



**New South Wales Government**  
Independent Planning Commission

## **TRANSCRIPT OF MEETING**

RE: 34-46 BROOKHOLLOW AVENUE, NORWEST PLANNING  
PROPOSAL (PP-2023-2049) – GATEWAY DETERMINATION  
REVIEW

### **COUNCIL MEETING**

PANEL: MR MICHAEL WRIGHT (CHAIR)

OFFICE OF THE IPC: KENDALL CLYDSDALE  
OLIVER COPE

THE HILLS SHIRE  
COUNCIL: MARK COLBURT  
NICHOLAS CARLTON  
BRENT WOODHAMS  
ALICIA JENKINS  
GIDEON TAM

LOCATION: ZOOM VIDEOCONFERENCE

DATE: 11:30AM – 12:30PM  
THURSDAY, 5<sup>TH</sup> SEPTEMBER 2024

**<THE MEETING COMMENCED**

5 **MR MICHAEL WRIGHT:** I'll just start by making an opening statement. So good morning and welcome everybody. Before we begin, I'd like to acknowledge that I'm speaking to you from Gweagal land, acknowledge the traditional owners of all of the country from which we virtually meet today and pay my respects to their elders past and present.

10 Welcome to this meeting today to discuss the 34–46 Brookhollow Avenue, Norwest Planning Proposal (PP-2023-2049), Gateway Determination Review currently before the Commission. The Commission has been asked to provide advice on whether condition 1a of the Gateway determination for Planning Proposal PP-2023-2049 should be deleted.

15 My name is Michael Wright and I am chair of this Commission panel and the only member of the panel. It's a single Commissioner panel. I'm joined today by Kendall Clydsdale and Oliver Cope from the Office of the Independent Planning Commission.

20 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 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 advice.

25 It's important for the Commission to ask questions of attendees and to clarify issues whenever it is considered appropriate. 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 up on our website.

30 I request that all attendees here today introduce themselves before speaking for the first time and that all attendees ensure that they do not speak over the top of each other in the interests of the ensure accuracy of the transcript. So we will now begin and I might just ask Council officers to introduce themselves.

35 **MR CARLTON:** Thanks, Mr Chair. I'll jump in. I'm Nick Carlton. I'm the manager of the Forward Planning team here at Council. I'll let the others then introduce themselves.

40 **MR BRENT WOODHAMS:** Hello there. My name is Brent Woodhams. I'm the principal coordinator in the Forward Planning team.

45 **MR WRIGHT:** Hi, Brent.

**MS ALICIA JENKINS:** Hi, I am Alicia Jenkins and I am a strategic planning coordinator in the Forward Planning team.

**MR WRIGHT:** Hi, Alicia. Anybody else? We're still waiting on –

**MR CARLTON:** Yes, we also have Gideon Tam, who's senior planner in the Forward Planning team. He's having a few issues with his microphone, unfortunately.

**MR WRIGHT:** I hope you can hear us and hopefully we can hear from you at some stage.

**MR CARLTON:** I can do a pre-introduction. So Mark Colburt is the group manager here of Shire strategy, here at Council. So he's planning to join but I think he might be stuck in something else, but that's okay. But at least record for the transcript.

**MR OLIVER COPE:** Sorry, Nick. Mark's just joined. I don't know if he's – he might not be fully connected to audio but I can see he's just joined, by the way.

**MR WRIGHT:** Excellent. Okay. In terms of stepping through the agenda for today's meeting, if we could start by throwing to Council. I'm not sure who wants to lead the presentation from Council, just to talk through Council's position on this planning proposal.

**MR CARLTON:** Yes, I'm happy to, Mr Chair. And I was only planning to be relatively brief in that and then I gathered there'd be some value in us being available to answer any questions you might have. So assuming – we've put all this position in the written material, so I'll assume all read and confident with that.

**MR WRIGHT:** I have seen that. Thank you. Yes.

**MR CARLTON:** But I really make a few points that the Council considered this in 2021, was actually when Council's original decision was made and it was made against the strategic planning framework as it applied at that time. The timing's an important factor because there was a delay of a few years while the proponent worked through updating the material so that we could submit it for Gateway and then the Gateway determination period was also quite lengthy in comparison to other proposals.

And as you'd be aware, over that period there was a pretty significant body of strategic work that happened in our precinct planning for Norwest that occurred after the Council's decision on the Gateway determination and it was in the draft state, having just been exhibited when the Department was considering the Gateway.

So the timing has I think made this a complicated proposal, unfortunately, but really, as Council officers, we're here to reiterate the position of Council and the original resolution, that the Council still stands by. In short, this is a unique site and Council's assessment of the site specific planning proposal at the time in 2021 had regard to that, as is appropriate. So our report to Council in July has a detailed

assessment and you'll note in there there is an acknowledgment of some of the technical inconsistencies with the strategic framework as it applied at the time.

5 And also some areas where we felt like it did align, in particular it was delivering minimum employment targets as set out in The Hills Corridor Strategy, which was really the predominant strategic planning policy that related to this area at that time. But where the Council found compelling was really looking at the constraints and the specific nature of this site, which is around the irregular sort of triangular or wedge shape and the fact that it had residential development and  
10 zoning really wrapping around two boundaries of quite a thin part of the site.

Now, that residential area at the moment is low density in character and I note that you've been out to the site, so would've seen that, that's the low density character at the moment, but flagged in the future for potential high density development of  
15 around 1:1 and that's sort of featured in the strategic planning policies over the years. But really, as an area for longer term turnover, primarily due to the age and quality and fragmentation of the housing stock in that area.

So where we were balancing this decision from a site specific perspective is trying to get the right transition of uses and built form, noting the current state of the surrounding locality, which we didn't see as changing any time, but also the future vision for how that might change really over many decades. So having regard to those unique features of this site, the Council was of the view that some of the strategic inconsistencies were justifiable and that what the proponent had put in,  
20 after many years of negotiation and back and forth and amendments, where that proposal landed, the Council was happy that that was the best outcome and warranted progression to Gateway determination.

That's sort of the history to July 2021 and it would be remiss of me not to then say that there was a lot of work in Norwest generally that happened, culminating in the recent adoption of the Norwest Precinct Plan by Council, which again, to  
30 complicate things, happened after the Department's Gateway determination was issued. But worth noting in the Norwest Precinct Plan, the Council did factor in this outcome as per its resolution and did factor in a small residential component on this site, really staying true to that original resolution and reaffirming the  
35 reasons why it made that decision in the first place and factoring it in holistically in the outcomes in Norwest Strategic Centre.

40 So I'm happy to stop there and let you guide from here, Mr Chair, in terms of any questions or where we might help you formulate your advice here.

**MR WRIGHT:** Sure. Yes, look, we've been interested to look at what's proposed under that Norwest Precinct Plan, particularly with the envisaged residential uplift in the lands immediately to what I would describe as to the south of this site. So  
45 going from I think R3 to R4, that is correct, isn't it?

**MR CARLTON:** Yes. Correct, yes.

**MR WRIGHT:** Could I ask from – I know that the Government, its Transport Oriented Development Program running - Norwest Metro Station wasn't identified as a TOD location but it would appear as though what Council is doing with that resi upzoning is kind of like almost like a quasi-TOD because it's a significant resi uplift, close to the metro station. Just a question, Nick and anyone else from Council who might want to respond, what is sort of the policy rationale for that significant proposed uplift in residential density to the south of the site and along those industrial parklands traversing this Hollowbrook Avenue more generally?

**MR CARLTON:** So at a high level, yes. The Council's actually been working – this is not a TOD precinct as identified by the government in the last few years but the Council's, you know, over a decade been planning for this precinct, having regard to the principles of TOD and appropriate outcomes.

And if I take a step back and look at our Norwest Precinct Plan, since the announcement of the metro and the construction and the opening of the metro, there's been numerous iterations of policies for how development would occur around the Norwest Metro Station. The activity that's actually brought changes to planning controls, so generally proponent initiated planning proposals, has been heavily focused on residential outcomes.

What we're seeing – what we approached in our precinct plan was to reflect those, focus on the commercial areas as well to fill in some of the gaps where the planning hadn't yet been done and then look at some of the longer term opportunities, which is what I think you're referring to there on the – Barina Downs Road, for example, which backs on to the properties that run down Brookhollow. So there's a significant amount of growth in that precinct generally across a whole mix of uses and we would say that that is 100% TOD planning at its best with a good mix of uses, higher density, improvements in transport and active transport and the like.

And so the policy rationale really dates back to the opening of the metro, the planning for the metro, ministerial directions around the North West Rail Link Corridor Strategy. Council did its own corridor strategy and then that's fed into a specific precinct plan. The difficulty is that across that whole decade of strategic planning work, we've had individual site specific planning proposals initiated by landowners, as is entirely their right and the Council's role is to assess those on merits as best it can at any point in that process.

**MR WRIGHT:** Understand. And the Norwest Precinct Plan I think identifies three sites for further investigation and my understanding is that this particular site wasn't explicitly identified for investigation. Is that correct?

**MR CARLTON:** Yes, that's correct. So there's three sites that were identified through that precinct planning work as being relatively unique in terms of their size, size in consolidated ownership, lack of real constraints and their ability to deliver over and above the minimum commercial employment outcomes as well as some supplementary residential outcomes in a way that the Council was

comfortable didn't undermine its protection of the employment, the designated employment area in Norwest.

5 So they're three distinct sites that the precinct plan identifies and sets some criteria around it, which we think are very specific to those sites. This site is not identified as one of those but the precinct plan does identify a small amount of residential still, which again draws back to those same reasons that Council decided to progress with the planning proposal originally.

10 So if I can be really clear, this site is not one of those investigation sites but this is another unique outcome that the precinct plan recognises and it, like I said, reaffirms the really unique site specific reasons why Council made that decision in the first place in 2021 to permit a small amount of residential on a very small amount of this site and the precinct plan reiterates that, acknowledges it and deals with it and when we take a step back and look at all of the residential growth, so  
15 that Norwest Strategic Centre is flagged as having potential for 25,000 dwellings.

In including those investigation sites, which you've mentioned as well as the small residential growth on this site as well as the other areas that are specifically  
20 identified for residential, the precinct plan looks at the infrastructure planning and analysis at sort of both a state and local level and it really is at the point where we think this is the amount of residential that we can feasibly service from a local government and what we believe the state government can feasibly service there.

25 So it's been a useful exercise to still wrap in all of these different processes into one precinct plan and verify that yes, this is the point at which we think this place works and at which we think we can actually service the different extensive growth across the land uses.

30 **MR WRIGHT:** So just to be clear, in terms of why this particular site wasn't explicitly identified as one of those – as the fourth investigation site, for example, was that because its size was such that it didn't quite meet sort of a policy threshold?

35 **MR CARLTON:** Yes. So we don't think that it has the same characteristics as those investigation sites, which size was a big one, consolidated ownership, and those sites were such that we saw you could – we're still trying to protect a designated employment area, even on those sites. So when we talk about the potential for residential on those investigation sites, that's still as a distinct portion  
40 of the site that allows for a designated commercial or employment element on those sites.

45 So yes, the size of those sites is really critical, the location of them somewhat and the ability to achieve those criteria in the plan, this site didn't fit into those and really none of the other sites in the precinct did either but this one did have that existing resolution. It did have really specific site reasons why, but again we don't think those reasons that led to Council's decision on this planning proposal could be replicated anywhere because it is unique in its shape and there's not other sites

that are a wedge that has residential wrapping around two boundaries. There's not another example in the precinct of that. So that's where we've maintained that position on this site in addition –

5 **MR WRIGHT:** Okay. And just for context for me and it's not a matter that I'd consider necessarily in looking at this particular case, but those other three investigation sites, is it the intention that they will deliver significantly more residential dwellings than is proposed on this site?

10 **MR CARLTON:** I think –

**MR WRIGHT:** You can take that on notice, if you wish.

15 **MR CARLTON:** The idea in the precinct plan and what's stated is that it's a very small element of the development of the site that's very much subservient to the employment outcomes. So in that respect, the concept of it is not dissimilar to this in that even the proposal for this site is still predominantly employment outcome with a very small subservient part of residential.

20 **MR WRIGHT:** Yes, okay.

**MR CARLTON:** If that hasn't answered your question, then I'm happy to take it on notice and give more specifics.

25 **MR WRIGHT:** Do you mind taking that on notice? I mean, we could – yes, if you could, please, that'd be useful for us just in terms of context. You've obviously seen the Department's assessment of this proposal and they are minded to not agree that the proposal has strategic merit and the view of the Department is that this site has been set aside exclusively for commercial floorspace,  
30 employment lands and that is reiterated in a number of strategic planning documents and employment instruments.

I mean, you've talked about the I would say unique nature of that site being  
35 triangular and surrounded by residential on two sides, which kind of plays into site merit perhaps more than strategic merit. Do you have anything or does anyone have anything they want to say from the Council perspective about the strategic merit of including residential in addition to commercial on the site, given those layers of strategic documentation planning instruments which suggest this should be exclusively for employment?

40 **MR CARLTON:** I would only say two things in response to that. Firstly, the Council report does acknowledge that and doesn't shy away from the fact that there are some inconsistencies there. At its core, we saw this still as a predominantly employment outcome that the inclusion of residential here was not  
45 in any way inhibiting or reducing the employment outcomes that were being delivered.

And the second point that I think is compelling for where we sit today is that

Council's adopted its Norwest Precinct Plan now, which we would see is the predominant policy that should be guiding the future land use planning for the whole Norwest precinct and that precinct plan does identify a small amount of residential on this site, consistent with Council's resolution on the planning proposal. So the Department didn't have the benefit of that document being finalised and in their documentation on the Gateway, I quote it exactly, but they almost referred to "Well, Council should consider this as part of its precinct planning holistically."

And to that I would say we did and it shows a small amount of residential on this site. So if being assessed today from scratch against the framework as it is today, I would argue that our precinct plan very clearly shows this outcome as something that Council thought was appropriate in the context of its holistic planning for Norwest.

**MR WRIGHT:** Yes, okay. If this planning proposal was to go ahead, I would imagine there'd be reduction in the overall yield of employment floorspace at this site. Just presumably the residential development displaces some commercial floorspace? Is that a correct assumption or not?

**MR CARLTON:** I don't think we – it's a little bit speculative but I don't think we could assume that, for example, the residential floorplate would just be replaced with commercial. So if the residential component is not there, the overall GFA is probably lower but I wouldn't with 100% certainty say that that means it's more commercial.

The reason for that is again the constraints of developing on that particular part of the site and creating an interface with the adjoining residential areas, if you think about the ability to do so through designing a residential building, which typically has a much smaller floorplate, broken up into lots of different tenancies, call them, more ability for articulation, smaller footplates, et cetera, I don't think you could just replace that with a commercial building, which typically has larger floorplates.

And so I think that the process, if you remove a residential tower out and either replace that with commercial GFA, that's a redesign of the site, in my opinion. And in doing so, I suspect in dealing with the interface between a commercial building at that part of the site and the residential next door, you would probably end up with things like much larger setbacks, the need to sort of sterilise a portion of that site from development. And that's going to come at expense of some of the other things that we thought were great outcomes about the development like the urban plaza, for example, right across from the station.

So if you're having to redesign the site to remove a residential building but still not reduce the overall GFA, I think we're leading to a less optimal urban design outcome, which really goes back to the reasons why Council thought okay, this as a site specific proposal makes a lot of sense and achieves a lot of the outcomes that we're looking to achieve here.



**MR WRIGHT:** Yes. So Council position is that this proposal would still deliver at least the minimum commercial floorspace envisaged in the most latest precinct plan for Norwest, yes?

5

**MR CARLTON:** Yes, yes. I mean, I'm sure the applicant – the proponent would have a view around feasibility, so I'm not, just to be clear, not speaking to that. But theoretically, the capacity would be there in the controls that we're proposing.

10

**MR WRIGHT:** Just on the question of feasibility, one of the issues that has come up in our discussions with various stakeholders has been around the changed nature of the market for commercial floorspace across Sydney and certainly the proponent indicated that the inclusion of residential on the site would assist in terms of financial feasibility more generally for the development. Does Council have a view on the way that the commercial floorspace market has perhaps

15

changed coming through COVID and out the other side and the demand – the likely current and future demand for commercial floorspace in the North West Precinct?

20

**MR CARLTON:** We wouldn't see that it's changing much, to be honest.

**MR WRIGHT:** Okay.

25

**MR CARLTON:** And I'll speak to that quickly but yes, we're projecting for jobs growth over the next 10, 20, 30, 40 years and beyond and our assumptions are still that that's going to require fairly typical amounts of floorspace as what we previously would have projected pre-COVID, factoring in different things around job densities and the like. But no, we wouldn't necessarily agree with that.

30

Now, if I can bring some statistics to this, which are only relatively fresh. So Council every year does a bit of a survey of its local businesses and this year it's not yet published but this year we actually asked some questions around this because we're obviously hearing feedback and discussion, so we thought it'd be an interesting thing. And what we actually found was I think it was about 85% of the local businesses in the area are either working 100% in the office or part of the hybrid – in hybrid working arrangements.

35

But the interesting – it's been put to us that hybrid work means, for example, a company might only need 60% of the floorspace that they previously did. What the survey results showed us actually is the companies that are doing hybrid, the reason they're doing hybrid is because they need parts of the week where 100% of their workforce is all in the office together so they can do the collaboration, et cetera.

40

So the feedback to us was that a company who is working hybrid still needs to have enough floorspace to house 100% of their workforce. So there wasn't any view that companies were going to reduce their floorspace requirements because they still need to be able to have 100% of their staff in the office. That's the whole

45

reason why they're requiring staff to be in the office some days of the week. So yes, we're not honestly at this point seeing it.

5 What we're seeing though is that the take up of the employment floorspace opportunities that exist are slow and that ebbs and flows and residential is obviously the desirable outcome that many people are trying to develop at the moment, but we're taking a really long term view of this. We have jobs growth targets to 2041 but the world doesn't stop then and we're probably continuing on our trajectory of really rapid and large amounts of residential growth and that's 10 where the employment lands capacity beyond 2041 becomes hugely important and that's where our policy positions are.

**MR WRIGHT:** Speaking generally without looking at any particular site including the site we're currently discussing, is there a view amongst Council that 15 multi-use developments are more likely to be financially feasible and therefore more likely to be brought to market rather than single use developments, like commercial only?

**MR CARLTON:** That's a tricky one and in our precinct planning we talked a 20 little bit about those investigation sites earlier and part of the rationale for those was that yes, we acknowledge that in the very short term to get some really quick activity on jobs, that a bit of residential on those sites might help to bring that along quicker.

25 But we're not of the view that – it depends how you classify mixed use because the types of jobs that we're looking to attract to Norwest are larger corporates, knowledge intensive jobs and things like that. We're not seeing any evidence that those companies want to invest in half of a building that's shared tenancies with a hundred other residential units. So there's still a place and a desire for prestige 30 designated employment areas and bringing – interspersing residential at a very granular level, the Council's position is that risks taking away the attractiveness of this place for investment when it does come in jobs.

**MR WRIGHT:** Okay. But you think that with this particular proposal, that's not 35 going to be the case because the residential is isolated in that wedge part of the lot against other residential?

**MR CARLTON:** Yes, we don't think that's the case with this site and again, 40 including the residential on that small part of the site may actually be the thing that allows it to work better and interface with the residential that's next door better than a pure commercial development would be. But that's very unique to this site.

**MR WRIGHT:** And the proponent talks about 18 hour economy and passive 45 surveillance, there's obviously the proposal for that public plaza. Council's views more generally about the public domain and larger public benefits that might accrue to this proposal should it go ahead?

**MR CARLTON:** Look, the public plaza's a good outcome but it's one that we

would really expect for a high quality, high density development to really have to deliver. So –

5 **MR WRIGHT:** So it should occur, Nick, so it should occur even if the resi wasn't there, is that right?

10 **MR CARLTON:** Yes, yes. And there's a fine line between doing a good development and a public benefit. So I think it's a good outcome but I think the Council's expectation if you're going to do a high density development, we should be doing good outcomes.

15 **MR WRIGHT:** Indeed. Going back to residential need, does the Council have access to population projections, growth targets for Norwest? Is there – you talked about those three investigation sites and this site as well and obviously there's limits in terms of infrastructure but any view in terms of likely future population growth in Norwest? What this particular proposal might do assist, I would say in a pretty modest way, to accommodate that future population growth and then infrastructure limits?

20 **MR CARLTON:** There's no shortage of residential opportunities in Norwest. So you're correct, this would assist in a moderate way but that's not really underpinning any of the rationale here. So I mentioned earlier that the precinct plan's showing capacity for 25,000 dwellings across Norwest. A large amount of that is actually already permitted and it is really just waiting for the market to go through DA and construction process.

25  
30 So I would say over the next five to 10 years there's already more capacity here than what we would see the market being able to deliver. The amount of dwellings we're talking about on this site doesn't make or break it and the reasons for Council supporting this was not about housing or the need for more of it, it was that it worked on this site for a specific set of reasons.

35 **MR WRIGHT:** Okay. Good. What else? That's probably really it for questions from me but is there any other Council staff here today who might want to say something about the proposal?

40 **MR CARLTON:** If I can put one of them on the spot and then they can put it on notice. Someone, maybe Brent, might be able to answer that question slightly better than me about you enquired as to how much residential we were expecting on the investigation sites. Brent, if you're comfortable, otherwise we will take it on notice.

**MR WOODHAMS:** It's probably best we take it on notice, Nick.

45 **MR CARLTON:** All good.

**MR WOODHAMS:** That way we can provide a more accurate figure.

**MR WRIGHT:** That would be appreciated. I'm going to throw it – Kendall or Oliver, is there anything that we haven't traversed that we should with Council today?

5 **MR KENDALL CLYDSDALE:** Just looking through the agenda, Michael, and I think we've covered everything off there. And we'll put the question to Council in a written piece of correspondence as well, just so it's on the record.

**MR CARLTON:** That's helpful. Thank you.

10

**MR WRIGHT:** Sorry, just one other question, Nick and others, one of the concerns the Department raised about this proposal was that it may set a precedent for similar proposals elsewhere across the precinct on the SP4 zone [non-transcribable]. Interested in views on that and in particular, when we were out  
15 looking at the site, we did walk down Brookhollow Avenue with that sort of industrial park estate there. Is there anything about this particular lot and those lots which makes this particular lot fundamentally different to those?

**MR CARLTON:** Yes, we would say that the shape of it really and the fact that  
20 you have that small thin wedge at the end with residential wrapped around it. So we would see the other properties that run along Brookhollow, you know, that's commercial that backs on to residential and the residential's the same situation as the residential here but it doesn't wrap around two boundaries and it's not a thin part of the site. So we would see that the rest of those properties have an ability to  
25 deal with interface issues better if they develop in isolation.

But the other point I would make, in our precinct plan, we do actually flag that there is potential for better outcomes along that stretch. If there is amalgamation that can happen between some of those commercial properties and some of those  
30 residential properties, that would potentially lead to – you might lead to a more mixed use outcome with the residential flowing into the commercial. We flagged that as an optimal outcome. We're of the view these sites can still develop in isolation back to back there and deal with interface issues in a way that we didn't believe this single site could.

35

**MR WRIGHT:** Okay, okay. And so in terms of precedent, potentially a precedent with this one going forward? I mean, for other landholders looking at what might happen here?

40 **MR CARLTON:** No, we wouldn't think this is a precedent. There's no other sites that are irregularly shaped, have the residential wrap around two boundaries and et cetera. So I think we tried to do this in our Council report as well. We were of the view that this was a pretty unique instance that couldn't be replicated elsewhere.

45 **MR WRIGHT:** Yes. Okay. Thank you very much, Nick. And unless there are any other points that other Council officers wish to make, I think Kendall and Oliver, we have no other questions we want to ask. I'd just like to thank everybody who has attended for contributions. Very, very useful for us. Thank you so much. As I

said, this will be a very important component of a set of information we're going to be considering as we move to providing advice on this particular proposal. So once again, thank you very much and enjoy the rest of your day.

5 **MR CARLTON:** Thank you. Thanks.

**MR WOODHAMS:** Thanks, Commissioner.

**MR CLYDSDALE:** Thanks, everybody.

10

**MR WRIGHT:** Bye.

**>THE MEETING CONCLUDED**