

Comments for IPC on Submissions re Stevenson Library, The Scots College

(From Robert Cann, [REDACTED])

Please note: These comments are in no special order.

RESPONSE TO SUBMISSIONS

4/12/2018

Prepared by BBC Consulting Planners for The Scots College [Response to Submissions Report Final](#)

There are some responses that are not referred to in this document. The most relevant one (re student and staff numbers, traffic, and parking) is the 29-page response from Concerned Scots Neighbours Incorporated ([CSN Submission](#)). It was prepared by Daintry Associates and is absolutely outstanding, thanks to the time spent on scrutiny of many documents by Brett Daintry, his detailed analyses of them, and his presentation of it ... 11/10!

The Department of Planning and Environment's website lists all the Submissions and shows that there were 61 of them. They are Public (52), Organisation (2), and Public Authority (7).

This is the DPE's website link ... <https://www.planningportal.nsw.gov.au/major-projects/project/9891>.

Page 22 of this RESPONSE TO SUBMISSIONS shows that only 58 submissions were responded to, and these were qualified as being the ones during the "public exhibition period", which was between September 2018 and 3 October 2018. The CSN Submission is dated 2 October 2018 and is one of the two in Organisation. My personal Submission is dated 3 October 2018 and is one of the 52 Public ones. Neither were responded to and it could not be that Scots would not have known of their existence. This is because the confirmation letter I received on 3 October has the following wording (the highlighting is mine):

Thank you for your submission.

The Department will consider all issues raised in submissions as part of the assessment of the proposal. **Your submission will also be provided to the applicant for their consideration.**

If you would like to track the status of the proposal, please go to <http://www.majorprojects.planning.nsw.gov.au>.

It is the Department's standard **practice to publish all submissions on development applications on its website**. This includes full publication of any personal information you have included in your submission unless you have requested otherwise.

Note: It is a possibility that Scots had read the Submissions but didn't inform BBC Consulting Planners of them.

Here is the wording on page 22:

4. CONCLUSION

This "Response to Submissions" report has been prepared on behalf of the Proponent in relation to SSD 8922 which was placed on public exhibition between 6 September 2018 and 3 October 2018, resulting in 6 submissions from government agencies, a submission from Woollahra Municipal Council, and 51 public submissions.

The Proponent and its consultants have considered and responded to the submissions received in response to the public exhibition period and to the Department's request for additional information, as contained in the letter to the Applicant in **Appendix 1**.

Based on the assessment of the proposal in the EIS, the amendments which have been made to the submitted scheme, the considered response to submissions in this report, and to the additional information which has been provided, it can reasonably be concluded that the development proposed in SSD 8922 is of a type and form which has merit, is appropriate and acceptable, and thus which should be approved.

I doubt that the IPC has the authority to request The Scots College to respond to the CSN Inc. submission prior your making your final decision for its DA, but if you do, please use it. And if Scots don't comply, then request THE PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST, its 'owner'.

ENVIRONMENTAL IMPACT STATEMENT STATE SIGNIFICANT DEVELOPMENT

DEPARTMENT OF PLANNING AND ENVIRONMENT REFERENCE: SSD 8922

[Environmental Impact Statement](#)

Prepared by BBC Consulting Planners

18 July 2018

Page 91

24.3.5 Traffic, Parking and Access Impacts

There are no changes proposed to the existing access arrangements for the College, and **the number of on-site and on-street parking spaces will remain unchanged.**

Since then, the requirement for more onsite parking spaces has since arisen.

The proposal **will not** result in an increase in student or staff numbers and thus **will not** generate any additional traffic or parking demand.

That's what Scots had obviously advised BBC Consulting Planners then. However, "will not result" and "will not generate" do not take into consideration the necessity for more onsite parking for several reasons, including taking advantage of the extra space in the new Library

"Wider **community users** including summers schools & **external bookings for events & conferences**".

A parking and traffic assessment is provided in **Appendix 14**. It is a separate document and is the next one.

Appendix 14 - Parking & traffic assessment

25/6/2018

[Appendix 14 Parking and Traffic Assessment](#)

Created by ptc. (Name changed in August 2017 from "Parking & Traffic Consultants".)

Page 21

5. Traffic and Parking Assessment

The proposed development **will not result in any increase in the staff of student numbers**, or any changes to the existing access, traffic, transport or parking arrangements currently in place at the college and therefore **no traffic or parking impacts will arise as a consequence of this development**, other than during construction. The construction traffic management is addressed in Section 6.

(NOTE: "staff of (sic) students" should have been "staff or students").

I have not seen any rebuttal of that statement by The Scots College (Scots) or any of the relevant people or businesses it has engaged for this major project. However, all the relevant parties have seen very many quotes or statements in all the documents submitted by Scots and the people they engaged, indicating their 'preference' for more students and more staff. The wording in so many of those documents can delude readers to accept that there will not be any increase, which is misleading! For example, read the following two statements, which are on the last page of this very document!

Page 32

7. Conclusion

The project **does not propose any increase** in the staff or student population, or changes to the existing traffic, transport or parking arrangements currently in place at the college.

The highlighted words speak for themselves. They, and similar ones, have been exploited by Scots over many years with the result that almost invariably, there have been many increases!

Therefore the proposed development will have no effect on the external road network **within the vicinity of the site.**

*The definition of vicinity is "A surrounding area or district : NEIGHBOURHOOD", and as Kambala Road is part of "the external road network" the wording should have been (and should now be) "Therefore, **providing there is no increase in the staff or student population**, the proposed development*

Woollahra Municipal Council's 24-page letter sent to NSW Department of Planning & Environment, for attention of Mr. Andrew Beattie and Scott Hay.

[Council Response to RtS](#) 18/1/2019

Page 1

The short notification period of nineteen (19) days has not enabled this matter to be reported to and considered by the elected Council.

Woollahra Council **staff** have reviewed the RtS report and are **generally** supportive of the proposal.

I was very surprised to read this, and included it in case the three IPC Commissioners were not aware that the Woollahra Council **staff** had not only reviewed the Response to Submissions report from the Applicant, but also had the authority to grant an approval and to make decisions on what recommendations to make!

Letter from Independent Planning Commission to Department of Planning and Environment

[SSD 8922 Request for Info DPE](#)

4/6/2019

Opening page

Conditions

The Council has expressed concern in its submission to the Department in relation to future potential breaches of the cap on student numbers. In reference to its consideration of the public interest, the Commission would like to understand whether the Department had considered any relevant conditions to manage this.

The outcome of student numbers and staff numbers is crucial to residents who live close to The Scots College (Scots) and is very important to Kambala Road residents as well. Any increase can only exacerbate the status quo regarding traffic and parking, and without ample onsite parking and appropriate onsite drop-off and pick-up areas, a very large percentage of those residents hope there will be no increase.

However, I am aware that there are always two sides to every story. If Scots can present a very strong reason for any increase, even a small one, that the relevant authority would like to approve, it should only be granted if the above-mentioned parking and drop-off and pick-up areas have been satisfactorily completed beforehand. Obviously, the capacities and locations of them would have to satisfy the relevant authorities and residents. That said, should any increase/s be sought, it goes without saying (but I'll say it ☺) that any approval should be accompanied with very strong and clearly worded conditions.

Independent Planning Commission's report on Department of Planning and Environment's assessment of the SSD-8922 re the Stevenson Library building

[SSD 8922 Report](#) April 2019 54 pages

Page iv:

Last sentence in the 4th paragraph

The **key issues** raised in the submissions include student numbers, traffic and parking impacts and built form.

"The key issues" of student numbers, traffic and parking are exactly what Kambala Road residents have been wanting to be managed so as to relieve them of the many problems that now exist.

5th paragraph

The Department has considered the traffic impacts associated with the proposed development and concludes that the construction and operational traffic and parking issues arising from the library redevelopment **can be adequately mitigated or managed**. The Department notes the Applicant has engaged with Council to address existing traffic and parking issues **through two separate Development Applications** (DAs) for new car parking and drop-off/pick-up facilities. These future DAs would be assessed by Council.

“adequately mitigated or managed” sounds good, but it would be very much appreciated by members of CSN Inc. (and others) if some specific requirements be included in a condition of any Consent granted for the future DAs.

7th paragraph

The Department considers that the proposed development would have no impact on student numbers and notes that **no increase** in staff or student numbers is proposed.

Where have I read that before?!

Page 14

5.3 Public authority submissions

Council is generally supportive of the proposal and provided the following comments:

- Consideration to be given to the potential for student and staff numbers to increase as a result of the increased space.

Wow! How generous of “Council”. I am unsure whether this submission was from Woollahra Council or Council staff, but regardless, such a consideration should be qualified with appropriate wording. There must be many ways of doing this, but here’s one that could start the ball rolling

Any increase in student numbers is not permitted unless an approval is granted in response to an application that can justify the need for the increase and demonstrate how the increase will not have a negative effect on the local community, especially regarding traffic and parking.

REQUEST FOR SECRETARY’S ENVIRONMENTAL ASSESSMENT REQUIREMENTS from BBC Consulting Planners - November 2017 [Scoping Report](#)

Page 4

1.7 Separate Concept SSD DA

The Concept DA will be likely to seek approval for works including:-

The SSD DA for the Stevenson Library building has been separated from the Concept DA because of the College’s funding, timing and delivery imperatives and because **it seeks no increase** in the cap on pupil numbers at the College.

“it seeks no increase” doesn’t mean Scots could easily change its mind and just do it, even without approval, as it has consistently done for two decades!

Page 18

7.7 Traffic Impacts

Other than during construction, the proposed alterations and additions to the Stevenson Library building **will not result in any increased traffic generation or car parking demand because no increase in the pupil capacity of the College is proposed or sought** and no new activities not already carried out at the College will be accommodated in the finished building.

That was in November 2017. Scots apparently didn’t know then, what the final usage of the renovated Stevenson Library building would be (or did it)?!

Page 2 of 5

Furthermore, funding raised by the generosity of donors for the Stevenson Library has largely been **provided on the condition that works commence as soon as possible**. Key donors have expressed that timing is conditionally linked to funding. Additionally, donations have been provided specifically for this project, which separates the Stevenson Library from the TSC Masterplan, which is staged over time as funding is raised.

The timing of when funds are raised is up to The Scots College to do what needs to be done.

The renovation of the Stevenson Library shall have minimal implications to the function of the College, and shall also have **no implication** for **student** enrolment numbers.

Are readers expected to assume that “no implication” implies “no increase”? I hope not! By not stating “student and staff enrolment numbers”, this implies that there could be an increase in staff!

Page 3 of 5 (the last paragraph)

A developed strategy for bus movements, drop-off and car parking has been incorporated within the masterplan to **minimise** the impact on neighbourhood amenity. Access to, and within, the College both pedestrian and vehicular to facilitate all related activities has been given consideration within the masterplan.

It would be beneficial to decision makers if “minimise” could be elaborated on.

DESIGN REPORT eSEPP Design Quality Principles from JCA Architects Pty Ltd - June 2018**Page 32 of 71**

The primary users of the facility will be Senior School students, other groups include:

Prep 5 & 6 boys who will access the facility on occasion.

Teaching staff, integrators & Library staff

Support staff: pastoral, learning support, counselling & chaplaincy

Parents

Alumni

Researchers

Wider **community users** including summers schools & **external bookings for events & conferences**.

This is an outstanding Design Report by JCA Architects! However, the highlighted wording indicates that there may be more than a potential increase in staff and specific people. For example, “community users” would include parents; guests at parties; discussion groups; sporting groups; exhibitions; and more! Events and conferences will have many delegates; management and other personnel from organisations; catering staff for preparing and serving food and drinks; audio/visual personnel; etc., etc. AND ... if these are held in school hours, the extra arrival and departure traffic would worsen the status co of the current traffic and parking situation in the vicinity (which includes our Kambala Road). PLUS ... there would be the need for more onsite parking for the anticipated extra arrivals, and I recommend that The Scots College must allow for this before any Consent is approved. I hope you agree!

Draft Development Consent from the Department of Planning and Environment

SSD 8922 Development Consent DRAFT 2019

Please note: The pages are not numbered, and the document is not dated (except for 2019 on the first page).

4th page

Terms of Consent

- A2. The development may only be carried out:
(a) in compliance with the conditions of this consent;

8th page

Compliance

Student Numbers

- A26. This consent does not approve any increase in student numbers.

A26 doesn't read as a "condition" and will need to be reworded. The wording is bland and negative and, as is, Scots could still increase student numbers, as they have in the last two decades, and Woollahra Council will just accept that situation, as they have in the last two decades. Details are provided in the Concerned Scots Neighbours Incorporated submission dated 2/10/2018 ([CSN Submission](#)). Scots stands to earn a substantial amount of money if there is an increase in students, but the local community suffers from the extra traffic and parking.

If an increase is sought, a strongly worded condition is needed. Here's what I suggested for the same need, on page 4 ...

Any increase in student numbers is not permitted unless an approval is granted in response to an application that can justify the need for the increase and demonstrate how the increase will not have a negative effect on the local community, especially regarding traffic and parking.