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**TRANSCRIPT OF PROCEEDINGS**

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O/N H-927344

**INDEPENDENT PLANNING COMMISSION**

**PUBLIC MEETING WITH RYDE COUNCIL**

**RE: MEADOWBANK EMPLOYMENT AREA**

**PANEL:** **GORDON KIRKBY**  
**PROF RICHARD MACKAY AM**  
**ILONA MILLAR**

**PARTICIPANTS:** **DAVID MOONEY**  
**DAVID WAY**  
**DANIEL PEARSE**  
**DYALAN GOVENDER**  
**SANDRA BAILEY**

**LOCATION:** **BINARY CENTRE**  
**3 RICHARDSON PLACE**  
**NORTH RYDE, NEW SOUTH WALES**

**DATE:** **11.36 AM, THURSDAY, 16 AUGUST 2018**

MR D. KIRKBY: Good morning and welcome. Before we begin, I would like to acknowledge the traditional owners on the land on which we meet, the Gadigal people, and pay my respects to their elders, past and present. Thank you for hosting us for this meeting. Today, we're here to talk about modification application, MP 09\_0216 Mod3, which is in relation to the Meadowbank Employment Area Concept Plan for next year's residential/commercial development, the applicant being Rothesay Avenue Developments Proprietary Limited. They're seeking approval to modify the concept plan to allow serviced apartment use and associated changes to ground floor area allocations for stage A.

My name is Gordon Kirkby. I'm chair of this IPC panel. Joining me is Professor Richard Mackay and Ilona Miller, David Mooney to my left and David Way to my right. They are of the IPC Secretariat and they're assisting the panel. In the interests of openness and transparency, and to ensure we capture all the information, today's meeting is being recorded, and a full transcript will be produced and be made available on the Commission's website. The meeting is obviously part of our decision-making process. It's taking place at a preliminary stage in the process; it will form one of the sources of information upon which the Commission will base its decision. So it's important for the Commissioners to ask questions of attendees and to clarify issues wherever we consider appropriate.

If you're asked a question and are not in a position to answer, that's fine. You can basically take the question on notice and come back with your written response, which we will then also put up on our website. Today is largely about us listening to council and your submission. We've read council's submission in response to the exhibition. As you're aware, following exhibition, the modification application was amended to take on board some of the issues and in response to, I guess, the department's discussions with them post-exhibition, and the modification, I think, was referred out in a modified form, so you're aware of those modifications. We know council put a submission in effectively saying their issues largely hadn't changed, but I guess we're here to listen to you. So over to you to go through any concerns council might have or otherwise.

MR D. GOVENDER: Well, I will just start with who's here from council.

MR KIRKBY: Yes.

MR GOVENDER: So Sandra Bailey, our manager, assessment. My name is Dyalan Govender; I'm manager, urban strategy. Dan Pearse is our senior coordinator, traffic - - -

MR D. PEARSE: Development engineering services.

MR GOVENDER: Development engineering. Sorry. And we have our development engineer, Elias, with us as well just to help assist if you've got any questions that they might be able to help with. As you mentioned, the modification

was, in turn, modified following the initial exhibition period to which council wrote a more lengthy submission. Since then, the key change being the reduction in height and, at the initial stage, that was probably one of the two central concerns to our initial submission: the height and the impact. So with that now addressed, it leaves  
5 us with less of an issue, but it's still – there's still an issue there, as was indicated in the initial submission, that being general traffic generation and then also the management of the serviced apartments' use.

10 So just to speak to that very briefly – I don't think it's necessary to go over the whole submission again, given you've already clearly considered it – in terms of the use proposed – serviced apartment use – council doesn't have any in-principle objection to serviced apartments as a use. It's really the amenity impacts arising out of the intensification of any use of that site, and that, I guess, brings us to the other residual  
15 concern of council, which comes to traffic. Council objected to the original concept and has had various objections through the modifications which have changed, depending on the nature of the application before us at any given time, but I would say traffic has been one of the central concerns at all of those steps.

20 Acknowledging that we're now further down the line, we still do retain a general traffic concern with regards to the impact on the development. We note that the proposal indicates that that's absorbed largely through the change in traffic generation rates applied. However, in council's view, the concept itself is well above what council would support in terms of traffic impact and any further increase of that is of concern. In the same time period that those traffic generation rates have  
25 changed, the precinct has also changed. We've had a number of part 3As that have come on board; we've had a number of developments developing to council's controls as well and, as you will see when you head down to the site, if you haven't already - - -

30 MR KIRKBY: Yes. We visited before we came here.

MR GOVENDER: Yes. Right. So, as you see, there's – a lot of development has come online and the precinct is now largely developed to its controls with a couple of sites remaining. Similarly, roads across the bay have also been substantially  
35 developed. Melrose Park to the west also has a proposal before it and, recently, a new education precinct has been slated for the TAFE site. All of those developments have impacts with regards to available transport options and traffic implications for that network, all since that concept and all making that network more constrained and that's really the source of our concern in terms of raising the commercial cap to  
40 allow the serviced apartments.

We don't have an issue with serviced apartments in principle. We understand the functions they would serve in that precinct, noting that, you know, Homebush across  
45 the way, Macquarie Park up the way, as well – there is a need for serviced apartments as a mix within our local government area – we acknowledge that and accept that. It's really about how much can this site handle within the context of its precinct. So that's really the nature of council's residual concern.

The other note I would make is in regards to serviced apartments if they are supported on the site and they do come to fruition, council would be – council asks that if possible some consideration be given to measures to ensure that what is proposed is what is delivered and remains on the site. So, obviously, if it's simply a matter of amending the commercial cap, council will still have some uncertainty between this concept of modification and a DA coming in as to whether the DA actually does turn out to be serviced apartments or whether it turns out to be changes to the retail – that's a concern to council – and then, furthermore, if it does turn out to be serviced apartments, what guarantees are there for council that they won't eventually become residential apartments down the line.

Obviously, that's something that could be dealt with through DA – at a DA stage, but, as I say, it would be helpful for council if there was some guidance or some direction through the approval issued here, should an approval be issued, to help solidify that and ensure council is on a firm footing when applying any DA conditions along those lines. So I think that summarises it – yes – but – yes. As I say, the height issue – the amenity impact of the height obviously would fall away with the reduction.

MR KIRKBY: ..... you guys - - -

PROF R. MACKAY: I've got – well, a couple of - - -

MR KIRKBY: - - - questions - - -

PROF MACKAY: - - - a couple of quick questions. I mean, apart from the traffic, are there other intensification issues that remain of concern to council or is council's objection now solely the traffic?

MR GOVENDER: There are some concerns with general amenity, as well – so, as you would have seen on the site, we've got the foreshore park area along Meadowbank and that is oversubscribed, overused – very heavily used, particularly on weekends and evenings. While, yes, serviced apartments are of a different form to residential, you would still expect the transient population that comes with serviced apartments wanting to get out and use that open space – yes. Again, I appreciate 40 might not seem large in the scheme of an approval of 3000-odd dwellings, however, council retains that principal objection to the intensity of the concept and 40 more simply makes it worse rather than better and we would prefer not to have decisions making it worse rather than better. Yes, there is some open space to be provided in terms of a plaza but it doesn't actually service that oversubscription need which is the passive recreation space in and around that precinct.

So, yes, there are other impacts that come with that and not just the traffic, but, as I say, the traffic is really the central one that we hear most – not just from the community but also from our objections throughout. In terms of the other amenity

impacts we raise in our submission, overshadowing – view capture – obviously those fall away with the height.

5 PROF MACKAY: Well, just – thanks. Related to that, then, in terms of being very clear about the grounds for council’s objection, it’s an objection to the changed use, also to the additional 1300 GFA?

MR GOVENDER: As I say, I don’t think we - - -

10 PROF MACKAY: Because - - -

MR GOVENDER: - - - object with the principle of serviced apartments.

15 PROF MACKAY: Right.

MR GOVENDER: We object with that being above and beyond the caps currently imposed.

20 MR KIRKBY: So the concerns about the impact - - -

PROF MACKAY: So it is the 1300 GFA – that that’s what’s objected to, not the use?

25 MR GOVENDER: Correct.

PROF MACKAY: Thank you. That’s really helpful.

MR GOVENDER: But whether it’s specifically that number of GFA, though, is – it’s hard to put your finger on because how do you measure the impact of - - -

30 PROF MACKAY: Yes.

MR GOVENDER: - - - 40-odd serviced apartments? Is that impact really in line with a GFA increase – a commercial GFA increase or is that impact really more in line with what you consider to be 40 residential apartments? It’s somewhere between, I acknowledge - - -

PROF MACKAY: Yes.

40 MR GOVENDER: - - - it’s not – it’s neither, so I think that ..... that answers the question.

MR KIRKBY: Yes. I think – it’s just helpful for us to be very clear on the - - -

45 PROF MACKAY: Yes. Yes.

MR GOVENDER: Yes. Yes.

MR KIRKBY: - - - exactly what the council objection is .....

MR GOVENDER: So, as I say, it's not to the use in principle, but it's to the additional impact that comes with that use being accommodated by increasing either  
5 cap, whether it's a cap on dwellings - - -

MR KIRKBY: Yes. Yes.

MR GOVENDER: - - - or a cap on commercial floor space. In our view, those caps  
10 were set as a response to the objections raised by council and the community throughout in terms of traffic, in particular, but also amenity impact over space and so on, access to services and it's that impact that is the objection whether it relates to a commercial GFA or a residential house - - -

15 MR KIRKBY: Thanks.

MS MILLAR: Okay.

MR GOVENDER: ..... procedural - - -  
20

MS MILLAR: Then on the traffic impacts, you – is the concern just primarily the change to the generation rates or are there any other aspects of the traffic and flow of traffic around the site that are of issue?

25 MR GOVENDER: It's primarily generation rates. And, as I said, we appreciate that the generation rate figures have changed since those that were – since – – –

MR KIRKBY: Yes.

30 MR GOVENDER: - - - the rates that were applied at the concept, but, again, I think from memory under council's controls, we would have been talking something along the lines of between 1000 and 2000 dwellings on these sites, there has already been a substantial jump well and truly beyond that. That change in generation rate doesn't  
35 nearly remove that general concern of the impact on the wider network. And, again, the other – the context of the precinct has also moved since then and the overall rates. You may be aware there is a T-map underway, I believe, as a result of the Melrose Park development the results of which we haven't seen but I would be very keen – I will be keen to see what the results of that T-map area. They do stretch right through to Church Street.

40  
45 But even those won't foresee the impacts on the network of the education precinct, for example, which will be substantial, perhaps a little bit further away, admittedly, over on the TAFE site, it still impacts the network and you will still potentially have motorists displaced, avoiding that location, trying to get down onto Church Street through here. So it's the general network impact rather than specific arrangements, as I understand it. And I think council has been involved in some meetings with

RMS and worked through those issues in terms of, you know, left-in, left-out .....  
access to the buildings and so on. Our issues are more general than that.

5 MR KIRKBY: Okay. Because I was going to ask around – because I understand  
there is a – like a whole package of roadwork changes which - - -

MR GOVENDER: There are.

10 MR KIRKBY: - - - we got caught up in - - -

MR GOVENDER: Yes.

MR KIRKBY: - - - today.

15 MR GOVENDER: No.

MR KIRKBY: At the moment, it's - - -

MR GOVENDER: Yes.

20

MR KIRKBY: - - - a construction zone.

MR GOVENDER: Yes.

25 MR KIRKBY: And whether there's any concern around any specific aspects of the  
upgrades happening in the area that this development – or is it just more a general  
- - -

MR GOVENDER: It's – as I say, in terms of the MOD at hand, it's more general.

30

MR KIRKBY: Yes.

35 MR GOVENDER: Yes. Going back over the concept, the – yes, there have been  
upgrades associated with it – the impacts are clear in Meadowbank. I mean, they're  
a bit diluted – they're a bit difficult to isolate at the moment - - -

MR KIRKBY: Yes.

40 MR GOVENDER: - - - given the amount of construction going on.

MR KIRKBY: We just ..... because – it's quite an interesting sight because ..... is  
you come off that loop road - - -

MR GOVENDER: That's right.

45

MR KIRKBY: - - - and bang, it's there, and equally, you're coming off the bridge  
- - -

MR GOVENDER: Yes.

MR KIRKBY: - - - it's that first thing. And I appreciate there is approval for the envelope and - - -

5

MR GOVENDER: Yes.

MR KIRKBY: - - - we ..... have had a bit of a look at that, but we've had just – as a result, I'm not sure – I guess changing to serviced apartments may not have that much of a change, but whether there's any concern?

10

MR GOVENDER: Potentially not in terms of – like I say, that site and – in and of itself, however, as I said, where that general concern also comes from is the potential for the changes further to the west within the precinct to – there is a lot of rat-running that goes on, not just on this side of the railway line, but right through from the west of the railway line. That's why I raised Melrose Park, which is, you know, a good four and a half kilometres away, but we anticipate that will have an impact between Melrose Park and the railway line, at least, but that in turn will displace people who are seeking to get to Victoria Road potentially and they will try to do it further east, potentially crossing the railway line coming in which will then potentially have a knock-on impact. I mean, it's those general impacts as the development, particularly to the west, impacts on the wider network that could further constrain those particular entry and exit points in and around Church Street where that general concern comes from.

15  
20  
25

MS MILLAR: Okay.

MR KIRKBY: Are there any other serviced apartments in that Meadowbank sort of precinct?

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MR GOVENDER: Not in the Meadowbank area that I'm aware of. We do have serviced apartments in Macquarie Park and ..... - - -

35

MS S. BAILEY: We've got them in Macquarie Park .....

MR GOVENDER: - - - and I think we have some – in West Ryde, potentially, we have some serviced apartments as well.

40

MS BAILEY: No. I think it's a motel.

MR GOVENDER: It's a motel? Okay. Apologies. Perhaps not. And, as I say, I acknowledge that, you know, serviced apartments make sense from a use perspective in many respects.

45

MR KIRKBY: Yes.



MR GOVENDER: As I say, particularly given you've got roads and the evolving precinct on the other side, which will still have some commercial there and Macquarie Park to the north, and even simply with Top Ryde there, but there is some rationale. I can see that – I understand that. In terms of a use – as an appropriate use, council didn't raise a concern in that regard.

MR PEARSE: Can I just add the number of – there has been – there has – the area has experienced some boarding house development obviously that has come around in Top Ryde and around through West Ryde area there and around Meadowbank train station, so portable housing and short-term accommodation, so.

MR GOVENDER: Yes. That's a good point. Thanks.

MR KIRKBY: The only other thing I generally ask the council is whether there are any issues with the recommended conditions that are largely replacing plans with plans and - - -

MR GOVENDER: Yes.

MR KIRKBY: - - - ..... I don't think there's - - -

MR GOVENDER: As I say, the only comment I would make to that is, if there is serviced apartments and there is potential for a condition that helps council at a DA stage to ensure that if that is the intended approved use that comes out of a modification, that that is what comes to fruition on the site, that would be appreciated, because if it is as general as just a change to the commercial cap, who knows how long it will be between this approval and DA being lodged, and what happens potentially within the market and within the developer's thinking could evolve, and then decisions made here turn into a DA that's very different and council is left with a concept approval that doesn't actually specify anything. In that regard, notwithstanding the reports that go with it, obviously if there's a condition, that helps us more; it gives us more weight; gives us more ability to ensure that a DA is consistent with the intent of the decision made here. Did I miss anything in that?

MR PEARSE: Can I just expand on a bit that Dyalan talked about in regards to traffic generation rates and the questions asked about that. There's – one point I think council would like to make is just that the slide from – I mean, we're going from commercial to residential. Both uses actually have an alternate – sort of a peak-hour period, so that's one thing of concern. Obviously, serviced apartment is going to be similar to a residential type arrangement and commercial would also – would have an alternate peak-hour to that. So that would – you know, that would exacerbate traffic generation effects, but particularly during the morning peaks and evening peaks.

I would also – one more thing I would like to add is – unfortunately I haven't had the opportunity to review the traffic generation rates or traffic modelling in detail – in a significant level of detail, but I just put it to the committee – whether there has been

any – you know, whether the consideration of there being any discount being applied to commercial rates in the original modelling based on the fact that that use may be ancillary to the residential use of the site in that area. You know, I would well perceive a traffic modelling would take that into account, but if it was a retail use, such as a Coles, or Woollies or, you know, commercial store, that that would be seen as ancillary to the residential use and there would be less – there would be a discount there for traffic generation for that use also.

MR KIRKBY: Yes.

MR GOVENDER: Whereas the serviced apartment less .....

MR PEARSE: Yes. And it's a standalone.

MR KIRKBY: Okay. Anything further?

MS I. MILLER: I guess just one last point on your engagement with the community and any particular concerns that have been raised with you particularly since the final, you know, proposal?

MR GOVENDER: So, obviously with the public meeting and the changes to the modification as they arose, we did notify the councillors through an information bulletin we have with the councils. It is publicly available. I don't recall receiving any direct correspondence from community members, but I would have to take that on notice and confirm. Most of the concerns I've raised have been echoed with the councillors, but I would say traffic is the first and foremost. It was no doubt a concern that was raised in the original modification as it was put and I would anticipate it's retained throughout.

It is a general community concern that we get consistently with development in the precinct, and so, for what it's worth – well, it might not have come as specific letters, correspondence. Certainly, the comments councillors have made in response to this proposal has been to reiterate that traffic concern they have, and they have spoken to residents in the area who echo that.

MR KIRKBY: Okay. Anything further you would like to add?

MR GOVENDER: Great. No. That's it. Thank you for coming out.

MR KIRKBY: Thank you very much for having us. We have obviously a public meeting - - -

MR GOVENDER: Yes.

MR KIRKBY: - - - which I think, Dyalan, you are - - -

MR GOVENDER: Yes. I've registered to speak, and I won't be raising anything other than what has been raised here - - -

MR KIRKBY: Sure.

5 MR GOVENDER: - - - and I don't intend on dwelling on it for too long, but - - -

MR KIRKBY: Sure.

10 MR GOVENDER: - - - yes – the councils - - -

MR KIRKBY: No. That's fine.

MR GOVENDER: - - - are very keen to ensure our position was as clear as possible.

15 MR KIRKBY: Great.

MR GOVENDER: So yes.

20 MR KIRKBY: Thank you.

PROF MACKAY: Did we advise council who the local members are going to be - - -

25 MR KIRKBY: Yes. Can we have five speakers - - -

MR GOVENDER: Okay.

30 MR KIRKBY: - - - of which the local member is sending somebody along.

MR GOVENDER: Okay. Great.

MR KIRKBY: He won't himself be able to attend, but he's sending someone from his - - -

35 MR D. WAY: Natalie.

MR GOVENDER: Okay. Yes.

40 MR WAY: She's with - - -

MR KIRKBY: And the councillor as well.

45 MR WAY: Sorry. I'm just – it's Jordan - - -

MR GOVENDER: Jordan Lane?

MR WAY: That sounds like the right one.

MR GOVENDER: So that would be Councillor Lane. Yes. Okay. Great.

5 MR KIRKBY: Okay. Thank you.

MR GOVENDER: Thank you. Cheers.

10 MR KIRKBY: Meeting closed.

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**[11.59 am]**