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## TRANSCRIPT OF PROCEEDINGS

## TRANSCRIPT IN CONFIDENCE

O/N H-1051628

INDEPENDENT PLANNING COMMIS	SION
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**PUBLIC MEETING** 

RE: ST ALOYSIUS' COLLEGE REDEVELOPMENT

PANEL: ANNELISE TUOR

CHRIS WILSON SOO-TEE CHEONG

ASSISTING PANEL: AARON BROWN

**CALLUM FIRTH** 

LOCATION: KIRRIBILLI CLUB

11 HARBOUR VIEW CRESCENT

LAVENDER BAY, NEW SOUTH WALES

DATE: 10.00 AM, THURSDAY, 8 AUGUST 2019

MS A. TUOR: Ah, good morning. It's 10 o'clock, so we'll start. Um, before we begin, I'd like to acknowledge the traditional owners of the land on which we meet. I would also like to pay my respects to their elders past and present. Welcome to the meeting today. St Aloysius' College Limited, the applicant, is seeking approval for a concept proposal and detailed stage 1 works to redevelop the school, including concept proposal for the staged redevelopment of the junior, senior and main campuses and detailed stage 1 works at the senior and main campuses, comprising alterations and a ground-floor addition to the Wyalla building on the senior campus and internal refurbishment and upgrades to existing teaching and learning facilities,
the demolition and rebuild of the north-east wing building on the main campus, construction of a new infill building in the existing quadrangle and associated refurbishment of the north wing, south wing, great hall and chapel.

My name is Annelise Tuor, and I'm the chair of the panel. With me I have, um, fellow commissioners Soo-Tee Cheong and Chris Wilson. Also in attendance is Callum Firth and Aaron from the Commission Secretariat. Before I continue, I should state that all appointed commissioners must make an annual declaration of interest identifying potential conflicts with their appointed role. For the record, we are unaware of any conflicts in relation to our determination of the proposed application. The public meeting gives us the opportunity to hear your views on the project and the report prepared by the Department of Planning, Industry and Environment before we determine the application.

UNIDENTIFIED FEMALE: Excuse me. Could you speak up, please.

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MS TUOR: Okay. I'll just speak closer and see if that – is that better?

UNIDENTIFIED FEMALE: It is better.

MS TUOR: All right. Sorry. I've got a fairly quiet voice. Um, so I – what I just said was the – the public meeting gives us the opportunity to hear your views on the project and the assessment report prepared by the Department of Planning, Industry and Environment before we determine the application. The commission is an independent consent authority for state-significant development application and provides an additional level of scrutiny where there are more than 25 public objections, reportable political donations or objections by the relevant local council.

The commission is independent of the Department of Planning, Industry and Environment and is not involved in its assessment of this project, the preparation of its report or any findings within it. This meeting is one of a part of our decision-making process. We have also been briefed by the department and have met the applicant and North Sydney Council. Transcripts of these meetings are available on our website. After today's meeting, we may, um, convene with relevant stakeholders if clarification or additional information is required on matters raised. Records of all meetings will be included in our determination report, which will be published on the IPCN website.

A site inspection will take place this afternoon at the project site, which will be — which will be attended by the applicant and the commission. The commission panel have also visited, um, part of the locality this morning and will view some properties, ah, later to inspect various viewpoints. A summary of the site inspection, including any questions asked, and answers, will be available on the commission's website.

The commissioners have reviewed the written submissions received by the Department of Planning, Industry, Environment, which are published on the department's website. The commission will also accept written comments in relation to the project until 5 pm on the 15<sup>th</sup> of August 2019. Anyone can send written comments to the commission before that time. You can do so by sending your comments, um, to the commission by email at ipcn@ipcn.nsw.gov.au, or by post to the Independent Planning Commission New South Wales, Level 3, 2001 Elizabeth Street, Sydney, New South Wales 2000.

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Um, following today's meeting, we will endeavour to determine the application as soon as possible. However, there may be delays if we find we need additional information. Before we hear from our first registered speaker, I would like to lay some – ground down some ground rules that we expect everyone taking part in today's meeting to follow. The meeting today is not a debate. We will take question – not take questions from the floor, and we will not permit interjections. Our aim is to provide the maximum opportunity for people to speak and be heard by the commission. We ask that the speakers today refrain from making offensive, threatening or defamatory statements, as per our guidelines available on our website.

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Many people find public speaking very difficult. Though you may not agree with everyone you hear today – with everything you hear today, each speaker has the right to be treated with respect and heard in silence. Today's focus is public consultation. Our panel is here to listen, not to comment. We may ask questions to seek clarification, but this is usually unnecessary. It will be most beneficial if your presentation is focused on the issues of concern to you. It is important that everyone registered to speak receives a fair share of time. I will enforce timekeeping rules, and, as chair, I reserve the right to allow additional time if I consider it appropriate. A warning bell will sound one minute before the speaker's allotted time is up and again when it runs out. Please respect these time limits.

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If you'd like to project something on the screen, please give it to Aaron or Callum before your presentation. If you have a copy of your presentation, it would be appreciated if you would provide a copy to the secretariat after you speak. Please note any information given to us may be made public. The commission's privacy statement governs our approach to your information. If you'd like a copy of our privacy statement, you can attain one from the secretariat on our website. Finally I'd ask that everyone present please turn their mobile phones to silent. Um, thank you, and we'll now call the first speaker. Ah, so the first speaker is Prataal Raj.

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MR P. RAJ: Good morning, and – and thank you for the opportunity to address the – the, ah – the group. Um, firstly, my name's Prataal Raj, and I'm the owner of unit

13, Upper Pitt – 48 Upper Pitt Street, which is across the road from the proposed development. Um, firstly, I want to acknowledge that I appreciate the school's desire to maximise its existing space within its height limits. You know, it's a school. It's important to the community. However, you know, our view is that it doesn't need to go beyond where, you know, the – the heights currently stand. Um, there's no need for the entrance to go beyond the – the current height level.

Um, I'm concerned about the use of rooftop space. Um, I'm – I'm concerned this might be a way to commercialise that space beyond school hours, um, and the, you know – from what I could gather, potential temporary structures put on top of that rooftop space. Um, this space shouldn't be allowed to be commercialised for – beyond, you know, legitimate school needs on agreed dates. Um, you know, the – the – the point about clear balustrades, that – that will affect view. Um, these are iconic views that, you know – that people have trusted to not be impinged upon, and, um, I'm happy for the school to do what it needs to within its existing heights, but it needs to do it within its existing heights and structures. Um, the two, ah – sorry.

Ah, the plant and equipment enclosures. I'd like you to take a close look at these. These will have a significant impact on these iconic views. Um, they need – my respectful submission is they need to be placed within existing structures and within existing heights, and that will, you know, appease, you know, 95 per cent of – 99 per cent of, um, concerns, other than making sure that the privacy isn't too significantly impacted upon. Um, my recollection in 2008 was – and – and I'm also concerned that once the – once the – the work is complete, what – what other requirements will be triggered in terms of safety and security.

Um, my recollection – and – and, again, I'm happy to be corrected – was that grey emergency exit that's up there was completed after the school's last, um, unsuccessful submission to council in 2008, which – which, again, significantly impacted on – on the views of – of my apartment and – and – and other residents in that area. Um, the school has significant resources. You know, my view is that they could purchase land in the area. This is a – a – a project in the order of \$100 million or thereabouts, as I can understand. Um, you know, the school is entitled to do what it needs to within its existing heights and structures, but there are a whole heap of local residents who will be impacted significantly, and I'd – I'd ask that, um – that that is taken into account in, ah – in assessing the application. Thank you for the opportunity.

MS TUOR: Thank you. Thank you. And the next speaker is Caroline Raj.

UNIDENTIFIED MALE: ..... volume can be turned up?

UNIDENTIFIED FEMALE: Yeah.

45 UNIDENTIFIED MALE: It's still pretty hard to hear.

UNIDENTIFIED FEMALE: It's very hard to hear.

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UNIDENTIFIED MALE: It's not working .....

MS C. RAJ: Yeah. No worries. Can you hear me now?

5 UNIDENTIFIED FEMALE: Yeah.

MS RAJ: Up the back?

UNIDENTIFIED MALE: Very hard.

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MS RAJ: Very hard still?

MS TUOR: We're just having a look.

15 MS RAJ: Can you hear me now? Oh, that sounds a bit better.

UNIDENTIFIED FEMALE: Yes.

UNIDENTIFIED MALE: A little bit better.

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MS RAJ: I feel like I'm at a rock concert or something. Hi, my name is Caroline. I'm the, ah, owner of 12/48 Upper Pitt Street, which is across the road. So our apartment looks over the main campus, ah, towards the city. Ah, we have views of the city, the Harbour Bridge and the Opera House. So – and they are classified as iconic views in the planning case law. So if you're sitting in my, um, lounge room, we're looking at – we've got, to the left-hand side, the Opera House, beautiful views of the city and the Harbour Bridge and the ferries going across every day. If you're in my main bedroom, we're looking straight across to the Opera House and to the partial of the city. So you can see we've got – we're very lucky, um, but there is a lot of iconic views here at stake.

Um, I understand the value of, um, looking after and investing in our schools. We have two children; we've got a four year old and a six year old. Our eldest is in kindergarten and one of them is here today. Um, having said that, we – we live in a densely-populated area, one of the most in Sydney, and, um, we need to operate in harmony. The population on the main campus is, really, on par with the community that lives around it. We're – it's not a place that we leave at 3 o'clock every day. You know, we are there seven days a week. Ah, changes to our view, the traffic, the noise will impact us greatly and financially. Um, there's still a lot of questions, we feel, unanswered, and our strata committee has put in a lot of submissions and questions to be qualified and, um, for modification to be, ah, considered.

Um, and I hope this panel will really ensure, during this process, that everything is, um, investigated and confirmed by the end of this process. For us, the unknown is the most scary, um, more than the known aspects of this proposal. Our building has invested over \$12 million over the last few years, um, in upgrades around – just across from the school, and that's a significant sum for us, as a young family, to be

able to invest – um, invest. And only in the last six months we've had access to these views. So now, to, kind of, be here, standing today to talk about, you know, changes to those views that we've invested so heavily in over the last few years is – is a really big deal for us.

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- So there's three areas we want I wanted to cle cover today. Ah, first is height. Next is noise. And the third is, um, ongoing compliance. So let's talk about the heights. The current proposed heights of the building exceeds the current North Sydney local environmental and planning policies. I acknowledge I have seen some documentation recently, where there is recommendations to change the and reduce the heights, particularly around the facade on the main campus, at um, at the front entry. Um, and the drawings of the new east wing appears to show an increase in height, in addition to the facade elements.
- Both are design changes that I I feel are unnecessary, um, and would have a significant impact on us as a family. The key is transparency and clearly articulating the specific heights. Let's get really, really granular on what those heights are and understanding their impacts. Talking about being realistic, the, ah the view or the impact assessment in the development application uses photographs from unit twe ah, 27. That's on, ah, floor 5. We're on floor 3. Um, so this doesn't accurately share the actual views that are impacted; it's actually going above the view. So what we are asking, um, ah, the panel here today, and I know you've mentioned this let's really look at the places that are impacted, not the ones that are above the impacts that are shared in the submissions, and let's have the total the correct information.

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The last one is the plant enclosures. There's no detail as to the exact height shared in the proposal of this, um, and also it seems unnecessary. Why isn't it in the building? Why is it outside of the building? Is there any remits for canopies or any other structures on that rooftop, to monitor the heights that are going to be going in there over time? I request that the roof, ah, top shade structures and the plants must be kept below the view lines of our sitting position in our apartment. The glass balustrades – the proposed glass balustrades and screens, ah, will also impact. Yes, they're glass, but let's, ah, look to minimise the impact and look at frameless clear glass, not metal supports, because that, once again, will impact our iconic views. The noise is my second point. Not only will our building be impacted by the extreme noise, we're in the extreme, um – oh my goodness, what does that mean? One minute?

MS TUOR: One minute to go.

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MS RAJ: Okay. So we have significant issues with noise, um, in the proposal. The 10 community events on the rooftop, um, will really impact after-hours and on weekends. We already had a lot of issues with, um, you know, it – so I've got young children running around. I'm going to have theatre or weddings or stuff right out the front of my door. So I think we really need to consider – are they really necessary? And are they for the benefit of the community or the benefit for the fundraising for the school? The last one is the management and compliance.

I'm concerned with the lack of, um, transparency ongoing and currently in place. What, ah, safeguards and assurances will we have that there will be – school numbers will be kept in place? What safeguards will we have around the parking? Parking is significant. I hardly can get into my driveway at the moment, have people parked in my car park most days when I come home from school – um, with people picking up from the school. Um, there is no pick-up zones that have been, um, considered in this proposal and the traffic implications. So just to quickly sum up, um, our present views are iconic. In accordance with the decisions of the Land and Environment Court, they deserve protection, especially if they can be achieved with minimal change to the applicant's plans. There's precedence been set, and it's key for the panel to acknowledge the needs of the community, as well as the school. Thank you.

MS TUOR: Thank you. Ah, the next speaker is Hilary Hatfield. If you'd come forward?

MS H. HATFIELD: Testing. Testing. Everyone can hear? Or ---

UNIDENTIFIED FEMALE: No.

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UNIDENTIFIED FEMALE: No.

UNIDENTIFIED FEMALE: Not a lot.

25 MS HATFIELD: Okay.

UNIDENTIFIED MALE: Speak up.

UNIDENTIFIED FEMALE: No. No.

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MS HATFIELD: No?

UNIDENTIFIED FEMALE: We can't.

35 MS HATFIELD: Better here? Here? How are we going now?

UNIDENTIFIED FEMALE: Better.

MS HATFIELD: All right?

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UNIDENTIFIED FEMALE: Better.

MS HATFIELD: Okay.

45 UNIDENTIFIED MALE: .....

MS HATFIELD: My name is Hilary Hatfield. I'm a resident of 66 Carabella Street, where I have lived for over 25 years. Thank you for the opportunity to express concerns shared by many residents with homes bordering St Aloysius' Junior School. My concerns relate to the serious risk of damage to my property during construction, post-construction diversion of water flows, the overbuild that will further erode the unique charm and character of Kirribilli, the present often-intolerable traffic congestion will be further amplified with a lack of adequate parking, a complete lack of essential drop-off and pick-up zones, and the impact of the substantially-increased activities at the school.

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Conditions to be satisfied in future development applications, as documented in part B of SSD-8669, states nine basic concerns, which we share. The overall scope of what you are being asked to approve leaves considerable subjective judgment and broad latitude as to how the school property will evolve. This is the paramount concern that you, as a commission, must face. The concept that is proposed for your approval is a massive overbuild, both in bulk and scale, and inconsistent with a character of our village. Any aspect of a develop scheme without detailed proposals compliant with all state and council guidelines that specifically address these compelling concerns would be irresponsible and subject to further challenge. I will provide a written submission so as not to prolong this hearing. Thank you.

MS TUOR: Thank you. Ah, the next speaker, Agnes Forrai.

MS A. FORRAI: Um, good morning, and thank you for allowing me to speak. Can everyone hear me? No?

UNIDENTIFIED MALE: No.

UNIDENTIFIED FEMALE: No.

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MS FORRAI: Okay. Any better?

UNIDENTIFIED FEMALE: Yes.

35 UNIDENTIFIED FEMALE: Yes.

MS FORRAI: Okay. Um, I actually don't live there, but it is rented. And my – my concern is that the – the photograph for the original developmental application was from unit 27, which clearly does not impact people who live there or who rent there.

40 Ah, we – my unit is on the second floor, and it will be - - -

MS TUOR: Can I interrupt?

MS FORRAI: So - - -

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MS TUOR: Can you just tell me what your unit is? The - - -

MS FORRAI: Unit 11.

MS TUOR: In which property?

5 MS FORRAI: 48 - - -

MS TUOR: 11/48?

MS FORRAI: 11/48. Yes.

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MS TUOR: Thank you.

MS FORRAI: Um, it's certainly going to impact the value of the property, to lose that iconic view, and – as well as the – the rental, ah, profit from it. My husband and 15 I have had to borrow money when – when the rent – when the property was renovated, and since my husband has died, I am – I have to actually go out to work in order to – to fund the – to repay the loan. So that is certainly going to impact my lifestyle. I'll be 80 next birthday, in February, and I'm still working. Um, I'm rather concerned. At some point I might like to live there, and it will impact se – seriously that iconic view, which, when I retire, I would really – sorry – I would really like to 20 enjoy. Um, I'm also rather concerned about the motor – the motor, um – what is it? The motor room, which is going to be quite large and will, obviously, have to be made of either brick or – or concrete, which is going to impact the view of anyone who tries to have a city view. I think that's probably most of my concern address.

25 And thank you for listening to me.

MS TUOR: Thank you. Wayne Rees.

MR W. REES: Good morning. Can everybody hear?

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MR WILSON: Yes.

MR REES: Thank you. My name's Wayne Rees. Um, I've been a resident of Kirri - Kirribilli for the past 20 years, during the course of which I have observed an everincreasing impact arising from the two large schools domiciled in this small 35 community. I recognise that St Aloysius and Lore – Loreto have existed in the area for over 100 years. However, in my opinion, the scale and social impact have considerably changed for the worse during my residency. During the period, the schools have ben constantly renovated and expanded. For example, St Aloysius substantially redeveloped the senior school in '95, which involved ma – involved 40 major ground and building works.

In 2010, Leto – Loreto acquired and redeveloped the adjacent Tremaine Private Hospital. Loreto is also currently seeking approval from the IPC for a 50-year master plan for works amounting to circa 100 million. It seems redevelopment and expansion of these schools are never-ending, and we are now confronted with a 10year master plan for St Aloysius encompassing works costing around 140 million. In my view, it seems the schools have in the main been looked at in isolation. However, it's worthwhile putting the schools in context relative to the scale of the local community. In this regard I would like to submit the imp – following important facts.

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- The Kirribilli population was 3824 in the 2016 census. Kirribilli encompasses an area of .44 square kilometres. Kirribilli's derived population density per square kilometre is 8691. Kirribilli's population density ranking across greater Sydney is eight, as per the Microsuburbs website. St Aloysius and Loreto combined student-staff populations was 2717 in 70 in 2018, and that's from the ACARA My Schools website. This is a kid akin to adding an incremental population of 6295 people per square kilometre. The combined school population with the local pop is equivalent to a to a 72 per cent increase in the resident population.
- I suspect there are few suburban areas in Australia that see such a population swelling related to schools. The combined resident-school population density would equate to circa 15,000, ranking Kirribilli second behind Elizabeth Bay on a a density-per-area basis. Of further interest is the fact that there are 180 168 schoolaged children resident in Kirribilli. There's 111 primary schoolers and 57 secondary schoolers, as per the census. Assuming all children resident in Kin Kirribilli attend either Loreto or St Aloysius, they represent a mere seven per cent of the 2350 combined student population. This means that 93 per cent of the combined school population, or 2182 students, commute from outside the area.
- Again, it would be surprising if there were many similar instances of this occurring. To further evidence density levels, Kirribilli dwellings are dominated by flats and apartment. This is evidenced by the fact that Kirribilli fo flats are made up of 86 per cent. In Greater Sydney, it's 28 per cent. In New South Wales, it's just about 20 per cent. And in Australia, it's 13 per cent. Sella St Aloysius has been keen to point out that the current development will not increase school numbers. This may or may not be the case. However, only time will tell. An analysis of St Aloysius and Loreto student-teacher numbers over the past 10 years edi indicate a steady increase in population.
- This slow ramp-up in numbers is akin to boiling the frog. You do not feel the heat until it's too late. This is demonstrated via the following school population analysis over the last 10 years. The population over the period this is from 2009 to 2018 St Aloysius' population has increased 143, or 9.62 per cent. Loreto's has increased by 86, 6.7 per cent. I suspect part of the rationale for the current development is to relieve crowding caused by historic increases in student-staff numbers. Some other matters: there are a number of other aspects of the St Aloysius redevelopment that I either object to or find disconcerting, namely, the schools add little or no value to the local community. I believe they do not pay tax nor rates, but it quite happily consumes the local facilities: roading, transport, parking, footpaths and parks.

In this latter respect, the St Aloysius unofficially utilises Bradfield Park as a quasischool ground. Moreover, I understand the school does not provide any section 94 payments. Loreto is on record as saying, "We do – we do an excellent reputation with the local community and we have – we know that our school supports the local community as well in a number of ways, not just by accessing the local community shops" – etcetera, etcetera – "but by being a school in the local area and being part of the community is a really important aspect to our school and we've been doing that for 100 years or now."

That – that was an extract from an IPC planning meeting 11.9.18. I'm sorry, but I – I'm at a loss to see, apart from support to local shops, any described specific benefits to the community, particularly given 93 per cent of the students reside outside the local community. Moreover, whilst these schools are non-profit entities – make no mistake – these are highly-profitable and wealthy business operations. School fees for Saint – St Aloysius range from 16 to 20 thousand per annum. 20 thou – Loreto's fees, from 15 to 22 thousand. Adopting, say, an average school fee of 18,000, the respective revenue for the schools would be, for St Aloysius, almost 23 million, and Loreto, almost 20 million.

The current master plan provides for both schools – for both schools indicate a capital spend per student, for St Aloysius, of almost 112,000 per student, and Loreto, 91,000 per student. At a recent Milsons Point resident precinct meeting there was a strong views expressed that the school has treated the residents almost with contempt, and community engagement has been poor and almost non-existent. The master plan makes reference to the school hosting after-hours entertainment, activities which is going to further exacerbate traffic and parking congestion, but give – particularly given that almost all students' parents are non-residents.

The proposed heavy vehicle route indicates trucks will enter Kirribilli via Fitzroy and circle through Carabella, Parks, Upper Pitt and exit via Fitzroy. These streets are very narrow and the disruption to residents, as well as the associated risk, makes this a very undesirable aspect of the plan. The stated volume of truck movements range from 50 to - 15 to 50 a day, which is quite significant, given the already congested and narrow streets. EIS014 informs that there will be no parking available for tradesmen and contractors, but rationalises this by stating:

The availability of public transport and lack of on-site parking will encourage the use of public transport and minimise traffic and parking impacts as a consequence.

I find this rather naïve and self-serving. I venture to suggest that tradesmen and contractors will need to bring tools and supply, which general – which would generally not be conducive to a public train, bus, ferry network. The SSD application states the project will give rise to 329 operational jobs, again, a significant impost on the local community by way of traffic, parking and associated debris and impact on the aesthetics of the area. The St Aloysius redevelopment, which I understand will cost 140 million, in essence, coincides with the Loreto redeem – redevelopment costing, circa, 100 million. Each one is significant for a

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community our size, but combined, it will have some – a severe and demoralising impact on the local residents.

- I understand the master plan spans 10 years. This is a long time period for a community to have to suffer the effects of ongoing development works. Given the foregoing, I strongly believe that steps must be taken to (1) cap school numbers so that we do not experience the continual student-teacher population creep, as we have done in the past. Currently, there is nothing to stop the school increasing numbers post the development, and in 10 years the com community having to suffer further rounds of major redevelopment. Two, the school have made no provision for additional car parking. The school alleges it's in compliance with the North Sydney Development Control Plan 2013, which requires one parking space per six staff for educational establishment.
- That may or may not be the case, but if a commercial enterprise were to establish operations, they would undoubtedly be required to provide a significant greater number of parking spaces. This is particularly relevant, given the density issues mentioned earlier. Accordingly, I believe that the school as a minimum should be required to amend plans to provide for a significant increase level of car parking. Of particular note is the fact that Loreto has a staff-to-car parking ratio of 1.84 staff for every car park, where Aloysius has 6.74 staff for every car park. So, effectively, my un and I believe the numbers to be correct, is, ah, um, Loreto has 100 car parks and is a has a smaller teacher population, and Aloysius has 35.
- I may be wrong, but it's around that number. Why would St Aloysius be allowed to provide this totally inadequate level of staff car parking? These ratios ignore the increasing level of student car parking, which seems to be becoming more prevalent. Finally, there are a number of other aspects of the St Aloysius redevelopment proposal that I find disconcerting, the majority of which are embodied in North Sydney Council's letter to the Department of Planning and Environment dated 13 June 2018. Thank you, and I appreciate the opportunity to express my views.

MS TUOR: Jillian Christie. Thank you.

35 MS J. CHRISTIE: This might be a whole lot harder than I thought – one arm. Um, when I get to handing out some photos to actually just - - -

UNIDENTIFIED MALE: Volume, please.

40 MS CHRISTIE: Sorry – the last speaker, um, I might ask Wilma to come up and assist me to do that.

MS TUOR: That's fine.

MS CHRISTIE: Thank you. Um, I'm Jillian Christie. I actually live in Carabella Street. Um, I had three daughters go through Loreto, and I bought in the street because, um, that was a good idea at the time, and have been there for over 20 years.

So I have seen the changes. And, um, I have also been a councillor on North Sydney Council for a term, and I've been the chair of the Milson Precinct, or an office bearer, for some 15-odd years.

- 5 Um, so I'm fully, um, aware of the issues for a lot of residents, and a lot of the people have said things to me who aren't here tonight ah, today so, um, hopefully I'll be able to express some of their concerns as well. Um, from a the community's perspective, the individuals who live opposite, and iconic views and heights they can all deal with that. I think the main concern for the community is the impact upon the parking and the traffic.
- Um, we have a a school here whose numbers when my father was at Aloysius, there was about 150; when my brother was there, there was 350; and now there's 1200. So, um, the numbers go up. Same thing happened with Loreto: there were only, um, 750 when we moved into the area; now there's over 1000. So the teaching numbers have gone up they've doubled as well. There were 75 when they when my kids started there, and there now is over 150. So we can't say there aren't going to be increasing numbers.
- And this whole premise of the, um, the letter from the Planning Industry and Environment is that, based on its assessment, the department believes the project is appropriate, subject to a range of conditions. But the conditions everywhere, throughout the whole thing, says, "Oh, because the school's not going to actually increase the numbers of students and staff."

But there is no cap being put on that in any of these conditions. Therefore – from a historical perspective, we know that they keep on increasing, and if there isn't a cap, they will keep on increasing. And we know from the Greater Sydney study that there will be more students, more teachers, um, and more residents within our North Sydney LGA.

And our North Sydney LGA is the highest education precinct in Australia, all right? We've got more schools in this area, and we're submitted to all of those – parents who are bringing them in. And – you might have all the best intentions, that they'll all come by the wonderful public transport that we have. But you speak to the parents, and it's because they've got the cricket gear; it's because they've got the musical instruments in the – in the thing – they're picking them up and dropping them off. So we, as a community, see this. We see the teachers who don't have parking spaces actually going out in pairs and swapping their cars over, because there isn't sufficient parking for Aloysius teachers.

The other concern is that this is actually a new build on the middle school site. The middle school – if it wasn't a new build – if they weren't knocking the building down, and they were just refurbing it – okay, you don't have to put in any parking. But if you're actually knocking the building down, then you should be required to put in, to meet the minimum requirements for the parking for your teachers. Yes, it's a bigger cost, because you've got to go down and dig deep.

But so what? The students' population at this – as the previous – speaker pointed out – the rates of return for the schools, etcetera; the amount of money – they keep on buying up all the additional, um, buildings along – all the terraces along Jeffreys Street, ah, for Aloysius; Tremaine, for, um, Loreto; Monte, Lorraine's school – they all keep on buying up around their areas, because they need more space. But they don't buy up any open green space.

These students, as the last speaker pointed out, are, um – are utilising the parks, the, um, streets, the kerb, the guttering, the everything that is paid for by the community. Our rates. Schools are exempt from any sort of rating. And they keep buying up properties, that were rateable properties, and they are no longer paying rates on those properties. So we're getting a double-whammy of less income and more student population actually utilising the parks, etcetera, that need to be maintained by us, the residents, and the ratepayers.

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Um, we – the – the – um – outdoor parking – the increase in the outdoor use of the upstairs space for New Year's Eve in the, ah, Aloysius thing has gone from 350 on New Year's Eve to a proposed 1500 on New Year's Eve. I only received my notification from North Sydney Council in my letterbox yesterday that we're now ticketed; we have to, as residents, pay to go down to our park, Bradfield Park, to go watch New Year's Eve. And they're keeping the numbers at 22,000. So Aloysius, without the policing, without the controls, and without – places for people to actually come in and bring their cars, are actually going to be having one seventh of that additional usage, ah, just on their rooftop. So this is a – this is a huge impost, I think, on our community, because there aren't any limitations on any of the numbers.

Um, and when you are an individual who doesn't have off-street parking, like me, when you come home, you actually organise your life around the parking, around the market days, around the event days. You actually want to know, from each of the schools, where – where are their major fundraising nights? Because you know you won't get a park. So you don't move your car that day. My children used to say, "Can you take me up to the library?" And I'd go, "Sorry, darling. I know there's a parent-teacher interview night for year 10 tonight, so we won't get a park." So you – have ruled your life around your ability to park. Without this additional parking, it is going to be an absolute nightmare. And given that it is a new build, then they should have to require a new park.

The, um – just going through some photos – this is the, ah – and I'll leave all of these with you, with my – sorry, Paul – very scribbly – I am right-handed, so it's been a bit difficult – so that's the senior school parking. And, Wilma, would you like to just come up and, um, hand that – the senior school parking has about 12 spaces there. Um, the – would you just – oh, no. The – just pass it to the panel. And this is where the school actually uses the parking down at Star of the Sea church, which isn't owned by the school, and they include there the parking that they've paid for, ah, to try and meet the minimum requirements. But that site may well change hands. Um, this – these were only taken yesterday afternoon, at 4.30, so half the teachers were all gone before I could get my daughter to drive round to take photos for me.

This is the junior school. 12 cars fit in there. But, as you can see from here, they actually overshoot, and are onto the road, it is such tight, congested parking. Um, the junior school site – and I mentioned this to the school when they actually, um, were doing their, um, briefings with the community and, um, I spoke to their architect and planner about it, and the – this information is the stuff that you used for their meeting with them on the 31st of July.

And it is wrong, because, when you look at that Burton Street elevation, they actually have the highest point being at Crescent Place, when in actual fact the highest point is – is just near the best possible tree that has to go – I've got some photos of that for you as well – which also is the access point where they can put additional car parking.

The school – the junior school site actually has a – basketball court there, and on that site can take up to about 20, 24 cars, depending on how they – well they park them. And on teacher non-student days – their teacher development days – those car parks are – those spaces are all filled by all the teachers. And during the school holidays, when the tradies are there doing stuff, those spaces are all filled by tradies. Their redevelopment will actually make that elevated by six steps; that will no longer have access to that additional overflow car parking for events like New Year's Eve or teacher things. So that's – that is a problem.

And here is the beautiful tree along Bligh Street that will go. And it shows, the highest point there is midway, versus the, um, the access, ah, which the – their incorrect plans, um – and they've got an RL at the corner of 35, and that's just not – not correct. That's the best tree there; that will have to go - - -

MS TUOR: What's – I don't understand - - -

30 MS CHRISTIE: --- taken from Crescent Place.

MS TUOR: Sorry; could you just explain that again. So you're saying that the highest point - - -

35 MS CHRISTIE: The highest point is - - -

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MS TUOR: Yeah, that's shown - - -

MS CHRISTIE: --- actually here. Is – the highest point is ---

MS TUOR: Is where that tree - - -

MS CHRISTIE: --- here, midway through the tree – yeah – midway through the – Bligh Street. And their – all of their plans – and I've been telling them from the beginning – are showing the highest RL as down there at the corner. I've got some – some points. It – it's just about the accuracy of the information on which you're making decisions. It's not accurate. So, anyway, this was, ah, May – oh, this was

October 29th last year, etcetera, and all the teachers' cars up on that car parking space. Yes, I'm sorry.

MS TUOR: Do you need some more time?

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MS CHRISTIE: Yes, I do, please.

MS TUOR: How much – I'll allow one more - - -

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MS CHRISTIE: Thank you. Um – um - - -

MS TUOR: One more minute?

MS CHRISTIE: Yeah – oh – three, please? I've just – I'll give you these. This is

15 Crescent Place.

MS TUOR: All right. If you just could - - -

MS CHRISTIE: Okay. I will.

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MS TUOR: --- try and go a bit more quickly.

MS CHRISTIE: I will.

25 MS TUOR: So - - -

> MS CHRISTIE: Um, this is – this shows where the bulk – it's all going up to that additional height there – um, from there. So all of that, that's in the orange, will actually be elevated from the road. And, um, and this shows that point, Crescent Point, here – Crescent Place. Take those two. And here's – here's some of the tradies' trucks, etcetera, on the – on the thing, just to show you that this – this parking will be gone, with that underground sports space.

The residents across from the senior school sports space were told, um, that when they did that basketball court indoors, that it would be all air-conditioned; that it 35 would be closed. But they actually have whistles blowing at 5.30, 6 o'clock in the morning, for the – all the sports games going on. It is absolutely in their head, because they – the – the utilisation has to be so intense, because of the number of students there.

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This junior school site underground sports centre is intended – and it's a seven-metre height building. So it's – they've got to dig down a lot. And that sports centre is going to be utilised not just for the junior school but for the whole school. So again, the intensification of the blowing of the whistles from, you know, practice in the

morning and practice till late at night is going to be appalling. 45

And just so that you have some indication of what we as a community put up with in terms of traffic, etcetera, this is a photo of the pedestrians for our, um, two to three weeks during the – the Jacaranda Festival. And there are only two roads in and out of Kirribilli, and so all of the teachers, all of the trucks, all of the everything else go along there. And here is – we had 80 a day double-bogie trucks going up through Kirribilli. And here it is showing you how they can't stay on one side of any of our roads, with our parked cars. And this is what we're going to end up having for each of these developments. And – and that – those double-bogey trucks were under a management plan, through North Sydney Council, but they were actually for Shore School, but they were coming up through Kirribilli. And it took us a month or so to actually get rid of those coming through our site.

So, to just sum up, it's a new site. They are demolishing the building. They could actually be forced to put in minimum requirements for staffing to meet the needs for that. The numbers need to be capped, or – in reality, we know that they won't be, so you need to actually ensure that they, um, end up having, um, to increase the amount of parking provided on site. Thank you.

MS TUOR: Thank you. Thank you. Michel Reymond? Or "Michael". Sorry; Michel. It's written incorrectly here.

MR M. REYMOND: It's French. Good morning. My remarks for you today – addressed to you today – - -

25 UNIDENTIFIED MALE: Bit more volume, Michel.

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MR REYMOND: Michel Reymond is my name.

UNIDENTIFIED FEMALE: Michel, louder. We can't hear you. Closer to the mic 30

MR REYMOND: I'm sorry; I have a soft voice. Um, my name is Michel Reymond. I live at 78 Carabella Street, Kirribilli. By way of background, I've lived in Kirribilli since 1960, first at 119 Carabella Street, which is more or less at the junction of Bligh Street with Carabella, and now at 78 Carabella Street. And if I could draw the Commissioners' attention to the mistake on the drawings, which shows me as number 80.

Um, my submissions are to deal with the Aloysius junior school's concept plan, only to deal with the multipurpose underground hall. In essence – I should say also that they represent all of the residents along Crescent Place – we had a meeting on Tuesday of all of those residents – and they also represent the residents along Bligh Street who were able to come to that meeting. So the submissions that I've produced in writing, which I'm speaking to, represent the views of all those people.

In essence, they boil down to two things. Firstly, the content – the concept plan, as it relates to the multipurpose hall, should be deferred, for the reasons set out in the

submission. And, secondly, as an alternative, if you're minded to approve the concept plan in relation to this issue, then it should be amended or modified to achieve the objectives that are set out in the submission.

And if I could speak to the deferral aspect. It's that, in my experience, in the limited cases I've ever had to deal with, um, a subsequent consent authority is burdened by the envelope that's approved in the concept, and is unable to alter that envelope except with the consent of the applicant, where issues arise in the DA stage which, had they been considered in the concept stage, would have resulted in the envelope being modified.

They also set in place an envelope which, in this case, may not be constructed for up to 10 years. That is our understanding of discussions that two of us had with the school's representatives last Friday. You'll note from the assessment report that the development on all three campuses is to take place over a period of 20 years. We believe an approval set in place that is not going to take place for up to 10 years in relation to this aspect of the junior school's development is completely unsatisfactory.

Also in our – our discussions with the school last Friday, they indicated that the senior campus may wish to restore the assembly hall back to the purpose for which it was originally built, whereas today it's being used as a basketball court, and to transfer that use to the underground, ah, multipurpose hall, which would require a subsequent consent to modify the conditions of consent, which I think limit the extent of the excavation. But it also raises the issue of the intensification of this site, which has not been addressed in the assessment report. And if I could pause there to point out that all the school's – I may take a little longer, if I may.

MS TUOR: You've still got a minute.

MR REYMOND: Right. Okay.

MS TUOR: Do you need - - -

35 MR REYMOND: I---

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MS TUOR: --- more than that?

MR REYMOND: I probably do, yeah.

MS TUOR: So, what, two more minutes from now?

MR REYMOND: Probably, yeah.

45 MS TUOR: Yep. Okay.

MR REYMOND: Yep.

MS TUOR: Thank you.

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MR REYMOND: The school's capacity has been reached in relation to what it can carry on. I then go on to address the four other issues, which are excavation, bulk, scale and setbacks, and amenity aspects. In relation to excavation, could I just mention personally – and you will have had it in submissions, and verbally as well – that when they built the basketball court, in '93, '94, I happened to come home one day, and the intensity of the vibration inside my home – I could not stay there. That's how intense it was. The second thing is, recently, when they conducted bore testing for the purposes of a geotechnical report, plaster fell off at number 72, which 10 is a recently renovated 1880 terrace, which they spent a fortune on. So that raises considerable concern in relation to, um, the consequences of the excavation that's proposed in this development.

- 15 In relation to the bulk and scale, I would ask you to look at DA B201, and the extent of the heights and other drawings which, um – when you conduct your walk around, you will see that the, um, height of this is – when you look at it from Burton Street, it's about a third of the way down from the upper window. And that's the – that is being projected across the site, as you face Burton Street, and up Crescent Place.
- And its highest point is actually on the boundary between my property and number 20 31, at the corner, Burton Street. And so it's about four metres, at that – extent. It's about five and a half metres, when you're standing on the other side of Crescent Place. And that enables, in theory, to overlook next door, in all living areas.
- We think that the setbacks that are proposed around the school should be the existing 25 setbacks, which are 4.6 metres, both above and below the ground. In the assessment report, it's – well, the EIS – it mentions that there might have to be rock-bolting along Crescent Place. That's an indication, in my submission, that it's an unsatisfactory setback. Further, all the trees that you see along Bligh Street and 30 down Crescent Place were originally planted by Ted Mack, back in the late seventies, when it was a Department of Education site.
- And when the recent development was done by the school, on the block on the Bligh Street end – side, that you will see when you walk around, that's why the setback was set: to preserve that canopy of trees that exists there. And I suggest to 35 you that that is what needs to be set back below ground and above ground to have a satisfactory, ah, thing. If you're minded to approve the application, then I think it should have this setback, 4.6 metres, above and below ground, Crescent Place and, ah, Bligh Street. Finally, I think, a more modest proposal, under the existing, um, basketball court would be more appropriate for the size, scope and numbers at the 40 junior school. I then go on to make some comments about some additional conditions, but you can read those.

MS TUOR: All right, so you're going to give us your written submissions.

MR REYMOND: Yes, I've handed them in.

MS TUOR: All right. Thank you very much.

MR REYMOND: Thank you.

5 MS TUOR: Rob Porter.

MR R. PORTER: Thank you. I'm Rob Porter, Commissioners. I live at 68
Carabella Street, ah, immediately across the laneway from the junior school playing, ah – basketball arena. I'm a 40-year veteran of Kirribilli, and I've seen the transition from sleepy village to mini-metropolis. Um, and I think the – what I'd like, Commissioners, for you to do is consider, in – in this concept plan, to be minded that it comes a point where the heritage character of Kirribilli – it in essence is abandoned to cater to a special class of occupation – ah, the schools – um, and – and it – it turns out that they can do almost whatever they want. And we, the residents, with heritage houses, are constrained by the heritage ordinances. And it's a two-tier system now. So we see it as – well, that we're the losers. However, in taking into account the size of the developments proposed, the junior school - - -

MS TUOR: Gosh, that was quick.

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MR PORTER: --- needs to be constrained, so as to not impact even further on the amenity of the residents. And it's basically an overreach, in my mind. And also, Kirribilli's full. We'll never solve the traffic problem, because it's a destination. And I think it's time for the campuses – big school, little school – to look toward moving out, getting playing fields out of the city, where there's space, and give children – the students – the benefit of the bus ride to and fro.

UNIDENTIFIED SPEAKER: Hear, hear.

30 MS TUOR: Thank you. Belinda Barnett.

MS B. BARNETT: Good morning. My name's Belinda Barnett. I'm the director of the town planning consultancy Urban Concepts. I'm speaking to you today on behalf of the Craiglea Strata Committee. Craiglea is a heritage listed property that comprises 19 residential apartments. It's located at 49 Upper Pitt Street and 88 Kirribilli Avenue, and is adjacent to the eastern boundary of the St Aloysius middle school campus. The Craiglea estate includes the heritage listed Craiglea House, which comprises of two apartments.

- Given the juxtaposition between Craiglea and middle school campus, the Strata Committee holds serious concerns for the future amenity of their property if the stage 1 works to the middle campus proceed. They contend that if the development proceeds as recommended, that their right to the quiet enjoyment of their property will be seriously compromised. In the time allowed, I will speak to the Strata
- Committee's primary concerns, and I also advise that I will be submitting a written report to the Commission.

Firstly, concerns relating to the lack of sufficient onsite car parking. The department's traffic and parking assessment identifies that the development can only achieve compliance with the North Sydney Council's car parking controls if the 17 car parking spaces that are currently used by the school at the Star of the Sea Catholic church in Willoughby Street are relied upon. When these spaces are included, the school has 43 car parking spaces: 13 spaces in excess of what is required under the North Sydney DCP.

It is our understanding, though, that St Aloysius does not own the Star of the Sea church. As such, we question the validity of relying on car parking spaces that do not legally form part of this application. We can find no letter of owner's consent, nor a legal description for the Star of the Sea church, in the application documentation. In the absence of such authority, we contend that any assessment of car parking compliance can only be based on those spaces that exist on the school's landholdings.

Concerns relating to the capping of student numbers and staff. The proponent's justification for not providing additional car parking or open space relies on the argument that there is no increase in student or staff numbers. The department has incorporated condition A8, that caps student numbers across the three campuses at 1244 students, and staff numbers at 176 staff.

We are concerned that at a future point in time, when the population forecasts set out in the Northern District Plan play out, that the school will seek to modify this condition, and increase student numbers accordingly. We ask the Commission to consider how the capping of student numbers can be enforced in the long term.

In respect of the capping of staff numbers at 176 staff, this number relates to full-time positions only, and does not include casual or part-time staff. Based on the information presented in the proponent's EIS, there are 339 full- and part-time staff employed at the school. On this basis, we question the validity of a condition that only looks to cap full-time staff numbers, and we further have concerns about how it can be legally enforced.

- Concerns relating to the out-of-hours use of the middle campus roof terraces. None of the documentation that we have viewed has considered the cumulative impact of the proponent's intended out-of-hours use of the middle campus roof terraces. From the proponent's own operation management plan, we understand there are two rooftop terraces that will host out-of-hours functions at the middle campus. The existing chapel terrace roof will continue to host 54 out-of-hours events per year, and the proposed roof terraced will host a further 23 out-of-hours events per year. That is a total of 77 out-of-hours events that will be hosted annually at the middle campus: 53 are school-related events, and 24 are non-school-related events.
- We contend that the permissibility and cumulative noise and parking impacts of the out-of-hours use of the main campus terraces has not been adequately examined by the department. We ask that the Commission consider the cumulative impact of

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event usage, and introduce conditions of consent for the new roof terrace, that firstly, limit the out-of-hours use of the terrace to school-related events only; secondly, impose a start time for weekend events of 10 am, and an invert – end curfew time for all events of 10 pm; thirdly, that cap the number of out-of-hours events held on the – on the roof terrace to the 13 school events identified by the proponent in their operation plan of management; and, fourthly, to modify the standard hours of operation for the terrace during school days to a morning start time of 8 am and a finishing time of 4.30 pm, instead of the 7.30 to 5 pm currently proposed, bearing in mind that the EIS states that the school's core operating hours are 8.30 am to 3.30 pm.

Concerns relating to noise impact. We ask that the Commission consider two design amendments to address the noise impacts of the defendant on Craiglea. Firstly, to the roof terrace. The proponent compares the use of the new roof terrace to that of the existing quadrangles that it replaces. In our view, they are not directly comparable. The roof terrace has been deliberately designed as a multipurpose space. It will function as an active and passive play area, event venue, assembly auditorium, performance space and outdoor classroom.

- The quadrangle is never used to this intensity. To help mitigate the noise impacts, the strata committee requests that the proposed painted concrete flooring of the terrace be replaced with a noise-absorbing Astro or rubber turf or a similar material. Secondly, the floor layout for levels 1 and 2 of the new north-east wing locate plant rooms right on the eastern boundary at a point where there is very little setback between the two properties, and, as such, the plant rooms will be directly adjacent to the windows of Craiglea Apartments. We ask that these plant rooms be relocated away from the eastern boundary.
- Concerns relating to the landscaping and design treatment of the eastern building elevation. The new north-west the new north-east wing building has an internal layout that will intensify usage within a 3.5-metre range of the Craiglea boundary. Craiglea will be directly overlooked by eight classrooms with extensive glazing treatments. While the department has recommended that hinged privacy screens be added to the windows and Juliet balconies, we remain concerned that these will not adequately mitigate overlooking into Craiglea.

The strata committee feels strongly that it's important to provide a landscape visual buffer along the eastern boundary. Landscaping will also help to soften the building form when it is viewed from the Craiglea open space. We ask that the commission consider a design amendment to the eastern boundary landscaping treatment and incorporate a deep soil landscaping zone that can support significant trees and shrubs to create a visual buffer at this interface. We note that at ground level there is an eight-metre setback along the boundary, so a deep soil zone can be accommodated. If it is not possible to provide a deep soil zone on the Aloysius' site, then we ask that the commission consider imposing a condition of consent that requires the proponent to provide additional landscaping on the Craiglea property along the boundary.

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Concerns relating to view impact. The owner of apartment number 2, the top-floor apartment, in the historical Craiglea House has serious concerns that the balustrade of the rooftop terrace will impact on their iconic views to Sydney Harbour. We ask that the commission make a design amendment to the balustrade to set back and splay its south-eastern corner. This amendment can be accommodated without requiring any reduction in the usable floor area of the terrace.

Concerns relating to the process for the certification of final plans. Craiglea's primarily – primary amenity concerns relate to the eastern elevation of the new north wing building and the roof terrace design. The department's assessment report identifies that there are still amendments to be made to the landscape plans, roof terrace plan, the architectural plans as they affect the eastern elevation, and also the overall lighting plan. The consent instrument identifies that responsibility for the final sign-off of these plans will rest with the principal certifying authority.

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Given the importance of the eastern elevation to the ongoing amenity of Craiglea, the strata committee is concerned that they will not have the opportunity to view and comment on the final plans before they are submitted to the principal certifying authority, and we ask that the commission give thought to varying the procedure in this respect.

Concerns relating to lighting impact and compliance with AS 4282. There are drafting inconsistencies in the consent instrument that relate to the Australian Standard AS 4282: the control of the obtrusive effects of outdoor lighting. As the commission is aware, the standard was updated this year. We ask that the commission ensure that all conditions reference the correct standard, which is the 2019 standard, and not the 1997 version, and we also ask the commission to ensure that, um, lighting impact assessments also have had regard to the new standard. Concerns relating to construction management.

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MS TUOR: Sorry. How much more time do you need?

MS BARNETT: Oh, about – about half a minute.

35 MS TUOR: Okay. I'll allow a minute.

MS BARNETT: Thank you.

MS TUOR: Yes.

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MS BARNETT: Concerns relating to construction management. The Craiglea Strata Committee has serious concerns about the seven-year construction period. They believe that it's imperative that the proponent and their builder closely liaise with immediate neighbours throughout the construction process. We acknowledge that the consent instrument includes conditions to address consultation; however, we would like the commission to include a specific condition that requires the proponent to form a community advisory committee that incorporates representation from each

of the body corporates, um, of the surrounding apartment buildings and that that committee be in place for the duration of the construction process. On behalf of the strata committee, I thank you for your time, and, um, thank you for the opportunity to address you.

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MS TUOR: Thank you. They're all the speakers that we've got, so the public meeting is now closed. Thank you.

## 10 RECORDING CONCLUDED

[11.08 am]