



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF PROCEEDINGS

RE: PYMBLE LADIES COLLEGE - GREY HOUSE PRECINCT
(SSD-17424905)

COMMUNITY STAKEHOLDER MEETING

COMMISSION PANEL: ADRIAN PILTON (Chair)
 DR SHERIDAN COAKES
 SOO-TEE CHEONG, OAM

OFFICE OF THE IPC: BRAD JAMES
 GEOFF KWOK
 STEPHEN BARRY

COMMUNITY
STAKEHOLDERS: EMMA ROGERSON
 NATALIE CHAN
 JOY LI
 LEON WONG
 [REDACTED]
 VIJAY GUPTE

LOCATION: VIA VIDEO CONFERENCE

DATE: 10.00AM, MONDAY, 12 SEPTEMBER 2022

TRANSCRIBED AND RECORDED BY APT TRANSCRIPTIONS

MR PILTON: Good morning and welcome. Before we begin, I would like to acknowledge that I am speaking to you from Gadigal land, and acknowledge the traditional owners of all of the country from which we virtually meet today, and pay my respect to their Elders past and present. My name is Adrian Pilton. I am the Chair of this Commission Panel. I am joined by my fellow Commissioners, Dr Sheridan Coakes and Soo-Tee Cheong. We are also joined by Stephen Barry, Brad James and Geoff Kwok from the Office of the Independent Planning Commission.

10 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 produced and made available on the Commission's website.

I note you have been allocated 15 minutes, so please begin.

MS ROGERSON: Hi, everyone. Is it all right if I share my screen with a quick presentation of some slides.

MR PILTON: Yes, please.

20 MS ROGERSON: I'll just see if it - is that visible?

MR PILTON: Yes.

MS ROGERSON: Yes. Excellent. And I'll just check that it will - changing, it's changing in front of you?

MS LI: Yes.

MR PILTON: Yes.

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MS ROGERSON: Great. Thank you. I just want to make sure that it works before I start. Great. So, hi everyone. My name is Emma Rogerson and I am a town planner speaking on behalf today of the property owner of 57A Pymble Avenue. As per this site analysis image, 57A is shown here with the yellow star, and it's directly southeast of the development site that we're speaking about today.

So whilst development at Pymble Ladies College is supported in principle, the Grey House Precinct Project is not appropriate in terms of location, design and scale. So in this instance, it should not be supported in its latest form for a number of reasons. So I
40 will sort of speak through some of these now.

So the proposal overshadows the principal private open space and the primary living rooms of 57A Pymble Avenue. It also overlooks these spaces, so the private open space, the primary living rooms, and the bedrooms of 57A as well. It will create a sense of enclosure and substantial visual bulk for 57A and the other neighbours to the south.

10 It will pose an unreasonable acoustic impact on adjoining residential properties from both the construction stage, so including significant excavation, as well as the ongoing usage of the new facilities, so the dance studio and the early learning included, at such a close proximity to these residential properties to the south.

20 It will contribute to vehicle congestion, on-street parking stress and dangerous road conditions in the immediate locality and it will also pose a negative heritage impact on the surrounding heritage conversation area due to the close proximity to and the substantial scale in comparison to that HCA. It will pose a negative landscape impact due to the removal of 29 trees, which include highly valued and very established mature canopy trees, only to be replaced with new trees that are not guaranteed to survive, and if they do, they will actually cause a greater residential amenity, maintenance and hazard impact for 57A Pymble Avenue due to their proximity to that property there.

The proposal will also raise structural and geotechnical concerns due to the proximity of works and excavation so close to the neighbouring residential properties, and it also features numerous non-compliances with the Local and State Planning Controls, including the transport and infrastructure SEPP.

30 So for these reasons, the development, in its latest form, will therefore undoubtedly have an adverse impact on the residential amenity of these southerly neighbours and on the character and safety of the wider locality.

As you're aware from your site inspection, and as per the image on the screen, 57A Pymble Avenue sits substantially lower in terms of terrain compared to PLC, and this exacerbates the impacts. It's essentially already a story below the ground level at PLC, so whilst there might only be a five-storey building proposed, it really has an impact of being a six-storey building at such close proximity.

40 So further to the issues with the proposal itself, there's a number of concerns that we have that relate to the documentation provided to date by the applicants. We believe that this skewed the Department's assessment of the proposal. So the issues include the choice of sites.

So the school has an area of approximately 20 hectares in site area, and the proposed site, so the Grey House Precinct, is meant to be 0.3 hectares, according to the PLC documentation but the Department's report seems to refer to it being 3 hectares in size, so there's a bit of discrepancy there that we were confused by. Furthermore, with such an expansive campus area that you can see with the image on the screen, there are many other vacant patches of land that could be suitable for such a development. As you can see here, the buildings only take up a portion of the overall 20-hectare site.

10 Furthermore, the cover page of the Department's report is not to scale, showing a distance between the covered veranda and the boundary line being much further away than what it actually is, thus leading to a serious error in perception.

Furthermore, the shadow diagrams submitted are misleading. So the ones that were proposed completely disregard the substantial tree plantings that are sought to be put along the northern boundary of 57A Pymble Avenue. So these trees at such a high maturity and such a close proximity are undoubtedly going to have a shadow impact, and this has just been ignored by the diagrams.

20 Furthermore, the accuracy of the shadow diagrams is also questioned. So the original ones submitted showed a new shadow on 57A Pymble Avenue starting from about 12.30pm onwards. After they were, the applicant was requested to provide some additional information, new shadow diagrams were provided which show a shadow starting from 1.30pm onwards.

The physical envelope of the proposal has not changed in any meaningful way between the two versions of the proposal, leaving the substantial change in shadow impacts completely questionable.

30 So the figures on the screen now show an example of the, one of the differences that was made in the physical form. So the image at the top shows this corner of the uppermost floor removed. This corner faces PLC, so does not have any impact on a shadow to the neighbour to the south, and the image to the, on the bottom of the screen, in the red box, we've highlighted a new awning structure, which was actually introduced as part of the revision, which would actually impose more shadow. So we're really not sure why there was an hour's reduction in shadow, when the building envelope has not actually been reduced.

40 Furthermore, we have concerns that relate to the traffic analysis that was prepared. Our understanding is that it shows data that was collected between 2012 and 2019, which is drastically different from what the current circumstances would be, and there is also concern about the view loss and vision bulk analysis.

So the images on the screen show an example of what we'd like to highlight. So on the left we have the submission provided by the applicants and on the right we have images actually taken from 57A Pymble Avenue. So as you can see, there's a very big difference in the angle that this was taken at, and you can see that it's sort of in favour of the proposal on the left, versus when you're standing at a human eye level, looking straight forward, which is how you would normally look. You can see on the right, it's quite different. And this happens throughout the analysis that's been provided by the applicant as well in a number of areas of their reports.

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And then once again we'd just like to highlight that there is again that misleading statement throughout the applicant's documentation, talking about how they've reduced the building envelope since the request for additional information, when in fact the new design increases it, with that new veranda that we mentioned before, directly outside 57A and they've only reduced the envelope in areas that do not benefit any of the concerned neighbours.

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So we'd like to highlight that a number of recommendations can assist to mitigate the concerns of 57A Pymble Avenue and the other 123 objectors to date. So these will be provided in detail in a written submission following this presentation but we'd like to summarise them in the following ways.

So we think that there's opportunity to relocate the building elsewhere. As we discussed, there's a number of other various other empty blocks within the large campus, or at minimum you should really, you know, consider increasing the southern setback to increase that distance between the sensitive residential neighbours.

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So some alternative locations to relocate the building could be in front of Goodlet House, in front of the backyard of 47 Pymble Avenue. This property is a residential property but it's owned by PLC so would not be met with any objections. It's naturally lower-lying, requiring less excavation work as well, and the number of trees needing to be removed would be around 29, if not less.

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There's also opportunity to consider the area between the Centenary car park and multiple residential properties along Avon Road through to Avon Close, which are also owned by PLC, so therefore would surely not be met by any objections either. And there's also a large agricultural plot on the site, a big area for gardening, and an adjacent block where birds and livestock are kept for educational purposes. We strongly plead with the panel to request PLC to conduct another site analysis to assess the feasibility of these alternative sites as well.

Some other mitigation measures would include increasing the southern setback of the building to the southern neighbours by at least 30 metres, or in line with the existing primary school building in the northeast, which will mitigate impacts.

In a community meeting, the residents were informed by PLC that the setback would be around 19 metres from the boundary line, but in their final design, it looks something more like 11.5 metres. Relocating the upper two floors of the overall building, over a larger site area to produce a wider but lower envelope would also be preferable.

10

The height recommendations are in line with the latest developments seen at Abbotsleigh and Ravenswood schools, who only propose three storeys as well, along Pacific Highway, without any adverse impacts on the immediate neighbours.

We would also suggest applying further strengthened privacy measures along the southern elevation to obscured glass from all windows, and we would also highly recommend adjusting construction ongoing operational hours. So the Department's recommendation to limit the operation of the early learning centre, the dance studio and the community use spaces to 10pm is not acceptable so close to a quiet residential area. And furthermore there's a request to make sure that the Grey House Walk, so the access from Pymble Avenue to where the new development site is shown, should be closed on weekends so that the school can restrict access via the main entrance only.

20

So for the aforementioned reasons, the owner of 57A Pymble Avenue requests that the IPC refuse the application unless all of the changes mentioned in this presentation and in a further written submission have been adopted by the proposal. Thank you. And we're now happy to take any questions or to provide any further information if needed.

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MR PILTON: I don't have any questions. Sherrie? Soo-Tee?

DR COAKES: No, no. I guess just a question, Emma and Natalie, around your use of that back part of the house, the back courtyard. I presume - I'll just ask the question. How do you use that space, Natalie?

MS CHAN: You mean at the back?

DR COAKES: Yes.

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MS CHAN: Yes. Well, it's where the clotheslines are, and it's actually where, it's an area where we actually have our barbecue meals and, you know, for family or friends gathering when they come over, and that's really a backyard that is used in a way that, as any families would.

DR COAKES: Yes. Because I noticed, I think on the site visit, Natalie, there wasn't - you haven't got any other area. You've got the tennis court, obviously, at the front of the house as you come in, but you haven't got any other area that you can sort of sit out and - - -

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MS CHAN: Yeah, that's right. That's why the back is very important for us to do our, you know, weekend activities.

DR COAKES: Okay. Thank you.

MS CHAN: When friends coming over and families coming over for barbecue and things like that.

MR PILTON: Okay. Thank you very much, Emma and Natalie. We look forward to receiving your detailed submission.

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MS CHAN: Thank you.

Ms ROGERSON: Thank you.

MR PILTON: Thank you. Bye-bye.

SHORT ADJOURNMENT [10.16am]

30 **RESUMED** [10.16am]

MR JAMES: Okay. Adrian, Sherrie, Soo-Tee, Joy Li is in the waiting room.

MR PILTON: Okay. Let her in.

MR JAMES: Okay. Here we go.

MS LI: Hi, everybody.

40 MR PILTON: Hi, Joy.

MS LI: Hi, how are you?

MR PILTON: Good, thanks. We'll start sort of formally.

MS LI: Okay.

MR PILTON: Good morning and welcome. Before we begin, I would like to acknowledge that I am speaking to you from Gadigal land, and acknowledge the traditional owners of all of the country from which we virtually meet today, and pay my respects to their Elders past and present. My name is Adrian Pilton. I am the
10 Chair of this Commission Panel. I am joined by my fellow Commissioners, Dr Sheridan Coakes and Soo-Tee Cheong. We are also joined by Stephen Barry, Brad James and Geoff Kwok from the Office of the Independent Planning Commission.

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20

MS LI: Okay. Thank you. Hi, everybody. My name is Joy Li, the owner of 59B Pymble Avenue, one of the neighbours lying to the south of the proposed development. First of all, I'd like to thank the panel for giving me the opportunity to speak. With regard to this project, I have more than 10 objections, which are detailed as follows.

Number 1. Siting of the building. The DPE report states the siting of the building is not unreasonable as the PLC campus already includes substantial built-up areas by ovals and carparks, therefore there are few options for locating new buildings without
30 impacting existing buildings and/or play areas. However, I have - if you look at the school map - sorry, I beg your pardon, I don't know if I can share the screen with you, or, like, you know how to share the screen. Is it - - -

MR PILTON: Yes, please. Yes. Go ahead.

MS LI: Share the screen. Okay. Thank you.

MR PILTON: It's not working.

40 MS LI: Is it not working?

MR PILTON: No.

MR JAMES: One second.

MS LI: Is it better now?

MR PILTON: No, we just have you.

MR JAMES: Nothing's coming up, Joy.

10

MS LI: Let me see again. Share. Okay.

MR JAMES: There we go.

MR PILTON: Okay, that's it.

MS LI: Okay. All right. So now, however, if you look at the school map, you will, you could actually identify lots of spaces, including the ones that I circled in these three screens. As you understand, this precinct will include an ELC and six big dance studios which are clearly not part of the junior school and could easily create ongoing operational noises. Those two functions do not need to be sited in the core education area at all.

20

As PLC and DPE reports state, the swimming pool and the Centenary car park are integral to the ELC, so the natural question to ask is why couldn't the ELC be closer to these facilities?

I think the backyard of 64 to 66 Avon Road, the properties in Avon Close and the open-space carpark next to Centenary car park should be considered as ideal for ELC. I need to bring to IPC's attention that all these properties with separate street numbers are actually the properties of ELC. Number 64 to 66 jointly has an area of more than 6,000 square metres, and have huge backyards next to the open car parking. This area is close to gate 3, close to Centenary car park, it's not close to any neighbours on Avon Road, and will not cause noise and overshadow concerns. It should be considered as ideal location for ELC and dance studios. If this area is not sufficient for development, then PLC should consider demolishing number 64, which is where the current school principal lives.

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This building was built around the same time as the PLC junior school. Since junior school will be demolished for further development soon, why 64 couldn't be considered for development? Another alternative is the area between the junior school

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- sorry, I beg your pardon - junior school and number 47 Pymble Avenue. This area is in the teaching precinct and does not have a lot of trees. It is a veil, so a five-storey building will not look obvious from Pymble Avenue at all.

Another alternative is the lawns between - sorry, yeah, it's here - is the lawns between the boarding houses, the middle school library and junior school. This area is also very spacious, does not have any trees or any buildings, and it's not close to any neighbours. PLC previously advised us that combining various functions in one building is the most cost-efficient way for development. I thought if construction cost is considered in this assessment, then the loss of my property value must also be given equal weighting in assessment.

Number 2. The height and the bulk of the building. Overall, this building height is 20.6 metres from the ground floor. Although the school proposal and DPE report emphasised the appearance would only be three storeys from certain aspects, I'd like to point out a few facts here: (a) my house will be below ground level of the building; (b) the appearance from the backyard of my house is four to five storeys, rather than three - this means the height will look taller than 20.6 metres from my side; (c) the DPE report also admits the new building will be highly visible from adjoining dwellings and from Pymble Avenue.

Notwithstanding this, DPE compares the mid-density apartment buildings on Avon Road to this development, which, in my view, is totally wrong, because these apartment buildings are at least 1 kilometre away and are not comparable. PLC said it made more changes and provided more setback, but all these changes, it's not relevant to the southside. This means the changes to the south are very minimal.

The second objection from council also makes similar comments in this regard. Therefore I think DPE's assessment disregards the relevant facts and is totally wrong. It does not provide any respect to local council's opinion either.

Number 3. Setback. The lower storey setback is only 11.5 metres. This setback does not even include outdoor dance terrace, pedestrian walks, the hedges and big canopy trees. The setback will create significant privacy and overshadow issues. PLC proposed to use landscaping to resolve overshadow issues, overlooking issues. However, this means the trees and boundary will be - sorry - and the boundary will be only 3.25 metres away from the fence, and will create a lot of other devastating impacts to our house. I will explain this separately.

Number 4. Visual impact and privacy. I wanted to show you this picture here, and I will need to point out the visual impact prepared by the applicant is totally incorrect,

misleading and should not be used. The drone position, when this photo is taken, is closer to the Goodlet Boarding House, can you see it here, rather than the gym. The gym - as you can see, the gym setback is 20 metres, so the, when the photo was taken, the drone should be actually sitting here, not here, so this picture is very misleading.

10 Second, as you can see from this picture, taken from the visual impact analysis, people behind the windows in these red circles could still see our backyard, between year 0 and year 10. We have north-facing indoor and outdoor living area, including balcony and very nice swimming pool. If the precinct is built with 400 to 500 people walking in and around this building every day, we will not feel psychologically comfortable swimming in the backyard, or do anything in the house, in the living room, with our curtains open.

Adding to this, because the proposed landscaping, big canopy trees, which could grow between 30 to 60 metres, and also because these trees will be very close to the boundary, we will, they will create a series of significant problems, such as severe overshadow, damp backyard, damp house, roots damaging our retaining wall, huge cleaning burden, and safety issues. All these issues need to be resolved before approval is granted.

20 On this note, the council objection also pointed out correctly that landscaping cannot be relied upon to resolve overlooking issues. Therefore even the visual impact analysis concludes the development will have a very high visual impact to 59B. Therefore, I strongly objected to the proposal.

Number 5. Solar access and overshadow. The DPE report states design and setback ensure reasonable solar access is maintained. However, I have to say the overshadow diagrams do not look accurate from, at all, from a few aspects: (a) the diagram omits the proposed landscaping, which are many big canopy trees close to a boundary.

30 Since they will used as screening to resolve overlooking issues, most of the sunlight will not be able to get through these trees. That means that these trees need to, will create huge overshadow issues which are not currently reflected in the overshadow diagrams. I request the landscaping from year 0 to year 10 to be correctly included in the overshadow diagrams before the IPC determination is made.

(b) The shadow diagram over 59B itself, before and post the amendment, do not look consistent at all. How can I trust that the other elements in the diagrams are correct? You see, I pointed out, if you - oh, sorry, I beg your pardon. If you look at the diagrams here, I circled it here, it just doesn't look consistent at all.

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Numbers - sorry, next one. One section of the DPE reports states 59B would experience overshadow at 1.30 on 21st of June, and in another section, it states 59B would receive four hours solar access. Those two statements are not consistent at all. Please note 30 to 60 minutes sunlight may not make a huge difference to non-residential buildings, but are critical to residential houses like us. As you could see from the shadow diagrams, at 1pm on 22nd June, a quarter of my backyard will be overshadowed by Grey House Precinct, in particular the area used for lots of my sun-loving plants, which require at least six hours of full sun.

- 10 DPE assessment states the building is design to maximise access of natural light and ventilation. I need to point out, this is at the cost of the neighbours losing access to natural lighting and solar energy. This is called selfishness. PLC is setting a very bad model for students. Setback, overshadow and overlooking are interlinked. Use the landscape as the solution to (not transcribable) issued definitely will create more issues and does not work.

- Now, number 6. Noises. We remain concerned by construction noises. In December 2021, PLC (not transcribable) a big project by slicing it down to smaller projects, which do not require DPE's (not transcribable) by working along the south boundary next to my property for the entire school holidays, and created unbearable noises. I have provided IPC with a copy of the videos taken. Because I had work-from-home arrangements, these continuous loud noises created huge distractions and reduced my productivity and efficiency significantly. I could not even make any conference calls. This even impacted my job security and health condition. Even DPE reports admits that the highest construction noise levels are predicted during construction. That said, DPE suggests the neighbours get informed, should get informed of our key construction activities. I have to say, right to get informed, that does not help in preventing or reducing any noises and is not meaningful at all.
- 20

- 30 As you are aware, noise is not just about volume, it is also about duration and frequency. There is no detail over what construction noise and vibration-management plan is, what the consequence of breach is, and whether the local residents need to endorse a plan as a condition of commencing this project. Therefore I strongly object to this point.

- It is also clear that the DPE is only - sorry. It's also very unfair that DPE only recommends the noise controls to be in place to ensure no impacts to ongoing school operations. This means the noise, the activities will occur during school holidays, which is what PLC did to us in December 2021. The DPE's recommendation re. construction noise is totally inadequate. It ignores the wellbeing of the neighbours. Why neighbours are treated as a second-class citizen comparing with the PLC or PLC
- 40

students? We pay tax and we are good citizens, but wellbeing, our wellbeing is totally disregarded by the State Government's DPE.

I wanted to ask this is, whether this is how the government is treating us. If the project is approved by IPC, I would request the noise and vibration to be independently measured to ensure its compliance with all the requirements throughout the whole construction period, and any consequences of breach need to be prearranged between neighbours and PLC.

10 Number 7. Construction parking. PLC propose to provide onsite parking for all construction workers. At the same time, they propose to leave Grey House Walk open for construction workers. Why does this walk need to be open if the construction workers will be driving to the site via Avon Road? This makes no sense at all.

Number 8. Operation times of the dance studios. PLC will use the dance studios for some events, which could operate, that means they could operate till 10pm. This is totally insane and cannot be accepted.

20 Number 9. Continuous and endless development along Pymble Avenue. As you are aware, in the last two decades, PLC have built a number of buildings along Avon Road and Pymble Avenue. Now, you know, they are going to build another five-storey centre which is very, very close to Pymble Avenue and the neighbours. Most of the buildings face the neighbours, who have experienced lots of significant issues during constructions, such as noises, vibrations and dust. We can - enough is enough. We can't live with this anymore.

30 Number 11. Health issues. My husband and I have been going through huge stress and lots of nights without proper sleep because of this development proposal. I could not imagine if this project is approved how we will survive during the, during and post the construction. My daughter is an 11-year-old girl who has been studying since PLC since kindy. We moved to this place because of her. However, because of the conflict between her family and her school in relation to this project, she has been feeling extremely depressed as well. I note DPE assessment considers impact to various trees animals, like bats and koalas, but does not mention how the project will negatively impact mental and physical health of human beings who live next to the site. I believe human beings' wellbeing is more important than anything else.

40 The errors - number 11. Errors in the DPE assessment and PLC proposal. There are so many inconsistencies, incorrect statements by the DPE report, and PLC's application documents. Conscious of time, I'm not going into the detail, but I will make some comments and submit next week.

Also we are not satisfied with the DPE assessment process. There was no notification or communication from DPE to local residents after the public submission invite in November 2021, nor did the DPE give public any opportunities to make further submissions after applicant made further amendments to the project design. Certain key information such as council's objection was not published until I requested to see the detail. The DPE also did not verify or validate the information provided by PLC. I have provided the panel with an example, and I'm happy to provide more information.

10

Next one. No respect to local regulations or council's concerns. Even though this project is SDA, since it is going to be located in Ku-ring-gai, I would have thought the State Government should consider local council's regulations and opinions. What I see in the DPE assessment is none of the council's concerns have been appropriately considered or addressed and the justification provided by the DPE to support the application do not make any sense in the views of people like me, who has the normal ability to think logically. Therefore, I request the DPE assessment to be withdrawn or disregarded, and I believe the IPC will not be misled by the erroneous information submitted by the school, and make mistaken, unreasonable and unfair assessments.

20

I understand PLC has a big population, so the panel may think approving this project on the balance is in the public interest. However, I also need to point out that more than 99 per cent of the public who get the benefit do not live next to the site. They will only get the upside, whereas I will get the downside. The staff, the students, the parents, they come to school in the morning, do all the activities, have fun, and eventually they will come home, but for local people like us, this is our home.

30

Even we have multiple and - there have been multiple and multiple issues created by the school. Approving this project will simply encourage the school to continue to expand, behave badly, take the benefits and leave the mess to local students, local residents to deal with. Residents' objections have been politely received, but it seems to me that their concerns were not taken seriously by DPE at all.

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In the DPE report, multiple concerns raised by local residents and council were treated as isolated and unrelated issues, and a piecemeal approach was taken to resolve them, without considering the reality that some of these so-called solutions could be triggers to some other issues, and could create long-term direct impacts. I believe when making determination for this project, this panel will assess all these issues I raised holistically. Thank you. So I don't know how much time - - -

MR PILTON: Thanks, Joy. I understand you wanted to add something for your daughter to speak to us. Is that correct?

MS LI: Yes. Is that all right, if she has a quick conversation with you? It's all right?

MR PILTON: Can we wait till after - your husband wants to speak now, he's next up to speak, then we've got another speaker, so perhaps you could dial in again for your daughter, otherwise - - -

10 MS LI: Thank you. Thank you so much for the opportunity. Yes. I will let my husband to come around speak.

MR PILTON: Okay. Thanks, Joy.

MS LI: Okay. Thanks.

MR WONG: Good morning, Commissioner. My name is Leon. Thank you so much for letting me present my issues with the panels.

20 MR PILTON: Thanks, Leon. You probably heard my previous introductory comments, so I won't repeat them again.

MR WONG: Yes.

MR PILTON: So please begin.

MR WONG: Okay. Yeah. Could you first look at this, the, the screenshots I am trying to share with you guys?

30 MR PILTON: Yes, we've got it.

MR WONG: Okay. I just want to let you know, this is human nature. Lots of people try to rush in the morning, both either going to work or go to schools, and I know PLC's parents are extremely determined to send their kids to the school on time. However, they couldn't get to Avon Road because of the current traffic jam in the morning or during afternoon pickup time. That's why they have no alternative but using the Grey House Walk. However, Grey House Walk at Pymble Avenue is not designed to be a school drop-off or pickup zone. That's why there will be a lot of illegal parking for kids' drop-off or pickup, and this creates lots of dangerous
40 incidents, as I, as you may see from the videos I've provided, and lots of illegal parking, drop-off in the morning, and the blocking driveways, and doing a U-turn in

an extremely busy road, where it was sharing with pedestrians and other ongoing traffic. So that kind of things is unacceptable and by creating this new Grey House Walk, Grey House Precinct will encourage additional illegal parking.

10 Because the junior school and, and the dance studios will, is within the building and it will encourage more students to use that. Okay. And the local resident recommendation to solve the problem is either permanently close the Grey House Walk, or install a traffic enforcement cameras and then monitored by the police for all the illegal parking around this area, to resolve the, the illegal parking and drop-off/pickup issues.

Okay. Now we turn - could we turn to about the PLC populations and the local traffic issues. Yes. What we've found from the DPE assessment report is that the school doesn't have a student population cap for development consents and it creates a loophole for the school to use, to increase their student number without addressing the traffic impact analysis, and traffic issues, which all the residents are facing at the moment, and the road users are facing at the moment.

20 How does it work is, in normal school, where they have the school cap, whenever they want to increase student number, when they developed, they need to apply, like, what is currently now, and the Planning Secretary will ask them to do an impact, traffic impact analysis. Some of the time, is 10 years long forecast. And then based on the analysis, they will ask them to find out any, is there anything they can do to resolve the traffic impact, and everyone's reviewed it and satisfied with the solution, and then consents the project to be developed. And then once they developed, they get more capacity and then extra student enrolled into the school.

30 However, in PLC's situation, because they don't have a student cap, every time they apply for, every time they apply for developments, they will not say they're not seeking to increase student number. That's why - and then they argued all the traffic impact analysis is unnecessary and the DPE accepted their arguments, and give them approval without doing any analysis. Once the building being built and then no-one monitored the situation any more, because they don't have any cap for their student population, they enrol extra students.

40 And what happened is, for these projects, PLC has been given two chances to address the traffic impact. The first one is during EIS. The second is the response to submissions. In both stages, PLC argued that traffic impact analysis is unnecessary (not transcribable) to year 12. And we read about that, and also we also read the DPE assessment reports. We do not agree, in section 6.2 (not transcribable), the DPE notes that the proposal will not result in an increase in PLC student population and would

not increase 90 students in the new ELC and 20 staff. PLC claimed this proposed development would not increase students and staff number from kindy to year 12, and it would not generate additional traffic and parking demand.

However, in DPE assessment, section 6.2.11, the DPE noticed the current student number in PLC is not capped by any development consents, and this, and that enrolments within the school has previously increased on yearly basis or over intervals. Quote, “DPE acknowledged the concerns raised in the public and council submissions regarding the ongoing traffic impacts on the surrounding roads due to the operation of the school, and the fact that this may be exacerbated in the future with the potential further increase of student numbers.”

May I remind IPC, please, the schools that they, they don't need to do 10 years traffic impact analysis. This is solved but DPE already think they will increase student number. That is a contradiction, internal contradictions. I don't know what to follow. It doesn't make any logic, and may I continue. Furthermore, the decision from DPE does not respect the council or the local residents' concerns of the traffic impact and the student safety, in case by the school population increase.

As the residents, we all believe - along Pymble Avenue, the majority of the residents believe the school, because they don't have a cap, they will increase student numbers after the development, and these developments have given the school extra capacity to increase the student number. The proposal developments including four new classrooms, which will give PLC more capacity to increase student population post-development without addressing the traffic issue and student safety.

In fact, the school has been increasing the student numbers through CDC developments. Like back in 2018, when they expand the prep school, they have three extra classrooms, and back in 2020, they built three dismountable classrooms. Also, both development did not go through any traffic impact analysis. Each classroom is fitted with 24 students, so based on CDC, the requirement is if developments cause an increase in student number over 50, they need to obtain their RMS certificates, and the school didn't apply for it, and I, I requested the private certifier why they didn't obtain the RMS certificates, and the private certifier said it's not necessary. It seems to us, as residents, PLC is above the law, and we can't let it continue going.

And then furthermore, as residents, we disagree with the DPE recommendations for fixing the traffic issues, because both DPE and PLC have ignored it, the Planning Secretary of Environment's assessment requirements, which includes assessments of the forecast impact of traffic volume, which will impact road safety and capacity of

the road network, include considerations of cumulative traffic impacts from any surrounding approved developments.

The assumed growth rate of the school (not transcribable) of the drop-off/pickup zones, and the bus space, including assessments of any related queueing during peak hour access. The traffic modelling included ultimate developments year, plus 10 years growth of the intersections. Details of the performance of nearby intersections and of level cross with the additional traffic generated by the developments both at the commencement of the operation and in the 10 years' time period, using SIDRA network modelling. We noticed PLC TIA, the traffic impact analysis, is not reliable, and DPE has not verified and, the correctness of the TIA.

An example is in section 6.2.4 of the DPE assessment report, which has an, internal contradictions. Let me quote. "In response to Department's inquiry on the reasons for decrease in average delays at the Pacific Highway, Beechworth Road intersection post developments, the applicant advised that there would be increased traffic on Beechworth Road and the northwest approach at the Pacific Highway, where the delay would be the highest. This would result in a decrease in delay at this intersection." This sentence doesn't make sense at all.

And the demands from the residents, first of all, we would like to set a current school populations as development consents limit, because since PLC, we gave them two chances, and they still insist they're not going to increase their populations. This is very fair for us to set the limits, if they want to apply, they have to go through the proper procedure in the future.

And by setting the development consents limits for the school populations, you will make sure the school go through the proper procedure, because at the moment they say they're not going to increase the student number, it won't hurt the school population at all. We're just following their logic.

The second is, we would like to - the school, using the most current up-to-date data to do analysis. For example, using data from mid-February 2023, where the, where all the students in the school are going to the school and operate at the normal time. Current time is not ideal, because year 11 and year 12 start doing HSC, and their school time is different.

Number 3, if PLC is truthful, they should provide the project growth rates. PLC already announced they plan to have a senior precinct last year. So that means they already thinking of growth, and that the Department, the Planning Secretary already

say, "Could you do a 10-year travel impact analysis?" The school just don't do it. I don't know, understand why.

Number 4, we would like the school to do an assessment forecast traffic impact, including surrounding approved development. I found a recent approval, DA0115/16 for 9, 11 and 11A Livingstone - they're going to build a 22-unit development at Livingstone Avenue. I'm not sure why the school doesn't include that as part of their travel impact analysis.

10 MR PILTON: Leon, could I just interrupt for a second. We're running out of time here.

MR WONG: Okay.

MR PILTON: Could you sort of wrap up, please?

MR WONG: Yeah, okay.

MR PILTON: Thank you.

20

MR WONG: Let me talk about two things. So we would like to have more - as a local resident, we would like to have more involvement. For example, as part of the condition of consent, we would like to provide, the school provides the reports, approved by Planning Secretary, to the council, to the local community, and obtain an endorsement from both the local, local traffic community and local community, because we are the ones suffering, we should have a say of it. We, I, we request, as the residents in Pymble, to set up a local community committee to handle, to have a say for the, all the traffic-related issues. Thank you very much.

30 MR PILTON: Thanks, Leon.

MS LI: So, Adrian, sorry, so should we just stay on the line, and so you will let us come back in again after the next speaker finished?

MR PILTON: Brad, can you check that? But I think you'd probably have to log back in again.

MR JAMES: Yes. Adrian, I've just texted the waiting room and just given them an ETA of 11am, so if okay with you, we could - - -

40

MS LI: [REDACTED] can talk now?

MR PILTON: We can proceed now, yes, okay.

MR JAMES: I'm sure the next speaker can wait a couple of minutes.

MS LI: Okay. Thank you so much.

MR JAMES: If you're okay, with that, Adrian.

10 MR PILTON: Yes. Thank you.

[REDACTED] Hello.

MR PILTON: Hello.

[REDACTED] I wrote something last night.

MS LI: Yes.

20 MR PILTON: Sorry, could you - what's your name?

[REDACTED] My name's [REDACTED] I'm in year 6.

MR PILTON: Thanks, [REDACTED]

[REDACTED] This building has been majorly affecting my wellbeing in the last year and a half. You wouldn't believe all the sleepless nights I've had these past months, when you see my two parents struggling to stay up till the morning, juggling work and writing these speeches every night, and blindly knocking on doors for help. This
30 school, which Mum and Dad have invested seven years' worth of love and money into, has been using their wealth to destroy my home, my family, my, and my mental wellbeing. If this school really cares about mental health stability to this level, would they really construct this monstrous, selfish, five-level building?

Apart from this, I also want to raise my concern for the future. Now that Mum hates Pymble, I may be moving houses. The reality is, we're not rich, and none of - - -

MR PILTON: Keep going. You're okay.

40 [REDACTED] And none of you have seen how hard my parents work to be able to afford a good education at Pymble. However, if these plans go as expected, the

building will completely shadow our house, the price will decrease. It will be harder than teaching a dog how to talk, trying to sell this house, and we may not have the money to buy a cat for the future, which I have been beginning for since I overcame my fear of them when I was eight.

Well, at the end of the day, this new building goes against all of Pymble's moral beliefs. We need to increase trees, increase empathy and wellbeing, and increase the amount of logical staff members at Pymble Ladies College. Bye.

10 MR PILTON: Bye-bye. Thanks, [REDACTED]

MS LI: Okay. Sorry. We have to take her to school.

Mr PILTON: Thanks, Joy. I can see that your school fees have not been wasted.

Mr LI: Thank you. All right. Thank you so much for the opportunity and we will speak with you later.

Mr PILTON: Thanks, Joy. Thanks, Leon.

20

Mr LI: All right. Cheers. Bye.

Mr PILTON: Bye-bye.

SHORT ADJOURNMENT

[10.58am]

RESUMED

[10.58am]

MR PILTON: Okay, Brad. You can let Vijay in.

30

MR JAMES: Sure. Okay. Here's Vijay. One sec. Joining now. Still joining. It's being a bit slow, sorry.

MR PILTON: That's okay. We're not going anywhere. Are you there, Vijay?

MR GUPTE: Yes, I'm here.

MR PILTON: Okay. I'll just start the - well, good morning and welcome. Before we begin, I would like to acknowledge that I am speaking to you from Gadigal land, and acknowledge the traditional owners of all of the country from which we virtually meet today, and pay my respect to their Elders, past and present. My name is Adrian Pilton.

40

I am the Chair of this Commission Panel. I am joined by my fellow Commissioners, Dr Sheridan Coakes and Soo-Tee Cheong. We are also joined by Stephen Barry, Brad James and Geoff Kwok 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 produced and made available on the Commission's website. I note you have been allocated 15 minutes, so please begin.

10 MR GUPTE: Sure. Thank you very much for giving me the opportunity. Just by way of introduction, I have lived on Avon Road for more than 12 years, and as a professional for more than 30 years, I have worked in transport planning, transport business cases, looked at large number of land-use planning proposals. I currently work at WSP as one of their (not transcribable) so I bring both local community knowledge as well as professional experience. My comments on this are purely restricted to around the traffic-related study and assumptions, and in that I bring hopefully not just as a resident but more importantly an objective professional perspective.

20 My first and principal comment, and if I may just share my screen to help assist with this. Am I able to share my screen in any way?

MR PILTON: Yes, you should be able to do it.

MR GUPTE: Normally in Teams I can do it.

MR JAMES: Hi, Vijay. There should be just a share-screen symbol down the bottom, or you press Alt-S and it will give you something.

30 MR GUPTE: Oh, yes. So just in the interests of time, because you do have a lot of - so in principle, the - are you able to see it now?

MR PILTON: Yes, we can see it, thank you.

MR GUPTE: So the, one of the - I guess the core assumption that I have is that in the construction traffic report, they have said that 30 per cent of construction traffic would be public transport, and there will be a 1.8 vehicle occupancy. In reality, based on what we do for other studies conducted within our companies, we use a 1.2-vehicle occupancy, and we find that because the people who do construction work are often
40 coming in their own trucks, the mode share is much higher, so we respectfully suggest that you do a sensitivity test of 90 per cent a 1.2-vehicle occupancy.

We also respectfully suggest that either you put it as a condition that construction traffic should be either they're in and starting well before 7.30, or after 9.30. The reason being that 1 Avon Road development happened over three years, what we found was that all the traffic was banked up, all the parking spaces were taken, and when that was superimposed on what is admittedly a short peak of about 25 minutes to one hour in the morning peak and afternoon peak, it created havoc.

10 So we saw that 1 Avon Road was being built for over three to four years, and then when PLC has done major developments, you have a cumulative impact - construction comes in and takes all the parking spots, and then you have the school traffic, and commuter traffic. So the three things add to the significant impact in morning peak, and basically what happens - this is your PLC school - all of the commuter traffic that is allowed on Avon Road is taken up by construction traffic, and this road, which is currently reserved for school students to park, gets absolutely jammed up.

20 So we respectfully suggest that there should be a condition and an assessment being done. Currently the report is a bit silent, and it basically says "construction traffic will be admitted onsite," it is very, very loose. That probably is our number one issue. In doing that, some attempt has to be made to ensure that the one-kilometre zone around Pymble Station for residents and school student, parent parking is allowed. So they are probably the two key things that we would - and this is based on historical experience.

The other key point we would make is that it's a long construction period of 21 months. We have firsthand seen with 1 Avon Road construction and other projects that, you know, there is a substantial impact on the community because there is limited parking, so then it affects development policy, and also for residents to park and commute to work.

30 I guess specifically on traffic assessment, having looked through the TIA and the amended report, it relies heavily on the 2012 counts, which in our view are too old. What they've done is, they've done a stats - I assume all of you know this, but it's only at intersections of Pacific Highway and Livingstone, and Pacific Highway/Beechworth, which in this sense is this intersection over here, and much further out over here, because they're the only two intersections.

40 What is not understood well, and I have seen in the last 12 years, that in morning peak - because that's the turnoff into PLC - you have queues basically in the morning peak banked up from Pacific Highway/Livingstone, all the way to over here. It's a common daily occurrence. And in the afternoon peak, you have queues too like this. So what

you want to avoid is making the situation worse by having all this parking taken by construction traffic and everybody trying to come and go at the same time. So that is one of our principal concerns, that - and we would suggest that you ask the relevant consultants in the State's standards to assist the traffic counts.

10 And they have in their report talked about SIDRA analysis, and we do know this in detail - the same level of service there - but the issue here is that is measured for one hour. So this level of service will be if you, if anybody asked any PLC parent or staff member in that half an hour to 45 minutes is actually sitting at level of service F. This is sitting at level of service F, in both morning and evening peak. Unfortunately because SIDRA is based on an hour, it actually excludes the school peak.

Our other comment is that the study, with great respect, first said 90 additional students and then they said that because they are staff members and they will come in other cars, so there's going to be 42 students, but they ignore one fundamental point, that they are small children, from, you know, maybe zero to five years and they will all need to come by car predominantly and the parents would need to walk them. You won't assume 70 per cent car share, and somehow that 30 per cent would come by public transport. So we suggest that this be assessed.

20 And more importantly, when the, the school is building this really large building of \$46 million with all of these facilities, we do not think that it's going to only generate 42 additional students, because the numbers don't make sense. I don't think you would spend a million dollars plus per student in the hope that some staff will have access for early learning care. The reality is, as we have seen, that with all these facilities, the junior school, STEM, health, they will generate additional students, additional traffic, you will need additional staff, the construction impacts will be significant.

30 So with the due respect, while there is a significant amount of work that has been done, if some of these impacts are assessed, and it can be fairly simple to do with some sensitivity tests, that it would result in essentially a better understanding.

The other point, I think some of the other community members have made, is that there is no cap on enrolments, and what is happening is, they've just run the study and basically said, "We are building these facilities at \$46 million, 5837 square metres," but they said there's only 90 additional children, and then in the revised TIA they've said there's only 42 additional children because they're either, they have siblings, et cetera, but the reality is that you had lots of other developments in PLC - the traffic council from 2012 - and it doesn't reflect what we are seeing on the ground on a day-to-day basis, that especially in the morning peak, from about 7.30 to 8.30, there is

extensive congestion, and I've shown on the map, and any day anybody can come, and they will see that the queues are banked up on Avon Road, all the way up to Pacific Highway, and also through Avon Road, up this way, and in the afternoon peak, both will end up along Beechworth Road onto Pacific Highway and along here.

So we suggest that some of this be taken into account, and certainly for us the biggest issue is around the construction traffic aspects, because we've seen firsthand how the delays have built up.

- 10 So I would - sorry about this - I will just conclude by saying that our concerns are, in summary, construction traffic impacts; secondly, the impacts of a sustained 21-month construction period, as I mentioned, construction traffic overlaid with school traffic, and commuter traffic is probably the biggest issue. The second biggest issue is probably an assessment on school enrolments, and rather than just this development, but looking at, you build a five-storey building, what are the other impacts, and of other developments that have happened, because the traffic council vehicle study is from 2012, and we suggest that this issue of local delays in morning and evening peak, along Avon Road, as I showed in Google Maps, be assessed, rather than purely relying on the SIDRA assessment, which will show that all approach will start, in that
- 20 morning and evening, afternoon peak, operating at level of service F, basically.

So that, I think, in a nutshell, is the summary of my points. I'm happy to email through what I have shown on the screen to the Commission for their consideration.

MR PILTON: That will be good. Thank you, Vijay. Do you have any questions, Soo-Tee?

MR CHEONG: Not from me.

- 30 MR PILTON: Sherrie, any questions?

DR COAKES: No, none for me. But thank you, Vijay.

MR PILTON: Thank you very much, Vijay.

MR GUPTE: Thank you very much. Take care. Have a nice day. Bye.

MR PILTON: You too. Okay. We can stop recording now.

- 40 **MEETING CONCLUDED**

[11.13am]