

## **Submission to Independent Planning Commission: SSD-10371**

The Department of Planning, Industry and Environment (DPIE) has conducted a thorough assessment of SSD-10371, however it has fallen short of balancing the needs of Trinity Grammar School (TGS) with those of the residents living in close proximity to the school by failing to outline very clear restrictions or conditions.

### **Recent history**

The Land and Environment Court (LEC) imposed a limit of 1,500 students. An attempt to overturn that decision was refused and it was determined that an increase in student numbers above 1500 would have a significant detrimental effect on residential amenity. Despite this determination, DPIE found that “currently 1655 students are attending the school, being 155 above the 1500 students permitted under the current developmental approval”. As predicted by the LEC, the noise and traffic congestion have markedly impacted on residents. Relations between TGS and the residents of the four conservation zones in which TGS is located are stretched, and trust has been eroded. It is therefore critical that conditions of consent are clear and not open to reinterpretation by TGS. In the absence of clear conditions that are accompanied by compliance monitoring, relations will continue to deteriorate.

### **Student numbers**

The DPIE has instructed TGS to address the issue of the carpark and drop off facilities prior to any increase in students and staffing numbers.

*Condition A6, states “This development consent does not permit an increase in student and full time equivalent (FTE) staff numbers in attendance at any one time at Trinity Grammar School - Summer Hill campus (the site as identified in Schedule 1) until evidence of the following being provided to the satisfaction of the Planning Secretary: (a) the Jubilee carpark and drop-off / pick-up facilities have been completed and all relevant approvals obtained in accordance with the plans approved by condition A2 and the conditions of this development consent.”*

*The DIPE goes on to state:*

*“In relation to the request to regularise the existing 1655 students, the Department acknowledges the LEC concerns raised in relation to its 2015 refusal of the modification application to increase students to 1700, namely traffic congestion and queuing at peak times in Victoria Street. The Department consider that there is not sufficient evidence that these issues have been resolved by the school since 2015. The Department does not consider at this time that there is sufficient evidence provided as part of this application, to enable the Department to reach a different conclusion to that reached by the LEC and allow increases in student numbers (noting that the school is already over its student cap) without the car parking upgrade being completed”.*

However, DPIE’s use of the wording “in attendance at any one time” (as opposed to student enrolments) permits TGS to markedly increase student/staff numbers prior to the commencement of any carpark reconfiguration. This wording provides ample opportunity for TGS to increase enrolments by engaging in creative techniques to minimise the “in attendance” count of student numbers. For example, discount Year 12 students who are not enrolled in Term 4, discount those absent, discount students who still arrive and depart from Summer Hill campus but are not counted as “on site” because they are on an excursion or not counted as “in attendance” (as per the class roll) because they are on one of the staggered recess/lunch breaks or studying in the library.

Further confusion arises from the fact that the condition applies to “the site as identified in Schedule 1”. It is important to note that since lodging SSD-10371, TGS has submitted two Development Applications to Inner West Council:

- DA/2021/01111: locating 12 staff at 109-111 Prospect Road, Summer Hill (approved).
- DA/2021/0484: locating 280 students/8 staff at 61-63 Prospect Road, Summer Hill.

The respective DAs state a) “...there will be no impacts on the local road network and no demand for additional parking. Staff will continue to park on the main Trinity Grammar School Campus” and b) “...the proposed educational establishment is ancillary to Trinity Grammar School, and will be used by *existing* students and staff, where they can conveniently walk to the site from the main school campus.”

It is disappointing that the current wording of draft Condition A6 permits substantial increases in students/staff prior to the reconfiguration of the carpark layout, despite the DPIE finding that traffic issues identified in 2015 have not been resolved by the school. It is also disappointing that the wording of Condition A6 allows for significant exceedance of a maximum 2100 students attending the Summer Hill campus in the am/pm. This SDD provides a schedule where a quantifiable number of students are increased at each stage of completion, therefore there should be no issue with strengthening and clarifying the wording of draft Condition A6:

***Specify the allowable number of enrolments and apply the condition to “students enrolled to attend Junior School and students enrolled to attend Senior School at Summer Hill campus”.***

***Specify the need for independent annual auditing to prevent further loopholes emerging, for example attributing Summer Hill Junior School students to the Strathfield preparatory school***

## **Lighting**

The condition requiring that lighting on signage be turned off at 10pm is appreciated, although residents would prefer no illumination on signage. But more importantly, what conditions relate to lighting in new buildings (including externally facing stairways/balconies)? Can lights be left on all evening/night as occurs at the Junior School?

***Please include a condition that requires motion sensitive lighting to be installed, in order to prevent a five-storey wall of light all evening or overnight.***

The DPIE assessment report states that TGS will not be installing floodlighting. What about lighting Ovals from buildings or bringing in portable floodlighting as currently permitted?

***Please strengthen the condition to prohibit the installation of floodlight of external areas (including lighting of Ovals from buildings and installation of temporary floodlighting). This would formalise TGS’ stated intention in SSD-10371.***

## **Hours of use**

The DPIE assessment states that “The proposal involves no change to the overall use of the site, the core and extended operational hours and the out-of-school hour activities”. A condition is therefore required to ensure TGS adheres to its stated intention. (If TGS resists such a condition, it will be clear that there was no intention of maintaining current hours).

***Please include conditions consistent with the amended “schedule of uses” that accompanies SSD-10371, curtailing hours of use of all facilities (including outdoor areas), not just the Pavilion.***

## Exhaust stack

The diagram showing the proposed location of the exhaust stack is confusing and I was unable to identify the exhaust stack in any of the architectural drawings. The potential for a reduction in the distance between residents and the location of this exhaust stack must be removed, and the condition strengthened consistent with TGS' submitted SSD-10371 documentation.

***Please include a condition prohibiting placement of the exhaust stack within 80 metres of the nearest residence or public domain (footpath/Yeo Park).***

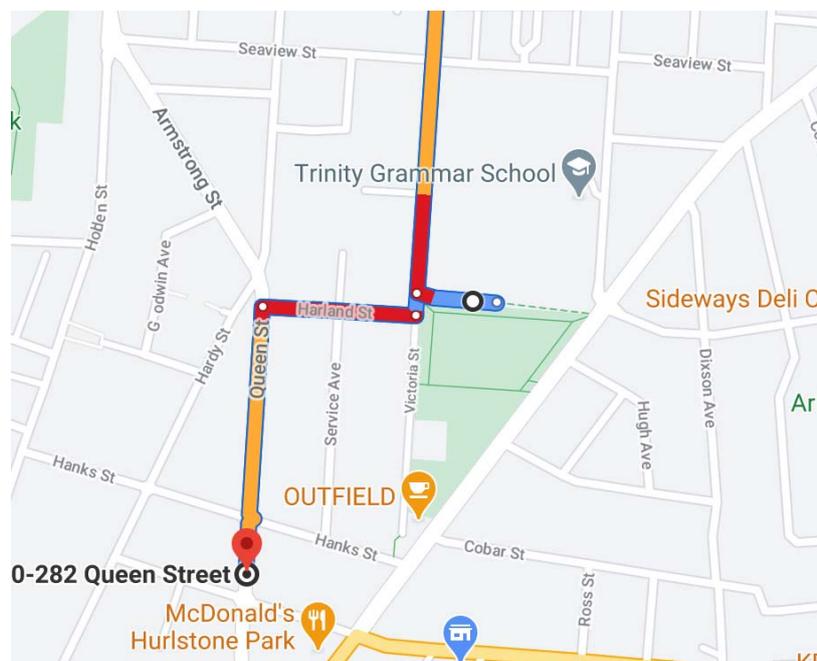
## Noise amenity

As stated by the applicant, TGS student numbers have exceeded the capacity of the site. This is evidenced by the commencement of staggered recess and lunch breaks since increasing enrolments beyond 1500. The staggering of breaks has resulted in a considerable increase in non-compliant noise emanating from the school, particularly between 10am and 2pm.

***Please include a condition that restricts the number of recess/lunch breaks that are permitted to one per day on Ovals and the Seaview Street play area.***

## Traffic

The DPIE appears to have accepted that reconfiguration of the carpark layout will resolve longstanding traffic issues as well as accommodate a more than 50% increase in the school population (see student numbers). There is no guarantee this is the case. As well as the potential for changes in traffic patterns, the new parent exit near Harland Street is likely to lead to unanticipated outcomes. As per numerous other submissions and as shown below (Google map of Harland/Victoria Street traffic leaving TGS in the morning on 22/03/2021), queuing from the Harland/Queen St intersection often extends down Victoria Street to the Jubilee Driveway exit. The proposed changes to the carpark configuration will likely result in cars banking up within the carpark at the Harland Street exit ramp.



Source: Google maps, 22 March 2021: 8.19am

The TGS submitted document SSD-10371 contains evidence of monitoring of carpark traffic volume yet the actual date of monitoring is conspicuously absent. The cameras monitoring traffic entering/exiting the Jubilee carpark were installed on the lamp post (cnr Holwood Avenue and Victoria Street) on 19 September 2019. I have a diary entry for that date. It appears that TGS chose to record the car park traffic volumes at a time when three Junior School year groups were absent from the site. (Year 5 departed for camp Tuesday 17/9, Year 4 departed for camp on Wednesday 18/9, Year 3 departed for camp on Thursday 19/9 with all camps returning Friday 20/9/2019, see Appendix A). Under the circumstances, it is not surprising that TGS assessed the current and future drop off/pick up facilities as adequate, because the traffic volumes were considerably less than is usual.

Surely it is inadvisable to commit to such a large increase in student/staff numbers before existing traffic issues are demonstrated to be resolved by the carpark reconfiguration.

***Please consider approval of stage 1 only until the reconfiguration of the car park layout has demonstrated improved outcomes.***

***Please consider linking increases in students/staff to targets outlined in the Green Travel Plan and require an independent audit to prevent emergence of loopholes***

### **Construction traffic**

Construction workers (and staff without a car spot during construction) should be required to park onsite. As shown below, there is parking available on Oval 3 (which won't be operational for students during construction).



### **External use**

Consideration should also be given to restricting use of pools/gyms/pavilion/ovals/ roof level terrace by external users. The TGS OMP states that access to venues by external groups is occasional and limited in number. Quantification of “occasional” and “limited” external use is necessary. Conditions are required to limit expansion of external use due to the potential for large numbers of additional attendees on the site including during evenings and weekends. For example, the school has previously expressed an intention to implement learn to swim classes. Typical learn to swim classes operate with ten x concurrent 30-minute classes

comprising ~8 students each. This equates to >300 additional traffic movements per hour. Additional traffic generated by external users has not been assessed.

***Conditions should strictly limit the use of the pools/gyms/pavilion/ovals/ roof level terrace by external users. Conditions also should limit the hours of use of facilities.***

### **View loss**

No city skyline views from Victoria Street were shown in the original VIA accompanying SSD-10371. The applicant was subsequently required to submit a "View impact assessment: Response to submission" (dated February 2021). It is noted that several statements in this document are incorrect or false. The document described 157 Victoria Street as a "private residence" which is false. Trinity Grammar School owns the property. The VIA RtS reported that they were not given access to any room with views of the city at 157 Victoria Street. This statement is ludicrous. A landlord can arrange access and inspection of their property with reasonable notice. In any case, I have personally observed the city views from the second story of the home. The VIA RtS document also states "159 Victoria Street is a residential property on the west side of Victoria Street, which runs along the west boundary of the School site and one of the few two-storey houses in the vicinity". This statement incorrect. I am aware that the IPC is unable to conduct site inspections at this time, however it should be noted that there are nine residential buildings on Victoria Street between Seaview Street and Holwood Avenue and all but one of these are two-story. Similarly, between Holwood Avenue and Harland Street, half of the eight Victoria Street residences are two-story. The applicant has made no attempt to consider alternative design options to lessen the severity of view loss.

***The inaccuracies in the VIA should be noted. The existence of these further justifies the need for strengthened conditions.***

### **Summary**

As demonstrated by the above, the wording of draft conditions of consent currently:

- provide approval for ~2000 students prior to any car park facility modifications,
- allow a total school population of 2500+ using Trinity Grammar School's internal methods of calculation
- do not require evidence of improved outcomes for residents
- would not prohibit Trinity Grammar School from allowing commercial learn-to-swim classes, bringing in floodlighting, leasing the oval to numerous interested parties, hiring out other facilities, illuminating buildings all night and increasing playground and traffic noise.

In order to protect residential amenity and ensure fairness and trust, conditions should be strengthened. A number of the conditions suggested in this submission are in line with those appearing in internal documents put forward by Trinity Grammar School. If Trinity Grammar School disputes the formalisation of same, it would indicate their stated intention was disingenuous from the outset.

# Appendix A.

## Trinity Grammar School

AN ANGLICAN SCHOOL FOR BOYS | GROW IN WISDOM AND STATURE AND IN FAVOUR WITH GOD AND MAN



- SENIOR & MIDDLE SCHOOLS
- PREPARATORY SCHOOL
- JUNIOR SCHOOL
- TRINITY COMMUNITY
- SENIOR & MIDDLE SCHOOL
- PREPARATORY SCHOOL
- JUNIOR SCHOOL
- TRINITY COMMUNITY

Table	List	Month	Tile	Week
<b>WEEK OF 16 SEPTEMBER 2019</b>				
MON 16	All Day	VET - Work Placements commence		
	All Day	TERM 3 - WEEK 9		
	8:30 am	Photographs - Years K-6 [Representative Sport, House and Staff]		
	11:30 am - 1:30 pm	Years 3-6 ICAS English		
	6:30 pm	Years 7-9 - Mother and Son Dinner (AH & TR)		
TUE 17	All Day	VET - Work Placements continue		
	All Day	Year 5 - Camp departs (Waterslea)		
	8:30 - 9:30 am	ICAS English (C1.1)		
	8:45 - 10:30 am	JS - Public Speaking Years 3 & 5 Competition - Finals (LT)		
	5:20 - 8:10 pm	Track & Field - Pre-CAS Dinner (DH)		
WED 18	All Day	VET - Work Placements continue		
	All Day	Athletics - CIS Primary Championships [anticipated] (SOPAC)		
	All Day	Year 4 - Camp departs (Rathane)		
	All Day	JS - Athletics - CIS Primary Championships [anticipated] (SOPAC)		
	8:30 am - 12:30 pm	JS - Year 6 - Diagnostic testing (Classrooms)		
	8:45 - 10:30 am	JS - Public Speaking Years 4 & 6 Competition - Finals (LT)		
	12:45 - 1:45 pm	Year 1 - String/Class presentation (Gym)		
	1:10 - 1:50 pm	Lunchtime Careers Session (LT)		
	1:10 pm	Photographs - Years 7-12 [CAS Track & Field Team, Year 12 CAS Representative Debating & absentee catch up, if required] (No. 1 Oval)		
	7 - 10:30 pm	Pre K/K to Year 12 Function (Mozart Room)		
THU 19	All Day	VET - Work Placements continue		
	All Day	Year 3 - Camp departs (Galston)		
	All Day	JS - Kindergarten Excursion - Sydney Wildlife World and Aquarium		
	10:25 am	Track & Field - Pre-departure team meeting (TLT)		
	1 - 8 pm	Track & Field - CAS 90th Championships - Years 9-11 [compulsory] (SOPAC)		
FRI 20	2 - 3 pm	JS - Y4 - Open the Classroom Doors		
	All Day	VET - Work Placements continue		
	All Day	Year 3 - Camp returns (Galston)		
	All Day	Year 4 - Camp returns (Rathane)		
	All Day	Year 5 - Camp returns (Waterslea)		
	8:30 am - 12:30 pm	Year 6 - Diagnostic testing		
	8:30 - 9:30 am	Cuppa n Chat with Junior School Parents (JS Staff room)		
4 pm	Chess - OTU vs School (S3.2)			
6:30 - 10 pm	Track & Field - CAS End of Season Function (Common Room & Cafeteria - Pre Dinner Drinks - 6pm - 7pm, AH - Dinner - 7pm - 10pm)			
SAT 21	All Day	No Sport		
	All Day	JS - No Sport		
SUN 22	All Day	TRINITY 14		

Events calendar powered by Trumba

### TERM DATES

2021   TERM DATES		
TERM	FROM	TO
1 Lent	Wed 25 Jan	Thu 1 April
2 Whitsun	Mon 19 Apr	Fri 18 Jun
3 Trinity	Mon 12 Jul	Fri 17 Sep
4 Michaelmas	Tue 5 Oct	Thu 9 Dec

### 2021 | STUDENT COMMENCEMENT DATES

TERM 1	Year	Commences
	PK-7, 11, 12	Wed 27 Jan
	8-10	Thur 28 Jan
TERM 2	All boys	Tue 20 Apr
TERM 3	All boys	Tue 13 Jul
TERM 4	PK-6	Thu 7 Oct
	8-12*	Wed 6 Oct
	8-12	Thu 7 Oct

\*Speech Day | Compulsory for all boys years 8-12

Proposed 2021 Term Dates

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