



TRANSCRIPT OF MEETING

RE: UNITING KINGSCLIFF REDEVELOPMENT (SSD-47105958)

APPLICANT MEETING

PANEL:	JANETT MILLIGAN (CHAIR) RICHARD PEARSON
OFFICE OF THE IPC:	BRAD JAMES CALLUM FIRTH
APPLICANT REPRESENTATIVES:	RYAN DUFF (Uniting) ADRIAN CIANO (Uniting) LUKE BLANDFORD (Planit Consulting) RACHEL HEATH (Planit Consulting) ANDREW GLEESON (JLL)
LOCATION:	ZOOM VIDEOCONFERENCE
DATE:	11:00AM – 12:00PM TUESDAY, 14 th OCTOBER 2025

<THE MEETING COMMENCED

MR RYAN DUFF: Hello and good morning.

MR ADRIAN CIANO: Good morning, everybody.

MS JANETT MILLIGAN: Good morning and welcome. Can I just confirm we have your fifth person, okay, right, we have you all on screen.

Okay, so good morning and welcome. Before we begin, I'd like to acknowledge that I'm speaking to you from Gadigal land and I acknowledge the traditional owners of the land on which we meet today, meeting virtually from a number of places, and I pay my respects to Elders past and present.

So, welcome to the meeting today to discuss Uniting Kingscliff Redevelopment currently before the Commission for determination. The Applicant, Uniting/NSW.ACT proposes site preparation works, the construction of a seniors housing development comprising seven buildings ranging from two to four storeys and basement levels, providing for a 120-bed residential aged care facility, 199 independent living units, ancillary amenities and landscaping.

So, hello, my name is Janett Milligan, I'm the Chair of this Commission Panel, and I am joined by my fellow commissioner online, Richard Pearson. We're also joined online by Brad James and in the office with me, Callum Firth, both of whom are from the Office of the Independent Planning Commission.

In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being recorded, and a complete transcript will be produced and made available on the Commission's website.

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

It's important for the commissioners to ask questions of attendees and to clarify any issues whenever it's considered appropriate. If you're asked a question and you're not in a position to answer, please feel free to take the question on notice and provide any additional information in writing, and we will then put that on our website.

I also request that all members here today introduce themselves before you speak for the first time, and for all of us to ensure that we don't speak over the top of each other, to ensure that we get an accurate transcript.

So, let's begin. And having done the introductions from this end, Uniting, you might want to introduce us to your team. Thank you.

MR DUFF: Happy to, thank you. I'll lead off first. My name is Ryan Duff, I'm the Senior Development Manager with Uniting. I've been leading this project for the last two years. And wonderful to meet you all online here. And Callum, good to see you as well, and thank you so much for your engagement over the last few weeks, it's been excellent. I'll then hand to Adrian, and then perhaps will go to Planit and then to JLL last.

MR CIANO: Morning everybody, my name is Adrian Ciano, I'm Head of Property Development. I've been with Uniting for coming up to 16 years, so I've been across this project from inception through to our meeting today, and I'm looking forward to talking to you about the project, and thank you for meeting with us today.

MR LUKE BLANDFORD: Thanks, Adrian. My name's Luke Blandford, I'm a Town Planner with Planit Consulting. I've been on this project, thankfully, since Uniting made it visible to Planit and to the local community. So, Planit is a town planning firm in Kingscliff and so we're well aware of this site and the local area.

MS RACHEL HEATH: Hi everybody, I am Rachel Heath and I'm a Town Planner from Planit Consulting. I've been on the project for the last few years, after joining Planit, and I am also a Casuarina resident. So, obviously I'm aware of the community and aware of the site in great detail.

MR ANDREW GLEESON: I'm Andrew Gleeson, I'm a Director at JLL Project Management. I've been working on this for the last two years as well with Ryan and looking forward to discussing it today.

MS MILLIGAN: Okay. Thank you, good to meet you. So, we have an agenda. You've also – thank you very much – sent us, before the meeting, a copy of your presentation. So, we might start with that, but I am going to say in the interest of time, thank you very much for introducing the organisation and the project, that was useful, we have read it. I'm wondering if we could start with at the slide that's headed "Proposal overview" just so that we're making sure that we're using the time we've got to really get into the detail of the project. Would that be possible?

MR DUFF: Yes, certainly. We can certainly start with the proposal overview. I wonder if it's worth going one slide back to slide 10 to see how we arrived at that proposal overview, or perhaps we can just include that for discussion at the back end if the ting is available for ...?

MS MILLIGAN: Okay, if you'd like to start on that, that's fine.

MR DUFF: Okay, fantastic, thank you. I'll just share the screen right here, and please let me all know if that arrives for everybody in a slideshow form. Action. Let's see if this is sharing for you all. Please let me know if not.

MR CALLUM FIRTH: Yes, we've got that.

MR DUFF: Okay. And it's in the slideshow form, it's not broken down ...

MS MILLIGAN: It's not on full screen.

MR DUFF: Okay. Apologies, let me just start again.

MS MILLIGAN: I mean, that's fine but ...

MR DUFF: Yes, I will share over screen 2 and present in this way. How's that?

MS MILLIGAN: Haven't got it just yet.

MR DUFF: Okay. Sorry, everybody. Should be sharing screen 2 and upload.

MS MILLIGAN: That's it.

MR DUFF: Excellent.

MS MILLIGAN: Thank you.

MR DUFF: Thank you for your patience, and I'll just hand to Adrian just for a little bit of a backgrounder.

MR CIANO: Morning again, everybody. So, thank you very much again for meeting with us, and in the interests of time, we won't go over who we are as an organisation, but we've been on the site for 40 years, and what's inevitably happened is our existing services are starting to reach the end of their useful life and not meeting contemporary expectations. So, we've re-imagined what services might look on the site and taken into consideration the Royal Commission outcomes and the future for how to look after seniors as proposed, and the outcomes from that, which was what our model was even before those Royal Commission outcomes.

We've been operating residential aged care on that site for over 40 years. And now we're obviously contemplating a broader range of accommodation options supported by care on the site. So, in 2022, we've obviously been working on this project for a while, and in 2022 we started our first phase of organised community consultation supported by Ethos Urban, who's now Colliers, and we went and presented to the community and to Council and to the Ratepayers Association etc., what our proposal was.

We received a lot of feedback from that, which we took on board. Went away and took a year and a bit to re-contemplate what we were going to do, re-designed, and came back with a very refined master plan back to the community and the other stakeholders, that I just mentioned, in 2023. And as you can see, we reduced the number of apartments and the number of buildings on site, and the number of storeys, and increased the setbacks etc. So, we did quite a lot of work on re-imagining; it was almost a wholesale re-design of the site itself.

We again took away feedback and between 2023 and the ultimate submission, we actually went and met with individuals who wanted to meet with us one-on-one to understand and who were generous enough to show us the perspective from their own properties. We then increased the setbacks to things like the rooftop and of the independent living unit buildings, and made further setbacks and landscape adjustments etc. And we then inevitably submitted that proposal that you've got for consideration in front of you at the moment.

MR DUFF: Thanks, Adian. And so, moving to the proposal overview today and what that does look like. We heard that at the opening of the meeting and thank you very much. The overall master plan is shown here with our centralised RAC where it's flanked by our independent living units of six buildings, predominantly four-storey form with a two-storey form in the Lorien Way sort of area.

So, we would open by saying we absolutely support the Department of Planning's Assessment Report and their findings there and the conditions of consent that they've handed down. We've worked very closely with the Department over the last 18 months to arrive on this scheme.

We are substantially compliant with justified variations of course, that have built up to make this proposal, and we've certainly done our best to include all of the State Design Review Panel comments, incorporated that within our design and of course worked very closely with Tweed Shire Council, particularly on municipal items of stormwater, sewer, roads, etc., and of course the community that Adrian's already spoken about as well.

We did include, as you may have seen on the agenda and our presentation already, an overarching compliance table just showing the layers of guideline, policy and statutory requirements, which of course you would be familiar with. So, we won't drill into the detail there.

But again, just coming back to the overarching offering of the project. We really want to bring a vibrant seniors' community to the area of Kingscliff, given the many, many years that we've already been established within the Kingscliff area. And we really do think that it's incredibly placed in proximity not only to the Kingscliff centre but of course the recently (relatively recently) completed Tweed Valley Hospital.

This project along with many, many others that Uniting has in their capital plan to deliver across the state, we really do hope that we're going to be able to provide a real benchmark to contemporary and integrated seniors housing, particularly for the North Coast area. And our purview is always for, you know, care and aging in place with dignity for seniors in the local area.

So, just heading over the summary of the strategic framework and heading to ground level perspectives of the proposal. We can use these as a bit of a reference point or a conversation piece if we indeed need to when we go through the agenda items. When we meet on site on the 28th of October, I'll place you at various points on the site in

view and aspect of these points, to foster a bit of conversation, ensure that you're all placed on site and have a real idea of these views.

5 But this is looking at the heart of our village and the RAC, the central hub of the site, where we hope that the life is emanating from. They are just artist impressions, there will of course be a pool fence surrounding this pool in actuality, but it does just generally show the architectural impression of what we're trying to achieve on the site.

10 A few more shots as well which of course I won't spent much time here. I'm sure you've seen them in the architectural packages. But you can see in the bottom-right, the two-storey ILUA form. And the two at the bottom-left and top-right, ILUA four-storey form. And then top-left is our RAC as it presents as you're approaching the site with our port cochere and drop-off points as we put on all of our projects.

15 So, quickly moving into the agenda items that you asked for, and we understand has been informed by the Planner's Report. This slide is just offered up as a snapshot as to each of the points that you had raised, and trying as concisely as possible to respond to each of those items. And we have been again working with all of those government agencies over the last few years, so we know the items well.

20 Any questions that you may have as we go through, we're happy to take them as I present or we can perhaps pause at the end. We will do our best to answer any of the questions that you may have and thank you for offering for us to perhaps take it on notice if we require to go back to our technical consultants on the matter.

25 So, I might just give pause here for a moment. Would the preference be for us to flow through our presentation as we've laid it out, or would there be a particular topic that you'd like us to start with?

30 **MS MILLIGAN:** I can see that you, thank you, you started with flood and stormwater, and you've got three slides there. So, my suggestion is you deal with those, we'll stop then and have the discussion about flood and stormwater queries.

35 **MR DUFF:** Wonderful, okay. Happy to, great.

MS MILLIGAN: Thanks.

40 **MR DUFF:** Thank you. So, starting with the flood considerations, and these are my topics, so I'll seamlessly move on. We're starting at a regional-wide context right now and then as you'll see in the slides, I'll drill into site-specific and then the actual elements of the stormwater network that are our mitigants.

45 So, we do indeed have two evacuation centres proposed for the Kingscliff area, which are – I'm sure you may well be aware of, but that's the Kingscliff TAFE and the Kingscliff Public School. This image on the right is for the PMF flood, so the predicted maximum flood event. We've just taken the worst-case scenario for the benefits of discussion. And the green line shows the proposed evacuation route.

Our primary response to flooding in the area of course is evacuation; that is suggested always by SES. And since creating our Flood Evacuation Response Plan, we've always had that as our primary objective. And I guess this image here is helpful to see that, with these various colours being the depth of floodwaters, we do have a substantially or almost completely flood-free exit point to allow the community within our proposal to evacuate from the site.

The second point that we talk about here is timelines. So, our consultant has nominated if there is a moderate warning for the riverine event, that would give us 11-and-a-half hours of time to evacuate from the site. And they've built up from first principles, what it would take to evacuate the site. So, just talking at a very high level, again, our primary response is to evacuate all of the independent living residents and RAC residents that we believe are mobile and capable of having their needs catered for at these evacuation points, to evacuate along this green line.

We have held, in our proposal, a shelter-in-place strategy also, and this we thought was very, very prudent for those residents particularly in the RAC who have higher levels of needs or might have mobility issues. And it's just a risk that is, yes, absolutely not worth taking in trying to transport them and have their needs met off-site. So, our proposal is for the refuge and shelter-in-place just within that centralised RAC building at the centre of the site. This would be on the top two levels of the four-storey building in levels 2 and 3 at 8 metres AHD above any future floodwaters. And it would only require the removal of level 1 RAC residents, because we have three floors of residents, it would only require the moving of one floor up to one floor of RAC residents to those top two floors.

It's just also worth noting that the refuge is sized that if for any reason the evacuation route was cut off, for any number of reasons, that the refuge place is sized in order to cater for all of the residents and visitors on the site, to the Red Cross standards of 5 square metres per person. But again, just urging that that's not our primary response; it will be to have operations in place that we notify and have everybody evacuate from the site.

The refuge generally will have all the provisions that allow us to shelter-in-place for that 50-hour isolation during the PMF, and it's actually sized for 72 hours. That's through the provision of food, water, medical supplies of course, but predominantly the largest piece of sort of infrastructure that we have is a generator, a diesel generator, which will be placed on the roof of the RAC to provide power to that building during such an event. It's centralised to the plate of the building and acoustically screened etc. to mitigate any noise issues or what have you. And it's placed on the roof of the building obviously for flood resiliency.

The buildings, of course, also have the structural integrity to withstand debris forces, flood forces etc., which is also required. And I'll just – the outcome here which is important, that you'll see on the second-last line, the proposal reduces the existing flood risk by 94%. That is the reduction in risk to people on the site when comparing our developed case scenario versus our existing RAC. So, we do have an existing RAC on the site, which is just a single-storey form of various pods and villages. And in

proposing this new four-storey form, our flooding consultant has analysed that that would be the future reduction in risk to people.

5 Just drilling in quickly to the site-wide capacity. This is using our local catchment modelling scenario, and what's worth noting on the image to the right here is more or less the colour off our site, as opposed to the colour on. We will deal with the flooding on our site on the next slide. But the green that you see in these areas is areas that are wet in a 1% flood event right now, so as a result of the existing scenario, these properties and streets are flooded. But obviously, with our redevelopment and our
10 proposal, we are obliged to take those flows if the backup is caused by our site, and we do indeed do that. So, in a developed case scenario, these green areas which I believe adds to 11 properties, these waters are received and dealt with on our site through OSD and stormwater. And in a future scenario, they will be dry sites in a 1% event.

15 I would just also note, and I believe that you would be aware as well, that our design in consultation with the Department over the last 18 months has raised the floor area of all of our seven buildings, the six ILUs and the RAC, to cater for the 1% annual exceedance probability flood, plus a 500 millimetre and freeboard and plus
20 300 millimetres to allow for the year 2100 climate change levels. So, raising those buildings another 300 millimetres from our original proposal, and we'll get into what that means a little bit later.

25 And finally, just drilling into the infrastructure on the site and how we are catering with that flooding and stormwater outcome. Really, this slide is just to show you the stormwater network, our high level on-site detention tanks which are retaining each and every one of our buildings across the site, and the pipe network that we propose in order to capture not only the adjacent waters through our site, but of course the internal road network waters and discharging from a point to the south under Bluejay.

30 If in, for any reason, there is any blockages within the pipe system, the overland flow path is proposed through the internal road and to continue within Council's road network out on Lorient Way.

35 I might just pause there. That was a lot of talking from me, and I'll welcome if there's any questions on this topic generally.

40 **MS MILLIGAN:** Yes, thank you. So, you talked about your history on the site, 40 years. I'm interested to know how many times the existing facility has had to be evacuated during that time due to flooding.

45 **MR DUFF:** We haven't – there is – well, I'll talk about the immediate past and then maybe I'll hand to Adrian for further on. In the 2017 and 2022 floods, we believe they were up to 1% events, as info from Tweed Council, and we were not needed to evacuate at that point. And I don't know that we've needed to evacuate in the past, but I'll defer to Adrian on that.

MR CIANO: Yes, my understanding is in the history of Uniting's operation of the site, we haven't had to evacuate the site in any events, and the most significant of those

events was the events that Ryan talked about, and my understanding is the most significant that occurred was that 2022 event. The waters got pretty much up to the back door of the residential aged care, having filled the basin, and that was the extent to where it got to, and then they receded. The waters, we understand, actually come through the pipe itself rather than the other way around.

MS HEATH: Rachel Heath here. Can I just add one comment to that.

MS MILLIGAN: Yes, please.

MS HEATH: Just to make note that the existing buildings on site, their finished floor level is currently at 3.3 metres. The finished floor level that we are proposing of the new buildings will be at 4.1. So, that just gives you a little bit of reference in regard to those existing floods and not needing to evacuate.

MS MILLIGAN: Thanks, thank you very much. Can I ask a few questions about the shelter-in-place strategy, because it's such an important part of the planned response. So, obviously the RAC is a 24-hour operation. Can you just talk me through quickly how you would ensure that there is sufficient staff to staff 24/7 rosters if in fact you are locked down and sheltering in place. I can understand you'd have a full roster in the RAC at the time. But presumably, you will need more than that if you're going to be isolated.

MR DUFF: Yes, that's right, and we haven't completely finished an Operations Plan in the case of how we will administer this. We will of course have adequate staff for each of the three floors always operating 24/7, to your exact point. If we do indeed do get the warning, then we have adequate staff on a resident-to-staff ratio to cater for all of those people. Obviously, we'll have a full Operations Plan that responds to the requirements of the FERP, and we do have a template already placed within our FERP that you'll be able to refer to.

The exact staffing numbers are required in the future scenario. We'll have the adequate ratio of residents-to-staff, but I guess you're taking the point that there might be a slight increase in the needs, given that the movement that needs to take through the building, and that should be something that we should consider before finalising our Operations Plan.

MS MILLIGAN: Okay. And given that a lot of the functional areas, I suppose, of the RAC are downstairs, I'm just interested to know about the logistics of, if you've lost those levels, about the storage and preparation of food.

MR DUFF: Yes. So, we do have storage placements not only on the ground floor but in the basement as well. And part of our response strategy is that as soon as that moderate warning event occurs, one of the first actions that the staff will do as they divide and conquer tasks, is to move that feed and any bedding/bed rolls for staff etc. out of those storage places, and move them up to the top two floors of the RAC and store that in the RAC area.

MS MILLIGAN: So, you have adequate storage facilities?

MR DUFF: Correct. It's been incorporated into the design already, that's right.

5 **MS MILLIGAN:** And will food be prepared on those levels?

MR DUFF: We will have very minor food preparation items. So, there will be of course hot water and toasting etc. And the predominant food response would be sort of freeze-dried foods, we won't necessarily have the capacity for full-oven operations or
10 full-induction cooktop operations of course. But we will be able to prepare food for that 72 hours.

MS MILLIGAN: Okay, all right. And if you do lose those facilities lower down, once the flood is over, what's your – I couldn't see in the Response Plan how long you think
15 it'll be before those areas are functional again.

MR DUFF: Oh yes, I suppose – oh, just a point on the food preparation area as well, while we're on that point. Each of our households of course have kitchens within them, and that is one kitchen per household. So, that's two kitchens per floor. So, we actually
20 have four kitchens to do this cooking and heating and meal prep items that I was just explaining. I think that's important. Because I think what you were getting to is the central kitchen and those large preparation facilities are on the ground floor.

MS MILLIGAN: Correct.

25 **MR DUFF:** And that's granted, for sure. But we will have the facilities on the higher levels.

The second question about making good after the fact. That's a little difficult to answer in as far as we won't know what damage occurs. But what we have included is flood
30 resilient materials on all of those ground floors, and that was suggested by the government agencies in preparation for this. And we'll be baking that in during design development.

35 **MR CIANO:** I might just add if you'd like to know Uniting operates a number of different food service models at a number of different sites across our 80 residential aged care services. So, some don't actually have central kitchens on the site and food comes in from other services and then is finalised on the sites, which those household
40 kitchens that Ryan was talking about, they do that function on sites. For example, in Canberra, where we have one central site that produces the food, some of that food gets finalised on a different site within those household kitchens, and then they get pushed out.

45 Other models would include things like getting a kitchen from a kitchen provider such as a commercial kitchen provider that's mobile, such as Kitchens on the Run; we have had to do that in sites where we've been redeveloping before. For example, when we redeveloped our service at Lilyfield, we had a Kitchens on the Run service operating from the basement whilst the site was refurbished, and we ended up putting in a new

central kitchen on that site. So, we've had, I suppose, situations where we've needed to employ different food service models in our portfolio on a day-to-day basis as well as be able to adopt different food preparation and food service models when we're doing activities such as major refurbishments.

MS MILLIGAN: Okay. And just two last quick questions on this topic. Your Emergency Plan recommends that level 1 residents be more mobile residents, presumably, so that in an emergency the number of people who have to be moved upstairs is reduced. So, level 1, more mobile. But I notice level 1 is where you have your Specialist Dementia service. I'm just wondering, is it anticipated that you will evacuate those people? I couldn't see that from the plan.

MR DUFF: No, we will move those residents upstairs. We did have the Dementia Garden area through built form made the most sense on that level 1 location. We don't know yet how many patients will have that situation. So, they will indeed be proposed to remain on site, and they will be, they're shifted up to the top level, and we'll have more than adequate time to move those people. But it'll be a site operations thing, and the RAC manager themselves will place the right people in the right locations, always keeping this response strategy in mind of course.

MS MILLIGAN: All right, and last question. I noticed in the plan in talking about residents who've moved to the evacuation centre, you make the point that if they suffer a medical emergency, there's a clear route from the evacuation centre to the local hospital. I'm just wondering how are you planning to respond to medical emergencies for the people who are sheltering in place? I do note in the plan there's reference to possible evacuation by boat from balcony. I'm just wondering if you can answer that for me.

MR DUFF: Yes, we will have a registered nurse on site, of course, to look after what is within their capacity. If there were to be another layer of a medical emergency on top of already refuging in place that our site cannot cater for, we have explored having a boat mooring on the level 1 balcony area that would allow us in that unlikely event, of course, to place somebody into a boat and allow them to leave the site, if anybody did indeed need to leave the site. But, of course, that's not a hope for us, but that is a plan within the design.

MS MILLIGAN: Okay, all right. Thank you. Can I just check with Richard, any questions on the issue of flood or stormwater before we move on?

MR RICHARD PEARSON: Yes, just one, thanks Janett. So, you'll obviously be aware that SES is continuing to oppose the shelter-in-place strategy. Just – and I think largely – I don't want to put words in their mouth, but at least partly due to the length of time the shelter-in-place may need to occur in a big flood event. Can you just talk briefly about your interaction with SES on this, and any discussions you've had regarding the shelter-in-place strategy?

MR DUFF: Yes, they maintained their position the entire time, and it's understandable, introducing an at-risk population within a flood area, of course. The

50-hour isolation time within the PMF is a catchment-wide flood modelling estimation. Of course, this is a conservative estimation, so in the consultant's view, that would be the maximum time by which the waters could be held up within this area.

5

As far as the shelter-in-place response of ours is obviously a requirement for people with these high needs to be kept within the care and within the location that gives them the highest chance of care during such an event. And we haven't been able to change the mind of the SES and Tweed Council also referring to the SES to displace from that position. And we understand that that happens on other applications as well.

10

I would just note that this PMF event is statistically a 1-in-180,000-year chance. So, we are planning for the genuine worst-case scenario here, and we do believe that the scheme that we've provided here, despite the SES's objection to it, is giving a best chance for the risk assessment for the site.

15

MR PEARSON: Okay, thanks.

MS MILLIGAN: Okay. We might come back if there are any residual questions, but in the interest of time, let's push on. Can we talk about built form, particularly we wanted to talk about height exceedances. Yes.

20

MR DUFF: Absolutely. I will hand over to the Planit team.

MR BLANDFORD: So, just discussing heights specifically. The site is mapped with two maximum building height controls: 9 metres at the Lorient Way frontage, which is not exceeded; and 13.6 metres for the Kingscliff Street portion. The proposal exceeds is 13.6 metres, with the greatest variation of 3 metres or 25%.

25

Under clause 4.6, there are two general examinations. First, the compliance with the development standard is unreasonable or unnecessary in the circumstances. In this case, the non-compliance arises almost entirely because the site must be filled to achieve Council's required climate change flood planning level. The LEP measures height from the existing ground level, which is over 2 metres lower than the flood planning level due to historic excavation.

30

35

The additional height therefore reflects the fill needed for flood safety rather than extra built form. Surrounding development, including the Drift Court Estate that adjoins the site to the east, has achieved this same outcome through prior filling and then had height measured from the new finished level. On that basis, strict compliance would be unreasonable and unnecessary. It would simply penalise this site for historic ground conditions and would defeat the intent of the control, which is to manage bulk and scale, not flood levels.

40

Second, there must be sufficient environmental planning grounds to justify the variation. Those grounds are clear. The objectives of clause 4.3 are achieved; height, character and amenity are all maintained, and the non-compliance arises from necessary flood fill and placing plant above flood levels, not excess built form.

45

Requiring strict compliance would thwart the intent of the control by preventing flood-resilient development and unreasonably reducing route yield on a site which is strategically planned for urban renewal. The zoning is appropriate and reasonable. The height standard remains purposeful but is unnecessary to apply literally in this context. In short, the purpose of the height control is satisfied, and the variation is well-founded and consistent with local planning practice.

MS MILLIGAN: Thank you for that. Before I invite Richard if he has any questions, can I just make one observation. When you talked about the history of the project, I noticed that it started out as a five-storey development, which must have exceeded the height requirements for reasons other than fill. Yes, I guess just an observation that the project started out as a much higher development, knowing it wouldn't meet the requirements.

MR BLANDFORD: Well-noted. Underneath previous versions of the SEPP, there were bonus height provisions being considered for this. So, the application doesn't actually pursue those bonus provisions of either FSR or height that are mentioned under the SEPP. Currently, it's drafted that you must meet the FSR requirement to exceed height – sorry, to activate bonus provisions. So, we were looking at whether or not this development would have achieved that and hence looking at a fifth-storey element.

MS MILLIGAN: Thank you for that. Richard did you have questions on this topic of height?

MR PEARSON: Yes, thank you. So, have you looked at – did you have a look at what yield loss you would achieve – sorry, 'achieve' is the wrong word – what yield loss would occur if you did do a height compliant scheme? You're still doing your fill to get out of the flood zone. How many, how much yield would you lose with a height compliant scheme?

MR BLANDFORD: Richard, I'll just defer quickly to Uniting and/or to Rachel just to see if that exercise has been run. But effectively, it would be an ultimate – it's a floor across every level. Sorry, a floor across every building.

MR DUFF: Yes, we haven't run those exact numbers, but that's correct.

MR PEARSON: Okay. So, you'd lose a floor on every building or ...?

MS HEATH: Every building except for Building A.

MR PEARSON: Yes, you wouldn't lose a floor on Lorien Way, would you?

MR BLANDFORD: Except for Building A where it's not exceeded, yes.

MR PEARSON: Yes, so, okay so the rest of the site you would lose a storey. Okay. And so, your climate change resilience additional 300 mils is just – is it that, 300 mils,

a third of a metre? So, you are – you have got height exceedance due to other factors other than flooding, isn't that the case? Because you've got your 500-mil freeboard, you've got your 300-mil climate change resilience, so that's 0.8 of a metre, but in some places, you have 3 metres above the height limit. So, what's driving that?

MR BLANDFORD: There is upwards of over 2 metres of fill required or at least getting up to the 4.1 initially, it's not just the 300-mil; it is upwards of 2.4 in areas. But then at that, sorry, at the ceiling height, then there are lift overruns and plant. And as Ryan has gone and mentioned, a key driver has been placing that plant above the ground surface, putting it on the roof so that it's available, so flood resilient in terms of getting that equipment out then.

Then that has been tested, it's been able to be sited away from the property edges and the building edges, and it itself, that development that's occurring above the ceiling, isn't resulting in unreasonable overshadowing and then ultimately also doesn't have privacy outlook impacts because of the nature of what it is.

MR PEARSON: No, I understand the clause 4.6 arguments you're making. It's more I'm just trying to get to the nub of why the height exceedance is occurring. So, you're saying it's all due to flood filling as to why you're exceeding the height.

MR BLANDFORD: We're exceeding the height due to the requirement to fill. So, that the exceedance really is below the ground surface – that is it. And then as shown in those images there where the cursor is, it's then showing if we weren't – sorry, after it has been filled, what then occurs above the 13.6. And it's about point, I think, what's the measurement, it's point ... 35-mil for most buildings. And the RAC, which is that building with the additional plant on the roof, that's measured at 1.45 metres above that filled or that finished flood planning level.

MR DUFF: I would just add in, if I may – Ryan, again – this has, Richard, been somewhat of a design development item over the last year and a half. So yes, it is predominantly in response to discussions back and forth with the Department. Our original scheme as submitted was substantially lower and beneath this pink height plane, so this is on the baseline of the re-graded site, of course.

Really, I know these numbers of showing up to 3 metres and over 1 metre, the vast majority, if we did not have that 300-mil raise, which has just come in due to climate change within the last six months, before that would see the RAC floor plate well beneath the line.

And it's really these acoustic louvres that are shielding the – this is all condenser units for air conditioning placed up on the roof, so again for better amenity in the centre of the floor plate, as opposed to placing condensers on the balconies and causing other nuisance. It's really these acoustic louvres that are well over a metre high, sometimes up to 1.8 metres high, that are placing these numbers in the variation table to the heights that they are. I think that's worth noting.

MR PEARSON: Thank you.

MS MILLIGAN: Okay. So, on the topic of – we’ve talked about yield, we’ve talked about floor area. Can we move on perhaps to the next item on the agenda, which is amenity, building separation and privacy treatment. There are a couple of things that we noticed here, particularly around your view the privacy treatments aren’t required because of the analysis of overlooking and privacy. So, maybe you’d just like to talk to us about those topics.

MR BLANDFORD: Yes. Very conscious also of timing, so just in summary, to the property edges, all buildings apply the 9-metre boundary setback, which is 6 metres as required underneath the ADG plus an additional 3 metres applied, given that the development adjoins residential development of a low-density nature.

Then there is 12 metres separations provided internally of the site, except in one location, between Building F and the RAC. And that’s been noted in the Department’s reporting. What actually occurs there is two – they’re balconies as well as a sitting room within the RAC, within approximately 10 metres of one-bedroom apartments.

We’ve indicated that we feel it’s unnecessary to change the window treatment for those balconies and the sitting rooms, just that it limits light getting into these passive recreation spaces, and that because Uniting effectively owns the development, we’ll be managing the tenancies occurring and the operations as such. But it’s not a major objection from Uniting, if that condition was to remain.

The other note that’s in the Assessment Report relates to Building A, which doesn’t have that 9-metre building separation to the southern boundary setback, but rather it is the two-storey development. So, a 6-metre setback has been applied to the southern boundary.

The Council has requested that those balconies that we can see on screen, that they’re opaque or non-permeable. We’ve indicated, and the Department has agreed that we don’t see that as necessary, given, one, the 6-metre separation distance is achieved which is a best practice principle. Because adding opaque or non-permeable screening there will darken already those south-facing areas. And then when we start to look at the privacy analysis, effectively where those units are, they are overlooking the homes that are to the south already anyway.

And then lastly, there’s landscaping treatment within the private courtyards to the south, which will add added screening. So, like the Department’s assessment, we didn’t see a need for increasing the screening or making those balustrades opaque or non-permeable.

MS MILLIGAN: Okay, thank you. Richard, any questions on this?

MR PEARSON: Yes, thank you, Janett. Is it possible to just go back to the footprint slide that just shows the layout of the development? It’s a couple back from – yes, that one. So, just in terms of the layout of the site, obviously the church at the top of the slide there, and parking has been a bit of a constraining factor [unintelligible 00:49:17]

possible to push Building F further east and perhaps do something with the RAC in terms of its proximity to Lorien Way residences. Can you talk about – I don't think that church is a heritage item, from my observation, I could be wrong. But has that been quite a constraining factor in the layout of the site?

MR DUFF: Yes, thanks for the question, Richard, and it's interesting that you raise, because we have had some discussions with the Department on that over the last 12 months and moving this. The church lands are within Uniting's internal requirements are not an area that we were comfortable in pushing Building F within. Because it is an existing church with existing needs and, operationally, we thought it most prudent to keep Building F sheltered from it.

Not only that, but the underground basement and heavily underground constraints within the site and ensuring that cores are above the right locations within basements as well, kind of kept us in this location as well. We did see if we could creep it further to the east, but in the end took the position of a preference to leave it as it is. Again, we have the intimate ability of the heart area in this current proposal, and this distance factor with just a minor impact to the seating area only, we thought that it's not an adverse amenity outcome for either of the users on site here.

MS HEATH: You've also got – you can see the Council land, if Ryan you could put your cursor over that, which is the sewer pump station. So, there is some amenity concerns again about how close you actually move Building F up towards that infrastructure.

MR PEARSON: Yes, although your Building E is kind of getting close to it.

MR DUFF: Yes, yes. Yes, we've always kept that in mind and tried to push the built form around it and based on local winds etc., been able to mitigate wherever we can the impacts from the sewer pump station.

MR PEARSON: Yes, okay. Another question, the RAC building and Building C are both – I'm sort of just a bit conscious that Lorien Way seems to be a bit of a battleground in terms of interface with suburbia. They're quite long buildings; did you give any thought to breaking up those buildings at all through the design process?

MR DUFF: It's – Adrian, did you want to answer that?

MR CIANO: Yes, I can answer that question, if you like. Yes, we had, we did many, many iterations of how to site and place buildings on the site, Richard, thanks for your question. As you can see, Building B faces a different way, so we did look at how we might be able to site them.

The site north is obviously the left-hand side of the page here and so the ability to get solar access to the number of units and lay buildings out a particular way. Uniting also has a principle of being – of assisting people to age in place. So, when we start to have very small footprints and very small floor plates, it becomes more difficult to assist people from a care perspective as well. And then it adds to the burden – we put two

lifts in every building, to obviously have redundancy, knowing our audience. So, when one lift either goes down or is obviously doing its regular maintenance inspections etc., the other lift's available for use. So, creating lots of small buildings means lots more lifts on the site and additional costs to village budgets etc., which is undesirable for the end future users.

The residential aged care building itself, we've got a best practice layout for this residential aged care building, in terms of two households of 20 beds a household, with all of the ... What we're trying to do is get solar access, good sight lines, excellent resident outcomes and staff outcomes from the people who will be looking after the residents who are in that building. So, the layout of that particular building is informed by best practice residential aged care design.

The location of that building moved around on the site a number of times, and we tried siting it in different locations. Its inevitable end position is kind of a central in the site as possible, given the limitations. So, it's quite distant from neighbours along its entirety, if you like, it's very centralised in the site.

MR PEARSON: Okay, thank you.

MS MILLIGAN: We don't have a lot of time left, but can we move on. The construction period of four years is obviously a significant topic of discussion. Can we just talk about anything you'd like to highlight in terms of, I guess, making it easy for current residents of our facility and the community surrounding you, during that four-year period.

MR DUFF: Yes, absolutely. I would comment that we have come out with an estimate without having a construction partner on board just yet, a hopeful construction timeline of up to two years per stage. We think that is fairly conservative, but we would prefer to take that position, share that now, and hopefully improve on that once we actually get into construction. We wouldn't want to be there any longer building it than we need to.

But we do have very detailed construction noise and vibration management plans and a lot of mitigants layered across the site to reduce any future noise and nuisance to any of the surrounding community. We're hugely cognisant of that, and we've heard what's been said through the RTS period on these matters as well.

We will have acoustic boarding right throughout each of our construction stages, which will eliminate noise and issues in the vast, or across the site, and that will be high enough to also mitigate on any second-storey dwellings as well. We will have noise, dust and vibration control measures used right throughout, of course. And stormwater, erosion and sediment control for during our excavation periods and what have you. And we will have communication plans notifying of any works that might be outstanding or an additional nuisance before they occur on the site.

MS MILLIGAN: Could I just clarify, you talked about acoustic barriers, and you said they'd be high enough to protect second storey. How tall are they?

MR DUFF: The acoustic consultant has suggested within the report 2.4 metres, which will be slightly a bit higher than obviously a 1.8 residential fence. That has been – and of course it'll be acoustically treated to an appropriate rating. Those will just temporarily be around works areas and in front of boundaries with neighbours, to reduce any throw of noise for the site.

You'll see that the neighbours in the vast majority are quite close to their own boundary fence already, particularly at the ground level, which contributes a little bit to screening with the fences in their current form already, or the noise passing over or beyond roofs. So, the 2.4 allows for that reduction.

MS MILLIGAN: All right, thank you. Richard, anything on that one?

MR PEARSON: Yes. What are your construction hours, is it 7 till 6 or 5?

MR DUFF: I can't answer that off the top of my head, Richard, but it's certainly in the conditions, I can get that for you –

MR PEARSON: No, that's all right, I guess it'll be as per the Council ...

MS MILLIGAN: I think Callum could answer that – let me just throw to him for a second.

MR FIRTH: Yes, I looked at it yesterday, it's 7 till 6 Monday to Friday and then 7 till 1 on Saturdays.

MR PEARSON: Seven till 1 on Saturday.

MR BRAD JAMES: Sorry, Richard. Callum, I think it's 8 till 1 on Saturdays.

MR DUFF: That sounds right.

MR PEARSON: All right. And just in terms of how you're going to communicate with surrounding residents about ... Are you going to have a committee that's going to oversight the development, because it is a four-year process? What have you proposed in terms of that ongoing interaction with residents, you know, complaints, etc.?

MR DUFF: Adrian, do you want to speak to that?

MR CIANO: Yes, sure. So, Uniting has a governance structure which is headed up by a board and then into board committees and then into an executive and then into initiative-led items in all the different parts. So, obviously Uniting is not a property development organisation, it's a community services organisation.

One of the elements that is the delivery of major projects. Major projects are controlled by a project control group which has the executive sponsorship, and people on the committee they will oversee all of these. People on that committee also include

communications, and we will be reporting every month on communications. We take quite an active role on communication with neighbours. Our neighbours should be able to tell us that we've been communicating with neighbours during the course of the process of the DA. We would also be putting into the requirements for our contractor in the contract for them to be communicating with neighbours as well through their process.

Lastly, Uniting puts a Clerk of Works on our site who's a Uniting employee, they will be there most of the time to be able to deal with specific items. One of their requirements is community and neighbour interfaces. And they're a Uniting employee.

MR PEARSON: Thank you.

MS MILLIGAN: Can I just ask, hearing you talk about your position in the community and the effort you've put into communicating with neighbours. I guess there are a couple of things. We had on the list 'traffic impacts', because it was a major issue for community in their submissions.

Given your analysis where you talk about the fact that there won't be a significant impact on local traffic, why do you think you've been unable, I suppose, to communicate that outcome to the local community? Because traffic impacts remain a significant concern. Similarly, their concern that development on the site will worsen their position in flooding.

So, you've given us analysis that indicate both of those things will not be significant. And yet we've got a local community who are still very concerned about those. Do you have any observations about why you've not been able to communicate that locally?

MR DUFF: That's a difficult one to answer. I would say that, again, Uniting follows best practice in communicating all of that. And to Adrian's point, we do have a very long registrant list, and we do send out communiques every three months. I think it might be more of a position of how what we have said has been receipted and whether it's been receipted or not is more the position perhaps.

We have had all of the obviously reports from the consultants etc. stating the facts the entire time. I think it is a very sensitive site of course for a number of reasons. I understand that Lorient Way has parking issues currently, and I drive the site often and see that there's parking issues along that site. But of course we have proposed with our project that we are over-parked on the site for visitors and users and staff.

And so, we – the numbers within our project really do speak to that we have more parking spaces than we would otherwise need, and so that overflow into those local networks we truly think will not occur. But we can't speak to how the community has responded to those items, I suppose I would say. Adrian, I don't know if you wanted to say anything extra.

MR CIANO: I think Luke wants to say something as well. But at our community consultation, especially the second community consultation that we undertook after we did the re-design, we actually brought our technical consultants to those communication meetings and they were there to answer questions on behalf of the community and did take lots of questions. And then in the one-to-one meetings we did have some communications with the residents around some of their residual concerns as well.

So, again, I think there's potentially a difference between the technical items and the receipt of those technical items by the community themselves as well. So, we had technical consultant reports, and they indicate the differential in service that those roads or that the development proposes.

The other note is that despite the change, this development has seniors and they choose to drive at different times than other – if this was another development type, it would have a differential impact. Luke?

MR BLANDFORD: I was just going to speak from a local perspective. The role of Kingscliff has been solidified in 2016 with the Kingscliff Locality Plan that has absolutely identified that the Kingscliff is the service centre for the Tweed Coast. It has always had a number of release areas; those release areas have sat somewhat dormant until the last few years. But it's even been further exaggerated now with the Tweed Valley Hospital in Cudgen at the edge of Kingscliff.

When you come and visit, you will see Kingscliff is under construction. It is moving towards that 2016 locality plan that is heavily focused on infill and these release areas. The development is afoot. The community is seeing Kingscliff in alignment with that strategic planning, but that then brings concern that their local town is changing.

It is, as I said, it is aligning to what has always been strategically planned, and also with the longstanding zoning for Kingscliff. But it's now happening. And so, it was just important that our traffic modelling took all of that into consideration, and that's noted on that slide. All of this planned development is part of our traffic analysis, and so our traffic analysis puts us in that context of growth and indicates that we fit within the landscape of Kingscliff, and that we are not going to be causing a major traffic concern.

Planit has just helped Council secure approval for the widening of major corridor networks, and so there will be major road upgrades occurring in the next few years. Some of it is already underway, you will see when you visit the town. It's just that. It is that Kingscliff is changing, there is more traffic, and that's bringing forward the community concern.

MS MILLIGAN: Thank you for that. One really last quick question about traffic. Construction traffic. Given you're doing two-stage development, will construction traffic be confined on site rather than the surrounding streets?

MR DUFF: Yes, that will certainly be the goal for our building partner to manage that construction traffic on site. Again, we don't have them on board as yet, but that's certainly the objective of the site. We do have area ...

5 It is obviously a ... It will be a busy site with an active RAC on it and construction at various stages, but the intent is to keep construction traffic within our site, that's correct.

10 **MS MILLIGAN:** Okay, thank you. Look, we are out of time, but I'm just going to ask Richard, any other matters or questions for you at this point?

MR PEARSON: No thanks, Janett, I'm good for now.

15 **MS MILLIGAN:** Okay, all right. So, you said a couple of times when we see the site, so can we just finish on that. We are looking forward to doing a site inspection with you. Thank you for sending through a map and a few notes to guide that. It's important for us to be able to walk the boundary, I suppose, inside the site. I know you were thinking that maybe not all parts of the site would be included on the visit, but we would like to walk the boundary. Is that possible?

20 **MR DUFF:** Yes, it is, certainly. I would just suggest to bring along some boots.

MS MILLIGAN: Work boots, yes.

25 **MR DUFF:** Yes. And we can get you in there, certainly, we'll make sure that the area is maintained so that it's not unsafe, and get the grass cut etc. But I've walked down the back there myself before, so there's no problem.

30 **MR BLANDFORD:** Ryan is alluding to he needs me to shoo away the plumbers before we all arrive. So, I'll do ... I'll clear the site before we get there.

35 **MS MILLIGAN:** Okay, thank you. All right. So, thank you very much, I think we'll leave it there. Thank you very much for taking our questions and providing useful information this morning. Thank you very much.

MR BLANDFORD: Thank you so much.

MR PEARSON: Thank you, all.

40 **MR DUFF:** Thank you for your time. Thanks. Bye.

>THE MEETING CONCLUDED