

# Notice of decision

## Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

<b>Application type</b>	State significant development
<b>Application number and project name</b>	SSD-8812 Cranbrook School Redevelopment
<b>Applicant</b>	Cranbrook School
<b>Consent Authority</b>	Minister for Planning and Public Spaces

### Decision

The Executive Director, 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 Assessment Report is available [here](#).

### Date of decision

13 September 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;
- 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. Additional reasons for making the decision are also recorded in the Department's Assessment Report.

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 additional and enhanced teaching facilities along with improved amenities for the school and public use, 296 construction jobs, eight full time equivalent jobs and \$125 million capital investment.
- the project is permissible with development consent, and is consistent with NSW Government policies including:
  - A Metropolis of Three Cities - The Greater Sydney Plan;
  - State Infrastructure Strategy 2018-2038;
  - NSW Future Transport Strategy 2055; and
  - Eastern City District Plan.
- the impacts on the community and the environment, including heritage, trees and landscaping, residential amenity, traffic and parking, and drainage impacts 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 to manage impacts in relation to potential construction and operational impacts on surrounding land uses;
- 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; 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 (EIS) for the project from 24 May 2019 until 22 June 2018 (30 days) and received three public submissions, including one objection.

The Department also undertook an inspection of the site.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include heritage, traffic and parking, trees and landscaping, and drainage. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<p><i>Traffic and parking</i></p> <ul style="list-style-type: none"> <li>The proposal would have a detrimental impact on the performance of surrounding streets as a result of construction traffic, increased drop-off / pick-up of students, location of car park entry / exit, and existing parking signage.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The EIS included a Traffic and Parking Plan that assessed the impacts of the proposal on the surrounding road network;</li> <li>The Department considers that the proposal would not result in significant changes to the peak hour traffic movements on the surrounding road network, recognising that the proposal does not propose any significant increases in full time equivalent staff and that there would be no increase in student population beyond the existing enrolment cap; and</li> <li>Overall, the Department is satisfied that the impacts of the proposal on the surrounding road network during construction and operation can be adequately managed.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>Conditions of consent require the: <ul style="list-style-type: none"> <li>implementation of a Construction Traffic Management Plan to managed construction traffic impacts;</li> <li>preparation and implementation of a detailed Green Travel Plan to encourage use of alternative modes of transport to the school and reduce reliance on private vehicular trips; and</li> <li>installation of improved signage and line marking to better direct and manage the drop-off / pick-up of students and maintain pedestrian safety.</li> </ul> </li> </ul>
<p><i>Tree removal, landscaping and biodiversity</i></p> <ul style="list-style-type: none"> <li>Council requested additional information to document and justify tree removal and ensure existing significant trees were protected.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>A revised Arboricultural Impact Assessment and Management Plan was included in the Response to Submissions which confirmed that the proposal included the removal of 43 trees, including five of high value.</li> <li>The Department considers that the proposed tree removal is necessary and that the impacts would be offset through the proposal replacement planting, including seven additional locally indigenous mature shade providing canopy trees and street tree planting along New South Head Road.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>Conditions of consent require the: <ul style="list-style-type: none"> <li>submission of a revised landscape plan to include seven additional locally indigenous mature shade providing canopy trees and street tree planting along New South Head Road to promote biodiversity; and</li> <li>implementation of the mitigation measures set out in the revised Arboricultural Impact Assessment and Management Plan, including tree protection works and replacement planting.</li> </ul> </li> </ul>
<p><i>Heritage and urban design</i></p> <ul style="list-style-type: none"> <li>Council offered no objection to the demolition of the War Memorial Hall and Mansfield buildings and noted that the New Centenary Building was designed to be sympathetic to the heritage values of the site.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The EIS included a Heritage Impact Statement that concluded that the demolition of the War Memorial Hall and Mansfield buildings was acceptable and that the construction of the New Centenary Building would be sympathetic to the heritage significance of the school site.</li> <li>The Department is satisfied that the proposed works have been designed to maintain and respect the heritage values of the site.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>Conditions of consent require the implementation of a heritage interpretation strategy, photographic archival recording and other mitigation measures to ensure that there are no impacts to the heritage listed Sport Pavilion (Rotunda) near to the proposed works.</li> </ul>
<p><i>Residential amenity</i></p> <ul style="list-style-type: none"> <li>Council requested additional information to demonstrate that the proposal had properly addressed</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>A revised Construction Noise and Vibration Management Plan (CNVMP) was included in the RtS in consideration of Council's comments. This was referred to Council which confirmed that the revised plan has satisfactorily</li> </ul>

construction noise.	<p>addressed concerns relating to noise and vibration.</p> <ul style="list-style-type: none"> <li>The Department is satisfied that the construction and operational noise and vibration impacts of the proposal have been addressed in the CNVMP and Noise Impact Assessment submitted in the EIS and updated in the RtS, and conditions of consent.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>Conditions require: <ul style="list-style-type: none"> <li>the preparation and implementation of a detailed CNVMP to mitigate impacts during construction; and</li> <li>plant and equipment to be maintained in a proper and efficient condition to minimise noise and vibration impacts during operation.</li> </ul> </li> </ul>
<p><i>Development contributions, drainage and Council infrastructure</i></p> <ul style="list-style-type: none"> <li>Council requested that: <ul style="list-style-type: none"> <li>the proposal be required to make contributions to local infrastructure in accordance with Council's Development Contributions Plan;</li> <li>a suitably designed drainage system be incorporated into the proposal that includes consideration of water urban sensitive design; and</li> <li>a 2.5 metre wide shared path be constructed along New South Head Road for the length of the site.</li> </ul> </li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Department concluded that the proposal should make a contribution to the provision of local infrastructure in line with Council's Development Contribution Plan subject to a discount for the public benefits offered by the proposal, including footpath, kerb and gutter works along Rose Bay Avenue.</li> <li>The Department accepted Council's recommendations in relation to the implementation of a drainage system at the school.</li> <li>The Applicant accepted Council's recommendation in relation to the provision of a shared path along New South Head Road.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>Conditions of consent: <ul style="list-style-type: none"> <li>require the Applicant to make a financial contribution to Council for the provision of local infrastructure;</li> <li>require the design and implementation of a stormwater management system for the site which appropriately deals with drainage runoff and incorporates water urban sensitive design measures; and</li> <li>require the construction of a 2.5 metre wide shared path along New South Head Road.</li> </ul> </li> </ul>
<p><i>Student numbers</i></p> <ul style="list-style-type: none"> <li>Council requested that conditions of consent clearly state that the proposal does not increase student numbers at the school.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Department accepted Council's recommendations in relation to the limitation of student numbers at the school.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>A condition of consent specifies that the consent does not approve any increase in student numbers above any existing limits under existing consents.</li> </ul>
<p><i>Ecological Sustainable Development (ESD)</i></p> <ul style="list-style-type: none"> <li>Council recommended that the proposal incorporate additional ESD measures including solar energy, efficient lighting systems and building products with a low carbon footprint.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The EIS included a report setting out proposed ESD measures to be incorporated into the development.</li> <li>The Department concluded that the proposal had appropriately considered and incorporated ESD into the proposed development subject to a condition requiring that these measures achieve achieve a 4 star Green Star Rating.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>Conditions of consent require that the development implement ESD measures to achieve a 4 star Green Star Rating.</li> </ul>