to 64m. The expanded sports field extends beyond the school boundary into the former Park Road reserve by approximately 9.4m – 9.5m leaving a 2m zone for planting and a 5m zone for a shared pedestrian and bike path.
- Provides additional 3m runoff space on the team bench side and provides an increased milling space and seating bleachers between the new school building and the sports field.
- Internal change room layout improvements.

Additional components of the resulting development include:

- FIFA quality multipurpose synthetic sports field – 90m x 64m. The playing surface is to be constructed above the 1:100 ARI to minimize damage to the playing surface.
- A 1.2m high perimeter fencing to the sports field commensurate with the status of the field as a community facility.
- Provision of goal posts for a range of sporting codes.
- Provision of end field (behind goals) barrier nets – 7m high x 25m wide.
- Stormwater collection and drainage to a CoS owned/funded storage tank.
- LED sports field lighting – to Australia Standards – community level.

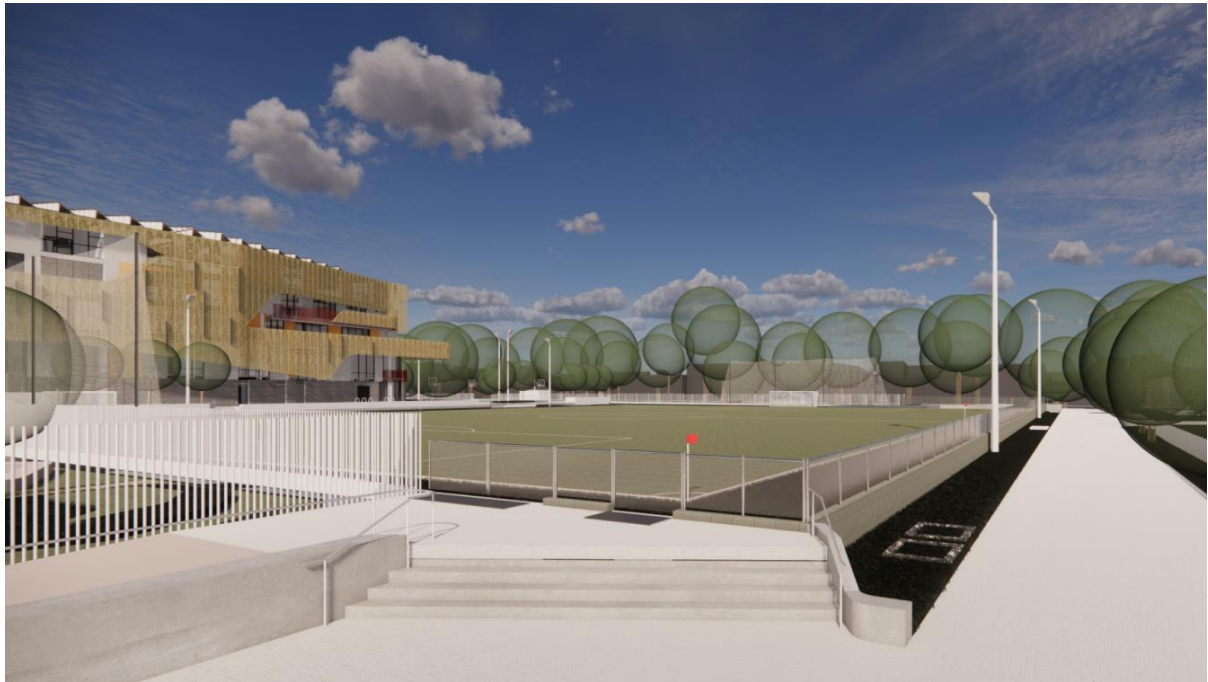
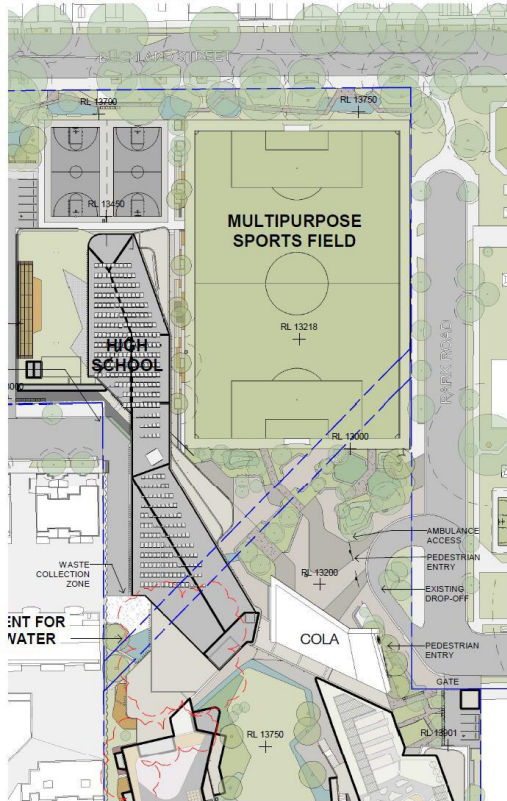


Figure 3 | Field Entry View from Power Avenue (Base source: TKD Architects, June 2020)



Figure 4 Field Entry View from Buckland Street (Base source: TKD Architects, June 2020)

Site Plan | As Submitted December 2017



Site Plan | Expanded Sports Field

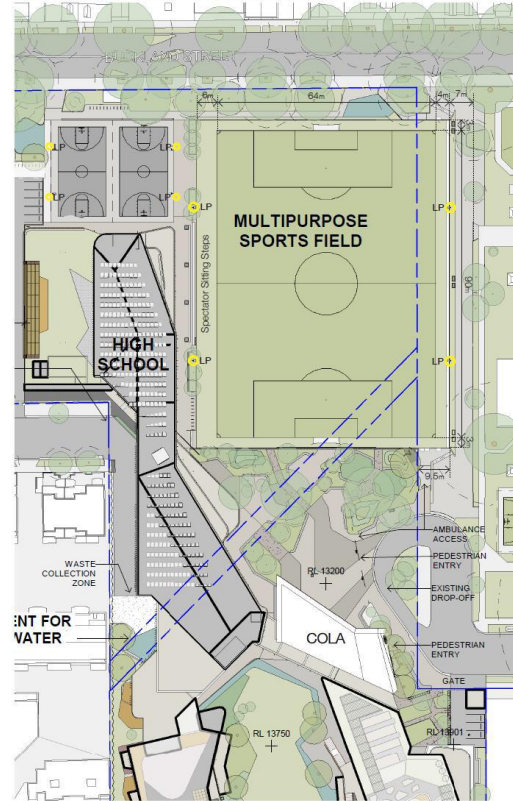
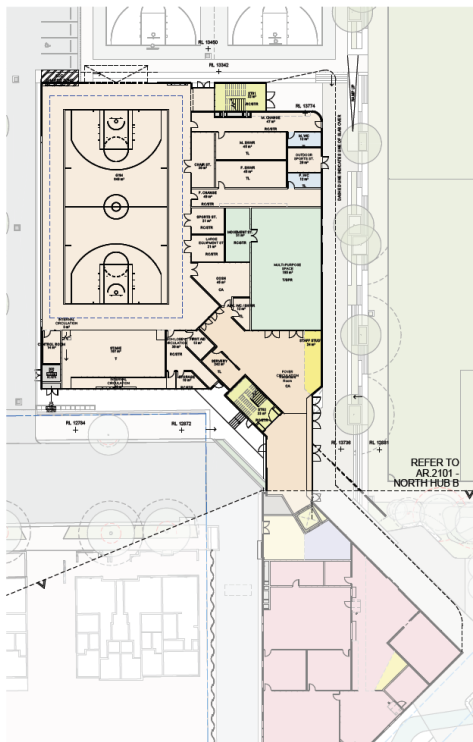


Figure 5 Proposed Sports Field Layout Amendments (Base source: TKD Architects Architectural and Urban Design Report | December 2017)

Detail Plan | As Submitted December 2017



Detail Plan | Amended Design April 2020

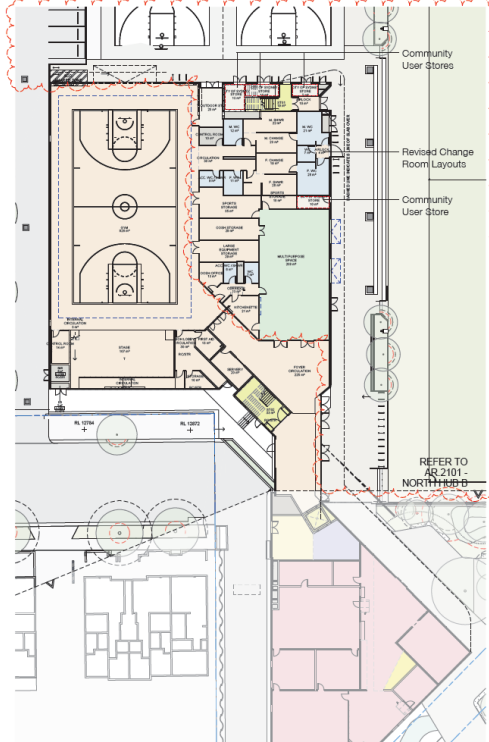


Figure 6 Proposed Change Room Layout Amendments (Base source: TKD Architects Architectural and Urban Design Report | December 2017)

### 3 Strategic context

The Department considers the development, to which the modification relates, remains consistent with its applicable strategic context given that it meets the aims of the:

- 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.
- NSW Future Transport Strategy 2056, as it would provide a new community facilities in a highly accessible location and provides access to new employment opportunities close to existing and future public transport, including Green Square and Redfern Train Stations (approximately 750m south-east and 950m north, respectively) and the future Waterloo Metro Station (approximately 400m east).
- 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.
- NSW Government's Premier's Priority: Greening Our City and the Draft Greener Places Design Guide, 2020 prepared by GANSW, as it provides 1.6 trees for every tree that is being removed for the project, providing a net increase in trees on the site and around the expanded sports field to increase the urban canopy of the school and surrounding areas.



## 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.

The Department acknowledges that the proposed development, as modified, will be substantially the same as that originally approved in SSD 8373 as there are no changes to the:

- approved use and operational parameters of the buildings
- final development outcome of the development
- opening hours or other management measures proposed
- approved building envelopes and bulk and scale
- approved parking numbers.

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 will be the consent authority under section 4.5(a) of the EP&A Act.

#### **Minister's delegate as 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. However, under the Minister's delegation dated 11 October 2017, the Director, Social and Infrastructure Assessments, may determine the application.

## 5 Engagement

Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 (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 August 2020 and was referred to the City of Sydney for comment.

### 5.1 Summary of submissions

One submission was received from the City of Sydney who considered the proposal reflective of discussions undertaken as part of the Heads of Agreement with the NSW Department of Education regarding the use of Alexandria Park and Park Road and encouraged to continue to liaise with the City on this issue. City of Sydney granted Owner's Consent for the Department in 2019 to acquire a section of the Park Road reserve for the purposes of enlarging the APCS sports field. The Department also received two representations from the community and from local MP, Ron Hoenig MP, which raised concerns regarding the loss of Tree 109 (a mature Curtain Fig) on Buckland Street and consequent light and visual amenity impacts to residents on Buckland Street.

### 5.2 Request for additional information

Following feedback from community members on the first submitted modification, the Department submitted a request for additional information to the Applicant to clarify:

- proposed tree planting locations in the site.
- the discrepancy between the tree loss assessed in the Arboricultural Impact Assessment (AIM) and the Environment Assessment Report (EAR) with the EAR identifying an extra tree for removal – a mature curtain fig on Buckland street (Tree 109).
- opportunities for increasing the tree canopy across the site and adjacent Alexandria Park to compensate for the loss of tree canopy at the site.
- alignment of the project with key State and Local Government strategies to increase tree canopy coverage in Greater Sydney.
- that the increased biodiversity impact does not require a biodiversity development assessment report under section 7.17 of the Biodiversity Conservation Act 2016 (BC Act).

The Applicant provided an RFI response, Tree Plan, amended Arboricultural Impact Assessment and Architectural and Landscape Plans on 13 November 2020. The applicant confirms that Tree 109 is now to be retained and has provided amended Architectural Plans and Landscape Plans to retain Tree 109 and reconfigure the sports field design. The applicant provided an enhanced tree planting schedule which addresses the Department's concerns regarding vegetation loss and amenity impacts to local residences on Buckland Street.



## 6 Assessment

The Department has considered the merits of the application in accordance with the relevant matters under section 4.55(1A) and the objectives of the EP&A Act. The Department considers that the key issues of the proposed modification to be vegetation removal and amenity impacts to residents on Buckland Street.

### 6.1 Tree removal

The Modification proposed the removal of 6 trees from the site, adding to the 69 planned for removal in the Original SSD Consent. The additional trees to be removed were a mix of introduced species including London Plane Trees, Honey Locust, Jacaranda and a mature Curtain Fig (Tree 109) located along the former Park Road reserve.

Following feedback from the Community, the Department submitted an RFI to the Applicant requesting the preservation of Tree 109 and to seek opportunities to increase the tree canopy on site in alignment of the project with key State and Local Government strategies to increase tree canopy coverage in Greater Sydney.

The applicant submitted a response along with the Proposed Tree Plan shown at Figure 1 and Appendix B which identifies the location for 13 proposed additional trees along the Buckland Street frontage and within the APCS site, and 7 trees to be planted by Council along the now closed Park Road reserve. The revised Modification now provides 20 additional trees to the 126 trees proposed under the original SSD. The trees to be removed are shown in purple in Figure 7 below.

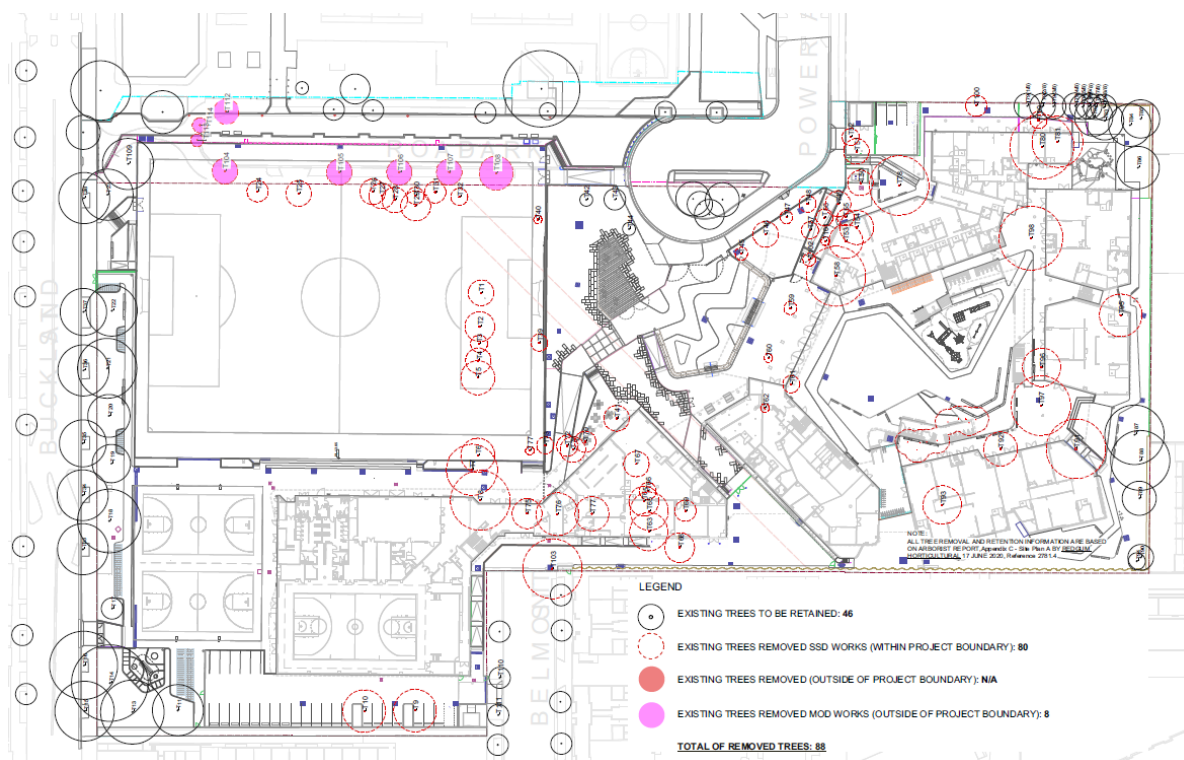


Figure 7 Tree Retention and Removal Plan (Base source: Context: Landscape Plan, November 2020)

The revised tree planting schedule results in APCS having a tree canopy cover of 13%, well below the 40% canopy target outlined in the *NSW Government's Premier's Priority: Greening Our City* and the *Draft Greener Places Design Guide, 2020* prepared by GANSW. While the removal of the trees results in a temporary impact to the site while the new trees mature, it is considered that on balance the loss is offset by the broad community benefit of the sporting field to the school and surrounding community and to allow maximum area for learning and play within the school site.

The Department notes the total proposed tree plantings from the original SSD and Modification 2 is 146, which equates to 1.6 for every tree that is being removed for the project, providing a net increase in trees on the site. Overall, this increase will assist in improving the tree canopy within APCS and surrounding area, including Alexandria Park and surrounding streets like Buckland Street. The Department has recommended a condition of consent to affirm this commitment to compensatory tree planting.

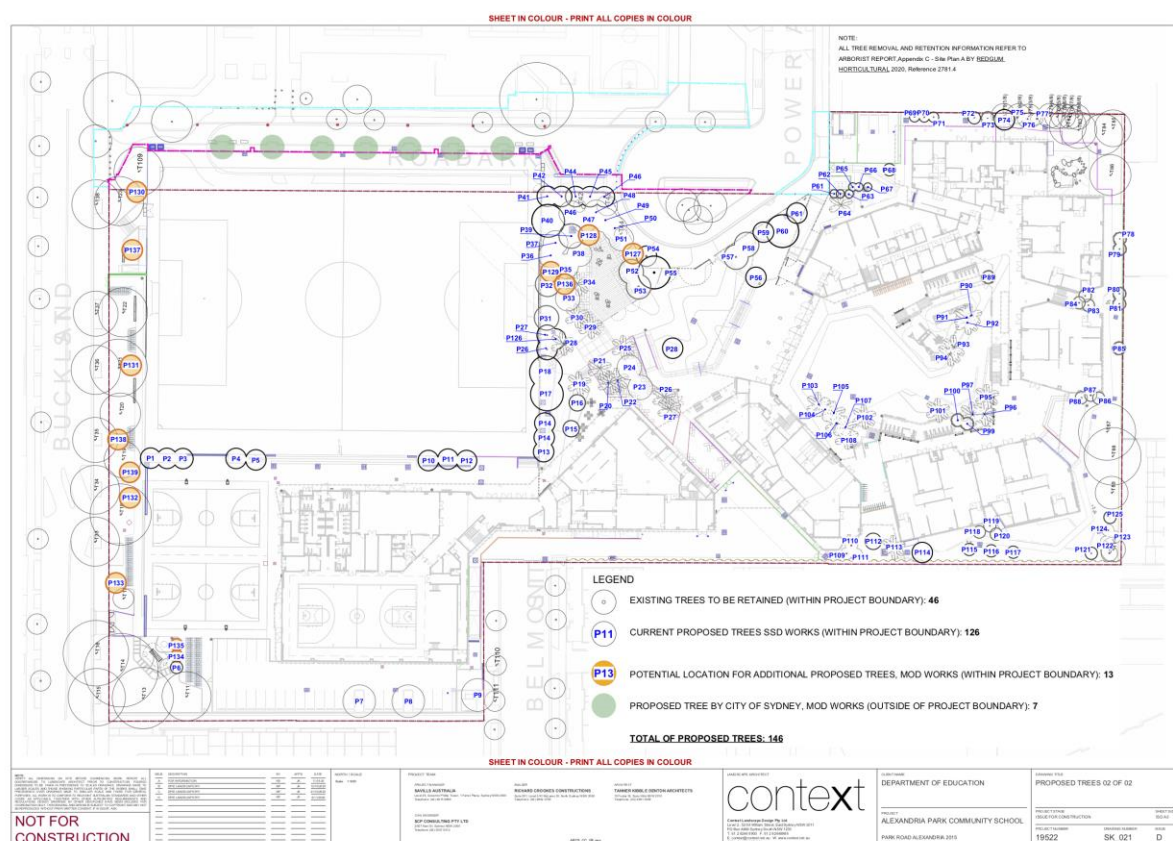


Figure 8 Proposed Tree Plan (Base source: Context: Landscape Plan, November 2020)

## 6.2 Amenity impacts to Buckland Street residences

The original MOD 2 design proposed the removal of Tree 109, a mature Curtain Fig, located on Buckland Street at the eastern boundary of the new sports field. Trees to be removed as part of the original Modification 2 proposal are shown in Figure 9 below. The Department was concerned the removal of Tree 109 would cause undue impacts to the tree canopy along Buckland Street and potential affect the amenity of local residents on Buckland Street. The Department also received feedback from community members and Ron Hoenig MP concerned that the removal of Tree 109 would increase light pollution impacts from the sports field's floodlights to adjacent residences and potential impacts to local fauna communities.

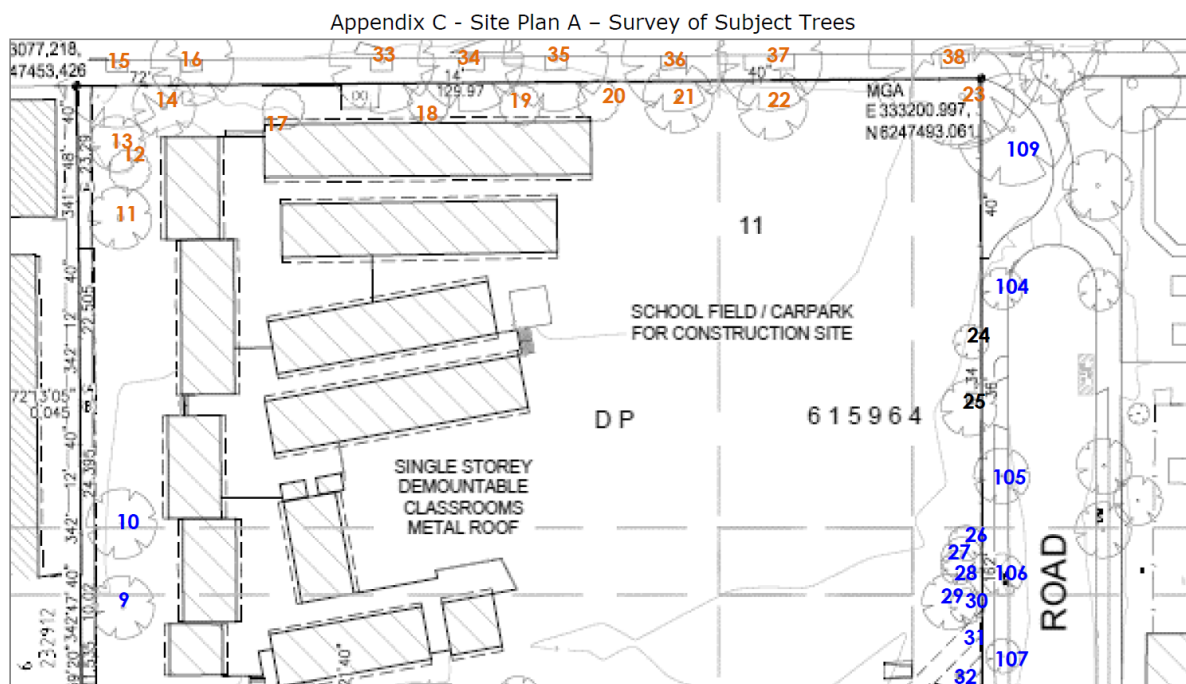


Figure 9 Trees to be removed as part of MOD 2 (shown in blue)

Following the Department's RFI (discussed in Section 5.2), the Applicant modified the design for the sports field to protect and retain Tree 109 and committed to planting an additional 7 medium sized trees along Buckland Street to provide a secondary canopy layer and help mitigate light and visual impacts to residences on Buckland Street. This is demonstrated in the Proposed Tree Plan which was submitted by the Applicant with the RFI response and shown in Figure 8 Proposed Tree Plan (Base source: Context: Landscape Plan, November 2020)

The Department acknowledges that the retention of tree 109 and the planting of replacement trees along Buckland Street (as proposed by the revised modification) will help alleviate amenity impacts from the use of the sports field concerns outlined in the community submissions. The Department recommends the Applicant implement the tree plantings schedule along Buckland Street as identified in the submitted Tree Plan and has proposed conditions to this effect.

Table 1 Summary of other issues

| Issue                  | Findings  | Recommendations   |
|------------------------|---|---|
| Requirement for a BDAR | <p>The Department was concerned the modification's increased biodiversity impact may require assessment in a biodiversity development assessment report under section 7.17 of the BC Act.</p> <p>The applicant provided a Statement of Validity of BDAR Waiver in its RFI response which was prepared by UBM Ecological. This stated that:</p> <ul style="list-style-type: none"> <li>• A BDAR waiver was granted for the original SSD because it was concluded that there was no biodiversity on the site that would be impacted.</li> <li>• The additional 8 trees to be removed are all planted exotic specimens.</li> <li>• Given the above, and the species are not local natives, further assessment under a BDAR is not required.</li> </ul> | <p>The Department accepts the applicant's response and considers it is appropriate to form the opinion 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.</p> <p>The Department acknowledges that the additional trees to be removed as part of the revised modification are all introduced specimens, and are not local native species, further assessment under a BDAR is not required. A BDAR waiver was granted for the original SSD because it was concluded that there was no biodiversity on the site that would be impacted.</p> |

| Issue   | Findings  | Recommendations  |
|---|---|--|
| Use of Park Road Reserve by Department of Education for Modification 2. | <p>As discussion in section 2 of this report, the process for the closure of Park Road by City of Sydney and its use by the Applicant has progressed during the life of the development, with the road declared closed at City of Sydney Council meeting of 13 August 2018.</p> <p>Following approval of the development on 11 February 2019, a Joint Use Agreement between the Department of Education and the Council of the City of Sydney was executed in late 2019. The Department understands that the Department of Education and the Council of the City of Sydney remain committed to facilitating the proposed use of the site, including reclassification of land under the <i>Local Government Act 1993</i> as necessary.</p> | <p>The Department acknowledges that the Park Road reserve was previously being used the Applicant as a school play area since 2018 and the Modification is a continuation of this use. The provision of new sporting facilities and shared path addresses a community need and greatly improves the connection between APCS and Alexandria Park.</p> |

## 7 Evaluation

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is appropriate on the basis that:

- the proposal remains consistent with the original conditions of consent.
- there are no detrimental impacts to the amenity of nearby residences.
- the proposed modification is of minimal environmental impact.
- the provision of a FIFA grade sports field addresses community need within the local area and fosters a deeper community connection to the school.
- the sports field's setting, including low level sporting type fences, sitting steps and planted edges provide a seamless transition between the outdoor playing and sporting zones of the school and the adjacent Alexandria Park, which identify the new school's facilities as available for community use.
- trees to be removed will be compensated through new plantings at a rate of 1.6 for each tree removed, improving the urban canopy of the site and reducing amenity impacts from the sports field floodlights to residences on Buckland Street.

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 Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **determines** that the application Alexandria Park Community School (SSD 8373 MOD 02) falls within the scope of section 4.55(1A) 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
- **agrees** with the key reasons for approval listed in the draft notice of decision
- **modify** the consent SSD 8373
- **signs** the attached approval of the modification (**Appendix H**).

**Recommended by:**



**Mark Wisely**  
Senior Planning Officer  
Social and Infrastructure Assessments

**Recommended by:**



**Dominic Crinnion**  
Team Leader  
Water and Intermodals Assessments

## 9 Determination

The recommendation is **Adopted** by:



18 April 2021

**Karen Harragon**

Director

Social and Infrastructure Assessments

as delegate of the Minister for Planning and Public Spaces

# Appendices

## Appendix A – List of referenced documents

Found at: <https://www.planningportal.nsw.gov.au/major-projects/project/37991>

- S4.55(1A) Modification Report - Alexandria Park Community School MOD 2 prepared by Urbis **(Mod Application)**
- Amended Architectural Drawings, prepared by TKD Architects
- Amended Landscape Drawings, prepared by Context
- Response to request for additional information: Alexandria Park Community School Redevelopment MOD 2 prepared by Urbis
- Tree Retention and Removal Plan, Context
- Tree Plan, Context
- Biodiversity Development Assessment Report (BDAR) Waiver, UBM Ecological Consultants