

MR G. KIRBY: Okay. We are all here, so we might commence. Good morning and welcome. So before we begin today's meeting, I would like to acknowledge the traditional owners of the land on which we meet, the Gadigal people, and pay my respects to their elders past and present. Today we're obviously going to be talking
5 about modification application MP09-0216 MOD3, which is in relation to the Meadowbank Employment Area concept plan, mixed use residential, commercial, retail development from Rothesay Avenue Developments Proprietary Limited, the proponent. They're seeking approval to modify the concept plan to allow serviced apartments with associated changes to the ground floor area allocations for Stage A.
10 My name is Gordon Kirkby. I'm the chair of this IPC Panel. Joining me is Professor Richard Mackay and Ilona Millar. David Mooney and David Way of the IPC – no, we don't have David - - -

MR D. WAY: David is a late apology.
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MR KIRKBY: He's – okay.

MR: David Mooney is

MR KIRKBY: David Mooney is an apology. So we have David Way of the Secretariat, who is assisting us today. In the interests of openness and transparency and to ensure the full capture of the information discussed today, the meeting will be recorded and a full transcript will be produced and made available to the Commission – on the Commission's website. This meeting is one part of the
20 Commission's decision-making process. It's taking place at the preliminary stage of this process and will form one of several sources of information upon which the Commission will base its decision.
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It's important for the Commission as to ask questions of attendees and to clarify
30 issues whenever we consider appropriate. If you're asked a question and are not in a position to answer, feel free to take the question upon notice and provide additional information in writing which we will then put on our website. So we will now begin. Okay. So it might be good if today you start by just going through the modifications. I understand from what was lodged and exhibited, there has been quite a substantial
35 amendment to the modification to what's now the basis of your recommendation. So if you could maybe go through that process and just outline - - -

MR B. LUSHER: Sure.

MR KIRKBY: - - - I guess the journey the project has gone to.
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MR LUSHER: Yes

MR KIRKBY: That would be great. Thanks, Ben.
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MR LUSHER: Happy to do that, Gordon. Thanks for having us, this morning.
This modification is - - -

MR KIRKBY: Actually, Ben, maybe just for the purposes of the recording - - -

5 MR LUSHER: Yes.

MR KIRKBY: - - - if you could introduce the team - - -

10 MR LUSHER: I will introduce myself - - -

MR KIRKBY: - - - yes. Great.

MR LUSHER: - - - and then the others introduce themselves. My name is Ben
15 Lusher. I'm the director now of planning frameworks but was the director of Key
Sites Assessments when this was referred to the Commission.

MR M. ROSEL: Yes. I'm Matthew Rosel. I'm a senior planner in Key Sites
Assessments.

20 MR B. ROBERTS: My name is Brendon Roberts. I'm a team leader in Key Sites
Assessments.

MR KIRKBY: Okay. Thanks.

25 MR LUSHER: So, Gordon, you've already outlined the application to which this
discussion relates. This is a modification to the – what we call the Meadowbank
Employment Area concept plan or otherwise known as Shepherds Bay concept plan.
It focuses on what's known as the Stage A component of that concept approval. In
30 the first instance, I will probably take the Commission back to before this application
was lodged, noting that Stage A was previously the subject of some contention,
particularly around building height - - -

MR KIRKBY: Yes.

35 MR LUSHER: - - - and I think we've documented that in the report. The reason
I'm mentioning that is because of the fact that we did have a pre-application
discussion with the applicant and whilst I wasn't personally part of that, the
department attempted to dissuade the applicant from putting this application in based
40 on the – what had happened previous to that in relation to the issues around the
height of Stage A and the Commission taking a clear view on an appropriate height.
Nonetheless, the applicant, you know, exercised its right to submit an application
which sought amongst other things additional height for Stage A and the floor space
45 that will be contained within that additional height envelope.

We progressed that application through an exhibition process. As we expected, it
was very contentious. And following that exhibition process, we expressed our

5 concerns in relation to the appropriateness of the proposal. Following those discussions, the applicant revised its application and sought approval for a Stage A envelope consistent with the dimensions, including the height dimensions, that were already approved but, more simply, to be able to populate that envelope with floor space that it wouldn't have otherwise been able to do under the existing caps.

10 So, in effect, in a simplistic description, what's really sought for approval is an additional permitted use for the site, which relates to serviced apartments and an additional 1300 square metres of GFA on top of the 10,000 square metres of GFA allowed for commercial floor space that's already provided for by the concept plan. We think this resolves a number of the issues that previously existed with the earlier incarnations – or the earlier form of the proposal and we think it's reasonable to support the population of the approved building floor space to allow it to materialise, but in coming to that view, we have considered fairly carefully the issues
15 associated with the additional floor space, in particular, traffic and parking, which we understand is a key sensitivity in the locality. And what we've found is that the traffic generation associated with this proposal will be no greater, in fact, it will be less than what we undertook – than the predicted generation that we looked at in the original concept plan application - - -

20 MR KIRKBY: So my understanding – just – sorry - - -

MR LUSHER: Yes. Sure.

25 MR KIRKBY: - - - cutting in is – a lot around that is to do with the generation rates - - -

MR LUSHER: That's right, yes.

30 MR KIRKBY: - - - that were applicable have changed, obviously, over the life – so if you can just – yes – maybe explain that – a bit how that works.

MR LUSHER: So, obviously, there's a car parking cap for the site, and that's 2796 spaces, and the modification application doesn't propose to amend that - - -

35 MR KIRKBY: Yes.

MR LUSHER: the concept approval was assessed against the RMS 2001 traffic generation

40 MR KIRKBY: Yes.

MR LUSHER: - - - and also the car parking maximum for the site and that found the development would generate 1277 vehicles per hour and that was accepted
45 subject to road infrastructure improvements and upgrades.

MR KIRKBY: Yes.

MR LUSHER: Following the concept approval, RMS updated its traffic generation rates in 2017 and this demonstrated – sorry. And the modification has been assessed against the lower 2013 traffic generation rates. So this assessment has demonstrated that retaining the car parking rates. The – owing to the residential nature of the overall concept plan itself and despite the increase in non-residential GFA, there are actually a reduction of – I think it’s 129 vehicles per hour and, on that basis, we feel it’s acceptable.

MR KIRKBY: Okay.

MR LUSHER: So just to finalise my - - -

MR KIRKBY: Yes

MR LUSHER: Sorry, Gordon - - -

MR KIRKBY: That’s all right.

MR LUSHER: No. I understand. That was a fair question. The City of Ryde provided a submission to the RTS which – you know, if I can, I guess, quickly just go through - - -

MR KIRKBY: Yes.

MR LUSHER: They think that, you know, the height should remain within the controls and so that was a positive step in council’s eyes and they also reiterated that in respect of the serviced apartments in the Stage A an appropriate cap should be imposed and should be responsive to the intent of the current caps on dwellings, commercial floor space and parking. In the council’s view, the parking cap shouldn’t be increased and the dwelling – and/or commercial floor space cap should be reduced to accommodate any serviced apartments based on the relative – the equal generation rates of the different uses to ensure there’s no increase in the traffic generation from that which was approved in the concept approval. So we think that in relation to council’s comments and concerns, that it satisfies quite clearly based on the parking numbers not increasing, that the predicted generation rates actually decreasing and the height being returned to what was already approved is a tick on all of council’s points.

MR KIRKBY: Okay.

PROF R. MACKAY: But – it’s Richard speaking. If – is it still your understanding that council presses its objection?

MR LUSHER: I think that they said that they reiterate their concerns that they originally raised but when you actually read through how they’ve expressed their concerns, we believe that they’ve been resolved.

PROF MACKAY: They have been? Thank you. Okay.

MR LUSHER: Okay.

5 PROF MACKAY: I can put that to council.

MR LUSHER: Sure.

PROF MACKAY: Sure.

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MR LUSHER: Sure

MR KIRKBY: Any further questions on the traffic?

15 MS I. MILLAR: No, not on the traffic.

MR KIRKBY: Okay. I guess the only other – or, well, the other issue that we, sort of, in our preliminary discussions around – we’re – I guess we’re comfortable – the introduction obviously of the new use, being serviced apartments, is basically, in
20 your view, consistent with the original concept plan in terms of use impacts type of thing? You’ve obviously recommended that, but - - -

MR LUSHER: Yes. Well, we think that the reason the serviced apartments is being sought for in additional permitted use is because the concept plan didn’t originally
25 anticipate that in the spectrum of commercial uses. In some respects, you could see it as a clarification or an adjustment to incorporate that. We think that that type of use is consistent with what would be the expected range of permitted uses in a highly urbanised environment. So what this actually does is just create serviced apartments as being a permitted use within the concept plan, which it didn’t recognise
30 previously.

MR KIRKBY: And, obviously, within – so that’s a component therefore of the commercial force base and to fill the envelope – or to achieve the envelope that’s approved: that’s the additional 1300 variation.

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MR LUSHER: That’s correct – yes – which amounts to what the applicant – or the proponent has estimated to be in the order of about 12 serviced apartments.

MR KIRKBY: Additional.

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MR LUSHER: Yes. So on top of what would otherwise be allowed.

MR KIRKBY: Yes. On top of what would otherwise – yes. Okay.

45 MR LUSHER: So that, in effect, is the net increase in yield across the concept plan.

MS MILLER: And in terms of the impact of the change serviced apartments
Traffic: we've covered that that has been factored into the calculation for traffic
flow. Are there any other impacts that are foreseeable with that change in terms of
the way in which people are using those spaces?

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MR LUSHER: Look, not to my mind. I think the overall number of serviced
apartments has been estimated at around 42 serviced apartments. I don't think that,
given the quantum of that space and considering the much more prevalent residential
use and other complementary uses nearby, that it won't really change the dynamic of
10 the way that the area is used or experienced, or demands on local services and
infrastructure above what would be provided for by – or required by a typical
residential use or perhaps another type of commercial use.

MR KIRKBY: Anyone have any further issues? Is there anything the department
15 would like to add to what you've said?

MR LUSHER: I think I've said all I

MR KIRKBY: Just, actually, one more thing.

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MR LUSHER: Yes.

MR KIRKBY: Just the rest of the development, that has progressed. I don't know,
has there been any sort of feedback, in terms of the traffic and everything, that it's
25 being managed; is that – have they got to a point where it's – other stages are
completed and - - -

MR LUSHER: Look, not clearly or directly to me.

MR KIRKBY: Yes.

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MR LUSHER: It's probably a question the council would be better placed to
answer than us.

MR KIRKBY: Yes. Yes.

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MR ROSEL: And from our knowledge as well, I think only three stages have been
completed out of the nine that council has granted approval for for detailed
applications.

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MR KIRKBY: Yes.

MR LUSHER: I think on that question though, Gordon, going back to when the
concept plan was being assessed, and we discussed a number of issues very carefully
45 with council at the time, and we were just working quite collaboratively with the City
of Ryde planning and traffic engineers and they actually produced a very
comprehensive traffic report – I think it was called the report, from memory,

5 which recommended a fairly comprehensive suite of road upgrades for the local road network, and we worked very carefully with council and the proponent at the time to make sure that all of those upgrades were actually factored into the requirements of the approval at the time in a way that would allow council to work with the proponent as the development is rolled out to implement that infrastructure upgrade.

MR KIRKBY: Okay.

10 MR LUSHER: So I haven't had any feedback on how that has gone from council though.

15 MR KIRKBY: In terms of the community concerns, I guess just generally, I went through the submissions and a lot of them related to the changes to the below. Is that your impression or do you – are there any outstanding concerns you think in terms of - - -

20 MR LUSHER: Not specifically. I'm aware that the sentiment locally is concern more about densities, and associated traffic impact, and impact on local infrastructure and that type of thing. So – yes – we agree that, primarily, the additional height was a concern, but we've noticed that there's still a number of concerns around issues associated more broadly with densities - - -

MR KIRKBY: Yes. Sure.

25 MR LUSHER: - - - and it's probably not just confined to Meadowbank or this concept plan.

30 MR KIRKBY: Yes. And, obviously, we're looking at modification before us, so – yes.

MR LUSHER: Yes.

MR KIRKBY: Good. Okay. Thank you very much for your time.

35 MR LUSHER: Thanks, Gordon. Okay. Thank you.

MR KIRKBY: So we will conclude the meeting at this point. Thank you.

40 MR LUSHER: Thanks.

MR KIRKBY: Thank you. We're done.

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[9.20 am]