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TRANSCRIPT OF PROCEEDINGS

TRANSCRIPT IN CONFIDENCE

O/N H-1211817

INDEPENDENT PLANNING COMMISSION

MEETING WITH APPLICANT

RE: EASTERN CREEK RETAIL CENTRE

PANEL: **ADRIAN PILTON (CHAIR)**
SOO-TEE CHEONG

ASSISTING PANEL: **HEATHER WARTON**

APPLICANT: **MARK CLEVELAND**
CHRIS FORRESTER
ADRIAN HACK
JIM MURRAY
MATTHEW VAN RIJSWIJK
EMELIE WATKINSON

LOCATION: **VIDEO CONFERENCE**

DATE: **3.31 PM, TUESDAY, 2 JUNE 2020**

MR A. PILTON: Okay. Well, good afternoon, everyone. Before we begin, I'd just like to acknowledge the traditional custodians of the lands in which we meet and pay my respects to their elders, past and present. Welcome to the meeting today. Frasers Property Australia Proprietary Limited, the applicant, is proposing a modification
5 application known as MOD 5 to an approved concept proposal at the Eastern Creek Business Hub site at Eastern Creek in Western Sydney. Also to be determined is a State significant development application to construct a specialised retail centre on Lot 1 of the Eastern Creek Business Hub site. My name is Adrian Pilton and I'm the chair of this panel. Joining me is my fellow Commissioner, Soo-Tee Cheong, as well
10 as Heather Warton from the Office of the Independent Planning Commission.

Representing the applicant are Emelie Watkinson, Mark Cleveland and Matthew van Rijswijk from Frasers Property Australia, Adrian Hack from Hill PDA and Jim Murray and Chris Forrester from Ethos Urban. In the interests of openness and
15 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 of the Commission's decision-making processes and one part of the Commission's decision-making process and is being conducted by electronic means in line with current COVID-19 rules around social
20 distancing and public gatherings. It's taking place at a preliminary stage of this determination process and will form one of the several sources of information upon which the Commission will base its decision.

It's important for the Commissioners to ask questions of meeting attendees to clarify
25 issues as we consider it appropriate. If you are asked a question and not in a position to answer straight away, please feel free to take the question on notice and provide any additional information in writing which we will then put up on our website. I would ask that all the participants state their name before speaking each time and please be mindful not to speak over the top of one another so that we can ensure
30 the accuracy of the transcript. We can now work our way through the agenda. Perhaps, we could start off with Frasers to talk us through, start us through the questions that we sent you last week; is that okay?

MS E. WATKINSON: Sure. Chris, do you want me to just do a quick intro first?
35

MR C. FORRESTER: Yeah, sure, if – if you just want to do an overview of that. Then we can go into the questions, yes.

MS WATKINSON: Okay. So it's Emelie speaking. So just in terms of a bit of a
40 background intro before we get into the detail of the questions. I just wanted to sort of highlight, firstly, Frasers have entered into a development management agreement with the Western Sydney Parklands Trust to develop this site in accordance with the concept plan. The development in question is stage 2 of three stages of the development and will be a high quality, large format retail centre with up to 20
45 tenancies across three buildings and a pad site. The design is well integrated and consistent with the recently completed stage 1 neighbourhood shopping centre. The

development will consist of a wide range of tenants ranging from large national
retailers, around 2000 square metres, to smaller local retailers and our current intent
is to commence construction in October/November 2020, which is subject to secure
and sufficient leasing pre-commitments. In terms of the questions, do you just want
5 to run through them one at a time?

MR PILTON: That seems to be the best way to go, I think, at the moment.

10 MS WATKINSON: Okay.

MR PILTON: But feel free to add extra bits if you wanted.

MS WATKINSON: Sure. So the first question was:

15 *Can you provide an indication of the types of shops that may occupy the
various tenancies and buildings?*

The developed – sir, as I’ve sort of touched on at the start, the development will
consist of a wide range of specialised retail premises and retailers ranging from large
20 national major tenants, for example, office supplies, electronic goods, furniture,
recreational goods, just smaller national retailers, for example, flooring, vacs –
vacuums. It is also intended that some of the smaller tenancies within buildings 1
and 2 local independent retailers. Chris, do you have anything further you want
to add?

25 MR FORRESTER: Yeah.

MR S.T. CHEONG: A quick question.

30 MR FORRESTER: And so - - -

MR CHEONG: The type of shop you’re talking about would be more like a home
improvement-type of shops that will be actually selling bulky – virtually bulky
goods, in a sense.

35 MR FORRESTER: That’s correct. So the – the retailers – sorry, this is Chris from
Ethos Urban speaking. The retailers will all be consistent with the definition of the
specialised retail premises which – yeah, it includes – it’s things like furniture shops
and – yeah, and, essentially what the old bulky goods terminology would have
40 accommodated. In addition to that, we also have a couple of complementary uses
proposed, one being an indoor recreation facility which may be uses such as a swim
school for children or a children’s playground. And finally, a vehicle repair station
which is intended to be used for uses such as a – a tyre service changing business
which you often find in these – these centres, but the definition doesn’t quite align
45 with respect to two

MS WATKINSON: Thanks, Chris.

MR CHEONG: Another quick question will be would shops like JB Hi-Fi be classified under this type of shop?

MR FORRESTER: Yes, they would be.

5

MR CHEONG: Okay.

MR PILTON: Well, while we're talking about the vehicle repair station, could I just ask a simple question about access. Looking at the plans – I mean, presumably, you need to be able to park your car outside if you're having your tyres changed or something like that. So, I mean, that's really, I suppose, question 2; it says:

10

Where would it be located?

15 And just looking at all of those stores and trying to work out where you might put a vehicle – well, it's like a tyre-changing shop.

MR FORRESTER: Sure. So there's not nominated tenancies for each of the uses because it will be subject to – to the – the business which we commit – which Frasers can get a lease for. So the idea is that if we put a maximum GFA cap on each of the uses and it will be subject to a future leasing agreement. The – the buildings are quite flexible in their nature and any sort of internal amendments which may need to be undertaken to accommodate that particular use would most likely be able to be undertaken as exempt development under the Parklands SEPP. Emelie, do you have any further comments on arrangements for the vehicle repair if it was to be used?

20

25

MS WATKINSON: Not at this stage. And as – sorry, Emelie speaking again. As Chris touched on, we are still working through the leasing and we'll have to work with the tenant when we secure one for the vehicle repair station to ensure their requirements are adequately captured; however, it may involve allocating, you know, the – the car parking spaces immediately in front of the tenancy for – for that usage within our parking strategy.

30

35

MR PILTON: Okay. Thank you. So do you want to go into the next question?

MR FORRESTER: Yeah. Okay. So the next question is similar to that; it's:

In which building and tenancies will the indoor recreation centre and the vehicle repair station be located?

40

So, I guess, we've – we've just said that the specific buildings and tenancies have not been nominated for these uses and this is to provide flexibility for the leasing strategy. There is some flexibility to undertake minor internal amendments to these buildings, if required, under the exempt development provisions of the Parklands SEPP. And then, we have the – the maximum GFA caps on those complementary uses to control the intensity and to ensure that the common nature of the centre is for the specialised retail premises use.

45

MR PILTON: Okay. Thank you. Then we've got question 3.

MR FORRESTER: Okay. So this question, we will hand over to Adrian Hack from Hill PDA, but the question is:

5

Do you consider the economic analysis still applicable relevant under the present economic situation and, if so, can you provide the reasoning in support of the finding?

10 MR A. HACK: Thanks, Chris. Adrian Hack here from Hill PDA. I just wanted to say, basically, yeah, we – we've had, I suppose, the age of consumerism began back in the 1950s and we've had an increase in affluence ever since then and – and the – the demand for more and more shops, also discretionary as well as – as – as regular shopping requirements. Through that period of – it's basically been long-term
15 growth, but there have been several recessions in – during that time. There was one, of course, with the oil crisis back in the seventies in the final year or two of the Whitlam Government and – and continuing on through the Fraser years and – and that period of steep inflation we had.

20 Then we had the – the other recession, the one that we had to have in the early nineties, were apparently counter steps that kind of blew out quite a bit. And then we had the – the Global Financial Crisis and – and the credit squeeze which started in 2008. Now, in each of these periods, we had probably two, three, four years or so of downturn. I don't think any of them really went on for more than about five years.
25 And certainly, during those periods, there is consumers and – and because of job – you know, uncertain things and the like, and – and – yeah, consumer confidence does – does wane. And it's often discretionary spending that – that – you know, opens the – the buyers, so to speak, but they – they have always been short-term impacts. They've never been long-term impacts.

30

So – and – and I think with COVID-19 and this current recession that we're going through, it's – it's going – will be a similar thing again. And maybe in two years from now, we'll look back and say, "Thank God that's all over and we're back to normal again." And that's probably what it will take to – that sort of time for this
35 thing to – to get built anyway. I guess that's really it in a nutshell.

MR PILTON: Okay. Thanks, Adrian. The next question's about the pad site; is there a building envelope proposed for this part of the site?

40 MR FORRESTER: Yes, there is. So under the modification to SSD 5175, we've submitted a revised concept and master plan, drawing number SK 63.2, and that shows a – a building envelope to the pad site.

MR PILTON: Okay. Thank you. The next question:

45

It's noted that the concept plan originally approved separate GFA limitations on what was then bulky goods retailing and large format retailing. The

5 *proposal seeks just to update the terminology; however, considering the types of uses envisaged and originally assessed, are there actual impacts of the GFA attributable to what is now called "specialised retail premises" still the same as that approved as "bulky goods retailing", eg, with regard to traffic impacts, employment and economic impacts?*

MR FORRESTER: Yeah. Okay. So the terminology, as – as you point out, was updated from “bulky goods” to “specialised retail premises” and this was on the advice of the Department of Planning to be consistent with the new standard instruments definitions which were – which came in in 2018. So the old concept plan referred to “bulky goods” and also “large format retail”, which isn’t a defined use under the standard instrument. So the purpose of doing this was for consistency moving forward on the site. In terms of the changes between the “bulky goods” definition and the new “specialised retail premises”, it’s essentially just a direct translation. So there was previously a requirement that a tenancy had either a large floor plate and loading facilities, direct loading facilities for customers.

The definition was changed to allow either/or. So in that regard, the – yeah, the – the definitions remain relatively consistent and, therefore, the – the impacts of the tenancy types are also consistent. It also noted that this application has a concurrent detailed design application where an assessment was undertaken for the traffic impacts, the economic impacts and the employment impacts of the – the end uses. So it’s not just at the concept level any more; it’s actually the uses that will be going in. So – so in that regard, yes, we’ve covered the assessment.

25 MR PILTON: Okay. Thank you. The next question:

30 *Can you provide a notation or a revised version of table 3 of the EIS that identifies the GFA and the proposed modification that is attributed to lot 1?*

MR FORRESTER: Okay. So would you like us to send that through to you separately?

35 MR PILTON: Send it to Heather Warton, please.

MR FORRESTER: Okay. In – in summary, the specific to this application, essentially, we are seeking an increase of the convenience retail GFA of 600 square metres and also transferring up to 3000 square metres of the existing specialised retail to allow for indoor recreation uses. And similarly, 400 square metres to allow for the vehicle repair station, if required.

MR PILTON: Okay. Thank you.

45 MR CHEONG: That will be shown in the – in your page 10, isn’t it, page 10 of your responsive submission?

MR FORRESTER: Yes. There – there was a similar table to that, but we can - - -

MR CHEONG: October '19. Yes. So can I just ask a question which is related to this. Is the overall increase is 600 square metre for – about the approved concept approval, is it?

5 MR FORRESTER: That's correct. Yes.

MR CHEONG: All right.

10 MR FORRESTER: Because the other uses are a transfer of the specialised retail premise gap.

MR PILTON: Thank you. And the last question that was sent in the report:

15 *Is there a more detailed schedule of finishes and materials in the DA that identifies specific colours for the buildings?*

MR FORRESTER: So, no, there's no additional materials schedule or material board provided. The materials are shown on the existing elevation plans and, I guess, the important thing to note with that is that the – the key building elements, 20 the key facades, have been provided with – they've coordinated both the feature walls and it includes things like vertical timber plan – vertical timber beams, green walls and also colours that integrate with the stage 1 development to the north. And they're intended to be the – the key facades which tie together the development with the existing development to the north and also the surrounding parklands. Where a 25 colour hasn't been nominated, that's intentional to allow for future tenants to meet their needs, essentially, and - - -

MR PILTON: Okay. Can I ask a silly question? These drawings are pretty hard to read some of the writing, but on building 2 it's got a wall that says "nawkaw 30 wall". What is "nawkaw", n-a-w-k-a-w?

MR FORRESTER: Off the top of my head, I don't – I'm not sure. Emelie, have you - - -

35 MS WATKINSON: Yeah, it's – it's the same feature – sorry, it's Emelie here. It's the same feature concrete finish that is in stage 1 of the centre.

MR PILTON: Okay. I've never heard the term before.

40 MS WATKINSON: It's a special concrete.

MR PILTON: Okay. Thank you. That was the end of the formal questions. Soo-Tee, I think you have a couple of questions you wanted to ask?

45 MR CHEONG: Okay. In the design guidelines, is 3.6.1, clause 6 – (c)(6), it actually said that "plain building facades facing street frontages are not permitted". I'm a bit worried, looking at the facade facing Rooty Hill Road South of building 3,

to me it appear a very vast expanse of blank wall. So I just wonder whether we can look at articulate this facade to provide more initial interest or even visual street activation?

5 MR FORRESTER: So I understand the – the – the – that – that facade, the key points of activation are on the corners to the – what is it, the – the northeast and southeast. They’ve got treatments to distinguish the building. It’s difficult to put glazing facing this frontage, given the nature of the specialised retail premises. And – and so, in that regard, it’s – it’s hard to look at – and so it’s hard to change the
10 design. Did you – did you have something in mind that you were - - -

MR CHEONG: Well, I didn’t – you know, having a big expanse of blank wall along the major road, it’s rather – to me, it’s pretty prominent in the sense that it is quite dull and uninteresting, to say the least, is To me, it looks like the back of a
15 warehouse building. Apart from your signage, it’s - - -

MR FORRESTER: Yes. So I – I think the approach there was to activate the corners as Rooty Hill Road South is predominantly vehicle orientated so that’s the key view there. And it’s also – we’ve got the – the landscaped frontage along there
20 is quite a substantial set back with the planting within so that softens the – the building form.

MR CHEONG: Yes. Can you take on board to have a look at creating a bit more visual interest on that wall?
25

MR FORRESTER: Emelie, is that something we’d be willing to look at?

MR PILTON: Right. Thank you.

30 MS WATKINSON: Yes, we can – we’ll have a look at it.

MR PILTON: Can I just – for the next question, there’s a bridge – the pedestrian bridge off the access road going towards – between the pad site and building 2. I’m a bit concerned about the date here because if you look at the landscape plans, which
35 are supposed to have a – it shows a very simple bridge, but that drainage swale there is huge. It’s the one that’s being constructed at the moment, but I don’t think you could possibly build a bridge that looks like the one that’s shown. This is the landscape plan called “riparian strategy”.

40 MR FORRESTER: Yes.

MR PILTON: I think that’s going to need some more detail. On the engineering plans, it shows a sort of bridge with two columns or whatever they are. Perhaps you can have a look at that and give us some intent of what that bridge is supposed to
45 look like.

MR FORRESTER: Okay. Emelie, do you know if the design for that bridge has progressed in – sort of post-termination documentation?

MS WATKINSON: We'll have to take that question on notice and - - -

5

MR PILTON: Sure.

MS WATKINSON: - - - come back to you.

10 MR PILTON: I just thought it was DA, is it, or is that a separate DA, or - - -

MR FORRESTER: No, it's – it's part of this DA.

MS WATKINSON: Fraser.

15

MR PILTON: Okay. Thank you. Where are we? I'm trying to read my own writing here. In appendix A, which says "consistency with the concept approval", the condition at clause (b)(6) says that:

20 *Detailed landscape plans should include details of the species to be used –*

blah, blah, blah –

...and other soft and hard landscape treatments.

25

I can't see anywhere on the drawings any details of hard landscape treatments. I don't know what the paving is. I don't know – there's another clause later on under "parking" which talks about – you know, permeable pavements being required to assist with the retention of stormwater, but there's no detail anywhere in the drawings that I have so either I've missed it. Could you have a look and see if there's more detail somewhere in the drawings because I can't find it?

30

MR FORRESTER: Yes, we can – we can come back to you on – on that question. Well, because some of the infrastructure is being provided outside of this application through the – through the early works DA, so, yes.

35

MR PILTON: Yes. Well, maybe we'll try and get a copy of the early works DA drawings because I haven't seen them.

40 MR FORRESTER: Okay. No worries.

MR PILTON: Okay. And, look, a similar point is in the same – I think clause 7.2, I think it is. It says:

45 *Planting pits are to have flush kerbs and wheel stoppers to allow an overhang of cars.*

I'm quite sure that's the idea, but I can't see it anywhere in the drawings. There are no sections through those landscape divider strips. If you could perhaps come back to us on that.

5 MR FORRESTER: Okay.

MR PILTON: And there was one other comment, I think. Yes. On the drawings – I'm not sure which ones they are – it shows a shaded area in front of the pad site. I'm not quite sure what the shading means. Does that mean that that parking isn't
10 going to be built until the pad site is developed or what?

MR FORRESTER: This is on the architectural drawing that you're referring to?

MR PILTON: Yes, architectural drawing DA 04; it has this shaded area here.
15

MR FORRESTER: Yes. Okay. So that – that's – that's the – the yellow is, essentially, where the future building may be and the rest is it hasn't been designed yet, but it - - -

20 MR PILTON: Sorry, it's the car park area has got the shading on it.

MR FORRESTER: Yeah, the car park area has the shading which might be, for example, if it is – ends up being a – a takeaway food premise, there might be a drive-through.
25

MR PILTON: Okay. Thank you. Soo-Tee, have you any other questions?

MR CHEONG: Just coming back to question 2, I think, about the vehicle repair station. You did mention that it would involve, like, tyre change and that sort of
30 thing. That's the activity. Isn't that more appropriate if you actually assign an area unless it is actually being done indoor? Would that be done totally indoor and not outdoor?

MR FORRESTER: So there's – I understand there's – there's no tenant assigned to
35 that particular use and so that – it can't be decided at this stage. The idea was to allow flexibility in – in order to – to increase the diversity of tenants that could be provided the site. I – I would imagine that that's the – any tyre servicing would occur within a building. Emelie, do you have anything to – to add on that one?

40 MS WATKINSON: Yes. Yeah. That's right. We haven't included that usage to provide future flexibility. And at the time of submitting the application, we were working with a number of tenants; however, the negotiations with those tenants haven't progressed to a huge amount of detail yet. So we will have to work through with the – with a tenant if we do decide to include a vehicle repair station to help us
45 to incorporate their needs and it may involve access into the tenancy from the loading dock potentially.

MR CHEONG: Right. Yes. So you'll be quite happy if there's a condition saying, you know, all the tyre change and that sort of activity cannot be carried out in the car parking area – open area.

5 MS WATKINSON: Yes. I think that sounds reasonable.

MR PILTON: Okay. Can I just ask Adrian just to – if you could explain to me a little bit about the – how you assess the competitiveness of the other shopping centres around the area. It seems to me that the businesses that you're proposing are
10 totally different to the businesses that are in all of the surrounding shopping centres. They're all small shops and little cafes and so on whereas the shops that you're proposing seem to be in a different market altogether. So how can you then say that
- - -

15 MR HACK: Well - - -

MR PILTON: - - - about 10 per cent of business or - - -

MR HACK: Yeah, the – the – the main competitors, for want of a better word, to –
20 to this centre would be not so much like supermarket or clothing or – or department store-based shopping centres because they sell a different range of goods. And this – this subject proposal, of course, is not allowed to have, you know, predominantly food and grocery shops and – or food shops and – and clothing stores and the like. So the – the competition is quite weak there with – or that level of competitiveness is
25 quite weak with the – with centres like, say, Mount Druitt and some of the other ones, even – even Blacktown CBD, for example. The – the closest competitors would be more like, sort of, Prospect – you know, the home base,, perhaps Minchinbury. It's more the bulky goods areas and – and more so those sort of industrial areas, ones which generally have hardware stores, some furniture, bedding
30 stores, you know, lighting and floor coverings and – and the like. All that sort of thing.

MR PILTON: Yes. That's what I assumed, but I just – I haven't got the hard copy of the Department of Planning assessment, but I recall, I think, it said there was – it
35 might be a 10 per cent loss of business at the shopping centre just up the road at the
- - -

MR HACK: It may – it may be – look, I'm not 100 per cent sure, but it may be that – and certainly when we had looked at the impacts in the past, it may be both stages
40 1 and 2, which includes the supermarket and the - - -

MR PILTON: Okay. That's what I - - -

MR HACK: yeah.
45

MR PILTON: Basically, I'm aware that's what – the clause I was most concerned about is the competition. Thank you for that. Heather, do you want to raise anything?

5 MS H. WARTON: Yes. Hi. It's Heather Warton from the Office of the IPC. I've just got some technical questions. Just the name of the applicant; is it Frasers Property Australia Proprietary Limited?

MS WATKINSON: Yes.

10

MS WARTON: The department's assessment report refers to this being Lot 1 and Lot 2 is the lot to the north with the supermarket that's nearly open for business. I asked for the department for the full lot description of the development, the larger concept site and the smaller Lot 1 and they sent me a copy of the owner's consent letter from Western Sydney Parklands Trust dated 29 October 2018 and it's got a whole lot of lot and DPs, including lots of Lot 1s. So my question is can you advise us what is the actual – what Lot 1 – what DP is relevant to this Lot 1 and where are all the other lots because there seems to be a Lot 1 in DP 1103025. There's a Lot 1 in DP 830836. There's a Lot 1 in DP 3113030. There's a Lot 1 and 2 in DP 1069269 and so on. I just want to clarify the exact – what is the site to – the description?

15

20

MR FORRESTER: We can come back and clarify that for you. In terms of Lots 1, 2 and 3, that's in reference to Lots 1, 2 and 3 of the concept plan, the – essentially, the development lots. So we – we can come back to you with the information on the – any – any lot and DP that may be within this boundary.

25

MS WARTON: So are they – that comprises the whole concept plan site, Lots 1, 2 and 3 of the development lots?

30

MR FORRESTER: That's across the three stages, yes.

MS WARTON: Right. But those lots aren't registered as separate lots and DP; that's just your terminology for them; is that right?

35

MR FORRESTER: I – I don't know where that's up to in the – in the subdivision process, but we can find out that information and – and - - -

MS WARTON: Okay.

40

MR FORRESTER: Yeah.

MS WARTON: All right.

45 MR FORRESTER: But, yeah, the 1, 2 and 3 was, essentially, referring to super lots within the concept plan.

MS WARTON: Okay. Okay.

MS WATKINSON: That's right. It's Emelie here and my understanding is that the first subdivision of the Lot 2 neighbourhood shopping centre is working its way
5 through the subdivision process at the moment. And, Mark, do we have the timeframe for that?

MR M. CLEVELAND: Mark here. Yeah, we do. It'll be mid to late June for title registration for the first – first lot of the subdivision. So the – the lot numbers you're
10 referring to in that land owners consent are all the existing lots that are being consolidated for the – for the – the major development lots as part of the concept plan.

MS WARTON: Right. So when our – when the EIS or the assessment report refers
15 to Lot 1, it's Lot 1 of the future subdivision?

MR CLEVELAND: Yep.

MS WARTON: Okay.
20

MR CLEVELAND: That's right.

MS WARTON: I just wanted to check, just going back to some of the reference to earlier questions about the tenancies. So on the drawing DA 04, it's got "indicative
25 IT wall" in between all the tenancies. So in building 1, for example, there's the major and 10 tenants; does that mean that it's not – there's not necessarily going to be a major and 10 tenants? There could be – I don't know, eight tenants. Those actual tenancies could change; is that the case?

MS WATKINSON: Yes. That's exactly right. Emelie here. So the reason that we've included those indicative re is to provide flexibility to suit a range of different
30 tenants and sizes, in that – you know, one tenant may end up taking over two tenancies and that – that inter-tenancy wall may not be required or it may shift to suit the size of the tenancy that is required for that tenant.
35

MS WARTON: Right. And the major of 1900 square metres; is that – what sort of tenant is that likely to be?

MS WATKINSON: We're still working our way through the leasing. We – we are
40 currently negotiating with a tenant for that space which is a recreational retailer; however, that the leasing documentation has not yet been finalised.

MS WARTON: Yes.

MS WATKINSON: So it – it may change; however, there's - - -
45

MS WARTON: But there's – this is Heather still. It's intended that that would be – like, that will always stay as one major, larger tenancy in that location?

MS WATKINSON: Yes. That is the intent at this stage.

5

MS WARTON: The pad site, it's mentioned as being a future restaurant and the – I just want to check that you said that, in the actual concept plan, there's the building envelope as shown, but not in the DA.

10 MS WATKINSON: Chris, that's - - -

MR FORRESTER: That's – that's – that's correct. I'm just bringing up the concept plan before I reply.

15 MS WARTON: And if it's subject to a future DA, that DA would go with the council because - - -

MR FORRESTER: The council.

20 MS WARTON: - - - because it would be under 10 – under the 10 million; is that right?

MR FORRESTER: That – that's right. Yeah, similar with – we've been through a similar process on stage 1 where the pad site was a DA to council.

25

MS WARTON: Right. We've been down to the site and have had a look on Nearnmaps as to the extent of the site works. So all the works and the earth that we see moved around on the site at the moment, where is that up to? I presume that's under the stage 1 DA, the stage 1 works under the concept DA. What exactly is happening on the site now; what are they doing there now; what are the works?

30

MR FORRESTER: So, yes, early works were approved as part of the concept plan. So it was a – a concept plan in stage 1 early works. Would someone from Frasers maybe be able to give an update on the latest on the – on the actual works that are happening to the lot?

35

MS WATKINSON: The – it's – yes, as Chris said, it's just the area preparation works in anticipation of commencing construction later this year and also to facilitate some of the external infrastructure works that are ongoing along Rooty Hill Road.

40

MS WARTON: And was tree removal approved under that DA?

MS WATKINSON: Chris, I'm not - - -

45 MR FORRESTER: Yeah, with – we'll take that one on notice and come back to you. My understanding is yes, but we'll confirm that for you.

MS WARTON: And this is my last question. I noticed in the documentation submitted with the DA, there was a site audit statement, but it seemed to say – I think it was appendix – I haven't got it in front of me, but it seemed to say that it was – the site audit was subject to the remediation having been updated. The site audit statement was dated 2015. Has the actual site been remediated and a final site audit statement been issued?

MR FORRESTER: Mark, do you have any details on that

MR CLEVELAND: Yeah. Mark speaking. Yeah. So the site has been remediated in accordance with the RAP and a – a site audit statement has been issued. So – and those works took place, and I'd have to check dates, but around 2017.

MS WARTON: Okay. Would you be able to check? I only saw the version that was submitted with the EIS; it seemed to be dated 2015 site audit statement. If there's been a later one, would you be able to refer it on to us?

MR CLEVELAND: Yeah. Yep.

MS WARTON: Or find out – tell us where we can see it.

MR CLEVELAND: No, no, we'll – we'll forward it on.

MS WARTON: They were my questions.

MR PILTON: Okay. Are there any questions that you would like to ask us? If this a proponent I'm talking to, stop me.

MR CLEVELAND: Yeah.

MR PILTON: Applicant, I mean.

MS WATKINSON: No, not from my end.

MR FORRESTER: Nothing from me.

MR PILTON: Thank you. Well, Soo-Tee, have you got anything else?

MR CHEONG: Just one last question. There seems to be a slight confusion with the Minchin Drive and the neighbourhood centre and the Minchinbury site. I just want to make sure that your study, your – especially the economic impact assessment is based on the correct centre, which is, I think, some way a bit clarified, but I think - - -

MR HACK: Yeah. So I – I think that was cleared up and the – the – when I had mentioned Minchinbury, which there's a – a neighbourhood centre, for want of a

better word, there with, I think, a – a small supermarket in that store or something like that and a – a few specialty shops. Now, that was the one I was referring to.

MR CHEONG: Okay.

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MR HACK: Whereas there's a stand-alone outlet of some sort elsewhere in Minchinbury. I can't remember where they are now, but that's a different – yeah, a different business.

10 MR CHEONG: Thank you.

MR PILTON: Okay. Heather, anything further?

15 MS WARTON: Only that I did advise the applicant that we were meeting with the council before this meeting, but the council decided not to meet so you won't see any transcript of any meeting because it didn't occur.

MR CHEONG: Okay.

20 MS WATKINSON: Okay.

25 MS WARTON: And but they sent a letter so the letter will be up on our website. Basically, it talks a little bit about the – well, in answer of our questions. Our questions should be up on the website as well, which is about the competition issue and about MOD 4. Yeah. So MOD 4 was approved after the lodgement of this DA, so was there anything of consequence in the MOD 4 conditions that affect this DA that we should know about?

30 MR FORRESTER: No, they – yeah, they're – they're separate applications.

MS WARTON: Okay.

MR PILTON: Okay.

35 MR FORRESTER: And – yeah, it – it's been exhibited in the – in the preparation of MOD 5.

40 MS WARTON: You'll see in council's letter that they refer to some conditions. I'm not 100 per cent sure if it's a reference to MOD 4 conditions that they want to see or conditions that they want to see on the subject – this DA. It talks about rainwater tanks, I see. And the department have advised us that – because we asked the department where any stormwater concept details were that – because there weren't any referenced in the draft consent and they said there weren't – nothing was going to be approved as part of the DA. It's all been to – there's a - - -

45

MR FORRESTER: Yeah.

MS WARTON: - - - condition requiring pre-CC.

MR FORRESTER: Yeah.

5 MS WATKINSON: Yes. That's - - -

MR FORRESTER: Yeah. So, yeah. That's – that's right. Details were provided; however, it was – a – a – a condition of consent was then drafted to allow the – the, I guess, the more detailed components of that, such as the substance and the size of the
10 rainwater tanks to be negotiated with council post – post-approval.

MS WARTON: Right. I'm sorry, I've just got one more question, Adrian and Soo-Tee, if that's okay. Condition – in the modification to the concept plan, condition D in schedule 2, part A, condition A(8) is deleted. So condition A(8) used to say:
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Restriction on large format retail: the large format retail component shall be operated by a maximum of two retailers and/or tenants for non-food or beverage purposes.

20 In your EIS, you said that you didn't need that condition amended, but the department have deleted it. What's – can you explain what's going on there?

MR FORRESTER: No, we – we proposed to delete that condition. I understand the – the department has agreed to that and that's because with the change in
25 terminology, it's a redundant condition because the uses which are allowed under specialised retail premises would – you wouldn't be allowed to do a sort of a stand-alone food and drink sales within those so - - -

MS WARTON: Okay.
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MR FORRESTER: So there was – there was previously a condition which would limit those – those – those types of retailers; however, that's – that's no longer necessary so it's more of just an administration change.

35 MS WARTON: Right. Thank you. That's all I had.

MR PILTON: If there's no more questions, I'll finally close the meeting. Thank you everybody for participating and you'll see the transcript up, presumably tomorrow, on the website – our website. Thank you.
40

MR CHEONG: Thank you.

MS WATKINSON: Thank you.

45 MR FORRESTER: Thank you.

MR HACK: Thank you very much.

MR CLEVELAND: Thank you.

MS WARTON: Thank you.

5 MR PILTON: Yes.

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[4.15 pm]