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CITY OF PARRAMATTA COUNCIL

RECORD OF COUNCIL MEETINGS

PANEL MEMBERS:

**DAVID LLOYD
SUE FRANCIS
DEB SUTHERLAND
WARWICK McLEAN**

COUNCIL:

CLAIRE STEPHENS

LOCATION:

**RYDALMERE OPERATIONS CENTRE
316 VICTORIA ROAD
RYDALMERE, NEW SOUTH WALES**

DATE:

3.35 PM, TUESDAY, 15 JANUARY 2019

MR D. LLOYD QC: All right. Good afternoon, all. I can declare this meeting of the Parramatta Local Planning Panel open. In doing so, on behalf of the council, I acknowledge the Burramattagal clan of the Darug, the traditional custodians of Parramatta, and pay respects to their elders both past and present. You should note that this public meeting will be recorded. The recording will be archived and available on council's website. All care is taken to maintain your privacy. However, if you are in attendance in the public gallery, you should be aware that your presence may be recorded. In commencing these meetings, it is usual for us to introduce ourselves so that you know who we are. I am David Lloyd. I am a lawyer. I am a QC with a current practising certificate. I am a former judge of the Land and Environment Court. I am a former acting judge of the Supreme Court. I am currently an adjunct professor of law at Western Sydney University.

MS D. SUTHERLAND: Hard act to follow. I am Deb Sutherland. I am a planner of almost 40 years in Sydney, acting for both government and private industry.

MS S. FRANCIS: My name is Sue Francis, and exactly what Deb said. 40 years, both private and local government.

MR W. McLEAN: My name is Warwick McLean, local resident, and I live in Epping.

MR LLOYD: All right. With that, we can proceed to the next item, which is apologies, and there are none. Next item is declarations of interest, and there are none. So we can go straight on to the first matter that we really have to consider. This is the proposed development at 8-10 Shirley Street, Carlingford. We have notice that there is a number of people who wish to address us on this proposal, this being a proposal for a residential flat building which previously came before a panel in November, I think it was. And the applicant requested an adjournment to make changes to the proposal to confirm with the planning panel's views. So I will ask those who registered to speak to do so. Is Mr Bulsara here?

MR A. BULSARA: Yes.

MR LLOYD: You have to go and sit over there, because you have to be recorded. First of all, tell us your name and your address, please.

MR BULSARA: My name is Aspi Bulsara.

MR LLOYD: And where do you live?

MR BULSARA: I'm living in 2-6 Shirley Street. I am the chairman of the Strata Committee, SP65894.

MR LLOYD: That's next door.

MR BULSARA: Yes.

MR LLOYD: Yes.

5 MS SUTHERLAND: Six Shirley, did you say?

MR BULSARA: Two dash six Shirley, yes.

MS SUTHERLAND: Two to six.

10 MR LLOYD: Yes. All right. Thank you. Do you know you have three minutes?

MR BULSARA: Okay.

15 MR LLOYD: You have three minutes starting now.

MR BULSARA: All right.

MR LLOYD: I am timing you.

20 MR BULSARA: Yes. When we came in last time, you said the same thing, but you didn't give the same three minutes to the developer. So - - -

MR LLOYD: That's because we were going to refuse it.

25 MR BULSARA: Okay.

MR LLOYD: Yes.

30 MR BULSARA: All right. So – okay. So I want – I just want to say that like last time when we came here, I felt that we were ignored. I hope that this time you will listen to us and - - -

MR LLOYD: We did listen to you, and we were going to refuse it.

35 MR BULSARA: All right. Okay. I don't – I mean, I didn't feel that. Coming to the four specific points that I want to raise, the height of the proposed building is overshadowing the residence of 2-6 Shirley Street, as we all know, and this will deny them sunshine. Although you have reduced the number of floors by one, it still is not

40 enough. We have installed a solar system five years ago, and the excessive height will also impact the operation of this system. No offer has been made, either by the developer or by the council to compensate us for the solar system being ineffective.

45 We, therefore, do not approve of the height of this building and would like an independent survey to be conducted on the sunshine availability to residents of 2-6 Shirley. I have seen the solar maps, and we note that under the current plan, we get virtually no sunshine during the winter season. That cannot be acceptable. This is a

very, very important matter for us – that the residents of Shirley Street are entitled to sunshine and we are not getting it and we are blocked during the winter months because of this extremely high development which should have never been passed.

5 Second matter, the separation of the building – as for the visual privacy building separation guidelines, there should be a 24 distance from any habitable rooms to the boundary. This building has only eight to nine metre separation. I ask why the planner has deemed this to be acceptable – why are planning guidelines being flouted to favour the developers? We believe that if the separation guidelines are adhered to,
10 then our point regarding the sunshine will also improve.

Parking – the new proposal has got 43 units in it. The parking space is only for 38 cars plus nine spaces for visitors. I repeat again – 38 cars for 43 units. It is common knowledge that households today have two cars per household. Even allowing for
15 1.6 cars per household, which is the Sydney average, the number of spaces provided should have been 69 and not 38. This means 31 cars will have to park on Shirley Street. The RMS parking requirements are 61 spaces, so why has parking been approved for 38 and not at least 61? In spite of light rail coming to Carlingford, the residents will not own a fewer number of cars. Cars are an essential mode of
20 transport, and I ask which of your councillors here and planners do not own your own cars.

If the planner visits Shirley Street in the night today, he will find that most of the spaces are already taken. I would not like to own a unit which does not give be
25 adequate parking. Neither is it sensible to allow only 38 spaces for the residents. This is highly irresponsible if council will approve the limited parking spaces. This view is supported by the council's traffic and transport as mentioned earlier, the RMS parking requirements are 61 spaces. Council is no doubt aware that there will seven further developments of similar size on Shirley Street. We urge the panel to
30 increase the car parking spaces to at least 72.

Landscaping and privacy – we have not been consulted on this at all. We insist on retaining all the trees giving us privacy during construction and once the building is complete. These are the four points which I and our strata is really invested in. We
35 would request a three-way meeting between council and the developer so that all our points are properly discussed. Thank you.

MR LLOYD: All right. Thank you. Mr Knott.

40 MR R. KNOTT: Yes. Thank you.

MR LLOYD: Again, for the record, your name and address please.

45 MR KNOTT: Ron Knott – yeah. On the sheet, do you mean?

MR LLOYD: Your name.

MR KNOTT: Ron Knott.

MR LLOYD: Yes. Where do you live?

5 MR KNOTT: Unit 3, 2-6 Shirley Street, Carlingford.

MS SUTHERLAND: Same - - -

MR LLOYD: Same – yes.

10

MR KNOTT: Same one. On the ground floor.

MR LLOYD: All right. Proceed.

15 MR KNOTT: Right. Aspi has already made a very good point about parking. I think that it should be even taken a step further. The facts are these – we are already, say, 30 units parking spaces short there. We have, at least in the street, something like 20 cars that are parking outside, which means that other buildings haven't got it. We've got two more developments coming to give us another 50. And there's five
20 units being built at the back of 450 units, which at 1.6 should have 720. We are 180 parking spaces short in that area, and all we have is a two lane six metre from gutter to gutter road in that area. That's all it is. And at this stage, we do park on there, and if a truck pulls up on one side, it's the end of the story. You can't move in the street. But also, there will be another thousand vehicles when these go through trying to use
25 Shirley Street as a thoroughfare. It is absolutely ridiculous, and it needs looking at and looking at very, very seriously, because we're just deteriorating this site.

You might say, "Well, how do I know that this is so?" The facts are it wasn't us who started this. The minutes of the local traffic committee at The Hills Shire Council on
30 20 May 2013, item 8:

Shirley Street, Carlingford, on street parking facilities – full length.

35 The recommendation – the representation of the police service advised the committee that a site inspection had been undertaken and stressed that it is important to keep two way traffic flow in the narrow street to add distance and safety. A motion was moved by Mr – now, I'm not sure how you say his name. I think he's now the treasurer – Perrottet, P-e-r-r-o-t-t-e-t, the MP.

40 MS SUTHERLAND: Perrottet.

MR KNOTT: And seconded by councillor Dr Byrne that council develop a strategy for Shirley Street to accommodate indented parking bays along both sides of the road, completion of the footpath paving, landscaping, street lighting and pedestrian
45 safety issues as well as parking restrictions where necessary. The strategy is to be consistent with the principles and recommendations identified in the Carlingford precinct plan. Funding of improvements along Shirley Street will generally be a

requirement of adjacent development as part of the building consent. In other words, they're going to indent and keep it as a two road, so it's going to end up a four road however, some consideration should be given to incorporating appropriate items in future reviews of the contribution plans. The motion was put and carried
5 unanimously.

The last issue I want to raise is this – I wrote to council when this council took over this area and pointed this item out to them; no response. Other items we've written to: no response. I would remind this meeting that the councillors are elected by the
10 ratepayers to act on their behalf firstly. And I would also remind you that council, which pays all these wages and everything, couldn't pay a cent if we weren't paying our rates properly. We should be given a lot more consideration as residents in our area and not ignored and sat down with. And if you can do it, tell us how you're going to do it. If you can't do it, tell us why you can't do it. But this silence is not
15 on. Thank you, Mr Chairman.

MR LLOYD: All right. Thank you.

MR S. ZAPPIA: Thank you, your Honour.
20

MR LLOYD: Mr Zappia.

MR ZAPPIA: Yes.

25 MR LLOYD: You better take the mic.

MR ZAPPIA: Thank you, chairman and panel. First of all, I would just like to raise points the points we've - - -

30 MR LLOYD: For the record, your name and address, please.

MR ZAPPIA: Sure. Steve Zappia for Marchese Partners Architects. We're the architects for the development.

35 MR LLOYD: Thank you.

MR ZAPPIA: We're based in North Sydney. I would like to raise the points that we have addressed since the last panel meeting and the amendments that we have made to the scheme, and they have been quite significant in terms of the scale of the
40 amendments.

MR LLOYD: What we're interested in – you can assume we've read the report.

MR ZAPPIA: Yes.
45

MR LLOYD: The assessment report. You can assume we visited the site. What we are interested in is what the two previous speakers have said.

MR ZAPPIA: Sure. I did plan to respond to those points as well.

MR LLOYD: That's what we're interested in.

5 MR ZAPPIA: Okay. So – okay. So you don't want me to cover the amendments that we've made – obviously, a reduction in height.

MR LLOYD: We're well aware of the amendments you made.

10 MR ZAPPIA: Okay. All right. In terms of the points raised by the objectors, in terms of the height and overshadowing, certainly the proposed development is to the north of the 2-6 Shirley Street building. But the way the sun moves around the site, we still achieve three hours of sunlight to the balconies of the existing building at 2-6 Shirley Street.

15 MR KNOTT: All balconies?

MR ZAPPIA:

20 MR KNOTT: All balconies?

MR ZAPPIA: I believe all balconies, and I believe in midwinter. So the morning sun – we'll go through the detail. At 9 am, all three modules or apartment modules of 2-6 Shirley Street are in full sun at 9 am. And so by 12 pm, midday, the two
25 eastern apartments – the centre one and one to the east – both are still in full sun. And so they are getting their three hours of direct sun. And in the afternoon, the western-most front apartment at Shirley Street is getting sun at 3 pm. So it is getting sun from about 1 o'clock, or maybe 2 o'clock until 3. So it's getting an hour and a-half, thereabouts, and it's also getting an hour in the morning, from 9 am until,
30 sort of, 10 am, thereabouts.

So I believe those three apartment modules are getting their three hours of sunlight, which is a requirement of the ADG to provide to adjoining dwellings. So, although there is some impact, obviously, with the development of that scale to the north of
35 this project, I still believe we're achieving the minimum requirement of direct sun to the adjoining dwellings. In terms of building separation, we're fully compliant with the ADG requirements in terms of building separation. Mr Bulsara's correct in terms of 24 metres separation, but that's for buildings above 12 storeys, or thereabouts.

40 MS: Nine.

MR ZAPPIA: Nine storeys. I beg your pardon.

45 MR BULSARA: This is ten storey.

- MR ZAPPIA: But we're below that, so up until that height, you can provide a lesser separation, so buildings up to four storey can provide 12 metre separation, and then we step the building up as the building gets taller.
- 5 MR BULSARA: Yes, but you are more than nine.
- MR ZAPPIA: I beg your pardon?
- MR BULSARA: I said you are more than that nine storeys.
- 10 MR ZAPPIA: No, but at the lower parts of the buildings we don't require to provide – we provide six metres to the boundary, is the requirement that we're allowed to provide. And so I'm sure the panel's well aware of requirements, so the taller the building, the higher the separation, but the lower portions of the building can be
- 15 closer to the boundary, and then you can step the building up as the building gets taller. And so we have done that, and we believe we're fully compliant with the ADG requirements in terms of setback from that southern boundary.
- MR LLOYD: Yes.
- 20 MR ZAPPIA: In terms of parking, we have the parking. Obviously, we have less apartments now, so our parking is now fully compliant with, again, the ADG, and the - - -
- 25 MS SUTHERLAND: Can I just ask, how many are you – there's a number of different numbers mentioned in the report. How many parking spaces are you providing, and how many visitors? Just confirm for me. We don't have a copy of all those details.
- 30 MR: We can give it to you.
- MR ZAPPIA: I believe it's nine visitor nine parking spaces and a total of 49 cars.
- MS SUTHERLAND: Well, 49
- 35 MR BULSARA: You're only providing 38 spaces.
- MS SUTHERLAND: Yeah, but that doesn't add up.
- 40 MS: No, it doesn't.
- MS SUTHERLAND: But that adds up to 47. Thirty-eight and nine visitors.
- MR ZAPPIA: Well, there are two disabled as well, I believe.
- 45 MS SUTHERLAND: Is that what needs to go in?

MR ZAPPIA: Yeah, so I've got a schedule here - - -

MS SUTHERLAND: So it's 49, is it?

5 MR ZAPPIA: 49 in total. We have nine visitors.

MS: But then on the other page it says you need 51.

MR ZAPPIA: Which page

10 MS FRANCIS: That might be the different numbers.

MS SUTHERLAND: No. There's a table.

15 MS FRANCIS: So perhaps the staff – could you clarify the numbers?

MR: We're just clarifying the numbers. I realise there are some

MS SUTHERLAND: But there's a table about the RMS

20 MS FRANCIS: Thank you. Just let us know when you've got the numbers.

MS SUTHERLAND: Sorry. Keep going.

25 MR ZAPPIA: So, yeah, we believe we're fully compliant with the requirements of the ADG. We are very close to the station in this location, so some of the smaller apartments won't have a car space, and that's, obviously, allowable given the proximity to local transport, so - - -

30 MR BULSARA: Sorry. RMS parking requirements under 61, and the Sydney requirements 1.6. How do you say that you are compliant?

MR ZAPPIA: The ADG allows for a reduction in parking.

35 MR: That's, again, my fault. Under the RMS, the requirements would be 39 residential spaces and nine visitor spaces.

MS SUTHERLAND: 39?

40 MS FRANCIS: Did you say 39?

MR BULSARA: No. That's not what it says on your

MS SUTHERLAND: You've got 42 here on page 19.

45 MR: In terms of what would be compliant. We're just double-checking the actual provided parking requirement in terms of compliance.

MS FRANCIS: One is the control under the RMS. The RMS requirements under the ADG, say - - -

MR: The RMS requires, under the ADGs, 39 residential spaces - - -

5 MS SUTHERLAND: Yes.

MR: And nine visitor spaces.

10 MS SUTHERLAND: So they're one short.

MS FRANCIS: And the 39 include the disabled?

MR: Yes.

15 MS SUTHERLAND: So they're compliant.

MS FRANCIS: So it's - - -

20 MR: But I'm just checking if there are any actual proposed spaces.

MS FRANCIS: So it's 48.

MR LLOYD: All right. Next point, please. We're just checking the numbers.

25 MS FRANCIS: Yes.

MR ZAPPIA: The last point, I believe, was landscaping and privacy. I believe we've addressed that adequately. The landscape plan indicates that a number of the trees around the site, on the edges of the site, will be retained. There's a couple of new trees also being planted on the southern boundary, so I believe that we are achieving the intent of providing privacy and appropriate landscaping around the development, so, again, I understand the concern, but I believe will address that issue.

35 MR LLOYD: What is your setback from the southern boundary?

MR ZAPPIA: It's at least six, but it goes up to nine, I believe, as the building steps up.

40 MS FRANCIS: It's six, nine and 12.

MR ZAPPIA: And 12. That's right.

45 MS FRANCIS: Which is 50 per cent of the separation required under ADG; is that correct?

- MR ZAPPIA: It's actually generally nine. There are some elements on the ground floor which are six metre setback, but the actual building itself is set back nine, which is actually greater - - -
- 5 MS FRANCIS: Yes.
- MR ZAPPIA: - - - than what's a requirement at that lower level. So in some ways we're providing a greater setback than what is required. And then we step up to 12, above nine storeys.
- 10 MS SUTHERLAND: And do you know how close number 6 is? Is it number 6? These gentlemen's apartment building is from the boundary?
- MR ZAPPIA: I think it's, on average, at least six metres. Just guessing. Looking at this diagram here, it's probably even greater than six, actually. There's a there. It's probably an average of eight to nine metres away.
- 15 MR LLOYD: Is that correct? How far are you from the boundary?
- 20 MR BULSARA: We're - - -
- MR KNOTT: I can tell you. Where ground floor. We have, on the ground floor, we have five metre garden - - -
- 25 MR LLOYD: What is the distance, boundary to wall, of you development?
- MS FRANCIS: To have it
- MR ZAPPIA: If you refer to the site analysis drawing - - -
- 30 MR LLOYD: Yes.
- MR ZAPPIA: - - - you can actually see the six, nine and 12 metre dimensions on our side of the site, and you can relate those back – I think it's greater than six metres at the worst case. So I think it's seven to eight metres, on average, is my hunch.
- 35 MS FRANCIS: Yes. Using those dimensions as a guide.
- MR ZAPPIA: Correct.
- 40 MS FRANCIS: Yes. Okay.
- MR BULSARA: So why do you say in your submission that they're 24 metres
- 45 MS FRANCIS: No. Perhaps I can clarify. It's really probably not appropriate to have a debate with the applicant. It's up to me to talk to, and vice versa, but, just for clarity, the apartment design guide establishes separate criteria, not setbacks from

boundaries, separation between buildings. And it says that when you're building a building, and another building is going on the other site, there's a separation distance, and it goes from 12 metres to 18 metres to 24 metres. When you have an existing building, the new building is required to have 50 per cent the separation required. It doesn't impose the lack of separation on the other buildings.

So when the applicant says they comply with the provisions of the AGD, they're saying that 50 per cent of the separation required, which is six metres up to four levels, nine metres up to nine storeys and then 24 for the top one – sorry, twelve at the top, which is 50 per cent of 24. That is what the controls actually say, so he's actually correct in what he's saying, and I understand it's misleading, but it's just that we're more familiar with reading what these controls say, so it's – 50 per cent is required on a building that's being developed. You don't add – because you can't move your building, and they don't have to compensate for what your building doesn't provide, is the way the control's set up.

MR LLOYD: Yes. That's a good explanation. Yes. Well, what about the parking numbers?

MR: With respect to parking, the applicants have provided spaces and nine visitor's spaces, so spaces, which is one in excess of the 48 that they required.

MS FRANCIS: 51? Yes. Sorry, what is that again, because those numbers still didn't add up?

MR: So the ADG requirements is 31 residential spaces - - -

MS FRANCIS: Yep.

30

MR: - - - and nine visitor spaces.

MS FRANCIS: Okay. Got it.

35 MR: The applicants have provided 40 resident spaces.

MS FRANCIS: Forty. Yes.

40 MR: And nine visitor spaces.

MS FRANCIS: So they provided 49. Got it.

MR: Yes.

45 MR LLOYD: Forty-nine in total.

MS FRANCIS: Which is one in excess

MR: Yes.

MS FRANCIS: And that includes the adaptable disabled spaces.

5 MR: Yes.

MS FRANCIS: In the residential number.

MR: Yes.

10 MS FRANCIS: Correct. Okay. Thank you.

MR LLOYD: Thank you for that.

15 MR BULSARA: Can I ask, what are the RMS diagrams?

MS FRANCIS: What are the controls?

MR: The RMS guidelines is for a single bedroom unit is .6 of a space. For a
20 2 bedroom unit, it's space, and for a three bedroom it would be 1.4 spaces.

MR:

MR: And for visitor's spaces it's one space per five units.

25 MR BULSARA: One space per five. And are you saying that this – meets that?

MS FRANCIS: It actually exceeds it by one space.

30 MR: The reason being that because the site is so close to what is now to be
the Carlingford railway support, Carlingford light rail station, the rates are much
lower than if they were for

MR: It's not specific to Carlingford transport by train station you can
35 concessional rates – sorry – via the RMS guide. So the state policy effectively says
that if close to a train station, it's lowered

MR KNOTT: What distance is close?

40 MR:

MS FRANCIS: 800 metres.

MR: 800-metre distance. And because they can cross straight through that,
45 I'll call it a, park, they are well within 800 metres of Carlingford station.

MR LLOYD: And questions of Mr Zappia?

MS FRANCIS: No. No.

MR LLOYD: No questions? Thank you very much.

5 MR ZAPPIA: Thank you.

MR LLOYD: Do you want to retire, or are we agreed?

MS FRANCIS: I'm okay to do subject to that change.

10 MR LLOYD: The recommendation?

MS FRANCIS: Yes.

15 MR LLOYD: Yes.

MS FRANCIS: Yes. Yes.

MR LLOYD: all right. The panel has, as I've said, visited the site, and read the
20 assessment report and listened to what has been said. We note that the matter was
before a previous panel, and the development was not satisfactory, and a number of
amendments have been made to meet the concerns of the panel that was then
expressed. The panel notes the concerns of both Mr Bulsara and Mr Knott. The
25 problem we have is that this development complies with the statutory controls.

It complies with the statutory control relating to setback; it complies with the
statutory control relating to number of spaces required, car spaces required, and, in
reviewing the shadow diagram, it complies with the statutory requirement for solar
30 access in mid-winter. In view of the fact that it complies with all those statutory
requirements, we are minded to approve the development. So the determination of
the panel is to adopt the recommendations, subject to a minor change - - -

MR KNOTT: Could I ask a question, please. I've I live in the middle of that
35 block.

MR LLOYD: Yes.

MR KNOTT: Are all those diagrams, our unit is completely in the dark. In all those
40 diagrams

MS FRANCIS: Okay. Perhaps I can clarify. The sun moves, so what this diagram
shows is that 9 o'clock - - -

MR KNOTT: Yes.

45 MS FRANCIS: - - - the balconies are not in shadow.

MR KNOTT: Well, I am.

MS FRANCIS: No, the - - -

5 MS SUTHERLAND: No.

MR KNOTT: Yes, I am. I'm on the ground floor. I'm in shadow at 9 o'clock.

MS SUTHERLAND: Perhaps we need the architect to come and

10 MS FRANCIS: Well, you've but these plans show that - - -

MS SUTHERLAND: The balconies are free.

15 MS FRANCIS: - - - the balconies are free of shadow at 9 o'clock in the morning on these scheme.

MR KNOTT: Well have a look at that?

20 MR LLOYD: All of them. Yes, come have a look at it. Come forward, please.

MS FRANCIS: Yes. Yes. Please.

MR KNOTT: Is that the same one as that?

25 MS FRANCIS: Yes.

MR KNOTT: There's my unit. Right in the middle.

30 MS FRANCIS: No, you're here.

MS SUTHERLAND: You're there.

MR KNOTT: Where am I?

35 MS FRANCIS: Here.

MR KNOTT: Where's the building? The new building?

40 MS FRANCIS: Here.

MR KNOTT: I see. So I'm in darkness there, am I?

MS FRANCIS: No. So these are the balconies. Just for clarity, I'm just explaining

45 - - -

MS SUTHERLAND: I was doing that for the recording.

MR KNOTT: No, no.

MS FRANCIS: So here at 9 o'clock, it's not in shadow. None of these are in shadow. There's a marginal shadow there. This moves and it moves gradually. And
5 certainly by midday that one's in shadow, partially in shadow, not in shadow. By the
time that moves – by 3 o'clock, that one's not in shadow and those two are. So at
different times of the day there will be different shadows, so what was being
suggested was that when you add up the morning solar access and the afternoon solar
access, there is three hours of sun, which is the requirement under the controls.

10

MR KNOTT: Thank you.

MS FRANCIS: Thank you.

15 MR LLOYD: All right. So the determination of the panel is to adopt the
recommendation, subject to a minor change to the conditions. In the conditions, the
condition No.1 states that:

20 *The development is to be carried out in accordance with the following plans
and endorsed with the council's stamp, as well as the documentation listed
below.*

The documentation listed below - - -

25 MS FRANCIS: Well, that's when I think we have need to have the words, "those
identified".

MR LLOYD: I see, yes. Here we go. The condition will now read – condition 1
will now read:

30

*The development is to be carried out in accordance with the following plans
and endorsed with the council's stamp, as well as the documentation listed
below.*

35 MS FRANCIS: Full stop.

MR LLOYD: Full stop.

MS FRANCIS: Yes. Other.

40

MR LLOYD: Other?

MS FRANCIS: "Other than those identified for information only with an asterisk".

45 MS SUTHERLAND: Comma. That's a comma rather than an - - -

MR LLOYD: Okay. This is just to - - -

MS: Are we on page 31 here?

MS FRANCIS: Yes. So, really, what it's trying to do is to say the documentation listed below other than those identified for information only with an asterisk. And then, in relation to the documents, which is the third set of documents, the statement of environmental effects, the demolition and waste plan, the traffic and parking plan, the the arboriculture report and the BCA have all got asterisks, because they are assessment reports, not matters that can be conditioned with any clarity.

MR LLOYD: I'll give you the council's recommended conditions and the ones with an asterisk are marked.

MS SUTHERLAND: And the other – of this bit and

MR McLEAN: Just to make your life easier.

MR LLOYD: And you've got the changed wording?

MS SUTHERLAND: Just in case you can't read it.

MR BULSARA: Excuse me. I also wish to just point out that we have a solar fan system which is going to be affected by this shading as well.

MR LLOYD: Yes, but they will still – the solar panels will still receive the required amount of sunlight - - -

MR BULSARA: They will only get - - -

MR LLOYD: - - - in midwinter.

MR BULSARA: We should be compensated for our investment, because we invested in the solar panels because of the state government asking us to do that.

MR LLOYD: Well, I don't know that we – we haven't got the power to do that. We don't have the power to order compensation.

MS SUTHERLAND: Where are the solar panels?

MS FRANCIS: Just perhaps if I can, through you, Mr Chair – that's midwinter and there is an impact, there's no doubt about it. The requirements are supposed to be three hours. That's what the controls and designing of this land allows and this panel has to abide by those controls. It can't say, "You can't do it because you happen to have solar panels" -which is really laudable – "on your building".

But what I wanted to highlight is that in summer there is no shadow whatsoever on any of those solar panels. And whilst I don't actually have the equinox shadows here – unless you can tell me you've done them - - -

MR ZAPPIA: No, I don't think we've done them.

5 MS FRANCIS: - - - it's quite likely that in the equinoxes, you will still get a significant amount of solar access onto your panels. Midwinter, it will no doubt be reduced to three hours, probably, maximum. But at the other times, the remaining parts of the year, I think there will be really good solar access.

MR KNOTT: Could I ask the panel a question? I know it doesn't - - -

10 MR LLOYD: It's a bit out of order. I mean, we've made our decision.

MR KNOTT: I know, I'm just saying, this is position in that street, irrespective of and everything. What action can we take to try and have that improved?

15 MS C. STEPHENS: It's probably best that I answer that, as a council employee. You're probably best to actually write to your local Councillors in the first instance, because you report – the meeting you spoke about was prior to that part of Carlingford becoming part of the City of Parramatta. The next option would be potentially to write to our traffic and transport section to talk about it, but - - -

20

MS SUTHERLAND: That's what I would have said.

25 MS STEPHENS: - - - the panel won't have anything to do with it. But try your local Councillors first; they represent you. And then they can potentially raise it with us and they can look at it if there's anything they can do.

MR KNOTT: Okay.

30 MS FRANCIS: And certainly some traffic management schemes are possible. Resident-only parking schemes – that's a matter for the traffic committee to look at, but if you are that close to a station, those sorts of controls are matters that the traffic committee can consider and those are the things you should recommend.

35 MR KNOTT: Thanks very much.

MS SUTHERLAND: Yes, talk to them about managing it as a community.

MR KNOTT: It's serious.

40 MR LLOYD: Well, while these minutes are being sorted out, I think we can move on to the other matter.

MR KNOTT: All right. Well, thank you very much, Mr Chair.

45 MR LLOYD: All right.

MR ZAPPIA: Thank you.

We don't understand why they want to build another 162 public housing in Carlingford area again. We as residents understand the need for social public housing but building a whole apartment of such housing goes against the state housing recommendations and will be detrimental to the local community ethos.

5 And the second point is loss in property value. The report's proposal to build the two apartment blocks will have a negative impact on our property value. The proposal report do not make mention of compensation – of compensating local residents who are negatively impacted. And the third point is traffic – increase in traffic and noise. Our property shares a rear border with Martins Lane. The planning

10 proposal to widen and upgrade Martins Lane and intersections, namely in junction with Pennant Hills Road, will result in significant traffic flow and consequently increase in noise pollution.

The fourth point: increase in population. The planning proposal report indicate that

15 there will not be a significant change in population once the proposed apartments are built. This is not the case, as previously the side house nursing home occupants only – the proposal report do not identify how many people will be living in each of the proposed apartments. An estimate of two occupants per apartment will yield a population of 674 occupants. A realistic estimate of three occupants per apartment

20 will yield a population of over 1000 occupants. This many occupants will cause congestion, noise and does not fit in with the immediate surrounds of low-density living. Why council change Martins Lane to high-residential zone but Charles Street is still low-residential? It's unfair to the residents.

25 Another point, like loss of privacy. The planning proposal of building an apartment block of 176 apartments only metres from our rear boundary will mean the loss of privacy of our backyard. The planned height of block is 60 metres, as per the report. This is significantly taller than the height of the – taller than the building currently on the block and it will lead to the loss of our right to enjoy the privacy of our own

30 backyard. So this mean no privacy in the future. Another point is loss of sunlight, shading issues. The proposal to build an apartment block metres away from our rear boundary will mean we will lose a significant amount of afternoon sun and cause shading issues to our garden and pool. Again, this leads to loss of enjoyment of our own backyard.

35 The local amenities, namely local public school. The proposed report to increase the local population significantly did not even attempt to address the issue of potential impact to local educational amenities, namely Carlingford West public. The local school in question is already overcrowded and has the highest concentration of demountables in the state. In just eight years, the student population at Carlingford

40 West public school has doubled, leading to what Parramatta state liberal MP Geoff Lee calls a sea of demountables. The proposal report fails to address the future demands this development will have on local educational amenities. So we have – in the summation, we also have some recommendations.

45 Like, if you want to change the zone – if you already change the zoning of Martins Lane, we should have the same zoning, like high-residential on Charles Street as well

because it just – Martins Lane is just at our backyard. Also they should reduce the number of apartments to be built on the lot. Reduce the number of social public housing to a reasonable number. Increase the setback from our rear boundary. Reduce the height proposal of apartment blocks. So we lodged the submission last year. We haven't received any response. That's why I'm here today. I want to speak in the meeting and - - -

MS FRANCIS: Just to clarify, council doesn't enter into - - -

10 MS WEI: Okay.

MS FRANCIS: - - - dialogue with submissions. A submission is for the matter before us and you are – we've read that submission and we've now heard it here.

15 MS WEI: Yes.

MS FRANCIS: Here is the time that your submission gets considered.

MS WEI: Thank you.

20

MR LLOYD: Yes. Are you aware that it won't be a single block of social housing? There will be a number of buildings separated from each other.

MS WEI: Yes, in total will be around 167 units.

25

MR LLOYD: Yes, but in different buildings.

MR McLEAN: Dispersed throughout the development.

30 MS WEI: It's all at the backyard.

MS FRANCIS: No.

MS WEI: If you go to that massive construction site, that is a shock.

35

MR LLOYD: We've seen it. We saw it.

MS WEI: Okay.

40 MS SUTHERLAND: We'll clarify that.

MR McLEAN: Yes. All right.

MS WEI: Yes.

45

MS SUTHERLAND: We need to clarify that because – where they're going to be within the development.

- MS WEI: Yes, because there are a lot of public housing in Telopea why you want to build another.
- 5 MS FRANCIS: Okay. There's a couple of things that probably need to be clarified because this proposal before us is not for building anything.
- MS WEI: Okay.
- 10 MR LLOYD: It's just a rezoning.
- MS FRANCIS: It's to allow the site to be zoned R4 and within R4 zone there are lots of things that can be built. It is true that the applicant has – the person who owns the site has indicated they want to build this form of accommodation and that would have to be the subject of a development application into the future, which you will be notified about.
- 15 MS WEI: Yes, yes.
- MS FRANCIS: So that's just to clarify that's the circumstance. And what they're suggesting is on a site, were they to get that zone and were they to get the floor space that they're asking for, they could build – and you correctly say – 162 affordable dwellings and then 160 ordinary apartments. So it's not all social housing, as you suggested. There is a 50/50 mix, okay?
- 20 MS WEI: Yes.
- MS FRANCIS: So that's just to clarify in the current proposal – current suggested outcome. It's not a physical proposal.
- 25 MR LLOYD: It's not a development application.
- MS WEI: Yes, another question is here is Martins Lane and here is Charles Street and our backyard is just facing to Martins Lane - - -
- 30 MR LLOYD: Yes.
- MS WEI: - - - where it is going to build the apartments. Why their zone has been changed to high-residential but our zone still - - -
- 35 MS FRANCIS: Your zone is R3. Yours is medium-density.
- MS WEI: What about their zoning? Is it high-residential or medium?
- MS SUTHERLAND: It's slightly higher than yours but not significantly.
- 40 MS WEI: Yes, that's my question. Why is - - -
- 45

MS SUTHERLAND: Not significantly.

MS WEI: No, even slightly.

5 MR LLOYD: Four storeys. Four storeys.

MS WEI: Yes, but even a slight difference, why there is a slight difference?

10 MS FRANCIS: Because land is zoned differently all over the place and this isn't one large piece of land. That's probably the key justification for why.

MS WEI: Yes.

15 MS FRANCIS: But the difference in scale and density of development allowed on your site and this site is not noticeably different. It's just a bigger site, which allows more development to appear. You probably haven't got your site built to the maximum it can.

20 MS SUTHERLAND: You've got an 11-metre height limit and a floor space of .6 to 1, which is higher than a normal - - -

MS WEI: Yes, because - - -

25 MS SUTHERLAND: It's quite a bit higher than a normal residential.

MR LLOYD: But we have some questions to ask of the applicant.

MS WEI: Okay.

30 MR LLOYD: All right.

MS WEI: Okay.

35 MR McLEAN: Thank you.

MR LLOYD: Thank you.

MS FRANCIS: Thank you.

40 MS WEI: Thank you.

MR LLOYD: Now, Mr Kettle and Mr Cowdery, come forward, please. Who wants to deal with our questions?

45 MR D. COWDERY: I will. Yep, I will.

MR LLOYD: Who's going to volunteer?

MR COWDERY: Yeah. Okay. So I'm happy to - - -

MR LLOYD: Well, you've got to be recorded.

5 MR COWDERY: Sorry.

MS FRANCIS: You can both come. Bring a chair.

10 MR COWDERY: So my name's David Cowdery and I represent BaptistCare. I'm happy to deal with the question on occupancy and the use of the site. And David Kettle is our planning consultant who can deal with the planning and technical matters, if that's okay. So in response to the questions about affordable housing, it's true that we've said that we are planning to deliver 162 affordable housing units.

15 That's not – I mean, the rezoning is about built form, it's not about the actual use, as you've pointed out, and so that will be subject to a future DA, but to clarify the use of those 162 affordable housing units, the proposal is for 65 units for elderly, so they're retirees, elderly people for 65 social housing units and 32 social housing units for families, so young families. Now, that makes 97. So there's actually 97
20 social housing units. The balance of the 162 is 65 affordable housing units, and it's affordable units and not social housing units. They're a totally different class of housing. So people pay rent for the affordable housing units - - -

MR LLOYD: Yes.

25

MR COWDERY: - - - that is related to the market rent.

MS FRANCIS: Yes.

30 MS SUTHERLAND: Yes.

MR COWDERY: It's subsidised.

35 MS SUTHERLAND: So who's to manage – who's going to manage all of them?

MR COWDERY: So BaptistCare. We're a non-profit organisation.

MS SUTHERLAND: All of them?

40 MR COWDERY: We're managing. We've got a full-time manager onsite during
- - -

MS SUTHERLAND: Yeah.

45 MS FRANCIS: If they get development approval.

MR COWDERY: So 40 hours a week.

MS SUTHERLAND: Yes. Once they – once it – yes. We’ve got a long way to go until that stage, anyway, but the church will manage – your - - -

5 MR COWDERY: Well, BaptistCare will, yes.

MS SUTHERLAND: BaptistCare will manage - - -

MS WEI: It’s only for five years?

10 MR COWDERY: No, it’s for 25 years.

MS WEI: Oh, 25 years.

MR COWDERY: Yeah. So the intention is to be – so, look, we’ve been there for 15 50 years. We’ve been providing aged care for 50 years to - - -

MS SUTHERLAND: Yeah.

MR COWDERY: - - - disadvantaged people.

20 MS FRANCIS: Yeah.

MR COWDERY: It’s what we do. We’re now changing the – I guess we’ve got a new generation, now, of how we’re going to be doing that. What we’re looking at is 25 being able to provide a more modern form of accommodation. With our aged care, which is more clinical, people have been – we’ve moved to Kellyville with a new facility, and so our strategy is to provide this form of housing, because it’s a great thing needed in the area. Now, just on the rest of the site we’re also looking at going 30 back to a smaller aged care and retirement village on the balance of the site, rather than just an apartment building, so it will be in keeping with the previous use, but that’s not necessarily locked in, yet, but that’s certainly where we’re looking.

MR LLOYD: You asked, I think, for 14 metres maximum height, rising to 16 35 metres in the southern half of the land. Why do you need 16 metres?

MR D. KETTLE: That’s to deal with the slope of the land.

MR LLOYD: Why can’t - - -

40 MR KETTLE: So - - -

MR LLOYD: Why can’t you deal with - - -

MR KETTLE: The proposal has also got supporting with it the DCP. So the DCP is 45 actually saying four storeys - - -

MS SUTHERLAND: How are you going to control that if you can fit more in the height?

5 MR KETTLE: Well, it's the top - - -

MS FRANCIS: And the LEP is the motherhood.

MR KETTLE: Yeah. The upper part of the site is more level, so the 14 metres - - -

10 MR LLOYD: Is not a problem.

MR KETTLE: Is not a problem, correct. When you start to get to the sloping part of the site, the 16 metres has been designed so that you can design a building that is responding to the slope of the land. So where you do fall you'll end up with the lower part of the wall being higher. That's where the 16 metre control has been applied to deal with that circumstance, but the DCP is saying no more than four storeys at any one point.

15

MS SUTHERLAND: It makes it more bulky looking from the back if, you know – it will present more as a five-storey from the rear. From the lower – from the properties at the rear.

20

MS FRANCIS: Which is what your modelling suggests, anyway.

MS SUTHERLAND: Yeah.

25

MR KETTLE: Well, I think as well with the – that rear to the properties on Homeland Street – I can't remember off hand, but because - - -

30 MS FRANCIS: They're within in the R2 zone and they're just two-storey housing - - -

MR KETTLE: Yep.

35 MS FRANCIS: - - - and so – and the land does continue to slope further south.

MR KETTLE: Yes.

MS FRANCIS: So when you get further away, then you're looking up the hill, so the height of the building's do look - - -

40

MS SUTHERLAND: Going to be - - -

MR KETTLE: Accentuated.

45 MS FRANCIS: - - - even greater.

MR KETTLE: Yep.

MS FRANCIS: I am concerned about establishing a height, because of landfalls,
and we don't actually know, because you are demolishing at the moment, what the
5 ground level actually is and what it will be before you - - -

MS SUTHERLAND: Because it's like this at the moment.

MS FRANCIS: - - - submit your DA. So - - -

10 MS SUTHERLAND: Yeah.

MS FRANCIS: - - - you know, that ground level could change and the slope may
not be there.

15 MS SUTHERLAND: Yeah.

MS FRANCIS: So to speak.

20 MS SUTHERLAND: And at the moment it's all over the place, you know, because
we - - -

MR KETTLE: Yeah.

25 MS SUTHERLAND: We went there and it's not a level playing field, in other
words.

MS FRANCIS: So to speak.

30 MS SUTHERLAND: Yes.

MR: The shadows get longer as they go down the hill.

MS SUTHERLAND: Yeah, we – yeah. We can't see the need for - - -

35 MR KETTLE: Yeah, there's no – there has been – I don't know how – I wasn't
involved in that, I don't know how it was done, but was there a DA for demolition?

MR COWDERY: Yes.

40 MR KETTLE: There was a DA for demolition, but that didn't include earthworks.
It was purely demolition of the building.

MR COWDERY: Correct.

45 MS SUTHERLAND: Well, have you been there lately?

- MS FRANCIS: Like this morning?
- MS SUTHERLAND: Today?
- 5 MR KETTLE: No, I haven't been there recently.
- MR McLEAN: Couple of hours ago.
- MR KETTLE: Right.
- 10 MR COWDERY: Well, I mean with respect, it's a - - -
- MS FRANCIS: No, I know – I think what - - -
- 15 MR COWDERY: - - - building that's been there for 60 years, we - - -
- MS FRANCIS: - - - we're saying is that the slope of the land - - -
- MR COWDERY: - - - you know, you have to clear it.
- 20 MS FRANCIS: - - - does definitely – there is a slope - - -
- MR KETTLE: Yep.
- 25 MS FRANCIS: There is a slope, there's no doubt, but it's – but maintaining, say, a 14 metre height limit might be, then, with a slope a better transition to the R2 than actually having a higher building - - -
- MS SUTHERLAND: And maybe benching the side a bit.
- 30 MS FRANCIS: Yeah, yeah.
- MS SUTHERLAND: Benching the side a little bit.
- 35 MR KETTLE: Well, I think there's also to the rear – I also add that we've got a large setback, because there's the ecological zone - - -
- MS FRANCIS: Which is really good you've got a large setback.
- 40 MR KETTLE: - - - that's been provided. The cross-sections that you've got in that report are from the boundary with those properties in Homelands to the wall - - -
- MS FRANCIS: Yep.
- 45 MR KETTLE: - - - of the building's 32 metres, which is a significant separation to a boundary.

MR COWDERY: So there's road and then there's a – and then the ecological zone
- - -

5 MR: Are you – your section shows a flat section with still going into a
..... - - -

MS FRANCIS: Sorry. Sorry.

10 MR LLOYD: You weren't registered to speak, so we can't hear from you.

MR: You're not answering the right questions

15 MR LLOYD: I mean, it seems to us that you can't accommodate four storeys in a
14 metre height control stepping down the hill.

MR KETTLE: I think we – that's – the 16 metres has been forward. That has been
discussed with council, and part of the reason for that, as well, is to avoid the need to
end up with clause 4.6 variations further down the track, particularly if you've just
had a planning proposal.

20 MS FRANCIS: Oh, well, exactly.

MR KETTLE: Yeah. So we've been trying to manage what's going to happen in
the future, as well.

25 MR COWDERY: Could I add something about the history of this. We've been
going for four years. Our planning proposal started four years ago, we're a non-
profit organisation. We've been cut down from 1.2 to 1 – to 1 to 1 – to now 1 to 1.
We've lost two floors across the whole site, so during – from the council's review of
30 this in year 2 or 3 or something. To take further floor space out is just going to mean
that we're going to be constrained in providing further retirement living or aged care
into the future.

MR LLOYD: No, we're quite happy with four storeys.

35 MS FRANCIS: Yes.

MR COWDERY: Well, but we're going to lose that.

40 MR LLOYD: But it's the maximum height that we're worried about, and the
interface with the low density - - -

MS FRANCIS: Yes.

45 MR LLOYD: - - - residential zone - - -

MS FRANCIS: At the back.

MR LLOYD: - - - at the rear.

MR COWDERY: We only want the 16 metres so we can achieve the four storeys.

5 MS SUTHERLAND: Well, you're better to bench it or something. It's down.

MR LLOYD: Yeah, you can do it.

MS FRANCIS: In 14 metres, you certainly can, and you can certainly change – if
10 there's a sloping site you can deal with it.

MS SUTHERLAND: Yeah.

MR COWDERY: I would add – oh, that's what I was looking for. The council's
15 planning staff, I think had – and correct me if I'm wrong, but I think they shared the
same concerns of how you manage the changing in heights of the buildings. So I've
always understood they were supportive – well, clearly they are supportive of 16 - - -

MS SUTHERLAND: They are supportive.

20 MS FRANCIS: They are.

MR COWDERY: 16 metres, but that's - - -

25 MS FRANCIS: We're just an independent - - -

MR COWDERY: - - - just something that's been thrashed - - -

MS SUTHERLAND: We're just us.

30 MR COWDERY: - - - around with council officers quite a lot to come up at – to
derive that control. I'm also just having a look at the massing model, which is in
figure 5 of page 95 of your report.

35 MS FRANCIS: Yep.

MR COWDERY: I can't recall offhand what the DCP says, but there may well be
controls to deal with that interface, as well, but I would have to delve deeper into the
DCP to see whether there is control about that.

40 MS SUTHERLAND: But you know full well the strength of DCPs these days in
court and in – you know, they've – not a lot power.

MS FRANCIS: They're fine with the setbacks, they're fine with the roads, but they
45 can't put a storeys - - -

MS SUTHERLAND: Yes.

MS FRANCIS: - - - when it derogates from the height.

MS SUTHERLAND: When you've got FSR and height issues. It's – because we know there's going to be a 4.6, as well. You know, whatever you're doing – you
5 know, even if you've got 14 and 16, I think - - -

MS FRANCIS: Let's hope not.

MS SUTHERLAND: No, but that's highly likely.
10

MR LLOYD: Especially on the sloping side.

MS SUTHERLAND: Yeah.

MR LLOYD: Yes.
15

MS SUTHERLAND: So we're just giving it extra.

MR LLOYD: We are resistant to allowing a 16 metre height limit on the southern
20 half of the site when you can fit four storeys into a 14 metre height limit.

MS FRANCIS: Do you make any recommendation?

MS SUTHERLAND: I mean, I can't read the – there's one plan with the floor space
25 for each building or something. I'm really surprised that's only 1 to 1. Those building envelopes.

MR KETTLE: Yeah. It is.

MS SUTHERLAND: You know.
30

MS FRANCIS: How?

MS SUTHERLAND: How can it be? We both do – well, we all do major
35 development applications and that looks like a – more like a 3 to 1.

MR KETTLE: Well, that has - - -

MR COWDERY: I think it's because of the generous open space and the - - -
40

MS FRANCIS: Which we've been shown.

MR COWDERY: So you've got the ecological zone, then you've got the two large
45 open space areas in the centre, you've got the roads that have been dedicated around the outside of the site. So there's a huge amount of open space provided and huge setbacks, and then I think that calculates out to the 1 to 1.

MS SUTHERLAND: I'm just really surprised. Aren't you?

MR COWDERY: Oh, I think I've got that plan that you're talking about in larger, but - - -

5 MS SUTHERLAND: This one. This diagram.

MR COWDERY: - - - without going through and doing all the number crunching. Oh, not that one.

10 MS SUTHERLAND: It looks a lot more than 1 to 1 to me. Must be - - -

MR KETTLE: Our architects have put that together.

15 MR COWDERY: That's right.

MS SUTHERLAND: 1 to 1 is very simply one floor across the whole site. So you've got four or five. It just doesn't seem to equate, but that's neither here nor there.

20 MR COWDERY: No.

MS SUTHERLAND: And that form of development may not come forward into the future, so - - -

25 MR COWDERY: Well, that's right, and it is the subject of the DA, so - - -

MS SUTHERLAND: Yes, exactly.

30 MS FRANCIS: Yes, yes.

MR COWDERY: So on the very rear, could I just say that if you're looking from the south there – we are actually only showing – on that diagram on five we are showing four floors, because the fifth floor – if you think of it as a fifth floor, it only – it sets back and it only commences when the bottom floor commences, so at any one point in time there's only four floor shown on that diagram, and from the face of the southern boundary looking at it, it's four floors.

35 MR LLOYD: Yes.

40 MS SUTHERLAND: And it's two metres higher.

MR COWDERY: Well, it's – we - - -

45 MS SUTHERLAND: I mean, the logic for me when I first looked at this and I think a few of us needed to talk about it, you put the higher heights up on Pennant Hills Road.

MR COWDERY: Yes.

MS FRANCIS: What was initially planned.

5 MR COWDERY: Yes.

MS SUTHERLAND: But, from an urban design perspective, I do a lot of writing and - - -

10 MS FRANCIS: Look at the zoning for Homeland Avenue - - -

MS SUTHERLAND: But - - -

MS FRANCIS: How's it going to compare with that?

15 MR COWDERY: Yes.

MS SUTHERLAND: And, otherwise – and you transition it down.

20 MR COWDERY: Yes, we agree. We agree with that, but the Council unfortunately overrode that – how we originally designed it, which was six stories and four stories.

MS SUTHERLAND: Did you?

25 MR COWDERY: So we lost that height. So we can't. That's what I'm – that's the problem.

MS FRANCIS: Yes. I know.

30 MS SUTHERLAND: What if you switched - - -

MS FRANCIS: What if you switched the - - -

MR COWDERY: That's all right.

35 MR LLOYD: Any more questions?

MS FRANCIS: No.

40 MS SUTHERLAND: No.

MR LLOYD: Any questions? Thank you very much.

MR COWDERY: Thank you.

45 MR LLOYD: Shall we determine it as we read?

MR MCLEAN: Yes.

MR LLOYD: All right. You've heard what was said about the social housing aspect of it.

5 MS WEI: Well - - -

MR LLOYD: It's not as bad as you think, all right? And - - -

10 MS SUTHERLAND: Yes. it's not public housing as such.

MR LLOYD: It's not public housing as such.

MS WEI: It's just got a different name.

15 MS SUTHERLAND: No, no. It's not.

MR LLOYD: We have no evidence that there'll be any loss of property value, and you are in a medium density area, so you can redevelop your - - -

20 MS WEI: Yes, because - - -

MR LLOYD: - - - property now.

25 MS WEI: - - - if they're going to build more units we'll probably just move out from that area, that's all. That's our choice. Yes. But it can't really just devalue our property value - - -

MR LLOYD: Well, we have no evidence of any loss of value.

30 MS SUTHERLAND: It won't be – in terms of land use, it's not that dissimilar to what's there. It was already an aged care facility for.

MS WEI: So means we have four storey building

35 MS SUTHERLAND: Well, that's an issue to – that's privacy and all those things, which have been assessed, however - - -

MR LLOYD: I mean, we're not looking at the buildings now; we're just looking at the planning control.

40 MS WEI: Okay. Yes.

MR LLOYD: So the determination of the panel is to adopt their recommendation, subject to the following changes - - -

45 MS FRANCIS: I've got some written there if you want to read it.

MR LLOYD: Yes. I've got it part here and part there. What are these words?

MS SUTHERLAND: Well, we have to do that, otherwise - - -

5 MS FRANCIS: Amend council.

MR LLOYD: Amend. Yes.

MS SUTHERLAND: Amend.

10

MR LLOYD: Yes.

MS SUTHERLAND: She's got a doctor's handwriting.

15 MR LLOYD: In paragraph B, we are changing it to read as follows, "The council amend the planning proposal for the land, et cetera, in relation to the subject site as follows" – I meant the word "by" as follows, colon, new line, the first dot point remains the same, second dot point - - -

20 MS FRANCIS: No. No, it doesn't.

MR LLOYD: It doesn't?

MS SUTHERLAND: Rezone.

25

MS FRANCIS: Rezone, not resigning.

MR LLOYD: Yes. Rezoning is changed to rezone.

30 MS SUTHERLAND: Rezone.

MR LLOYD: Second dot point:

35 *Increase the maximum height of building control from nine metres to 14 metres*
–

and omit the rest of that sentence. Next dot point:

40 *The maximum floor space ratio control be adjusted from one to one to reflect the changed height control. To reflect - - -*

MS FRANCIS: Reflect.

MR LLOYD:

45

- - - reflect the changed height control.

Then, in paragraph C, reads as follows:

That, subject to the above, the planning proposal –

5 etcetera. That's correct.

MS: Do you want the fourth dot point, sorry? Identify

MS FRANCIS: Yes. That's okay. Yes.

10

MR LLOYD: Yes. That's not unchanged.

MS: Yes.

15

MR LLOYD: The rest of it is unchanged.

MS FRANCIS: We might need to adjust draft SUP.

MR LLOYD: Yes.

20

MS FRANCIS: There might be some amendments.

MR LLOYD: Paragraph D:

25

That council amend –

not adopt:

...amend the draft site-specific development control plan.

30

All right.

MR KETTLE: Could I clarify that FSR?

35

MS FRANCIS: Well, only in - - -

MS SUTHERLAND: can't fit it.

40

MS FRANCIS: Well, I don't think this panel wants to pick a number, but we're asking the council, who will be advised by their staff what the floor space ratio should be if the height is reduced by two metres. It might not change, but it might. I don't know. So it says – what does it say:

45

The floor space ratio cannot be adjusted from one to one to reflect the changed height control.

MR KETTLE: Height control.

MS FRANCIS: Yes. That's okay. So in other words, if there's any change to the floor space that can be accommodated on the site, because we've just dropped two metres off half the site, that needs to be considered by the council before they made a decision.

5 MR KETTLE: Okay

MS FRANCIS: I mean, don't forget this is only a recommendation to the council, and the council can make whatever decision it wants to.

10 MR KETTLE: aware of that.

MR LLOYD: In the third dot point, it should be "changed height control".

15 MS FRANCIS: Yes.

MR LLOYD: The rest of it is as per the recommendation. All right?

MS WEI: Yes.

20 MR LLOYD: There were no other changes. We have to give our reason for decision. Reason for the decision, the panel generally supports the findings contained in the assessment report, and endorses the recommendation, subject to the amendments above, set out in that report. All right?

25 MS FRANCIS: We need to say a reason why we're reducing the

MS: Why we made the change.

30 MS FRANCIS: Why did we make the change? We have to give a reason.

MS: To reflect the topography and the lower density, and then a low density.

35 MS SUTHERLAND: Provide a better transition between the higher density and lower density.

MR LLOYD: All right. The changes to the recommendation respond to the topography of the site. To the topography of the site.

40 MS SUTHERLAND: OG.

MR LLOYD: Topography of the site. And to have regard to the low density residential zone adjoining. Residential zone density. Residential zone adjoining.

45 Low-density residential zone.

MS SUTHERLAND: Just move density. Just move density. Cut and paste.
Adjoining.

5 MR LLOYD: Adjoining. Full stop. Anything else? No?

MS: No.

MS FRANCIS: Can we use the word “better transition”?

10 MS SUTHERLAND: Yep. That’s fine. Because we’ve mentioned topography.

MS FRANCIS: And I think we need to say - - -

MR LLOYD: Have regard to - - -

15 MS SUTHERLAND: Provide a better - - -

MS SUTHERLAND: Provide a better transition between the higher density and low
density areas. Better - - -

20 MR LLOYD: Between the two zones.

MS SUTHERLAND: Between – yes.

25 MS: Proposed and existing.

MR LLOYD: All right.

MS SUTHERLAND: That’s – yes.

30 MR LLOYD: All right. That’s the determination of the panel, and with that, we can
conclude the meeting. Thank you for your attendance.

35 **RECORDING CONCLUDED** **[4.54 pm]**