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TRANSCRIPT OF PROCEEDINGS

TRANSCRIPT IN CONFIDENCE

O/N H-975704

INDEPENDENT PLANNING COMMISSION

MEETING WITH APPLICANT

RE: REZONING REVIEW OF SHOWGROUNDS PRECINCT, CASTLE HILL

PANEL: **PETER DUNCAN**
CAROL AUSTIN

ASSISTING PANEL: **ANDREW McANESPIE**
DAN KEARY
BRENT DEVINE

APPLICANT: **JOSEPH CHIHA**
SAM HADDAD
TONY OWEN
JIM KOOPMAN
JOSHUA OWEN
ALLISON SMITH
CHRIS CAMPBELL
BRIDGIE GOUGH

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

DATE: **10.57 AM, WEDNESEDAY, 19 DECEMBER 2018**

MR P. DUNCAN: All right. Well, we'll formally start. I've got an introduction statement to make and, as you understand, it's being recorded. So good morning and welcome. Before we begin, I'd like to acknowledge the traditional owners of the land on which we meet and pay my respects to elders past and present. Welcome to
5 the meeting today on the request for a rezoning review for a planning proposal seeking to amend The Hills Local Environmental Plan 2012 in relation to planning controls applying to multiple sites in the Showground Station Precinct, Castle Hill. The proposal seeks to amend the Hills LEP 2012 by adding a new key sites clause and amending the associated LEP maps to identify the subject land, including a
10 bonus incentive floor space ratio and bonus incentive building height clause for those key sites and including a requirement for the provision of community infrastructure and affordable housing on the land if the bonus incentive floor space ratio and height is utilised.

15 My name is Peter Duncan and I'm the chair of the IPC Panel. Joining me today on the panel is Carol Austin. The other attendees are Andrew McAnespie from the Commission Secretariat, and Dan Keary and Brent Davine from Keylan Consulting, who are assisting the Commission Secretariat on this project. In the interest of
20 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. The meeting is one part of the Commission's process of providing advice. It is taking place at the preliminary stage of the process and will form one of several sources of information from which the Commission will base its
25 advice.

It's important for the Commissioners to ask questions of attendees and clarify issues whenever we consider it appropriate. If you are asked a question and you are not in a position to answer, please feel free to take the question on notice and provide any
30 additional information in writing. Also we will then put that on our website for transparency. We have about an hour, so we will now begin. I think – we've got an agenda and broadly we were talking about covering the proponent's project background, and we can do that, I assume, through the presentation.

MR S. HADDAD: Yes.
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MR DUNCAN: And if you want to just start with that.

MR HADDAD: All right. So – thank you.

40 MR DUNCAN: Thanks.

MR HADDAD: Thank you, Chair, and thank you for – Commissioner for that. So maybe if I can start just by, you know, going through and introduce who is who.

45 MR DUNCAN: Thank you.

MR HADDAD: Or they can do that.

MR DUNCAN: Thank you.

5 MR HADDAD: My name is Sam Haddad. I'm a strategic planning advisor to the project and, in a sense, I have been involved in testing and, you know, independently checking as much as possible good outcome comes out of this project.

10 MR J. CHIHA: My name is Joseph Chiha. I'm from Showground Corporation, the project director, part of the development team.

MS A. SMITH: And Allison Smith, APP. Probably a lead planning consultant.

15 MR C. CAMPBELL: Chris Campbell. I'm a solicitor from Sparke Helmore and I act for the Showground Corporation.

MS B. GOUGH: Bridie Gough, Platform Architects. I'm just part of the architecture team.

20 MR T. OWEN: Tony Owen, Architect, from Tony Owen Architects, architecture team.

MR J. KOOPMAN: Jim Koopman, Allen Jack+Cottier. We're here in the capacity as urban zones for the project.
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MR J. OWEN: And Josh Owen, APP, town planners.

MR DUNCAN: Thank you.

30 MR HADDAD: So, Chair, if I – what I'm going to do, just provide you with an overview – just an introduction overview – and then each one of my friends here, my colleagues, will go through But, as you mentioned, we're seeking a gateway determination for this project to planning controls in an LEP, which is the Hill LEP, and the panel would be aware that the two key test of a gateway determination,
35 but it's essentially to justifying the strategic merits of the projects, of the development, and the site specific proposal. So we spent – well, they've spent about three years now going through all that, strong team, trying to address those issues, and, in my profession view and experience, there is no question whatsoever that this development meet both criteria, the strategic and the site specific, and we
40 will take this opportunity to show you or show the panel how this is – why they meet those criteria.

45 But essentially they don't only meet those criteria. I think we will want to note that, in addition to that, they provide significant benefits in term of community benefits and in terms of infrastructure benefits, in a site that is significant in its location strategically, very close to a major train station, major infrastructure. Government policy is to encourage, you know, the development of this type near the infrastructure

spend that the government is putting the north west. And the strategic thinking is to have this type of developments more or less Why – the sort of – the starting point here is that what we are proposing will deliver – and, I mean, we’re happy to test that through the details – much, much better outcome than the outcome that could be delivered through the current provisions of the LEP.

That’s essentially the on merits and on evidence. And why is this happening, essentially? It is happening because – there is nothing wrong – I mean, we’ve been all others in, you know, doing LEPs and precincts planning, but when you do these things you start doing it assuming certain pattern of land use, of certain patterns of land developments on lot sizes. And then you know, you say these are the controls that I’m going to do. In this case, the company here – the proponent managed to acquire, managed to development, and you details about nine hectare of land, right? So when you have nine hectare of land, we don’t have too many opportunities that I can remember – I don’t know whether I’ve ever dealt with such a large consolidated land next to a main station, right?

That’s what we’re dealing with and you’ve got them into the one ownership, not fragmented And when you have this your basic planning concepts is that you have opportunities to deliver, it doesn’t matter densities. Densities doesn’t – I mean, densities is one aspect, but it is the setting of those densities that matter. And I think good planning practice is then to use this, and we’ll have our urban designers and other taking you through that, to say that, when I have that, I can put densities, and yes, we’re asking for more, not much more, more but, more importantly, you deliver better design. You deliver broader – larger connecting roads. You deliver parks. You deliver more parks, more open space in this development. We have about 53 – 56 per cent as open space, so, you know, that’s essentially your more affordable housing. I think 15 per cent affordable housing. You commit to infrastructure provisions of by way of a I think 150 million or so.

So you’d be able to do all that essentially because you have the opportunity to deal with the large one consolidated site. So the basic submissions that we’re putting and it’s a submission on merit and evidence that there is no question that that will deliver better outcome. The – if you go to the alternative of what we’re dealing with now, you will have just the traditional type of development based on which is – I mean, that’s maybe but I think it’s an opportunity certainly for better outcomes to be delivered because of that and we’re happy to be tested. Now, that’s in terms of the – I think, you know, the delivery of outcome. Dealing with procedures, one question is, you know, why would you do that when you have an LEP done, you know, yesterday?

Now, I mean, that’s all our lives – or my life we’ve done things like that everywhere and there is a trend now to say no, no, no, we’ve done the strategies, and – I mean, I can use the word if you want – it’s a constipated procedure that can prevent good outcome from happening sometimes. In this case we’re not really changing the fundamental of the So essentially I can understand on strategy. You come and say this is industrial strategy and you want to put the residential. Now, I think

there is a case that this is – you know, you shouldn't do that. You know, the residential nature is capped. The second case is that, well, you know, things – yes, things have changed. There is a consolidation of this land which was not there before when I was drawing this and it's there. You know, this is a big change, right?

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And I cannot throw it away and, you know, say no you can't do that, because things have not changed. Things have changed. But more importantly in this case, without going through all the – sort of the basis of all that is that the developer here, the proponents, have been engaging with the council and the department for a very long time and they were aware that this is coming and there has been discussions about it, so there is an anticipation of it happening. Council have, in fact, made the recommendations. I should say council officers in this report for amendments, you know, they couldn't settle how they didn't go into the details, but that's on paper and I think you're going to deal with it more, and, in addition to that, the department was fully aware of this. Why they didn't change it, what, there was time constraints in terms of public exhibition, we have to re-exhibit, but

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So the submission here in terms of the process is that there was an expectation of this happening, and we would sort of urge the panel, being at the level – I mean, that's what – we're dealing at the highest level in – you know, of the planning system, to maybe put much more emphasis on the outcome in this case. That's what we're seeking

So that's all what I want to say for the time being, and I just conclude later on within two minutes. Do you want - - -

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MR DUNCAN: We might just introduce – you've had a new team member come in.

MR CHIHA: Do you want to introduce yourself, Frank?

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MR HADDAD: Sorry.

MR F. STANISIC: Frank Stanisic, one of the architects for the project.

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MR DUNCAN: Okay. Thank you. Did you get that?

MR HADDAD: Okay.

MR STANISIC: Thank you.

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MR HADDAD: Thanks. Okay.

MR DUNCAN: Thanks.

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MR CHIHA: Good morning, all. My name is Joe Chiha. As per my intro, I'm the project director and developer in charge of this project. And I guess we want to give you a bit of a background on this project. As Sam has correctly said, we've been in this project for over three years. We started amalgamating these parcels back in

2015 and we lodged a planning proposal in 2016. Three years of ongoing consultation and updates and response to our discussions with council, the Department of Planning, Greater Sydney Commission, also many, many group sessions with the local community. So the community consultation over this period.
5 And we worked out what the infrastructure needs in this precinct are and tried to deliver them by continuing out acquisition pattern to be able to deliver a better outcome. Council's strategic planners and the Rezoning Review Panel have acknowledged the merits of our proposal and produced, I guess, commentary to amending the LEP, albeit perhaps a slightly reduced yield. But I think that's quite
10 important at this point that the merits of this project are, I guess, collectively agreed upon, and the finer details, perhaps, will be investigated in the future.

MS C. AUSTIN: Sorry. Could you be specific? The collective merits of the proposal have been agreed upon by whom?
15

MR CHIHA: Sorry. So as Sam suggested - - -

MS AUSTIN: Sorry.

20 MR CHIHA: - - - the planners of – in the Hill Shire Council have suggested an amendment to the LEP; albeit, at a lesser density.

MR HADDAD: So if I may - - -

25 MS AUSTIN: They've raised it as a possibility for consideration.

MR HADDAD: Correct.

30 MR CHIHA: Yes.

MS AUSTIN: But they - - -

MR HADDAD: So the – so if I may - - -

35 MS AUSTIN: Yes. So I understand.

MR HADDAD: Thank you. If I may just – the council officers, in putting their recommendation to the council suggested that maybe there is a possibility of some number - - -
40

MS AUSTIN: I understand.

MR HADDAD: - - - which they pick. I think it's important to note that there was no assessment of that number.
45

MS AUSTIN: Absolutely.

MR HADDAD: It's 2631 for some reason or - - -

MR CHIHA: to 40,000.

5 MR HADDAD: - - - but that's okay. I think the issue here is that there was an acknowledgement that an amendment is possible.

MS AUSTIN: So but - - -

10 MR HADDAD: That's council's officers, not council.

MS AUSTIN: Okay. So what we're considering today is the original proposal.

MR HADDAD: Absolutely.

15

MS AUSTIN: Not this amendment which would require - - -

MR CHIHA: Correct.

20 MS AUSTIN: - - - a separate application - - -

MR HADDAD: Any amendment to need to restart the whole - - -

MS AUSTIN: Absolutely.

25

MR HADDAD: - - - process because it is appropriate for it to be properly and transparently assessed.

MS AUSTIN: Absolutely.

30

MR HADDAD: So having said that, the - sorry to interrupted you. What we're looking at, in terms of the gateway, is just, in a sense, what the gateway is supposed to do. Has it got strategic matters? Has it got, you know, site specific matter? Now, as you know - - -

35

MS AUSTIN: But we're specifically - - -

MR HADDAD: - - - there is a lot of - - -

40 MS AUSTIN: - - - talking about the original proposal - - -

MR HADDAD: That's correct.

MS AUSTIN: - - - strategic merits of the original proposal - - -

45

MR HADDAD: That's correct.

MS AUSTIN: - - - and site specific merits of the - - -

MR HADDAD: That's correct.

5 MS AUSTIN: So that would be helpful to - - -

MR HADDAD: That's correct. That's correct.

MR CHIHA: Yes.

10

MS AUSTIN: Okay. If we could focus on those.

MR CHIHA: Yes.

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MR HADDAD: Thank you.

MR CHIHA: So our proposal seeks to amend the LEP and allow for additional GFA, emphasise on heights on two key sites across the road from the Showground Metro Station. In return, the proposal offers significant public benefits in the form of \$150 million of roads, parks, community infrastructure and 15 per cent affordable housing. Our justification: the proposal can deliver far superior urban design, architectural and infrastructure outcomes than that envisaged in the current LEP. The current LEP controls cannot deliver the improved streets, the design excellence, the additional private and public open space and the other community benefits offered by the Showground Corp proposal.

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If I can turn your attention to the PowerPoint presentation, you see, we have consolidated nine hectares – 90,000 square metres adjacent to the Showground Station – the proposed Showground Station. When we looked at this proposal, we looked at what the consolidation allows us to produce, and one of the first things was road infrastructure and road widening are key elements that our consolidation allows us to enhance. We're producing 4766 metre squared of road widening to the tune of \$27 million in contributions at no cost to local government to help facilitate the urban setting that is desired. Further to that, it is quite clear and has been in our discussions with all of the stakeholders that localised parks is a very key infrastructure piece that's required, and over the three-year period, we've consolidated enough lots to be able to contribute 15,381 square metres of local park which is not envisaged in the current and cannot be delivered in the current LEP.

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40 Jim, our urban designer, and Tony Owen, our architect will talk through about the connectivity throughout the entire precinct and, again, the consolidation allows us to configure the buildings in places that allow the pedestrians and the vehicles to be connected throughout the entire precinct within our actual project and the entire precinct. We've got 4719 square metres of through-site links. One of the key settings our proposal produces is 56 per cent of the 90,000 square metres is open space. That is – I think that equates to 50,000 square metres. So 50,000 square metres of our entire project is green space, both private and public. And so if I –

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want to just go through, systematically, what we're producing. With the dedication of road widening to the tune of \$27 million, we're creating a \$5 million cash contribution – sorry, we're producing a \$5 million cash contribution to council for the civil works associated with the road widening.

5

We are also creating a 5000 square metre central park valued at \$28.75 million, a 3815 square metre dedication of a through-site link called Middleton Walk which allows the entire Showground Precinct to walk through our project directly to the train station. That cannot be delivered in the current controls, and we are promising early dedication of 6566 square metres of RE1 zone land valued at \$14.8 million at no cost to government towards the creation of the Cattai Creek Park. Further to that, we are – 15 per cent of all dwellings are to be provided as affordable housing for sale or lease to first homebuyers, local key workers, community-housing providers and the NDIS occupant.

10

15

MS AUSTIN: So when you designate something as affordable housing, that means you're selling them at below what you – the market value. So how do you designate something as affordable housing?

20

MR CHIHA: Our proposal seeks to deal with community-housing providers and provide a percentage of our dwellings at 20 per cent below rental market rate for a period of five years. So for five years, the local key workers have the ability to call this precinct home and live next to their work.

25

MS AUSTIN: Okay. So what – so when you gross up the five years of 20 per cent discount on rental incomes, what's that - - -

MR CHIHA: It is a big saving.

30

MS AUSTIN: Well, if you could give us the value of - - -

MR CHIHA: There is a value – there is a calculated value at 20 per cent below market rate, cap that - - -

35

MS AUSTIN: Okay. Then it reverts to - - -

MR CHIHA: A figure.

MS AUSTIN: So there's nothing in the design that's different. It's - - -

40

MR CHIHA: No.

MS AUSTIN: So you're giving a subsidy for certain percentage of that housing. Okay.

45

MR HADDAD: That's - - -

MS AUSTIN: If you could give us an estimate of what the - - -

MR HADDAD: Yes. Sure. So it's exactly the same design and it's managed by
community-housing organisation.

5

MS AUSTIN: Yes.

MS SMITH: Can I just – we can take that one on notice - - -

10 MS AUSTIN: Yes, yes, that's fine.

MS SMITH: Yes, if that's all right.

MS AUSTIN: Yes.

15

MS SMITH: Can I just get your question quite clearly.

MS AUSTIN: So I'd like to understand what is the net present value of five years of
rental subsidy - - -

20

MR CHIHA: Yes, Carol.

MS AUSTIN: - - - for low income

25 MS SMITH: Yes.

MS AUSTIN: So you will own the property and you will give a rental subsidy. So
you're not - - -

30 MR CHIHA: I don't believe we'll be giving a rental. We'll be giving just a straight
up discount. So we will own it and we'll accept - - -

MS AUSTIN: Okay.

35 MR CHIHA: - - - 20 per cent below market rate. If it's \$800 a week, we'll take
\$160 off that - - -

MS AUSTIN: And then after five years, you'll revert to full market - - -

40 MR CHIHA: Correct.

MS AUSTIN: Okay.

45 MS SMITH: And it may likely be operated by a community-housing provider, and
- - -

MS AUSTIN: But you'll be charging – you'll own them – you'll own - - -

MS SMITH: Correct.

MS AUSTIN: - - - the units and you'll be charging full commercial rates on those units after five years.

5

MS SMITH: Is that your proposition, Joe?

MR HADDAD: Well - - -

10 MR CHIHA: Well, the proposition - - -

MR HADDAD: - - - it's something - - -

MR CHIHA: Well, we haven't thought past the five years we're talking about.

15

MS AUSTIN: But five - - -

MR CHIHA: They're offering at five years.

20 MS AUSTIN: But five years just - - -

MR CHIHA: Whether we roll it over, but at the moment, the offering is for five years and discount at 20 per cent.

25 MS AUSTIN: Okay. So that's essentially a subsidy of the project. So if you could give us an assessment of that because - - -

MS SMITH: Yes.

30 MR CHIHA: Sure.

MS AUSTIN: - - - you could rent the whole lot of it to community housing if they - - -

35 MS SMITH: When we replied to you – beg your pardon for coming over – when we replied to – because the project is quite a scale, those affordable housing is actually going to last for 20 years if you understand the rollout and the take up.

MR DUNCAN: Because of – if they're in different parts - - -

40

MS SMITH: That's right. So there's – I'll clarify.

MS AUSTIN: I understand that.

45 MR CHIHA: And it doesn't all get built at once.

MS AUSTIN: I understand that. So if on day one, some – NDIS rents a property, in five years time, if they continue to rent that property, the rents will go up by 20 per cent on that property.

5 MS SMITH: That's the current position, unless we negotiate it differently.

MS AUSTIN: Okay. So I just want to be clear what - - -

10 MS SMITH: So – yes. So at the moment, council and the district plan has a desirable five per cent, but not a requirement. So our offer is 15 per cent, so I think we feel that's big because five per cent is desirable, not required – yes.

MR DUNCAN: But we'll just get some clarity - - -

15 MS SMITH: But, yes, we'd like to commit to that in a normal VPA negotiation process.

MR HADDAD: So maybe I can just clarify. The district plan, the Greater Sydney Commission District Plan advocates five to 10 per cent based on feasibility to be
20 tested. So projects need to be feasible and developers can say, "No, I cannot do it," or, "I can do it." And in this case, we're talking 15 per cent, one-five, above that, and as you said – that's as you know – we'll provide certain – all this information, that it is, and that's what happened. Now, it may well be that you're continuing or one possibility is looking at different models as well of and all the rest of it with a
25 project like that. That's

MS AUSTIN: And are there any design variations that will relate specifically to the community housing - - -

30 MR CHIHA: No.

MR HADDAD: No.

35 MR CHIHA: Can I just interject. We've been speaking with multiple community-housing providers and there is an opportunity to provide some accommodation to NDIS occupants and - - -

MS AUSTIN: Yes.

40 MR CHIHA: - - - depending on how that communication goes, there might be the necessity to design specific - - -

MS AUSTIN: Absolutely.

45 MR CHIHA: - - - dwellings and - - -

MS AUSTIN: Width of doors - - -

MR CHIHA: That is our intention, but, obviously, that's in the next stage of the design process. So, yes, the intention is there. How much, where they're located, when they're located will still require a lot of negotiation with the provider – housing providers.

5

MS AUSTIN: Thank you. That's helpful. Thank you.

MR DUNCAN: Unrelated, but while you're on there, open space come back to that later?

10

MS SMITH: Yes.

MR DUNCAN: Okay. Keep going.

15 MR CHIHA: Ultimately, for us as developers, the project needs to be viable and feasible.

MS AUSTIN: Absolutely.

20 MR CHIHA: But I must state on the record that we have full control of 78 dwellings. 78 dwellings are under contract with our - - -

MS AUSTIN: Existing, sorry.

25 MR CHIHA: Existing – the existing is under full control and we are committed to deliver this project, and there is – and we just want you guys to know that there is no doubt that we are committed to delivering this and we have the capacity to deliver this project.

30 MR HADDAD: The 78 dwellings, that's equivalent to the nine hectare - - -

MR CHIHA: 90,000 square metres over 78 dwellings.

MR HADDAD: Yes, and that's – I think that's – so that's why they're there.

35

MS AUSTIN: So you've not acquired the sites. You've acquired options over the sites; is that - - -

MS SMITH: It's a combination.

40

MR CHIHA: A mix.

MS AUSTIN: Okay.

45 MR CHIHA: I am now happy to hand over to our dear friend Jim from Allen Jack+Cottier.

MR KOOPMAN: Yes. So – yes, my name’s Jim Koopman, director of Allen Jack+Cottier Architects and Urban Designers. So I’m going to talk about the urban design justification site specific. The urban design justification for this proposal resides in the fact that the proposal is for an amalgamated site. It could not have
5 been envisaged or assumed that the time and the preparation of the structure plan which informed the amendment including part 9 of the LEP 2012. As a result, the LEP assumes minimum lot sizes of 3600 square metres where the building takes the 11 – heights of 11 metres. That’s only three to four lots, and, yet, they still are – must be supported by a site specific DCP. So these proposals, as you’ve heard – this
10 for a site area of nine hectares, 78 amalgamated properties, this is a really important issue from the urban design justification perspective.

It delivers a unique opportunity for three outcomes or benefits that I’ll talk to you about that are either the existing LEP doesn’t envisage, or where it can, be
15 significantly improved. It will be, by this amalgamation. The 3R further enhance the design excellence in the form of the highest standard of fully integrated architectural urban and landscape design with the integration component of that statement being key. (2) To deliver and enhance contribution to the green and blue grid. (3) To deliver enhanced street network infrastructure. We started this project from – in a –
20 with a process which is what design excellence is about which begins with the public domain first. And so to expand on the design excellence through amalgamation benefits, what you find is that we can achieve things the LEP can’t because the key sites provide greater flexibility to create better spatial and street alignments to ensure that public space is well located and consolidated.

25 We can increase the deep soil areas. We arrange the built form to maximise solar access. We can work with more slender proportions on the taller building. By that manipulation, we can minimise inefficient setbacks of the smaller sites between buildings, and we’ve minimised things like access points to parking areas. All this is
30 the – contribute to this integrated public domain. We’ve mentioned earlier this integration allows 50,000 square metres of landscaped open space, 56 per cent of the site area, and that is a key hallmark of this precinct’s liveability, is that extent of open space. That’s public and private open space, that number. And then, lastly, in terms of design excellence, the LEP and the DCP controls were comprehensively
35 tested by Frank and Tony and Alexander, the team, and the testing confirmed that the FSRs allocated on the LEP cannot be achieved on the smaller sites when ADG and the DCP provisions are applied.

40 Now, the flexibility derived from site amalgamation enables achievement of design excellence, adherence to the ADG and FSRs are better aligned with the current LEP standards. Second point of the justification – this is about the blue and the green grid. It delivers – it’s enhanced contribution to the grid that, again, the LEP can’t deliver. For a start, we get a network of high quality green open space areas that will link pedestrians and cyclists in these major residential areas with the station, with the
45 Cattai Creek Reserve and to the regional open space along the Cattai Creek to the Fred Caterson Reserve. And you’ve heard and seen the diagrams Joe’s put up that

they have – well, that’s actually 7000 square metres of district level open space on the Cattai Creek that celebrates the precinct’s natural assets.

5 Access to this is enhanced by the ability to deliver new public connections not envisaged by the LEP, and with those small lot alignments, positions, random purchases of those sites could mean that those connections to that natural space are they’ll be logically placed, aligned with existing streets, sight lines and those sort of things. Showground Corporation’s commitment is to the early delivery of this north-south green spine convention, and that provides essential environmental amenity and areas of respite for the community to enjoy at the beginning of this precinct’s life. 10 Just to – in terms of the green grid, I’ve just got to – we talked about a 5000 square metre local park. The park offering, you can see in – to the right on Ashford Parade, the existing offering is a lot smaller. This park proposed is really well located.

15 For the densities, if you look at the earlier – you know, the open spaces recreation guidelines, this creates a 5000 square metre park that is exactly what a place of this density needs, and it goes towards providing some level of active and passive open space where there’s currently no offering at all. The park is well positioned to service the open-space needs of this surrounding community. It’s well connected by 20 improved streets, green links, and the result of good negotiations with council’s strategic planners actually over the course of two years. And they’re finally, in terms of the green another key component of this, I think, is this – a new green urban plaza, a major pedestrian thoroughfare, we call Middleton Walk. Bridie will point where that out is. It connects from the park through – from the central park through 25 to the station. Lastly, the enhanced street network infrastructure. The proposal delivers a greater diversity of streets.

This was a key urban design idea that there was an amorphous suburban area of 16 30 metre streets with one 20 metre street, Middleton Avenue, and that when you walk around that site you are disoriented by the monotony of it. It would just be exacerbated with a higher scale development. What we proposed was a diversity of streets of different widths, different characters, that – and also then these additional pedestrian links just to enhance the legibility of that place, to enhance the connectivity of the street network, and all of this will enhance the capacity of these 35 streets to contribute to the place-making qualities of this place. Most importantly, Middleton Avenue, which is the existing street with a 20-metre road reserve, carries the bus service which connects the station to Parramatta.

40 It’s to be widened five metres for a length in the order or four or five hundred metres, coordinated widening as opposed to piecemeal small lot development, to create a landscape boulevard through the centre of the precinct suited to these future densities, which will support its role as a major thoroughfare for buses and through traffic, as well as providing a distinctive street for the pedestrians and the cyclists to and from the station to the jobs and the retail services. And, finally, last point, the 45 benefits of this Cattai Creek Reserve and its natural assets are only made available by the provision of new site pedestrian links permeating what is currently, if you look at our site ownership on the Ashford Parade, that’s 350 metre long frontage with no

access from the whole precinct at all to the natural assets that are proposed for that Cattai Creek reserve.

5 And so that the connection to that is well located links aligning with all the other
movement patterns and the business you get from that are incredibly important to the
natural play areas that you have there for the kids and for the neighbourhood watch,
for the police to be able to get in there and manage those spaces, and it's critical for
the public security of the parklands. If it's smaller piecemeal development, you
10 might get some alignments, but they may not necessarily align with the streets or be
well-located. That's the difference between – that's why amalgamation gives you
that design excellence. It's those sort of small flexibilities you get to work with that.
And so that's it. That's the three points.

15 MR DUNCAN: Just on that last point - - -

MR KOOPMAN: Yeah.

MR DUNCAN: - - - the part that – of open space that overlaps Cattai Creek: is that
20 currently in private ownership, is it?

MR KOOPMAN: Yes.

MR: Current, yes.

25 MR DUNCAN: Okay. The dark green colour becomes public open space.

MR: Yes.

30 MR KOOPMAN: Yes.

MR DUNCAN: And the public open space both there and the central park, does that
get dedicated to council in the process and - - -

35 MR HADDAD: That is correct.

MR DUNCAN: All right.

40 MR KOOPMAN: So the Cattai Creek Reserve is an LEP deliverable. It was always
acknowledged.

MR DUNCAN: Yes.

MR KOOPMAN: It's just it's not accessible necessarily - - -

45 MR DUNCAN: Okay.

MR KOOPMAN: - - - is the key issue.

MS SMITH: We'd have to deliver that park by VPA.

MR DUNCAN: Okay.

5 MR CHIHA: And - - -

MS SMITH: That's what I meant, sorry. The 5000 square metres will be a environment.

10 MR KOOPMAN: So I think we hand to Tony Owen.

MR CHIHA: And we're off to the designers.

15 MR T. OWEN: Okay. Now, I'm going to walk over here so (a) I can point and (b) - - -

MS AUSTIN: Just before we start - - -

20 MR DUNCAN: Just one question before you start.

MR T. OWEN: Yes.

25 MS AUSTIN: On the amalgamation, you started three years ago. When did that complete and was it complete before the LEP process? So it would have been done in parallel. So when the LEP would have been put together, you made the planning authority - - -

MR: Joe will answer that.

30 MR CHIHA: Yes, I can answer that. So when was it complete? That's the best map to show it.

MS AUSTIN: Yeah.

35 MR CHIHA: There's been 16 stages of acquisition over the last three years - - -

MS AUSTIN: Yeah.

40 MR CHIHA: And most of those have been as a result of conversations with council, the department, the Commission. We need a park. You will see that stage 16 is exactly where the 5000 square metre park is allocated. That was a request directed by council planners saying we want you guys to provide a 5000 square metre park. So we completed that acquisition patent.

45 MS AUSTIN: So when - - -

MR CHIHA: That was early. That was in – don't quote me, but it would have been about February/March this year.

5 MS SMITH: 2016 to March this year, to answer, from day 1 of acquisitions - - -

MR CHIHA: Correct.

MS SMITH: - - - to March this year.

10 MR CHIHA: Till early this year.

MS AUSTIN: Okay. So when the LEP was being finalised, what information did the State Government, under the other – the council have of your amalgamation plans? So how much information did they have on that in thinking about the LEP?
15

MS SMITH: So the LEP went on exhibition in December 2015 and January 2016. By that stage Joe was working in the area. The amalgamations – and certainly I was very involved with the fore - - -

20 MR CHIHA: Yes.

MS SMITH: - - - occurred six months after that. So the conversations – and I was part of these even prior to Joe – was with the Hills Council and the Department of Planning, and I guess this is part of my component. They had designed according to
25 fragmented land ownership. So everyone's eyes were open to the amalgamation possibilities of a master plan committee, because it was not realised in that LEP, and those conversations were very apparent that I have had with council and DPE that if we can actually do a land assembly here, which is a very rare thing for anyone to do, we are looking at a matter planned outcome. Those conversations were had with the
30 Department of Planning. By that stage, we were post-exhibition, and so we had made these representations, but post - - -

MR HADDAD: Post – sorry. Post-exhibition of the LEP.

35 MS SMITH: Of the - - -

MR HADDAD: Of the draft LEP – sorry.

MS SMITH: Of the original LEP that we have now.

40

MR HADDAD: Yeah.

MS SMITH: So those – so that land assembly became apparent after post-exhibition, because we had actually had conversations with the Hills Council, who
45 didn't like the LEP either, to say that we could actually do a better design for all those Middleton Avenue things. So that's the evolution of the story of what we're doing. But yes, it was pre-gazettal.

MS AUSTIN: So in finalising the LEP in December 2017, they were aware of the amalgamation plans that you had in train?

MR CHIHA: On foot.

5

MS SMITH: Yes, and, if I may, what occurred is – so the – we didn't have 12 and some of that 13/14, and so we had had very good open dialogue with what the benefit of Middleton Avenue could be widened. They quite rightly come back to us and said, "What's the point of having this piece widened and not that piece and not that piece?" A very valid point, and hence the acquisition to be able to take that northern – or forgive my directions - - -

10

MR CAMPBELL:

15 MR DUNCAN: Yes.

MS SMITH: - - - to take one side, such that we can control that, and that meant it could now be delivered by VPA, otherwise he couldn't – we didn't have a delivery mechanism under the EP&A Act to do it.

20

MR T. OWEN: I think it's important to add, though, at every stage - - -

MONITOR: Sorry. We can't hear you for the transcript.

25 MR T. OWEN: at every stage through the process we've come up with a really good idea, and some of them – but not all of them. Some of them have influence counsel, and they've said, "That's a good idea." It was Jim's original idea to come up with a road widening. However, what has not translated through, even a – and there's a lot of things that we're presenting today that aren't in the LEP, but it has not translated into an influence on the yield. And this is important. The yield has remained the same for the beginning, but the department and council have loaded up all of these initiatives we've proposed, which almost becomes a tax on the yield, because what I'm going to demonstrate to you is you can't deliver all of the things that we're proposing with the yield that has been proposed.

30

35

So it's not a simple case of, well, the department knew about it, so therefore why are you asking for more. The department has added on some of these things, but it hasn't actually recognised that in what is being delivered in terms of yield. So it's a good opportunity now for me to start. So I represent the designers and as such I get all the pretty pictures, and we have been working on this for about three years. Frank Stanisic who's here, AJC, Tony Owen Partners and Alexander, who's not here today. Now, as is my bias, I will be probably talking about my - - -

40

MS AUSTIN: You need the mic.

45

MR T. OWEN: Yeah.

MS AUSTIN: You really need the mic.

MR T. OWEN: I know. Which is here. Frank is there. Alexander is there. Now, the first thing that came up, having looked at this for a number of years. The first
5 thing that hit us is, as I've said, that the – and the process has been we started with the master plan. The master plan then translated into an LEP. The LEP then translated into a DCP, and, of course, we got a planning proposal. The first thing that we all independently came to the conclusion was that you cannot achieve the yields in the LEP in the envelopes of the LEP. By the time you take into account –
10 and that's understandable. This is a blunt instrument. It's a high-level document.

Because we've had three years of getting into the detail of this and every architect on this job on their sites has gone through extensive testing of ADG, because what we're presenting to you complies with all of the ADG principles. Now, when you
15 comply with that, your envelopes get smaller, you have to provide a certain amount of outdoor space overshadowing, solar, ventilation, etcetera. When you apply all the principles of good urban design through site links, open space, etcetera, it gets small and smaller again. So the LEP – so when we do that study – and I've done a few examples of that. For example, the one at the top, which is outside, you can see LEP FSR was 2.85. It was a combination with 2.7 and 3, 2.85.
20

Now, when we just – the LEP, when we applied all the principles in the LEP, that came down to 2.35. It is not possible to achieve 2.85 in the heights that are required. You would literally need to add more stories to achieve the LEP of 2.85. Now, at a
25 certain point the DCP came in, as well, which had a lot more stringent controls, far more stringent than the LEP, but far more stringent than the ADG, as well. Certain criteria is well in excess. That significantly reduced the yield, again. We're now down to 1.98. If you keep the same envelopes and the same controls. Looking at Frank's site, this is site 2ABC. We found almost exactly the same result. The LEP was 2.3. If you used the LEP envelopes, you get 2.05. Once the DCP kicked in, it came down to 1.75.
30

Now, it wasn't just us. This is another site by another developer not related to us who came up with exactly the same results. A 30 per cent reduction in yield in
35 actually achieving good urban design. The next thing I want to talk about is the solar overshadowing. Now, these are some diagrams that we prepared and, again, my emphasis is on this side, and what you see in the blue there is the council's LEP envelopes, and what you see in the grey is our impacts. At some point during this process it had been suggested that what we were asking for would be a lesser result than overshadowing. What these diagrams demonstrate is that's not the case. That
40 in most cases – in fact, in all cases, the impact of our envelopes and the LEP council envelopes are basically the same in terms of impacts.

Another thing that you'll notice as we go through on here is, from about 12 o'clock,
45 which is here, it's been suggested there's significant impact on both parks, the Cattai Creek park and the Middleton Park. In fact, it performs extremely well. By 12 o'clock there is no impact on Cattai Creek reserve and, in the morning, over on the

other park, you can see minimal impact that goes through the day. We're talking 70/80 per cent of the site not overshadowed. So just by the by, we're doing pretty well on overshadowing. Now, in terms of overshadowing communal open space, whether you've got an LEP envelope or our own envelope, what we find is you're
5 always going to need a certain amount of rooftop open space in an urban development, and this will ultimately be an urban development. That will be the case. So what you're seeing here is we are going to have roof gardens no matter what you do, but we do comply on all of the ADG controls.

10 MR DUNCAN: Except some of the private open space you talked about.

MR T. OWEN: No, no, we comply with everything.

MR DUNCAN: that rooftop's on top of that.
15

MR T. OWEN: On top of the building.

MR DUNCAN: Yes.

20 MR T. OWEN: Which is private open space.

MR DUNCAN: Yes.

MR T. OWEN: Okay. Now, the next thing – and you've seen a few diagrams. I'm
25 going to show some more. The LEP had a wish list. The master plan. Well, it would be really great if we had a road that came through here or a road that came up there. But, of course, they can't control it. They can't do it. We can do it, but it costs us in yield. So when we were coming up with a master plan, we said, "All right, you've got a road coming through here. Why don't we have a three-site link that opens up the park to the rest of the building? Why don't we do it up here, too? Why don't we do it here?" We talked about having a link through here. You've got
30 the station right there. You've got a road that comes to here and then stops. So what we've done is we've provided a great big through site link with cafés and open space to take the principles of the master plan and develop it further. So there's that
35 communal open space with the cafés right opposite the station.

But all of this takes its toll in terms of yield. So when it comes to delivering, say, Cattai Creek Park, which is here, you can see, it's not just the reserve which has bicycle tracks and barbeques, etcetera. We have very different spaces that we can
40 provide by controlling all of this land. Amalgamating and controlling big bits of land means you have the power to control things. So we have a private communal open space here for the residents. Public through site links with a series of terraced open space through here, as well. And, as we go along through those patterns, that's the ability to do that, and a lot has been said about widening of streets.
45

16-metre roads are a fine suburban house street. But we've got an LEP that says you're having 12 storeys here and 12 storeys here. 16 metres doesn't work. Council

doesn't have the power – and their proposed road widening was a little bit of road widening at our suggestion. We're road widening all over the place, because it just doesn't work to have suburban sized streets with 12 storey buildings on either side. So when Jim suggested that, it's now been carried through, but this takes an impact
5 on yield. So the main thing we're doing, though, is something that I call site sculpting. So here's some communal open space. Here's the activation of cafés and streets. Here's the Cattai Creek we're proposing with the big, wide open spaces, the barbeque areas and maximising the unit. Now, that's a diagram of our communal open space.

10

The other thing that I want to talk to you about is our site's in some – solar sculpting is the ability to take a bit of height from one place and move it to another. Inevitably, if we've got, say, an eight-storey building, but we don't want to overshadow a park or an open space, we will take one building and we will lower it down to four storeys
15 and we will take another building and take it up to 10 storeys. We can't do that with the height controls we've got. What every of the architects on the site has done is site sculpted. They've raised some bits higher in some places and lowered some bits in other places. So what you can see, say, here, is taking a building there and moving it over to there to get it a bit higher.

20

So this achieves a number of things. One is it's essential if you're going to provide sun to a unit down here, you don't want it overshadowed by the buildings to the north, because this is north. So we have to actually design the heights of our building to ensure that we're not overshadowing other buildings. So, in fact, on our
25 final design down there where we're allowed to do eight stories, we're actually at six because we wouldn't get enough sun, otherwise. But we can only balance that out if we're at 12 or 14 or, in this case, 18 on the mother side.

30

And the reason we're at 18 is because the council land, they've given themselves 20 storeys, and right opposite on the other side of the road, we're saying, well, let's go to 18 where you really want the density to be and not have it too high up the other end while you're near somebody else's house. So we need the flexibility in height to distribute the land and deliver these outcomes. It's because of that that we're
35 delivering communal open spaces, public and private spaces that exceed the LEP and exceed ADG because we're basing this on the principles of good urban design, and we can only do that because we have such a large piece of land that we have the ability to amalgamate and do good design, place making, community making. That's all I have to say.

40

MR CHIHA: Okay. Thank you. We're over to nuts and bolts. Ms Allison - - -

45

MS SMITH: So, Allison Smith, I'm the executive manager of APP. We're a property and infrastructure consulting business – the one here? So I guess four points that I've got to cover is justification for amending a new LEP, and it's only recent. We have a 5000 dwelling cap clause in that LEP that has had a bit of conversation on our journey. We have a strategic merit test and a site specific merit test. So these are the tests for which we assess as to whether an LEP should be

amended or not. So I guess – probably got a bit of verbatim reading to do here. So justifications for amending The Hills LEP which was December 2017, this proposal can deliver superior urban design, architectural infrastructure that we can – that what – than what can be achieved with the current LEP.

5

The current LEP, is what Tony has just talked about, does not allow us to deliver that better road network. It doesn't allow us to actually capitalise on better design components, provide the additional private and public open space and the other community infrastructure offered by our proposal. We can't do these things under the existing LEP. The amalgamation of the 78 properties into 90,000 square metres does allow for a master plan outcome. A feat and confirmed in dialogue that I have had and some of the team have had with Department of Planning officers and the council planning officers throughout our three-year journey was not envisaged. They did not believe that we could consolidate that land, so the design was very much dealt with on how we're going to deal with fragmented land and how we're going to design that.

So we thought with places like Westmead, etcetera, that that's what we were dealing with, with small pockets. So that's what we have achieved and that was not envisaged through the original design. If we are to actually benefit from that amalgamation and a master plan component, we must be able to modify the design height and the FSR to do the distributions that Tony's just done there. To achieve this, we must amend the LEP. The 5000 dwelling cap, the LEP that was gazetted was not publicly exhibited. Imposed a 5000 dwelling cap on Showground. The reason for that statutory control was to ensure regional infrastructure was committed ahead of the 5000 dwellings increasing. The lifespan of that 5000 dwelling caps was probably in the order of 10 to 20 years with regards to take-up rates and how this will actually evolve.

So it is actually a long-term component for that cap to be realised. So there is a great opportunity for infrastructure catch-up. The infrastructure that needed to be committed to support what was considered to be 9000 dwellings was – we have a 5000 dwelling cap – was a new school, improved roads and active open space. The Showground proposal goes a long way to delivering that regional infrastructure. With regards to the school, and we know – if you're familiar with the background report that the Department of Planning wrote, they are quite explicit that we've had to cap because we don't have a school commitment there. That's very much another government department that we are relying to help deliver us that. So that is the reason why we've put \$5 million towards – from the VPA towards a school contribution for that component.

The commitment of the new central spine for the precinct, so that there was what we consider important transport infrastructure that could not be delivered under that LEP. The 5000 square metre central park, you've heard us talk about that. That can't be delivered under the LEP, and with an underlying land value of about \$4000 a square meter here, I would envisage it could not be afforded in a developer contribution plan. So under an LEP amendment and under a VPA, we can deliver

that, but a developer contribution plan of \$4000 a square metre for public open space would not achieve that, and that's the underlying land value as we're talking up in the northwest sector. With that park, we can actually deliver half tennis courts, basketball courts and areas, something that is in demand and wanted and invested
5 by the council.

Made my point about the contribution plan. I do need to emphasise this offer comes with a VPA, so the commitment is in the VPA. S if that's not clear, those are the sorts of things which we would do and that clearly would be requiring an exhibition
10 component as well as an LEP amendment. In terms of the strategic merit test, the proposal is consistent with the Greater Sydney Commission's District Plan particularly with regard to the integration of the densities around transport and reducing distances between homes, jobs, retail centres and recreational facilities. Placing at height closer to the station actually gets more people to walk, rather than
15 jump in their car. Providing the 15 per cent affordable housing and dedicating the community facilities that comes with that.

The green links and the cycle network, Tony has really articulated that quite well. Creating the additional great places for people to live delivered off the back of \$150
20 million contribution to community infrastructure, that's on top of our developer contribution plan. So it's \$150 million plus what, in the old terms, was section 94. The early dedication of Cattai Creek Park, yes, the existing LEP can deliver that, but what we can do is deliver that early by gifting that. Commitment to reducing traffic impacts and parking dependence through urban design that incentivises walking in
25 site in between key nodes. So our master plan and our nine hectares actually allows us to deliver those spaces. The site specific merit test, the proposal is consistent with the site specific merit test criteria with regard to the natural environment, land use and infrastructure.

The proposal allows for the protection of the most significant natural asset in the principle, Cattai Creek riparian corridor and its early dedication. The proposal does not seek to alter designing or the land uses under the current LEP. It seeks to just change the design control. So it's not a fundamental change from a high density living environment. It's just a change in density and height as it pertains to our land.
30 The proposal commits to the delivery as part of the VPA. It's a \$5 million cash payment towards the educational infrastructure to help deliver the new school. It's new open space assets. It's an improved street network including a grand boulevard.

That grand boulevard is a critical piece of infrastructure, so we call it community benefit, but I believe this goes towards our 5000 trigger. And it does give a sense of
40 design and legibility, a sense of place, place making, building separation and our urban proportion. What's significantly important to me is the amount of investment that we've had four, five architectural firms put into this and two or three planning firms. So we have put significant firepower behind our design team and how we got
45 here. So it's something, I think, we're quite proud of and the amount of investment that Joe has put in behind us. With that, I'm going to leave it to you, Chris. Thank you.

MR CAMPBELL: Certainly. Thank you. Just to summarise, I'm Chris Campbell, the solicitor for Showground Corporation. Look, in our submissions, there's a clear and compelling case based on the evidence that you've heard and the presentations of our urban design architectural and planning experts that this proposal has and

5 demonstrates strategic and site specific merit. The critical point is that we say we can deliver site specific strategic benefits and other benefits in terms of the \$150 million of public benefit that aren't possible under the current LEP controls, and we've got an opportunity here to have a well thought out cohesive and functional precinct because of the large consolidation of lots.

10

I might also say that, to me, from a common sense perspective, there's a lot to say about this as well because what's trying to be achieved is to get people – to get more people in closer to the station, to get people walking through the sites, putting in a park, getting people to cycle to the station and, therefore, having less reliance on cars and so forth. Now, our – I think that our experts have demonstrated that there are

15 benefits in terms of urban design excellence, that there's an opportunity here to – because of the consolidation, to plan the public domain first and go from there. In terms of the architectural design excellence, you've heard Mr Owen's presentation that under the current LEP and DCP controls, you're simply not going to get the

20 yield that you would want to get and, therefore, it must be the case that we're promoting the intent or the objectives of this precinct if we can offer a more flexible design that can increase yield and provide all these additional benefits as well.

25

Now, Ms Smith has given her opinion that we meet the strategic merit test and the site specific merit test, and I won't go through all of those matters again, but in my submission, that's something that the commission should give significant weight to. We touched before on the fact that there has been some consensus – I would say an acknowledgment throughout this process that some amendment to the LEP is desirable. I only make that point to say that there can be no force either legally or

30 from a common sense perspective that it's too early to change the LEP controls. There is – the panel recognised that there was a case to be made for change. The council officers recognised that as well and we say we've demonstrated our proposal should be made or should proceed to the gateway today.

35

As has been pointed out, we're not changing the land use here in seeking to amend the LEP. We are refining and, we say, providing better controls which provide demonstrably better outcomes, we say. Look, Ms Smith has talked about the cap. If the cap is all about perceived deficiencies in infrastructure, well, we say we deliver more than we need to of delivering parks – a park that wouldn't be there under the

40 current LEP – or delivering increased road – a better road network, road widening, and we're making a contribution towards a school. Significantly as well, I think in terms of the affordable housing, there's going to be key workers who are living there. So you're going to – teachers can go in and teach at the local school as well.

45

So it seems to me that that compliments all of the infrastructure benefits perfectly and, again, goes towards a functional cohesive well thought out precinct. And as Mr Chiha and Mr Haddad have mentioned, this is a unique opportunity because of the

consolidation of the 78 lots. Showground Corporation has control; it can deliver. There should be no doubt about that at all. I think the final thing to say is that this is really just all about something proceeding to the gateway. We don't think that this is the final approval and we know that there's a lot of work to do, but I think you will
5 have seen here today that there is a passionate, committed, intelligent team who really believe in the benefits of this proposal. Thank you.

MR DUNCAN: Thank you. Okay. That's the end of the presentation?

10 MR HADDAD: Well, it's - - -

MR CHIHA: Yes.

15 MR HADDAD: - - - right on 12. So - - -

MR DUNCAN: Yes.

MR HADDAD: I mean, it's - - -

20 MR DUNCAN: Just check if there's any questions for - - -

MR HADDAD: If there are any questions, then I just - - -

25 MS AUSTIN: I understand that the day before the council consider the proposal, you submitted an amendment to the proposal. That's not for consideration. So if you were satisfied that this proposal met all the requirements, what was the nature of the amendment and why did you consider it appropriate to - - -

30 MR T. OWEN: Josh can answer that.

35 MR J. OWEN: Do you want me to respond to that? So we – three or four weeks leading up to the final lodgement of documents, we'd been consulting very closely with council officers and making updates subject to their recommendations, and so we were supplying information as requested by them so they could finalise their council report, and the document submission was basically just so that they could have it on hand into the future. It reflected everything that we communicated previously.

40 MS AUSTIN: So there wasn't an updated proposal?

MR J. OWEN: It wasn't a last minute change - - -

45 MS AUSTIN: No, no, sorry. Don't so the proposal that we are considering is - - -

MR J. OWEN: Is that proposal.

MS AUSTIN: - - - the original proposal that went to council.

MR J. OWEN: Correct and - - -

5 MS AUSTIN: And there is no option 3 as - - -

MS SMITH: No, no, no, that's – no, that's council's creation.

10 MS AUSTIN: Okay. So what you submitted - - -

MS SMITH: Yes.

MS AUSTIN: - - - is the original proposal.

15 MS SMITH: Yes.

MS AUSTIN: Okay. So just clear on that. Yes.

20 MR DUNCAN: Okay. Anything else, Carol? Dan.

MR KEARY: I just – without going into too much detail, the – I get the impression from you've described today that you had a very positive sort of working relationship with council and that council was generally supportive of the planning proposal including the detail design of the proposal. Could we just have a bit of an overview of that, please – of your impressions of council's officers' position on the plan proposal.

25 of that, please – of your impressions of council's officers' position on the plan proposal.

MS SMITH: Yes, I - - -

30 MR T. OWEN: I think Allison would - - -

MS SMITH: What - - -

35 MR KEARY: In particular – sorry, Allison, particularly in terms of the urban design outcomes.

MS SMITH: Yes.

40 MR KEARY: Because they – we do know that they have a particular vision - - -

MS SMITH: Yes.

45 MR KEARY: - - - an urban design vision for the precinct. So just very quickly, just an overview about that.

MS SMITH: We actually had very good access to council and very good access to Department of Planning, and so what occurred is council had a very low-density

vision, and that was their component. They had a very low-density vision. I think they envisaged their highest density would be 96 to is extraordinary low. They were a counter to the Department of Planning who had a very high-density vision. So we've got a council strategy going on with a very high-density vision in the LEP making and the Department of Planning is the ultimate planning authority. So what occurred is council's dialogue were very keen to be involved with us to help them amend the LEP, what was going on, because they saw our master planning approach to it which they didn't feel the Department of Planning one.

10 So, of course, they'd like to have consolidation ability and our master planning ability, but they didn't like the density. On the Department of Planning side, they've actually thought that we've got the great merit. They actually liked the master planning approach – also impressed with that. They don't mind the height and the density components, but the two of them had to have negotiation with each other about density and yield. So we're sort of in the middle, giving them a hybrid, if you like. We can give you master plan. We can give you the streets and the components. So it was a very regular dialogue, very rarely with both in the room. They had different views of the world, and so they were at different points for a lower density and high density.

20 So it was a very positive dialogue on both. Very supportive, Department of Planning particularly quite supportive. Department of Planning really did dialogue with us on the basis that it was an administrative issue for us in light of their negotiations and their need to get it on exhibition because – to gazette it, because if you could imagine 25 2015 public exhibition, gazetted two years later, there was awful lot of strain.

MR OWEN: If I may just make one more point, to sort of put this in a nutshell, the discussions that we were having with the council and the department over a period of months and years seem to be indicating a result in a certain direction and, as I say, 30 there was actually a figure presented – recommended by council arising out of those discussions, so when that was sort of at the last minute withdrawn, as often can be the case when there's a political component to things or whatever, it was quite a surprise to everybody. So that then has sort of been recognised, I think, to some respect, in the process that's taken place since and the council consideration of the 35 process.

MR DUNCAN: Okay. Well, I have no more questions. Do you have any?

MR: Okay.

40 MR DUNCAN: I think we're right at this stage. We'll – this is early on in the process for us. We have until later in January to complete the process, so we may need to come back to you, if possible, so somebody be around early January – early to mid-January?

45 MR CHIHA: We'll be around. We'll be contactable.

MR HADDAD: Chair, can I just make one final comments which I was going to make.

MR DUNCAN: Yes.

5

MR HADDAD: Just to clarify a point that's your – you raised earlier. We were seeking the gateway advice and determination for the projects that we have now in front of us, because that's the practice or whatever that we have to do. Having said that, there is nothing preventing the advice of putting conditions on, you know, on the determination.

10

MS AUSTIN: I – we understand that.

MR HADDAD: If we're not satisfied about certain elements of it within the overall umbrella of the respecting that this is the same. I personally don't think it's a legal requirement, but that's the practice. It was not my days. It's now a practice not to amend proposals. We have to respect that and we're not seeking that. But that's all what I'm just trying – but we can always put conditions on it and, you know, it varies from authorities the scope of those conditions that are imposed, and then there is a public exhibition process, more studies, traffic, contamination, all the rest of it which may have some of our colleagues here, you know, have to adjust things. I'm just making that comment.

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MR DUNCAN: Thank you.

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MR HADDAD: Thank you. Which – yes.

MR DUNCAN: And final point – the presentation. Are you leaving a copy of that with us?

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MR CHIHA: I've got a hard copy.

MR DUNCAN: Thank you. Thanks.

MR CHIHA: And if you would like a soft copy, we could probably organise that as well.

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MR DUNCAN: Do we need soft copy?

MS AUSTIN: If we could, yes.

40

MR DUNCAN: Yes, preferably if we could get soft copy as well, that would be great. Maybe one hard copy's enough.

MR: Okay.

45

MS SMITH: And we took a question on notice, so we can feed that through in writing to you.

5 MS AUSTIN: Yes, that'd be great. Thank you.

MR CHIHA: And we will be available for any questions you have on – send it through via email.

10 MR DUNCAN: Thank you for bringing that in today. Okay. Thanks for that.

MS SMITH: Thank you for hearing.

MR DUNCAN: Formally closed.

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[12.04 pm]