

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 modification
Application number and project name	SSD-7919-Mod-2 Loreto School Redevelopment
Applicant	Loreto Kirribilli Limited
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director under delegation from the Minister for Planning and Public Spaces has, under 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (**the Act**) modified the consent subject to the recommended conditions.

A copy of the instrument of modification and conditions is available [here](#).

A copy of the Department of Planning, Industry & Environment's assessment report is available [here](#).

Date of decision

30 September 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 reasons given by the consent authority for the grant of the original consent;
- the objects of the Act;
- all information submitted with the modification application during the assessment and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report;
- the submissions made concerning the modification; 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 decision maker was satisfied that the modification is of minimal environmental impact and that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted was modified.

The key reasons for granting the modification are as follows:

- the modification would provide a range of benefits for the region and the State as a whole, including delivering state of the art contemporary teaching and learning facilities, 100 construction jobs and a capital investment of \$97 million.
- the modification is permissible with consent, and is consistent with NSW Government policies including the Greater Sydney Regional Plan - A Metropolis of Three Cities, NSW State Priorities, North District Plan, NSW Future Transport Strategy 2056 and State Infrastructure Strategy 2018 – 2038 Building the Momentum.
- 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 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 modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 21 May 2020 until 17 June 2020 (28 days) and received two objections from the community and one submission from North Sydney Council (comments).

The key issues raised by the community and considered in the Department's Assessment Report and by the decision maker include heritage conservation, construction noise and biodiversity impacts. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<i>Heritage conservation</i> <ul style="list-style-type: none"> the installation of a substation would impact the heritage values of the site 	<i>Assessment</i> <ul style="list-style-type: none"> The substation would have a minor impact on the setting of J-Block and the Carabella Street boundary wall, which are both assessed as having moderate heritage significance. The modification does not impact the heritage significance of the school or elements within the school that are of exceptional significance. <i>Conditions</i> <ul style="list-style-type: none"> No additional conditions have been recommended.
<i>Construction noise and vibration</i> <ul style="list-style-type: none"> Noise and vibration as a result of construction activities were unacceptably loud 	<i>Assessment</i> <ul style="list-style-type: none"> The proposed modification would result in any significant increase in noise impact. <i>Conditions</i> <ul style="list-style-type: none"> No additional conditions have been recommended as part of this modification.
<i>Biodiversity impacts</i> <ul style="list-style-type: none"> Removal of a further nine trees 	<i>Assessment</i> <ul style="list-style-type: none"> The modification does not involve the removal of any additional trees. <i>Conditions</i> <ul style="list-style-type: none"> No additional conditions have been recommended.