



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF PROCEEDINGS

RE: DORAN DRIVE PLAZA PRECINCT PROJECT (SSD-15882721)

COUNCIL MEETING

COMMISSION PANEL: ANNELISE TUOR (CHAIR)
 DR PETER WILLIAMS

OFFICE OF THE IPC: JANE ANDERSON

THE HILLS CAMERON MCKENZIE
SHIRE COUNCIL: PAUL OSBORNE
 NICHOLAS CARLTON
 BEN HAWKINS
 BRENT WOODHAMS
 CYNTHIA DUGAN
 DAVID REYNOLDS

LOCATION: VIA VIDEO CONFERENCE

DATE: 3.30PM, FRIDAY, 29 JULY 2022

TRANSCRIBED AND RECORDED BY APT TRANSCRIPTIONS

MS TUOR: Good afternoon and welcome. Before we begin, I would like to acknowledge the traditional owners of the land from which we virtually meet today and pay my respects to Elders past, present and emerging. Welcome to the meeting today to discuss the Doran Drive Plaza Precinct Project currently before the Commission for determination. The applicant, Deicorp Construction Pty Limited, is seeking approval for the first stage of the previously approved Hills Showground Station Concept Approval known as the Doran Drive Precinct. The project includes the construction of a mixed-use development comprising four residential towers up to 20 storeys, 430 residential units, a two- to four-storey retail and commercial podium, community spaces and a public plaza.

My name is Annelise Tuor and I'm the Chair of this Commission meeting. I'm joined by my fellow Commissioner Dr Peter Williams. We are also joined by Jane Anderson 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. This meeting is one of part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its determination.

It is important for the Commissioners to ask questions of attendees and to clarify issues whenever it is considered appropriate. If you are asked a question and it is not possible 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. So before we begin if you could just introduce who you all are and also just letting you know that Steve Barry and Casey Joshua are unable to attend today.

MR McKENZIE: Good afternoon, Commissioners, staff from the IPC. My name's Cameron McKenzie, I'm the Group Manager of Development and Compliance. I note we've got several staff from my group here today. Paul Osborne. Paul's our Manager of Development Assessment. Ben Hawkins. Ben's our Manager of Subdivision Certification. Cynthia Dugan who is our Principal Planning Coordinator. We also have staff from our Strategic Planning Group. The Group Manager David Reynolds, Manager of Forward Planning, Nick Carlton and Principal Coordinator, Brent Woodhams.

MS TUOR: Thank you. Sorry, I've just been having a bit of a coughing fit. So just first of all, if you can just give us your feedback on the Department's assessment report and their recommended conditions.

MR McKENZIE: Commissioner, I'll ask Paul Osborne to do that and then I note you've got specific issues of interest. So, Paul, would you like to respond on behalf of Council.

10 MR OSBORNE: Thank you, Cameron. Good afternoon, Commissioners. Just with respect to the report, we have had the opportunity - thank you very much for your time this afternoon, we have read the report and the draft conditions that were provided thereto. Essentially, the concerns raised by Council staff in the correspondence provided to the IPC - sorry, to the Department we're generally satisfied that those issues have been addressed. The issue that remains outstanding that we'd like to further discuss today is the issue of the proposed dwelling mix, notwithstanding the concept that's in place, but I will ask David Reynolds from our Strategic Planning Group to elaborate on that and he'll have staff who will comment on the dwelling mix, in particular. As I said, the draft conditions of consent provided, we're generally satisfied of the content of those draft conditions that have been proposed and no
20 objection is raised to those. Thank you, David.

MR REYNOLDS: Thanks, Paul, and good afternoon, Commissioners, and welcome to a Friday afternoon special, as they say in the classics. Look, I'll just make a couple of introductory comments and then we've got the experts from our planning team here, but we do acknowledge - look, we know there's an underlying master approval that does already permit certain outcomes on site. The issues that we've had are effectively about how it's distributed amongst the site and really what that then leaves as a possible situation in the future.

30 We've got a particular unit size that has been preferred on this site and although there are still conditions around larger units on remaining development sites, there's nothing to compel or prevent a subsequent developer from adhering to that standard without seeking to lodge another application to do something similar to this one. So we wanted to make sure that issue was well-presented and thought through, but I'll leave that as a very initial comment and then I might invite Brent just to go through the detail of those considerations and we're, of course, happy to take any questions or comments today as we can. Thank you.

40 MR WOODHAMS: Yes. Council has an established unit mix requirement for high density development within the Sydney metro precincts. Now, that requires that at least 20 per cent of the units must contain three or more bedrooms. Enforcement of

this mix is essential as it will ensure the future high density stock within the shire provides for family households and meets projected household demand. If high density development doesn't include adequate provision of larger apartments, then family households will effectively be forced into land release areas which are more costly and difficult to service. If we're going to address housing affordability, we need to make high density living a viable option for a broader range of households.

10 Now, I should note that the overall mix within the master plan approval for the DGL complied with Council's mix, which was 20 per cent three or more bedrooms, and we acknowledge that the subject DA complies with the mix requirement for the Doran Drive superlot within the master plan approval, which is a minimum of 10 per cent three or more bedroom units. Now, the issue that we have is if the current development is approved with only 10 per cent of the units containing three or more bedrooms, then it will be imperative that the mix within the future developments within Precinct East and Precinct West also comply with the master plan unit mix, which is 23 per cent and 24 per cent for Precinct East and West.

MS TUOR: So that's your principal concern, it's not so much about this one not - - -

20 MR WOODHAMS: Yes, the principal - - -

MS TUOR: - - - complying, it's that maybe the others where it's more of the burden is being placed may not - it may be amended?

MR WOODHAMS: 100 per cent. The master plan approval, it didn't have a flat rate minimum provision of larger apartments for each superlot, what it did is it has different rates of provision for each superlot and then it ensures that the overall provision of larger apartments over the entirety of the developable government land complies with the 20 per cent larger apartments, which is Council's standard mix.

30 Now, for this particular site the mix that applies in the master plan approval is a minimum of 10 per cent three or more bedrooms. Now, that might be okay, but what it relies on is the future development on the remaining lands to provide a higher level of provision in terms of larger apartments.

Now, that creates a bit of inequitable distribution of the burden across the site and it's a concern for us because if those future developments don't incorporate or don't comply with that master plan unit mix, then we'll end up with an overall under-provision of larger family-sized apartments on the site. And as far as we're concerned it's absolutely imperative that the future housing stock within the shire incorporates a

40 certain minimum provision of family household units, otherwise, you know, family

households are going to be forced into the land release areas. There will just be no choice for those household types. So, yes, as you said, that is our principal concern.

MS TUOR: And was that something you brought up at the master plan DA stage?

MR WOODHAMS: We raised the issue of apartment mix during the master plan DA stage. That is why the overall provision within the master plan approval would facilitate 20 per cent family-sized apartments.

10 MS TUOR: So do you have an understanding as to the logic behind why it was split the way it was split?

MR WOODHAMS: I don't have any clear understanding as to why it was split the way it was split.

MR REYNOLDS: If I might just assist Brent there, Commissioners. Now, could I give this to you in detailed form with evidence behind it? No, I couldn't but there may well be commercial realities in the market that underpin the divestment which mean certain product works in certain locations based on how the divestment is progressed,
20 but I do accept that that's not a technical planning consideration. And we do accept, as Brent has said, there is a master plan that's in place and so there is one level, we would accept, there's a technical compliance that can be achieved with that; however, there's an assurance that needs to be understood around the overall development outcome and we felt that it wasn't one that we could leave, I guess, in an unspoken sense on a "trust us" premise about what will happen on the rest of the site, we felt it was appropriate to raise that issue as part of this assessment and then, of course, it's in the hands of the panel.

If the Commission have a view about that, that's entirely appropriate for the
30 Commission to reach that view but we felt it was an issue that needed to be aired and just for Council's thinking to be on record about that outcome, such that if there ever a needed to be a discussion around further determinations or further applications downstream onsite, that at least Council could always have been seen to be consistent in our thinking and in our submissions on the matter, and like yourselves we don't want surprises for the development community, we want to be transparent and upfront about the outcomes we seek to speak to. But I'm conscious of your time this afternoon so I might just ask briefly, Nick or Brent, is there anything else that you think adds or sets out our position any more clearly or fully for the Commission's assistance this afternoon?

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MS TUOR: I'll just see, Peter, do you have any questions?

DR WILLIAMS: Sorry, David, Brent, sorry, could you just identify the name of that policy for Council, the 20 per cent requirement? Is it a policy strategy - I mean, the actual document itself that we can refer to?

MR CARLTON: It stemmed from a background of research and work associated with the delivery of the Sydney Metro Northwest and strategic uplift around those stations. Specifically it is included in a clause in the Council's Local Environmental Plan that applies to the ensure Showground Station Precinct. So broader than this site only, so
10 the whole Showground Station Precinct as defined by the government's sort of corridor strategy boundaries. And clause 9.7, I believe it is, but Brent, you may have to correct me if I've got that wrong. So that clause would apply to all DAs for residential flat buildings submitted in the Showground Station Precinct and that expectation for 20 per cent three bedroom units would apply to each individual development as it's assessed.

MS TUOR: And that clause is a standard, it's not a prohibition? It's a development standard?

20 MR WOODHAMS: It's a development standard, yes.

MS TUOR: Yes. So it's something that can be varied by clause 4.6? Okay. So your concern is essentially that, you know, future ones could come along and there'd be potentially a modification that would - yes. Okay. All right. So I think we understand what your concern is. So just in terms of any other aspects that you wanted to talk about in relation to the proposal. Is there anything you wanted us to be aware of?

MR REYNOLDS: Paul, should I throw back to you run through any other issues there? I mean, probably my only other one was just to request that the Commission
30 satisfy itself as to the amenity of the open space in the precinct and just make sure you're comfortable with those parameters, both the size, the positioning and also the level of amenity there. I won't make any further submission about that other than to say we just encourage you to think about that as always. But, Paul, I might put back to you then any technical matters.

MR OSBORNE: Thank you very much. I just ask the Commissioners if they wanted to see the structure of clause 9.7 which was spoken about, whether or not you want us to share that from our LEP?

40 DR WILLIAMS: Yes, that would be helpful.

MR OSBORNE: Would you like to see it?

DR WILLIAMS: Yes, thanks, Paul, that would be helpful.

MR OSBORNE: I've got Cynthia Dugan online who should be able to assist us with that. Just while she's doing that, we've also got Benjamin Hawkins on the line just with respect to any questions you may have with respect to any drainage or flooding that was identified within that precinct or within that site. Were there any questions you had at all with respect to any of our conditions or any issues with that just while we're getting that clause on it?

MS TUOR: So these are conditions that you requested be put into the draft consent?

MR OSBORNE: Yes. The only reason I ask is we've got the specialist on the line now, so if you needed to have any - if you had any questions of him he would be in a position to respond if - - -

MS TUOR: Look, to be honest, we haven't actually looked at the conditions in that much detail, in particular flooding because flooding doesn't seem to have been something that was really talked about in the assessment report in any detail, so - - -

MR OSBORNE: Okay.

MS TUOR: But if it can just be that if we did have any questions on those conditions we would - - -

MR OSBORNE: Be happy to respond, yes.

MS TUOR: Yes.

MR OSBORNE: Okay. So just with respect to that condition - sorry, that provision in the LEP, clause 9.7, that's up on the screen now. I'll obviously just let you have an opportunity to have a look at that.

MS TUOR: Could you make it a little bit bigger?

MR OSBORNE: Cynthia, can we assist with that?

MS DUGAN: Is that better? Would you like it larger?

MS TUOR: Well, no, that's great. That's fine, thank you very much.

DR WILLIAMS: Thanks, Cynthia. So it's clause 2.B, is that the relevant one?

MR CARLTON: Yes, that's correct.

MS TUOR: Okay. All right.

DR WILLIAMS: Yes, that helps, thanks for that.

10 MS TUOR: So anything else?

MR OSBORNE: Commission, we have no other comments to make on that.

MS TUOR: Yes.

MR OSBORNE: That's essentially it. So the unit mix or dwelling mix as we've outlined, other than that we're happy with the draft conditions and happy with the remainder of the report as outlined.

20 MS TUOR: Okay. That's terrific. So we don't need to take up anymore of your time. You can have an early mark on your Friday afternoon.

MR OSBORNE: Fantastic. That was certainly the case. Thank you very much.

DR WILLIAMS: Thanks very much for your time.

MS TUOR: Thank you.

MEETING CONCLUDED

[3.51pm]

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