

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-9344 Kent Road Public School
Applicant	Schools Infrastructure NSW
Consent Authority	Minister for Planning and Public Spaces

Decision

The Executive Director or Director 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

30/8/19

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;
- the considerations under s 7.14(2) and 7.16(3) of the Biodiversity Conservation Act 2016 (NSW);
- 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 will provide a range of benefits for the region and the State as a whole, including new educational facilities, \$32,006,959 capital investment, 60 construction jobs and 17 additional full time equivalent operational jobs;
- the project is permissible with development consent, and is consistent with NSW Government policies including:
 - Greater Sydney Commission's Northern District Plan

- State Infrastructure Strategy 2018 - 2038;
- 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 applicable NSW Government policies and standards. The consent authority has imposed conditions relating to provision of traffic and parking, tree planting and protection, construction hours, noise and vibration; and
- 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 (where applicable); 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 Wednesday 22 November 2018 until Wednesday 19 December 2018 (28 days) and received two public submissions from members of the public providing comments and support to the application.

The Department also undertook a site inspection on Wednesday 10 July 2019.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include built form and urban design, landscaping and tree removal as well traffic and transport impacts. Other issues are addressed in detail in the Department's Assessment Report.

Issue	Consideration
<p>Flora and Fauna:</p> <ul style="list-style-type: none"> the loss of 50 trees (25%) on the Kent Road Public School site. loss of habitats of bird and wildlife in addition to impact on aesthetic values of the loss of tree canopy. provision of Tree Protection Zones (TPZs) for relevant trees. an additional 100 large/established extra trees be replanted on the site. provide nesting boxes and vegetation to provide for bird habitats and that indigenous vegetation be favoured. 	<p>Assessment</p> <ul style="list-style-type: none"> The Department has reviewed the proposal in relation to the impact construction and operation would have on tree management, removal and impacts on fauna habitation on the site. The Department is satisfied the issues raised can be appropriately managed through conditions of consent. <p>Conditions/Response</p> <ul style="list-style-type: none"> Conditions include the implementation of tree protection and retention measures including TPZs, replanting of all trees removed to facilitate the proposal and the installation of roost boxes.
<p>Pick-up/drop-off:</p> <ul style="list-style-type: none"> traffic congestion issues on Kent Road during morning and afternoon pick-up/drop-off times. a dedicated off-road school drop-off/pick-up times parking area be created on Kent Road, adjoining the school boundary, to improve traffic flow. 	<p>Assessment</p> <ul style="list-style-type: none"> The Department has reviewed the proposal in relation to potential detrimental impacts on traffic congestion and traffic flow from the additional pick-up/drop-off facilities. The Department has considered that the Applicant's environmental impact statement, traffic report, safety management measures and existing operation parameters and considers that they appropriately address performance and safety concerns associated with the operation of the pick-up/drop-off facilities. The Department considers that the standard conditions would adequately address the concerns and that no additional conditions or amendments are necessary. <p>Conditions/Response</p> <ul style="list-style-type: none"> Conditions include implementation and subsequent management of the pick-up/ drop-off area in accordance with the submitted plans, the preparation of traffic and parking and signage and line marking plans and the undertaking of a road safety evaluation.