

# Notice of decision

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

<b>Application type</b>	State significant development
<b>Application number and project name</b>	SSD-10326042 New Primary School at Googong
<b>Applicant</b>	Department of Education
<b>Consent Authority</b>	Minister for Planning and Public Spaces

### Decision

The Director, Social and Infrastructure Assessments under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**) granted consent to the development application subject to conditions.

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

A copy of the Department of Planning, Industry and Environment's Assessment Report is available [here](#).

### Date of decision

21 December 2021

### 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 to the Department during the assessment of the development application and any additional 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 proposal would provide a range of benefits for the region and the state as a whole, including improved educational facilities, 336 construction jobs, 48 operational jobs and \$45.57 million capital investment;
- the proposal is permissible with development consent, and is consistent with NSW Government policies including the:
  - State Infrastructure Strategy 2018 – 2038 Building the Momentum;
  - Future Transport Strategy 2056; and
  - South East Tablelands Regional Plan 2036.
- 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. The consent authority has imposed conditions relating to implementation of a School Transport Plan including sustainable transport measures, stormwater management, tree protection, and management of construction impacts including traffic, parking, noise and dust;
- 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.
- weighing all relevant considerations, the project is in the public interest.

## Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement (EIS) for the proposal from 17 June until 14 July 2021 (28 days) and received 12 submissions, including five from NSW Government agencies, one from local council, and six were from members of the public.

Of the public submissions, three were in support of the proposal and three submissions provided comments. Council objected to the development.

The Applicant's Response to Submissions (RtS) was exhibited for a period of 14 days, from 12 October until 25 October 2021. The Department received a total of 11 submissions, comprising four submissions from public authorities, a submission from Council and six submissions from the community. Of the community submissions received, two provided comments and four submissions were in objection to the proposal.

The Applicant's Supplementary Response to Submissions (SRtS) was referred to Council. This was referred to Council which subsequently withdrew its objection.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include traffic, transport and parking, and built form and urban design. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<i>Traffic, Transport and Parking</i> <ul style="list-style-type: none"><li>• The proposal should be developed away from major roads to avoid impacts to motorists and consider safety for students.</li><li>• Safety of children and pedestrians coming to and from the school and the need for appropriate crossings and parking to allow for the safe drop-off / pick-up of children should be considered.</li><li>• The proposed drop-off / pick-up area on Wilkins Way should be relocated given the road's narrow width and its impacts on the amenity of adjoining properties.</li><li>• Council supported the location of the drop-off / pick-up area on Wilkins Way instead of on Aprasia Avenue as originally proposed in the EIS.</li></ul>	<i>Assessment</i> <ul style="list-style-type: none"><li>• A Transport Assessment was submitted that considered the impacts of the proposal on the surrounding road network. Further modelling and supporting information were provided by the Applicant in the RtS in response to comments made in the submissions.</li><li>• The Applicant advised:</li><li>• student safety would be ensured through formal pedestrian crossings, school zones and management measures.</li><li>• all nearby intersections would operate with a Level of Service of A (highest rating) once the school is completed and occupied.</li><li>• following consultation with TfNSW and Council, changes to intersections on both ends of Wilkins Way are planned to accommodate the drop-off / pick-up facilities and interim bus route that would traverse Wilkins Way.</li><li>• The Department is satisfied:</li><li>• the Applicant has appropriately considered potential additional traffic generated by the proposal and impacts on the performance on the surrounding road network.</li><li>• key intersections would operate at satisfactory levels and well within capacity at opening and in 2033.</li><li>• the local road network has capacity to accommodate the additional traffic generated by the proposal.</li><li>• impacts of the drop-off / pick-up area would be acceptable.</li></ul> <i>Conditions</i> <ul style="list-style-type: none"><li>• The Applicant must submit plans and technical specifications for the proposed road works to the satisfaction of Council as the relevant roads' authority prior to the commencement of construction.</li><li>• The Applicant must prepare and review a School Transport Plan. The review of the plan would consider operational transport arrangements and any additional measures required to mitigate impacts on the local road network.</li></ul>
<i>Built Form and Urban Design</i> <ul style="list-style-type: none"><li>• Council raised concerns regarding the height of the school buildings and impact on the privacy of adjoining residential properties</li></ul>	<i>Assessment</i> <ul style="list-style-type: none"><li>• The Applicant advised that the two storey scale of the school buildings is in keeping with surrounding built form and conforms with the surrounding built environment and landscape.</li><li>• The Department is satisfied that the bulk and scale of the proposed buildings would be consistent with the scale of surrounding development and that potential off-site amenity impacts would be minimised.</li></ul>