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TRANSCRIPT OF PROCEEDINGS

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INDEPENDENT PLANNING COMMISSION

MEETING WITH COUNCIL

RE: DURAL GATEWAY

PANEL: **CHRIS WILSON (CHAIR)**
SOO-TEE CHEONG

ASSISTING PANEL: **CALLUM FIRTH**

COUNCIL: **DAVID REYNOLDS**
NICK CARLTON

LOCATION: **IPC OFFICES**
LEVEL 3, 201 ELIZABETH STREET
SYDNEY, NEW SOUTH WALES

DATE: **2.04 PM, WEDNESDAY, 12 AUGUST 2020**

MR WILSON: Before we begin, I would like to acknowledge the traditional owners of the land on which we meet. I would also like to pay my respects to their elders past and present, and to the elders from other communities who may be present today. Welcome to the meeting today. Urbis, on behalf of the proponent, Dural

5 Land Holding, has lodged a request for the Commission to review the Gateway determination for a planning proposal seeking to amend The Hills LEP 2019. The rezoning would facilitate the development of some 181 low-density residential dwellings on multiple properties at Old Northern Road and Derriwong Road, Dural.

10 My name is Chris Wilson. I'm the chair of this IPC Panel. Joining me is my fellow Commissioner, Soo-Tee Cheong. The other attendee of this meeting is Callum Firth from the Office of The Independent Planning Commission. In the interest of openness and transparency and to ensure the full capture of information, today's

15 meeting is being recorded and the full transcript will be produced and made available on the Commission's website. This meeting is one part of the Commission's consideration of the matter and will form one of several sources of information upon which the Commission will base its advice. It is important for the Commissioners to ask questions of attendees and to clarify issues whenever it is considered appropriate.

20 If you are asked a question and are not in a position to answer, please feel free to take the question on notice and provide any additional information in writing which we will then put on our website. I request that all members here today introduce themselves before speaking for the first time, and for all members to ensure that they do not speak over the top of each other to ensure accuracy of the transcript. We will

25 now begin. So, David, we sent through some talking points. The talking points were really just – or agenda items, I say, were really just the reasons for the department's refusal of the PP, or the fundamentals of the Gateway Determination. We can go to that; but, first, it might be the department may have – well, sorry, the council might want to give a bit of an overview of the process to date in relation to the planning

30 proposal and, possibly, the capability assessment that was done along the way. David?

MR CHEONG: I think you are on mute.

35 MR REYNOLDS: I had – I had, out of courtesy, muted myself during your wonderful introduction, and I've not unmuted myself. But here we go. So I started just by saying thanks for the opportunity to talk to you this afternoon, and, of course, happy to have a good discussion. If there's anything we can't deal with today, I'm happy to supply extra info if you would like it, as always. Probably the two good

40 summaries that I would just take you to first, and I think they've been in your reading packs, are just a couple of items from council correspondence-wise – 29 May 2020 and 1 July 2020 – just into the department. So they probably provide pretty good snapshots of council's position and formal view about the matter.

45 Going back through the history though, I mean, obviously this part of the world, we had had, as set out in our reporting, we had had some land owner initiated

proposals some years ago, and I'm talking – I think this one came in in 2016, which pre-dates some of the more current planning descriptions through regional plans and district plans and thinking about that part of the world. And they really came in in the absence of any precinct-based or holistic view taken by council or other
5 authorities around the best planning outcomes in these areas. And so this is where – there was a little bit of life to this planning proposal back in 2016. And if we need to, Nick can talk more specifically to dates.

10 It then gets to a whole point where it basically sticks at a review until council is given the opportunity of going away and doing the capability assessment work which it then commissions Cardno to do. So that assessment work takes some time, but it considers what I will describe as the normal limiting factors in this environment around how and where a development might work and what might be needed to service that development. And, obviously, if you've been through that report, you
15 will see that it deals with environmental considerations, it deals with ridgelines, it deals with servicing, it deals with infrastructure issues, and basically gives a view to council about a couple of things.

20 In a nutshell though, where development could happen, if it was appropriately serviced and supported by infrastructure, and correspondingly where it shouldn't happen, and it draws some pretty clear lines for council. Council then considers that formally in the first half of 2019 and resolves, effectively, that development shouldn't proceed in that part of the world unless it can be in it – and I'm summarising – but unless it can be supported by infrastructure at no cost to
25 government. Now, I think that report has been made available to you, which has the detail of council's consideration and the formal wording of the recommendation there.

30 But in summary terms, it did not exclude all development in that area, but it said you needed to satisfy certain things if you're going to go ahead. And that was essentially the view that the council took, in that it was not an area that council had done other work on and there was no overriding contributions framework. The development had to pay its own way in terms of infrastructure, and that was important. So that's probably the underpinning piece of strategic work that informs council's
35 consideration of the issue. It then turns its mind to the planning proposal proper that it has got in front of it. At the same time, you've had a panel determination around the timber-yard site in the Round Corner area.

40 You have ongoing public discussions through the region – the formation of the regional plan and the district plan as they might relate. And you have some important strategic considerations in council's mind as it looks at this as well. And that really goes to the public benefit associated with this offer, which we say council was entitled to think about. And, again, those are summarised in our correspondence too. So council then gets to its more formal consideration of the process, and we go
45 through, as we have to, the ministerial directions around putting reports with recommendations to local planning panels and then coming to council from there

and, ultimately, ending up with council reaching a view that the matter should be referred for Gateway Determination.

5 It also discusses and resolves that there should be matters that could be considered by way of almost condition on a Gateway. And it does that for a couple of reasons. One, I mean, we would say that we've turned our mind – and this maybe goes into some of the talking points. So I will keep going and hopefully this - - -

10 MR WILSON: No, no. Keep going. That's good.

MR REYNOLDS: Yes. So things like, you know, do we properly turn our mind to district planning outcomes? So the council would have a view that it does. It considers the overall drivers behind the district plan and what those directions are to achieve. But we also acknowledge that we're not the agency that has the authority to resolve all the inconsistencies that might exist. We do think that there's enough there of strategic significance to council that those matters are worthy of being exercised through a Gateway process. And that's when that formal consultation and engagement with other government departments can happen. And we would expect that normally to happen on other PPs that go through.

20 And I suppose that's the thing for us. As much as this proposal has been on its feet for some four years now, we're still yet to get through a Gateway. And so some of those things haven't had the chance to be really formally dealt with as part of that engagement process. And that's probably the only factor that we put on the table. In dealing with this, obviously there's a couple of key factors there that we simply can't resolve and need to go through that. And they probably go to some of those next heads in your point 2 around 9.1 directions – rural zones, heritage conservation, residential zones, bushfire protection and some specific things, just in general terms.

30 And so that was a key consideration for council in that they really are of the view that despite the fact that we acknowledge that it's in the MRA, and we acknowledge that that needs to be considered, council are still of the view that they're entitled to look at the strategic merit of the proposal as it relates to that particular site. And we would come back and say that's at the heart of a place-based planned approach, that each proposal – because, remember, there's no ban on lodgement of a proposal just because it's in the MRA, which, to us, would seem to trigger the fact that council can still consider the headings, and then there's a mechanism to resolve inconsistencies further down the track if they still exist.

40 But council's view around the need for local infrastructure on a number of fronts is there. So for many years, council has been arguing about the need for that – almost that arterial bypass in – and that's where the corridor question comes up in relation to this proposal. It has been arguing about the need for local road improvement. There's also a certain aspect to this particular proposal in terms of public benefit around supporting the school in terms of – I think, from memory – it's sewerage upgrades, it's frontage upgrades, and it's just some local improvements there. So council was of the view that that had sufficient strategic weight to then let it address

that second set of questions around site specific merit. And, of course, we're dealing with two sites.

5 We're dealing with a northern portion and a southern portion. And that's where some more of the conditions come in around lot sizes and what you're really going to see on the ground in terms of an outcome, I suppose. And thinking about all those together, council is of the view that there was enough there to let it go through to a Gateway process to see whether those issues could be resolved or not. Now, we understand that we don't control all the levers that happen within that. There are
10 clearly government departments and/or agencies that need to be consulted and give formal views. But we would say there's enough in play in terms of solutions to issues that exist currently in that area that this should be given a chance to have those questions asked from council's perspective.

15 Now, clearly, we're a long way from the finalisation report. This is simply a – this is a Gateway review process. And it may be that at finalisation, those issues can't be resolved; but that's a matter for the future. What we're dealing with is the chance for those matters to be exercised, I suppose, at the moment. And so we've – sorry.

20 MR WILSON: So, Dave, that's quite clear in your submission or when you lodged the planning proposal last year.

MR REYNOLDS: Yes.

25 MR WILSON: I mean, I think one of the – it says “to determine the level of commitment by state government to funding the required for essential traffic infrastructure in the locality”. So it seems in reading probably not so much more lately in terms of your submissions that council's concern is the wider infrastructure issue, not just necessarily this planning proposal. Is that a fair comment or not?
30

MR REYNOLDS: Well, I think this would be approaching it on a couple of levels. One, where you've got the opportunity to work with a developer who's happy to have a dialogue with you and reach an outcome that can help service a regional issue too, which is where that corridor preservation - - -
35

MR WILSON: Yes.

MR REYNOLDS: - - - comes in. I suppose on that, I put to you it's almost one of those push/pull factors where, you know, government has identified a problem here
40 with infrastructure, both local and regional, and has, as we understand it, announced sitting budgets to inquire into that problem further to identify business cases to proceed and then think about what solutions are. It's almost one of those ones where, without some future development commitment, you don't get one of those traditional sources of funding to actually then go and service local and regional
45 infrastructure.

Now, it's one of those ones where, clearly, this development in isolation can't pay for everything that needs to be done to get traffic from Cherrybrook and, you know, other ends of New Line Road out here. So – but that's not reasonable to expect of them. However, as part of the puzzle that solves the problem, maybe – maybe
5 there's validity in exploring that But so we've put it on those two levels. Clearly, upfront, yes, there's a regional question to be solved, and we think that bypass corridor dedication is part of that solution. Then there are local issues which need to be solved as well, which, I think the developer would argue, they can deal with and provide.

10 MR WILSON: We – just for your information, we met with the applicant this morning. So we – and they gave a fairly comprehensive outline of their planning proposal and their justification.

15 MR REYNOLDS: Okay. Okay. Thank you. Hopefully they haven't said anything terribly inconsistent, because I think - - -

MR WILSON: No, no. It's - - -

20 MR REYNOLDS: It has been – we've been pretty thorough all the way through, I think.

MR WILSON: Yes. Just – I will let you – I will keep let you going. Keep going, David, and we may have some questions in the end so – a bit further down the track.
25 So I won't stop you midstream.

MR REYNOLDS: Sure. Yes. So, look, I mean, I think that's probably the – it's probably the thrust of where we are at the moment. I mean, you may have particular questions around land uses and the strategic planning framework, and more specific
30 questions around applicability of various directions. But I think our view at a high level would be council is entitled to consider the planning proposal that it has before it, and it's entitled to then go through those fundamental tests strategic and site specific merit. Sorry, that's just an email turning up for me, which was rather loud. But we think we've done that in a way that allows the matters that need to be
35 explored and addressed, the ability for that to happen.

Obviously, we're giving a bit of a view through the conditions that we've suggested should be considered on the Gateway processes to where we think some further work needs to be done, and we do acknowledge that these things need to be addressed
40 through that process. But we would say we're not the agency necessarily that has the authority to tick or flick those. We need to go through a process to do that. And I think, fundamentally, even some of the wording would suggest that some of those inconsistencies can only be dealt with as far as the Gateway process; but we're not quite there yet. So our argument would be we should be allowed in the gate to have
45 that opportunity, and there's enough there to merit that. We don't seek to prove what then happens;, but we think we should be afforded the basis.

MR WILSON: So you haven't had any independent discussion with the RMS in relation to the regional infrastructure, upgrades and so forth?

5 MR REYNOLDS: Look, we've had discussion for many years with RMS - - -

MR WILSON: Yes.

MR REYNOLDS: - - - around - you know, around what - - -

10 MR WILSON: But not specifically in relation to this BP?

MR REYNOLDS: We did some months ago, facilitated by the Department of Planning. We did have some round-the-table discussions with the department, the proponent and Transport. But they weren't at the stage where people were giving prescriptive views, if I could put it in that. They were really just more - - -

MR WILSON: Sure.

MR REYNOLDS: They wanted - officers wanted to understand the nature of what was in front of them as opposed to give a view that was binding at all. So we would hope that they understand the problem. What I would say since then is that RMS have become Transport for New South Wales. So I just can't tell you if exactly the same officer is looking at it within those agencies.

25 MR WILSON: Okay. No, that's fine. Thanks. Just in terms of the RU6 lands across the LGA. We were looking at Hornsby and The Hills together. And you've got Hornsby has got RU2 on one side of the road, and then you've got RU6 on the other side of the road, but it's quite extensive. And I guess - I mean, I guess - I guess we're trying to understand why this land is so different from the remainder of the RU6 land in the shire. I understand what the capability assessment report has done around Round Corner and so forth. In terms of capability. But what's the relationship with other RU6 land and the objectives of that zone?

MR REYNOLDS: Well, I mean, I will ask Nick to talk to the specifics in terms of the technicalities in a second. But I guess the important bit about RU6 is how you define the transition nature of what it's supposed to do. I mean, it's an RU6 transition zone. So for me, obviously that contemplates not necessarily a straightforward sliding scale of uses. But it contemplates a change away from one use and towards another, if I could put it in those generic terms. And, you know, I've done a bit trying to school the panel in planning there.

But I think that's an interesting element when you think about its applicability to this site. Because it's sort of a - and I say, it's a bit of a sort of a bulge of RU6 that sticks out, as you will note from the designing and the mapping documents, towards - and you've picked up the Hornsby side. On our side, you will - dare I say, you will see interesting amalgamate zones. You will see R3 which is the timber-yard site which was rezoned - - -

MR WILSON: Yes.

MR REYNOLDS: - - - through a panel a little while ago. You will then see a block of different zones which is effectively around a Round Corner centre, which is
5 actually one of the drivers for the need for the corridor discussion too. Because what you've got happening is you're picking up a lot of northwest growth sector traffic that funnels straight down Annangrove Road and then makes its way effectively through local roads and hits the back of Round Corner and then Sticks. And so you're then – your transport times in from there are not fantastic. But in terms of the
10 work that the RU6 transition zone needs to talk to us – I might ask Nick - - -

MR CARLTON: Yes.

MR REYNOLDS: - - - to talk more specifically about the uses and contemplations
15 there.

MR CARLTON: Yes. So I will just introduce myself. Nick Carlton, the manager of Forward Planning here at council. And so, yes, to go on from what Dave said. The RU6 transition zone is not necessarily a transition in terms of it changing over
20 time, but in that it provides a sort of transition between what you would normally see to what it tends to urban uses in the south, and then moving in to get more sensitive and intense agricultural uses to the north. So there's a buffer there. And what you see in that zone is really a mix of things. So there's obviously some residential sustainable agriculture, these types of things; but not necessarily the as-intense rural
25 industries that you would expect further north.

So that's where that RU6 zone sits in terms of the land use hierarchy and the geographical context there, I guess. Where we go with these types, there's still scope for play space planning and there's obviously town centres and public schools,
30 etcetera, that sit in these zones to service populations in the north. But, you know, generally speaking, that's the intention behind the Does that answer your question?

MR WILSON: Yes. I guess I'm just trying to understand why it's okay here and
35 why it may not be okay – because the RU6 land – zone and land is quite extensive.

MR REYNOLDS: Look, we agree.

MR WILSON: I guess – I guess it boils down – sorry, David. I guess it also comes
40 down to logical extension of community or urban areas which is used extensively throughout the planning proposal.

MR REYNOLDS: Yes. And, look, and the proponent and council are happy to share this view in terms of their formal resolution to progress the matter. They saw
45 obviously connection to that edge of the Rouse Hill – sorry, the Round Corner village there, if I can describe it as that, and then, effectively, the corridor that runs up the road there. New Line or Old Northern there? Old Northern in that point. So

there was some consideration of that obviously. You've got further actions in council's LSPS around the village and local character – you know, village development and local character there, having some capacity to be thought about.

5 And I guess that it was in council's mind that they felt the strategic merit of what they might be able to achieve out of the proposal was worthy of consideration, particularly when you got to some of the finer grain conditions that they've thought about too which really go to trying to ensure that even the transitional character within this particular development sat neatly within its surrounds. And that's where
10 you will see, and you've probably heard from the proponent this morning, around lot sizes and how it transitions - - -

MR WILSON: Yes.

15 MR REYNOLDS: - - - through the sites and - - -

MR WILSON: Yes.

MR REYNOLDS: - - - the next there. So I think we're trying to capture it as best
20 we can. We wouldn't see this as an argument that should proliferate through the RU6 at all. We don't see this as a signal that that zone is now open for residential work. That's not the message we're trying to send at all. We're trying to do this in the framework of the urban capacity assessment says it's possible. There are a set of things that need to be addressed to see whether it's doable. The proponent has a
25 scheme which says it might be able to do that, but there are some things that need to be resolved with that scheme to allow it to progress. Council thought there was enough in that scheme to afford it the opportunity to progress and to express a formal view by resolving that it should. But that's sort of what – sort of where we're up to, if I can try and sort of put it as a neat summary. Within that though, there are clearly
30 technical aspects that need to be resolved through a proper process.

MR CARLTON: That – and if I can jump in as well. And it may speak to point 4 of the agenda you had sent through, is this. To reiterate, I guess, that cognisant of the
35 RU6 zone and its role and objectives and surrounding land uses, it is obviously something that council sought to have as part of the Gateway discussion and part of the planning proposal process moving forward was to really look at how you do this and character elements. And there was talk about larger lot sizes at the periphery and site, etcetera. So there's a recognition that the RU6 is an important zone. And then there was thought process around how this proposal would fit in that and what might
40 need to be looked at further through this process which we would see as, you know, an important function of the Gateway process. I guess it's quite common for planning proposals to have further urban design work and character considerations done through this process and as part of Gateway assessment or post-Gateway determination.

45 MR WILSON: Okay. There's – another issue, David, is the proponent has spoken about, you know, if the government's concern relates to traffic generation and

unacceptable impacts on the local and regional network that they would excise the southern portion. What's your view on that? Noting that the northern portion would still deliver most of the public benefits associated with the rezoning. And I'm just – it's a strange one, this, just because I think the arguments are, you know – I think it's a package in a sense. But - - -

5
MR REYNOLDS: I think we should – in these COVID-related times, we shouldn't talk about Victoria that way, Mr Chair. But, look, the proponent has floated that with us. Probably what I need to say this afternoon is that – is to respond on a couple of points. One, further, that's a matter for them as to how they progress and/or how they stay. I guess I'm being cautious in my responses. Because the proposal formally considered by council and resolved to progress by council has both the northern and the southern. So at officer level, I'm cautious of going beyond council's resolved position to say, "Yes, we support the progress of one half and not another." I do - - -

MR WILSON: I appreciate that.

MR REYNOLDS: I do understand the proponent's position that they believe if they are able to deliver the northern part, they can still provide the public benefit that they anticipated all along without losing that. Clearly, that leaves the southern part as a matter to be progressed at a later stage. Now, my understanding is they have not submitted a formal amendment to us to give effect to that, or to ask council to reconsider. It's just – it has been a matter that has been floated as part of the discussion post council's determination - - -

MR WILSON: Yes.

MR REYNOLDS: - - - with the department. So I probably can't answer more than that.

MR WILSON: No, that's fair enough.

MR REYNOLDS: Yes.

MR WILSON: Legally, it would have to go back to council, would it not? Or - - -

MR REYNOLDS: Well - - -

MR WILSON: And I think the Gateway determination can only be made on or re-made on what's put to council.

MR CARLTON: Yes. So, typically, the Gateway should, you know, be assessing the proposal that was submitted.

MR WILSON: Yes.

MR CARLTON: And in this case, council forwarded the planning proposal. You know, it's within the scope of a Gateway to have conditions - - -

MR WILSON: Yes.

5

MR CARLTON: - - - to even look at - - -

MR WILSON: Yes.

10 MR CARLTON: - - - further things or amend a proposal in some way.

MR WILSON: Yes.

15 MR CARLTON: For something like that, it – we would – if a Gateway comes back with conditions saying “amend the proposal in a material way”, we would - - -

MR WILSON: Yes.

20 MR CARLTON: - - - have to put it back through our - - -

MR WILSON: Yes.

MR CARLTON: - - -

25 MR WILSON: I'm not suggesting that's what we're going to do. I'm just – they flagged it this morning and it's in the documentation. So we're obliged to consider it.

MR CARLTON: Yes.

30

MR WILSON: Okay.

35 MR REYNOLDS: Yes. Probably the response I would put to that is: nor am I in a position to object to that approach, in that there's no formally resolved position from council about that way of proceeding. It's not as though council has considered that and then said, “No, you can't” - - -

MR WILSON: Yes. Sure.

40 MR REYNOLDS:

MR WILSON: Sure.

45 MR REYNOLDS: Yes.

MR WILSON: There would need to be some rationale for that progressing that way anyway. So, Soo-Tee, do you have any questions?

MR CHEONG: Just a question I have with the 1 July letter that Nicholas Carlton wrote to the department on the strategic planning framework. The third paragraph is:

5 *In considering the proposal strategically, the council was satisfied that on balance the proposal was an acceptable outcome with adequate strategic merit to progress with the Gateway determination.*

I just wonder whether you can explain a bit more on that.

10 MR CARLTON: Yes. Sure. So I guess it does touch on what David opened with, really. But there's a range of strategic considerations that a council has to go through in their assessment of the proposal. And, you know, this proposal demonstrated that it contributes towards a pretty significant regional infrastructure issue, and there's
15 some merits to that being resolved. And the council's consideration of it really was taking into all the relevant strategic factors and coming to that conclusion that it should go to Gateway determination and have the State Government agencies at the table having the discussion to resolve these issues. So it's an on balance decision that there was sufficient strategic merit for it to go to the next step in the process
20 drill.

MR WILSON: So in the same letter, it also says that:

25 *Government investment in regional roads at this location is already necessary to address existing issues and the council on future growth. That is yet to occur within the north west centre.*

Is it – would it be – I mean, I'm asking a loaded question. I mean, is it sort of counter-intuitive pursuing this planning proposal without those issues being
30 resolved?

MR REYNOLDS: If I could, I suppose, put back to you my comment before, that, in a sense, this is almost a push/pull scenario. I would argue that without development, government won't pursue it. And in some cases, you need
35 development as a source of funding to help government resolve some of those issues that it – it either can't or, for various reasons, can't hook up to at this point in time. I think what we're seeing with the roll out of development through growth centre precincts and through other areas is that the developers on an infrastructure fund are being asked to pay their own way.

40 MR WILSON: Yes.

MR REYNOLDS: And government then chimes in as it wants to or can from time to time. And it is one where we would argue that if we've got the opportunity as a local government entity with fixed finances and only certain levers available to us to
45 pull to supply infrastructure - - -

MR WILSON: Yes.

MR REYNOLDS: - - - the community deserves the opportunity for those things to be explored. And it may be that in – you know, through a proper process, these – this one doesn't go ahead. But that has got to be an issue for the future. I don't comment about that now. But I think if we've got a chance to solve a problem with a
5 road corridor, which we all know are – they are incredibly difficulty to get, corridors – and if we can assist government through working with the proponent on that front, and the proponent is able to comply with council's other position that development does not get pursued by us unless the proponent is – is, effectively, doing it at no cost to government. And I don't think that could be more clearly set out than in the
10 Cardno capacity report where council has resolved that, effectively, nothing further be investigated by us unless it comes at no cost to government. And that's, in fairness to the proponent, what they're saying they're able to achieve. And so we would just argue that that process deserves its day in the sun and away we go.

15 MR WILSON: Okay. So, look, we get the community benefit side of the package.

MR REYNOLDS: Yes.

MR WILSON: I'm still at a little bit of a – I don't know if you have a map or
20 anything. In terms of the corridor, where would actually – what does the – the corridor, the regional corridor, is that between the school and the western part of – sorry, the southern part of the site, is it? Is that that corridor running down behind – beside the school with lights to Old Northern Road?

25 MR REYNOLDS: Broadly speaking, I'm just getting – I'm just looking at a map that I've got up on my other screen.

MR WILSON: That's okay.

30 MR REYNOLDS: I will just take a second to do that. And I might also ask Nick if he has got another map that might be in your pack.

MR CARLTON: I will see if I can find the reference.

35 MR REYNOLDS: I'm just thinking about - - -

MR CARLTON: Yes. Okay. So in your pack, if you have our council meeting report to 9 July council meeting.

40 MR WILSON: Yes. Hang on a tic.

MR CARLTON: Go to page - - -

MR WILSON: Yes, I have.

45

MR CARLTON: - - -

MR REYNOLDS: Derriwong Road to Old Northern.

MR WILSON: I've got 29 May. But that's the submission to the department.
5 Anyway, look, I can sort it out. I just I'm just trying to get my head around the regional roads.

MR REYNOLDS: Yes. So, yes, maybe I will take you to it. And I will just get
10 Nick to confirm on the way that I'm – because there are two corridors that could be confused there. I think, Callum, maybe for you too. I know you're really just a support; but the Gateway determination report put together, headed Greater Sydney Place and Infrastructure. So it's document – just for the reporting, it's marked IRF19/6216. It has got 24 - - -

MR FIRTH: 6216?
15

MR REYNOLDS: Yes.

MR FIRTH: Okay. Yes. Okay.

20 MR WILSON: Okay.

MR REYNOLDS: I'm just flicking through that and turning to page 9 of that document which shows a couple of – a couple of pink zones.

25 MR CHEONG: Is that the one you're referring to?

MR REYNOLDS: Yes. I think that looks like it, Soo-Tee.

MR CARLTON: Yes. Yes, that's it.
30

MR REYNOLDS: Yes.

MR CARLTON: The image on the left as you look at that.

35 MR WILSON: What page? What document is that, Soo-Tee?

MR CHEONG: It does - - -

MR WILSON: I have on my - - -
40

MR CHEONG: The Gateway determination report, attachment C in that bundle.

MR REYNOLDS: Yes.

45 MR CHEONG: So in the IPC website. Page 9 of 24.

MR WILSON: Okay. Let me look at that.

MR REYNOLDS: So page 9. And then further into that document, there's a bit more of a discussion around the bypass, and it refers to figure 12 on page 17. So page 17 of that document has a blue line which extends from sort of Annangrove Road and turns a bit of a corner and meets Old Northern Road.

5

MR WILSON: Which document was it again, Soo-Tee?

MR CHEONG: So - - -

10 MR REYNOLDS: The same one.

MR CHEONG: - - - the same document, attachment C.

MR WILSON: Sorry.

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MR CHEONG: Gateway determination report.

MR FIRTH: Yes. It's the actual – it's the Gateway determination and assessment report.

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MR WILSON: Okay. Let me go down here and have a look. Assessment report. Okay.

MR CARLTON: And then - - -

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MR WILSON: And it's attachment C? And we're looking at – which – is it figure 6? No. Which figure?

MR CARLTON: Figure 7.

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MR CHEONG: Figure 7.

MR WILSON: Okay. I've got you. All right. Yes.

35 MR CARLTON: So that where you will see there on the left of figure 7, Derriwong turns to the right.

MR WILSON: Yes.

40 MR CARLTON: So as it approaches the site, it - - -

MR WILSON: Yes. Yes.

45 MR CARLTON: - - - what the bypass is a continuation of that prior to turning right. And it runs along the first couple of residential lots, then along the southern boundary of the school there.

MR WILSON: Yes.

MR CARLTON: Connecting up there to Old Northern Road.

5 MR WILSON: Yes, yes. So – but it dissects – it dissects the northern site, yes?

MR CARLTON: Yes.

10 MR WILSON: And there would be – on the southern side of the school. And there would be a set of lights up there on the Old Northern Road. Is that right?

MR REYNOLDS: Yes. There would be - - -

MR CARLTON: YEs.

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MR REYNOLDS: There would be lights intended on Old Northern, yes.

MR WILSON: Yes. Okay. So that's what they're providing. And that's identified in council studies and more – is it identified in regional plans?

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MR REYNOLDS: I don't – off the top of my head, I don't know that it's in the regional plan or something - - -

MR WILSON: Okay.

25

MR REYNOLDS: - - - like future report 50 – 2056 or anything.

MR CARLTON: No.

30 MR REYNOLDS: But it has certainly been – it's certainly a long-term discussion for us with now Transport. And I think it's probably identified in our LSPS which I will just reach and grab off the shelf and - - -

MR CARLTON: Yes.

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MR CHEONG: So

MR CARLTON: But that's

40 MR CHEONG: So it has got an action to it. To clarify that, on the page 17, you show that those are the two corridors, one in blue line and one in red. And the blue line show that the corridor is coming to the south of – is that to the south of the school or - - -

45 MR WILSON: We – yes. You can see the school to the north.

MR CARLTON: Yes. So it is running along the south of the school.

MR WILSON: Okay.

MR REYNOLDS: Yes.

5 MR WILSON: So is the - - -

MR CARLTON: What that is confirming, I guess – if I can go to the context around the urban capability study. The council’s resolution really was that the council continue to lobby the state government for identification reservation of a corridor and continue discussions with RMS at the time around that reservation of a corridor. And it’s in the context of those discussions and findings that this planned proposal comes in to reserve part of the corridor. And where – I guess where the discussion was – we had as part of the Gateway process is around the final designs and layouts of the roads and Old Northern. So it’s really all part of the discussion with state government agencies that we were looking at. But it’s a – is a priority of the council to have a corridor there reserved which is really driven in part by the amount of growth occurring in the north west growth centre. But Box Hill North and then over into the precincts in Blacktown as well.

20 MR WILSON: What’s the process of establishing the reserve for the remainder of the easement?

MR REYNOLDS: Well, if we have to go and – it’s fragmented land ownership up there. So - - -

25 MR WILSON: Okay.

MR REYNOLDS: - - - we would have to go and negotiate with other adjoining landowners.

30 MR WILSON: Right.

MR REYNOLDS: Yes.

35 MR WILSON: Okay. That’s okay. No, that’s good. Thank you. I understand it much better now. And this, I guess, is the – and this is a clincher for council, it seems, in terms of regional infrastructure?

MR REYNOLDS: We say it’s a really important link. We’re getting arterial road traffic volume on places like Annangrove Road that are discharging onto local road networks and really fighting to link up to Sydney generally. So we think it’s – if we don’t start the process of trying to preserve corridors, then it – even then, it’s a long game. If we don’t even make a start, it’s an incredibly long game.

45 MR WILSON: Yes.

MR REYNOLDS: So we - - -

MR WILSON: I understand.

MR REYNOLDS: We think it's worth exploring from that perspective, yes.

5 MR WILSON: Okay. All right. Thank you for answering that then.

MR CHEONG: Yes. While we're on that, the corridor issue with a dedication of the land by the proponent, there is also a dedication of public space or green open space on the north end of the northern side. In the planning proposal, it shows that as
10 being a private open space. Is that an intention that it should become a public space or a public open space, rather?

MR CARLTON: So just to clarify. The - - -

15 MR REYNOLDS: So if the land is to be dedicated to us, it would become - - -

MR CHEONG: Yes.

MR REYNOLDS: - - - a public space. Yes.
20

MR CARLTON: Correct.

MR CHEONG: Right.

25 MR REYNOLDS: So it's not – I don't understand that they're going to maintain it in a strata or a community title scheme. I think it's

MR WILSON: No. Soo-tee, we asked this question this morning. And I think the
30 - - -

MR CHEONG: No. I think the term that they use in the VPAR is the council is in discussions with the proponent on the VPA regarding that.

MR CARLTON: Yes. So there was – it was discussed as a dedication. That means
35 it goes into public ownership and maintenance for the council, all public access. I guess the – not to sound like a broken record, but the process of working through those VPA and public boundary offers and really locking down the final mechanics and details of it is something that we, you know, move through as part of the Gateway process and following on from that - - -

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MR CHEONG: Yes.

MR WILSON: Yes.

45 MR CARLTON: - - - you know.

MR CHEONG: What puzzle me a little is that the term being used is a – I think, it's the notice side to the council for the purpose of "local open space". You know, that's another - - -

5 MR WILSON: Yes. But the important thing, I guess, from you guys is the council is not adverse – averse to that land being dedicated to council for local open space.

MR REYNOLDS: No. We wouldn't be objecting to that.

10 MR WILSON: Yes.

MR REYNOLDS: And, also, the terminology does fit into a hierarchy of open space. We had a - - -

15 MR WILSON: Yes.

MR REYNOLDS: - - - recreational strategy that does fit local, district, regional, etcetera. So, see, it would form a particular function. But, obviously as Nick says, the detail of that, we would - - -

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MR WILSON: Yes. Sure.

MR REYNOLDS: - - - really need to with the – you know, with a VPA offer from the proponent, etcetera, and work through. But, I mean, they're – that's when you're really getting down to tintacks around what level of embellishment you would be happy to accept - - -

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MR WILSON: Yes. Sure.

30 MR REYNOLDS: - - - for costing and maintenance, whatever that might be. Because we – I mean, we would be conscious in that location that – let's say they – let's say that get their full scheme through, which is only 180-odd dwellings, that's not a massive hit to our rate base. So if there's a lot of additional service that we have to put in, we've just got to be conscious of the service costs. But that to me is a bit down the track beyond what we're talking about here.

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MR WILSON: No, no. Sure. And, look, we went out and looked at the site yesterday. And - - -

40 MR REYNOLDS: Thank you.

MR WILSON: - - - I guess we didn't look at the site at drop off and pick up time. We probably should have, in hindsight. But the applicant confirmed this morning that it is a bit of – it is a bit chaotic in the mornings and pick-ups. Is that council's view as well? In terms of – this is in terms of providing the additional access for buses and drop off and pick up for the school, as part of the public benefit package.

45

MR REYNOLDS: Yes. Look, our observation would be from – I suppose, you know, customer requests that come through to us that – as you point out at those peak times.

5 MR WILSON: Yes.

MR REYNOLDS: But it's a difficult site to traffic, particularly with questions of crossing Old Northern Road safely. Because obviously people at – being one of – yes, of a school that services properties that are further out, there's a lot of traffic that
10 actually comes south down Old Northern Road to drop off, then needs to get kids across the road or turn around somehow and go home again. So if there's part of a solution that fixes that, then we would argue that that should be positively considered. Particularly too in that it is a state road. It's not a road that's controlled by us or Hornsby. So - - -

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MR WILSON: Sure.

MR REYNOLDS: - - - there are going to be solutions. State infrastructure needs to be involved.

20

MR CARLTON: Also, I guess also one for the Department of Education to be involved in as well. So it goes back to the need for input from the different agencies on the outcome there. But - - -

25 MR WILSON: Okay. All right. Soo-Tee?

MR CHEONG: Yes. Just out of one other point. While we are looking at the indicative structural plan, on page 9 on the right-hand side diagram, the southern side triangular pocket, I believe that was approved for medium density housing or
30 residential. I just wonder what is the status of that development

MR REYNOLDS: Down on the timber-yard site, right down on the - - -

MR WILSON: Yes.
35

MR REYNOLDS: - - - corner of - - -

MR CHEONG: Yes. The bottom tip of the southern side.

40 MR REYNOLDS: Yes. I'm just asking. Does anyone know if we've got a DA yet?

MR CARLTON: Yes.

45 MS: Not yet.

MR REYNOLDS: No. We don't believe we've got a DA yet for that. And, you know, clearly, we would argue that's an outcome that's significantly more dense than what council is contemplating in this other scheme.

5 MR CHEONG: Yes.

MR WILSON: Yes. I understand your issue about seniors' housing development has been – or in the process of being resolved.

10 MR REYNOLDS: Look, at that stage, they were. And I think that the Minister just gets ahead and only in the last week or 10 days - - -

MR WILSON: Yes.

15 MR REYNOLDS: - - - it - - -

MR WILSON: It has been released. I'm not quite sure it has been gazetted yet. But maybe it has, but it - - -

20 MR REYNOLDS: No. But the particular – the prohibition on seniors is going ahead and the MRA is - - -

MR CARLTON: Yes.

25 MR REYNOLDS: - - - out.

MR CARLTON: So the – in line with the explanation of intended effect, it's on exhibition now. There was actually an amendment to the seniors at that time to exempt land north of

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MR REYNOLDS: So I think there's a couple of issues – transitional issues around things which might already have, but - - -

MR WILSON: Yes. I think

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MR REYNOLDS: - - -

MR WILSON: involved your concerns over that matter. But anyway.

40 MR REYNOLDS: Yes.

MR WILSON: I haven't read it in full.

MR REYNOLDS: Yes. We ended up getting close, yes.

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MR CARLTON: There was a lot in it.

MR REYNOLDS: Yes.

MR WILSON: Yes. Okay. Look, I think that's all we have. That has been really useful. We - - -

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MR REYNOLDS: Thank you.

MR WILSON: As I said, we've met – met the applicant this morning. We – we've done our site inspection. We've got a meeting with the department tomorrow. If there's anything we will need to come back to you, we will, if that's okay. And, yes, we will try and make a decision as quickly as possible.

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MR REYNOLDS: Yes. No, thank you. Is there anything else out of our discussion today you would like more info on or you're comfortable with?

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MR WILSON: Well, let's just – we will just have a bit of a chat afterwards and bang our heads a bit and see if there is anything. But at this stage, I think there's a lot of documentation. And I think we understand what the arguments for individual parties are. So if there is anything though, we will come back to you pretty quickly, David.

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MR REYNOLDS: Yes. No, look, thank you very much. Thank you.

MR WILSON: Okay. Excellent. Thank you very much.

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MR REYNOLDS: All right. Thanks Thank you, Callum. Good on you. Thank you.

MR WILSON: Thanks.

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MR FIRTH: Thank you. Bye.

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[2.51 pm]