

To: Independent Planning Commission
From: Harjeet Atwal – Senior Manager Planning
Date: 13 August 2021
**Subject: Trinity Grammar School Redevelopment:
State Significant Development SSD-10371**

Chair,

This document concerns a response from Inner West Council with regards to the meeting with the panel on the 11 August 2021 and draft conditions of consent for the Trinity Grammar School Redevelopment.

Questions posed to Council by the Panel

With regards to the questions the panel asked Council in the meeting on the 11 August 2021, Council provides the following response:

(1) List of Buildings which are of heritage significant buildings on site

Council's Heritage Advisor has prepared a list of heritage significant buildings on site, please refer to attachment A.

(2) List of other heritage significant/interesting/important elements on site

Council's Heritage Advisor has prepared a list of heritage significant/interesting/important elements on site, please refer to attachment A.

(3) Footpath upgrades around the School

The applicant is upgrading the whole of the footpath along their frontage in Victoria Street as per the requirements of Condition B12. However Council also requests that the applicant repair the poor sections of footpath in Prospect Street and Seaview Street. This request has been put to the Department of Planning, Industry and Environment (DPIE) previously but did not make it into condition B12. Council has provided a suggested amendment to this condition below for the panel's consideration.

(4) Trees to be planted within Yeo Park

Council's recommendation is that the applicant be required to plant three (3) 100 litre size *Eucalyptus haemastoma* (Scribbly Gum) trees planted at least 1.5 metres from the boundary and spaced at 6 - 7 metre intervals. Council requests that the applicant be required to maintain these trees for a period of 12 months after planting and replace them should they be damaged or stolen within this 12-month period. Following the expiry of the 12-month period ownership and maintenance of the trees should revert to Council. Council has provided a suggested amendment to Condition E35 below for the panels consideration.

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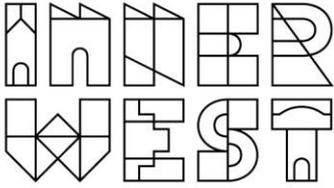
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(5) Complaints regarding noise from school operation

A search of Councils system has revealed no complaints to Council with regards to school operation/noise within the last three (3) years.

(6) On-street parking restrictions and dropping off and picking up on Victoria Street

All drop off and pick up should be required to take place on site within the basement carpark areas as currently proposed. In the event parents begin to pick up and drop off from Victoria Street or other surrounding streets Council can monitor/investigate the situation and apply on-street restrictions at a later time. At this time a requirement for on street restrictions are not considered to be necessary.

(7) Green travel plan and cycling on the road

Council has reviewed the provided Green Travel Plan and considers it to be satisfactory. The narrow network of streets and properties does not generally allow separate path constructions. Council is initiating a program to remark/include bike logos on road to all street routes under the 'Inner West Council Cycling Map and Guide', for the old Ashfield LGA. Any future off-street or separate path facility would require investigations from Council and could be undertaken through utilisation of section 7.11 contributions provided by the current development application.

Infrastructure Contributions

Council has reviewed the infrastructure contributions applicable for the development proposal, please refer to attachment B for contribution calculations. Section 7.11 contributions are relevant to this development proposal in place of Section 7.12 contributions (as recommended by DPIE). As such is proposed to be amended Condition E10 accordingly.

Suggested Conditions/Amendments

With regards to the draft conditions of consent, Council requests the following new conditions and amendments to existing conditions:

New Conditions

(1) Damage Security Bond

Council requests that the panel impose the following damage security bond condition on the consent. This will ensure any damage to Council assets are repaired and replaced to a level satisfactory to Council. In the event this repair and replacement is not undertaken a portion of the bond can be used to undertake the required works.

Security Deposit

Prior to the commencement of demolition works or prior to the issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any

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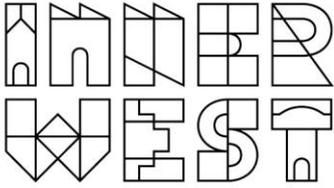
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damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit:	\$140,000
Inspection Fee:	\$230.65

Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date. The inspection fee is required for the Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.

Should any of Council's property and/or the physical environment sustain damage during the course of the demolition or construction works, or if the works put Council's assets or the environment at risk, or if any road, footpath or drainage works required by this consent are not completed satisfactorily, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all of the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.

A request for release of the security may be made to the Council after all construction work has been completed and a final Occupation Certificate issued.

The amount nominated is only current for the financial year in which the consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

(2) Archival and Salvage record

Archival and Salvage Record

Prior to the issue of an Occupation Certificate an Archival Record is to be prepared to the satisfaction of the Planning Secretary.

A full archival record of all of the buildings to be demolished and altered internally is to be provided to Inner West Council. This document is to be prepared to the NSW Heritage Office standard. The significant features of each building that need to be included in this Archival Record are to be identified in the Comprehensive CMP for the site.

Soil / core samples are also to be taken, as the site may still contain largely undisturbed land which has the potential to be sampled for pollen and other markers that can be utilised to study climate change in the Sydney Region.

Items that could potentially be salvaged such as joinery are to be identified and a methodology established to allow for this salvage to occur.

A record of the salvaged items and the unexpected finds is to be included in the final Archival Record submitted as part of the Occupation Certificate.

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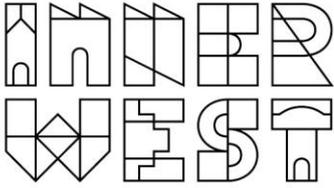
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(3) Preparation of a Comprehensive CMP

Preparation of a Comprehensive Conservation management Plan (CMP)

Prior to the issue of a Construction Certificate a Comprehensive CMP is to be prepared and approved for the entire block originally utilised for Educational Purposes.

Phases of development plans are to be prepared that trace the development of the site, including the natural landform, springs and creek beds and the use of the area by First Nations people. The land grant and initial farming uses are to be traced. From the 1870s onwards the phases of development plans are to be prepared on a decade by decade basis and are to utilise subdivision plans, surveys prepared by Government agencies including the Lands Department and the Public Works Department and aerial photographs. Buildings owned by the school in adjacent Victoria Street and sold are to be included in the phases of development plans.

The Comprehensive CMP is to consider the landscape including former water courses and springs, plantings, courtyards, quadrangles, playing fields and fences not just the buildings.

The Comprehensive CMP for the North Parramatta sites (TKD 2017) should be used as a guide to the standard required. This document is available on line and includes the type of phases of development plans sought <https://www.cityofparramatta.nsw.gov.au/vision/precinct-planning/parramatta-north>

The Comprehensive CMP is to accurately identify the date of design and construction of each the now demolished buildings and the present buildings on the site, including major alterations for each new educational user. The designers and architectural firms are to be confirmed by primary sources such as tender notices, Council Building Application Registers, Building Applications and the records of the Department of Education, the Government Architect and the Waterboard.

It should be noted that this site contains a significant collection of Tudor Revival buildings, the cultural significance of which has yet to be fully assessed.

The CMP is to identify the items of heritage significance in the vicinity of the works that may need to be protected during the works and to identify significant fabric within the mid twentieth century buildings proposed to be altered that could be potentially salvaged. Past Masterplans for the site are to be included in the Comprehensive CMP as a record of the expansion of the campus.

The Comprehensive CMP is to be prepared to the satisfaction of the Planning Secretary. The Conservation Plan Methodology established by the late JS Kerr is to be utilised for the CMP.

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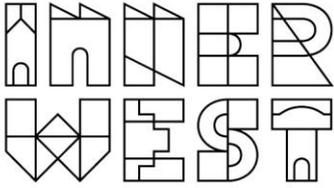
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Amendments to Draft Conditions

Suggested amendments are outlined in bold.

(1) Condition B12 – Roadworks and Pedestrian Access Improvements

Prior to the issue of any relevant construction certificate for external roadworks and pedestrian infrastructure, the Applicant must submit the design plans for the following works, in consultation and to the satisfaction of the relevant roads authority (Council or Transport for NSW) including (but not limited to):

- (a) details of a raised pedestrian crossing on Prospect Road and details of the extent of 'No Stopping' restrictions according to TfNSW crossing design directorate;**
- (b) details of a raised pedestrian crossing in lieu of an existing pedestrian refuge in Victoria Street, north of Harland Street, and details of the extent of 'No Stopping' restrictions according to TfNSW crossing design directorate;**
- (c) provision of all necessary regulatory and warning signs and markings in association with the upgrade of the crossings required in condition B12(a); and (b);**
- (d) the realignment of the intersection of Prospect Road and Old Canterbury Road with a dedicated left turn lane and inclusion of a splitter island refuge compliant with the TfNSW refuge design directorate (minimum 2m wide X minimum 3m long); and**
- (e) Details of pedestrian facilities (i.e. kerb build outs) in Victoria Street, south of Seaview Street and at the intersection of Holwood Avenue. Exact locations are to be determined in the design phase. Details of the extent of 'No Stopping' restrictions are to be provided according to TfNSW crossing design directorate;**
- (f) provision of all necessary regulatory and warning signs and markings in association with the added crossing facilities required in condition B12(e); and**
- (g) the upgrade of the footpaths along the Victoria Street, Prospect Street and Seaview Street frontages of the site**

The Applicant must provide a copy of the documents approved by the relevant roads authority to the Certifier and the Planning Secretary for information.

Note: Separate construction certificate applications under the Roads Act 1993 are required to be submitted and approved by the relevant roads authority for roadworks or works within the public domain.

(2) Condition C21 – Historic Heritage

The works to the site are to be confined to the buildings as shown on the DA drawings. No alteration or damage to the buildings or associated landscaping and grounds identified as being significant in the Comprehensive CMP or in the heritage schedules on the (former) Ashfield Local Environmental Plan is to occur without the necessary heritage approvals or exemptions having been sought.

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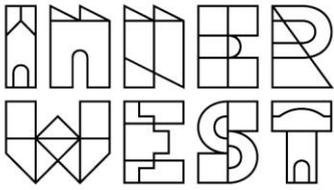
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(3) *Condition D25 – Unexpected Find Protocol – Aboriginal Heritage*

In the event **that surface and sub surface disturbance identifies evidence of Aboriginal occupation including carvings and grinding marks and Aboriginal objects**, all works must halt in the immediate area to prevent any further impacts to the object(s) **or features**. A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects **or other evidence of occupation. The objects are to remain in situ whilst this advice is sought**. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by EES Group and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and EES Group to develop and implement **long term conservation and management strategies** for all objects/sites. Works must only recommence with the written approval of EES Group.

A summary of the unexpected finds that relate to Aboriginal Heritage, including photographs, is to be included in the Archival Record.

(4) *Condition D26 – Unexpected Finds Protocol – Historic Heritage*

If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the Heritage NSW contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of the Heritage NSW. **The NSW Heritage Act applies to relics over 50 years old and this includes evidence of the range of past uses of the site. A summary of the unexpected finds, including photographs, is to be included in the Archival Record.**

(5) *Condition E10 – Development Contributions*

Prior to issue of any occupation certificate (not including demolition), a **Section 7.11 contributions totalling \$238,384.96 (as indexed)**, is to be paid to Council in accordance with **Section 7.11** of the EP&A Act and Ashfield Council S94 Development Contributions Plan. Prior to payment Council can provide the value of the indexed levy.

(6) *Condition E12 – Operational Transport and Access Management Plan (OTAMP)*

Prior to the increase in student numbers or issue of the occupation certificate for the proposed carpark and / or drop-off / pick-up facilities (whichever occurs first), an OTAMP must be prepared by a suitably qualified person, in consultation with Council and TfNSW, and submitted to the satisfaction of the Planning Secretary. The OTAMP must address the following:

- (a) *detailed pedestrian analysis including the identification of safe route options – to identify the need for management measures to ensure students and staff are able to access and leave the site in a safe and efficient manner during school start and finish;*
- (b) *the location of all car parking spaces on the school campus and their allocation (i.e. staff, visitor, accessible, emergency, etc.);*

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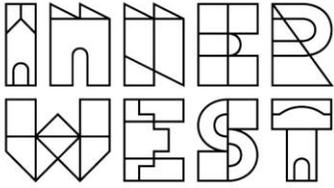
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- (c) ~~the location and~~ operational management procedures of the drop-off / pick-up parking located within the site, **and external road access management to/from the carparks** including staff management/traffic controller arrangements;
- (d) the location and operational management procedures for the drop-off / pick-up of students by buses and coaches before and after school, for excursions and sporting activities, including staff management/traffic controller arrangements;
- (e) delivery and service vehicle and bus access and management arrangements;
- (f) management of approved access arrangements;
- (g) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing drop-off / pick-up parking;
- (h) car parking arrangements and management associated with the proposed use of school facilities by community members; and
- (i) a monitoring and review program.

(7) Condition E13 – Road Safety Audit

Prior to the issue of the occupation certificate for the new basement carpark areas, a Road Safety Audit (RSA) must be undertaken:

- (a) in accordance with Austroads Guide to Road Safety Part 6: Managing Road Safety Audits and Austroads Guide to Road Safety Part 6A: Implementing Road Safety Audits;
- (b) by an independent TfNSW accredited road safety auditor;
- (c) at the intersection of the southern **and northern access exit** driveways to and Victoria Street, and for all vehicle movements associated with the use of the **exit access driveways**; and
- (d) considering vehicle and pedestrian safety noting the nearby pedestrian island and any potential obstruction of sightlines from exiting vehicles by the adjacent substation.

(8) Condition E35 - Planting on Yeo Park

Prior to the issue of the occupation certificate of any relevant construction stage, the Applicant must provide additional canopy trees along the northern boundary of Yeo Park in consult with Council, to assist with screening the visual bulk of the Multi-purpose pavilion (identified in Landscape Plan 203 (issue C) prepared by Arcadia Landscape Architecture dated Oct 2020). A copy of the consultation with the Council must be provided to the Planning Secretary prior to landscaping commencing.

The above-mentioned trees must be at least 100 litres in size and applicant is required to plant them. The trees must be maintained by the applicant for a period of 12 months after planting. If the trees are damage, stolen or perish within this 12-months then the applicant must replace them like for like. Following the end of the 12-month period ownership and maintenance of the trees reverts to Council.

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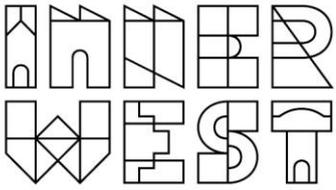
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Attachments:

- Attachment A: List of heritage significant buildings
- Attachment B: Infrastructure Contributions calculation



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ATTACHMENT A: LIST OF SIGNIFICANT BUILDINGS – TRINITY GRAMMAR SCHOOL

Buildings added to the existing educational campus by Trinity Grammar School. The buildings highlighted in bold are proposed to be altered or demolished. In addition to the buildings on the site, the grounds, quadrangles, fencing and mature landscaping is also of significance. Buildings that form the quadrangle and also what survives of the 1960s Science Block are considered to be significant examples of buildings designed for educational purposes.

1937	Classroom block – Designed by F E B Rice [since redeveloped?]
1946	Dining Hall, Designed by F E B Rice
1956 Michael	War Memorial Chapel, Architects H E Budden, Nangle and Michael
c. 1959	North Quad Building [date and architect unconfirmed]
1960s	Science Block (partially survives as the Health building) Published on completion, architect not identified
1962	Chapel Gates & Court, Architects Budden, Nangle and Michael
1972 plan index	New Assembly Hall and Library – Architect not listed in Council's plan index (former Ashfield)
1980 Ashfield)	New School – Architect not listed in Council's plan index (former Ashfield)
1993	Science Block, Collard, Clark and Jackson
1996	Roderick West School of Music
1997	Founders Building, Collard Group
1995-97	Redevelopment including Carparking and Basketball Courts, Woollacotts Consulting Engineers
2002	Founders Building – Architect not identified
2003	Bus Shelter – Architect not identified
2005	Gymnasium – Architect not identified
2010	Fitness Centre – Architect not identified
2011	Multi Purpose Pavilion – Architect not identified
2011	New Library – Architect not identified
2013	New Junior School, Architects NBRS
2014-15	Centenary Aquatic Centre Architects: Gardner Wetherill & Associates

Calculation of s.7.11 (s.94) Development Contribution - Proposed Trinity Grammar School Redevelopment Application (SSD 10371)

Does the Ashfield s.94 (s.7.11) Plan apply to the proposed redevelopment at Trinity Grammar School?

Yes. Section 1.5 on page 1 of the Ashfield s.94 (s.7.11) Development Contributions Plan states that this plan applies to “non-residential development” – which includes the subject development.

What contribution rates would apply to the proposed development under the Ashfield s.94 (s.7.11) Plan, given that the “redevelopment of schools” is not specifically mentioned in “Table 2 – Summary of Base Contribution Rates Converted to Typical Development Types” provided on page iv of the plan?

The plan states that “development types not specified in Table 2 will be assessed in accordance with Section 1.5 of this Plan and the per person (residential), per worker (non-residential) and per DVT [daily vehicle trip] base contribution rates specified in Table 1 [Summary of Base Contribution Rates by Facility Type on page iii of the plan]”.

The calculation of the applicable s.7.11 development contribution is provided below. It involves the use of Table 1 in the plan; the use of increased vehicle trip and increased worker (staff) numbers provided in the Transport and Accessibility report submitted with the application.

Please note to calculate the current contribution rates in Table 1 of the plan the indexation formula on page 9 of the plan was applied to the original contribution rates in Table 1 of the plan. The figures that were inputted into the subsequent indexation calculation were the Consumer Price Index (CPI) at the time the plan commenced in 2015 = 107.3 and the current CPI for the June Quarter which is 119.4.

Further note: The exemption provisions of the plan (section 2.7 on page 9 of the plan) include projects under the former *Building the Education Revolution* (BER) program. This is not relevant to the subject application and therefore this exemption does not apply.

As described below, the calculated, applicable s.7.11 (s.94) development contribution rate for the subject application is \$238,384.96.

Updated Table 1 – Summary of Base Contribution Rates by Facility Type – Trinity Grammar Redevelopment (SSD 10371).

Facility Category	Base Factor to Generate Contribution Rate	Contribution Rate Inputs for the subject application.	Contribution Rate as at commencement date of the Plan.	Current Contribution Rate (Indexed)	Resultant Contribution for the subject application
Local Roads	Per Daily Vehicle Trip (DVT)	231* (peak hourly trip rate) x 3** = 693	\$73.01	\$81.24	\$56,299.32
Local Public Transport Facilities	per worker (non-residential)***	44 Additional staff	\$96.89	\$107.81	\$4,743.64
Local Car Parking	N/A	N/A	N/A	N/A	N/A
Local Open Space and Recreation	Per worker (non-residential)***	44 Additional staff	\$3,450.08	\$3,839.93	\$168,956.92
Local Community Facilities	N/A	N/A	N/A	N/A	N/A
Plan Preparation and Administration	Per worker (non-residential)	44 Additional staff	\$171.26	\$190.57	\$8,385.08
Totals:	N/A	N/A	\$3,791.24	4,219.55	\$238,384.96

Notes:

* Additional peak hourly trip rate for additional students (An increase of 445 students which equates to an expected 196 additional vehicle trips in the peaks) and for staff (An increase off 44 staff which equates to an expected 36 additional vehicle trips in the peaks) as detailed on page 37 of the Trinity Grammar School -Transport and Accessibility Report, prepared by TTM Consulting Pty Ltd. 2020.

** As advised by Council's Development Engineer, as most vehicular traffic for schools arrive during the morning peak and leave during the afternoon peak, the conversion of the peak hour vehicle trip rate to a daily vehicle trip rate would involve the use of a multiplication factor of 3-3.5 times the peak hour rate. Conservatively, a multiplication factor of 3 has been used in the calculation above to convert the hourly peak vehicle rate to a daily vehicle trip rate, to determine the Local Roads contribution under the Ashfield s.94 (s.7.11) Development Contributions Plan.

*** Although there will likely be a substantial increase in the use of Local Public Transport Facilities and Local Open Space and Recreation Facilities in the Inner West Local Government Area arising from the substantial increase in students on the subject site, this is not captured within the calculated development contribution charge because it only levies the increase in "workers".

**Infrastructure Planning Team
Inner West Council**

12 August 2021