

Our Ref: DJB:MZL:229554

7 December 2012

Mark Brown
Department of Planning & Infrastructure

Email: mark.brown@planning.nsw.gov.au.

This document, including any attachments, may contain privileged and confidential information intended only for the addressee named above. If you are not the intended recipient please notify us. Any unauthorised use, distribution or reproduction of the content of this document is expressly forbidden.

Dear Sir

APPLICATION NUMBER: MP 10_0231
APPLICANT: AUSTRALIAN CATHOLIC UNIVERSITY
DESCRIPTION: STRATHFIELD CAMPUS CONCEPT PLAN
ADDRESS: 179 ALBERT ROAD AND 167-169 ALBERT ROAD

We refer to the above application and the Response to the PPR Submissions dated October 2012 (**Response to Submissions**).

At the outset, we note that this letter addresses only the key issues arising from the Response to Submissions and is **not** an exhaustive response by Council to the Response to Submissions.

We address each of the Response to Submissions below:

Response to Project Report Submissions prepared by Hassell

1. "Many of the submission stated that the increase in students on campus 'at any one time' was a simple extrapolation of 750 to 2,000 students, a purported 167% increase. This is not correct ..."

The Council submits that the increase of students to 2,000 students on campus at any one time is an increase of 167% is correct for the following reasons:

- a. The ACU's PPR states the following:
- (i) "Students on site at any one time is proposed at a maximum of 2,000 at any one time, based on two teaching sessions per day (8.00am – 2.00pm and 2.00pm – 8.00pm) shown in Table 4 below."
 - (ii) "Each group would have up to 1 full day and 2 half days, so per session there would be up to 2,000 students on site at any one time with a maximum of 2,800 students per day."
- b. Further, Table 4 of the PPR clearly states that there will be at least 2,000 students on the Campus at any one time.

By way of example, on Monday from 8.00am to 2.00pm, there are 5 groups of students (A1, A2, A3, B1 and B3) attending the Campus. It is suggested that each group will have students of up to 400 students.

Brisbane
Canberra
Melbourne
Norwest
Sydney

ABN 37 246 549 189

Therefore, on Monday from 8.00am to 2.00pm there will be up to 2,000 students at the Campus at any one time (5 groups x 400 students per group).

In the above circumstances, Council's assessment of an increase of 167% from the current conditions of development consent limiting student numbers is correct. The Council submits that such an increase of 167% is unreasonable and will cause unacceptable amenity impacts, including intolerable traffic conditions on a daily basis.

2. "McLaren student surveys have given inaccurate numbers because of double counting"

With respect, the above statement is not correct. We are instructed that McLaren Traffic Engineering adopted a counting system whereby every person entering and exiting the "main site" or the "Edward Clancy" was counted.

By way of example, if a student has left the main site to attend Edward Clancy, that student was counted as having "exited" the main site and was counted as "entering" the Edward Clancy site. Therefore, in those circumstances the number of persons at the main site would have been reduced by one and the number of persons at the Edward Clancy would increase by one.

Therefore, Council submits that there is no double counting of students in the McLaren Traffic Engineering Survey.

3. "Class audits are considered the best method of counting student numbers"

Council disagrees with the above statement. Using the class audits to reflect the student numbers is not an accurate means of calculating the actual number of student numbers and further, it does not, provide a reasonable estimate of the number of students at the Campus at any one time.

The class audit excludes the range of other students, who may be in attendance at the Campus, other than for classes. By way of example, the class audit excludes students at the library, in study groups or attending extra-curricular activities and other social events.

The Council submits that the environmental impacts from any increase in student numbers should be considered as a whole (see 3.9(a)(ii) of Council's Response dated 24 August 2012). It is clear that those students not counted in the class audit but nonetheless are on the campus will have an environmental impact, and to exclude them from consideration understates the environmental impact of the PPR.

Green Travel Plan prepared by ARUP

The Green Travel Plan in effect is a plan to "encourage greater use of alternative means of travel which have less environmental impact than the car". For obvious reasons, Council endorses and encourages alternative means of travel other than by the car. However, the Council submits that the ACU's Green Travel Plan proposed in the Response to Submissions is untenable and cannot be practically implemented, for the following reasons:

a) The Public Transport arrangements relied upon in the Green Travel Plan are impractical and cannot be supported by existing services

The Green Travel Plan proposes to encourage 369 students to travel to the Campus by Public Transport in one hour (see Table 1 of the Green Travel Plan). There are currently 2 buses which operate near the Campus (bus route 407 and 483), both of which operate approximately every 20 minutes during peak periods. Therefore, there are 6 buses which operate near the Campus during peak hours.

The maximum capacity of a bus is either 54 or 58, subject to type of bus (see <http://www.sydneybuses.info/chartering-a-bus>). In the circumstances where a maximum of 6 buses travel near the Campus, the maximum number of persons capable of being transported within an hour is either 324 (54 passengers x 6 buses) or 348 (58 passengers x 6 buses).

Accordingly, the Proposed Green Travel Plan is impractical as it exceeds the maximum capacity allowed by public buses. Further, the above does not take into account the other travellers (not being students) who use public transport and does not assess the impacts on public services during non-peak periods when there are fewer buses.

- b) Insufficient details are provided to demonstrate that a private "shuttle bus" service can accommodate the significant increase in demand for public transport

If it is suggested that the students will primarily use the "shuttle bus" service, the ACU has not provided details to establish that the "shuttle bus" can accommodate the significant increase in demand for public transport.

Further, if it is proposed that the shuttle bus will be the main form of public transport for students, there is no evidence provided to support an assessment that Strathfield Station can sustain the increase. In this respect, it is important to note that Strathfield Station can be considered as a main central transport hub.

- c) The parking arrangements for Private Cars for students and teachers are unworkable and deficient

The private parking arrangements for students proposed in the Green Travel Plan are unworkable. That is, the Green Travel Plan proposes that 600 students will park at or near the Campus within a 3 hour period. Given that ACU proposes teaching blocks of **more than 3 hours** (8.00am to 2.00pm) it is reasonable to infer that that more than 600 car park spaces will need to be made available.

Further, insufficient parking is provided for teaching staff. That is, the ACU proposes 260 full time equivalent "teaching staff" to be employed by 2016. It is reasonable to infer that approximately 260 additional car space will be required for staff.

The Council submits that, on the ACU's best case scenario (ie assuming that the Green Travel Plan is workable – which is denied), there is still a significant deficiency in parking, on the basis that:

- i. The total number of parking available on site to the ACU under the PPR is 679; and
- ii. In a 3 hour period a total of approximately 860 (600 students + 260 teachers) car spaces are required under the PPR.

Therefore, there will be at the very least 181 private cars parked on side streets near the Campus (ie noting that the Council considers this figure to be an underestimation as set out above as the assumptions relied upon for public transport and the private shuttle bus are impractical and unsubstantiated). Accordingly, this supports Council's submission that the PPR will result in an "intolerable" traffic impact.

Letter from the Road & Maritime Services dated 7 September 2012

We note that the Roads and Maritime Services (**RMS**) stated the following:

"RMS has reviewed the PPR & RtS and raises no objection as the proposed development will not have a significant impact on the classified road network".

RMS's Responsibility on classified road networks (State and Regional Roads)

There is a shared responsibility in relation to roads between the RMS and Local Councils. The "NSW Road Management Arrangements" dated December 2008 states the following:

"The RTA [RMS] takes responsibility for managing the primary traffic function of State Roads including funding and determining priorities, and regulates the activities of third parties on the road and access to adjoining land to promote road safety, traffic efficiency and protect the road asset."

State Roads are defined as "the major arterial links throughout NSW and within major urban areas".

The "schedule of Classified Roads and State & Regional Roads" dated 31 January 2011 identified each of the roads that are the responsibility of RMS. It is important to note that neither Barker Road nor Albert Road or any other roads near the Strathfield Campus is a classified road network, within the responsibility of the RMS.

Council's Responsibilities on Local Roads

Pursuant to Section 7 of the *Roads Act 1993*, Council is the road authority for all public roads other than freeway and specifically declared roads. Consistent with this the "NSW Road Management Arrangement" acknowledges that Council is responsible for Local Roads, which are roads that "provide for local circulation and access".

In the above circumstances, it is Council's understanding and confirmed with RMS that the letter from RMS dated 7 September 2012 relates only to the PPR's impact on classified road networks (as identified in the relevant schedule) which are within the RMS's responsibilities, and does not reflect the impact on Local Roads, which is within the Council's responsibilities.

Consistent with the above and in light of Council's responsibilities in relation to Local Roads (such as Barker Road, Albert Road, and other roads near the Strathfield Campus), Council engaged McLaren Traffic Engineering to assess the PPR's impact on Local Road, and it was concluded that the PPR would result in an "intolerable" traffic condition on a daily basis.

Ancillary Matter

Council's letter to the Department of Planning and Infrastructure dated 5 September 2012 (a copy of which has been **enclosed** for convenience) has been omitted from the Department of Planning and Infrastructure's online development assessment tracking system. We note that this letter is part of Council's response to the PPR. Could you please confirm that this letter was received by the Department of Planning and Infrastructure.

Should you wish to discuss the above or require further information please contact David Baird on 9334 8945.

Yours faithfully
HWL Ebsworth



David Baird
Partner

Writer: Michael Lim | (02) 9334 8559 |
E-mail: mlim@hwle.com.au
Postal: GPO Box 5408 Sydney, New South Wales 2001
Address: Level 14, Australia Square, 264-278 George Street, Sydney, New South Wales 2000
Facsimile: 1300 369 656 (Australia) | +61 2 9037 0055 (International)
DX: DX 129 Sydney

5 September 2012

Frankie Liang

Director General
Attention: Mr Mark Brown
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr Brown

**CONCEPT PLAN APPLICATION FOR AUSTRALIAN CATHOLIC UNIVERSITY (ACU)
STRATHFIELD CAMPUS (MP10_0231)**

I refer to Hassell's 30 August 2012 letter posted on the Department of Planning and Infrastructure website regarding the Strathfield Draft Local Environmental Plan 2011 (LEP) as part of the submission for Concept Plan Approval for Australian Catholic University (ACU), Strathfield Campus (MP 10_0231).

Council considers the letter is misleading in regard to the issues raised in the submissions received by Council during the LEP public exhibition period.

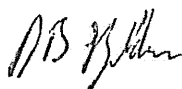
Of particular concern is that Hassell's letter when referring to the 14 individual submissions, only refers to one issue i.e. *"all objecting to the retention of the special use zone"*.

Attachment 4 of the Council Report, summarizes all of the key issues raised in the submissions. The attachment importantly documents that most submissions express concern and/or request for height and FSR controls to be applied that conform/are consistent with adjoining residential areas. Hassell's letter should document and address these issues.

Some of the other key issues raised across the various individual submissions and form letters, which also should be documented in Hassell's letter, include: "impact on residential character", "out of character", "impact on heritage character" and "traffic parking", and "concern over boarding houses".

Should you require further clarification regarding this matter, please do not hesitate to contact me on 9748 9975.

Yours sincerely



DAVID HAZELDINE
A/DIRECTOR TECHNICAL SERVICES