

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-10400 St Patrick's College Science and Learning Building
Applicant	St Patrick's College Strathfield
Consent Authority	Minister for Planning and Public Spaces

Decision

The Acting Executive Director, 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 the recommended conditions.

A copy of the development consent and conditions is available here.
<https://www.planningportal.nsw.gov.au/major-projects/project/26031>

A copy of the Department of Planning and Environment's Assessment Report is available here.
<https://www.planningportal.nsw.gov.au/major-projects/project/26031>

Date of decision

15 January 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;
- the considerations under s 7.14(2) of the *Biodiversity Conservation Act 2016* (NSW);
- 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;
- 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 as a whole, including additional science and food technology education and recreation facilities, capital investment of over \$22.3 million and 110 construction jobs.
- the project is permissible with development consent, and is consistent with NSW Government policies including the Greater Sydney Regional Plan, A Metropolis of Three Cities; NSW Future Transport Strategy 2056; Eastern City District Plan; State Infrastructure Strategy 2018-2038 Building the Momentum; and the Strathfield 2040 Local Strategic Planning Statement;
- 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 to manage impacts in relation to the built form and amenity of the project, historic heritage, potential construction and operational noise impacts, and traffic and transport;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended 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 for the project from 2 June 2020 until 29 June 2020 (14 days) and received 9 submissions, including 2 objections to the project. One letter was received outside of the period for making submissions, and the Department has noted the issues raised in the letter.

The Department also visited the site and met with Strathfield Council during its assessment of the project.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include built form and urban design responding to amenity and privacy, traffic congestion and parking, development contributions, noise and vibration impacts. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<p><i>Built form and urban design responding to amenity and privacy</i></p> <ul style="list-style-type: none"> The community raised concerns regarding the scale of the proposed Science and Learning Building (the Building), compliant with the height of building, as set out in the Strathfield Local Environment Plan 2012 (SLEP 2012) The community raised concerns about visual amenity and privacy in relation to the height of the Building 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Applicant's EIS and Response to Submissions (RtS) included detailed assessment and consideration of the built form and design of the Building. The assessment considered the relationship between height and building mass and the potential impacts upon residents visual amenity, views to the local heritage listed item of the Brother Hickey Building, landscape context, and setback of the Building from school boundaries. The EIS and RtS considered the visual amenity and privacy for school students and residences through setback, materials and finishes, existing tree screening, building design and rooftop planting to minimise the visual privacy impacts. The Department is satisfied that the proposed works have been designed to maintain and respect the heritage values of the site, and existing landscape, and that potential visual amenity and privacy impacts have been avoided and minimised, and that the height of the proposal is appropriate due to the siting of the Building and setbacks.
<p><i>Traffic congestion and parking</i></p> <ul style="list-style-type: none"> The community raised concerns that the local roads surrounding the development were busy at school drop-off and pick-up times The community raised concerns that parking at peak times around the school would be adversely impacted by a higher student capacity The community raised concerns that road safety would be worsened due to potential for increased congestion. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The EIS included a Transport Impact Assessment, and Green Travel Plan (GTP) that assessed the impacts of the proposal on the surrounding road network. TfNSW advised the Department that the proposal would not result in significant changes to the peak hour traffic movements on the surrounding road network based upon traffic modelling submitted by the Applicant. The Applicant provided a preliminary Construction Traffic Management Plan (CTMP) with the submission of the RtS that makes adequate provision for vehicle parking, truck turning, and safety access by way of establishing a construction compound. The Department considers that the basement parking proposed is appropriate for the expansion in school student and staff capacity and potential increases in parking requirements, and has imposed conditions requiring: <ul style="list-style-type: none"> implementation of a Construction Traffic and Pedestrian Management Plan to manage construction traffic impacts preparation and implementation of a detailed GTP to encourage use of alternative modes of transport to the school and reduce reliance on private vehicular trips.
<p><i>Development contributions</i></p> <ul style="list-style-type: none"> Strathfield Council requested that the proposal be required to make contributions to local infrastructure in accordance with Council's Development Contributions Plan, as Council did not agree that the limited offer of community use of sports courts was of major public benefit that would warrant waiver of contributions. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department considered Council's position, and the nature of the limited offer for community use and agreed that the proposal should pay development contributions to the provision of local infrastructure in line with Council's Development Contribution Plan. The conditions require the Applicant to make a financial contribution to Council for the provision of local infrastructure.
<p><i>Noise and vibration</i></p> <ul style="list-style-type: none"> The community raised concerns regarding potential construction noise impacts to adjacent residential developments and the operational noise impacts of the school 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Applicant's EIS and RtS included a Noise Impact Assessment, that assessed noise and vibration in response to the Department's feedback on the EIS. The Department is satisfied that the construction and operational noise and vibration impacts of the proposal have been addressed by the NIA submitted in the EIS and updated in the RtS, and in conditions of consent that require: <ul style="list-style-type: none"> the preparation and implementation of a Construction Noise and Vibration Management Sub-Plan. certification by an appropriately qualified person that noise management strategies and acoustic at-source treatments have been effectively implemented to achieve noise management levels set out in the Applicant's EIS, as amended by the RtS.