

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-35715221 Concept and Stage 1 application for redevelopment of William Clarke College
Applicant	William Branwhite Clarke College
Consent Authority	Minister for Planning and Public Spaces

Decision

The 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 conditions.

A copy of the development consent is available [here](#).

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

Date of decision

20 October 2023

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 2021;
- 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, including direct investment of \$41,008,355 for the Stage 1 works and \$65,247,742 for the Concept Proposal, creating 171 construction jobs and 14 additional operational jobs;
- the project is permissible on the site with development consent, and is consistent with NSW Government policies including the Greater Sydney Regional Plan: A Metropolis of Three Cities (the Regional Plan), Central District Plan, State Infrastructure Strategy 2022 – 2042: Staying Ahead, Future Transport Strategy 2056 and Sydney's Cycling Future 2013;
- 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; 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 conditions of consent. Engagement on the project is considered to be in line with *Undertaking Engagement Guidelines for State Significant Projects*, including the community participation objectives outlined in these guidelines.
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The applicant engaged with the community during the preparation of the environmental impact statement (EIS) as a requirement of the Secretary's environmental assessment requirements. The EIS detailed the findings of the engagement and how it influenced the scope and design of the project.

Once the EIS was submitted to the department it was placed on exhibition from 8 November until 6 December 2022 (28 days). Eight submissions including four comments from public authorities (including Hills Shire Council) and four community submissions (two objections and two comments) were received by the department.

The department staff also undertook site visit and extensively engaged with the Applicant throughout the process.

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 and parking impacts, concerns with the proposed active travel modes and built form and urban design. Other issues are addressed in detail in the department's assessment report.

Issue	Consideration
<p><i>Traffic impacts</i></p> <ul style="list-style-type: none"> Traffic impacts from Pick-up and Drop-off (PUDO) on the surrounding residents. Parents parking in inappropriate and unsafe places SIDRA Modelling at key intersections. Unacceptable Level of Service (LoS) of F at the intersection of Wrights Road/Green Road intersection. consideration of a left in and left out arrangement into Green Road from Morris Grove to alleviate further impacts on the traffic flow. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Applicant's Submissions Report (RtS) states that PUDO queuing capacity on-site is being increased and other measures such as staggered bell times and pick-up locations will continue to be implemented to minimise disruption to surrounding residents and the road network, noting that the duration of pick-up activities is for a very short period of time each day and outside the evening peak. Additionally, the Applicant states that the proposed increase in on-site queuing distance and other measures in the revised School Travel Plan, would likely improve the existing situation on surrounding streets. The College will continue to communicate and educate staff, parents and students regarding their obligations to abide by the road rules. The Applicant's RtS includes additional SIDRA modelling at the identified key intersection and addressed the LoS F at intersection of Wrights Road/Green Road is not caused by the College use. Additionally, the Applicant's RtS includes additional modelling scenarios for a left in and left out arrangement into Green Road from Morris Grove to demonstrate its adequacy. Department is satisfied with the additional modelling and Applicant's justifications. Department's full consideration has been discussed under Section 6.1 of the assessment report. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Conditions require: <ul style="list-style-type: none"> implementation of the Operational Transport and Access Management Plan for the proposed carpark in Stage 1. no primary school student increase in Stage 1, prior to the completion of the car park and the implementation of the Operational Transport and Access Management Plan. future DA(s) for the Concept Proposal to be accompanied by Traffic Assessments and updated Operational Transport and Access Management Plan.
<p><i>Construction traffic</i></p> <ul style="list-style-type: none"> Concerns regarding traffic management and workers car parking during construction 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> Applicant's RtS states that there is sufficient capacity on site for the construction works on park during the construction period and that this commitment is included in the submitted mitigations measures. The Department is satisfied that the construction traffic and parking impacts can be appropriately managed and mitigated, subject to recommended conditions. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Conditions require: <ul style="list-style-type: none"> Construction Traffic Pedestrian Management Plan for Stage 1. Driver Code of Conduct for Stage 1. assessment of construction impacts for future DA(s) associated with the Concept Proposal.
<p><i>Active travel modes</i></p>	<p><i>Assessment</i></p>

<ul style="list-style-type: none"> Concerns regarding the proposed active travel modes and the questions around the implementation of it to be successful 	<ul style="list-style-type: none"> The Applicant submitted a revised Student Transport Plan (STP) providing details on mode share targets and measures that would be implemented to attain the mode share targets. The Department considers the Applicant's proposed mode share shift is not unreasonable or unattainable, subject to the implementation and ongoing annual monitoring and review of the STP after completion of the Stage 1 works. The Department supports the preparation and implementation of the STP in Stage 1 and considers that it would be an effective tool to guide the mode share ambition and encourage sustainable modes of transport in the long term. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Conditions require: <ul style="list-style-type: none"> provision of a final STP prior to the occupation certificate of the Stage 1 works. ongoing monitoring and annual review of the STP. all future DA(s) associated with the Concept Proposal to include a final STP that incorporates and builds on the Stage 1 works STP.
<p><i>Built form</i></p> <ul style="list-style-type: none"> Unacceptable building height for Bryson Building 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Applicant states that, for Stage 1, only a small portion of the Bryson Building would likely be visible from Wrights Road. This would neither be detrimental to the streetscape, nor cause adverse overlooking or overshadowing impacts on the neighbours. Although visible from Morris Grove, this elevation of the building would sit comfortably within the context of surrounding school buildings which already exceed the Hills Local Environmental Plan height limit. The Department considers the building height of Bryson Building acceptable and would not result in adverse impacts. <p><i>Conditions</i></p> <ul style="list-style-type: none"> No conditions recommended.