



**New South Wales Government**  
**Independent Planning Commission**

**TRANSCRIPT OF PROCEEDINGS**

RE: 242-244 BEECROFT ROAD, EPPING (SSD-31576972)  
242-244 BEECROFT ROAD, EPPING – MOD 1 (SSD-8784-Mod-1)

**DEPARTMENT MEETING**

COMMISSION PANEL: CHRIS WILSON (Panel Chair)  
WENDY LEWIN  
PROFESSOR ELIZABETH TAYLOR AO

OFFICE OF THE IPC: BRADLEY JAMES  
GEOFF KWOK

DEPARTMENT OF PLANNING AND ENVIRONMENT: ANNIE LEUNG  
RUSSELL HAND

LOCATION: VIA ZOOM VIDEO CONFERENCE

DATE: 9.30AM, MONDAY, 04 SEPTEMBER 2023

**TRANSCRIBED AND RECORDED BY APT TRANSCRIPTIONS**

MR CHRIS WILSON: Welcome, Russell and Annie. Before we begin, I would like to acknowledge that I'm speaking to you from Gadigal land and I acknowledge the traditional owners of all the country from which we virtually meet today and pay my respects to their Elders past and present. Welcome to the meeting today to discuss the SSD Application and Modification of Concept Approval at 242 to 244 Beecroft Road, Epping currently before the Commission for determination. The applicant is Beecroft Property Development Pty Ltd.

10 My name is Chris Wilson, I'm the Chair of this Commission Panel. I'm joined by my fellow Commissioners Wendy Lewin and Elizabeth Taylor. We also are joined by Brad James and Geoff Kwok from the Office of the Independent Planning Commission. In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being recorded and a complete transcript will be produced and made available on the Commission's website.

20 This meeting is one part of the Commission's consideration of this matter and will form one of several sources of information on 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 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 are today here 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 now begin.

Russell, Annie, who's going to take the running in terms of the overview of the assessment?

30 MS ANNIE LEUNG: I will give a briefing.

MR WILSON: Thanks Annie. So over to you.

MS LEUNG: I'm Annie Leung from the Department of Planning and Environment. I'm the Team Leader for Key Sites Assessment. I'll quickly share screen if that's O.K. to take the Commission over the Department's Assessment Report. Just to confirm that the Commission Members can see the slides in front of us?

MR WILSON: Yes, thanks, Annie.

40 MS LEUNG: O.K. Then I'll go ahead. There is a fairly long agenda that we have received from the Commission so, Commissioner, do feel free to interrupt for a question as well as let me know if you want to skip through certain item. So the slides are no new information, they are basically visuals to go with the briefing of the Department's assessment. They are the same material coming from the Department Assessment Report. It's just easier to have a bit of visual while I take the Commissioner through our briefing.

So I won't drill on this for long but the proposal is the site is on the top right-hand corner that you can see in the aerial which is approximately half a block away from the Epping station which consists of both the northern suburb rail line as well as the Metro station. The land is residual land from the development of the Sydney Metro Epping Service Facility but also the Sydney Metro North-West rail line do go underneath over part of the site to go further north-west to West Cherrybrook.

10 There was a Concept Approval for the development of the site which set out the building envelopes, maximum gross area, land use, affordable housing and other requirements such as car parking rates. Currently before the Commission there is a detailed design and construction of the development proposal SSD Modification Application that deals with changes to the building envelope.

20 One of the key issue that has been looked at through the assessment of both the concept proposal and the current development application is the land use. It is a key concern that has been raised by the Parramatta City Council about increasing - seeking an increase of the commercial floor space on the site to complement the Epping Town Centre land uses. The Department note that the site is - was rezoned to R4 which is a residential zoning. The Council's request for additional commercial floor space were investigated during the Concept Approval stage. It was found at that point in time additional commercial floor space were not feasible or large amounts of additional commercial floor space were not feasible.

The Concept Approval consequently set out the non-residential GFA component at 750 to 1000. The proposal proposes 923 GFA for non-residential uses. As you can see on the bottom right-hand corner the diagram which is a ground floor floor plan. The commercial tenancies are identified in blue areas towards fronting onto Beecroft Road frontage of the site. The proposal, as we mentioned earlier - - -

30 MR WILSON: Annie, sorry, it's worthwhile going back, we may as well talk about the commercial here now while we're on this topic. I just - just - just in terms - there was a study undertaken, is that correct, that supported Council's objection or not?

MS LEUNG: There was no - - -

MR WILSON: Or was it only undertaken with the concept plan? Sorry.

40 MS LEUNG: That's O.K. So at the time we were considering the concept proposal Council were also undertaking a wider study or review of the Epping Town Centre and Council identified that the Epping Town Centre overall has a need for additional commercial floor space and Council consequently requested the site is one of those - or the proposal to provide extra commercial floor space. However, further study - more site-specific investigation has been undertaken as part of the concept proposal including economic and land use considerations to look at whether the site can actually accommodate additional commercial floor space. That was found to be unfeasible for a number of reason.

10 Firstly, if we can look at the zoning map at the top right-hand corner of the page, you'll find the site is actually slightly outside, it's on the fringe of the Epping Town Centre. So Epping Town Centre consists of Beecroft Road. There's also a main street that goes down Epping Town Centre itself, more the traditional main street layout being Rawson Street that connects between Carlingford Road and parallel to Beecroft Road and pedestrian connection across Carlingford Road is not great which separate the site away from the Epping Town Centre itself and further, on the northern side of Carlingford Road that part of the Epping is actually residential in character and that's where the site actually is consistent with the rest of the residential-zoned land on that side.

MR WILSON: On the eastern side the Town Centre is located or goes up beyond - there's some rather large towers immediately on the other side of - - -

MS LEUNG: That's correct. Yep.

MR WILSON: - - - that location. Do you know what type of commercial floor space they have?

20 MS LEUNG: They are generally mixed-use development at this stage for smaller shops on the ground floor.

MR WILSON: Yeah. O.K. I mean, we did - well, we did a site inspection on Friday and we did walk through the main Town Centre and it looks in need of some renewal, I would've thought.

MS LEUNG: So there's - - -

30 MR WILSON: Yep. Go. Sorry, Annie.

MS LEUNG: Traditionally if - this is probably go back history in time a bit, there were boundary changes between the local government area at Epping in - in the last few years. The eastern of the rail line used to be part of the Hornsby LGA similarly the site as well and to the south of - on the southern side of Carlingford Road that used to be - and has continued to be the Parramatta City Council area and used to be a kind of dual town centre separated by the rail line and Beecroft Road. So there's the main street town centre - yep. Sorry, that was cut out.

40 MR WILSON: O.K. There was interference. That's O.K.

MS LEUNG: Yep.

MR WILSON: So predominantly what you're - when you talk about the - you're talking about the western side of Beecroft Road south of - what's the name of that street?

MS LEUNG: Carlingford Road.

MR WILSON: Yes. That's actually the main road of the Town Centre.

MS LEUNG: Yep.

MR WILSON: O.K. Look, have you got any questions?

MS WENDY LEWIN: I was going to ask Annie. You mentioned that the Council did a site-specific study with respect to the commercial uses and found that there was less demand perhaps. Did the Department have access to that study?

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MS LEUNG: I'm sorry. Sorry, I think I missed Elizabeth's question.

MS LEWIN: Sorry, just for my clarity in my mind. You mentioned earlier, I think, that Council had undertaken a broad study of the town centre with respect to commercial usage - viable commercial usage. Then they did a specific - a site-specific study or was it the Department or was it the applicant?

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MS LEUNG: It was the applicant that undertake further investigation of the site whether the Council request for additional commercial floor space can be accommodated. Council initially asked for, I think, 10,000 metre square of additional commercial floor space which is equivalent to roughly about 30 per cent of the entire commercial floor space of the Epping Town Centre.

MS LEWIN: O.K. Understand. I misheard you.

MS LEUNG: Sorry, the connection wasn't great.

MS LEWIN: Thank you.

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MR WILSON: So on that, Annie, so when you did the concept plan assessment was the concern that such a large amount of commercial on that site would compromise the town centre and its ability to consolidate as the town centre?

MS LEUNG: It's more so access to the site is fairly poor. The site doesn't seem to connect well to the Town Centre. More so it would also have adverse impact on the residential side which is where the site actually is located. It's virtually fronting onto Ray Road, they are all residential properties.

40

MR WILSON: O.K. All right. Thank you very much. I think that's - - -

MS ELIZABETH TAYLOR: I suppose my comment is that it's quite interesting the way the original approval has obviously had a great deal of information that has then been - to some extent, Council is re-making the same arguments that you addressed in the original submission and so perhaps there's been - you haven't gone into perhaps as much detail in the second response because a lot of it is still in the original response, would that be a fair comment?

MS LEUNG: We do need to note that the Concept Approval does set out the land use requirement for the subsequent DA and the subsequent DA needs to be consistent with that and further, it is a R4 residential zoning that we're dealing with here as well.

MR WILSON: O.K.

MS LEUNG: Good to move on?

MR WILSON: I think so. Thank you, Annie.

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MS LEUNG: Yeah. No worries. I will start to move onto our build form assessment. Firstly, we do note that the application is accompanied by a request to vary the 48-metre height standard that applies to the land and it does also involve modification to the building envelope that was approved under the Concept Approval. The blue height plan represents - in the diagram represent a 48-metre height plan and you can see that there are sections of the buildings to protrude above the 48-metre height plan. There's a couple of reasons that the applicant put forward. One says, as we can see, the topography of the land is uneven. This could be natural but also due to former construction on the site as well. We do note that the RTS or the amended proposal did further consolidate some of the roof structure on - on the three tower buildings to further reduce the amount of variation above the 48-metre height plan.

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The Department's Assessment Report provide a detailed assessment of consideration of the applicant's request for vary the 48-metre high standard. We do note that the variation is minor and does not cause additional external impacts. This diagram - - -

MR WILSON: Just on that - - -

MS LEUNG: Yep.

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MR WILSON: Just on that, Annie. So - so through the concept plan - sorry, through the DA they originally asked for maximum 3.83, yep, metres above - above - at the highest point which was reduced in the RTS to - correct me if I'm wrong - to 2.9 maximum, is that correct?

MR RUSSELL HAND: That's right, yep. Just to clarify that the detailed design SSD came in at 3.8 metres above the 48-metre height limit, not the concept. The detailed design SSD at the EIS stage came in at that and at the response to submission stage they reduced the heights down.

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MR WILSON: And that was based on concern raised by the Department or - we're just trying to understand why they actually - firstly, why they needed to do that. I think, Elizabeth, do you want the question right now?

MS TAYLOR: I was just trying to work out - I suppose, the highlighted statement was that it was reduced by consolidating the proposed rooftop plant but I was having difficulty working out whether it was about the original proposal, what then the topography impact was and then what impact the difference between the Hornsby and

then the later requirements were. So it wasn't that the outcome necessarily changed, it was just how the logic of the argument flowed between the different heights (not transcribable) of assessment and detailed design requirements step through to where we originally - where we eventually ended up and I've just been trying to find in my notes exactly which of those - those happened but I couldn't see necessarily it was an outcome necessarily of consolidation of plan so much as just those slight variations across the requirements of the topography had greater impact. So to highlight something that was perhaps less relevant was perhaps not helpful if somebody decided to say something later.

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MS LEUNG: There's probably two kind of separate ways of looking at this. One is a change of the proposal when compared to the Concept Approval. So that's one step of looking at it. Obviously in that area the proposal other than just changing the height it also has a bit of realignment of the building envelope when compared to the Concept Approval which were due to the uneven topography of the site would result in some changes, relative changes to the height relative to the land and then obviously we - in a statutory assessment perspective, we looked at the variation of the height standard being the 48-metre applying on the Hornsby LEP.

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When we talk about the change between the Concept Approval and current Detailed Design the applicants also put forward that they are putting higher floor to ceiling height due to accompanying national construction code requirement and amenity issue as well which also result in slightly higher variation compared to the Concept Approval itself.

MR WILSON: O.K. But you're confident that the height exceedances or the - don't - don't result in any adverse impacts in terms of overshadowing view loss etc.?

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MS LEUNG: That's correct. Yep, that's correct.

MR WILSON: O.K. Do you want to just quickly run through the modifications to the building orientation, particularly those to improve residential amenity? So we're just - yeah, that's it.

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MS LEUNG: Yep. So the diagram here clearly identified modification. So the blue is the current proposal or the proposal modification. The red is the original outline of the concept building envelope. So you can see that the change is much to do with the slight alignment to north and also adjustment to solar access and the like but other than that it's very minor in the change and we don't have any concern regard the proposal modification as to modify building envelope has no difference in its relationship to the respective site boundaries or the actual relationship between the buildings - the proposed buildings themselves as well.

MR WILSON: And the predominant reason, Annie, was to - is to allow for - - -

MS LEUNG: To allow for - yeah. As the applicant's do their detailed design to allow for things like amenity solar access to adjustment to the building envelope.

MR WILSON: I note from the - if you're looking at the through-site link then there's a greater view line through there too, is that - that would be a correct statement, wouldn't it? Because the blue's the proposed, isn't it?

MS LEUNG: Blue is the proposed, yes. So you can see that it's kind of opened up the Beecroft Road side as well.

10 MR WILSON: O.K. Did you have anymore questions on built form? O.K. All right. So let's move onto - I'll let you keep going, Annie, if you want to move onto the next one.

MS LEUNG: Yep. So this is building separation. I just thought it would be a good transition between when we talk about the build form into the residential amenity side of things. So as we can see on the far left-hand diagram it's to approve concept proposal and the same kind of building separation is maintained with - consistent with ADG requirement as well for the proposed modification and that's where the building - we are satisfied that the building envelope modification are generally consistent and there's no real change to it.

20 We are also satisfied the building separation distance between the residential towers are acceptable having regard to ADG requirements. Some of the overlooking and privacy issue were detailed in the LTS urban design report as well as the Department's assessment to look at some of the finer interfaces between some of the low-rise building and the towers as well as some of the corner and junction between the built form to ensure there's appropriate privacy treatments between them as well.

MR WILSON: Annie, did you look at the - there's a proposal which I think is currently before Council for the site immediately to the south. Did you - - -

30 MS LEUNG: Yes, we have.

MR WILSON: - - - look at that in compliance with the ADG in terms of the 12-metre boundaries to the backs and so forth and solar impact and so forth?

MS LEUNG: Yep. So let's look at the 12-metre building separation on this slide first. So you can see that the concept proposal are already taken in consideration that there should be 12-metre on the site to make the 24. Similarly the 12-metre has been maintained for the current proposal as well and we will take you through the solar access in respect to the - - -

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MR WILSON: O.K. Thank you.

MS LEUNG: - - - proposal on, I think, next two slides. So these slides pretty much that the Department has considered the application on the proposal. Again some of the key matrix show us the detailed assessment against the ADG has been detailed in the Assessment Report as well as in the appendix of the Assessment Report. So these are diagrams that we invite the applicant to identify where the solar access, on which apartment typically on the floor plans as well as cross-ventilation and the like.

So we note that the proposal did achieve the over 70 per cent for the two-hour solar access mid-winter; however, there's a minor exceedance on the number of apartments getting no solar access. Those are generally the apartments that are in the mid block, they are on the low rise and they are getting no solar access but on the balance we think that the proposal achieve a reasonable level solar access having considered the ADG requirement.

10 Just one thing on the next slide, firstly, looking at the solar diagram that has been submitted to confirm the applicant's illustration of the ADG solar access compliant and then on the bottom slide that's - I think I refer to the Commission's earlier questions about solar access compliance to the development proposal to the south. We note that the development proposal is currently still under assessment with Council. There have been several alterations and amendment to their proposal but, however, we note that that proposal have considered both our proposal and their solar access requirement can still achieve ADG requirements.

MR WILSON: Just on that, Annie.

20 MS LEUNG: Yep.

MR WILSON: Do you understand - what's the commercial - commercial component of that proposal, just out of interest?

MS LEUNG: That site is actually in the commercial zone.

MR WILSON: O.K.

30 MS LEUNG: Yep. So it has a different zoning to the proposal itself.

MR WILSON: O.K. All right. Thanks.

MS LEUNG: We also understand that it's mainly (not transcribable) that they have been proposed in that building as well.

MR WILSON: O.K. Thanks.

MS TAYLOR: Annie, would you mind going back one slide?

40 MS LEUNG: This one?

MS TAYLOR: Just the figures at the top. So solar access 70 per cent to receive and they've got 72.

MR WILSON: They're compliant.

MS TAYLOR: They're compliant. Then the next one, number of apartments with no solar access. They're not compliant?

MS LEUNG: That's correct.

MS TAYLOR: Right. O.K.

MR WILSON: You know the ADG, it's a guide.

MS TAYLOR: Yeah, yeah, I'm just - - -

10 MS LEUNG: Yep. So that has been noted in the Department's assessment and we note that it is a reasonable balance of solar access and the apartments that doesn't gain the solar access are usually where they are in kind of sheltered mid-block and there's not a lot of circumstances that you can actually further maximise those.

MR WILSON: I guess we don't want - - -

MR HAND: I suppose it's - - -

20 MR WILSON: Is there any controls, Annie, in relation to ensuring that they - they don't necessarily become the affordable housing units?

MS LEUNG: We will have a look at where the affordable housing units are a bit later. So we do have a diagram and that's - - -

MR WILSON: O.K.

MS LEUNG: - - - going to come so - - -

30 MR WILSON: Thank you.

MR HAND: I suppose it's worth pausing on this slide 8 for a second as well. We've met with Parramatta Council when the response to submissions came in for this proposal and they were talking about the adjoining proposal at 246 to 250 Beecroft Road. Council is directing that applicant to go away from the idea of an L-shaped building and more of a just singular tower in rectilinear form. So if that's - if that happens to be the case that the applicant does go for that amendment the solar access, we expect, will actually improve and push that building further away from this site.

40 MR WILSON: O.K. Thanks.

MS LEUNG: So just moving onto the more the landscaping communal open space. So firstly, on communal open space. The Concept Approval has an indicative design that tries to provide some guidance of what can be and should be achieved for the site. The concept proposal has indicative communal open space of about 26 per cent and 19 per cent deep soil. The proposal has far exceeded what was anticipated under the Concept Approval. It has utilised most of the rooftop space especially for the low-rise building A and building B which fronts onto Beecroft Road and Ray Road but also a

large amount rooftop of building B as well as the ground floor open space between building E and building C.

We're satisfied also that they have provided sufficient deep soil planting especially the planting area along the - its interface with the Devlin Creek which is currently a - a concrete culvert drainage but we - I think Council has raised that that maybe future we have the location of the area so the basement's actually set away from that boundary to allow for deep soil planting but also anticipate if there is any rehabilitation of the area that will be accommodated. Tree planting has also been looked at. There is a good canopy coverage of 29 per cent as well as there is two lines of trees that has been anticipated along - street trees - along Beecroft Road as well because - - -

MR WILSON: So - - -

MS LEUNG: Yep.

MR WILSON: So excuse me, Annie, while you're on that. So one is deep soil, one's not, is that correct? One line is deep soil, one line is more above the basement and shrubbery, is that correct?

MS LEUNG: That's correct, yep. Yep. So on the Beecroft Road frontage street planning as well there is a fair bit of detail to look at to ensure they are feasible, both from the solar perspective that has been - already been mentioned but also from the perspective that Beecroft Road is a classified state road. So we have also get applicant to consult and confirm with Transport for New South Wales to ensure that planting will be feasible and allow along the deceleration lane and also have a second row of trees where the trees would not be permitted due to the speed or the Beecroft Road frontage which are those six and the bottom right-hand corner here is showing the separate of the basement and the proposed interface with the Devlin Creek culvert drainage.

MR WILSON: Was that reduced or increased setback from Devlin Creek because at some stage they thought it might be naturalised, is that - we're just trying to understand is there a proposal to renew the canal?

MS LEUNG: There's no actual proposal before us yet but it has been a concern that has been raised by Council that there may be potential in the future that may happen so, therefore, the landscaping has been amended in respond to that which the Department do support.

MR WILSON: Thank you.

MS LEUNG: This is the mostly dealing with the through-site link which is a requirement of the concept proposal. The through-site link is approximately about 1,400 metres square and that's in addition to any communal open space. The through-site link does have a plan of management, allows it to be publicly accessible. There has been a lot of detail amendments as well as design consideration of the through-site link through the assessment process as well as part of the State Design Review Panel.

There's a couple of things that has been looked at to ensure that the through-site link is functional, available to the public as well as dealing with accessibility, way-finding and the interface between the proposed apartments that fronts onto the through-site link to ensure there's no privacy and a light issue.

10 So there's a couple of things that can be look at. One is that on the Ray Road side there's now a resting area or a sitting area that is at grade access from the street level. The channel length and sections of the ramps has been reduced by the introduction that there's now a lift also in the mid section. There's a larger consolidated landscaping and passive recreation area now in the middle of the slide and the top part that joins onto Beecroft Road are generally passive area that complements some of the commercial uses up the end as well. So there's a typical section of some of – of how the applicant is detailing some of the interfaces between the proposed apartments and the through-site link to ensure privacy issues are addressed.

20 Moving onto traffic and parking. So as we mentioned earlier in the briefing the concept proposal does set out the car parking rates for the subsequent DA and we note that the proposed SSD is consistent with those rate. We further note that the concept proposal anticipated a maximum number of 442 apartment but because the apartments proposed in the DA is actually larger and have a different apartment mix. The number of apartment has now actually been reduced to 374 and given traffic generation rates is calculated based on the number of apartment so we also note that there would be a reduction of traffic generation compared to the Concept Approval.

MR WILSON: Just - - -

30 MS LEWIN: On that, Annie, we're wanting to understand how the 11 per cent reduction in traffic generation will be achieved if, as in this DA, the number of car parking spaces available is just one less than in the concept design?

MS LEUNG: Yep. So as I said, traffic generation is purely calculated based on the number of apartments and that space RMS traffic generation guidelines.

MR WILSON: Yeah. So from a policy perspective - - -

40 MS LEWIN: It's a misfit though because the proposal before us allows for the same number of cars to be accommodated on the site which would suggest that there would be the same number of cars moving in and out of the site irrelevant to the mix of apartments?

MR WILSON: So can I - I just - I'll put words in your mouth, Annie. So what you're saying basically is that notwithstanding the number of car parks in the basement the generation or the use of those cars will drop by 11 per cent based on the criteria which we use which is the number of rooms per unit?

MS LEUNG: That's the calculation of traffic generation rates but obviously traffic generation rate is generally referring to the number of cars per hour during peak hour

and that's different to the total number of cars ownership within the building. It's referring to the specific car movements.

MS LEWIN: It's an interesting - - -

MR WILSON: Yeah.

MS LEUNG: Yes, understand.

10 MR WILSON: Because you might have - you might have three-bedroom units which were for all working people, it's not necessarily - it's the nature of - nature of families are so much different these days but that's O.K., we understand.

MS LEUNG: Yep.

MR WILSON: Do you have anything to ask on that?

MS TAYLOR: No.

20 MR WILSON: O.K. Sorry, Annie, we interrupted.

MS LEUNG: No, that's O.K. Understand why - why clarification will be required. So just moving onto design excellence. So design excellence process was require to be addressed through the State Design Review Panel. So the advice of the design - the State Design Review Panel met on the proposal on two occasion and support a number of elements as well as ask for a number of further development of the proposal on some of which we have touch on earlier, things like the design of the through-site link as well as some of the build form and as well as cross-ventilation ADG which we have all discussed earlier in the briefing as well as connecting with Country response,  
30 streetscape analysis and the like.

So when the applicant provide a respond to submissions it was accompanied by a fairly detailed response to the advice of the State Design Review Panel which was referred to the Government Architect's office who looked at it on the behalf of the panel and satisfied that applicant's respond is appropriate. There is one suggestion that was made by - from the Government Architect's office which resulted in the recommended amendments to the proposal which we'll touch on a bit later as we look into the proposed draft conditions.

40 MR WILSON: Is that the Ray Street entrance?

MS LEUNG: That's right.

MR WILSON: Yeah. O.K.

MS LEUNG: So affordable housing. We've mentioned earlier affordable housing is also one of the requirement that was set by the Concept Approval which requires a minimum five per cent. I think, Commissioner, you also earlier asked for looking at

the distribution of the affordable housing which is actually shown on this diagram with the beige colour shaded apartment are the ones that are identified by the applicants as the 19 affordable housing units and they are distributed throughout the buildings.

MR WILSON: O.K. Salt and pepper-like?

MS LEUNG: Yep.

MR WILSON: O.K.

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MS LEWIN: And both sides.

MR WILSON: Yeah.

MS LEWIN: On both road frontages.

MR WILSON: Yep. So you're satisfied with the distribution of the affordable housing?

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MS LEUNG: Yeah, we are comfortable with how it is distributed.

MS TAYLOR: So have you done a specific analysis of the solar and other cross-ventilation of each of those?

MS LEUNG: I don't have that information if we want to identify each of those affordable housing unit but if we recall earlier in the briefing or the presentation we do note that the units that are lacking in solar access are generally those mid-box units in the - that are south-facing which is not reflective of what we're seeing here on this diagram.

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MR WILSON: No, I agree with that. Just on affordable housing. So concept plan set a minimum of five per cent which is at the lower end of the scale and we know - we know the SEPP's changed more recently. It also said 10 years and we know the SEPP now it says 15 years. Has that been - has that been - that matter been broached with the applicant?

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MS LEUNG: So the Department always support more affordable housing and encourage applicant to provide more as we can. We do note that in this instance obviously there's no statutory requirement arising from the planning framework that specifically requires affordable housing from this site. The Concept Approval sets out the five per cent as a minimum. We do note that the site was originally owned by Sydney Metro and Landcom and subsequently has been on-sold to the applicant which at the time a covenant was also registered on the title to ensure those affordable housing has been proposed when the site was owned by government to be proposed. So the proposal that provides for the 19 affordable house apartment is consistent with the Concept Approval as well as the covenant that was imposed at the time that the sale between government and the developer.

MR WILSON: So what you're telling us, we're not in a position to impose a condition which says they should be retained as affordable housing for 15 years consistent with the current housing SEPP?

MS LEUNG: The proposed affordable housing has not been sold under the current affordable housing SEPP.

MR WILSON: Yeah. O.K. So it's caught, the transitional provisions, is that right?

10 MS LEUNG: It's not affordable housing that has been proposed - - -

MR WILSON: O.K.

MS LEUNG: - - - where there's the previous housing SEPP or the current.

MR WILSON: It was just part of the sale, it was just - it was negotiated as part of the sale?

20 MS LEUNG: That's right, it was something that was negotiated rather than a requirement under the planning framework.

MR WILSON: So obviously if we wanted to increase the affordable housing - sorry, years - 10 to 15 years they could push back on that because it's not - it's not been dealt with under the housing SEPP but we could - there's nothing stopping us from asking?

MS LEUNG: That's right. The Department would always support longer terms or more affordable housing.

30 MR WILSON: Yeah. O.K. Thank you, Annie, appreciate that. Is there anything else on affordable housing? O.K. All right. That's draft conditions. O.K. You want to talk about - this is the entrance, yeah?

MS LEUNG: Yep, that's right. So there is an apartment that fronts onto Ray Road that has been proposed as consequential to a range of other amendments that were made as part of the LTS amended proposal scheme. The proposed apartment is three bedroom. Concern has been raised by both the Government Architect's office as well as Council about the consequence of narrowing or reducing the width as well as the present of the lobby of this building which is building A and Department recommended that the lobby be increased in size and width and the apartment be  
40 reduced and the recommendation is, I understand, has been accepted by the applicant on the amendments.

MR WILSON: What are the consequences, Annie?

MS LEUNG: The consequence of deleting a back room off this apartment would allow for the lobby to be widened and have a much greater presence and presentation and character to Ray Road which is important and it also complements on the range of external landscaping amendments the applicant already make to ensure that the

building is visible as well as has good way-finding along Ray Road as well. You can see that there is a sitting waiting area. If this is a three bedroom it would actually be a fairly poor amenity interface because you will need to have a full height privacy screen to that room 3 that's identified here, whereas if this part of the lobby it would actually complement the internal/external use from the design perspective. It's a much better resolution.

10 MS LEWIN: And the amenity for the other bedroom proposed on this plan was that, the one adjacent to the driveways, was that discussed with the applicant in relation to traffic interference and - - -

MR WILSON: Vibration noise.

MS LEWIN: I suppose vibration and security as well?

20 MS LEUNG: Yep. So those aspects of the amended proposal has been discussed with the applicant. So you can see that there is separate landscape buffer being proposed as well as the apartment itself is a bit higher due to the various flooding requirements and overland flow compared to the ground as well. So the driveway's actually a fair bit lower than the apartment building.

MR WILSON: So it dips down.

MS LEWIN: Yes, it does.

MR WILSON: So with those windows are they operable? Are they operable windows?

30 MS LEUNG: Which ones are we referring to?

MR WILSON: I presume is there windows at the - they're at the front, not at the side?

MS LEUNG: They're at the front, yeah. So you can see that on the side is the bathroom to the bedroom. So they will have fronting onto the landscape area as well as the balcony behind it.

MS LEWIN: We can discuss this further - - -

40 MR WILSON: This afternoon.

MS LEWIN: - - - with the applicants.

MR WILSON: O.K.

MS LEWIN: Thanks, Annie.

MS LEUNG: I think that's the end of the briefing that we have prepared. Happy to answer any additional questions.

MR WILSON: We're having a session in relation to the draft recommended conditions today so we may have some more questions in relation to the recommended draft conditions after today but we'll let you know ASAP if we do.

MS LEUNG: Yep, that's fine.

10 MS TAYLOR: My question is more about the characterisation of the conditions around B2 to B7 regarding design excellence and I've come at it from an engineering perspective, let's put it that way, because that's my background but the wording that's used tends to talk about high quality architectural landscape but it probably doesn't capture the objects of the Act to the extent of promote the proper construction and maintenance of the building. We did talk a little on site with the proponents about that but in terms of the tasking that you're given under those conditions to Turner, I think it is, have you included that idea of sort of the maintenance aspects ongoing and what they are doing to minimise the impost moving forward? Is that - is that part of the sort of rationale behind how you've structured B2 to B7 as well as - is it within the terms high quality architectural and landscape?

20 MS LEUNG: I think the design excellence-related condition on the consent. They have - the key objective is to maintain what we call design integrity is to ensure what has been shown through the assessment process in terms of some of the - some of that would go into the longevity and the quality of what has been provided such as the confirmation of things like material and finishes to ensure they are of a specification or a quality that is reflective of what has been intended to achieve for the proposal.

30 MS TAYLOR: I suppose I'm just nuancing that to include not just the look or the quality but also the ongoing maintenance aspects or things like that which I know would probably be part of a driver but perhaps hasn't been foregrounded perhaps to the extent that, say, those who are going to be living there for the next 20 years might wish we had done.

MR WILSON: My understanding, Annie, is there's a recommended draft condition which requests that Turner is involved in the construction and up to the point of OC, I guess, in relation to ensuring that those design excellence aspects of the proposal are actually imposed or if there's any change they need to be brought back to the Department, is that right?

40 MS LEUNG: That's correct and that's what we generally refer to design integrity to make sure that what has already in the design intent will carry through into construction but, I guess, what the other Commissioner is asking in terms of maintenance I've got to accept that that's probably not in the foreground of the intent of those condition.

MR WILSON: But there is for landscaping though, isn't there? Isn't there a - is there a maintenance requirement to ensure that the landscaping is maintained for the life of the development? I haven't seen the conditions, we haven't been through them.

MS LEUNG: Yeah, no. I think the landscape condition is - landscaping is probably slightly different. Generally you need to have a maintenance schedule to ensure that what you actually put in would actually establish so it has a slightly different take to the matter or subject matter around maintenance of a building, I think, yeah.

MS LEWIN: And, Annie, there will be a design integrity panel set up for this project?

10 MS LEUNG: I think the design integrity condition on the recommended condition refers to where there are matters that would trigger a design change, they won't need to seek further approval from, or an opinion from the Department whether they need to go back to the State Design Review Panel.

MS LEWIN: O.K. Thank you.

20 MR HAND: Yeah. So there's a lot functional elements to those conditions, I will admit, that we're trying to not have the design handed over to a draftsman or draftsman's office instead of an architect's office. Keep it with Turner to ensure that they deliver but also try and catch any design changes which might dumb this whole thing down. So we've gone through this process with several of our SSDs before and every single element of design change from landscape to architecture has to come to us and the planning secretary's delegate forms a view on whether that affects the design excellence of the proposal and we consult with the Government Architect or - and whether we need to go through the design review panel process again or Government Architect's advice or whether we can just let the proposal go through to the construction certificate with that modification to the design or landscaping. We're trying to catch things before they happen essentially.

30 MR WILSON: What you're saying is there's some fairly tight discipline around any - -

MS LEUNG: That's correct.

MR WILSON: - - - changes to the design? O.K.

MS LEWIN: Good to know.

40 MR WILSON: I don't have too much more. No, Russell and Annie, that was a good presentation, thank you very much. So, as I said, we may - we may have some questions that come out of our perusal of the draft recommended conditions. We also may have some questions that come out of our meeting with the applicant this afternoon. So thank you very much for that presentation and answering our questions. O.K. Thank you very much.

MR HAND: Thanks, Chris.

MS LEUNG: Thank you, Commissioners.

MEETING CONCLUDED