



Alex Avenue Public School Modification 1

State Significant Development Modification Assessment (SSD-9368
MOD 1)

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Glossary

Abbreviation	Definition
Consent	Development Consent
Council	Blacktown City Council
COLA	Covered Outdoor Learning Area
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
OOSH	Out of School Hours
RtS	Response to Submissions
SSD	State Significant Development
The Applicant	Department of Education
The Minister	Minister for Planning and Public Spaces
The Site	Part Lot 1 and Lot 2 in DP1244925, Farmland Drive, Schofields

Contents

1	Introduction	1
1.1	Background	1
1.2	Approval history.....	2
2	Proposed modification	4
3	Strategic context.....	5
4	Statutory context	6
4.1	Scope of modifications	6
4.2	Consent authority	6
4.3	Mandatory matters for consideration.....	6
5	Engagement.....	7
6	Assessment	8
7	Evaluation.....	9
8	Recommendation.....	10
9	Determination.....	11
	Appendices	12

1 Introduction

This report provides an assessment of a modification application to modify the state significant development consent (SSD) for the new Alex Avenue Public School, Farmland Drive, Schofields (SSD 9368). The application has been prepared by NSW Department of Education (the Applicant).

The modification application seeks approval to amend the approved staging plan for the development and associated amendments to staging related condition (A9) and definitions of the development consent (the Consent). The application has been lodged pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 Background

The site is located at Farmland Drive, Schofields (the site) in Blacktown City Council (Council) local government area. The site is located approximately eight kilometres north-west of Blacktown central business district and 700 metres north-east of Schofields town centre and railway station.

The site is legally described as part of Lot 1 and the entirety of Lot 2 in DP1244925 and has an area of approximately two hectares. The site is an irregularly shaped parcel of land with frontage to Farmland Drive to the north.

As the site is in a developing area, Farmland Drive has only been constructed along the eastern two-thirds of the northern boundary of the site. The remainder is currently under construction, along with a future road to be known as Pelican Road, located along the western boundary of the site.

Construction of the school has commenced on site.

The site and its surrounding context is shown in **Figure 1**.



Figure 1 | Conditions of the site in September 2020 (Base source: Nearmap 2020)

1.2 Approval history

On 21 May 2020, the Executive Director, Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces (the Minister), granted consent for the staged construction and operation of a new primary school on the site for up to 1000 students.

The approved development consists of four learning hubs containing home bases, a hall with canteen and out of school hours facilities (OOSH), library and administrative building, and associated works including covered outdoor learning areas (COLAs), landscaping, drop-off / pick-up facilities, car parking, signage and infrastructure works.

The approved development consists of two stages as follows:

- **Stage 1** involves the construction of the core school facilities, including library, hall, COLAs and basketball courts, and administration and staff facilities, along with 19 home bases to cater for up to 600 students. Stage 1 includes Buildings A, B1, B4 and C. The Stage 2 area would be grassed to serve as additional play area during Stage 1 operations.
- **Stage 2** involves the construction of the remaining 20 home bases and COLAs (Buildings B2 and B3) and final landscaping works to increase the school capacity up to 1000 students.

The approved site layout with the Stage 2 buildings shown in red is provided in **Figure 2**.

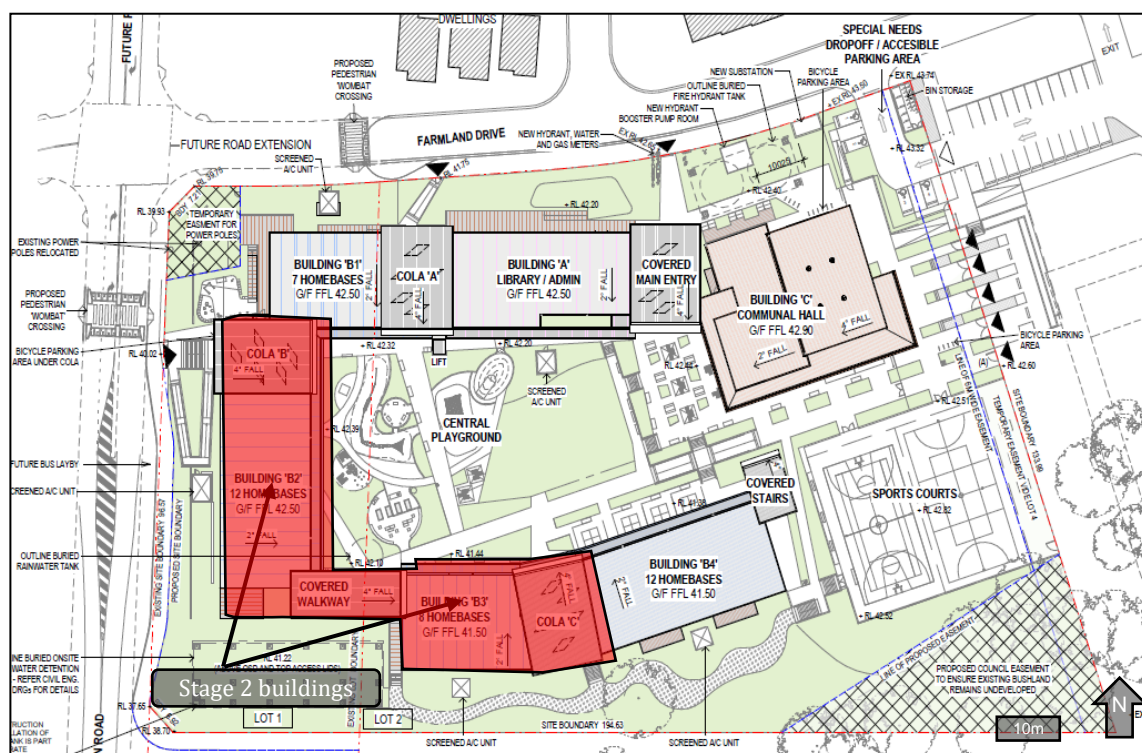


Figure 2 | Approved site layout with Stage 2 buildings shown in red (Source: Department's SSD-9368 Assessment Report 2020)

The project includes shared use of a car park adjoining the site to the east under a joint use agreement with Council. 32 temporary car parking spaces and five drop off / pick up spaces are to be provided on site if the permanent off site shared use car park is not provided by Council prior to Stage 1 operations. The location and layout of the proposed temporary car park is shown in Figure 3

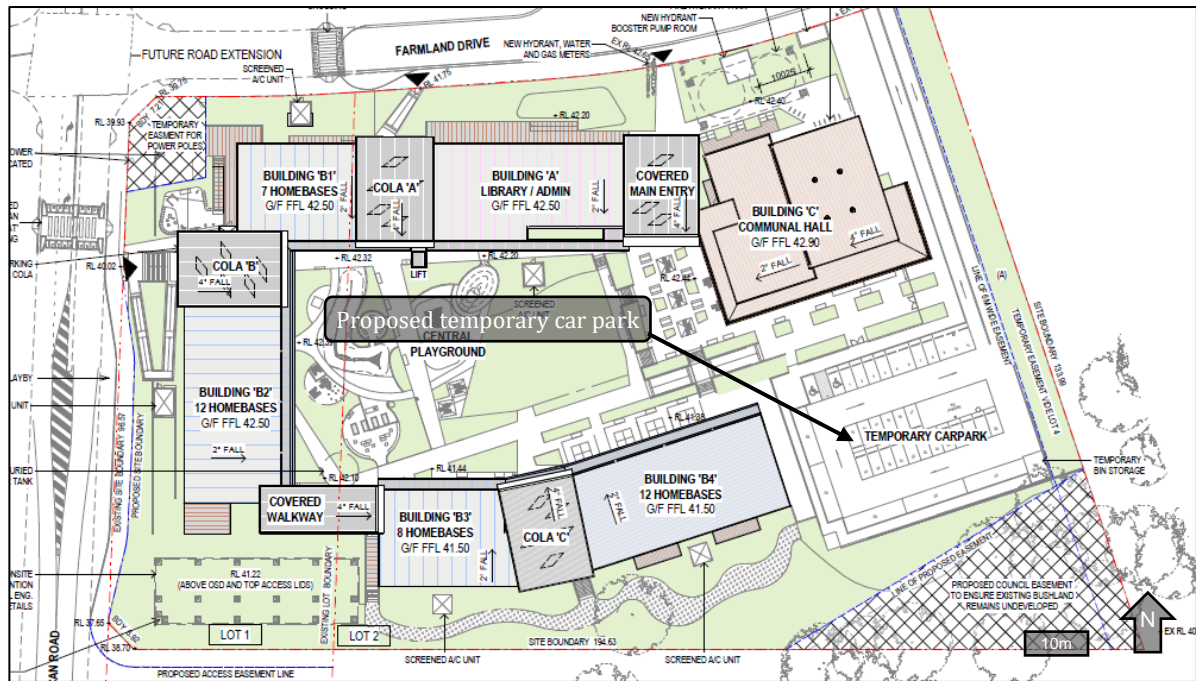


Figure 3 | Location of temporary onsite car park (Source: Department's SSD-9368 Assessment Report 2020)

The development consent has not previously been modified.

Separate modification application

A second separate section 4.55(1A) Modification Application (SSD-9368 Modification 2) was lodged on 15 September 2020 and was under assessment at the time of preparing this report. SSD-9368 Modification 2 seeks consent for minor internal and external changes to the building and landscaping design, additional bicycle parking spaces and changes to definitions and conditions to allow for operational readiness activities for the school.

This Section 4.55(1A) modification application seeks consent to amend the approved staging plan of the development and associated amendments to staging related conditions (A9) and definitions. It is proposed to include Building B2 within Stage 1 of the development and defer Building B4 to Stage 2. Building B2 contains 12 home bases and an attached COLA and Building B4 contains 12 home bases. The Applicant advises that Building B2 is needed for Day 1 Term 1 2021 rather than Building B4. The remainder of the construction and operation staging is proposed to remain consistent with the original consent.

3D architectural rendering of the proposed development at the intersection of Highway 101 and Highway 17. The rendering shows several buildings, including Building B4, and a large green area. A north arrow is visible in the bottom right corner.

[illegible]

In addition, the Applicant advises that the original staging plan, approved under SSD 9368, incorrectly labelled Building B4 as Building B2 and vice versa. All other approved plans and documentation showed Building B2 in its location adjacent to the Pelican Road frontage. Accordingly, this application seeks to rectify this error by relabelling the buildings correctly on the proposed staging plan.

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 new school facilities to meet the growing needs of Sydney.
- Greater Sydney Commission's Central City District Plan, as it would provide much needed school infrastructure and opportunities to share facilities with the local community.
- anticipated use of the site identified in the Alex Avenue Precinct Indicative Layout Plan April 2010.
- State Infrastructure Strategy 2018 – 2038 Building the Momentum, as it proposes new school facilities to support the growth in demand for primary student enrolments and facilitates sharing with communities.
- NSW Future Transport Strategy 2056, as it would provide a new educational facility in an accessible location.
- Sydney's Cycling Future 2013, as it would promote and cater for bicycle use through the provision of bicycle parking and end-of-trip facilities.

The proposal would also provide direct investment in the region of \$43.9 million and generate more than 300 construction jobs and 70 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 Section 4.55(2) application or new development application to be lodged.

4.2 Consent authority

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.

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-9368. 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.

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 that proposed modification to the staging plan and associated amendment to staging condition and definitions is acceptable on the basis that the modification:

- would not result in any changes to the actual built form of the development, only the timing of construction of buildings B2 and B4.
- would not result in any changes to the operation of the school.
- would not result in any changes to the Applicant's obligations under the consent for essential works required to be delivered prior to commencement of Stage 1 operation including car parking, access, easements (including access to Lot 4 DP 1244925), footpaths, drainage and submission of a Site Audit Statement.
- Building B4 does not contain any core school facilities such as library, canteen, hall, administration or staff facilities and accordingly the deferment of building B4 to Stage 2 would not adversely impact on the operation of the school under Stage 1.

Given the above, the Department considers that the amended staging plan would not result in any additional significant environmental planning impacts compared to the original consent and is satisfied that the amended staging of the development is appropriate.

7 Evaluation

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

- the proposal would not alter the nature of the development as provided in the original approval.
- the proposal would ensure the timely and effective operation of an essential service to the community.
- the proposal would not result in any significant environmental impacts.

Accordingly, 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 Alex Avenue Public School Modification 1 (SSD 9368) 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 9368.
- **signs** the modifying instrument (**Appendix A**).

Recommended by:



Tahlia Alexander
Senior Planning Officer
Social and Infrastructure Assessments

Recommended by:



Jason Maslen
Team Leader
School Infrastructure Assessments

9 Determination

The recommendation is **Adopted** by:



2 October 2020

Karen Harragon

Director

Social and Infrastructure Assessments

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – List of Documents

1. Modification report and amended Staging Plan

<https://www.planningportal.nsw.gov.au/major-projects/project/40046>

2. Instrument of modification

<https://www.planningportal.nsw.gov.au/major-projects/project/40046>

3. Consolidated Consent

<https://www.planningportal.nsw.gov.au/major-projects/project/40046>