

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-9095 Armidale High School
Applicant	School Infrastructure NSW
Consent Authority	Minister for Planning

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

29 May 2019

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, \$65 million capital investment, 300 construction jobs and eight additional operational jobs;
- the project is permissible with development consent, and is consistent with NSW Government policies including:
 - o State Infrastructure Strategy 2018-2038;
 - o 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 pedestrian infrastructure, construction hours, noise and vibration;
- 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 14 November 2018 until Wednesday 12 December 2018 (28 days) and received two public submissions one from Council and one from a member of the public, both in support of the project.

The Department also undertook the following consultation activities:

- a site inspection on Friday 12 April 2019; and
- a meeting with Armidale Regional Council.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include transport, traffic, parking, pedestrian safety and built form. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<i>Air Quality</i> • Potential disturbance to or deterioration of air quality, particularly dust or asbestos blown from the site during construction.	<i>Assessment</i> The Department has reviewed the proposal in relation to the impact construction would have on air quality. The Environment Protection Authority (EPA) provided comments on the proposal in relation to dust management and recommended the proponent minimise generation of noise emissions and identify and implement dust mitigation measures in a Construction Environmental Management Plan. The Department is satisfied the issues raised can be appropriately managed through conditions of consent as recommended by the EPA. <i>Conditions/Response</i> Conditions include the preparation of a Construction Soil and Water Management Plan prepared by a suitably qualified expert addressing the management of dust to protect the amenity of the neighbourhood.
<i>Construction Hours</i> • Being kept informed of construction hours. • Being informed of any major adverse impacts during construction.	<i>Assessment</i> The Department has standard conditions relating to construction hours which includes exceptions for works which need to occur outside the standard hours. The Department considers that the conditions would adequately address the concerns. <i>Conditions/Response</i> Conditions include: • Standard construction hours, except where required to undertaken outside standard hours. • Standard condition limiting the hours rock breaking/hammering, sheet piling, pile driving and similar can be undertaken during.
<i>Contact Details</i> • Would appreciate ongoing access to contact person to discuss concerns during construction.	<i>Assessment</i> The Department has a standard condition relating to Access to Information which includes requirements of the Applicant's contact details for enquiries or to make a complaint. <i>Conditions/Response</i> Conditions include: • the Applicant to provide contact details to allow the public to make enquiries or complaints about the development to made publicly available 48 hours prior to construction commencing until construction is completed. • Provision of a Construction Environmental Management Plan which includes 24-hour contact details of the site manager. • Provision of a site notice on all boundaries of the site to have the 24-hour contact details of the site/project manager.
<i>Noise and Vibration</i> • Potential for noise	<i>Assessment</i> The Construction Noise and Vibration Management Plan (CNVMP)

and vibrations affecting the residential amenity, or impacts on surrounding properties, and the health of surrounding residents. Noise from construction vehicles.	provided as part of the EIS recommended that: - where practical locating mechanical plant as far as practical away from residences to the east and west. - providing enclosures around mobile plant where prolonged use is expected. - plant and machinery be selected with consideration to low noise options where practicable and available. - implement noise management controls in accordance with the Australian Standard AS 2436:2010 and the EPA's Interim Construction Noise Guideline. - include respite periods to minimise noise impacts. - train staff in minimising noise emissions. - Ensure construction vehicles use designated vehicle routes. - locate site entrances away from residences where practicable. - provide a Community Liaison Officer to liaise with potentially affected residents prior to the commencement of works. - provision of a point of contact for complaints or queries. The CNVMP demonstrates that the operational and construction noise impacts can be managed. <i>Conditions</i> Conditions include: - provision of a Construction Noise and Vibration Management Plan - limiting noisy works - restricting use of audible movement alarms - provision of an Operational Noise Management Plan.
<i>Traffic</i> - Increased traffic flow. - Pedestrian safety. - Car parking provision.	<i>Assessment</i> The Applicant met with Council to address traffic issues raised and agreed to: - replace the existing footpath along the entire length on the western side of Butler Street adjacent to the school. - align the pedestrian crossing kerb ramp on Kentucky Street to the pedestrian crossing kerb ramp adjacent to the school. The proposal provides greater on-site parking than required by Council's DCP. <i>Conditions/Response</i> Conditions include the following works to be designed and constructed prior to the operation of the school: - replacement footpath along the entire length of the western side of Butler street and partially along Mann Street with a minimum width of 1500mm. - align the pedestrian crossing kerb ramp on Kentucky street. - enhance the pedestrian refuge in Kentucky Street for visibility. - crown the lower area of the tree on the north western corner of Butler and Kentucky Street to improve vehicle / pedestrian visibility. - removal of concrete blisters on Butler Street between Manns Street and Hargrave Street. - redesign of pedestrian facilities on Butler Street to best suit pedestrian access to the school. - redesign of pedestrian crossing at Butler /Mann street intersection. - assessment and installation of appropriate street lighting for pedestrian crossing facilities in Butler Street and at the Butler /Mann street intersection. - installation of pedestrian path minimum 1500 mm wide in Mann Street to the pedestrian rail crossing and associated pedestrian railing.