

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 9692 Alterations and Additions to Meriden School
Applicant	Meriden School
Consent Authority	Minister for Planning and Public Spaces

Decision

The Executive 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 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

20 March 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 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 would provide a range of benefits for the region and the State as a whole, including enhanced educational infrastructure with a total capital investment of \$24 million, two new teaching jobs and 178 construction jobs;
- the project is permissible with development consent and is consistent with Greater Sydney Commissions' Eastern City District Plan and the 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 included conditions of consent to ensure construction and operational impacts are managed appropriately, transport access arrangements are acceptable and do not unreasonably impact the local road network and measures for environmentally sustainable development (ESD) are incorporated into the proposed buildings;
- limits on student numbers will ensure that traffic impacts are consistent with those assessed;
- limits on the hours of use of the school grounds and a noise barrier at the Junior School will ensure that noise impacts on nearby residential dwellings are consistent with the project noise trigger levels during operation;
- 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 for the project from 24 July 2019 until 20 August 2019 (28 days) and received five public submissions, including four objecting to the proposed development.

A late submission was received from Strathfield Municipal Council following the lodgement of the Applicant's Response to Submissions that raised concerns regarding traffic impacts and provided recommended conditions of consent relating to traffic and heritage matters.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include residential amenity, privacy and overshadowing, construction noise impacts, noise impacts during operation, traffic impacts on the local road network and heritage impacts. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<p><i>Built form and urban design</i></p> <ul style="list-style-type: none"> The proposed new school buildings would reduce privacy and increase overshadowing to the adjoining residential properties. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The proposal would result in minor increased overshadowing to 12-14 Margaret Street from the proposed Student and Administration Centre on the Prep School and reduce overshadowing to 15 Margaret Street as a result of the demolition of the existing staff common room and construction of the Music and Drama Centre on the Senior School. The Department is satisfied that the impacts would be acceptable. The proposed Student and Administration Centre on the Prep School and Music and Drama Centre on the Senior School have been designed to minimise potential views into, and protect the privacy of, the adjoining residential properties. The proposed 2.1m high acoustic barrier along the northern boundary of the proposed Playground on the Junior School would protect the privacy of 2 Vernon Street, along with the Department's requirement for the construction of new/refurbished fencing along the remaining two boundaries of the property. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Conditions require: <ul style="list-style-type: none"> the development to be constructed in accordance with the submitted plans. the acoustic barrier to be constructed along the northern boundary of the Junior School Playground in accordance with the recommendations of the acoustic assessment. the construction of new/refurbished fencing along the eastern and northern boundaries of 2 Vernon Street.
<p><i>Traffic and access</i></p> <ul style="list-style-type: none"> The proposal would worsen road congestion associated with the school and potential for 50 additional students. Local congestion during student pick up and drop off. Traffic impacts during construction. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department considers the construction access and traffic volumes would not impact the performance of the local road network. Interaction between construction traffic and pedestrians can be managed via the Applicant's management measures. The proposal does not involve works to the Prep or Junior School campuses that would increase student enrolment capacities. The Department considers the 50 additional senior school students would not significantly impact the performance of nearby intersections. While local queuing impacts local roads during pick-up and drop-off, existing management practices would ensure they do not worsen. The Department is satisfied the school can provide adequate car parking spaces and notes that additional spaces are being delivered under a separate development consent issued by Strathfield Council. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Conditions: <ul style="list-style-type: none"> impose a cap on the number of students at the Senior School to ensure the traffic impacts are consistent with those assessed. require the Applicant to implement the proposed pedestrian and traffic management measures during construction and operation and to ensure the number of car parking spaces on-site are consistent with the number detailed in the application.
<p><i>Noise</i></p> <ul style="list-style-type: none"> Noise impacts during construction. Noise impacts from the Junior School playground. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department is satisfied that construction noise will not result in unreasonable impacts, subject to implementing appropriate management

	<p>and mitigation measures on-site including hoarding, plant siting and selection and scheduling or noisy works.</p> <ul style="list-style-type: none"> Assessment of the noise generated from the outdoor play area demonstrates that the proposed 2.1m noise wall will allow the outdoor play area to comply with the project noise trigger levels. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Conditions require: <ul style="list-style-type: none"> the Applicant to implement its proposed management measures during construction as part of a Noise and Vibration Management Plan as part of a Construction Environmental Management Plan. the acoustic barrier to be constructed along the northern boundary of the Junior School Playground in accordance with the recommendations of the acoustic report. mechanical plant and equipment, including public address systems, to be designed to comply with the applicable noise levels. implementation of mitigation measures set out in the acoustic assessment. short term noise monitoring to be undertaken to confirm that operational noise levels comply with the identified project noise trigger levels.
<p><i>Privacy impacts</i></p> <ul style="list-style-type: none"> Increased privacy impacts associated with the Junior School and existing school operations. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department considers it warranted that new/refurbished fencing be provided to the northern and eastern common property boundaries of 2 Vernon Street to further mitigate against the potential cumulative privacy impact of the school's operations on the adjoining residential neighbour. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Conditions require: <ul style="list-style-type: none"> the construction of new/refurbished fencing along the eastern and northern boundaries of 2 Vernon Street.
<p><i>Heritage impacts</i></p> <ul style="list-style-type: none"> Loss of heritage values along Vernon Street and the Heritage Conservation Areas. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department is satisfied the proposed development would not detract from the heritage significance of the existing Senior and Prep Schools given their context of highly varied built form. The Department is also satisfied the removal of 4 Vernon Street would not adversely impact the Vernon Street Heritage Conservation Area. <p><i>Conditions</i></p> <ul style="list-style-type: none"> Conditions require the Applicant to implement an unexpected finds measures during construction and to undertake archival photographic recording of the buildings to be demolished.