

Please withhold all personal information in our submission.

Thursday 17th March, 2022

To whom it may concern,

Objection re: Cranbrook School Redevelopment-Mod-4 (Application SSD-8812-Mod-4)

We write to object to the proposed modification to the operating hours of Cranbrook School. We are neighbours of the school and the proposed changes to the operating hours will cause significant noise and disturbance in ways that will restrict our quiet enjoyment of our home. They will also result in a loss of privacy. The Acoustic Assessment provided in support of the application does not provide a complete and up-to-date assessment of the impact of these modified hours. Therefore, we ask that this assessment be set aside and a new assessment be commissioned before any extension to the operating hours be approved. The Traffic Management Plan does not consider parking provision, despite the school acknowledging that activities at the Aquatic Fitness Centre will use on-street parking as well as the new carpark. We request a more detailed Traffic Management Plan that explains how on-street parking will be managed so that residents can also make use of on-street parking across these extended hours.

Summary:

We object on four grounds:

- 1) noise and disturbance at unsocial hours resulting from the proposed extended hours of operation
- 2) overlooking and loss of privacy at evenings and weekends at our property
- 3) limitations of the Acoustic Assessment provided in support of the application
- 4) limitations of the Traffic Management Plan submitted in support of the application

1) Noise and Disturbance at Unsocial Hours

We object to the proposed change to the use of the Hordern Oval from the original Saturday hours of 8am to 3pm to the proposed hours of 7am to 6.30pm. We note that the Acoustic Assessment estimates that weekend sports activities on the Hordern Oval will raise noise levels for residents of Rose Bay Avenue by 12dB – in other words, more than doubling the volume and increasing the sound intensity by a factor of 12. Such an increase must interfere significantly with the reasonable expectation that residents on Rose Bay Avenue have of peacefully enjoying their homes on the weekends. We particularly object to the earlier start time of 7am. The NSW Protection of the Environment (Noise Control) Regulation does not permit excessive noise before 8am on Saturdays from a variety of sources, ranging from air conditioners to radios, musical instruments, and garden equipment. If the use of air conditioning units, the average volume of which ranges from 20dB to 71dB, is restricted in residential areas, then clearly the proposed noise level of 61dB from sports

games from 7am on Rose Bay Avenue does not comply with the NSW Protection of the Environment Regulations. **We request that no earlier start time on Saturdays is approved and that use of the Hordern Oval does not commence until 8am on Saturdays.**

We object to the proposed extension of operating hours of the Aquatic Fitness Centre on the grounds that the 5am opening would prompt a significant increase in traffic along Rose Bay Avenue before 5am in the morning, causing road noise that would inevitably disrupt residents in the early hours. Parking for and access to the Aquatic Fitness Centre is on Rose Bay Avenue and yet the traffic management plan provided by the school does not address the issue of road noise at early hours, nor explain how parking on the street will be managed.

The proposed new operating hours of the Centenary building (6am – 9.30pm Mondays – Sundays) will clearly pose an unacceptable level of noise and disturbance to us and our immediate neighbours. Early morning access to the building from Rose Bay Avenue will create increased traffic noise pollution at an hour that must necessarily disturb residents. We are particularly concerned about gatherings in the outdoor spaces of the building across these extended hours. No acoustic assessment has been provided for noise associated with gatherings in these spaces. We note that the Protection of the Environment (Noise Control) Regulation does not permit any noise that might intrude upon residents before 8am on weekends or 7am on weekdays. **We ask the Department to deny the request for operating hours to begin at 6am on any days, and to uphold the Protection of the Environment Regulations by not permitting operating hours to begin until 7am on weekdays and 8am on weekends.**

2) Overlooking and loss of privacy

We object to the proposed change in operating hours of the Centenary Building on the grounds of significant loss of privacy. The hours given for the Centenary building were previously ‘typical school hours and for special events and occasions’. We naturally interpreted this to mean usual school hours, that is 8am – 4pm, with perhaps the occasional late parent-teacher evening, school play rehearsal or Sunday service in the Chapel. The new proposed hours are 6am – 9.30pm Monday – Sunday. These extended hours will necessarily result in a significant loss of privacy for our property, as we are overlooked by both internal and external areas of the Centenary Building.

Our garden and rooms in our home are easily seen from the classrooms, the terrace and the Memorial Garden at the back of the Centenary Building. While we can draw the curtains in our home (although not without significant loss of natural light), it is impossible for us to shield our outdoor spaces from being overlooked by the Centenary Building. The proposal, then, would mean we would be overlooked in both the inside and outside living areas of our home from 6am to 9.30pm every day of the week. This is unacceptable. Our property has historically enjoyed significant privacy and the extended hours of the Centenary building will significantly intrude upon the privacy our home currently enjoys. **We ask the Department of Planning to refuse any modifications to the operating hours of the Centenary building.**

We note here that Cranbrook has not sought any community consultation on this issue. We would welcome the opportunity to discuss how our privacy concerns can be managed as we are confident that a compromise can be reached if the school is willing

to limit their operating hours in the small section of the Centenary Building that is opposite our home.

3) Limitations of the Acoustic Assessment

Cranbrook has submitted an Acoustic Assessment in support of their application. We are pleased they have done so, however we note that the assessment is based on a study completed in 2018. It is now clearly out of date and does not reflect the acoustic environment of the street at present. We find inaccuracies and incompleteness in the following areas:

- i) **Outdated information:** The assessment states that it is based on information from 2018. This information is now out of date, as is evident from the fact that the assessment states that there are 5 houses on Rose Bay Avenue when there are now 7 due to a new development at the top of the street. Our concern with this outdated information is that since 2018 Cranbrook have removed a number of trees as part of their new development and these previously acted as acoustic barriers. Since their removal, the acoustic environment of the street has changed. The assessment therefore does not represent an up-to-date and accurate study of the street at present. **We ask that this assessment be set aside and a new and current report be commissioned which reflects the acoustic conditions of the street in 2022.**
- ii) **Other noise in the area:** The assessment notes that traffic noise from New South Head Road and sporting noise from the Scots College playing fields are similar noises already affecting residents in this area. The writers did not request access to our property to measure background noise levels here, so these are mere assertions. As residents, we can tell you we do not and have never heard any noise from the Scots College playing fields and that noise from New South Head Road at our property is generally minimal. Rose Bay Avenue is a very quiet street and is prized by residents for its quiet, peace and privacy. We are disappointed that the writers did not seek access to properties on Rose Bay Avenue to take acoustic measurements. If they had, the assessment would acknowledge that residents currently enjoy significant peace and quiet.
- iii) **Traffic Noise Levels (time of day):** The assessment asserts that the proposed additional use would not cause an increase in Saturday traffic noise on the street as this traffic is already in existence on sporting days. **This statement fails to acknowledge that the issue under consideration is not the quantity of traffic noise, but the *time of day* it is present.** It is commonly accepted in noise regulations that some sounds are acceptable at midday that are not acceptable at 5am because of the disruption they cause to sleep. The Acoustic Assessment does not consider that traffic arriving before 7am (on playing days at the Hordern Oval) or before 5am (at the Aquatic Centre every day) will pose a serious disturbance to residents in a way that such traffic would not at 8am. **The failure to acknowledge what noise levels are considered appropriate at different times of day is a clear failing of this report.**
- iv) **Traffic Noise Levels (quantity of traffic):** The assessment states that there will be no increase in traffic noise on Saturdays and it is only the time of day that will

be varied. This is clearly incorrect. The school has built a new carpark and a new Aquatic Fitness Centre on Rose Bay Avenue and access to both of these sites is through Rose Bay Avenue. In Appendix C the school acknowledges that the Aquatic Fitness Centre will add traffic to Rose Bay Avenue. **It is therefore incorrect to claim that there will be no increase in traffic or traffic noise on Saturdays.** There will be cars driving to park in the carpark and driving to drop children off at the Aquatic Fitness Centre, as well as the usual traffic to and from Hordern Oval. Rose Bay Avenue is frequently used by parents to drop off and collect their children; it is obvious that the extended hours and the increased number of sites accessed from Rose Bay Avenue will see more traffic on our usually quiet street at earlier and later hours, and that there will consequently be an increase in traffic noise over an extended period of time. **We ask that a new Acoustic Assessment is commissioned which takes into account the increased traffic caused by the addition of these extra facilities.**

- v) **Noise levels on Sundays and Weekdays:** The assessment only considers the noise caused by sporting matches on Saturdays on the Hordern Oval and does not address the acoustic impact of the extended hours of the Aquatic Centre, the Centenary Building or the earlier weekday hours of Hordern Oval. **We ask that a new assessment is completed which considers noise pollution from all these sites on other days of the week and gives consideration to the increased traffic noise at early hours.**
- vi) **Out-of-hours deliveries:** In its supporting appendices, the school notes that deliveries will be made to the Centenary Building any time between 6am and 10pm. The Acoustic Assessment does not consider the impact of these deliveries on neighbours. Needless to say, we strongly object to being woken at 6am by deliveries to the school. **We ask that a new acoustic assessment address the issue of early and late deliveries and that a plan is proposed which will manage their impact on neighbouring properties.**

We ask the Department of Planning and Environment to set aside the Acoustic Assessment and refuse all modifications to operating hours until a thorough and up-to-date assessment is completed. We request that the updated assessment considers the impact of early morning traffic noise on the street on all days of the week and that it addresses the anticipated increase in traffic due to the addition of the carpark and the Aquatic Fitness Centre.

4) Limitations to the Traffic Management Plan

The Traffic Management Plan provided in support of this application does not address how parking on Rose Bay Avenue will be managed. This is despite Cranbrook's acknowledgement that visitors to the Aquatic Centre will use on-street parking on Rose Bay Avenue as well as the carpark, and that Rose Bay Avenue can expect an increase of 100 cars between the hours of 4pm to 6pm, Mondays – Fridays. Rose Bay Avenue has always been a quiet street with parking available on weekends and after 4pm on weekdays. This on-street parking is regularly used by residents and their visitors. **We request that a new traffic management plan be submitted which provides a clear plan for how on-street parking will be managed on weekday evenings and weekends and how the parking needs of the**

school and of residents will be fairly balanced. We ask that no extension to the operating hours is approved until such a plan has been provided.

Conclusion

We are very surprised that Cranbrook is seeking an extension to their approved operating hours. The school has always had some version of these facilities – an oval, an aquatic centre, a chapel, lawns and classrooms – and so surely the required hours of use could have been accurately predicted based on prior patterns of use. It is concerning then that the school was not adequately able to predict their needs at the time of making the initial application and it is unclear to us why any extension of hours is being sought.

We are disturbed that the school has not sought any community consultation before requesting these significant extensions to the operating hours. The school engaged in community consultation when the development plans were first put forward and has enjoyed considerable neighbourly support through this development. It is unclear to us why Cranbrook has not sought any discussion with neighbours before requesting these significant changes. **We kindly ask the school to withdraw their application and return to their prior pattern of community consultation so that any modification to their operating hours can be collaboratively agreed.**

Thank you for considering our objection. We look forward to your response and to Cranbrook's solutions to the problems we have raised.