

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Independent Planning Commission, under delegation issued on 14 June 2022, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Karen Harragon
Director
Social and Infrastructure Assessments

Sydney

23 September 2022

SCHEDULE 1

Development consent:	SSD-10371 granted by the Independent Planning Commission on 24 September 2021
For the following:	Alterations and additions to Trinity Grammar School in construction stages and changes to staff and student numbers comprising: <ul style="list-style-type: none">• demolition of existing buildings including New School building, dwelling houses at 119 Prospect Road and 50 and 52 Seaview Street and part demolition of Music Building and Assembly Hall;• Construction of a:<ul style="list-style-type: none">○ new building with a basement known as the T&L Building;○ new Multi-Purpose Pavilion; and○ new Maintenance Building on Seaview Street;• alterations and additions to existing buildings to create a Performing Art Building;• refurbishment of the Music Building, New Founders Building, the Assembly Hall and North Quad Building;• extension and reconfiguration of the Jubilee carpark and the staff carpark to increase the car parking spaces from 312 to 324 and a new underground connection;• associated landscaping, removal of 29 trees, road and public domain works, ancillary signage;• staged increase in student numbers from 1,500 to 2,100 and increase in FTE staff from 277 to 321.
Applicant:	The Council of Trinity Grammar School
Consent Authority:	Independent Planning Commission

The Land: 119 Prospect Road and 50-52 Seaview Street, Summer Hill
(Lot 11 DP 1171965, Lot 5 DP 15765 and Lot 6 DP 15765)

Modification: **SSD-10371-Mod-1:** Regularisation of student numbers to allow for 1655 students within the campus instead of 1500 students, prior to completion of the carpark by proposing interim traffic management measures.

SCHEDULE 2

The consent (SSD-10371) is modified as follows:

1. Schedule 2 – Part B – Administrative Conditions – Condition B2 is amended by the deletion of the ~~struck-out~~ words/numbers and adding the words/numbers in **bold and underline** as follows:

Terms of Consent

B2. The development may only be carried out:

- (c) generally in accordance with the EIS, Response to Submissions, Supplementary Response to Submissions, SSD-10371-Mod-2, and SSD-10371-Mod-3 **and SSD-10371-Mod-1;**

2. Schedule 2 – Part B – Administrative Conditions – Condition B6a, B6b, B6c, B6d, B6e, B6f, B6g and B6h are inserted and Conditions B6 and B7 are amended by the deletion of the ~~struck-out~~ words/numbers and adding the words/numbers in **bold and underline** as follows:

Student Numbers

B6. This development consent does not permit an increase in student **numbers beyond 1655** and full time equivalent (FTE) staff numbers **beyond 277** in attendance at any one time at Trinity Grammar School - Summer Hill campus (the site as identified in **Schedule 1**) until evidence of the following is provided to the satisfaction of the Planning Secretary:

- (a) the results of an independent audit, as described in condition B7;
- (b) the Jubilee carpark and drop-off / pick-up facilities have been completed;
- (c) all relevant approvals have been obtained in accordance with the plans approved by condition B2 and the conditions of this development consent; and
- (d) all required external roadworks and public domain works detailed in the approved Supplementary Traffic Impact Assessment have been undertaken to the satisfaction of the appropriate roads authority as per conditions C14, F11 and F12.

B6a. **The Applicant must prepare an interim Operational Transport and Access Management Plan (interim OTAMP) which:**

- (a) **include the mitigation measures outlined in the *Report Reviewing Appropriate Interim Traffic Measures* prepared by Colston Budd Rogers & Kafes dated January 2022 and supporting supplementary reports dated 11 April 2022, 10 June 2022 and 11 July 2022;**
- (b) **be consistent with the mitigation measures outlined in the *Traffic Management Plan for Student Set-Down and Pick-Up at Trinity Grammar School* submitted within the *Response to further matters raised by DPE and Public submissions* prepared by Colston Budd Rogers & Kafes report dated 10 June 2022; and**
- (c) **detail the following mitigation measures, including (but not limited to):**
 - (i) **provision of the temporary drop-off zone along Old Canterbury Road, with appropriate signage and operational details;**

- (ii) signage indicating 'No right turn' exiting out of Jubilee carpark between 8am – 9am and 2:30pm – 5:30pm;
- (iii) line marking indicating 'left-turn only' on the exit lane out of the Jubilee carpark;
- (iv) employment of a traffic marshal during morning drop-off and afternoon pick-up periods directing traffic exiting from the Jubilee carpark;
- (v) the staggering and separation of start and finish times for students;
- (vi) measures (such as traffic control measures and/or marshals) to ensure that the 'No right turn' from the Jubilee carpark exit does not cause significant queuing at the nearby intersections within 200 metres (m) of the car park exit; and
- (vii) measures to increase the percentage of students using the school operated bus service.

B6b. The interim OTAMP must be prepared and submitted to the satisfaction of the Planning Secretary within two months of the issue of SSD-10371-Mod-1.

B6c. The Applicant must implement all mitigation measures proposed in the interim OTAMP within two months of the Planning Secretary's approval of the interim OTAMP, or within another timeframe agreed by the Planning Secretary. The mitigation measures must include (but not be limited to);

- (a) the temporary drop-off zone on old Canterbury Road including installing the required signage (if approved by the relevant roads authority);

Note: All necessary approvals required to install appropriate signage on the drop-off zone on Old Canterbury Road must be obtained from the relevant roads authority (TfNSW or Council) under section 138 of the Roads Act 1993.

- (b) the 'No Right Turn' at the Jubilee car park driveway;
- (c) the employment of the traffic marshal at the Jubilee car park driveway and within the car park; and
- (d) the drop-off/pick-up staggering within the Jubilee car park.

B6d. Within two weeks of implementation of the interim OTAMP as required by condition B6c, the Applicant must inform the Planning Secretary that the interim OTAMP is being implemented in accordance with the conditions of the development consent and the required mitigation measures have been undertaken.

B6e. A suitably qualified independent traffic consultant, as agreed to by the Planning Secretary, must;

- (a) monitor the operations of the Jubilee car park/driveway and the temporary drop-off zone on Old Canterbury Road at twice weekly intervals during the school AM and PM peaks on school days, for a period of two months from the date of implementation of the interim OTAMP (not including school holidays);
- (b) record the monitoring data based on the monitoring required by condition B6e(a) and prepare and submit the monitoring report within two months of the monitoring being completed (i.e a maximum of 4 months of the approval of the interim OTAMP, unless otherwise agreed with the Planning Secretary);
- (c) include the following evidence in their monitoring report:

- (i) confirmation that traffic measures have been satisfactorily implemented in accordance with the interim OTAMP;
- (ii) observations of the Old Canterbury Road drop-off zone operations at peak school hours on school days to demonstrate that the zone operates satisfactorily without hindering the through traffic on the road and ensures safe student movement from the drop-off zone to the site;
- (iii) observations of queuing lengths on Victoria Street due to traffic entering and leaving the Jubilee car park, to demonstrate that the 'No right Turn' on Jubilee car park does not result in significant queue lengths on the surrounding streets and ensures safe student movements;
- (iv) observations around the Jubilee car park to determine safe movements of students around the site; and
- (v) observations at the intersection of Harland Street/Queen Street to demonstrate that the 'No right turn' does not cause significant queuing at this intersection.

B6f. The Applicant must ensure that:

- (a) a complaints register has been maintained to log complaints from the surrounding residents regarding the drop-off and pick-up operations in the interim stage with 1655 student enrolments at the school;
- (b) the monitoring report required by B6e(c) is publicly available on the school website within two weeks of being provided to the school and at all times until the completion of the works approved under SSD-10371;
- (c) the additional measures in the interim OTAMP are improved and implemented based on the results of the monitoring report and the complaints register; and
- (d) the monitoring report required at condition B6e(c) is provided to Council or to the Planning Secretary upon request.

B6g. A maximum of 1655 students and 277 staff is permitted on the site following the approval of the interim OTAMP and delivery of all the proposed traffic mitigation measures under SSD-10371-Mod-1.

B6h. The maximum student numbers must be limited to 1655 and the maximum full-time equivalent staff must be limited to 277 until conditions B6 and B7 are satisfied and the final OTAMP is delivered.

B7. Prior to each staged increase in student and staff numbers (**from the base number of 1655 students and 277 FTE staff**) as described in the Staging Report in condition B12, the Applicant must submit to the satisfaction of the Planning Secretary the results of an independent audit to verify the performance of the Jubilee car park and the drop-off/pick-up facilities. The independent audit must:

- (a) be prepared by a suitably qualified independent auditor, in consultation with an independent traffic consultant, as agreed by the Planning Secretary;
- (b) conduct traffic surveys and compare the results against the traffic reports in the EIS to verify that the following operational outcomes have been achieved:
 - (i) the capacity of the Jubilee car park drop-off/pick-up facilities can accommodate the pick-up/drop-off demand within the site during peak AM and PM periods;

- (ii) the demand for queuing spaces at the Jubilee car park is accommodated within the site;
 - (iii) off-site impacts including but not limited to queuing on Victoria Street is minimised as far as practicable;
 - (iv) there is adequate capacity in the car park to accommodate an increase in vehicle movements as a result of the proposed staged increase in student numbers;
- (c) be completed on three consecutive school days for the duration of the day when all grades (K-12) and students are planned to be on site and must state the student and staff numbers present on the data collection dates.
3. Schedule 2 – Part B – Administrative Conditions – Condition B13(b) is amended by the deletion of the ~~struckout~~ words/numbers and adding the words/numbers in **bold and underline** as follows:

Staging

B13. A Staging Report prepared in accordance with condition B12 must:

- (b) include staging of student numbers as per the submitted RtS **and as amended by SSD-10371-Mod-1;**
4. Schedule 2 – Part D – Prior to Commencement of Construction – Conditions D23 and D24 are added by adding the words/numbers in **bold and underline** as follows:

Road Safety Audit at Old Canterbury Road

D23. Within two months of implementation of the temporary drop-off zone at Old Canterbury Road (approved by SSD-10371-Mod-1), the Applicant must arrange for an Independent Road Safety Audit for the drop-off zone along Old Canterbury Road, which must be undertaken:

- (a) by an independent TfNSW accredited road safety auditor;**
- (b) in accordance with the requirements of TfNSW;**
- (c) 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; and**
- (d) considering vehicle and pedestrian safety at the drop-off zone during ongoing construction works on the site.**

D24. The Applicant must comply with the recommendations of the RSA and implement any road safety measures and/or traffic management measures based on the outcomes of the RSA.

5. Schedule 2 – Part F – Prior to the Issue of Occupation Certificate/Commencement of Operation, Condition F12 is amended by the deletion of the ~~struckout~~ words/numbers and adding the words/numbers in **bold and underline** as follows:

Operational Transport and Access Management Plan (OTAMP)

F12. Prior to the issue of the occupation certificate for the proposed carpark and / or drop-off / pick-up facilities, an OTAMP must be prepared by a suitably qualified person, in consultation with Council, TfNSW and the CCC, 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.);
- (c) operational management procedures of the drop-off / pick-up parking located within the site, and external road access management to/from the carpark 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) clear separation between students/staff and maintenance vehicles (including electric vehicles);
- (h) 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;
- (i) car parking arrangements and management associated with the proposed use of school facilities by community members; ~~and~~
- (j) a monitoring and review program; and
- (k) include the mitigation measures (except the informal drop-off zone on Old Canterbury Road) in the interim OTAMP required by condition B6a.**

6. Schedule 2 – Part G – Prior to the Issue of Post Occupation, Condition G20 is added by adding the words/numbers in **bold and underline** as follows:

Removal of signage

G20. The proposed signage required by condition B6c. (e) identifying the temporary drop-off zone on Old Canterbury Road must be removed within 2 months of the car park (approved by SSD-10371) being operational.

**End of modification
(SSD-10371-Mod-1)**