

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-11233241 New Primary School at Murrumbateman
Applicant	Department of Education
Consent Authority	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 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) Assessment Report is available [here](#).

Date of decision

26 October 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, 250 construction jobs, 28 operational jobs and \$31,110,808 million capital investment;
- the proposal is permissible with development consent, and is consistent with NSW Government policies including:
 - State Infrastructure Strategy 2018-2038;
 - Transport for NSW's Future Transport Strategy 2056;
 - NSW South East and 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 proposal and the recommended conditions of consent; and
- weighing all relevant considerations, the proposal is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement from 17 June 2021 until 14 July 2021 (28 days) and received 10 submissions, including eight from public authorities, and two from the public. No submissions by way of objection 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 traffic, transport and parking, and built form and urban design. Other issues are addressed in detail in the Department's Assessment Report.

Issue	Consideration
<p>Traffic and Transport</p> <ul style="list-style-type: none"> The proposal should be developed away from major roads to avoid impacts to motorists and consider safety for students. Council suggested further assessment of the traffic generation and intersection upgrades to Council's concerned key intersections. Council recommends that the proposal consider option for an indented bus bay on the Barton Highway frontage. There should be a better integrated connection between the school and the commercial development to the west. Construction traffic and parking impacts need to be carefully managed. 	<p>Assessment</p> <ul style="list-style-type: none"> A Transport Assessment was submitted that considered the impacts of the proposal on the surrounding road network. Further modelling and supporting information was provided by the Applicant in the Response to Submissions (RtS) in response to comments made in the submissions. A pedestrian connection was also included in the RtS to the development to the west of the site. The Department is satisfied that: <ul style="list-style-type: none"> the local road network has capacity to accommodate additional traffic generated by the proposal. the proposed bus bay on Fairley Street could accommodate the bus services and is situated in a location that would allow safe access for the students to access the school without having to cross a state or local road. the proposal would be integrated into the surrounding development. construction traffic and parking impacts could be managed. <p>Conditions</p> <ul style="list-style-type: none"> Conditions include: <ul style="list-style-type: none"> a Construction Traffic Management Plan, Construction Worker Transportation Strategy and School Transport Plan be prepared in consultation with Council and TfNSW. the proposed bus bay be designed to the satisfaction of the relevant roads authority.
<p>Built Form and Urban Design</p> <ul style="list-style-type: none"> Council also raised safety concerns for the location of the proposed bicycle parking and storage adjacent to the south pedestrian gate. A detailed planting schedule should be provided as part of the landscape plans. 	<p>Assessment</p> <ul style="list-style-type: none"> The Applicant amended the architectural and landscape plans as part of the RtS to relocate the bicycle parking on the southern end of Block C to allow for passive surveillance. The Department is satisfied that the bulk and scale of the proposal has been appropriately arranged on the site to ensure that off-site amenity impacts are minimised, while providing a balanced response to the need to provide for the demand for the education facilities. The Department concludes the contemporary built form, landscaping and urban design, along with the selected external colours and finishes, would provide a visually appealing and functional development that would positively contribute to the existing and future character of the locality <p>Conditions</p> <ul style="list-style-type: none"> Conditions of consent require the preparation of revised landscape plans to include a detailed schedule of planting.