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TRANSCRIPT OF PROCEEDINGS

TRANSCRIPT IN CONFIDENCE

O/N H-969965

INDEPENDENT PLANNING COMMISSION

MEETING WITH COUNCIL

RE: MAGENTA SHORES INTEGRATED TOURIST FACILITY MOD 5

PANEL:

**CHRIS WILSON
CATHERINE HIRD
RUSSELL MILLER**

ASSISTING PANEL:

MATTHEW TODD-JONES

COUNCIL :

SHANNON BUTLER

LOCATION:

**IPC OFFICE
LEVEL 3, 201 ELIZABETH STREET
SYDNEY, NEW SOUTH WALES**

DATE:

2.03 PM, MONDAY, 3 DECEMBER 2018

THIS PROCEEDING WAS CONDUCTED BY TELEPHONE CONFERENCE

MR S. BUTLER: Hello. Shannon speaking.

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MR M. TODD-JONES: Hi Shannon, it's Matthew from the Independent Planning Commission.

MR BUTLER: Hi, Matthew.

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MR TODD-JONES: So we've got the commissioners here and we're ready to start the meeting, if that's okay.

MR BUTLER: Okay. Yes, sure.

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MR C. WILSON: Okay. Good afternoon and welcome.

MR BUTLER: Yes, thank you.

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MR WILSON: Before we begin, yes, I would like to – Shannon, I would like to acknowledge the traditional owners of the land on which we meet and pay my respects to their elders past and present. Welcome to the meeting today on the request to modify the development approval for the Magenta Shores Integrated Residential and Tourist Development at 300 Wilford Barrett Avenue, The Entrance North. The modification seeks approval to amend stage RO7 of the development, including an increase of four residential lots, amended lot and road layouts and deletion of a pocket park.

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My name is Chris Wilson. I am the chair of this IPC panel. Joining me on the panel is Catherine Hird and Russell Miller. The other attendee of the meeting is Matthew Todd-Jones from the IPC Secretariat. In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being recorded and a full transcript will be produced and made available on the Commission's website. This meeting is one part of the Commissions decision-making process.

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It is taking place at the preliminary stage of this process and will form one of several sources of information upon which the Commission will base its decision. It is important for the commissioners to ask questions of attendees and to clarify issues whenever we consider it appropriate. If you are asked a question and are not in a position to answer, please feel free to take it on notice and provide any additional information in writing which we will then put on our website. We will now begin. Okay. Shannon, we have just a couple of questions basically. We're just trying to understand the difference between the approach taken to, I think, the previous modification, maybe MOD 4 - - -

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MR BUTLER: Yes.

MR WILSON: - - - in relation to RO - - -

MR TODD-JONES: 8.

5 MS C. HIRD: 8.

MR WILSON: - - - 8 as opposed to now what it's called is RO7. Like, it was accepted that pocket parks were deleted and there was – the roads were straightened and there was traffic calming mechanisms. They were accepted and now I
10 understand they've been approved in the DA; is that correct?

MR BUTLER: That's correct, yes. There was a development application under consideration by us and it was finally determined and it was granted consent subject to deferred commencement conditions requiring that the applicant goes back to the
15 department and get that initial modification; that's our masterplan application amended to suit the density of development that was sought in that application.

MR WILSON: Sorry. So RO7 has been – it has got a deferred commencement of – the DA, sorry, that you approved for RO8, sorry; is that right?
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MR BUTLER: Correct, yes. So they've now satisfied the deferred commencement condition and the last time I checked, they commenced construction on the site.

MR WILSON: Okay, now I've got you. So the DA – when they lodged the DA, they hadn't modified the masterplan; is that right?
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MR BUTLER: Correct, yes.

MR WILSON: Okay. So then you put a deferred commencement condition on it that they had to go and amend it so it was consistent. So when they lodged – when the lodged the DA for RO8, it wasn't consistent with the masterplan?
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MR BUTLER: That's correct, yes.

MR WILSON: Okay. And so you deferred commencement until such time as they went back and modified it to make it consistent?
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MR BUTLER: Correct, yes.

MR WILSON: Okay. All right. And so in that DA, obviously, which the modification now reflects, the pocket parks have gone and they – do you know how many pocket parks were proposed for that subdivision?
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MR BUTLER: Just to confirm, are we talking about the adjoining development - - -
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MR WILSON: Yes.

MS HIRD: Yes.

MR BUTLER: - - - which was out of - - -

5 MR WILSON: Yes.

MS HIRD: Yes.

10 MR WILSON: RO8.

MR BUTLER: Okay.

MR WILSON: RO8, I think it's called.

15 MR BUTLER: Okay. Sure, sure. So from memory, there was four pocket parks that were deleted as part of that.

MR WILSON: Right, okay.

20 MS HIRD: And there was an increase of 15 - - -

MR WILSON: Dwellings.

25 MS HIRD: - - - dwellings.

MR WILSON: Or lots, sorry.

MS HIRD: Lots.

30 MR BUTLER: Correct, yes.

MR WILSON: Okay. And so now there's speed humps; is that right? Or, sorry, traffic calming mechanisms.

35 MR BUTLER: Correct. Yes, there were traffic calming measures put in place in lieu of the pocket parks.

40 MR WILSON: Okay. All right. Just so – but council has no objection – obviously, no objection to going back to pocket parks and a curved road?

MR BUTLER: No, no, I don't believe there's any objection to that aspect.

45 MR WILSON: Okay. How do you see – just, generally in terms of the masterplan itself and the way it's travelling, rather than continuous sort of modifications and changing things, I mean, what's council's view on maybe a holistic review of the master plan?

MR BUTLER: Yes. I mean, that would be the preferable approach, but the MO of the current owners seems to be this piecemeal sort of approach whereby they're amending it on the run. So, yes, I mean, council, if we had a say, we would prefer them to consider it on a more sort of wholesome approach.

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MR WILSON: Yes, okay. I don't have any further questions. Do you?

MR R. MILLER: Just so I understand, picking up on your last point, chair – second-last point. So we've got – we're coming along a road which is now called, from the south to the north, Pebble Beach Avenue; it was previously called Whitehaven Avenue. Is that right?

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MR BUTLER: That's my understanding, yes.

MR MILLER: And this is a continuation of the road that comes from across RO8, the blocks immediately to the south that you've just been talking about.

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MR BUTLER: Correct, yes.

MR MILLER: And on that part of the subdivision, there traffic calmers and no pocket parks and on - - -

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MR BUTLER: Yes.

MR MILLER: - - - this part of the site, under this proposal, there are going to be no traffic calmers and pocket parks, so I'm just trying to understand the consistency or inconsistency.

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MR BUTLER: Yes. I mean - - -

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MR MILLER: Is there a good planning reason for the inconsistency and does it make any difference?

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MR BUTLER: Good question. Yes, I don't think there's any sort of objection, from council's point of view, in that inconsistency. The previous development application for the development itself do eliminate those pocket parks and that was considered satisfactory by council's principal development design engineer in terms of impacts on the road and in terms of speed and vehicles and what-not. So I mean, ideally, it should be consistent, but I suppose, with the applicant's approach of mending things on the run rather than more sort of over – wider overview of the development, I suppose it's probably a reasonable compromise.

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MR WILSON: I think it's a response to community concern to a large degree as well.

MS HIRD: Yes. The existing developments that are already being built, they have pocket parks and curved roads?

MR BUTLER: Correct, yes. So Pebble Beach Avenue to the west of this site is - - -

MS HIRD: Yes.

5 MR BUTLER: - - - reasonably curved in comparison to Whitehaven Avenue and what's proposed here. So, yes, I mean, it is quite straight in comparison with what's surrounding.

MR WILSON: Okay.

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MS HIRD: Yes.

MR WILSON: I think that, unless you've got anything to add from council's perspective, I think that's all we have at the moment.

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MS HIRD: Yes.

MR WILSON: Something may arise out of our discussions with the applicant and the department, but at this stage, we don't have anything more to add.

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MR BUTLER: Okay, sure. Happy to participate further if you need any clarification on anything.

MR WILSON: Thank you very much.

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MS HIRD: Thank you. Yes.

MR TODD-JONES: That's great. Thanks, Shannon.

30 MR BUTLER: Okay. Thanks a lot.

MR TODD-JONES: Bye now.

MR BUTLER: See you later.

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[2.12 pm]