

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-10478 Alesco Senior College, Charlestown
Applicant	Alesco Senior College
Consent Authority	Minister for Planning and Public Spaces

Decision

The Acting Executive Director 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](#).

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

Date of decision

3 December 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 (Chapter 4) 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
- 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. Additional reasons for making the decision are also recorded in the Department's Assessment Report.

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

- the project would provide a range of benefits for the region, including a new high-quality education facility which will result in the creation of 25 construction jobs, five ongoing operational jobs and a capital investment of \$270,633;
- the project is permissible with development consent, and is consistent with NSW Government policies including the:
 - NSW Premier's Priorities;
 - State Infrastructure Strategy 2018-2038;
 - Hunter Regional Plan 2036; and
 - Greater Newcastle Metropolitan Plan 2036.
- 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;
- conditions of consent have been imposed to manage impacts in relation to operational noise; 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 23 September 2020 until 20 October 2020 (28 days) and received five submissions from public authorities, including comments on the project from Lake Macquarie City Council. No public submissions were received on the project.

The Department also undertook an inspection of the site.

The key issues raised by the stakeholders (including in submissions) and considered in the Department's Assessment Report and by the decision maker included operational noise, traffic generation, landscaping and tree protection. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<p><i>Operational noise</i></p> <ul style="list-style-type: none"> Noise limits to be established during operation of the school to maintain the acoustic amenity of at surrounding residences and adjacent child care facility. Impacts to nearby receivers when amplified music is performed in the multi-purpose school hall. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Applicant submitted a Noise Impact Assessment (NIA) that assessed operational noise impacts and recommended measures to minimise the potential impacts. Operational noise sources would include mechanical plant, use of the Public Address system, amplified noise in the multi-purpose school hall and students using the outdoor spaces. The cumulative noise impact from all on-site activities will comply with the Noise Policy for Industry (NPI) criteria, subject to acoustic treatments being incorporated into the school design and the external doors to the multi-purpose school hall remaining closed when amplified music is performed. The Department considers the school can operate with acceptable impacts on surrounding receivers, subject to conditions. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Noise mitigation measures recommended in the NIA are to be incorporated into the design of the school. Preparation of an Operational Noise Management Plan. External doors to the multi-purpose hall must remain closed when amplified music is performed. Operation of the school must not exceed to project noise limits established in the NIA.
<p><i>Traffic generation</i></p> <ul style="list-style-type: none"> Impacts of queuing along St Albans Close during drop-off and pick-up times. Requirement for a Green Travel Plan (GTP) to promote active transport. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Applicant submitted a Traffic Impact Assessment (TIA) that considered impacts on the surrounding road network and performance of key intersections. The TIA included a GTP to promote active transport. The Department finds that the relatively low number of vehicle movements generated by the project would have a minimal and acceptable impact on the local road network. There would be a negligible impact on the performance of key intersections in proximity to the site. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Maximum number of 60 students permitted at the school. Preparation of a GTP which must be updated annually. Preparation of an Operational Transport and Access Management Plan (OTAMP) including procedures to manage delivery and service vehicles. The OTAMP must include measures to mitigate queuing impacts along St Albans Close during drop-off and pick-up times.
<p><i>Landscaping and tree protection</i></p> <ul style="list-style-type: none"> Additional tree plantings required to minimise visual impacts of the car park. Existing trees to be protected during construction. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Applicant provided amended landscaping plans which included additional tree plantings along the St Albans Close and Chapman Street frontages. The Department considered that an appropriate amount of landscaping along both street frontages was incorporated into the proposal. The Applicant committed to the protection of existing trees on the site during construction. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Landscaping of the site to be completed prior to the commencement of operation and in accordance with the submitted landscape plans. Existing trees must be protected for the duration of construction.