

# 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-27208140 St Aloysius College - Rozelle Campus
<b>Applicant</b>	St Aloysius College (SAC)
<b>Consent Authority</b>	Minister for Planning

### Decision

The Director, Social and Infrastructure Assessment under delegation from the Minister for Planning 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](#).

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

### Date of decision

30 August 2022

### 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 project would provide a range of benefits, including the efficient re-use of two existing developments to provide an additional teaching campus for tailored educational opportunities to 200 students and 15 staff members, which will result in the creation of 25 construction jobs and a capital investment value of \$2,015,684;
- the project is permissible with development consent, and is consistent with NSW Government policies including the:
  - Greater Sydney Region Plan;
  - Eastern City District Plan;
  - Our Place Inner West, Local Strategic Planning Statement
  - NSW Future Transport Strategy 2056; and
  - State Infrastructure Strategy 2022 – 2044.
- the impacts on the community and the environment can be appropriately minimised and managed to an acceptable level, in accordance with applicable NSW Government policies and standards;
- the issues raised by Inner West Council and public during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent; and
- weighing all relevant considerations, the project is in the public interest.

## Attachment 1 – Consideration of Community Views

The EIS was submitted to the Department it was placed on exhibition from 19 November and 16 December 2021 (28 days). The Department received two agency advice and 15 submissions, comprising an objection from Inner West Council (Council) and 14 public submissions (12 objections).

The Department received two further feedback from community members after close of exhibition.

The Department's representatives visited the site on 4 May 2022 to provide an informed assessment of the proposal. The Applicant submitted a Response to Submissions (RtS) report on 9 May 2022, addressing concerns raised in the submissions and by agencies. In response the Department received advice from one Government agency and additional comments from Council maintaining its objection to the proposal.

The Applicant submitted further supplementary RtS on 6 June 2022 and 17 August 2022 responding to additional concerns raised by Council and the Department.

As a result of the consultation, Council withdrew its objection on 11 July 2022 subject to recommended conditions of consent.

The Department received a further feedback from a community member (previous submitter) during the public notification of the recommendation.

The key issues raised by the community, Council are considered in the Department's Assessment Report and by the decision maker included traffic and car parking impacts, site suitability and noise impacts.

Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<p><i>Traffic and car parking impacts</i></p> <ul style="list-style-type: none"> <li>adverse impacts of increased traffic on the intersection of Gordon Street and Victoria Road.</li> <li>increased traffic on the surrounding narrow congested local roads.</li> <li>likelihood of motorists performing unsafe U-turns or reversing movement due to the narrow width streets in the area.</li> <li>lack of consideration of impacts due to construction vehicle traffic.</li> <li>insufficient on-site car parking.</li> <li>loss of the limited on-street car parking spaces to accommodate DOPU area.</li> <li>potential pedestrians and cyclists' safety issues.</li> <li>insufficient and inaccurate Traffic Report supporting the EIS.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Applicant amended the proposal to respond to traffic issues raised by Council and public submissions.</li> <li>The Department is satisfied that the proposal would not adversely impact on the local traffic network, subject to the implementation of the Green Travel Plan, shuttle bus service between the Kirribilli and Rozelle campus, and appropriate management measures for the DOPU area on Maney Street.</li> </ul> <p><i>Conditions</i></p> <p>Conditions include</p> <ul style="list-style-type: none"> <li>an Operational Traffic and Access Management Plan for the DOPU area, shuttle bus service, staff monitoring measures, and pedestrian access movements.</li> <li>monitoring of the DOPU area post operation.</li> <li>implementation of the Green Travel Plan.</li> <li>preparation and implementation of a Construction Traffic and Pedestrian Management Plan.</li> </ul>
<p><i>Noise impacts</i></p> <ul style="list-style-type: none"> <li>impacts on the surrounding residents due to construction and operation of the development.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Department is satisfied that the Noise Impact Assessment Reports include satisfactory measures which, if implemented, maintain amenity of adjoining residents and students in the site.</li> <li>The Department notes that, subject to implementation of the recommended measures, construction works would not unreasonably impact on adjoining residents.</li> </ul> <p><i>Conditions</i></p> <p>Conditions include</p> <ul style="list-style-type: none"> <li>implementation of recommendations of the Acoustic Report.</li> <li>limiting the outdoor play time at the Victoria Road site.</li> </ul>
<p><i>Site suitability</i></p> <ul style="list-style-type: none"> <li>the site is not suitable the development.</li> <li>the proposal is an overdevelopment for the site.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Department is satisfied that the site is suitable for the development, subject to recommendations to mitigate the traffic and noise impacts.</li> <li>The proposal would provide opportunity for expansion of an existing school near public transport.</li> </ul> <p><i>Conditions</i></p> <p>No conditions.</p>
<p><i>Privacy impacts</i></p> <ul style="list-style-type: none"> <li>the first level of Victoria Road site would overlook dwellings at 3-5 Gordon Street.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Department acknowledges that the classrooms on the western façade of the building at Victoria Road site may overlook the adjoining residents.</li> </ul>

	<p><i>Conditions</i></p> <p>Conditions include</p> <ul style="list-style-type: none"> <li>privacy screens along the western facade of the building.</li> </ul>
<p><i>Green/open space access</i></p> <ul style="list-style-type: none"> <li>lack of open space for students.</li> <li>use of local parks for recreational activities.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Department notes the site includes open space in the Victoria Road site, for lunchtime use and other recreational activities.</li> <li>The Applicant proposes to undertake all organised sporting and out of hours activities in the main campus or off site.</li> <li>Considering this, the Department is satisfied the proposed open space is satisfactory. The Applicant does not propose any agreements with Council for use of public open space.</li> </ul> <p><i>Conditions</i></p> <p>Conditions include</p> <ul style="list-style-type: none"> <li>specifying all details of sporting activities in the Operational Management Plan.</li> </ul>
<p><i>Determination pathway</i></p> <ul style="list-style-type: none"> <li>the proposal is not for a new school.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Gordon Street site was previously used as a school until 1994.</li> <li>The Victoria Road site has not been used as a school.</li> <li>Noting the application is for the site comprised of the properties, one property not having been previously a school, the Department considers the application is a new school.</li> </ul>
<p><i>Limited community consultation</i></p>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Applicant has confirmed consultation was undertaken with the community prior to lodgement of the EIS.</li> <li>The Department exhibited the proposal in accordance with the EP&amp;A Act.</li> <li>The Department is satisfied that appropriate public consultation has occurred.</li> </ul>