

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-10365 St Francis College Stage 1 - Landscaping
Applicant	Trustees of the Roman Catholic Church for the Diocese of Wollongong
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 is available [here](#).

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

Date of decision

27 November 2020

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;
- 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 as a whole. The project would support the staged development of the school, which would meet the educational needs of the growing population in the area and would provide much needed educational facilities and associated services for up to 1,900 students in the locality;
- 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, the Greater Sydney Commission's Western City District Plan, State Infrastructure Strategy 2018-2038 and NSW Future Transport Strategy 2056;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with the applicable NSW Government policies and standards. The consent authority has imposed conditions to manage impacts in relation to potential construction and operational impacts on surrounding land uses;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through the recommended 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 30 June 2020 until 27 July 2020 (28 days) and received five submissions. No objections were received.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include construction pollution control, impacts on the road network and public infrastructure, and stormwater management. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<p><i>Construction pollution control</i></p> <ul style="list-style-type: none"> • impact of construction dust on neighbouring residents, and lack of dust mitigation employed 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The Department is satisfied that the proposal would successfully manage construction dust impacts subject to the implementation of proposed mitigation measures, including the covering of haulage trucks and stockpiles. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • Conditions of consent require: <ul style="list-style-type: none"> – the submission of a Construction Environmental Management Plan to the Certifier prior to the commencement of construction, including a Construction Soil and Water Management Sub-Plan describing all erosion and sediment controls to be implemented. – the implementation of all reasonable steps to minimise dust generated during construction works, including watering of stockpiles, covering of loads, keeping public roads free of spoil material, and land stabilisation works where required.
<p><i>Road network and public infrastructure</i></p> <ul style="list-style-type: none"> • requirement for pre- and post-construction phase dilapidation reports for public infrastructure including footpaths and roads • request for the Applicant to bear the costs of roadworks, and fixing of any footway and public road damage resulting from construction works • request that vehicular access, circulation, manoeuvring, pedestrian and parking areas are constructed in accordance with AS2890.1, AS2890.2, AS2890.6 and Council's Development Control Plan. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The Department is satisfied that the proposal would successfully manage any impacts upon the public footpath and road network, subject to conditions of consent. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • Conditions of consent require: <ul style="list-style-type: none"> – all roadworks, drainage works and dedications required to effect the consent development to be undertaken at no cost to Council. – the submission of a pre-construction dilapidation report to Council and the Certifier prior to commencement of construction. – the submission of a post-construction dilapidation report to Council and the Certifier prior to the issue of an Occupation Certificate. – the rectification of any damage to Council infrastructure as a result of the development at no cost to Council. – vehicular access, circulation, manoeuvring, pedestrian and parking areas to be constructed in accordance with relevant Australian Standards and Council's Development Control Plan.
<p><i>Stormwater management</i></p> <ul style="list-style-type: none"> • request for the implementation of stormwater management measures relating to overland flow, erosion and sediment control, water quality and stormwater compliance. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The Department is satisfied that appropriate site drainage arrangements have been proposed subject to conditions of consent. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • Conditions of consent require: <ul style="list-style-type: none"> – the non-disturbance of any overland flow from adjoining areas running through the site, which must be accommodated into the drainage systems of the development. – the provision of engineering plans and supporting calculations for the on-site detention system to be prepared by a qualified person and to accompany the application for a Construction Certificate. – the submission of a Construction Environmental Management Plan to the Certifier prior to the commencement of construction, including a Construction Soil and Water Management Sub-Plan describing all measures to be implemented to manage stormwater and flood flows for small and large sized events. – the provision of detail-designed operational stormwater management system for the satisfaction of the Certifier within three months of the commencement of construction. – confirmation prior to the issue of an Occupation Certificate that the on-site detention system/s and stormwater pre-treatment

	<p>systems have been satisfactorily completed and have met the design intent with regard to any construction variations to the approved design.</p> <ul style="list-style-type: none"> — an Operational and Maintenance Plan (OMP) to be submitted to the satisfaction of the Certifier prior to the commencement of operation, to ensure the proposed stormwater measures remain effective.
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