



Fairvale High School Upgrade Modification 1

State Significant Development Modification Assessment
(SSD 8677 MOD 1)

July 2020

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Glossary

Abbreviation	Definition
COLA	Covered outdoor learning area
Council	Fairfield City Council
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
Minister	Minister for Planning and Public Spaces
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy
SSD	State Significant Development
The Applicant	Department of Education

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1 Introduction

This report provides an assessment of a modification application to modify the conditions of the State significant development consent (SSD) for Fairvale High School Upgrade (SSD 8677). The application has been lodged by NSW Department of Education (the Applicant).

The modification application seeks approval to allow the staged construction and operation of the development and has been lodged pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 Background

Fairvale High School is located at Thorney Road, Fairfield West within the Fairfield local government area. The site is located 9.3 kilometres (km) southwest from the Parramatta Central Business District (CBD), 2.5km west from Fairfield Train Station and 370 metres (m) east from the Cumberland Highway. The location of the site is shown in **Figures 1 and 2**.

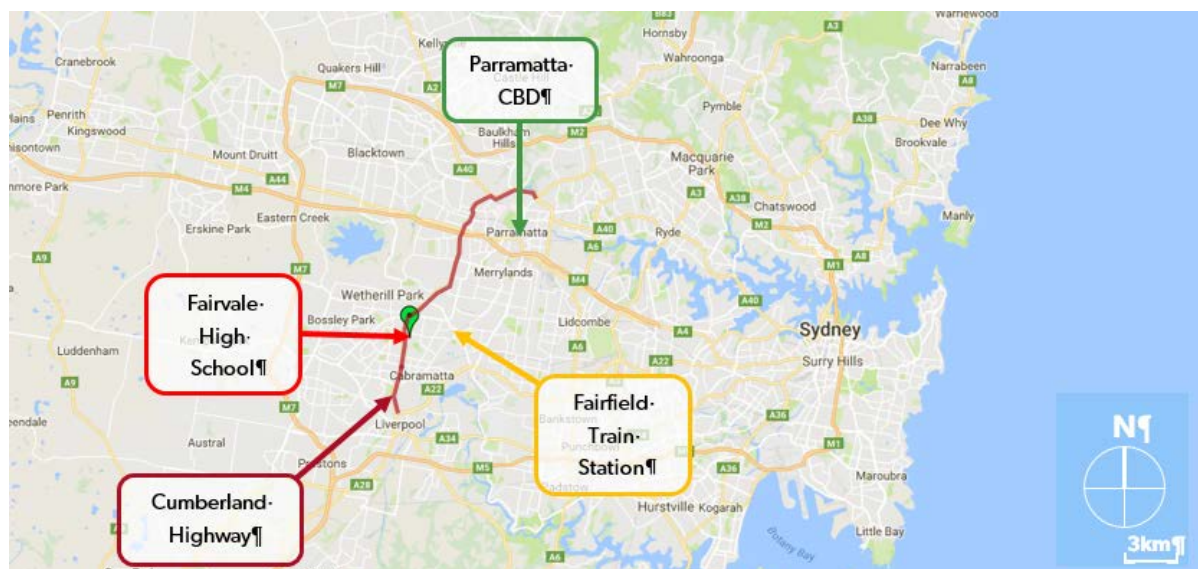


Figure 1 | Regional location of the site (Source: Department's original assessment report 2018)



Figure 2 | Location of the site within Fairfield West (Source: Department's original assessment report 2018)

The site is located within an established urban area which is predominately residential in character with one to two storey detached dwelling houses. Avery Park (public open space/playing field) is the neighbouring land use to the west of the site. An aerial view of the site and surrounds at the time of the Department's original assessment (in January 2019) is shown in **Figure 2**.

1.2 Approval history

On 31 January 2019, the Executive Director, Priority Projects, as delegate for then Minister for Planning granted consent for alterations and additions to Fairfield High School comprising:

- Site preparation works including demolition, earthworks and tree removal.
- New three storey classroom/administration building.
- New two storey multi-purpose hall comprising of.
- New large concrete sports courts and covered outdoor learning area (COLA) in the northern sports oval.
- Alterations to existing facilities, including:
 - alterations to ground floor of Block A to provide open plan staff study areas and refurbished print/preparation room.
 - addition of three temporary demountable classrooms for the construction period.
 - relocation of existing COLA adjacent to new large COLA in the northern sports oval.
 - removal of existing demountable classrooms at completion of construction.
- Associated landscaping works, including retention and protection of 63 trees, removal of 23 trees and planting of 17 new trees along with a range of scrubs, clumping plants and ground covers.

The development was proposed to be undertaken within one overall stage generally with the following sequence of works being undertaken while the remainder of the school was in operation:

- site establishment/enabling works.
- earth and civil works.
- structure.
- façade.
- services and finishes.
- landscaping and public domain works.

The approved site plan is shown in **Figure 3**.

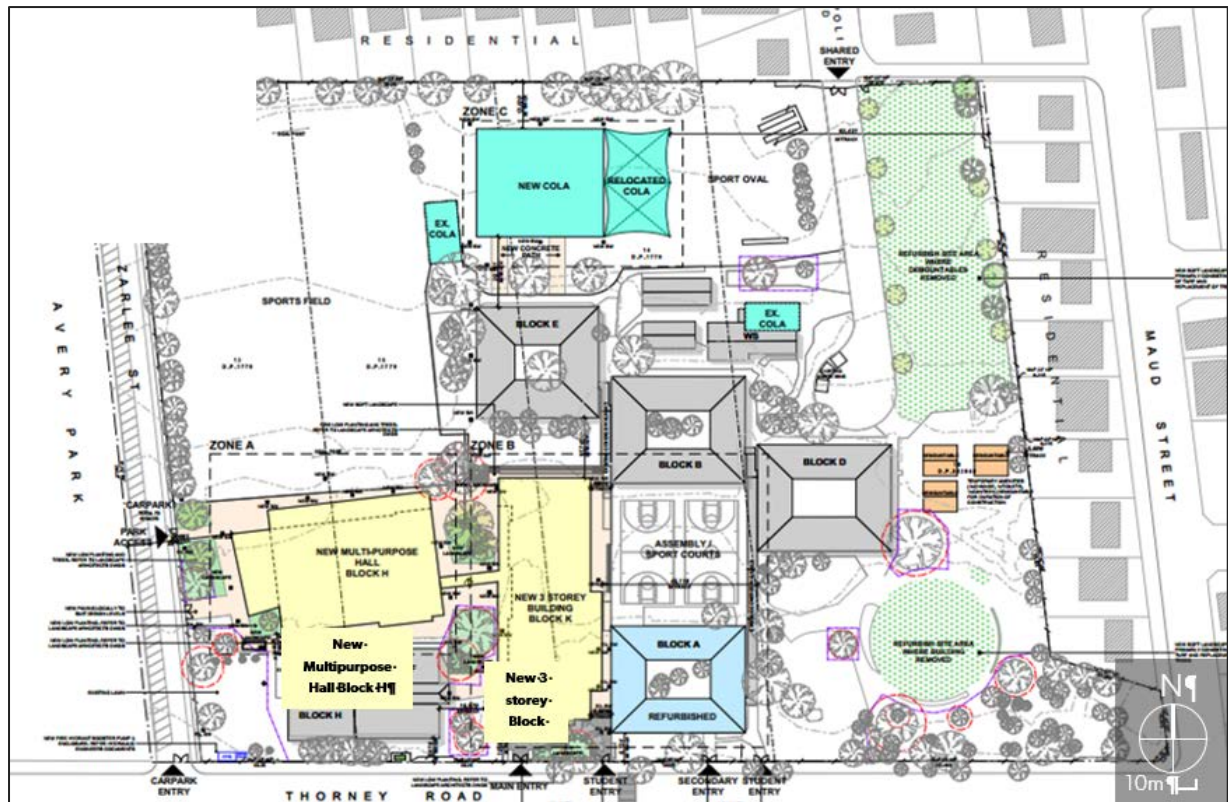


Figure 3 | Approved site layout (Source: Department's original assessment report 2018)

The development consent has not previously been modified.

2 Proposed modification

The Applicant advises that construction works commenced in March 2020 with the construction of a new COLA and associated play area and Block K. An aerial view of the site as of June 2020 is shown in **Figure 4**.



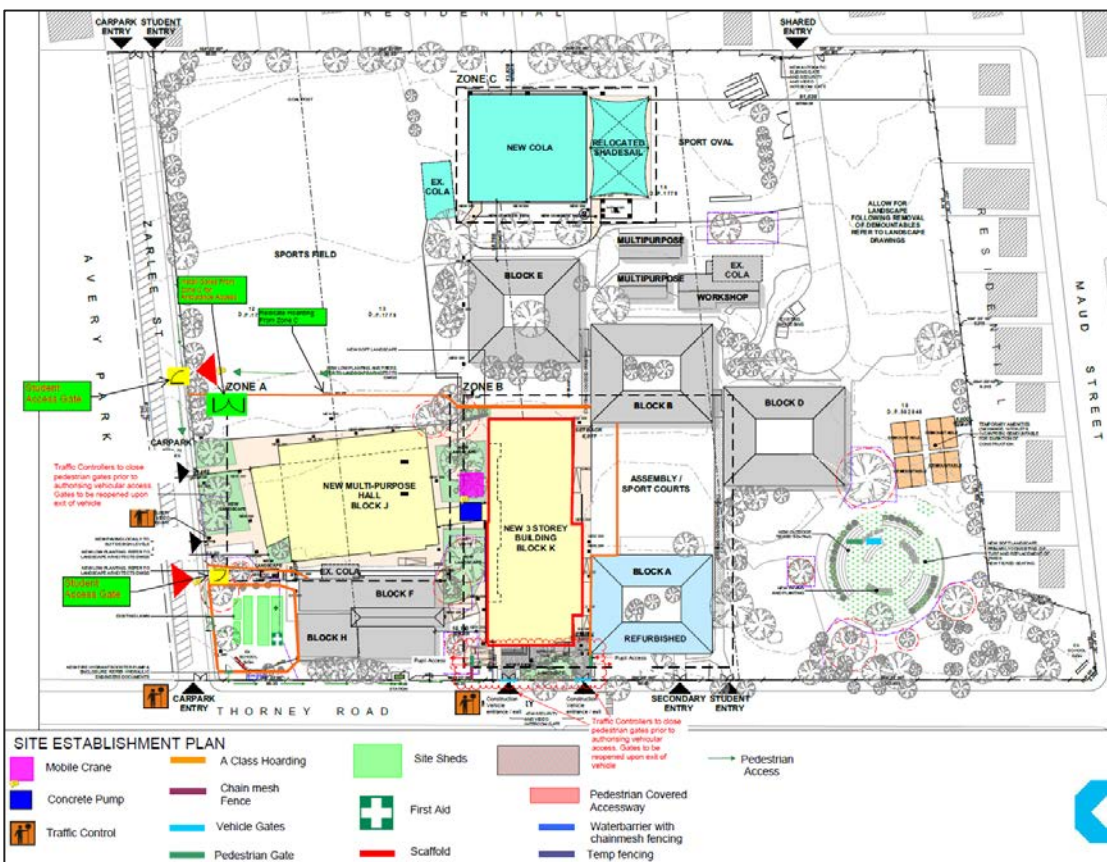
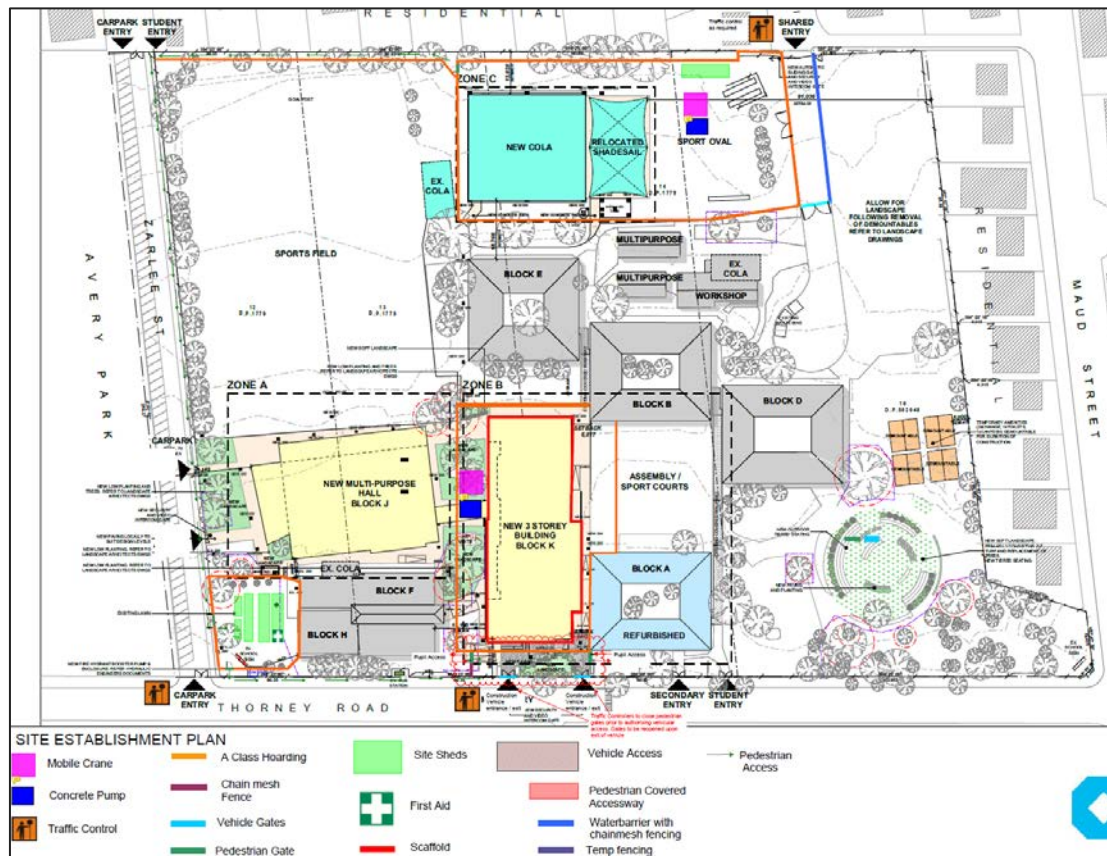
Figure 4 | Aerial view of the site (Source: Nearmap 2020)

The Applicant now advises that the development needs to be broken into five stages to allow new facilities to be constructed and occupied prior to decampment and refurbishment or demolition of existing facilities. A Staging Report was included in the modification application that sets out the proposed staging of the development (**Table 1**).

Table 1 | Proposed Staging

Stage	Works	Duration	Indicative Timing
1	Demolition of the existing COLA and construction of the new COLA and associated play area.	4 months	March 2020 to July 2020
2	Construction of Block K (new administration building). This stage would start concurrently with Stage 1.	15 months	March 2020 to June 2021
3	Construction of new multi-purpose hall (Block J). This stage would start following the completion of Stage 1.	12 months	August 2020 to July 2021
4	Refurbishment of Block A (existing administration building) following the completion of Block K (new administration building) proposed in Stage 2. This stage would start following the completion of Stage 2.	4 months	July 2021 to September 2021
5	Demolition of Bini-dome Block G, removal of demountables and new landscaping.	3 months	July 2021 to September 2021

Plans showing the staging areas are included in **Figures 5 to 7**.



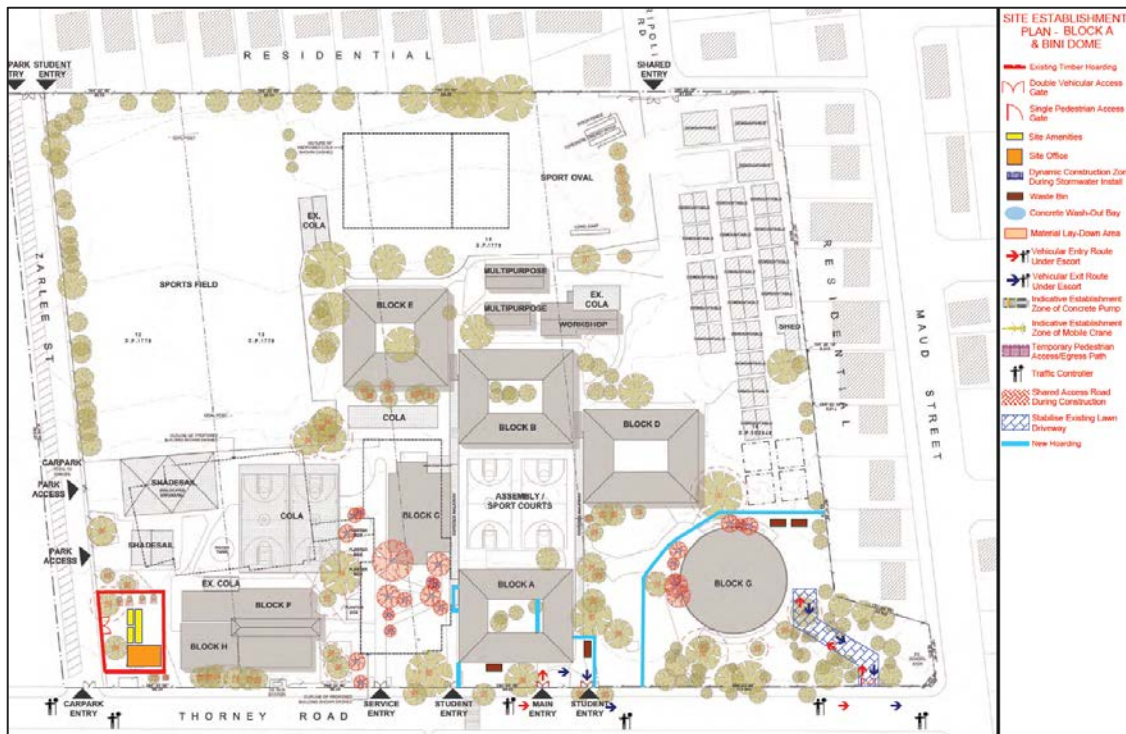


Figure 7 | Proposed Stage 4 and 5 area (Source: Applicant's modification application 2020)

As the existing consent does not allow for staged construction and operation of the development, the Applicant has lodged a section 4.55(1A) modification application (SSD 8677 MOD 1). This would modify the consent through the addition of conditions that allow for the staging of the approved development in accordance with a Staging Report submitted with the modification application (see **Appendix A**).

The modification application advises:

- management arrangements would be implemented to ensure that school operations continue in a safe manner whilst construction works continue on site.
- hoarding would be provided to separate the operational areas of the site from construction areas to protect students and staff from construction activities.
- school car parking and vehicular drop-off/pick-up arrangements would remain as currently in place on Zarlee Street and Thorney Road.
- construction vehicle access would be from Zarlee Street, Thorney Road and/or Tripoli Road as required to support the staged construction areas. Traffic controllers would be in place to ensure the safety of students, staff from construction traffic movements.
- multiple pedestrian access points would be provided across the site as required to provide separate access to operational areas in each stage.

Staging areas, location points and hoarding lines are shown in **Figures 5 to 7**.

The Staging Report included a detailed matrix identifying the stages in which each condition would apply / be satisfied.

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 Regional Plan, A Metropolis of Three Cities, as it proposes improved school facilities to meet the needs of Sydney.
- it is consistent with State Infrastructure Strategy 2018 – 2038, as it proposes a school design to accommodate infrastructure and facilitates sharing with communities.
- it is consistent with the NSW Future Transport Strategy 2056, as it would provide an enlarged educational facility in a highly accessible location and provide additional new employment opportunities close to public transport.
- it is consistent with the vision outlined in the Greater Sydney Commission's Western 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.
- it is consistent with Sydney's Cycling Future 2013, as it would promote and cater for bicycle use through the provision of end-of-trip facilities.
- it would provide direct investment in the region of approximately \$31 million, which would support 120 construction jobs and an additional 10 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 impact under section 4.55(1A) 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 (the Minister) is the consent authority under section 4.5 of the 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.

5 Engagement

The Department did not give notification of the application due to the minor nature of the proposed modifications. The modification application was however made publicly available on the Department's website. No submissions were received.

6 Assessment

The Department has considered the modification application in the context of the original approved development in its assessment.

The Department has reviewed the information provided by the Applicant and considers that the modification is acceptable on the basis that the modification:

- is required to:
 - enable the ongoing operation of the school during the construction works.
 - allow new facilities to be occupied as they are completed and free up existing facilities to be refurbished or demolished.
- would not change the proposed built form or other outcomes of the development as approved in the original consent.
- would not result in additional significant environmental impacts as the:
 - overall construction program would not be longer than that originally anticipated (approximately 18 months).
 - nature of construction works would be the same as that originally proposed.
 - 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.

The Department notes that the proposal would allow for operational activities to occur on the site alongside construction works. The Applicant has advised that the operational areas of the site would be clearly separated from ongoing construction activity during these works through the installation of hoarding and fencing. Operational and construction access would be carefully managed to ensure the safety of students, staff and the public.

On basis of the above, the Department is satisfied that appropriate measures would be put in place to ensure the safety of staff and students during the construction of the uncompleted portions of the development.

Staging Report

The Department has reviewed the conditions matrix in the Staging Report and considers that it provides for the appropriate satisfaction and implementation of the conditions during the stages of the development.

Summary

Overall, the Department is satisfied that the staging of the development is appropriate and that the Applicant has set out appropriate measures to ensure the safety of staff and students during construction and operation. The Department further concludes that the proposal would remain substantially the same as that originally proposed and the staging of the development would not result in a change of use for the site or result in any significant environmental impacts.

7 Evaluation

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

- the staging of the development would not result in any significant environmental impacts.
- the staging of the development would allow the site to continue operations and provide an essential service to the community.
- the development to which the modification relates remains substantially the same.
- the 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 Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report.
- **determines** that the application Fairvale High School Upgrade SSD 8677 Mod 1 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 grant approval to the application.
- **modifies** the consent SSD 8677.
- **signs** the modifying instrument (**Appendix A**).

Recommended by:



Jason Maslen

Team Leader

Schools Infrastructure Assessments

9 Determination

The recommendation is **Adopted** by:

A handwritten signature in black ink, appearing to read 'KH', with a stylized flourish extending to the right.

27 July 2020

Karen Harragon

Director

Social and Infrastructure Assessments

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – Modification Report and Staging Report

<https://www.planningportal.nsw.gov.au/major-projects/project/38181>

Appendix B – Notice of modification

<https://www.planningportal.nsw.gov.au/major-projects/project/38181>