

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD 8372 – New Smalls Road Public School
Applicant	Department of Education
Consent Authority	Minister for Planning

Decision

The Executive Director Priority Projects Assessments under delegation from the Minister for Planning has, under s.4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**) granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning & Environment's assessment report is available [here](#).

Date of decision

2 November 2018

Reasons for decision

The following matters were taken into consideration in making this decision:

- The relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted with the development application and during the assessment and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State, including new educational facilities, \$39.9 million capital investment, 300 construction jobs and 70 operational jobs;
- the project is permissible with development consent, and is consistent with NSW Government policies including the:
 - *A Metropolis of Three Cities - The Greater Sydney Plan*
 - *State Infrastructure Strategy 2018-2038*
 - *NSW Future Transport Strategy 2056*
 - *North District Plan*
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards as identified in the Department's Assessment Report. The consent authority has imposed conditions relating to traffic and parking, sustainable travel and waste management.
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the conditions of consent; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 16 November 2017 until 15 December 2017 (30 days) and received seven public submissions, including 1 objection, primarily from residents living within five kilometres of the project site.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report by the decision maker include traffic and parking, stormwater and drainage, school capacity, bike paths, operational waste and community use of facilities. Other issues are addressed in detail in the Department's Assessment Report.

Issue	Consideration
<p><i>Traffic and parking</i></p> <ul style="list-style-type: none"> Traffic and congestion would increase as a result of the proposed development Street parking would be reduced Pedestrian safety would be reduced Drop-off/Pick-up areas need to be provided Drop-off/Pick-up on Lavarack Street would cause traffic and parking issues 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The site is located within 400m walk of typically 300 unrestricted on-street car parking spaces according to the occupancy survey provided in the TAIA as part of the EIS. The site would provide 47 parking spaces which is more than required by the DCP. The proposal promotes sustainable transport and includes provision of facilities to allow staff/students to use active modes of transport to commute to/from work. The proposal included road widening to accommodate a new drop-off/pick-up area. Parents would be informed to not use Lavarack Street for drop-off/pick-up. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Preparation of a Construction Pedestrian and Traffic Management Plan by a suitably qualified person to be submitted to the satisfaction of the Certifying Authority The Green Travel Plan be revised and implemented prior to occupation Post operational monitoring is to occur to determine if the drop-off/pick-up areas are sufficient. Should the results indicate insufficient capacity of the drop-off/pick-up zone, alternative arrangements must be made in consultation with Council, RMS and TfNSW to address the capacity of the drop-off/pick-up areas.
<p><i>Stormwater and drainage</i></p> <ul style="list-style-type: none"> Residents on Lavarack Street have inadequate drainage 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The issue is a pre-existing condition and is not affected or exacerbated by the development.
<p><i>School capacity</i></p> <ul style="list-style-type: none"> The school would be at maximum capacity upon opening 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The applicant provided sufficient justification for the size, capacity and catchment of the school.
<p><i>Bike paths</i></p> <ul style="list-style-type: none"> The bike path between Quarry Road, North Road and Blaxland Road could be completed across Crown land 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> An informal on-road bike path already exists along Quarry Road, North Road, and Aeolus Avenue that connects to a shared off-road bike path on Blaxland Road. An on-road bike lane already exists on Lavarack Street connecting to Quarry Road and an informal on-road bike path currently exists on Smalls Road connecting to Quarry Road and Kent Street and the shared off-road bike path at Flinders Park and Tindarra Reserve. Bicycle parking is provided, and sustainable travel would be promoted by the school.
<p><i>Operational waste</i></p> <ul style="list-style-type: none"> How would operational waste be removed from the site? 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The applicant has provided an Operational Waste Management Plan as part of the EIS detailing operational waste management. <p><i>Conditions</i></p> <ul style="list-style-type: none"> The OWMP would need to be developed in accordance with the documents submitted with the application.

<p><i>Community use of facilities</i></p> <ul style="list-style-type: none">• Make recreational areas accessible to the public	<p><i>Assessment</i></p> <ul style="list-style-type: none">• The applicant provided information regarding community usage of facilities and playing fields as part of the EIS and is in consultation with Council regarding the ongoing shared usage agreement.
--	---