



TRANSCRIPT OF MEETING

RE: MIXED USE DEVELOPMENT INCLUDING IN-FILL AFFORDABLE HOUSING – FIVE WAYS, CROWS NEST(SSD-66826207)

APPLICANT MEETING

PANEL: MICHAEL WRIGHT (CHAIR)
DUNCAN MARSHALL

OFFICE OF THE IPC: BRAD JAMES
TAHLIA HUTCHINSON
CALLUM FIRTH

APPLICANT REPRESENTATIVES:

Deicorp Construction Pty Ltd GREG COLBRAN
ROBERT FUROLO
POONAM CHAUHAN
SIMON MANOSKI
NATALIE BOCOCK

Gyde Consulting STEPHEN KERR
CARLO DI GIULO

Turner Studio STEPHEN COX

JMT Consulting JOSH MILSTON

Mott DANIEL FETTELL

Land and Form Studios RO IYER

LOCATION: ZOOM TELECONFERENCE

DATE: 11:00AM – 12:00PM
THURSDAY, 5th DECEMBER 2024

<THE MEETING COMMENCED

MR MICHAEL WRIGHT: Good morning, everybody. Thank you for joining us here today. I hope you can hear. Can you hear? That's good.

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MR GREG COLBRAN: Yes, we can.

MR WRIGHT: Just before we begin, I'm going to make an opening statement. So, I'd like to acknowledge that I'm speaking to you from Gadigal land, and I acknowledge the traditional owners of all of the country from which we virtually meet today and I pay my respects to their Elders past and present.

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Welcome to the meeting today to discuss the mixed use development including in-fill affordable housing at Five Ways, Crows Nest (SSD-66826207) currently before the Commission for determination. The applicant, Deicorp Construction Pty Ltd, proposes to construct a 22-storey mixed use development comprising commercial premises within a 3-storey podium, a 19-storey residential tower above, with 188 apartments (including 141 market and 48 affordable housing apartments), with seven basement levels. The site is located in the North Sydney local government area.

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My name is Michael Wright, and I am the Chair of this Commission Panel. And I am joined by my fellow Commissioner, Duncan Marshall. We are also joined by Brad James, Tahlia Hutchinson and Callum Firth from the Office of the Independent Planning Commission.

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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.

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This meeting is one part of the Commission's consideration of this matter and will form several sources of information upon which the Commission will base its determination.

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It is important for the Commissioners to ask questions of attendees 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.

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I request that all attendees here today introduce themselves before speaking for the first time, and for all attendees to ensure they do not speak over the top of each other, to ensure accuracy of the transcript. Thank you very much and we will now begin.

45

We have an agenda which I'm sure you have as well for today's meeting. I'm wondering if someone from Deicorp might introduce various representatives for the proponent before we step into the overview of the application.

5 **MR COLBRAN:** Yes, I will, thank you, Chairman. Just to do the introductions of the team on behalf of Deicorp with us today. Myself, Greg Colbran, I'm the Development and Planning Executive here at Deicorp. Other speakers, we have Stephen Kerr from Gyde, our planner. We have Stephen Cox representing Turner Architects for the project. And we have Robert Furolo from Deicorp as well, who's head of all our communications.

10 In attendance via Teams, if there are questions that are needed to the answers in more detail, we have Poonam Chauhan who is with us, she is with Deicorp, the Development Manager on the project. We have Simon Manoski who is here with us as well, he's the Executive Planner for Deicorp. We have Natalie Bocoock who works as an Assistant to Poonam and would be working all the screens and everything for us today. We also have Josh Milston, JMT Consulting, in relation to traffic. We have Daniel Fettell from Mott MacDonald, to do with civil and flooding. We have Carlo Di Guilio, he is also representing Gyde, our planners as well. And we have Ro Iyer from Land and Form, our landscaper.

15 So, if everyone is okay, Mr Chairman, I'd like to then move in and start the presentation, if that's okay with everyone from the IPC?

20 **MR WRIGHT:** Thank you, Greg.

MR COLBRAN: Thank you. So, just on behalf of Deicorp to ...

25 **[MS POONAM CHAUHAN?]:** We can't share the screen, unfortunately.

MR COLBRAN: No, but can we not here?

30 **[MS NATALIE BOCOOCK?]:** Sharing isn't allowed on this meeting, so I'm just trying to set up a [unintelligible 00:04:47] computer.

[UNIDENTIFIED SPEAKER]: I think we're trying to solve it at our end. We should be able to share. Is that not working?

35 **MR COLBRAN:** Can we not share?

[MS BOCOOCK?]: It's not allowed in this meeting.

40 **[UNIDENTIFIED SPEAKER]:** We'll share at this end.

[MS CHAUHAN?]: Cannot share it.

[Cross-talk 00:05:14]

45 **MR COLBRAN:** Can we drive it from this end, or it will ...

[Cross-talk 00:05:23]

[MS CHAUHAN?]: If you'd like to give us the control, we can control this line, to no?

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MR WRIGHT: Yes, I think you can control the slides at your end.

[MS BOCOCC?]: Yes, that's Carlo's screen.

MR CARLO DI GIULIO: Sorry, I was just testing it. I'll stop sharing.

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[MS BOCOCC?]: I can share it. Just let me know when you want me to hit "next slide."

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MR COLBRAN: Can we move forward now? Are we all right to move? All right. Okay. So, just moving forward, we have done our introductions. To the next slide please. Who's controlling it? Okay.

20
So, on behalf of Deicorp, first of all, I'd like to thank the IPC members and their staff for taking the time to allow us to explain this exciting project that we have at Crows Nest. If I could just start in as well, I'd like to take the opportunity to thank the Department of Planning officers. In particular, there was Aditi Coomar and John Martinez, that have – working with these guys has been making the SSD application as seamless as possible. And we have really found it great to be working with people of that, from the Department of Planning, who have been able to sort of guide us through one of the first SSD applications.

25
Just a little bit about Deicorp is what I will be presenting, as Deicorp, experienced and capable developer and builder. We're delivering over 12,000 apartments in key city locations. Deicorp is committed to providing confidence and peace of mind for every purchaser, by delivering a complete end-to-end service.

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Our business has been in operation for just on 25 years, and we have one owner-director who controls everything at Deicorp. One thing that we are very proud of is that Deicorp are delivering approximately 15% of new homes in the Sydney area per year, which is a great achievement. We also have at Deicorp we are, for the wording, a one-stop shop. From site acquisitions to when our purchasers take occupation of their apartments.

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Next slide please. Basically, the project I'm sure the panel members are all aware of where the site is, where we are at Crows Nest, 391–423 Pacific Highway. The corner of Falcon Street and Alexander Street at Crows Nest. We are 350 metres from Crows Nest Metro. We're 1-k from St Leonards Station. And we have 10 bus stops within a 400 metre radius.

45
Next slide please. Our project, just a quick overview, we have a site area of 3,200 (just over) square metres. We have non-residential GFA of 8,002 square metres. Residential GFA over 19 floors is 16,117 square metres. Of housing, we have 140 market apartments and 48 affordable apartments for 15 years, and Deicorp are working very closely with St George Housing on this project. We

have communal space of 1,696 square metres. We have a seven-level basement. And our apartments total 188, with a mix of one-bedders 33, and two-bedders 118, and three-bedders at 37.

5 If we could just move to the next slide please. And Stephen Kerr, I'd like to ask you please to then work our way through the planning issues in our presentation. Thanks, Stephen.

MR STEPHEN KERR: Thanks, Greg. And good morning, Commissioners.
10 Look, I'd also like to acknowledge the Department staff who have worked with us through the assessment of this application; their professionalism and dedication, I guess, to helping resolve this housing crisis is a credit to them.

15 The Assessment Report, as you would have seen, is very thorough. I'll do my best not to repeat too much that's in there. And I'll also say the recommended Conditions of Consent we've reviewed in detail and have no concerns with.

20 Just sort of a bit of background. Of course, the principal environmental planning instrument that applies to this site is the North Sydney LEP. But the catalyst to this proposal, if you like, was a strategic planning exercise that in fact began in 2016 and culminated in August 2020 with the publication of the St Leonards and Crows Nest 2036 Plan, or the "2036 Plan" as we call it.

25 From the outset, that planning process identified this Five Ways site and a handful of other sites as being – I'd describe them initially as being unique, but as being capable of accommodating taller buildings for various reasons. And you would have already gathered from the Office's Assessment Report that the type of things that lend this site to that capability are its relationship to the key public spaces, it's the limited overshadowing impact it has because of its geography, the fact that it
30 acts as a marker point for Crows Nest, and the fact that it provides opportunities to create an extension of the Crows Nest Village.

35 After the publication of 2036 in August 2020, Deicorp – and this has been a very long journey for all of us – set about to implement that plan. And the first step in that was to prepare a site-specific rezoning proposal, and that was gazetted in December 2023 and created the height limit and the 5.8:1 floor space ratio and the 2.5:1 non-residential floor space ratio, which all came directly out of the 2036 Plan.

40 Of course, we've got an interesting date on the bottom of the in-fill affordable housing, I see that came in December 2023. But in response to the housing crisis, as the Minister for Planning calls it, in December last year that policy, which you'll be well aware of, was introduced. And its objective broadly is to increase the supply and market in affordable housing and that's what this application does.
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And then after that long journey for us, last week the St Leonards/Crows Nest accelerated precinct was gazetted under what we've described there as the TOD rezoning, and as you'd appreciate and you can see in that image on the screen, it

contemplates very significant change in the St Leonards area and the Crows Nest, and particularly along the Pacific Highway.

5 The TOD SEPP, which was finalised last week, but as it was being developed was cognisant of this development application. It didn't propose any changes, and it included a specific savings provision that requires this development application to be determined as though that TOD SEPP had not commenced. I say it didn't include any changes – one thing it did do was reduce the non-residential floor space requirement. But as I said, that TOD SEPP doesn't apply to this application.

10 Next slide if we can have it, please. So, in terms of the statutory compliance, the proposal as you've already read, no doubt, is permissible in the zone, it's slightly below the allowable floor space ratio, it's bang on the minimum non-residential floor space requirement, which is all housed in that podium. It includes over 15 3,600 square metres of affordable housing floor area.

20 The two departures from those statutory controls are minor departures in percentage terms. The tower, elements of the tower are above the 76.05 metre height limit. And the plant also exceeds the height limit, although to a lesser extent due to the careful placement of the plant.

25 And on the next images we'll see what this actually looks like. So, this is the 76.05 metre height plane. And you can see the plant above that height plane, and you can also see a portion of the building roof above the height plane on the left side of the site also.

30 In the context of the overall development, you can appreciate from this image that it is extremely minor and, you know, as described in the Department's report, not material. But we'll go to that a bit further later on when we're talking about building architecture.

35 The next image is a height plane but in addition to the 76.05, it includes – there's a 2 metre allowance in the North Sydney LEP for plant, and that 2 metre allowance is – it exists via a clause in the LEP, it's actually a variable allowance depending on where your site is and what the underlying height limit is on the site. But I think it was an oversight – well, I know it was an oversight that allowance wasn't adjusted at the time that this site was rezoned to give effect to the 2036 Plan. And as you would have seen from the Department's Assessment Report, the allowance varies from 3 to 5 metres in other places. But again, the extent of the variation, 40 you can sort of see it most clearly in the image on the right-hand side, is 1.69 metres; it's very minor compared to the overall control.

45 We might flick to the next slide, if that's okay. The purpose of putting this on the screen is just to illustrate that the plant rooms which are the predominant feature that exceed the height limit, there's a comment in the Department's Assessment Report that observes that they're not visible from public places, and these images simply demonstrate that those plant rooms are only visible from long distance views. They're screened, they actually create a bit of interest in the roof scape.

5 The next slide, I think, is just – and again, this illustrates a couple of things. So, this image was taken from the finalisation report for the St Leonards/Crows Nest TOD SEPP. The site that’s before the Commission today is indicated in red. It is the envelope of the application that’s before you, which goes to my point that in finalising the TOD SEPP, the authors were mindful of this development. It also goes to show the significant change that is planned to occur in terms of the scale of the development, and how that height of the development tapers down from the Crows Nest Metro Station to this Five Ways site following the Pacific Highway.

10 On that note, unless there’s any questions, I’ll handover to Stephen Cox.

15 **MR STEPHEN COX:** Hello, I’m Stephen Cox from Turner. So, I’m just going to briefly run through some of the issues from the agenda and areas we’ve worked through with the Department of Planning in the SSDA process.

20 One of the key issues is the podium and how it inter-relates with Crows Nest Village and the existing buildings around the site, particularly the sort of three or four heritage buildings that are in the adjoining streets, and then there’s further heritage buildings a little bit further out. So, we took that really – we thought that was really important to take the feel of Crows Nest that really makes Crows Nest a special place in the village, onto this site. As Greg said earlier, we’re trying to think of it as a continuation of the village, rather than something different.

25 Part of the decisions in the designs of the podium was to use brick, and we see that – you can see on the right-hand side of this image, the former bank building that sits on the corner of Shirley and Pacific Highway, is a brick building, and that brick’s also reflected in our podium. We also see brick in the Crows Nest Hotel on Falcon Street on the left, and that’s important.

30 A little bit further down the road behind this image is the row of retail shops and other heritage items, there’s, I think, four in a row. And the way the rhythm of those shops works in the street is also in the way that we have put that rhythm into the podium. We use a sort of scallop architecture on most of the façade, and then we break it up with lobbies and other aspects. So, the grain of the shops that is quite characteristic of Pacific Highway is carried through on the podium.

35 In terms of the heights of the podium, there was a lot of work in the Planning Proposal to think about all of the heights of all the buildings on the perimeter streets that sort of are across the road from the site. And there’s a very close relationship between the podium heights that we see in the context, particularly the Crows Nest Hotel and the proposed podium. So, they’re very similar in height and we did sectional studies and other studies just to show everyone how the different buildings work together as a group.

45 So, we think that the design response is very cognisant of that grain in the context and the heritage items there, and we’ve had support from the Department of Planning’s heritage sort of critique of the project and also our own consultant that

has advised us on the podium.

5 So, I'll move across to the next slide. We'll talk a bit about the laneways that's also on this page as we go through. This is just a page from the SSDA that just shows the materiality and the different grain and colours that we have in there. The red colour really is determining the retail and commercial lobby that sits on the Pacific Highway side, and gives it sort of a break between the longer street elevation of the project.

10 But I'll carry on to the next slide. And these are two issues that came up during the SSDA. One is the very prominent advertising sign that sits on the corner of Falcon Street and Pacific Highway. So, in the SSDA, this was removed, so it's not part of the current proposal.

15 Another issue that came up in the design of U-panels sessions was articulation on the façade. And there was some articulation in the corners and then we have added further articulation at the request of the Design Review Panel, midpoint through the tower. So you can see highlighted in the box on the right-hand side, the articulation that sits in the tower as well. So, there's sort of several levels of
20 articulation in the podium and the tower, and certainly responding to those comments from the DRP.

25 The tower is quite different in terms of its materiality to the podium. It's more restrained, it's a grid-type of building. It also allows us to have very good solar control and consider heat gain, particularly on the western façades for the building.

30 Shall we move to the next page? During the project, in the PP and the DA, how the ground plane works and how we get interaction with the site, was a critical sort of feature of the design process. A part of it was establishing these two pedestrian links through the site, that link Pacific Highway with Falcon and Alexander Street. They help give us a more permeable retail and a much more active kind of ground plane. That has embellishment with a landscape that includes small tree planting on the edges of the street.

35 There's varied – I think there's one lonely tree at the moment on Pacific Highway frontage, so it'd be great to more trees like we have further to the south on Pacific Highway, we see very good tree growth as we go further down from the site. So we'd like to carry that through on the site.

40 **MR WRIGHT:** Can I just ask a question at that point about ...

MR COX: Of course.

45 **MR WRIGHT:** ... podium. Because in some of the material I've read from Deicorp, talks about the podium being constructed around a collection of sort of separate buildings almost. Can you explain – because I'm presuming to access the retail, you're accessing it from the street frontage only, or are you actually also accessing it from these pedestrian thoroughfares?

5 **MR COX:** Well, it's a bit of both. So, there's a couple of questions there. Let's go on the access question first. So, one of the things is that as a triangular site, the sort of – if we just had retail on the outside of the site, it'd be quite difficult to sort of activate retail further in. So, these two arcades help us make it more permeable and give us more retail frontage.

10 So we will have outward-facing retail, say, on Falcon Street, these are your pretty critical tenancies because they'll be highly exposed and sort of connected to the pedestrian crossing on the corner of Alexander and Falcon Street. And also on the Pacific Highway one as well. So they are very similar to the retail tenancies we see in Willoughby Road and Pacific Highway, where there's a road-facing tenancy and it sort of looks out to the road.

15 As we go into the arcade areas, there are tenancies that sit more – are connected to the commercial lobby or have sort of a sideways entrance as an arcade. So we see these as quite good F&B or even outdoor dining situations. They're covered, they're less exposed to traffic noise, they feel a bit more, you know, softer spaces, and some we'd want to sit down on. So, they sort of sit in those arcade points.

20 The two – like we'll see on another image, and we can go there in a second. That the two main lobbies, the residential and commercial lobbies, sort of sit on the right-hand side arcade, sort of back to back. And that way there's activation and entrances there as well. So, we want those arcades to be quite lively and help the retail and help it be a permeable building.

25 Your first question about the way that the podium is built up of many building forms. So, the articulation and the way the shopfronts are put together is very much to try and make the building feel like that rhythm of shopfronts that we see down Pacific Highway. So that the scallop-effect and the way that the shopfronts are sort of kept between the structural lines, the brick structural lines, means that the podium feels like several buildings rather than one big building.

30 We changed the character of the architecture a bit sort of on this Pacific Highway frontage in the centre, where it's – you have that more colour and we have the more glazed façades as we go into the lobbies. And then at various points on the façade as we go around, there's a different coloured brick and sort of a different articulation, so that the building does feel like several buildings rather than just one big building. Hopefully, you get that explains –

35 **MR WRIGHT:** Duncan, did you want to ask ... Continue, Stephen, thanks.

40 **MR COX:** Yes, that's right. We'll see a little bit more as we go along. Like, the podium is really important for the project. Shall we go to the next slide?

45 **MR WRIGHT:** Please.

MR COX: Up on top of the podium we have this quite incredible, I think,

communal open space for the residents of the tower. We minimised the apartments on this level to avoid problematic interaction between the communal open space and private open space. So we just, on the Alexander Street frontage, have, I think, four apartments, and they're separate from the larger space that sits on the northern part and the western part of the tower. So, quite a large area.

One of the – I think there was certainly agreement from the Design Review Panel that it was a really interesting space. And what they have helped us work through is making sure that the way that we apportion the space on this podium makes the best use of what's happening in terms of solar access, in terms of activity and so on. So, there's a number of spaces sort of – like there's a gym space, there's of course barbecue spaces, and sunny spaces. But that's been re-organised a bit from the original application.

Shall we move on? Another one was the residential amenity. Like, we're very keen on making apartments that suit the residents, that have very high amenity, they have good cross-ventilation, good access to light, and are well planned. So, this was another area we worked with the Design Review Panel and the Department of Planning, just to make sure that we understood all the factors of how these apartments were put together. And made sure that the amenity claims that we were making, which we think these are very good apartments, were actually agreed by everyone else.

So, we'll move to the next one. Another – this is an interesting building type in that it has a void that sits in the centre of the tower. And the corridors are effectively outdoor spaces that access the different apartments. And there's some interesting opportunities in terms of how we – the sort of interface with corridor and apartment that we can do, and we have some detail on that.

But one of the issues that the SDRP were really interested in was, that we do get enough daylight into the atrium space, so we don't need to use artificial lighting through the day? And so this study was just to show how those light levels worked and showing that we didn't need artificial lighting through the day.

And the next slide. This slide just deals with the traffic and access to the building. We touched on it earlier, but this is probably helpful as a diagram. You can see that in the blue lines, that is the pedestrian access around the site and then into the arcades. And then in the different sort of solid colours, the green is into retail commercial lobbies. So we have retail spaces on the mezzanine on level 1 and then commercial spaces on level 2 in the podium, so that goes through the green lobby in the centre. The green lobby on the left on Falcon Street is an escalator that comes up to the mezzanine – to level 1, so that that area can work successfully as a retail level.

The orange tone is the residential lobby; you can see here how they're back to back, and the lift course going up. And so there's – Alexander Street is the best drop-off street for residents, so that makes sense as the lobby, and having them connected with that arcade, I think, is also a really good feature of the way that the

podium is sort of conceived.

5 We're very limited in our vehicle entry points on this building. It really has to come in centrally on Alexander Street. It's not possible to bring traffic in from Falcon or Pacific Highway, because of the intensity of traffic on those streets. So, that's shown in the red text. We have vehicle loading and then the retail and residential parking coming down that ramp, and they split at the basement 1 and then cycle round through the building.

10 So, happy to – it is quite a complicated building. I think it'll be simple in operation, quite complicated to put it together. Very happy to answer further questions on that, if that's needed.

15 Shall we move to the next slide? So, parking was another area where we made adjustments during the SSDA process. So, the original SSDA followed the DCP sort of as a written, and those expectations have changed in parking, and so therefore we've reduced the parking down to 220 car spaces overall.

20 **MR COLBRAN:** And I think, Stephen – Greg Colbran again here from Deicorp. Just to let the IPC know as well, we had a lot of discussions with the Department of Planning over the parking. And we all came to what we believe was a compromise of where Deicorp were actually heading, as Stephen alluded to, in the original submission. And working with the Department, we all came to that conclusion that we would then reduce by about 100 car spaces, and agreed with the Department on that and decided to move forward.

Thanks, Stephen.

30 **MR COX:** Yes. So, just two more slides and then we can handover to Robert. The first is overshadowing. So, a number of studies in overshadowing – there's a good summary in the Planning report in terms of how that overshadowing goes. There's a small part of overshadowing to a portion of the Holtermann Estate late in the afternoon. Fortunately, the Holtermann Estate has good sunlight in from 9 to 1 really unimpeded by this building and other buildings.

35 And then right at the, sort of 2:30 to 3 also across the North Sydney Girls High School, So, for a significant building, the overshadowing, I think, has worked out really well in terms of protecting community interests.

40 The last is just related to – the last slide for me – is related to the landscape on the podium, and this is just our analysis to make sure that we had the most active spaces of the landscape in sunlight. So, this is just the dark red to blue is showing the from 6 hours to less than an hour in terms of daylight during mid-winter, and that's corresponding to the locations of those active spaces on the landscape podium.

45 So, I think that's it. Unless there's any questions, I'll hand over to Rob.

MR WRIGHT: Just before we hand to Rob, I just wanted to check with Duncan in terms of questions first before we proceed.

5 **MR DUNCAN MARSHALL:** Well, I just wondered whether we wanted to do questions and then circle back to the concluding comments, or the other way around.

10 **MR WRIGHT:** We could certainly do that. Can I just ask one question about overshadowing, because I think, Stephen Kerr, you suggested that because of the geography of this site, overshadowing was less of an issue. Sorry, I'm not quite paraphrasing you. Could you explain why that is the case?

15 **MR KERR:** Yes, so the 2036 Plan identified a number of important public spaces that should be completely projected from overshadowing. Willoughby Road, various parks. This site's located south of those spaces. And so that's what I meant by well located in terms of geography to minimise overshadowing impacts.

20 And then as far as whether it's the Holtermann Estate or any of the other residential areas around the site goes, I mean, as is on the screen there and in the Office's Assessment Report, notwithstanding the shadow that's cast by this building, they all achieve very generous amounts of sunlight and indeed, more generous than the North Sydney DCP requires, which itself is more generous than the requirements of the Apartment Design Guide.

25 **MR WRIGHT:** I guess then we might then move on to Robert's presentation.

MR ROBERT FUROLO: Thank you, Commissioners. I'll just touch briefly on a little bit about Deicorp and a little bit about the process.

30 As Greg indicated, Deicorp is an integrated construction and development company with significant experience in the successful delivery of mixed use projects. We are in our 25th year and we proudly claim that over that period of time we've delivered 12,000 new homes in more than 40 suburbs across Sydney.

35 In calendar year 2024, we'll be handing over the keys to new apartments to a 1,550 families and individuals. We'll be delivering new retail precincts in communities in areas from Tallawong to Castle Hill to Zetland and Petersham.

40 We're a well-capitalised company with a strong balance sheet, and we believe that we're playing our part in delivering the National and State government priorities of building more homes. And in terms of Crows Nest, we are keen to say that we're ready to start this project as soon as the approval is received. We're looking forward to, within 24 months of starting construction, being able to complete the 188 new apartments, including the 50 reserved for key workers and affordable housing.

45

Next slide thanks. The application that's before you is a culmination of a process that started for Deicorp more than six years ago. And based on the draft St

Leonards and Crows Nest 2036 Plan, we began acquiring the site and amalgamation back in 2019. The submission, our initial submission was developed based on the draft strategy and included the recommendation by the-then New South Wales Government Architect that identified that the Five Ways site was a site suitable for a building up to 36 levels. And that informed our initial Planning Proposal.

Obviously, since then a number of proposals have been developed, all of which have been extensively consulted with the community. The current proposal that is before you, by the end of this process, will have been on exhibition for two-and-a-half months since April, which I think demonstrates that it has been well-canvassed in the local area.

As part of the community consultation process, Deicorp undertook a qualitative and quantitative community survey. And we were quite pleased that the results demonstrated that 67% of respondents were either neutral or favourable to the project, with only 30% indicating any opposition.

I thought I would share with the Commission some of the qualitative responses that we got through that process, if you're okay with that. From a female aged 65 years who lived in Crows Nest, she quoted, "Good to have. High density should be near public transport and close to the city."

A male aged 35 to 44 said, "I think if they are building an expensive train line, they should have high density housing there. It's just common sense." And a female from the area (25 to 34) said, "Can they build more? Very supportive of it and more developments like it taking place."

And a male, 75 plus, said, "I think it will benefit the development of Crows Nest Shopping Centre." There were also strong comments in favour of the affordable housing, and the project overall.

Finally, Commissioners, this application has been comprehensively considered by the Department of Planning, and as Stephen and Greg indicated, we're very grateful for their consideration and the strong working relationship we've developed through our process. The Department has considered the views of all stakeholders in this process, and having considered all that, have determined that the application has responded to all the issues that have been raised. We welcome their assessment and their consideration of all these issues, and we are pleased to support their recommendation to approve this application.

Finally, Commissioners, as I said, we're ready to go. We want to build the homes, the new retail precinct, and to deliver the housing that's affordable for the area's essential workers. We're asking that you support the recommendation of the Department and approve this application. Thank you.

MR WRIGHT: Thank you, Robert, and thank you other speakers as well. We might just – I'm sure that Duncan might have a couple of questions. Duncan, you

might lead.

5 **MR MARSHALL:** Just firstly, there was a mention of sectional studies undertaken to understand the relationship between the podium and adjacent buildings. I just wanted to check, are those sectional studies within the information lodged as part of the application, or are they not in the public realm in a way?

10 **MR COX:** Hello, Duncan. They're part of the Planning Proposal. I don't think we reproduced them for the SSDA. But the SSDA is based on those sectional studies, that they were through each one. Because there questions in the PP about the height of the podium and our assumptions in terms of floor-to-floor height as well. So, they're in the public domain. And so that they could be shared if you needed to see them again. And they're pretty consistent with what the SSDA has got.

15 **MR MARSHALL:** Thank you. And just on the question of car parking and basements. I guess I was wanting to understand, with the reduction in car parking, why it is that the number of basements has not changed?

20 **MR COLBRAN:** Just Greg Colbran from Deicorp here. What we were looking at through those designs where we did reduce it by a hundred spaces. With then looking at what sort of storage could actually be supplied to the residents, and also looking at the retail and commercial, that if we could actually be able to include additional storage for those areas downstairs, we decided to take it that way.

25 **MR MARSHALL:** So, the storage would be a mixture of both for residences and for the commercial premises?

30 **MR COLBRAN:** Yes, once we work our way further on the project, and then we sort of look at ... We have our retail and commercial managers who are now furiously working through to try and find tenants for us. Once we know exactly what their requirements are, then we can work that out. But also, the same as we move through, as Rob was mentioning, we are ready to build on this site.

35 So we will start marketing furiously, again it's a matter of the residents who do come in, some of them could ask for additional storage – which is one of the things that we are finding as we do work our way through with the projects.

40 **MR MARSHALL:** All right. Thank you. And a further question relating to building height, and we understand that there was at some point a realisation that in order to comply with certain parts of the National Construction Code of floor-to-floor heights, I think in the residential towers, needed to change. Could I just understand why – you know, what changed that led to that need for redesign of the floor-to-floor heights?

45 **MR COX:** I might – I'll start, Stephen Cox, then I'll let you come in with the nitty gritty detail, if it's okay.

MR COLBRAN: There's a lot of us could answer that one, Stephen.

5 **MR COX:** Yes. This is something that the whole industry's been coming to terms with over the last 12 to 24 months. For a long time, the assumption was that a residential floor-to-floor height of 3.1 metres was sufficient to enable you to achieve a floor-to-ceiling height of 2.7 metres, which is the figure that's prescribed in the Apartment Design Guide. And in fact, the Apartment Design Guide which was published back in 2015, references the 3.1 metre floor-to-floor height.

10 But with the focus on building construction standards and quality and all of the hard work that David Chandler and his team did, and then the legislation that goes with that, with the Design and Building Practitioners Act, the industry has come to realise and in fact, I think the Regional Panels would be pretty sick of hearing this as well. They all accept that in order to achieve the additional set downs that are required, particularly for waterproofing, but then there's also thermal standards, it just can't be done in 3.1 metres nowadays. And Stephen, do you want to talk about the hundred millimetres?

MR KERR: The planning process.

20 **MR MARSHALL:** Actually, if I can just intervene.

MR KERR: Go on.

25 **MR MARSHALL:** I'm not so much interested in the technical details.

MR KERR: Sure.

30 **MR MARSHALL:** I can accept that there are different standards. I guess I'm just interested at what point in the process did this issue become apparent?

35 **MR KERR:** Really in the Planning Proposal. So, in the Planning Proposal, 3.2 was applied to all the residential levels. But right at the death of the approval being gazetted, it had a haircut and was reduced to 3.1 per floor. Because that was all that Aditi prescribed.

40 So, we had an interesting conversation with the Department of Planning later in the process when they asked the same question on why is the floor-to-floor height at 3.1? And that, I think, when there was a realisation that there may have been a hasty reduction at the end of the PP to get a result.

MR COLBRAN: And which further to – sorry, Stephen ...

MR KERR: It's fine.

45 **MR COLBRAN:** ... to Deicorp, it came as a total surprise. The minute that we saw the PP coming through obviously was one of the first things that we were looking at, and just were complexed at why that was reduced.

5 **MR WRIGHT:** Oh, just a couple of minor matters, I suppose. The development will have a solar array on the roof, and I noted in the EIS that there was a suggestion that consideration would be given to potentially installing a battery array as well. But no commitment per say. Any views on whether that is likely to occur or could occur – a battery array to match the solar panel array?

MR COLBRAN: Sorry, I didn't quite catch the question.

10 **MR WRIGHT:** The EIS suggests that consideration is going to be given, or could be given to installing a solar battery system in the development.

[MS CHAUHAN?] [Unintelligible 00:48:02]

15 **MR COLBRAN:** Oh yes, I think he was asking if we would consider installing batteries to store the ...

[MS CHAUHAN?]: No, there won't be enough for the battery. We'll just use it for the common areas. But we will install a few solar panels on the roof.

20 **MR WRIGHT:** Oh yes, that's fine. I'm just picking up on a suggestion in your EIS. Your EIS suggests that you would consider installing batteries.

[MS CHAUHAN?]: No.

25 **MR COLBRAN:** It'll be interesting to just, if we can take that on notice, and we can have a look at it and we can discuss it this afternoon, where that's actually noted.

30 **MR WRIGHT:** Okay. But I don't think I have any other particular questions, Duncan.

35 **MR MARSHALL:** Perhaps a few other points. I mean, the affordable housing is locked in for a 15-year period under the current proposal and the current system. I just wondered whether what your reaction would be to a suggestion that the affordable housing be in perpetuity?

MR COLBRAN: My answer. Well ...

40 **[MR FUROLO?]:** It would come at a significant cost..

MR COLBRAN: It would, yes.

45 **[MR FUROLO?]:** Where affordable housing is required in perpetuity, it's been – the percentage figure has been determined following economic feasibility studies. And you'll see throughout St Leonards there's a variety of different affordable housing requirements, and then that's being matched to additional height and additional floor space for those sites. This Five Ways site didn't benefit from any additional height and floor space, except to compensate for the affordable housing

requirement, the 15% of GFA for 15 years.

5 **MR SIMON MANOSKI:** Commissioners, Simon Manoski here. We were very supportive of providing the affordable housing for the 15 years. We're doing that across a number of projects across the Deicorp portfolio and working very closely with the registered community housing providers. Noting the comment around the 15% in perpetuity, again, we acknowledge the importance of affordable housing, to consider 15% of the project in perpetuity, effectively, the project wouldn't go ahead. You're not looking at a viable project to proceed to simply handover the 10 15%, circa 50 units in perpetuity. That's the reality of the viability of the project.

MR COLBRAN: You'd be dropping your feasibility by that number of units and it's just, as Simon has alluded to, it is just not viable. It would not work.

15 **MR MARSHALL:** But I think I'm right in thinking that the TOD identifies this site as having a smaller percentage as a possibility for affordable housing, something like 6% or something of that sort.

20 **MR MANOSKI:** I think projects of this scale, if you're talking in perpetuity for affordable, the figure that is usually considered to be a feasible one is usually in the order of 3%. That's what has been sort of industry standard for in-perpetuity. With the bonus that's been provided, that will be sufficient, but this application's been lodged under the provisions and the provisions provide for 15% - sorry, 30% for 25 15 years.

30 **[MR FUROLO?]:** I think you're mentioning there, the 6%, again, just to be clear, the 6% if I'm reading and understanding the question correctly, is yes in perpetuity under the TOD SEPP. We're not submitting this application – Stephen Kerr, you can jump in if you need to – we're not submitting this application underneath those provisions. We submitted under the in-fill affordable housing provisions for 35 15 years – yes, for the 15 years. The provisions that came into effect only in the last few days that mention the variation in a [unintelligible 00:52:56] in perpetuity, does not apply with this site – sorry, does not apply to this proposal, given there were savings and transitional arrangements that were put in place.

MR MARSHALL: Understood.

40 **MR WRIGHT:** Just, while we're talking on affordable housing before we close. It appears as though affordable housing units are going to be all located on levels 4 to 8, thinking, looking at your material. Why is that the case, and is would there be any benefit in peppering those affordable units through the development?

45 **MR COLBRAN:** During our negotiations and design of the building, we worked, as noted previously, very closely with St George Housing. We have a great working relationship with them. And they have come back after – there's many projects that they are doing, not only with Deicorp but they find that the salt-and-pepper rationale does not work for them. They're looking for them to be as clustered as closely together as they possibly can. So, this is something where we

were totally guided by St George Housing.

5 **[MR FUROLO?]:** It's come purely as an operational requirement from their perspective. And their advice to us from an ongoing management perspective, that they prefer the units to be in a contiguous form, as opposed to a salt and peppering throughout the building. So, we're [unintelligible 00:54:20] heavily by their recommendation in terms of how they see those units being provided.

10 **MR WRIGHT:** Duncan, anything else?

MR MARSHALL: Just one final thing, perhaps. There was mention of a public survey work that I think Deicorp had undertaken. I just wonder, again, if that's in the public realm or might be provided?

15 **MR COLBRAN:** Public service.

[MR FUROLO?]: That's included in the application.

20 **MR MARSHALL:** Good-o, thank you.

25 **MR WRIGHT:** Okay. Thank you all very much. I think that's it for questions from us Commissioners. We do very much appreciate the time and effort you've put into presenting this material to us today. As we've indicated, it's a part of a number of pieces of information we will be considering in making our determination. So, thank you very much and enjoy the rest of your day.

30 **[MR FUROLO?]:** Commissioner, if I could just ask one question. We note that the period or the time closes for registered speakers at midday today. Is it possible to understand how many registered speakers, if any, have put their hat in the ring to speak?

MR WRIGHT: I'll just check some of the officers from ...

35 **[MR BRAD JAMES?]:** We'll get back to them.

MR WRIGHT: We'll take that on notice and get back to you.

[MR FUROLO?]: Thank you very much.

40 **MR WRIGHT:** All right. Thank you very much.

[All say thank you].

45 **>THE MEETING CONCLUDED**

