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TRANSCRIPT OF PROCEEDINGS

TRANSCRIPT IN CONFIDENCE

O/N H-1648977

INDEPENDENT PLANNING COMMISSION

MEETING WITH TRANSPORT FOR NEW SOUTH WALES

RE: WESTMEAD CATHOLIC COMMUNITY EDUCATION CAMPUS PROJECT

PANEL: **PETER DUNCAN AM**
JULIET GRANT

ASSISTING PANEL: **JANE ANDERSON**
CASEY JOSHUA

TRANSPORT
FOR NEW SOUTH
WALES: **BRENDAN PEGG**
BRETT MORRISON

DEPARTMENT OF
PLANNING AND
ENVIRONMENT **KAREN HARRAGON**
HASSAN MOHAMMAD (Consultant)
ARIF AHMED (Consultant)

LOCATION: **VIA VIDEO CONFERENCE**

DATE: **11.01 AM, TUESDAY, 1 FEBRUARY 2022**

MR P. DUNCAN AM: Good morning and welcome. Before we begin today, I'd like to acknowledge the traditional owners of the land from which we virtually meet and pay my respects to their elders, past, present, and emerging. Welcome to the meeting today to discuss the Westmead Catholic Community Education Campus
5 Project currently before the Commission for determination. The Catholic Education Diocese of Parramatta, the applicant, is seeking approval for the redevelopment of the Westmead Catholic Community Education Campus at Westmead including alterations and additions to existing buildings. My name is Peter Duncan. I am the chair of this Commission panel. I am joined by my fellow Commissioner, Juliet
10 Grant. We are also joined by Jane Anderson and Casey Joshua from the Office of the Independent Planning Commission.

In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being recorded and a complete transcript will be
15 provided and made available on the Commission's website. This meeting is one part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its determination. It is important for the Commissioners to ask questions of attendees and to clarify issues whenever it is considered appropriate. If you are asked a question and not in a
20 position to answer, please feel free to take the question on notice and provide any additional information in writing which we will then put on our website.

I request that all members here today introduce themselves before speaking for the first time and for all members to ensure they do not speak over the top of each other to ensure accuracy of the transcript. We will now begin. Thank you everybody. We have an agenda which I thought is quite self-explanatory, we can work through that. However, Karen, would you like to make any opening comments?

MS K. HARRAGON: Thank you. The Department of Planning is satisfied that the information that we've provided to the Commissioners in its previous presentation represents the Department's views on the project. My role here today is here today primarily to be available if there is any questions that I need to take on notice and also to be aware of any context that might be part of discussions that are occurring with transport that I can again be of some value after the event. Thank you.
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MR DUNCAN: Thank you, Karen. All right. Well, we will go to the second item on the agenda, the overall growth in the Westmead Precinct and the GOPP region. It's really a contextual question and I thought, Brendan, you might like to make a comment on that for us to start with.
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MR B. PEGG: Yeah. Thanks, Commissioner. Just to introduce myself, my name's Brendan Pegg. I'm the Acting Senior Manager for Land Use Assessment in the Eastern States but I have previously been involved with this application for some time so I've come along today to assist that. And with me today is also a member of
45 my team who has actually assessed all the modelling and the application on behalf of our team within Transport, Mr Brett Morrison, as well. So in terms of the wider area

of GOP and specifically Westmead, we're obviously seeing unprecedented levels of growth which is reflected through the Greater Sydney Commission's plans but also as part of the draft Westmead Place Strategy which Transport has been working collaboratively with the Department on the Strategic Transport Plan that's being
5 developed within the two agencies.

So just to put that in context what's in Westmead now and what's being looked at by Transport for New South Wales. But it's obviously got an active North-West Transitway that's serviced by bus operations in a 24/7 manner. We've also got a
10 light rail that's been under construction which is anticipated to be operating within the end of 2022/2023 and we're also developing the metro station at Westmead. So there's – there's a significant sort of investment from a transport infrastructure perspective. But also within the agency too there are further plans working with the Department and also council to look at active transport provisions, as well, so
15 improving the pedestrian and cycling facilities not just for the education and innovation type part of the precinct but also the wider health precinct there which has obviously been there for some time and supports a major part of Sydney's health technology but also treatments too in the Children's and the Acute Services building as part of the hospital which our team has done numerous projects on.

20 So just to give a context of it, it's literally going gangbusters in terms of the level of development that's there and the transport need is quite high. There's been a lot of activity in this space and it's rapidly changing over time. Now, my understanding from our colleagues that are working in those plans with the department is that there
25 will be anticipated significant levels of growth on the network in terms of public transport, active transport, but also private vehicles as well. You will see more people utilise this precinct as it grows and goes forward. So hopefully that brings that in the context of the Commission. I'm happy to sort of answer, sort of, any questions from a transport perspective.

30 MR DUNCAN: No. That's fine. I think, Juliet, anything from you?

MS J. GRANT: I guess I was just interested in the, the context, Brendan, then about how many of those infrastructure provisions have actually been costed and identified,
35 specifically identified and costed in plans for the GOP region moving forward because the key point that we will discuss moving forward then is timing in contributions and costings of any other works that are required. So I'm just wanting to make sure we're clear of what already baseline costings and plans the Government has in place that we're then moving forward with?

40 MR PEGG: Sure Commissioner. So ultimately the light rail is funded for the stage 1. Stage 2 is still under discussion and investigation in the State Government and that's part of the wider GOP area because it goes out, well it's under investigation to the Olympic Park type area so that it does go further than that. So that is, that has
45 been costed as part of stage 1. We've already got a, like I said, a 24/7 North-West Transitway that traverses through the area that's been there for some time. And we're currently building a metro station at Westmead which is, like I said, under

investigation. In terms of those, I think, I think, you're probably alluding to the other potential active transport projects to connect up with those infrastructure projects within the precinct of whether they've been costed.

5 At this stage, it's my understanding that there hasn't been any sort of specific
funding mechanisms for them but they're under – because, that's because they're
under the investigative stage as part of the draft, overall draft strategy for the area
because it hasn't actually been fully released. So we're – we're not too sure about
10 how those mechanisms will see that, sort of, envisaged over the long period of time.
But it's definitely part of Transport's strategic view to work with the relevant
authorities and other agencies to make sure that we get a holistic approach to
transport planning to integrate it within the area. So it's definitely on the cards but
it's something that it's still, it's still under investigation, not – not all sources have
15 been identified, no.

MS GRANT: And the road network that then supports all of that together, is that
part of that - - -

MR PEGG: Road networks?

MS GRANT: Yes.

MR PEGG: Yes. So the road network forms part of that view. Noting that the
majority of the road within Westmead is actually under the care and control of
25 Council. Transport for New South Wales, the transport agency, only looks after
certain portions. Currently for the construction of Light Rail, we've got gazette –
we've been gazetted special powers under the Roads Act where we're looking after
portions of Hawkesbury Road from building line to building line, and also the
transitway as well. That is also classified as well. There are some regional roads
30 where we have joint funding responsibilities, but the majority of roads within the
Westmead precinct are under the care and control of council.

MS GRANT: Terrific. Thank you very much.

35 MR DUNCAN: Okay. So that sort of starts to lead into item 3, the traffic
assumptions underpinning the draft Westmead place strategy. Do you want to make
further comment on that at this stage? Then we can probably move on to 4, then, the
modelling assumptions underpinning the traffic generation.

40 MR PEGG: Included – like I said, as part of that overall draft strategy that has been
looked at by the Department of Planning, there's actually a inter-agency group
between the Department of Planning and Transport for New South Wales looking at
the strategic modelling that's underpinning the precinct, that's informing those
discussions. That work is ongoing. However, it should be noted that there are a lot
45 of projects that are already active, like I've mentioned before with the Light Rail and
metro that have been fully costed. It's also identifying how within those projects
they can actually connect to and create some more opportunities to further strengthen

the placemaking outcome of the area as well to achieve those active and public transport connections, to strengthen that. So out of that, that is being considered as part of that.

5 In relation to traffic assumptions with the network, that has actually been factored into that – the modelling that has been done strategically by the agency. So we've looked at the traffic network growth, as we do with all projects, even part of the state significant infrastructure projects of Light Rail and also of metro, as part of those SSI's, we've looked at the future network growth and what that means, and that's
10 why Transport, for instance, is upgrading several intersections along Hawkesbury Road to make sure that they can address those future network concerns. So – and also why Transport has been given the power under the Roads Act to do the necessary amelioration works that we've done in our own modelling which have identified some potential issues for congestion around the network, which sort of
15 indicates the reasons why we've been involved with this application, and mainly looking at the surrounding networks in terms of the traffic generated by the development and what that means for particularly the works that we're already doing as part of those SSI's and whether or not they will have some issues.

20 So for instance, when we looked at the initial modelling, we did see that some of the works that we were doing as part of our stage 1 Light Rail SSI, some of the treatment options for those works were going to be impacted by this development's traffic, and that was of concern to Transport. And that's why we worked with the department and council and the applicant to develop some options to ameliorate some of those
25 impacts. Because the last thing we want to see as a state agency is we're investing billions of dollars worth of transport infrastructure and we've got a private development that's literally causing issues for those newly-created pieces of infrastructure.

30 MR DUNCAN: Yes. I understand. And that probably brings us pretty quickly to the crux of our questioning. You know, the applicant's committed to contributing to the intersection upgrades. It notes that, with all of this other development going on, it has suggested another way to deal with this through I guess a monetary contribution rather than something that goes on for 10 years past the application.
35 And I would be interested to know what your view is there, and whether there are any other options to consider rather than wait, you know, that long past the process.

MR PEGG: That's understandable. I think that we need to understand when we initially reviewed the applicant's modelling, there was some deficiencies identified
40 by the agency and concerns raised, and it took us a bit of period of time to work through some of those concerns, because a lot of the factors underpinning the modelling from the applicant was the fact that there would be an installation of Green Travel Plan in lieu of potentially doing some mitigation works, which to the agency wasn't acceptable in terms of the fact that we actually do have some issues
45 that are being borne out of this development that we need to address, and also it's not just from a traffic efficiency perspective, too.

I also bring it back to safety too and the nature of the development. So from an operational perspective, you know, this current development operates in a bit of an unusual way in that there has been reports from our operational staff where parents are dropping off their kids at unsafe locations and what have you, and that's not something we want to see. So we've also got to factor that into, as part of our, when we look at a development in terms of traffic generation. Because it's not just about making the network operate under, you know, great levels of service. It's also about the network operating safely and for transport users to be able to use that network without, you know, having behaviour that could potentially lead to an incident, particularly with vulnerable road users. So that's something that I just wanted to draw the Commission's attention to and the factors that sort of underpin our decision-making when we look at upgrading intersections, and particularly around school sites. So with that in mind, when we look at upgrading – the upgrading of an intersection and how it should be applied, we also try and do it in the fair and concise manner. And we noted that once we went through all the modelling exercises and the backwards and forwards as part of that assessment, we did note that the issues of deficiency come out from the 2023 mark until the 2033 mark.

So we have to sort of recognise the fact that it's an unusual situation because generally when we see that there's a tipping point from traffic generation we see that there's an immediate need for that development to undertake a works in kind type arrangement to address those deficiency issues. Bearing in mind, some of those intersections were actually being upgraded by Transport. So I think Hawkesbury Road, for instance, there were some intersections there that demonstrated that there were deficiencies because of this development. However, the Agency sort of indicated that because we were in the process of upgrading them as part of the stage 1 SSI for the light rail, we decided that we would, instead, focus on some of the other options to ameliorate the impacts on the network and some of them involved some internal modifications, driveway redesigns and a few minor things that the applicant has agreed to.

But then the other outstanding issue was the one that Council had raised and we picked up in our modelling and that was the other, the intersection that's in the question of, I think, the 10 to – A10 to A12 conditions that have been drafted by the department. And we took that into consideration. We thought, well, we didn't want to be in the position where the Agency was being unreasonable in asking something that was happening over a period of time to upgrade immediately, particularly when there were other variables in play. But like I said, we've got a lot of projects of infrastructure importance. It's hard – the longer you gaze into the future, the assumptions become a little bit more varied. So we wanted to make sure it was fair and concise on the applicant but whilst protecting the Transport Agency's concerns about the intersection's operation and performance.

So we tried working with all parties to do so and, you know, as a – from an Agency perspective, we're comfortable with the way the conditions have been drafted because we believe it's fair on all parties.

MR DUNCAN: So, Brendan, from that point of view, your view is that as drafted at the moment and in 10 years' time, given all the other development there, it may be, I think I've seen it somewhere that it may not even be required that there is a greater investment for

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MR PEGG: That's correct. Yes. So we, you know, who – who knows what specifically that tipping point will be to really upgrade that intersection considering the nature of the development within this precinct and we want to make sure that it's attributable to what this development does. Because don't forget that this applicant has proposed extensive travel demand management strategies to really shift their private vehicle usage to the site and considering the context of the nature of the public transport investment within the precinct we don't think that that's wholly unreasonable. But, I think, from the Agency's perspective, we also note that our experience with other school sites across greater Sydney and across New South Wales is that for K to 6 school sites no matter how much we can encourage the mode shift, you will still have a high percentage of traffic generation around those sites with parents and caregivers wishing to drop off their kids.

Particularly with this school where we've got a – the catchment is extensive, it's not concentrated within the one area of Westmead where, you know, you're going to have the majority of students to walk to the site. So that – that's taken into consideration also too by the Agency.

MR DUNCAN: Given what you've said, you know, there wouldn't be much better, public transport provision to a school in the Sydney Region than this school.

MR PEGG: And that's an excellent point, Commissioner. And I can honestly say that we see that because I look at some of the schools that I've got in the City of Sydney that are around an operation of light rail now and also heavy rail stations and extensive bus networks but we still find that with K to 6 school sites we still have parents and caregivers that still do travel and drop their kids off. It's still something that we see everywhere but, you know, we're always trying as an agency to give that option to encourage that mode shift and we want to see that to be realised because we think that's an opportunity to really shift the focus away from private vehicles and encourage more sustainable transport options.

MR DUNCAN: Yes. So the with the draft conditions as they are and the potential for the green travel plan and mode shift built into that and I note, too, that the school has done or has committed to work on site so that there's a lot of drop offs and bus drop offs and things like that on their site which is good, rather than on surrounding roads. So there has been some development there. What – what's the fairest mechanism to actually assess in 10 years' time the, you know, the potential commitment from the school because there has been discussions about trigger points and you have had levels of service or TAA. So what's your view of that?

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MR PEGG: Like, as the Agency, our standard viewpoint is to rely on the modelling to give us those outcomes and even though whilst I said, the modelling isn't, you

know, it's not 100 per cent guaranteed that that's what the network will look like, that's the, that's the scientific method that we use with all the applications across what we see and in this case we have seen those deficiencies definitely occur from the 2023 point onwards to 2033 and that's something that we have seen . But, you
5 know, it could be a variety of factors for doing that. Like, to be honest, with the Commission, the modelling that was undertaken by the applicant to get to those figures, that was sort of contested between the Agency and the department as well at the time of the assessment with the applicant the way it was done, the methodology was not what we would generally expect for this sort of development.

10 I know that Brett had extensive discussions with them having to, you know, break down multiple versions of electronic copies of our SIDRA modelling software to get the parameters right for it to be acceptable. So there's – we as an agency still hold some reservations about the initial data that's been provided for some of those
15 outputs so because we don't feel like those parameters were originally the best as what we would expect to see in other applications. However, that being said, we got it to a point where we believe that it was fairly – it was enough to be accepted by us to progress it. Because it comes to the point where we need to make a decision on, well, what are we hoping to get out of this exercise for the applicant? And our
20 ultimate – our ultimate sort of remit in that space is, well, making sure what are the impacts to the surrounding classified network, current transport operations, and future transport operations? And we've done that. And the key issue now we can see is that of that intersection. That's the only sort of one that needs to have a look at in terms of, you know, a monitoring exercise because we think that that might be the
25 fairest way to do it. Otherwise, if it's determined that it isn't, then our general approach would be, well, it should be upgraded as part of the application, if that's the case.

30 MR DUNCAN: Well, yes. I guess, I guess in a way that's one of the sort of a flavour of the applicant's view as well to do it now rather than wait into the future or make a commitment towards it. So is it the applicant's model that you would use in ten years' time to assess?

35 MR PEGG: Brett, with that, are we requiring them to redo it or use their existing modelling? What's – what did we land on?

MR MORRISON: Well the applicant would do that.

40 MR PEGG: Yep.

MR MORRISON: They'd – they'd do the surveys and – yes, surveys existing and also the generations from the site and whether the level of service changes or deteriorates. That's the trigger point.

45 MR DUNCAN: So it would be level of service. I think the applicant said worse than level of service D. Is that right? Is that - - -

MR MORRISON: Normally, yes, that's – level service D is at capacity, so that's – yes, that goes from C to D. That's the trigger point. And their future modelling 2033 gave the indication it would go up to F, which is what raised our eyebrows. There are a lot of assumptions 2033. It's very hard to predict in the future. The
5 longer the timespan, I guess the greater the error in what we assume. So although we did – it was alarming, the results for 2033, we just don't have the I guess confidence enough that, you know, that could occur, anything could have happen, the left turn that's proposed could diminish, the Green Travel Plan, may be very successful, and people may choose to drive. So that's why we suggest this monitoring exercise.

10 MR PEGG: Yes. We thought it was the most fairest and reasonable way in which the applicant can address those concerns that have been identified and – but also, you know, mitigate the impacts to the transport network.

15 MR DUNCAN: Juliet, do you have any questions at this stage?

MS GRANT: Yes. I guess – so we've been talking about that level of service D being the trigger. I think the condition currently refers to the applicants transport assessment, and we're just wondering if there is a way of tying a bit more certainty.
20 Would it be a reasonable suggestion that that trigger is tied to a situation where the monitoring indicates worse than level of service D rather than tying it to, you know, a general report or a general piece of work? Just so there's a bit more clarity and certainty around what we're actually – what the trigger actually is.

25 MR PEGG: Juliet, Commissioner – I would be very much willing to have a look at reviewing that on those bases and working with the department on that, because like I said, it was a bit of a collaboration between – piece between the agencies of what we could do with what's fair and reasonable and also the concerns raised by council which to me is important, considering it is under care – the road is under the care and
30 control of council. So I respect the advice that they're providing in that respect. So, you know, if we're looking at the wording of it to strengthen that and remove any sort of ambiguity and confusion around the – certain trigger points, then Transport is more than willing to work with the parties to do that. Because I must say, on the other developments that I see for this kind of thing, we have looked at before at sort
35 of staging – you know, look at staging works when certain trigger or threshold points are met. So that's something that I'm willing to work with the Department on to do if required.

40 MS GRANT: Thanks. Nothing further from me, Peter, thank you.

MR DUNCAN: And I guess the final thing for me was that, you know, in 10 years time there could be development on that adjoining site which I think is generally known as the health site. If that happened and the road system changed with the concept that has been promoted for access through that site and on the southern side
45 of the school, between the playing fields and school, is that modelling able to cope with that sort of assessment post-any changes like that in the precinct?

MR PEGG: So, Commissioner, are you referring to if there's any future development of that adjoining land, what would the traffic implications potentially be in terms of the network design there?

5 MR DUNCAN: Yes. I guess what I'm saying is it's clear now if nothing changes, in 10 years time you could do an assessment, but if you had that type of development that occurs and it changed the road network as well, it would seem to be fairly difficult to then try and make an assessment on the school's contribution.

10 MR PEGG: Yes. I think that's why it's one of these unique sites in terms of where you've got a multiple – potentially multiple developments that could happen in the context of that 10 year period. That's, you know, understandable and potentially foreseeable. However, you know, as an agency, we only look at the applications that are live and before us and we judge that on its merits, and that's through looking at
15 the modelling and the submitted material as part of that to make that determination. So I would say this, that any future development of that adjoining site would be subject to the same sort of rigours and procedures as what we would do as part of this assessment in looking at the modelling and potential amelioration methods. How that would work with what this particular application will do – that's where I can
20 understand there might be a need to look at the condition in that context of, well, what would happen if this scenario got thrown up to – for the applicant to be able to fulfil those conditions. I recognise that, and that's why I think – I'm willing to have a look at – with the department of that potential option of a condition to word it in such a way so that it could look at if that was to happen, what could be appropriate in
25 those circumstances.

MR DUNCAN: So during our process, the applicant – and it's on our website – has made a submission on this, and we're just wondering if you were looking at it whether you could look at what they're suggesting to see if there's any opportunity
30 there to provide some clarity and maybe do something earlier.

MR PEGG: Yes, no, that's something that we can have a look at. Like, I haven't actually seen the material from them, but it's something that I can have a look at and come back to the commission with some comments on if that would assist.
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MR DUNCAN: Perhaps through Karen we can provide that information, Karen, and if – it might be a good way forward to get a formal comment from Transport on that suggestion. I guess what we're trying to do is just provide clarity, and for all parties, as you say, you know, to be fair, and try and resolve it as early as possible,
40 given that there is so much growth and change there. It almost becomes impossible, in 10 years time, if a lot happens as predicted, to sort of unwrap it. So if there were anything that you could do in the way of a formal comment there on what they've suggested and what we've discussed today, I think that would be really helpful.

45 MS HARRAGON: Yes. The Department is more than happy to facilitate that. And as mentioned by Transport, key to that will be at least sharing our views to council, given that it is their – they're the roads authority. We would be keen to get any

feedback prior to us formalising our comment, notwithstanding that we recognise that the parties are separate and will make their own representations to IPC ultimately.

5 MR DUNCAN: Yes. And equally, Karen, council has say view on that too, so that's what we're trying to reconcile.

10 MS HARRAGON: Yes. So what our commitment can be is that we will have regard to the current information provided by the applicant and to council to IPC and target further consideration of those elements of concern that we've just discussed in the meeting in terms of clarification and also capacity to build into these conditions potentials for other matters to occur in that intersection or that area that might have a consequence to how the conditions are formulated.

15 MR DUNCAN: Thank you. Juliet, are you comfortable with that?

MS GRANT: Yes. Yes, I am, thank you, yes.

20 MR DUNCAN: And I think that really goes to item 6 as well. I don't think there is anything more that we need to ask, but is – are there any comments from anybody at the meeting today, further comments that anybody wishes to make at this stage?

MR PEGG: None from Transport for New South Wales.

25 MS HARRAGON: Nothing from the Department, thank you.

30 MR DUNCAN: Okay. Look, thanks, everybody, for your time. It has been useful. And, you know, very helpful, Brendan, your sort of coverage of all those issues. So thanks very much. Appreciate it.

MR PEGG: Welcome, Commissioner.

MR DUNCAN: Thank you

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