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**TRANSCRIPT OF PROCEEDINGS**

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O/N H-988463

**INDEPENDENT PLANNING COMMISSION**

**PUBLIC MEETING**

**RE: SHELL COVE BOAT HARBOUR PRECINCT CONCEPT APPROVAL**

**PANEL:** STEVE O'CONNOR  
PETER COCHRANE  
ILONA MILLAR

**ASSISTING PANEL:** MATTHEW TODD-JONES  
ANDREW McANESPIE  
DAN KEARY  
BRENT DEVINE

**LOCATION:** THE TASMAN ROOM, SHELLHARBOUR CLUB  
CNR WATTLE & SHELLHARBOUR ROADS  
SHELLHARBOUR, NEW SOUTH WALES

**DATE:** 10.30 AM, THURSDAY, 7 FEBRUARY 2019

MR S. O'CONNOR: Good morning everyone and welcome. I have some introductory comments I need to read just to set the ground rules and that will explain the process we will go through today. I would like to acknowledge the traditional owners of the land on which we meet. I would also like to pay my  
5 respects to their elders, past, present and emerging, and to the elders from those communities who may be here today. Welcome to this public meeting regarding a request to modify the concept plan approval for the Shell Cove Boat Harbour Precinct from Frasers Property Group.

10 The request seeks to modify the concept plan approval by, firstly, increasing the number of dwellings from 1238 to 1566 dwellings. Secondly, revising the housing densities, housing types and building heights in certain areas of the Boat Harbour Precinct. Thirdly, amending the hotel building, and relocating it to the northern edge of the town centre and increasing its maximum building height from a maximum of  
15 nine storeys to 11 storeys. And, fourthly and finally, revising the road layout and pattern.

My name is Steve O'Connor. I am the chair of the Independent Planning Commission panel which has been appointed to determine this modification  
20 application. Joining me on the panel are Commissioners Ilona Millar and Peter Cochrane. The other attendees from the Commission who are here today are Matthew Todd-Jones over to my left and Andrew McAnespie from the Commission Secretariat. We also have Dan Keary and Brent Devine from Keylan Consulting who are assisting the Commission Secretariat on this project. They are here today as  
25 well.

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  
30 this modification application. You can find additional information on the way we manage potential conflicts in our policy paper, which is available on the Commission's website. In the interests of openness and transparency, today's meeting is being recorded and a full transcript will be reproduced and made available on our Commission's website.

35 The purpose of the meeting today is to give everyone who has registered to speak the opportunity for us to hear your views on the assessment report prepared by the Department of Planning and Environment before we determine this modification application. This meeting is but one part of our decision-making process. We have  
40 also met with the Department of Planning and Environment and the applicant, Frasers. We will be conducting a site meeting after this public meeting, as well as meeting with Shellharbour City Council later on this afternoon.

45 The Commission may also convene with relevant stakeholders if clarification or additional information is required on the matters that might be raised. Records of all these meetings will be included in our statement of reasons, which will be published

on the Commission's website. Following today's meetings, we will endeavour to determine this modification application as soon as possible, however there may be delays if we need additional information and we have to wait to receive that information. Before we hear from our first registered speaker, I would like to lay  
5 some ground rules that we expect everyone taking part in today's meeting to follow.

First, today's meeting is not a debate. Our panel will not take questions from the floor and no interjections will be permitted. Our aim is to provide maximum opportunity for people to speak and to be heard by the panel. Public speaking is  
10 often an ordeal for some people. Though you may not agree with everything you hear today, each speaker has a right to be treated with respect and heard in silence. Today's focus is on public consultation. Our panel is here to listen, not to provide comments. We may ask questions for clarification. It will be most beneficial if your presentation is focused on the issues of concern to you.

15 It is important that everyone registered to speak receives a fair share of time. We will enforce the timekeeping rules. As chair, I reserve the right to allow additional time for provision of further technical material. A warning bell will sound one minute before the speaker's allotted time is up and, again, when it runs out, please  
20 respect these time limits. If there are issues you're unable – feel unable to address, or you feel you could not completely address in the allocated time, we would encourage you to provide a written submission to the Commission. Written submissions should be made available within seven days of today's meeting.

25 Though we will strive to stick to our schedule today, speakers sometimes don't show up, or decide not to speak. If you know someone who will not be attending, please advise Andrew. If you would like to project something on the screen, please give it to Andrew before your presentation. If you have a copy of your presentation, it would be appreciated if you could provide a copy to the secretariat after you finish  
30 speaking. Please note that any information given to us is public information. The Commission's privacy statement governs our approach to your information. If you would like a copy of our privacy statement, you can obtain that from the secretariat or from our website.

35 Audio recording of this meeting is not allowed, except for the official recording of the transcript. Notes may be taken throughout the day on the issues raised and we will endeavour to summarise these in our determination report. Finally, I would ask that everyone please turn off their mobile phones: either turn them off or put them on silent. Thank you for your patience and I will now call on the first speaker who is  
40 Mr Steve Doyal. If you could come up, Steven.

MR S. DOYAL: Yes. Thank you. Is this one working? Well, I need my hands.

45 MR M. TODD-JONES: Okay.

MR DOYAL: It's just that I have some paperwork and – so – no. I need – okay. Thanks very much. Yes. The reason I need hands free is to – I've got some

paperwork here to share with the committee, and thank you very much for giving us this meeting. The public certainly appreciate their chance to have a final say. I thank all the members – the people that have come. And there are councillors here and I notice people from – Glen – Glen is here and Glen Colquhoun, so that's very  
5 nice – people from Frasers. So I respect that what I've got to say you may not agree with, but there's people – there's negatives in this program, there's no doubt about it, but I think to get the best outcome, we have to accept changes that's happening all the time.

10 We have to accept changes to get a good outcome; a benefit for the community. So what I'm going to say, as I say, I respect that you may not agree. I mean, for instance, a lot of people may not agree with a nine to 11 and high density. We're not too happy with the new light situation. A lot of people aren't too happy with that. That's causing a bit of a problem in the community, but we have to accept change;  
15 we have to accept these things and try to get a benefit for the community out of it. So if we accept that these modifications are good, and I think they are – they're good for the final outcome of the project. So that's good, but it's not good enough. We need some community input.

20 Now, I will talk to the chair now, and thank you very much for your attendance. We need some community input. On its own, it's not good enough. It's good; it's going to be a wonderful project. I just had a yarn with Peter Moran, who is a councillor, and he tells me there's going to be a fish integration device in the harbour so it attracts fish and people who go boats – well, Peter, if he had a chance to speak – so is  
25 that true about the fish integration device? That sounds wonderful project to me and that's what people are going to – that's the benefit of the whole project. So – and there's a lot of things we all don't know about too.

We need – we accept the corporate – the developer's changes, but we need to  
30 consider a community recreational facility concept plan modification to offset the negatives in this one and get some positive outcomes for the community. And I've put a peace sign there and maybe we have to smoke the peace pipes with a few councillors or people that we disagree with. I got a few happy faces there. We're trying to make people happy with the outcome of this project, so this is just my way  
35 of doing it. I'm not a computer man, the 10 pages of computer business, definitely not. This is what I would like to present at the finish.

So the positive outcomes for the community can be. And I've already spoken to Kerry McIntyre, Glen, the Mayor and Councillors. I've certainly spoken about it to  
40 them. Now, we're saying that this – these modifications don't cover these things, but the community modifications can. We just want a simple thing like exercise equipment. There's a council policy – is rolling out exercise equipment program, and I don't see any difficulty in having an exercise equipment on one of the walking  
45 tracks.

It seems to be okay with council talks. I had talks with Glenn, and we were suggesting some steps on the beach because our natural walkway has been taken

away, and that's gone, but we'd like to sort of offset that with – we said some steps – steps from the beach up onto the breakwater so you can walk out in the breakwater, watch the boats, watch the whales and the dolphins. We've got a wonderful situation here. It's very nice.

5

But Glenn says with Steve maybe not steps, but he sure – well, I don't know whether sure, but he said there would be footpath access to the beach from the walkways and the breakwater on the southern breakwater and – sorry – the northern breakwater and the southern groyne. But, of course, that has to be designed, but Glenn said that's a possibility. Well, we'll keep them as possibilities for the moment, but that – they're two that we'd definitely like to see. The beach is a nice – and we had a lovely walk down there. Been going there for years. But it's changed, and we've got to accept change. So that would be a very nice thing to have, access from the walkway for the beach, and it'd possibly be a disabled ramp or something like that.

15

The third one is sports fields. In all the glossy brochures, we've always had sports field, and they're being presented as soccer fields, but maybe not soccer fields. We'd like to see that happen. There – I have tried to talk to all the people involved. I've been a busy boy over the last – since the meetings been announced. Yes, I believe that sports fields will go in. I think it has to, anyway. You can't build a project like this without some sports fields for our young children. The sporting organisations might have to fight over that because it's a wonderful location and - - -

20

MR O'CONNOR: Could you wrap up soon, sir, please. Your time has expired.

25

MR DOYAL: Okay. All right. Well, this is an important one. Just give me a few minutes on this, please, Stephen. An indoor sport and family aquatic leisure centre. The reasons I've made that particular – because – and we'll talk to – so many people talk about what they'd like to see in a leisure centre. And I believe that there is room down at the business park, which is the southern end of the project, and it needs to be negotiated, but we need – the people of Shell Cove are entitled. There is an aquatic facilities working party being reconvened. That's what I – two hands. Being reconvened and they will talk about where the leisure aquatic facility will go. There's four options.

30

35

MR O'CONNOR: We don't need to hear about those options now. You've made - - -

MR DOYAL: Okay, then. You made the point and we'd like to see the Shell Cove people have the opportunity of having a leisure centre in their area.

40

MR O'CONNOR: Yes.

MR DOYAL: Okay. I will – so that's four things, just to wrap it up. Exercise equipment, footpath access, sports fields and a leisure centre. So I'll present this – and there's other things in there, too. I'm – me and my wife have been registered with the retirement village for the last five years and we may be living there. It's all

45

in there. So thank you very much for your time. It's a shame we had to be, you know, cut off in short time, but hopefully I made the point on behalf of the community, and we need a positive outcome. Glenn said to me we need to leave a legacy that the city would be proud of, and he meant that. And that's what we're  
5 working on.

MR O'CONNOR: Thank you, Steve.

10 MR DOYAL: Thank you.

MR O'CONNOR: Ta. Thanks for your submission. If you've got anything you'd like to leave with the Secretariat, Andrew will take it from you.

15 MR DOYAL: Andrew.

MR O'CONNOR: Thanks.

MR DOYAL: The wild Irishman. You got to have a bit of fun, too, Peter.

20 MR O'CONNOR: Our next speaker is Les Brooks. If you want to come forward. Thanks, Les.

MR L. BROOKS: Steve, I'm not sure how much time I've been allocated.

25 MR O'CONNOR: You've been allocated 15 minutes.

MR BROOKS: Could I perhaps take it to 18?

30 MR O'CONNOR: We'll see how you – if you can try and finish within 15.

MR BROOKS: It'll be very close to that.

MR O'CONNOR: Okay.

35 MR BROOKS: Okay. Thanks. So thank you, everybody, for the opportunity to talk today. My response is – my response is in response to the Secretary's assessment report that was published in November. So is that okay?

40 MR O'CONNOR: Yes, that's fine.

MR BROOKS: So I'd just like to declare my interest is that I'm concerned about view loss, so who wants to surrender an ocean view to the back view of an apartment block? I'm concerned about urban overcrowding, the traffic impacts that could follow, and I'm concerned that there are members of community who are unable to be here today or are not able to speak up, so hopefully I'm a voice for those people.  
45 So I'll get on to my points. There were in the Secretariat's reports a number of

points that were duplicated, so I've tried to consolidate those. Would you like me to reference those or just go to my points?

MR O'CONNOR: No, just go to your points.

5

MR BROOKS: Okay. So first, I would like to declare that I actually do support the marina project that was initially proposed. Like Steve, the project will transform Shellharbour and it will provide job opportunities, but that was always going to be an expected outcome of the current project. In my opinion, expansion beyond 1238 dwellings will have a near to zero impact on retail employment because the retail and commercial space is already set. There was no proposed increase to that space at all.

10

The hotel apartments and dwellings that are yet to be constructed – they will provide construction job opportunities, but there's no firm evidence that increasing the apartments will give a proportional increase in the construction jobs as contractors are likely to use staff over a longer period of time. They'll use benefits of scale, just for efficiency, and albeit the marina construction jobs will be transient; they won't be long-term jobs that will remain after the project's finished.

15

20

The marina retail and commercial floor space is already set. I've said that, and in my opinion, while it will offer specialty shopping and retail, it's going to sit in the shadow of the Stocklands Shellharbour Shopping Centre. It's a fact that Stocklands Shopping Centre is prime shopping location for most residents of Shellharbour and surrounds, and it will offer benefits ..... that are a lot different to what the marina's going to offer, and, conversely, the marina will offer some specialty benefits; I agree.

25

30

The department did assess that the proposed density increase, which is 26 per cent above the current approved density level, is acceptable. Well, increasing density level by 26 per cent I believe is actually a significant increase, and so I can't understand how the modification will not have a significant impact – the traffic and the local roads. Our parking requirements will not be impacted, and let alone how increasing the height of the apartments isn't going to affect some residents with loss of view, etcetera.

35

Two per cent traffic impact at afternoon peak has also been assessed, but what I expect from a 26 per cent increase in dwelling density will be longer delays in peak hour to streets intersecting with Shellharbour Road. There's difficulties at the moment making right-hand turns from Shellharbour Road into Harbour Boulevard.

40

Two or three cars at a time, and other parts of that intersection are similar.

45

The statement by the department – this is my point number 5 here. The statement by the department suggesting the need for private vehicle use will reduce by minimising walking and cycling distances, in my opinion, is difficult to understand. While it's true that the distance is not great, it's incorrect that motor vehicle use will reduce, and I think this is a presumption. Many people will still drive 500 metres to Woolworths rather than walk.

It's a fact that residents and visitors to the marina precincts will still have a strong reliance on motor vehicles. I've got some brief stats from the 2016 Census for Shell Cove, and vehicle to dwelling numbers increased in that sense as to 2.2 vehicles per dwelling and 25.9 per cent of the dwellings have three or more vehicles, where the  
5 New South Wales average for the three or more vehicles is only 16.7 per cent.

There are no council controls on street parking, and the council can't control how garage spaces are utilised. A drive through the harbour precincts on a weekend afternoon – or a week afternoon will show the dependency on street parking. Many  
10 residents resort to street parking in some streets – bi-directional traffic is not possible without special care to avoid collisions. Cars parked on both sides of the road – it's effectively a single lane traffic flow. The ratio of cars to dwellings reflects the current requirements to have timely transport to work locations and to other  
15 recreational sites.

I think this is a key issue. Visitors to the marina have no designated parking other than the Woolworths parking and the tavern parking areas. So I'm concerned for how visitors to the apartments will park. My first thoughts will be they will look for something in the street as close as possible, otherwise they will park at Woolworths  
20 or the tavern and where that might not be particularly convenient, the likely outcome will be increased pressure on street parking.

My point number 6. There were 202 submissions to the RtS from the public. 96 per cent of those submissions were objections. So the level of response to the  
25 Department of Planning and Environment from the general public demonstrates the community concern that density and view loss are major concerns of our community. Point number 7 – and on this one, I would like to acknowledge the parking concerns that were put by the council in the document. This concern can't be understated as Shell Cove residents are currently experiencing traffic and parking impacts.  
30

Point number 8 refers to an acronym called CPTED, which is Crime Prevention Through Environmental Design. In the document, council wanted CPTED to be incorporated into the modifications, but the RtS states that CPTED and building design not be included. By not including CPTED into design indicates a lack of  
35 concern for our community. And my concerns is that profits over people is a riding factor on this project. As an example, the intersection of Shellharbour Road and Addison Avenue is confusing. Access from Addison is not entirely safe. That is my opinion. A recent social media post referred to the intersection as spaghetti junction. And in the case I would like to point there's a camber on the exit from Addison Road  
40 that, in my opinion, presents a road safety hazard – just one example. Point number 9 – this is from an EPA response. The reference states that:

*...the department should review the height provisions to minimise visual and amenity impacts.*

45 My comment here is that this is the crux of the community concern and for this reason the apartments should not be allowed any height increase. Point number 10:



*The council has expressed another concern that building height in metres may impact on population numbers and parking –*

5 etcetera. If this is a concern of the council, then again the modification proposal should not be approved. Point number 11 – this is the EPA expressed a concern over sewerage capacity and a similar concern from Sydney Water is point 25, further down. The capacity of the sewerage system is somewhere near 1422 dwellings at the moment, with recommendations from Sydney Water to limit the dwellings to 1420.

10 So the capacity needs to cater not only for normal dwelling occupancy but allowances for tourists and visitors to the area to be included. Dwellings today mean as average people per household in Shell Cove, according to the 2016 census, is 3.2 per cent versus the national average of 2.2 persons per household. In essence, neither the developer and the EPA nor the council can limit the population density of the  
15 proposed dwellings. In my opinion, the increased density will present an unacceptable risk to the environment. The RtS response referred to is my point number 12 – a minor impact on the state road network. This is not argued, however, the document does not state anything about the local road network impacts which is a community concern. Point number 13:

20

*Sydney Water suggests that further servicing investigations are required.*

This demonstrates an existing concern from Sydney Water. And given the actual population to be serviced is unknown, then dwelling ..... any increase, again should  
25 not be approved. Traffic for New South Wales – they had no comment in the document. So there's no suggestion that bus and train services will be increased to cater for the increased population. The reliability on private transport will not reduce and, as population increases, then the motor vehicle ratio per dwelling will also increase, placing more pressure on roads and parking. I jump to point 16:

30

*The department is satisfied that increased density is acceptable.*

In my opinion, the department has not considered the full impacts – is only seeking to fit the proposal into existing guidelines which I believe should be just guidelines,  
35 allowing for changes to be considered on a site-by-site basis. For this site, the full modification should not be approved.

Point 17 – and it refers to the hotel exceeding LEP by 22 metres and most of the five and six storey apartments exceeding LEP height control by four to seven metres.

40 How can increasing the hotel by 22 metres and some of the apartments by four to seven metres be seen as acceptable? It seems that the guideline is applied when it suits a developer but when the community has a concern, the guidelines are more favoured towards the developer. So these height adjustments should not be approved. Page – point 18 – and it's point 28 – so I've consolidated here. It says  
45 that:

*...the department is satisfied that the view loss will be marginal or minor.*

5 The change from a four-storey apartment to a five or six storey apartment will, in fact, adversely affect a high number of dwellings across Shell Cove and Shellharbour. This is not marginal to the people who have chosen to live in this community and the people who have helped develop our community. Point 19 and point 29 – I've consolidated again. The – very similar but:

10 *The department has considered the proposed changes to building heights in detail, and in the context of the entire site, the proposed changes would not be significant.*

The suggestion that increased building heights have been shown to result in no significant impacts on the character of the area, with no unacceptable overshadowing and view loss impacts does not reflect the opinion of the wider community who actually will be impacted by increased building heights. Point 20, it says:

15 *There's an increase in height of residential buildings and a number of dwellings to add vitality to the town centre –*

20 vitality within the town centre has already been promised with the current approved proposal. In my opinion, vitality within the town centre can be achieved with the existing plan. Point 21:

*Overall view loss impacts are considered to be negligible –*

25 there's a bit of a theme here, but there were lots sold by Frasers and the previous developers based on the approved concept plan and on this basis, it seems unfair to me and unethical to change the rules and to steal views by adding additional levels to the apartments. In my opinion, the loss of any view is most important to the people again who are directly affected. Point 22:

30 *Council raised concerns that on-site parking rates should not be locked in at the concept planning stage.*

35 Well, I believe that on-street has a limited capacity and for this reason, parking rates should be locked in at concept planning. Point 23 – there's a determination that there will be now 596 parking spaces versus the previous 578. So that results in an additional 18 car spaces which in the overall scheme is negligible and it doesn't translate to afternoon traffic ..... or to a 26 per cent increase in dwelling density. And I'm getting close to the finish. Point 24 – if the hotel is considered high density residential as per the document, then apartments should consider a similar car to apartment ratio of 2.2. That would be in line with ABS statistics. I'm not sure how that figures in with their calculations.

45 Point 25 – water servicing. On this point, it seems that sewerage management design is down to the wire and, in my opinion, there needs to be capacity to support future growth, allowing for peak visitor and tourist periods to the entire marina. Point 26 – for social support infrastructure, there remains a stronger climate for private transport

access to catchment areas, facilities. In many cases, walking is not optional, as timely transport to support services within the 10K catchment area is actually a significant issue. The last point that I've got is on – is number 27 and it says that:

5           *The development with the tallest heights, typically apartment and mixed-use  
development, would generally be located centrally on the site and away from  
the site closest to the quarry. In my understanding, precinct B has a proposed  
six-storey apartment and that's much closer to the quarry than the apartments  
located in other precincts. This apartment block should remain as approved by*  
10           *the original concept plan.*

I'm at my summary, and:

15           *So we moved to Shell Cove knowing there would be development in the marina,  
including apartments and a hotel. However, I'm concerned that excessive  
development will occur. This could be overdevelopment, similar to what  
happened at Wolli Creek, Rhodes, Liverpool and other places towards the city  
where concerns of overcrowding and overdevelopment have attracted a new  
level of media interest. A similar issue made the Sunday news where the  
Premier was interviewed. In my opinion, Shellharbour and Shell Cove will,  
20           over time, evolve into a medium to high-rise community.*

25           *This is happening now with apartments being built in close proximity to the  
council hub and Stockland Shopping Centre. As well, there are apartments  
being built in Addison Road and nearby streets. So the growth of apartment-  
style dwellings should be organic and not revolutionary, as I believe is with this  
proposal. So I trust that I've been able to express my concerns today and I'm  
hoping that I've relayed the fundamental concerns of the community. So,  
please, consider the decision carefully, and I urge the IPC to reject the  
30           modification proposal to increase apartment and hotel heights.*

So thank you.

35           MR O'CONNOR: Thank you very much for that. Our final speaker is Guy  
Formica. Guy, if you want to come up and take - - -

40           MR G. FORMICA: Yes. Okay. Well, Les has covered a lot of what I was going to  
say, so I won't double up. So I'm going to have to do a bit of chopping and changing  
here. I'm going to talk about two things: visual impacts and traffic. Okay. Firstly,  
the visual impact assessment prepared by Fraser – prepared for Frasers Property by  
Dr Lamb, in my opinion, is flawed and irrelevant.

45           The reasons are as follows. It is impossible to produce an accurate view analysis and  
subsequent photomontage without knowing the ground levels at the base of the  
buildings and the building heights in metres, not storeys. The assessment does not  
specify exact ground levels or building height in metres used to produce the  
photomontages. Where is this data in the report?

I was expecting a map showing the location of the buildings, RL of the ground, the height of the buildings; this is missing from the report. Also, ground levels and building heights specified in metres did not form part of the original 2011 concept approval and, therefore, no building heights and ground levels were approved in  
5 metres. Therefore, it is impossible to produce an accurate photomontage of the 2011 concept approval.

Hence, it is impossible to perform a comparison to the modification. Hence, the entire arguments of the view assessment and all the DPE references to it making the  
10 recommendation are false and misleading. The truth is no one can state what ground levels and building heights in metres were approved in 2011, therefore it is impossible to do a comparison.

In addition, the visual impact assessment relies on computer-generated depictions of  
15 the building heights and not actual tangible structures. The computer-generated depictions may not reflect the true building heights. I therefore propose that one temporary pole for each building over 15 metres high be erected on site with a clearly visible marker to be mounted on the pole at the proposed height of the building.

20 In this way, the IPC, the residents, can view and judge exactly what the impact is to their view, not some computer-generated artwork with data which is invented by the person doing it. It's missing, and I've requested it and they have still not given that information to me. Okay. I will now talk about traffic. Okay. There's a map of the  
25 area. I was just wondering if we could just zoom in one little step and if I can just – I might pop up there and – is it all right if I talk from up – and point to the map?

MR O'CONNOR: It is. Yes.

30 MR FORMICA: Yes. Okay. If we could just zoom - - -

MR O'CONNOR: Look, I'm sorry. I'm going to have to bring you back. Maybe Matthew can go up there and point for you. We cannot get your comments on the  
35 transcript if you're away from this microphone just here.

MR FORMICA: That microphone?

MR O'CONNOR: So if you can move back - - -

40 MR FORMICA: Okay. Okay.

MR O'CONNOR: - - - and ask Andrew, and maybe, Andrew, you could point in the right – in the direction.

45 MR McANESPIE: I will try. Okay.

MR FORMICA: Okay. So the traffic analysis of the 2011 concept approvals, not the modification – I'm going back to the approval – and the subsequent modification is flawed, because it does not consider traffic flow onto Shellharbour Road from the site and the housing surrounding the area. This will cause significant traffic delays.

5 There are two ways to get to Shellharbour Road. So those two circles on the left, that's Shellharbour Road, that road going up there. If you could point to Shellharbour Road. It's – yeah – that one there. So when people go to work or leave the area, everybody goes to Shellharbour Road; that's the main road. There are only two points that you can get on to Shellharbour Road. They're circled – the two

10 circles up the top – the top circle and the bottom left circle.

The bottom left circle is a roundabout and the top left circle is a new set of traffic lights that were just put in. Okay. The approved concept plan estimated to have a traffic generation of 4000 vehicles per hour two-way in the weekday afternoon peak

15 hour. That's 4000 vehicles two-way. That's just with the development. That's not including the existing housing. Okay? 4000 vehicles per hour. Let's – that's two-way. Let's halve this. Let's just say – so it's 2000 vehicles one-way, and, remember, that's not including all the existing and the new housing that's going up. We're only talking about 2000 vehicles for the development. If we assume, say,

20 okay. 50 per cent of drivers will use one intersection; 50 per cent of drivers will use another intersection. So let's chop it in half. Say, each intersection is going to have 1000 vehicles per hour at each intersection. That's 1000 vehicles per hour.

That's 17 vehicles per minute, just through one direction, not two. Then this equates

25 to three – one vehicle every three and a-half seconds. That's one vehicle every three and a-half seconds through in the intersection continually without any stopping at a roundabout or a traffic light. To achieve this is impossible. Okay. It's absolutely impossible, and don't forget – and this calculation does not include the additional vehicles from the modification, so I'm still talking about the concept plan. Doesn't

30 include the vehicles from the modification and vehicles from the surrounding residents in the bottom part there. It's hard to point, but basically what you see there, that particular large area – doesn't include that.

If you include that, I – you can hazard a guess. I've said that the – if the vehicles – if

35 these vehicles also are included, the figure – let's assume it's doubled. Okay? It's actually more than that. That would mean one vehicle every one and a-half seconds would have to go through the intersection continually. That's no red lights. Continually green. You don't have to stop at the roundabout. You don't have to stop the traffic lights. If you have to stop at those roundabouts and traffic lights,

40 there will be jams all the way down Cove Boulevard, all the way down Harbour Boulevard.

You don't have to work for RMS and be a traffic expert to see that. Just do the simple mathematics. It's very simple. Count the amount of cars, how many cars per

45 second, like I've just done, and work it out. So this is – I can't believe how the DPE just blindly believe some computer-generated – sorry – for want of a better word, rubbish from RMS when clearly, commonsense tells you that they have not

considered these intersections. They've only considered the traffic flow on Harbour Boulevard. They've only considered that traffic flow. When you think about it, use the analogy - - -

5 MR O'CONNOR: Guy, can you stay close to the mic.

MR FORMICA: Sorry. Yes.

MR O'CONNOR: Yes.

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MR FORMICA: I use the – so this one's not connected. Okay. Use the – a plumbing analogy. What they've done in their report is they said, "Imagine the road is a pipe and the cars are water." Okay? They've said, "The pipe is nice and big and thick and the pipe can handle all these cars, and if we increase it, oh, the pipe can still

15 handle the water." But what they have not – what they have not considered is at the end of that pipe, there's a traffic light. Imagine that traffic light as a tap, and you're turning that tap on and off, on and off, because traffic lights change, green, red. Same with the roundabout. You've got to stop because cars are coming from the other direction.

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So when you're turning that tap on and off, that's not going to give you the flow. That's not going to give you the traffic flow. It is going to create traffic jams. They need to sit down, do the math, work out the timings of those traffic lights, work out the timings of the actual amount of cars going through and how – and also consider,

25 which they haven't considered, the surrounding area, the houses that are already there, and then do the calculation. So I ask the IPC, you guys, do not blindly just believe what they're telling you. Do the maths. Use your commonsense. Work it out. And I'm sure everybody here – what I've just explained – commonsense will tell you that. This is going to be a quagmire, a nightmare. There's already traffic

30 jams. There's already congestion. Already, and the place hasn't even been built.

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In peak hour – I just heard a "mmm" from the audience – along Cove Boulevard, there is already a jam all the way down to the other end, that curved bit there, all the way down to the second circle there every morning. People cannot get onto

35 Shellharbour Road already. That's with the new traffic light. Already without the place being built. The traffic assessment is absolutely positively flawed. It needs to be redone. From – and I'm just talking about from the – the 2011 concept plan was flawed. Okay? The – needs to be redone. Anyway, I've got some other points here that I think Les has already covered, so I won't repeat those again. Okay.

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In conclusion, I just want to say please do not allow developers at the State Government to turn our beautiful Shell Cove into an overpopulated, traffic-congested quagmire simply for the profit of a developer, as we have seen in Sydney and other parts of New South Wales. By approving this modification, you are doing this.

45 Decreasing building heights and keeping the GFA at a maximum of 150,000 metres will keep the visual appeal of the area more attractive for tourism, which is the point. Reduce overpopulation. It will not affect jobs, as Les pointed out. It will reduce

traffic congestion and make a happier community for the existing and future residents. If this modification is approved, it will only benefit the developer and not the community.

5 You have 200 – over 200 objections and more than one – and more than one person per objection. So my family – I have three. My family – that’s one objection, three people. And no – you have no supporters, or I think I saw just one supporter of this modification. 200 objections, over 200 objections, and each objection, more than  
10 one person. So it is my hope that you follow the will of the people in the community. Again, I’ll repeat, this modification, if approved, is only for the benefit of the developer and not the community. Thank you very much.

MR O’CONNOR: Thank you, Guy.

15 MR FORMICA: Thank you. I’m - - -

MR O’CONNOR: Thanks for your comments.

MR FORMICA: I’m willing to answer questions if you have any.  
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MR O’CONNOR: No, well - - -

MR FORMICA: No? Okay.

25 MR O’CONNOR: Unless my fellow commissioners have questions. No. No. Thank you. As I said earlier, our goal today is to come here to listen to hear what the speakers have to say. We appreciate the time you have all taken out of your daily routines to come and be part of this consultation session. As we move on now to a  
30 site inspection, so we get a good understanding of the site, and later on, we’ll be meeting with council to hear what their views are. We have them in writing, but we also like to hear in person what the council’s views are. We take all that information on board, and then we’ll make a decision whether or not to approve the modification to – that’s been requested – concept approval. So that’s the process. It may take a  
35 few weeks to get all the information we need, and our decision will be made public with the reasons for that decision, and it will appear on our website. So thanks again for your attendance this morning.

MR .....: Thank you.

40 MR O’CONNOR: Have a good day.

**RECORDING CONCLUDED**

**[11.16 am]**