

27 March 2013

CONCEPT PLAN APPLICATION FOR THE AUSTRALIAN CATHOLIC UNIVERSITY STRATHFIELD CAMPUS (MP10_0231), STRATHFIELD LOCAL GOVERNMENT AREA

CONCEPT PLAN

The Planning Assessment Commission has received a concept plan proposal for the expansion of the Australian Catholic University's Strathfield Campus. The proposal seeks approval for six building envelopes between two and four storeys in height, an increase in student numbers to 2,000 students at any one time and enrolments to 4,800 based on Equivalent Full Time Student Load (EFTSL), an increase in staff numbers to a maximum of 260 staff, expanded hours of operation, increased on site car parking (from 346 to 717 spaces in basement and at ground level); and changed access arrangements and pedestrian linkages.

DIRECTOR-GENERAL'S ENVIRONMENTAL ASSESSMENT REPORT

The proposal has been assessed by the Department of Planning and Infrastructure. The Department's assessment report considered the broader strategic benefits of the upgraded university. It also gave careful consideration to the project specific issues of:

- the increase to student numbers;
- transport management and parking impacts on and off the site;
- suitability of the built form;
- hours of operation;
- impact upon the heritage significance of the site.

The Department also obtained independent advice from a traffic consultant to inform its assessment of the key traffic related issues with the existing and proposed expanded university.

The Department indicated that it considers the site is capable of accommodating additional students subject to the successful implementation of the proposed transport management measures including a new timetable for students attending classes to minimise "churn", adherence to the mode share targets in the University's proposed Green Travel Plan, and increased on-site parking. The Department recommended that the concept plan be approved subject to a staged increase in student numbers and associated construction program tied, in part, to the effective implementation of the Green Travel Plan.

In particular, the Department recommended approval for:

- (a) a staged increase of student numbers on site at any one time from 750 to 1,600 students upon completion of the new underground car park which will provide 262 spaces;
- (b) an increase from 1,600 to 2,000 students on site at any one time once the proponent has demonstrated the mode share targets and reduced on street parking are consistently being achieved.

DELEGATION TO THE COMMISSION

The concept plan was referred to the Commission for determination, under the terms of the Minister's delegation. The referral was received on 14 January 2013.

The Chair of the Planning Assessment Commission, Ms Gabrielle Kibble AO, chaired the Commission for the project. Ms Donna Campbell and Ms Abigail Goldberg were the other members to constitute the Commission for the project.

SITE VISIT

The Commission visited the site and surrounds on the morning of Tuesday 5 February 2013. Ms Campbell made a further site visit on 6 March between 10am and 11am and she also visited Strathfield Station at 9.30am on the same day.

MEETINGS

The Commission held a number of meetings as part of its consideration of the application. The Commission met with the proponent (the Australian Catholic University), Strathfield City Council and its legal representatives, and the Department of Planning and Infrastructure. The Commission also listened to the views of the community and the local State Member of Parliament at a public meeting held in Strathfield on 20 February 2013.

Meetings with the Proponent

The Commission met with the proponent on 31 January 2013 and again on 13 March 2013 following the public meeting. The proponent provided an outline of the proposal and gave some background to the site and the history of the development proposal. The proponent noted that the three main objectives for the project were:

- A desire to significantly improve the educational offering available at the university;
- The need to rationalise and clarify the existing development consents that are currently the subject of conjecture and legal action; and
- The opportunity to improve the built form, parking and facilities at the university.

The proponent argued that its proposal to introduce a new timetable would result in a more orderly pattern of study, thereby significantly reducing the amount of student "churn" on the site and resulting in less traffic movements. The university is confident that the changes to timetabling and other initiatives proposed will lead to improvements in on street parking and traffic in the area.

It also argued that the way in which students study is going through a fundamental shift, with more students choosing to study remotely and accessing information electronically rather than attending the university.

The proponent advised that further expansion of the university beyond that proposed in the current application is unlikely as the university has limited landholdings.

The Commission questioned the proponent regarding how it intended to address problems associated with students parking on the surrounding streets and issues of anti-social behaviour more generally. The proponent advised that a range of measures have been introduced, including sending out regular reminders to students not to park over driveways and to be respectful of residents. Where the university has been notified of a specific problem it has sent security guards to the car in question to wait for the student to return so that an appropriate caution can be issued.

The Commission also asked whether the university had considered formal mediation as a mechanism for bringing about some improvement in relations between it and the community and council. The proponent advised that it is committed to working with the community and to addressing issues of concern wherever possible noting, however, that the current proceedings in the Land and Environment Court do raise implications for any interactions at this time.

In addition, while the university recognises that there is considerable local opposition to the project, it considers there is also significant community support even though this is not reflected in the public submissions.

Meeting with Strathfield Council

The Commission met with Strathfield Council's legal representatives and a senior officer from Council on 13 February 2013. Mr Craig Leggat SC and Mr David Baird of HWL Ebsworth Lawyers spoke on behalf of Council.

The extent of community and council opposition to the project was highlighted as was the view that the proposal will fundamentally change the character of the area. It was noted that the intensification of the use will result in unacceptable parking and traffic impacts.

Mr Leggat noted that the independent traffic assessment clearly indicated that there are many shortcomings in the traffic and parking analyses done for the project. He further noted that the independent assessment had been unable to come to a definitive conclusion about the extent of impacts associated with the project.

Mr Leggat argued that the Commission should not defer consideration of important environmental issues to a later stage, as is proposed by the Department in its assessment report and recommended terms of approval.

The Commission queried what consideration had been given to the introduction of a resident parking scheme in the area. It was advised that such a scheme had not been contemplated in detail by Council as it considered this could push the parking problem to other residential areas.

It was requested that the Commission recommend to the Minister that a formal Public Hearing (under the *Environmental Planning and Assessment Act 1979*) be held. This was noted by the Commission who advised that the application had been referred to the Commission to determine.

Public meeting

On 20 February 2013 the Commission held a public meeting at the Strathfield Golf Club. Fifty-five people spoke. A list of the speakers is included in Appendix 1 to this report.

Speakers at the public meeting included the local State Member of Parliament, Mr Charles Casuscelli RFD MP, a representative from the Strathfield Residents Action Group, and local residents.

All those speaking at the meeting spoke against the proposal. Issues of concern included:

Traffic and parking

- expansion of the university will result in intolerable traffic and parking impacts
- parking and traffic impacts of the university are already unacceptable and has worsened over recent years
- proposed additional parking on the campus will not be sufficient to accommodate the growth in students
- Green Travel Plan is unlikely to be effective in reducing on street parking by students
- large number of schools in the area mean that there is already considerable congestion
- data presented in the traffic assessments undertaken for the university are unreliable, as concluded in the independent traffic assessment.
- not possible to adequately work out what traffic impact will be
- resident parking scheme is not a logical solution as all this will do is push student parking to other residential areas
- there are increasing numbers of traffic incidents in the area and the proposal will further add to traffic safety problems
- traffic issues should be solved before further expansion of the ACU is contemplated
- most students will opt to use cars over public transport
- environmental capacity of Barker Road already being exceeded
- student parking results in major traffic hazards with many residents experiencing difficulties in getting into and out of their driveways
- parking management measures such as painting white lines adjacent to resident driveways have not been effective
- proposed access to underground car park off Barker Road will adversely impact on traffic safety and result in unacceptable loss of parking in front of residents' properties
- use of 2012 baseline parking figures should not be used as they are based on unapproved student numbers
- shuttle bus adds to traffic and congestion in the area
- proposed extension of hours will further exacerbate situation and mean that there is no relief from university activities
- limited mechanisms to be able to police on street parking e.g. not possible to tow cars away that are parked across driveways

Suitability of the site

- site is surrounded by low density residential properties and an institutional development of this scale is entirely out of character
- university is not located near adequate public transport or other support facilities and therefore any expansion is not appropriate
- scale of the buildings is not compatible with the surrounding low scale residential development
- university should be relocated to a more suitable site such as at Sydney Olympic Park where there is ready access to public transport and impacts can be adequately managed

Student numbers

- student numbers at the university already exceeding prescribed limits therefore intensification has already occurred
- no confidence that university will comply with any conditions on student numbers given its history
- difficult to monitor number of students on site. Need to introduce electronic monitoring
- Commission should refuse that aspect of the proposal relating to student numbers because of uncertainties surrounding traffic and parking impact assessment

Building bulk and scale

- three to four storey buildings are completely out of scale with surrounding one and two storey residences
- Precinct 1 building will overlook and overshadow residences on other side of Mount Royal Reserve
- landscaping will not provide for sufficient screening of building
- Precinct 1 building will appear much higher because of its position on higher ground
- Department's assessment report has not properly considered building compatibility with surrounding residences and instead focuses on impact within the site

Anti Social Behaviour

- evidence of anti social behaviour by students e.g. rubbish, noise etc - this will get worse if student numbers are increased
- residents do not feel it is a safe environment - no consideration has been given to issue of safety

Enforceability of conditions

- conditions reflect a "suck it and see" approach
- traffic targets unsubstantiated and unlikely to be achieved
- not clear what happens if targets not met
- conditions not enforceable and difficult to measure effectiveness

COMMISSION'S COMMENTS

The Commission has carefully considered the proposal, including the issues raised in submissions and those raised at the public meeting. Its consideration of these issues is detailed below.

Traffic and Parking

The Commission agrees with the Department's view that there are wider public benefits associated with the best possible utilisation of this existing educational facility. Calls for the university to move to another campus are not supported by the Commission given the extent of existing facilities and resources at the Strathfield Campus and the onerous costs and other significant impacts this would impose on the university's operations.

However, it is clear to the Commission that the university's activities at present are generating significant impacts in terms of on street parking and traffic safety in the surrounding residential streets, particularly to the south and east of the campus. This is evidenced not only by the Commission's site inspections and resident objections but also from the assessment undertaken by the independent traffic consultants, Parsons Brinkerhoff. While the overwhelming majority of residences in the area have off street parking within their properties, there are undoubtedly traffic safety and access problems arising from students parking out local streets.

The Commission is of the view that intensification of activities at the university will further exacerbate the situation. As indicated in the Parsons Brinkerhoff report, the evidence provided by the university regarding impacts and the effectiveness of mitigation measures is equivocal. In particular, there are real doubts about the effectiveness of the proposed Green Travel Plan and the mode shift targets. As noted in the Parsons Brinkerhoff report, the existing mode share for travel by car is anywhere between 35% and 57%. If the mode share for car travel is at the higher end, Parsons Brinkerhoff has advised that the shift suggested in the mode targets will not be achieved.

The Commission questions the ability of the Green Travel Plan to make a substantial difference, particularly in achieving the target of only 30% of students driving to the university, as long as parking in the surrounding streets remains unrestricted. Achieving the mode share targets is critical if improved traffic and parking conditions on surrounding streets is to be realised.

The Department has recommended that approval should be granted to the concept plan subject to the preparation of a Student Travel and Campus Monitoring Plan (STCMP). However, the Commission has concerns as to whether this course of action is effective as the STCMP relies in turn on the achievement of mode targets that have not been adequately tested and, as noted above, may not ultimately be possible to achieve.

Further, the Commission questions the effectiveness of managing student impacts through timetabling, particularly as timetabling imperatives may change over time. It is noted that managing students through timetabling was also previously proposed by the university in its 1994 application for increased student numbers - refer *Australian Catholic University Limited v Strathfield Council* [1994], LEC.

As a first step, the Commission considers the most appropriate way forward is for the proposed underground car park and Precinct 1 to be constructed. This will have the effect of increasing on-site parking from 346 to a minimum of 600 spaces, as shown in Table 1. Some spaces may also be retained in the on-grade western car park depending on the design of the access to the underground car park.

Table 1: Comparison of Parking Numbers – Existing and with construction of underground car park/Precinct 1

Location of parking	Existing Spaces	With construction of underground car park and Precinct 1
On-grade western car park	75	0
On-grade eastern car park	99	99
On-grade south-eastern car park	107	0
Clancy site	38	38
Main entry	22	22
Visitor	5	5
New underground car park	0	262 (plus 30 spaces allocated to St Patricks)
Precinct 1 basement car park	0	174
TOTAL	346	600

Concurrent with the provision of additional parking on campus, the university should make serious efforts to implement the strategies proposed in the Green Travel Plan. If the commitments made by the university in this regard are correct, these initiatives together should significantly reduce the traffic and parking impacts arising from the university’s activities.

Approval of additional student numbers, increased hours of operation and the remaining precincts should only be contemplated once the university can demonstrate effective and ongoing implementation of the Green Travel Plan (including evidence regarding achievement of mode shift targets). The Commission notes that if the number of students driving to the university can be reduced to 30% as indicated by the mode shift targets, then the proposal for 2,000 students on site at any one time could be readily accommodated without significant overflow parking occurring on surrounding streets.

The construction of Precinct 1 should not occur until such time as construction of the underground car park is completed and operational. This will help minimise the impact of losing the 107 on-grade parking spaces in the south-eastern car park during the construction of Precinct 1.

Precinct 1

The construction of the proposed Library Learning Commons facility within Precinct 1 will upgrade out-dated university facilities and allow the amenity on campus to be improved by placing parking below ground within the new building. The Commission is satisfied that it is adequately set back from local housing, with its primary frontage along the main access route of Barker Road. At four storeys, the building is appropriately scaled for the campus and, while different to the one to two storey domestic scale of the neighbourhood, is considered to complement it.

The Commission agrees with the Department that it is important that trees along the Barker Road and Albert Road frontages are retained as far as possible and that provision is made for the planting of new trees. The Department's recommendations regarding further design reviews of the building facades along Barker Road and consideration of the interface between the site and Mount Royal Reserve are supported.

Access off Barker Road to underground car park

With respect to the new access off Barker Road into the underground car park, the Commission notes that Parsons Brinkerhoff has undertaken a SIDRA intersection analysis which suggests that the proposed access intersection layouts would have sufficient capacity.

The new access off Barker Road will result in the loss of some on street car spaces in the vicinity. Care needs to be taken in the proposed design of the intersection that safe car and pedestrian access can still be provided to those residences directly opposite the intersection.

The Commission is satisfied that subject to careful design, a new intersection to allow for access to the underground car park can be accommodated. It is considered appropriate that details of the access arrangement and road works to Barker Road (and Edgar Street) are further considered as part of the application for the underground car park.

On street parking restrictions

As noted above, the Commission is not convinced that the Green Travel Plan can be successful without a concomitant introduction of parking restrictions in surrounding streets. While it is acknowledged that the introduction of parking restrictions may result in students parking in other residential areas where restrictions are not in place, the Commission considers that with an effective Green Travel Plan in place this impact can be contained. The university should make its best endeavours to work with Council and the community regarding the introduction of parking restrictions, whether this involves a resident parking scheme or some other form of restrictions. It should also explore other initiatives which will help reduce on street parking e.g. financial incentives for students to catch public transport.

Independent Mediation

It is clear that at present the relationship between the university, Council and the community has deteriorated to a point where trust has been eroded and the parties are unable to engage in productive discussions. To date, the university has been largely unsuccessful in countering the community's scepticism regarding the impacts of the development, primarily because of the very real impacts currently being experienced by residents in the area. The university needs to work proactively with Council and the community in addressing and influencing student behaviour. As a first step, the Commission would urge that the university contemplate engaging an independent mediator to assist in bringing the parties together.

By reducing these impacts in the manner proposed by the Commission and by engaging in meaningful and genuine discussions with the community about ways of improving student behaviour, it is possible that there may be an improvement in the relationship between the parties.

COMMISSION'S DETERMINATION

The Commission has carefully considered the Director-General's Environmental Assessment Report, submissions on the concept plan and subsequent supplementary information as well as the recommended conditions of approval. The Commission also held a number of meetings and heard from fifty-five people at the public meeting held in Strathfield.

After extensive consideration of the evidence, the Commission has determined to approve only the underground car park and Precinct 1 and the concept plan is modified accordingly. This will enable a significant increase in the amount of parking provided on campus and allow for the development of the Library Learning Commons facility.

Other development proposed in the concept plan application is excluded from the approved concept plan. Approval for the increase in student numbers, extended hours of operation and building envelopes in Precincts 2, 3 and 4 should only be contemplated once the university can demonstrate effective and ongoing implementation of the Green Travel Plan (including evidence regarding achievement of mode shift targets).

The Commission has amended the terms of approval to reflect this determination.

Gabrielle Kibble AO
**Chair of the
Commission**

Donna Campbell
**Member of the
Commission**

Abigail Goldberg
**Member of the
Commission**