

**AUSTRALIAN COUNCIL FOR THE DEFENCE OF
GOVERNMENT SCHOOLS
PRESS RELEASE 874**

**PRIVATE SCHOOLS EXPANSION :
LOCAL RESIDENTS LEFT IN LIMBO**

Victorian residents have no standing to complain about new private schools or expansion of such schools under an Amendment to Victorian Planning legislation:

Clause 53.19 – Non-Government Schools

This provision was introduced on 4 December 2020 by VC180 and helps to “stream-line” the process for development of new, and the upgrade and expansion of existing, non-government primary and secondary schools.

The amendment introduces permanent provisions into all Planning Schemes which will strengthen policy support for the establishment and expansion of non-government schools and importantly adopt a fast-tracked planning permit process. The key elements of the proposed planning provisions are:

- Applying a fast-tracked process to all nongovernment primary and secondary school applications.
- Appointing the Minister for Planning as the Responsible Authority for new school applications and projects on existing schools with an estimated cost of \$3M or more.
- Introduces new State Policy Clause 19.02-2S (Education facilities) to support non-government school applications.

As per Clause 53.19-2, an application to which Clause 53.19 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

On the basis that the proposed works are for the expansion of an existing non-government school and the cost of works exceed \$3M, the proposal falls under the Clause 53.19 provision and is to be lodged with DELWP for a decision by the Minister for Planning.

There is no opportunity for the planning application to be appealed to VCAT by a third party.

Simmonds College Expansion.

Simmonds College in West Melbourne has been quick off the mark to make use of this provision. The school, on a very limited block of land is looking to more

than double its enrolment with a major development. The school is situated near the St Mary's Star of the Sea pro-Cathedral and the rectory that was once occupied by Archbishop Daniel Mannix, and more recently, priests from Opus Dei. The following notice was provided to the North and West Melbourne Association.

The school has an ICSEA value of 1015, i.e. it is patronised by wealthy and middle class parents. Its total annual income in 2019 according to the Myschool WEBSITE was \$7,987,816 Total assets are not listed, but money available for capital expenditure is listed as merely \$789,224. The Revenue from GOVERNMENT **excluding** capital grants is \$6,674,105 or 83.6%. What then are the capital grants from government and how much will taxpayers be paying for this development?

One interesting point should be made. The enrolment for 2019 was 426 but the Planning application mentions current 2020 student enrolment as 309 students with a plan for 668 students in the future.

This means that Simonds, if their figures are correct – lost 117 students in 2020 but hope to gain 359 with a massive demolition and new, multi-storey infrastructure.

And the vital question is: Who will be paying? Local citizen taxpayers who – have no say?

They have no say at all!

Premier Andrews, Minister for Education James Merlino, and Planning Minister, Richard Wynne should perhaps be asked a few hard questions. The following is the information emailed to the North and West Melbourne Association.

SIMMONDS COLLEGE EXPANSION

fast-tracked process introduced Dec 2020 for schools with over \$3m expenditure - no appeal to VCAT by a third party. Full plans and planning report can be obtained from development.approvals@delwp.vic.gov.au People with queries re process or detail should contact the planner who is assessing this application: Tom Gallagher: thomas.gallagher@delwp.vic.gov.au or 8508 2656.

Proposal:

*309 students and 42 staff now with a peak future number of 668 plus additional 27 staff will be present at the school at any one time (bringing the total staff at any time to 69).
basement car park for staff, which will provide 22 standard spaces, and 1 DDA*

space. This car park will form part of the new Building 2, and will be accessed via a new crossover on Chetwynd Street. **But only 6 additional spaces for the increase in staff -but 32 additional spaces are needed to meet the assessed need. - so they need a permit for this reduction.**

Existing formal/informal parking in the northern part of the site to the east of Building A will be removed.

The proposed new buildings will have a building height of 14m, including roof terraces, but excluding some architectural features. The height of these buildings approximately matches the height of the presbytery.

Building form will be setback along the subject site's sensitive southern and south-western interface with 62-66 Chetwynd Street and a 2.25m and 3.43m wide easement for "foot-way purposes" that is located at the side of 66 Chetwynd and the rear of 64 and 66 Chetwynd Street and benefits C/T Volume. This maintains the size and nature of the existing setback between Buildings C and D.

There is separation maintained between proposed Building 2 and existing Building 1 in order to facilitate through views of the St Mary Church building from Chetwynd Street.

The morning drop-off zone will continue to exist at the site's western and north-western boundary on Chetwynd and Victoria Streets respectively.

Bicycle access to the basement car park will be gained via a separate door adjacent to the crossover on Chetwynd Street

Existing fences spanning the site's north-western and south-eastern boundaries will also be refurbished. The new/reinstated fence extends around the subject site's western and southern boundary as well as a small portion of its northern boundary, and separates the school grounds from the St. Mary Star of the Sea Catholic Church and the presbytery. Black steel palisade fencing is to be utilised with a height not exceeding 1.5m where located on property boundaries.

the creation of **new extensive on-site student recreational space**. A total of 1501.75sqm will be added that includes ground-level outdoor recreation, gymnasium and rooftop terraces.

Altogether, 95 bicycle parking spaces will be provided on-site.

There are also low blue stone stairs located to the north of Building A that will be disassembled and rebuilt together

with a disability compliant access to this building. Also, an existing verandah between Building A and B is to be disassembled and rebuilt. In both cases, all fabric will be retained and rebuilt with heritage guidance.

369-381 William (the old service station) will be used for temporary classrooms and parking during construction.

Clause 52.06 – Car Parking

A Traffic and Transport Assessment has been prepared in support of the application by Ratio (December 2020).

This demonstrates that the proposal fully complies with the planning scheme and Australian Standards for the provision of access and car parking spaces.

As discussed previously, it is proposed to provide 6 additional spaces and retain the 17 existing car spaces to cater for the 69 staff that will be present at any one time once the school is fully operational. Given the assessment by Ratio calculates that 32 additional spaces are required to be provided by the proposal and that just 6 additional spaces will be provided (see Table 1), a permit is needed for this reduction of 26 spaces pursuant to Clause 52.06-3.

It is also noted that 320 on-street car parking spaces are located within 200m of the site. There were never fewer than 37 publicly available spaces across the surveyed period undertaken by Ratio. Therefore, it is considered that ample spaces are located in close proximity to augment the on-site provision and can cater for drop-off and visitor parking

This means that, in future, for private schools in Victoria, neither money nor local residents are of any concern. Since most of them are religious schools, and this particular school is a Catholic school, then the Church takes precedence over local citizens at all times.

There is no costing of the demolition and replacement of existing buildings by much much larger structures but it could only involve tens or even hundreds of millions of dollars.

So far all has been quiet on the local resident front. As yet they are not aware of the enormous pressures that will be placed upon their parking and other local facilities. For this school has very, very limited space for sporting or parking facilities.

The Sydney Grammar School Expansion

Meanwhile, in Sydney there has been local [uproar over Sydney Grammar's new \\$54 million sports facility](#). The Grammar school, like Simmonds College is close to the CBD . In 2019 its total gross income was \$90,356,786.00. Its Total assets: \$152,306,702.00 The Revenue from the GOVERNMENT is \$7,039,369.00. The President of the NSW Teachers Federation, Angelo Gavrielatos has attracted a wide following on twitter with his comments, while a report in the *Sydney Morning Herald* has also attracted many hostile comments.

The following are excerpts from the Sydney Morning Herald Article by Andrew Taylor on 2 January 2021.

“ Sydney Grammar School is facing pressure to scale back plans for new sporting facilities with mounting criticism of the multi-million dollar project's impact on nearby residents. But unlike Melbourne City Council, which passed the Simonds College proposal without a peep, the Woollahra council is not so accommodating.

Woollahra councillor Harriet Price said residents adjacent to the school's proposed [Weigall Sports Complex](#) in Rushcutters Bay would be "severely impacted" by the proposal, which she called an "intrusive and bulky development".

The NSW Department of Planning, Industry and Environment also suggested the school "explore opportunities" to reduce the height of the development.

A Sydney Grammar spokeswoman said the \$54.4 million project was designed to consolidate the school's sporting facilities, which are currently spread across Sydney, to improve child protection, supervision and transport.

There was a "lack of safe and suitable facilities in the inner-city area for school-aged children to train and compete" in increasingly popular sports such as basketball and water polo, she said.

The project includes demolition of a small pavilion and tennis courts at the southern end of the site, and construction of a new three- to four-storey building housing a 25-metre swimming pool, multipurpose hall and spaces for cardio and weights training, taekwondo and fencing.

A state significant development, the school described the new sporting facilities as "a polite addition to the site and its context" in documents lodged with the Planning Department. Sydney Grammar's spokeswoman said the bulk and scale of the sporting complex was consistent with surrounding buildings, while two new trees will be planted for every tree removed.

A new 102-space carpark would alleviate congestion on local streets by accommodating traffic queues during the morning and afternoon pickup and drop off periods as well as catering for increased traffic on Saturdays generated by the new sports facilities.

But Cr Price said the proposal would have a "devastating" and "severe" impact on views enjoyed by neighbouring residents, including public housing tenants.

"Previously uninterrupted views to green open space, trees and an attractive outlook to Rushcutters Bay and beyond will now be dominated by an intrusive and bulky development," she said.

The school spokeswoman said significant changes had been made to the proposal following consultation with nearby residents, including reducing the overall size of the building and planting more trees, to improve visual impact as well as preserve solar access and privacy of neighbours.

Alex Greenwich, the independent member for Sydney, said the proposed development was "inappropriately located directly adjacent to homes" and created "unacceptable impacts" on residents.

"The school has not adequately demonstrated why alternative and less imposing locations were not selected and more work is needed to protect neighbours' quality of life," he said.

Mr Greenwich said residents were concerned the new building would lead to a "massive loss" of light and brightness inside their homes, making them darker and more prone to damp.

His concerns were echoed by The Paddington Society, which said in its submission the height and bulk of the project was excessive and would have a significant impact on the amenity of nearby residents.

"This proposal provides little public benefit while having a significant number of detrimental effects on the neighbouring area in terms of the loss of views and outlook, overshadowing, increasing traffic movements, greatly increased car parking and loss of amenity," it said.

Mr Greenwich also questioned the social benefits of the new sports complex given it was unclear if other schools and the public would be permitted to use the facilities.

However, the school spokeswoman said Sydney Grammar was "keen to explore options" for local schools such as Glenmore Road Public School to use the new

facilities given the lack of swimming pools and basketball and volleyball courts in the local area.

"Sydney Grammar is keen to speak to other community groups who might be interested in using the facility to better understand how this can be facilitated," she said.

COMMENTS

Casual Observer

it's all relative, i guess. you wanna have a look at what Cranbrook has done a little further along new south head road... gone are the trees, the shade, the beauty. Of course our future masters of the universe must be nurtured appropriately. mind... the public system committed the great concrete horror at Bellevue hill primary. progress?

Saline71

If they can afford to spend \$54 million on this they can forego Government subsidies. More money needs to be spent on Government schools not this monstrosity.

larke

As a long time teacher in a public school, this just makes me feel nauseous. The gap in education between those who have money, influence and connections and the rest of us is just appalling.

Bruce

It won't make them any smarter, but it will increase their sense of entitlement. This school receives over 70 millions dollars in fees and charges per annum, luckily the state and federal governments only contribute 7 million dollars per annum, significantly less on a per student basis than many public schools. Prefabs are wonderful if it means people who have no need of money can have more. I am not poor, just disgusted by massive inequality being sponsored for a private sector enterprise.

jaro

\$54 million? Privilege and wealth mean nothing if we cannot flaunt them.

Lex

Perhaps you should encourage some of the many incredibly wealthy alumni of public schools to bequest money to them in a similar way to what happens in private schools. Strangely, I have never heard of any affluent public school parents or alumni making major donations to improve public school infrastructure. That aside, planning decisions should not be based on socioeconomic resentment.

Andrew M

I am amazed that Councillor Price can call this low rise sporting facility development "intrusive and bulky"! She obviously has not looked around the Woollahra LGA, which has intrusive and bulky developments abound! Precedents in the Land and Environment Court have determined that residents are not entitled to a "view". Catch-up with legal precedents and know what you are talking about, Councillor!

Ed

They should build it next to the railway line and the gas station where no one would mind.

The man from UNCLE

Cant build within many metres of railway and there is a drainage canal over which you cannot build

hiker63

This wonderful facility, paid for by tax payers, should surely be available to all comers, on an organised basis, or when not in use just be used as needed public space.

Chris Kelly

\$54 million development for a school, how much of this is Government funding. \$54 million

Fermented

No more private schools. Just no need. Absolutely no need.

Conservative with a brain

Australia is one of the very few western countries where elite private schools are heavily subsidised from the taxpayers' purse. It's time they stood on their own two feet. These subsidies need to stop.

The private school lobbying machine will be out claiming how many disadvantaged kids are helped by them. Garbage. Wouldn't it be better if the entire public education system received these funds so that the entire community could receive a great education?

A great education is the right of every Australian child regardless the wealth of their parents. A poor kid born to a single mum in the middle of nowhere deserve the same quality of education as one born with a solid silver spoon in its mouth. End this rotten and unfair system.

If the rich and religious want to send their kids to schools outside the public system then let them, but they should pay for it themselves!

mleeftink

Maintaining a swimming pool is expensive, it is cheaper for students to catch the bus to an existing pool.

Distopia

Baronial libraries, Sports complex's, and handsome government (taxpayer) funding. What's wrong with this picture?

rrose3

Where's the money coming from?. The federal govt. Better spent at state schools.

Emma

What a monstrosity. Why does any school need room for weights training or fencing?

True Perspective

My son goes to a public high school in Wollongong. All the buildings look like they were built in the 1950s to 70s with little maintenance. Only one grassy patch reserved for the seniors, other outdoor areas crowded asphalt. No outdoor areas as big as a normal soccer field and in the smaller areas 3 or more simultaneous games are played by the groups of kids. School hall does multiple duties as basketball court etc. No fancy school excursions or extracurricular activities.

NedKelly

The following statement tells the story of under funded government schools whilst the overfunded private schools can spend \$54M on sporting facilities, time for the parents of government school children to demand equal opportunity of education for their children. Sydney Grammar was "keen to explore options" for local schools such as Glenmore Road Public School to use the new facilities given the lack of swimming pools and basketball and volleyball courts in the local area.

Wookey

Grammar have the worst sporting facilities of any school in GPS. They are need to invest in coaches and players.

If the Woollahra and Sydney City Councils were serious about encouraging kids sport, then they would encourage Grammar to upgrade Reg Bartley and Rushcutters Bay parks, including an AstroTurf rugby/soccer/touch field plus basketball courts. Community could use them in school holidays and Sundays

Dinky Di

And they said that throwing money at education wouldn't help!

Tom Fool

But it's only a 25m pool.

The Doc

Using the expression from yesterday's brilliant article by Malcolm Knox, we have further evidence of being "born allowed". Don't listen to those who tell us "we're all in this together" or "we are one and free". Money, power and influence have driven Sydney since 1788 and continue to do so.

Wondering

Based on experience, I wouldn't be surprised if the development is approved. It happens all the time, with planning panels and their independent experts having little regard to community concerns.

LISTEN TO THE DOGS PROGRAM
855 ON THE AM DIAL: 12.00 NOON SATURDAYS
<http://www.3cr.org.au/dogs>