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TRANSCRIPT OF PROCEEDINGS

TRANSCRIPT IN CONFIDENCE

O/N H-1028354

INDEPENDENT PLANNING COMMISSION

MEETING WITH WOOLLAHRA COUNCIL

RE: STEVENSON LIBRARY BUILDING, THE SCOTS COLLEGE

PANEL: **DR PETER WILLIAMS**
CAROL AUSTIN
SOO-TEE CHEONG

ASSISTING PANEL: **OLIVIA HIRST**

COUNCIL: **EMILIO ANDARI**
ELEANOR SMITH
RYAN WHITE

LOCATION: **IPC OFFICES**
LEVEL 3, 201 ELIZABETH STREET
SYDNEY, NEW SOUTH WALES

DATE: **11.34 AM, WEDNESDAY, 5 JUNE 2019**

DR P. WILLIAMS: Good morning and welcome. Before we begin, I would like to acknowledge the traditional owners of the land on which we meet, the Gadigal people. I would also like to pay my respects to their elders, past and present, and to elders from other communities who may be here today. Welcome to the meeting.

5 The Presbyterian Church New South Wales Property Trust, the applicant, is seeking approval for alterations and additions to the existing Stevenson Library in the Woollahra Local Government Area. My name is Peter Williams. I am the chair of this IPC panel. Joining me are fellow commissioners Carol Austin and Soo Tee Cheong, as well as Olivia Hurst from the secretariat. The other attendees at the

10 meeting are Emilio Andari, Eleanor Smith and Ryan White from Woollahra Council.

In the interests of openness and transparency, and to ensure the full capture of information, today's meeting is being recorded and a full transcript will be produced and made available on the Commission's website. This meeting is one part of the

15 Commission's decision-making process. It is taking place at the preliminary stage of this process and will form one of several sources of information upon which the Commission will base its decision. It's important for the commissioners to ask questions of attendees and to clarify issues whenever we consider it appropriate.

20 If you're asked a question and are not in a position, please feel free to take the question on notice and provide any additional information in writing, which we will then put up on our website. I request that all members here today introduce themselves before speaking for the first time and for all members to ensure that they do not speak over the top of each other, to ensure accuracy of transcript, so we will

25 now begin, so, Emilio, Eleanor, Ryan, whatever order you would like to take, we will like to hear from you, thank you.

MS E. SMITH: Thank you. Eleanor Smith from Woollahra Council. Thank you for the opportunity to address our – provide a summary of what our concerns are to

30 the Commission. They will just be summarising what we've already submitted in the two submissions that you received, one on 18 January 2019 and the submission before that, which is on 2 October 2018, so running through the points bullet pointed in the agenda, in relation to visual impacts, council hasn't raised any concerns with the proposal. Council's heritage officer and urban design officer and planning

35 officer generally didn't have any issues, subject to relatively standard conditions relating to recording the heritage value of the building, and the same applies to built form and finishes. Council staff were also relatively happy with the proposal and supportive of the proposal, again subject to the archival recording and interpretive plaque conditions.

40 The main concerns raised by council staff relate to the traffic considerations of the proposal, so council has informed the Commission that there is a history of the site in relation to traffic issues. That starts from a 2006 development consent, where the number of students was capped around the 1100 mark. In, I think, 2014, a number of

45 – and that condition was attached to a DA where there were substantial alterations and additions to the building, and the condition was included to limit the overall

number of students to 1100. In around 2014, a number of applications were submitted to council where it became apparent that the student numbers at the school were actually already around the 1500 mark, so they were in breach by, I think, around 300, just under 400 students.

5

At that time, the applicant lodged conditions to modify the consent to remove the condition restricting the student caps. That was refused by council and that, along with – there were several DAs which related to the student cap number. Those DAs were appealed to the Land and Environment Court, and the appeal was dismissed by the Land and Environment Court, and what the commissioner found was that the condition was lawful and it did apply, and the commissioner didn't feel it appropriate to remove the condition. Also, in the judgment, it established that the council had put forward evidence that the unauthorised increase in student numbers resulted in traffic impacts on the surrounding networks, and then there was further evidence provided on behalf of a large number of the local residents also confirming that case, and the commissioner ultimately concluded that, even if they had the option to remove the condition, that that would not – prior to that occurring, issues in relation to the car parking would need to be addressed by the applicant.

20 So council's concern, in relation to this DA, is for the Commission to ensure that the increase in floor space as a result of the alterations and additions to the library building would not result in an increase in student numbers, but also this issue, the issue of parking, should be considered as part of this application, as it's providing improved facilities for the existing number of students, which is over the cap. We feel that there is a nexus and that the – so what we've asked for is that the development – the State Significant Development application provides a traffic report that looks at the existing situation in terms of the parking and traffic issues with student drop-off as part of this application, that an expert traffic report is prepared which assesses that and looks at what solutions could be put forward to try and resolve the existing situations, and then, as a condition of consent, that be incorporated as part of any approval that's granted for the library.

That was made in our first submission, and that was partly on the basis that there was the court judgment in 2015, and council had made submissions to the school that we wouldn't take enforcement action for 18 months to provide them with the opportunity to try and resolve the parking issues, but as of the date when we wrote the letter in October 2018, nothing had progressed in the three years in relation to the traffic and parking issues. Subsequent to that, the applicant has now lodged a pre-DA application, which is, like, a staged process to try and resolve the issues in relation to traffic and car parking, and so that is to provide a – it's on two separate campuses, so on one side of the road, providing underground car parking for staff, and then, on the other side of the road, a student drop-off area. Council's concern is that, although the applicant has lodged a pre-DA, which we are definitely very supportive of, there's no guarantees when that pre-DA will follow on to a development application, and it only addresses part of the issue.

45

Then it has to wait for a concept plan, which will look at resolving the rest of the issue in terms of looking at another site, potentially, for off-street car parking, and so our concern is that the applicant has indicated to us that, like, they will have to budget for it and the library is going to be the first project that occurs, for the pre-DA
5 for the – or for the DA for the car parking and drop-off, it's going to be the library first, the construction period of that completing, and then – so what council is asking you to consider is requiring the traffic report at this stage so they can identify what measures can be immediately put in place, whether that's a Green Travel
10 Management Plan or just looking at how they operate their existing pickup and drop-off, so that something can be happening in the interim while the DA comes through and then while the concept plan to ultimately resolve the whole issue – so that's the request from council.

15 DR WILLIAMS: Have you put this in writing to the department as part of their assessment, this request?

MS SMITH: So – yes. So in the 2018 and 2019 submissions, on page 3 of the 2018 submission, we've asked for a review of the existing arrangements for drop-off, a traffic and parking – sorry; an analysis of the localised traffic and parking impacts,
20 and a qualified traffic engineer to prepare a report, and then looking at:

The report shall include recommendations to ameliorate the traffic congestion and include a Green Travel Plan.

25 And then:

The recommendations of the report shall be fully complied with as a condition if the library development is granted.

30 DR WILLIAMS: And, sorry, what's the date of that?

MS SMITH: So that's – sorry; 2 October 2018. And then, following, council were given the opportunity to review the subsequent report prepared by Scots College, and so, then, we prepared a further submission on 18 January 2019, and we basically
35 reiterated those requests, with the one exception that, in the previous submission, the October submission, we were requesting additional bicycle parking to accord with the SEPP's requirements, and we acknowledge the submission put forward by Scots that they say, because of the location, like, off New South Head Road, and the lack of bicycle networks, that the amount of bicycle car parking that we were asking for
40 was inappropriate, given the number of students that cycle to the school, because of safety issues, so we said that we would happily vary that condition to, instead of requiring compliance with the SEPP, instead a survey should be carried out, and then whatever number there is a demand for cycle parking, that number should be applied.

45 DR WILLIAMS: Okay. Anything else?

MS SMITH: That probably concludes my – unless there's any questions.

DR WILLIAMS: Any other major issues? So it's – okay. So it's mainly about - - -

MS SMITH: Yes. It's primarily the traffic.

5 DR WILLIAMS: - - - the traffic. Okay. Okay. Carol, would like a word to start off thanks?

MS C. AUSTIN: What would the timing be if the applicant decided they wanted to go ahead with the undercover parking and also the drop-off area? They've not yet submitted a DA by the sounds of things. So one, they would need to submit it. 10 What's the sort of timing that would be involved in approval of something like that? So I'm thinking about the logistics of how do we seek one of these various things?

MS SMITH: It's difficult. 15

MS AUSTIN: Sorry. I'm Carol Austin. I forgot to do that.

MS SMITH: Do you need me to say my name again before I just - - -

20 DR WILLIAMS: No, no, no, no, no.

MS AUSTIN: No. No.

DR WILLIAMS: No. That's fine. 25

MS SMITH: It's difficult to say the exact time it would take to determine the application because it's dependent on a lot of things. Like, if the information came in and it was everything that we had in – all the information was submitted at the time of lodgement then, in theory, several months. Like realistically for a significant 30 DA, which we know we would receive submissions to because there was – like, we've already had a lot of community response in relation to the previous applications at the subject site. They potentially could run for like longer than that, up to 12 months, depending on just from past experience with like significant DAs. But I think our concern is more that there is no guarantee when they would lodge that 35 development application.

It's up to the applicant to choose when to lodge. But from discussions we've had from the applicant, which they're in a much better position to confirm this than I am, but my understanding is that, the library would be constructed and completed first. 40 There wouldn't be scope to concurrently do it because of the impacts on – it would have significant impost on the operations of the school. So the library would be completed first and then they would commence the – depending if they had an approval in place then it would be – that would be the next phase of the – and there's also another DA which has been recently lodged for modifications to the assembly 45 hall. So I'm not sure where that fits in their timing. But - - -

DR WILLIAMS: That's with council?

MS SMITH: Yes.

DR WILLIAMS: Yes.

5 MS SMITH: So it has recently been lodged. So I'm not sure where that fits in the
timing, where they're also proposing. I would imagine, as they've got the DA in for
the assembly hall now that potentially that would occur as well, prior to, and my
understanding is that when – while they're constructing those buildings they're going
10 to have to provide alternative arrangements for those pupils on the school to work
around the construction work. So potentially it could be the library DA then the
assembly hall modifications, and then the DA for the car parking. And that's then
assuming that it has been lodged and it has been found to be satisfactorily approved.

DR WILLIAMS: Yes.

15

MS SMITH: And there is no guarantees as well - - -

DR WILLIAMS: Yes.

20 MS SMITH: - - - for either concern, but it would be – they obviously – council is
very supportive of them trying to resolve the issues, and we definitely want it but we
still would need to make sure that it's going to be acceptable.

DR WILLIAMS: Yes.

25

MS SMITH: So that's where our concern is. That we feel it is appropriate to have it
looked at this stage so that mitigation measures can be put in place to manage the
existing issues that are there.

30 DR WILLIAMS: Okay.

MS AUSTIN: So do you have suggestions on mitigating measures that can be taken
short of implementing the two proposals that are subject to – are going to be subject
to the DAs?

35

MS SMITH: So in – so one of the things that's set out in the letter is a green
management plan. Looking at other schools in the area that I'm aware of, there's
things – like other schools have introduced schemes so for things like drop off,
looking at how they manage the drop offs so that teachers or staff members being
40 involved, insuring that they can be staggered so that you don't have like periods
where there's lots of drop offs occurring at the same times. So no, we – that's
basically what we're asking the applicant to look at. We – we've basically said, you
need to get the traffic things altered to explore what – like, one, identify what the
issues are and then what the potential solutions are for that. But we would be saying
45 that it would be – we would be asking the applicant to engage in that process.

DR WILLIAMS: And that's all part of that expert traffic report that you're wanting as part of the conditions.

5 MS SMITH: Yes. So for example, at Bellevue Hill Public School, which is a –
doesn't – it's not a High School, they have a system where they do have an issue
with parking – with drop offs. They have a numbered system where, as the cars pull
up they have a number on the visors so the staff members know which students need
to be collected, and then it's – there's an option in other schools. There's a
10 staggering of like, when certain years are collected, so you don't have all of the
students dropped off at one point, which is when you start getting issues, where the
people then are carrying out like dangerous manoeuvres and not wanting to queue at
the drop off points.

15 DR WILLIAMS: Yes. Yes. Yes. Carol?

MS AUSTIN: Could you just refresh my – your – my memory on the situation with
regard to the student numbers? Because that's very much inter-connected with the
transport issue. So you've – what's the status of your discussions with the applicant
on validating or reducing the student numbers? Could you just refresh my memory
20 on what you said on that?

MS SMITH: So there's a 2006 consent which restricts the student numbers. I will
just grab the exact figures.

25 MS AUSTIN: Yes. Was to 1100.

MS SMITH: So 1120.

30 DR WILLIAMS: It's 1120. Yes.

MS SMITH: And the school has a population, at the time when it went to the Land
and Environment Court of 1504, which is an unauthorised student population of 384.
So following the court case the council – so it's on page 5 of the October submission.
So in August 2015 we wrote to the court following the court judgment and advised
35 them to advise what they were going to do in response to the judgment, when they've
reached a condition. We then wrote again in January 2016 and then we received a
response back in January 2016 saying that they would require a period of 12 to 18
months to prepare a development application to resolve the issues in terms of
improving the traffic and parking issues.

40 So that then they could apply to – because the Commissioner's judgment was, we
won't remove the student cap because you've got issues with the traffic and parking.
So it was, how do you resolve the traffic and parking issues so that you can keep the
number of students? And so, after that period saying that it would be 12 to 18
45 months to lodge a DA. We're obviously now considerably beyond that. And up
until the pre-DA that was lodged following this submission that's the first response
we've had from the school in relation to addressing the parking and traffic issues.

MS AUSTIN: So were there expert studies done to underpin the pre-DAs that they've prepared? So have they submitted to you any - - -

MS SMITH: No.

5

DR WILLIAMS: No.

MS SMITH: They have – in the pre-DA they have said that – so the pre-DA they've asked for our comments on it, which is difficult to comment in detail when we have no traffic and parking study. But it's just more of a conceptual, this is what we're looking at in terms of locating the car parking. And that's why I'm saying that it's difficult to say that there's any guarantee it's going to be approved, because we haven't had the information to be able to look at whether it's appropriate in terms of a traffic report. And so that's what our response will be. So – but they have indicated that they will provide that as part of the DA once they get our initial pre-DA comments. So, yes, we don't have that information at this stage.

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15

DR WILLIAMS: So that expert traffic report would be useful if we were to put it as a condition here. They would need to do it anyway for their – for the DA - - -

20

MS SMITH: Yes.

DR WILLIAMS: - - - if they want to lodge. So the same report could satisfy both this matter and the – and the two DAs for parking - - -

25

MS SMITH: Yes.

DR WILLIAMS: - - - then would be with you.

MS SMITH: But again, our concern with conditioning is the – if we put a condition on it saying we require a traffic report, and then any measures that can be introduced need to be a follow on condition. We don't know what those measures – they may come back and say, the only resolution is to resolve the car parking through the pre-DA and go through that process. And if that is, then I think we would be saying, well then that needs to be the priority rather than committing the library building, which is going to delay the – resolving an issue which has been around since 2015. So our preference is not that it's conditioned. Is that that information is seen up front, and then hopefully that traffic report will demonstrate that there are measures that they can put in place which would adequately address council's concerns. And - - -

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DR WILLIAMS: Once a deal has come through.

MS SMITH: Yes.

45

DR WILLIAMS: Yes. Yes. Carol?

MS AUSTIN: No. No, I - - -

DR WILLIAMS: Soo-Tee? So - - -

5 MR S. CHEONG: Yes. I noticed that a lot of submissions from the public – they’re actually objecting to our concern about the P Plate parking on the street. Has council – have any – looking at restricting parking on the street to prevent the all-day parking by the so called P Plate student parking?

10 MS SMITH: So I haven’t seen the submissions from the members of the public, but the concern is that P Plate – there’s a concern that P Platers from the school - - -

MR CHEONG: From the school.

15 MS SMITH: - - - are parking in the - - -

MR CHEONG: And they’re causing the traffic problem.

20 MS SMITH: Okay. I might defer – do you know if there’s any proposed orders to change the parking requirements around Scots College?

MR E. ANDARI: Okay. So Emilio Andari, Traffic and Transport Team Leader at council. At this stage, there are no proposals on council’s behalf in relation to undergoing a parking review of that area, in particular in the Bellevue precincts surrounding the school. Yes, there is a significant number of unrestricted parking, but there has been no submissions formally made by the public, and that is the residents, to request a review of the parking situation in relation to potentially introduce maybe a permit parking scheme as such, because these are the types of measures that council can potentially introduce. That’s it.

30 MS SMITH: I think council’s position would be that the – we feel there’s an obligation on the school for them to provide sufficient car parking within those sites or put policies in place that, if they feel that, you know, it’s – if there is an issue in terms of it – because there isn’t any student – or my understanding, there is no student parking provided in the site, having a policy for their students where they have to use public transport or, like, obviously our preference is public transport but, if that’s not possible, being dropped off, and saying that there – there’s a policy simply that their students aren’t to bring vehicles.

40 So there is scope for the school to take responsibility of that. Our opinion would be that that should occur before looking at restrictions which aren’t just going to impact upon the students, so we can’t say just the students can’t park there, but it will impact on people in the surrounding area who may rely on that street car parking as well. So we think that would – our preference would be that it’s managed by the school rather than changes to the parking on street provisions.

45

5 MS AUSTIN: Could I ask on how you see the parking issues in that area? Because we're told that it's really only peak – it's at drop off and pick up time, the rest of the day that there's plenty of on street parking. How do you assess the parking in that area? What are the issues that you see the transport plan should be directed at?

MS SMITH: So yes, that's why we're asking for an up to date traffic survey, is so that we know that.

10 MS AUSTIN: Okay.

15 MS SMITH: The information we're providing you is anecdotal, and so we don't have any up to date – because I'm sure there was evidence that was tabled at the time of the Land and Environment Court appeal but, given that that was four years ago now, we don't have any up to date information. But anecdotally, obviously, our council chambers is very close to the school, and there is pressure for on street car parking.

20 MS AUSTIN: All times of day or just at pick up and drop off time?

25 MR ANDARI: Anecdotally, I would say predominantly the majority of the day. Yes. Particularly along the Victoria Road corridor. As you know – sections within adjacent streets, it may vary, but as you get into the residential streets off Victoria Road. However, Victoria Road anecdotally is highly occupied predominantly throughout the day, no doubt.

30 MS SMITH: I think probably the traffic generation issues would relate to pick up and school drop off times, but yes. The parking would be – especially if, you know, if there's submissions being put forward by the residents, is that you have students and staff as well, because currently there is very limited parking onsite. So it's – we're looking at the – all of the staff that are driving to the site, and any students that are driving to site primarily being located on the surrounding road network.

35 MR CHEONG: So you feel that, if the school have a plan to increase on site or in the school ground parking, it could solve the problem traffic congestion in Victoria - - -

40 MS SMITH: So my understanding is that they have – they're proposing two approach. One, watching the development following the pre-DA, which will put staff – provide for staff car parking, and then a concept plan which – obviously that's a much longer scale process – of providing a further car park on the other side of Victoria Road. So yes, if all the parking requirement for the site is provided onsite, that would obviously resolve council's concerns. But our concern is that that's a very long way off, so we would be looking for them to mitigate the issues as much as possible now, although yes, obviously our hope long term is that the parking provision and student drop off is located onsite to resolve those issues to the surrounding properties. Is there anything you want to - - -

45

MR: No, that's okay.

MR CHEONG: So you will be looking at the school to provide a traffic study to make sure that the onsite parking of, say, 80 parking spaces they are looking at providing would be adequate to resolve the problem on the street.

MS SMITH: See, what we would be asking to do is look at an analysis of the current numbers of teachers and current numbers of students, and then calculate what the required car parking provision is. And then obviously also, if there is – if they do know that, in the future, there's going to be – what their school has indicated to us is there isn't any plans to increase the student numbers, but we would be saying that the – we would want you to look at the student numbers and the staff, but then also potentially – if you know in the future you're going to increase your staffing levels, to – like, look to what the provision should be for that, and then provide that onsite.

15

DR WILLIAMS: Soo Tee, anything else? Okay. Eleanor, those letters from council, I don't think we've got them, but I presume they're on the Department's website, so we can have a look at those. I've - - -

MS SMITH: Do you want me to leave a hard copy?

DR WILLIAMS: That would be very helpful, yes.

MS SMITH: There's a few scribbled notes here.

25

MS AUSTIN:

DR WILLIAMS: Is that okay? Thanks. I will leave these with Olivia, if that's all right. Thanks. Because we were wondering – one of the questions we had was what counsel was doing or, indeed, could do in relation to this whole issue of the breach of the cap from 2005, 2006 consents, and therefore, also practically or reasonably, that we could do as part of our – any that we might give in relation to that issue. I mean, perhaps the most immediate issue for us is to ensure that there's no further increase in student numbers, and hence the traffic and parking impacts from this particular project. But we also, while it's not strictly directly relevant is to import contextual information or situation in relation to the current parking situation, and how to ensure that the current parking can be ameliorated in the face of any future development that might go on the site.

And we did ask the applicant about sequencing of projects to help resolve these issues as well, as so it's interesting that counsel has that same issue as well in terms of how existing problems might be ameliorated through this development process as well. The – so any – that's why the letter is very helpful to see how we might be able to tackle that particular issue. The other issue that you haven't raised, and I don't know if it's – is the whole issue of construction traffic. Have you any thoughts on the management of not just construction vehicles, but also worker vehicles while they're - - -

45

MS SMITH: Can I grab our submissions?

DR WILLIAMS: Yes.

5 MS SMITH: And I will pass them back.

MS AUSTIN: And in that context, we understand that Cranbrook has a big project that is subject to a DA.

10 DR WILLIAMS: DA.

MS AUSTIN: And if the two of them were - - -

15 MS SMITH: State – there’s – Cranbrook has also got a state significant development.

MS AUSTIN: The

20 MS SMITH: Yes. And we wouldn’t have – council wouldn’t have control over – once we – I guess once – because they’re not council. Council is not consent authority for either of the applications but, typically, if council was consent authority, we would issue the consent, and then it would run for five years. So we wouldn’t then have any control over how it’s managed. In terms of – but what we – so on both submissions, there’s included conditions 20 and 21, which is a construction management plan and a works construction zone.

30 So that would require a construction management plan to be submitted to council’s traffic engineer, and then a works construction zone if it’s felt that it’s – so it’s – there’s a requirement – so we would – once we knew the timing of the development, and then obviously the construction management plan if the two were occurring at the same time, I guess the construction management plan would take – so the concern is, if the Cranbrook Road development gets approved a state significant development and the subject application gets approved, the impact of the two constructing at the same time, given that they’re in close proximity, is that something

35 that could be considered a construction

MR ANDARI: That would be – yes. Look, I take it that would be considered at the construction phase.

40 MS SMITH: I guess it would – I guess one way is to ensure that happens to a greater degree is to amend the construction management plan condition to put a specific requirement to say it was part of the construction management plan, and analysis should be – or research should be carried out to see the timing of, like, large projects within the area, specifically the Cranbrook school. And if it is occurring in

45 the same period, or if there’s any crossover, then specific measures should be put in place in the CMP to allow for that.

DR WILLIAMS: Yes.

5 MS SMITH: But I guess that's – that would be – it's like another – it would put more – again, more emphasis on why we feel that, if there is an opportunity to put measures in place up front, to get that traffic report before the library development is determined - - -

DR WILLIAMS: Yes.

10 MS SMITH: - - - because on top of – we already know there's existing situations when you put construction vehicle movements in on top of that. Having the traffic report done now gives a greater degree of certainty - - -

DR WILLIAMS: Yes.

15 MS SMITH: - - - in terms of, like, what the issues are, and then that would provide council with more information when we look at the CMP - - -

DR WILLIAMS: Yes.

20 MS SMITH: - - - to make an assessment of what's – otherwise it's a bit of an unknown.

25 DR WILLIAMS: Yes. So a condition would have to have something like, “this report to be prepared prior to issue of construction certificate” or something like that, or - - -

30 MS SMITH: Well, what we would be really asking for is for the applicant to prepare the report now for it to be provided to council before any determination, so that we can review it and look at whether it – whether it is going to be workable in terms of the existing situations, and we would be asking that the – which is what we were asked for in the October submission and the January submission – is for the traffic report to be provided before a determination rather than as the condition of – rather than as a – rather than as a condition of consent.

35 DR WILLIAMS: Okay. So the issue also of construction workforce parking on site, off site, around the streets – has council got a view on that?

40 MR ANDARI: In relation to the Stevenson Library Building?

DR WILLIAMS: Yes, yes, yes.

45 MS SMITH: Our preference is always for it to be on site, but I think I'm – I understand that the applicant would likely have concerns that they're going to be managing the site with a school on. So, again, it would be something that – that would be dealt with in the construction management plan, I'm assuming.

DR WILLIAMS: Okay.

MR ANDARI: Correct.

5 DR WILLIAMS: Yes.

MS SMITH: But, yes, council's preference is definitely for it to be stored on site.

10 DR WILLIAMS: Okay.

MS SMITH: But we understand that it's going to be a working school at the same time.

15 DR WILLIAMS: Yes. Okay.

MR CHEONG: Can I just clarify what you're asking for is actually a consent subject to the construction management plan being satisfactory.

20 MS SMITH: We – well, I guess, really, what we're asking is for the determination to be deferred until we've seen a traffic – until we see a traffic management plan that enables to assess what the – how the current school is operating and identifies what measures could be put in place to resolve or partially resolve the issues that were identified by the commissioner in the Land and Environment Court, and then if that occurs then a construction management plan to be conditioned with regard to the
25 Cranbrook School development, if consent is granted for that.

30 But, yes, at this stage we would be really saying that we feel that that is really – given that we know there's an existing issue – it's not – that's not anecdotal. There is an existing issue on the site and evidence was provided to the court on the basis – and the school has taken an – made an undertaking to try and resolve that issue. We would be saying that we would like that upfront, given that the situation potentially could get worse with the – with the construction works.

35 DR WILLIAMS: I think still all the changes to the Act, but talking – would you be talking about a deferred commencement consent?

MS SMITH: The difficulty with a deferred commencement consent is that you need – you can't defer something which – a matter for consideration.

40 DR WILLIAMS: It's fundamental.

45 MS SMITH: So if you're – if you're – if we're confident that there's things that they could put in – so, for example, if they said this, "We can do X, Y and Z," then we can do it as a deferred commencement condition, but what we're saying is without the traffic report we don't – it – there still is another – there's still a level of assessment there which we have - - -

DR WILLIAMS: Needs to be done, yes.

MS SMITH: Yes.

5 DR WILLIAMS: Yes. Okay. That's clarifying that. Yes. Okay. Any questions on the whole traffic/student number?

MS AUSTIN: Yes. This is – this is a big issue. So you said you would like the traffic report provided before we made a determination. The traffic report could
10 guide the conditions that would be put in place in – during the development. So if they go ahead with the development of the library before the development of the permanent traffic solutions, we're still coming – the outcome is still conditioning the determination to manage traffic in the short run. So you – or are you saying that the traffic report could lead to a situation where you would require the additional parking
15 and the drop-off completed before the library?

MS SMITH: So I guess that's what we were asking the applicant to look at, to get a traffic report, to provide information on what's the current situation and what could
20 be done to improve that, and that might be a wide range of solutions, like some things that they can do straightaway like stopping students from driving to – like, putting a policy in place that students no longer drive to school. So that's something that can be done immediately. We understand that that is not going to resolve the issue and, ultimately, there needs to be a DA to provide parking onsite.

25 Depending on what the report says, that would guide us in terms of, like, the – it may be that it's sufficient to put measures in place straightaway, and then, like, ultimately there isn't a requirement to bring the – if they can put measures in place that adequately address the issues during the construction phase, then it's acceptable for the development application to occur at a later stage, but we can't make that decision
30 because we have no information on the current situation. So that's why we think it's really important to get that traffic report upfront to see what the situation is and what can be done in terms of managing it.

MS AUSTIN: I just want to be clear of this. There's two issues. There's the traffic
35 congestion during the construction phase which is inevitable – it comes with any development – but there is existing - - -

MS SMITH: Yes.

40 MS AUSTIN: - - - traffic management. The traffic plan will identify as the base level of traffic congestion and can lead to suggested management of traffic during the construction phase. Are you also looking for permanent changes to the traffic management plan that would extend beyond the construction phase?

45 MS SMITH: Ideally, yes. Because there's an – there's two existing issues: (1) insufficient car parking; (2) the unsatisfactory – dangerous things occurring during the drop off and pick up.

MS AUSTIN: Exactly.

MS SMITH: So what we would be saying is the report should look at it and the report should identify, like, what can be done immediately to help address the issue,
5 and then also long-term solution for the proposal. So in terms of how long would those measures be in place for, it would depend on what – so it may be that students, say, are not allowed to drive to school, but then as soon as you’ve constructed the car parking situation - - -

10 MS AUSTIN: Yes.

MS SMITH: And that’s not the immediate car park because that’s just purely for staff, but the next stage, well, then obviously at that stage you can remove that policy, so - - -

15

MS AUSTIN: Okay. Yes. Okay. I understand that.

DR WILLIAMS: Carol, Soo Tee. Just one question in relation to the section 107.12 – sorry – contribution, any council thoughts on that contribution and the timing of when the contribution is paid?
20

MS SMITH: So, typically – and I’m just trying to find the – thank you.

MR CHEONG: I think it’s your page 7.
25

MS SMITH: Thank you. So typically we ask for it to be paid prior to the construction certificate, and that’s standard practice to ensure that we have the money upfront, and so we would be saying that the same should occur in terms of
- - -

30

DR WILLIAMS: Yes. I think the department has recommended prior to commence of works which would be later. Won’t commence works until after you got your CC.

MS SMITH: Yes.

35

DR WILLIAMS: Yes.

MS SMITH: Our preference would be that it’s consistent with all other development consents in the area - - -

40

DR WILLIAMS:

MS SMITH: - - - which is prior to the CC.

45 DR WILLIAMS: That’s fine.

MR CHEONG: page 2

MS SMITH: Yes.

MR CHEONG: section 7.11

5 DR WILLIAMS: They've mentioned 7.12 on the old section 94A.

MS SMITH: Yes.

DR WILLIAMS: That's the best way to remember it.

10 MR CHEONG: There's another one which is still section 94.

DR WILLIAMS: Yes. Yes. But it's a section 94A – it's still called section 94A contributions plan is the actual title. Okay. But that was just the issue of just timing.

15 It was either commencement of works, CC or occupation certificate - - -

MS SMITH: Yes.

DR WILLIAMS: - - - which was, I think, the applicant's preference, but that's quite well down the track. Okay. I think that's all from me. Have you got anything else, Carol?

20 MS AUSTIN: That was very helpful.

25 DR WILLIAMS: Soo-Tee.

MR CHEONG: That's all.

DR WILLIAMS: Olivia.

30 MS O. HIRST: No.

MS SMITH: Can I just ask a question about the department's assessment report?

35 MS AUSTIN: Yes.

MS SMITH: Is that provided? Like, I haven't sighted that. Is that provided?

MS AUSTIN: That's on the website.

40 MS SMITH: It is on the website?

MS AUSTIN: Yes. Yes. Yes.

45 MS SMITH: Okay.

MS AUSTIN: Yes. So – which is – gosh.

MS HIRST: Major projects website.

MS SMITH: Can I just ask what the – I've seen that that's – includes a recommendation.

5 MS HIRST: Yes.

MS SMITH: Can I ask just what the – what the recommendation currently is. Is it to conditionally approve?

10 MS HIRST: Yes.

DR WILLIAMS: And it has also got draft conditions of consent, as well.

15 MS HIRST: Yes.

MS SMITH: Okay.

DR WILLIAMS: So that actually isn't on our website, is it access that through

20 - - -

MS HIRST: There's a link to it on our website - - -

DR WILLIAMS: Website – yes.

25 MS HIRST: - - - which will send you to - - -

DR WILLIAMS: Yes. So you can either get onto our - - -

30 MS SMITH: Yes.

DR WILLIAMS: Rather than try and search for it on the department's website, you just go straight to our website. There is a link at the top.

35 MS HIRST: Yes.

DR WILLIAMS: That will take you straight to this – to this document.

MS SMITH: Yes. Okay.

40 DR WILLIAMS: So – but, obviously, that would help if you could - - -

MS AUSTIN: Yes.

45 DR WILLIAMS: Might help you, as well, to - - -

MS SMITH: Would we have an opportunity to respond to it?

- DR WILLIAMS: Can we provide a written submission?
- MS HIRST: A written submission is my understanding, following the – or at the –
at the public meeting.
- 5 DR WILLIAMS: We have – yes, have the public meeting Monday week, I think it
is – or it's the 17th.
- MR CHEONG: 26th, I think.
- 10 DR WILLIAMS: 17th?
- MR CHEONG: Twenty – 17 or twenty - - -
- 15 DR WILLIAMS: It's the 17th.
- MS AUSTIN: So we have discussed the submission. If you say that you would like
to make a written submission in response - - -
- 20 DR WILLIAMS: Yes.
- MS AUSTIN: You would like to follow up with a written submission in terms of
your assessment of the department's assessment. We can accept that.
- 25 DR WILLIAMS: Yes. Normally, what we do is allow, I think, seven days after or a
week after the public hearing the day of the public hearing.
- MS SMITH: Okay.
- 30 DR WILLIAMS: So I think that date - - -
- MS SMITH: So public hearing is on 17 June.
- DR WILLIAMS: I think it's Monday, the 17th.
- 35 MS AUSTIN: Yes.
- MR CHEONG: 17th. Yes.
- 40 MS SMITH: Yes.
- DR WILLIAMS: So you could get something to us by the following Monday.
Would that be all right, Olivia?
- 45 MS HIRST: Yes. That's the procedure. So up till about seven days after, we accept
written submissions and they will carry the same weight as a submission made at the
public meetings.

MS SMITH: Okay.

DR WILLIAMS: And, obviously, any submissions you make then would carry the same weight as other submissions you've made to the department.

5 MS HIRST: Yes.

MS SMITH: Yes.

10 MS HIRST: Yes.

DR WILLIAMS: It's part of their assessment report, so - - -

MS SMITH: Fantastic.

15 DR WILLIAMS: So that would be helpful, I guess, from your point of view, to be able to have a look at that and respond to it.

MS SMITH: I think particularly just looking at the – any - - -

20 MS AUSTIN: Well, that's - - -

MS SMITH: - - - proposed conditions - - -

25 DR WILLIAMS: Yes.

MS SMITH: - - - in a bit more – because we've obviously put forward our conditions, but it would be good to look at those in detail.

30 DR WILLIAMS: Yes. No, we would welcome

MS SMITH: Okay.

MS AUSTIN: Absolutely, yes.

35 DR WILLIAMS: Yes. So is there any queries or questions that you might have?

MS SMITH: I think that's - - -

40 DR WILLIAMS: That's about it. Okay.

MS SMITH: Yes.

DR WILLIAMS: Okay. Well, thanks.

45 MS SMITH: Just - - -

DR WILLIAMS: Yes.

MS SMITH: Just for – just for us preparing that submission, can I just ask what the applicant’s advice was in relation to staging the development. Did they give a
5 timeframe for – in their comments – for what the – like, a date for lodging the development application and a date for carrying out the construction works for the
- - -

DR WILLIAMS: For this particular - - -
10

MS SMITH: For the - - -

DR WILLIAMS: No, for your project.

MS SMITH: For the parking and drop-off.
15

DR WILLIAMS: No. All they say – that – in this report is that – but you can – you can check it. I think, from memory, they just said that they’ve had the meeting with the council and it’s at – it’s at that stage.
20

MS SMITH: Okay.

DR WILLIAMS: Yes.

MS SMITH: But I mean in terms of – I’m assuming the applicant is given the same opportunity to address the panel.
25

MS AUSTIN: Yes.

DR WILLIAMS: Well, they – they’re - - -
30

MS AUSTIN: They’ve just done.

MS SMITH: Okay.
35

DR WILLIAMS: They’ve met with us just then.

MS SMITH: But that – but that wasn’t an issue that came up as part of the - - -

DR WILLIAMS: No. We did ask – Carol, in particular, asked them about the sequencing of all these projects.
40

MS SMITH: Yes.

DR WILLIAMS: And so that’s an issue we’re aware of, and just how we might manage that is an issue.
45

MS SMITH: But they haven't provided timeframes.

DR WILLIAMS: No.

5 MS AUSTIN: Well, they said there was the DA for the underground car parking. That could – that's uncertain, but they did indicate that they felt the drop-off area was – involved minimal actual construction work and, potentially, that could be brought into effect with a much shorter timeframe - - -

10 MS SMITH: Okay.

DR WILLIAMS: Yes.

MS AUSTIN: - - - than the undercover parking.

15

MS SMITH: Yes. Okay.

DR WILLIAMS: But that – the meeting as – this meeting will – is on – will be transcribed.

20

MS SMITH: So we can have a look at that.

MS AUSTIN: Yes.

25 MS SMITH: Perfect. Okay.

DR WILLIAMS: So you can actually have a look at the transcript to see – to read what undertakings or - - -

30 MS SMITH: Yes.

DR WILLIAMS: - - - responses the applicant gave - - -

MS AUSTIN: Yes.

35

DR WILLIAMS: - - - in relation to the questions about the DA for the – for the 80-space underground car park and the DA for the drop-off and pick-up area as well.

MS SMITH: Okay. When will that be made public, roughly?

40

DR WILLIAMS: The - - -

MS AUSTIN: When will the transcripts be - - -

45 MS HIRST: Within – it will be within a few days, usually. So it will be sent to us probably – it's usually the next day, and then within a few days you should expect to see it.

MS SMITH: Okay.

MS HIRST: So, probably, by the end of the week it will be there.

5 MS SMITH: Perfect.

DR WILLIAMS: Yes. They're normally finished the next day.

MS HIRST: Yes.

10 DR WILLIAMS: And just do a quick check in here to make sure there's no howlers in the – in the transcript.

MS SMITH: Yes.

15 DR WILLIAMS: And then it goes straight up on our website, so - - -

MS SMITH: All right.

20 MR ANDARI: Yes. Okay.

DR WILLIAMS: But, yes, it's just something we're grappling with, as well, the timing of – we've got this project. We've got your two pre-DAs and there's also this master plan concept SSD that's evidently in - - -

25 MS SMITH: Like, a longer-term goal.

DR WILLIAMS: Yes.

30 MS SMITH: Yes.

DR WILLIAMS: So there's – and other work, so there's a lot of balls being juggled.

35 MS SMITH: Yes.

DR WILLIAMS: And it's just trying to make some sense in terms of some sort of logical process for - - -

40 MS SMITH: Yes, and we understand the school has also got constraints on them - - -

DR WILLIAMS: Yes.

45 MS SMITH: - - - in terms of, like, how best to time it for, like, maintaining, like, service to their students. So we do understand that.

DR WILLIAMS: Yes. Okay.

MS AUSTIN: Excellent.

5 DR WILLIAMS: No further questions? Well, look, I will close the meeting there. Thank you very much and thank you very much for attending today. Thank you.

MS SMITH: Okay. Thank you very much.

10 MR ANDARI: Thank you.

MS SMITH: Cheers. You too.

15 **RECORDING CONCLUDED**

[12.21 pm]