



TRANSCRIPT OF MEETING

RE: GEORGES COVE MARINA SITE – 146 NEWBRIDGE RD,
MOOREBANK (PP-2024-658) – GATEWAY DETERMINATION REVIEW

PROPONENT MEETING

PANEL: ANDREW MILLS (CHAIR)
JULIET GRANT

OFFICE OF THE IPC: BRAD JAMES
TAHLIA HUTCHINSON
PHOEBE JARVIS

PROPONENT: DANIEL SERAGLIO
ELYSE DEBRINCAT
ERNEST DUPERE
LOUISE CAMENZULI
DANIEL MARTENS
ALLAN YOUNG

LOCATION: ZOOM VIDEOCONFERENCE

DATE: 9:30AM – 10.30AM
THURSDAY, 13th FEBRUARY 2025

<THE MEETING COMMENCED

5 **MR MILLS:** Well, welcome this morning. Before we begin, I would like to acknowledge that I'm speaking to you from Gadigal land and I'd like to acknowledge the traditional custodians of all the lands on which we virtually meet today, and pay my respects to their Elders, past and present.

10 Welcome to the meeting today to discuss the Gateway Determination Review Request for the planning proposal applying to the Georges Cove Marina Site at 146 Newbridge Road, Moorebank (PP-2024-658) currently before the Commission for advice.

15 The proposal seeks to facilitate mixed use and residential development by introducing a new additional permitted use to permit residential flat buildings, multi-dwelling housing and restaurants and cafés, with a maximum total gross floor area of 1,500 square metres, as well as increasing the maximum height of building and floor space ratio controls.

20 My name is Andrew Mills. I am the Chair of the Independent Planning Commission and of this Commission Panel, and I am joined by my fellow Commissioner, Juliet Grant. We are also joined by Brad James, Tahlia Hutchinson and Phoebe Jarvis from the Office of the Independent Planning Commission.

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

30 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 advice. It's important for the commissioners to ask questions of attendees and to clarify issues whenever it's considered appropriate. If you are 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, which we'll then put on our website.

35 I request that all members here today introduce themselves before speaking for the first time, and for all members to ensure they do not speak over the top of each other, to ensure accuracy of the transcript.

40 We will now begin. Thank you and welcome. Is there anything that you would like to lead with as an opening from you as proponents?

45 **MR DANIEL SERAGLIO:** Thank you Chair and commissioners and IPC officers. I have a short presentation which may assist, if you would like me to share, and we can work through that and then obviously go through questions at any time.

MR MILLS: Sure. That'll be terrific, thank you.

MR SERAGLIO: I'll just quickly – bear with me because I don't use Zoom, so I may be a little bit rusty with IT. Can you see my screen? Can you see my screen now?

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MS JULIET GRANT: Yes.

MR MILLS: We can see it now.

10

MS GRANT: Yes, thank you.

MR SERAGLIO: Fantastic. All right. Firstly, I'd like to introduce our team. We have Dr Louise Camenzuli who is Head of Environment and Planning at Corrs Chamber Westgarth. We have Dr Daniel Martens who is Director Principal at Martens & Associates. Allan Young, Director of Planning at EMM. We have Ernest Dupere who is representing the landowner. Elyse Debrincat, and myself, Daniel Seraglio from Mirvac.

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I'll just give you a quick update and background. Mirvac has worked with the Liverpool Council and in this LGA for over 30 years and we've delivered many projects and some award-winning developments, including Elizabeth Hills, Brighton Lakes Golf Course redevelopment and our neighbouring Georges Cove development.

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We understand that this is quite unusual for a panel to be considering a gateway review, however, it is only because Mirvac truly believes with the positive outcome of this proposal it will crown the revitalisation of the Moorebank East precinct and will truly deliver something spectacular for western Sydney.

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This planning proposal was initially lodged or prepared in 2017, lodged with Council in 2018 and has been working its way through the planning system for the past eight years. We've worked with local council, State Government agencies and taken on their ongoing feedback, refinement, requests for information and modification, and additional information consistently within that period. We will always continue to work with Council and the Department of Planning to ultimately provide a great outcome for western Sydney.

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It has become clear though that the interpretation of a risk-based approach varies greatly across different departments of the New South Wales planning system. This is a site where you have a developer and landowner working constructively to deliver much-needed housing diversity whilst enjoying overwhelming community support. This site represents an unmatched regionally significant urban renewal opportunity for western Sydney.

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Yes, flood management is an issue on the site, but the Flood Inquiry itself told us that planning decisions are to be made in a manner which limits impacts to an acceptable level and achieves a tolerable flood risk level for flood-affected proposals. This has been achieved in the context of this site and this proposal

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through the extensive amount of modelling and engineering review, which has been undertaken specifically on this site.

5 Dr Martens is here today to discuss further. He has peer reviewed the results, one of many engineers involved in this project, and he too agrees that the risk of this site can be comfortably mitigated and managed through design and emergency response plan, and we welcome your questions to him in that regard.

10 We request the Panel practically considers the actual flood risk presented by this site, and proposed mitigations and management measures. In particular, that all residential floor levels are located above the PMF. A PMF event which occurs every 1.6 million years and that evacuation is in fact able to be achieved utilising an early warning system that will have no impact on the adjoining Chipping Norton residents.

15 Viewing this proposal through a rational lens, following sound technical advice, and in the view of the significant opportunity presented for this proposal for urban renewal, the planning proposal for this site has clear strategic and site-specific merit, and we firmly consider it should be afforded a favourable gateway
20 determination.

Now I might pass to Louise just to summarise the proposal.

25 **DR LOUISE CAMENZULI:** Thank you, Daniel. My name is Louise Camenzuli. I won't take too much time, commissioners, this morning because I understand you are well across the proposal. But just to give you a little bit of the site history. This was the former Benedict Industries site. It was previously used for resource extraction and recycling facility uses. As a consequence, the topography of the site has been heavily modified by these former extractive operations, with most
30 essentially all vegetation cleared off the site.

35 The site is subdivided into three main development sites: the Georges Cove Village which fronts near Bridge Road; the Georges Cove Residences, which I residential development being constructed by Mirvac; and Georges Cove Marina, which is what we're here to talk about today.

40 As you are probably aware, the Sydney Western Planning Panel has approved the Georges Cove Marina DA, which was approved on the 7th of May 2021, and that approved the use of the site for a function centre, tourist, entertainment, recreation and club facilities, wet berths, car parking, a private marina clubhouse, and servicing infrastructure.

45 Following the DA, a modified planning proposal was lodged. The intention is to amend the Liverpool Local Environmental Plan 2008 to, as you've identified at the outset of the discussion today, to include additional permitted uses in the RE2 Private Recreation Zone Plan to permit residential and commercial uses, with a maximum height of buildings within the Key Site area, which was shown in yellow on the previous screen, of 35 metres, and an FSR of up to 0.4 to 1.0.

5 Importantly, the intention here is to facilitate a maximum of 341 dwellings with, at this point in time, there's an intention to have a mix of 21 terraces and 319 units. However, obviously we're not here to talk about DA-level detail, we're only here to talk about the applicable controls for the site.

10 I'm firmly instructed that the introduction of the residential component and the commercial components of this site are absolutely material to activating the precinct and the foreshore, and to making the whole project commercially viable. It will also obviously serve a passive security function to have a residential and commercial element at the marina.

15 I was engaged by Mirvac approximately four or five weeks ago to review the history of this application, and in particular, the concerns that have been raised through the assessment arising primarily from the flood studies undertaken by BMT and Molino Stewart, which you might appreciate were commissioned by Council but are not adopted.

20 As a consequence of my review, and as you would appreciate, the reservations around site-specific merit and strategic merit stem largely from concerns around flood management and evacuation risk presented by the site. I engaged Dr Daniel Martens to undertake an independent peer review of those flood studies and all of the work that has been done to date. So, I'm going to handover now to Dr Martens to communicate the findings of his review.

25 Really, commissioners, what we're asking for today, is a four-week adjournment to allow Dr Martens to present an informal report his findings arising from his review of those flood studies and all of the work that has been to date. Following which, I imagine, that the Commission and perhaps the Council may need some time to consider that and then following which we can perhaps have a final determination on this very important planning proposal.

30 I'll handover now to Dr Martens. Thank you, commissioners.

35 **MR MILLS:** You're on mute, Daniel.

40 **DR DANIEL MARTENS:** Thank you Chair and Panel. If I could have my first slide, please. So, my name is Daniel Martens, I'm a Hydrologist specialising in flood risk management over the last 30–35 years.

45 There are, as far as I can tell, three sort of key issues that relate to flooding risks of this site. The first one is whether the proposal would have any material impact on flood behaviour. And that's been dealt with in some detail by the Stantec modelling, and I can come back to that later on.

The second one is whether the development would affect, once it's constructed – sorry – be affected by flood risks itself, so that's the risk to property. And I'll come back to that shortly.

And then the third one, which I'll spend some more time with today at first, are the risks to the occupants should the planning proposal proceed.

5 And so what I want to do is just talk very briefly about the evacuation issues at the site and the evacuation capacity, and most of that has been documented in a detailed report prepared by Molino Stewart in 2022. And the 2022 document relies on flood modelling prepared by BMT in 2020. I've had access to both of those models and run both of those models over the past couple of years. I've worked
10 with Mr Molino on his model, so I understand how it works, and I thought it would be worthwhile and beneficial to explain at a very high level the setup of the model and what that means for the evacuation capacity of the site.

15 The image that you see before you is on the left-hand side an outline of evacuation sectors that are modelled within the flood plain in the precinct's model in the Molino Stewart report. And so these areas are labelled R4, R5, R1 and so on, and the planning proposal site is located in R7. And on the right-hand side, there's a bit of a blowup showing the individual development precincts within R7.

20 And Site D is the one of particular concern today, which is the site of the planning proposal. Site C is fully constructed; that's the Moorebank Cove residential development. And as part of that consent, a bridge over a creek was required to be constructed as well as a pedestrian egress route to the park that's immediately to the west. And Site D, which is the planning proposal site, would evacuate through
25 Site C and over the new bridge and then onto Brickmakers Drive and towards the M5.

30 And so the important thing to note here is the way in which the Molino model has been constructed, and I'm not criticising it in any way, I fully adopted it for the purpose of this review – is that in the very eastern part of the site (when I say site, I mean the floodplain), sector R25, which is Chipping Norton East, evacuates first.

35 And the way in which evacuation is being modelled in the Molino report is it is all based on the probable maximum flood, so the 1-in-1-year or 1-in-1,000,000 or 2,000,000 year event, but then the perspective ice ages occur approximately every hundred-thousand years or so. So, it's a very, very extreme and very rare event, so it's extremely conservative.

40 So, the Molino report uses the BMT probable maximum flood to forecast evacuation from these sectors. Sector 25 or R25 evacuates first, and then the next sectors to evacuate are located a couple of kilometres towards the west, and they are sectors I5, I13 and R26, so they evacuate two-and-a-half hours later. And the model has been constructed so that sector R7 is only activated for evacuation four-and-a-half hours after sector R25.

45 So, after looking at the model and considering what options there might be available, my recommendation to the team was that by way of a minor amendment to the model, there's an opportunity to evacuate sector R7 earlier by modifying the

sequencing in the Molino report and to do that at one-and-a-half hours after sector R25 evacuates. And I see that as being a logical thing to do because the development that's proposed under this planning proposal would be operated by a body corporate, so it wouldn't require additional resources from the SES. The SES would be in the location of R7 in any case, it would have to drive past R7 to get to R25, and then it would have to drive past R7 again to get to the sectors that are in the west.

So, that essentially at a high level is my consideration of the evacuation sectors. If we could just have the next slide. Just to summarise that again, the Molino model assumes that sector R7, which includes the planning proposal site, evacuates four-and-a-half hours after a flood warning is received from the Bureau of Meteorology for a significant flood event.

And so by modifying that four-and-a-half hours to one-and-a-half hours, we would be able to achieve an effective earlier evacuation scheduling, And that could be incorporated through one or two or both methods, such as the SES could build that into its SES Evacuation Sub-Plan which is not finalised, as far as I understand, for this area. And it will take input from the Molino report. And in addition to that, there would be a site-based Flood Emergency Response Plan that would also include an early warning system and appropriate communication with the SES.

If we could just have the next slide. I'll spend some time explaining this figure. This is essentially the outcomes of running the model under current conditions in 2025, which is the top bar, and running the model with an early warning system in place or a modified evacuation scheduling in place for the planning proposal.

So, the top bar relates to a timeline starting at zero hours, and that's when the Bureau of Meteorology issues the flood warning. And the pink triangle or the pink diamond is when the SES currently, under Molino's plan, would be evacuating the site or sector R7. And what happens at that point is firstly, there's a warning acceptance factor which the SES recommends to be one hour, and that's the time over which people will discuss whether they will accept the warning or not. That is then followed by the warning and lag factor, which is another hour. And then the green bar indicates when the evacuation actually occurs.

So, running the model, Molino's model, including these sites, A, C, D, I and K which presently have approval, with no other upgrades in the system incorporated into the model, results in 200 vehicles being trapped on the floodplain. So, that's the current condition that we have today. And if I run the model then with the proposed slightly modified evacuation trigger for the site being set at 1.5 hours, which falls between the initial warning at sector R25 and the sectors being evacuated next, two-and-a-half hours later towards the west, the outcome is that the number of vehicles trapped on the floodplain is reduced to 120. And again, this is in the probable maximum flood. But all the vehicles evacuating from the planning proposal site would be able to evacuate.

So, I'll just repeat that. So, the outcome is that all vehicles from the planning

proposal site can evacuate, based on Molino’s model. And there would be a net benefit to the existing conditions in the sense that there would be less vehicles trapped on the floodplain due to the reduced congestion arising from the earlier evacuation.

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MS GRANT: Sorry to interrupt. Can I just ask – are you saying that because it’s a managed community, you’re able to get the message to that community faster? Is that how that timeline is shifted?

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DR MARTENS: Yes and no. So, what I’m proposing is that – look, I’ve discussed the model at length with Mr Molino in the past, but the model was put together at the time but there was no significant time spent on optimising various sectors. There was an assessment process that was undertaken.

15

I’m saying that the SES could modify its evacuation procedure to evacuate sector R7, which is the planning proposal site, earlier at one-and-a-half hours. Or the site could evacuate after being notified by the SES earlier at one-and-a-half hours. Or the site could evacuate on its own basis through a Flood Emergency Response Plan one-and-a-half hours after the Bureau of Meteorology advises that a flood is likely to occur in the next 12 hours. Or it could be any one of the above together.

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So, there are a number of mechanisms. I suppose all I’ve done so far is to identify that using the Molino model and the BMT 2020 model and applying those factors essentially unchanged but adding in the additional developments that have been approved, and not including any additional road upgrades, that there’s a benefit to the local community in terms of evacuating from the floodplain.

25

MS GRANT: And is it usual – is it common practice for SES to modify their plans on the basis of individual developments?

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DR MARTENS: Well, interestingly here, the SES hasn’t formally written up its evacuation procedures. So, when the Molino report was prepared, and it’s discussed in the Molino report that they had extensive consultation with the SES, volumes 2 and 3 of the sub-plan were not formalised. And as far as I understand, they’re not formalised at this point, but they’re in draft and they’re being worked upon.

35

So, it makes sense and it’s not unusual in a planning proposal stage to undertake further consultation with the SES, to inform them as to the most updated modelling. I mean, for example, the SES, they don’t have access to a model that is up-to-date to the current approvals that have occurred within the floodplain, so it would be in their benefit to receive that information. And if we can as an applicant modify and improve the staging of development to, if you like, reduce the demand on their resources, I’m sure they’ll be more than ready to listen to that proposal.

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MR MILLS: Daniel, may I ask a follow-up question to that. I think I heard – and Louise, my apologies if I misrepresent what you said earlier – that there’s no impact, or there would be no impact on the Chipping Norton East. Is that –

perhaps if you could just unpack that for us. I'm beginning to think I know the reason, but I won't presume it.

DR CAMENZULI: I'll let Daniel answer that. Yes.

DR MARTENS: Yes, look, the – so, if you just flip back, I think, one or two slides if you can, whoever's controlling the slides. Yes, look, that's fine.

So, at Appendix A to the Molino report, there's a list of all the sectors and the time at which it's suggested that those sectors are evacuated. So, the first sector is the R25 sector, and then there's this – and I don't understand exactly why – there's a two-and-a-half-hour delay between that sector evacuating, which is the one that it's low-lying land and it's close to the river and so on, so it's obviously flood liable.

There's no reason why there's that two-and-a-half-hour gap. And R7 isn't evacuated slightly earlier than four-and-a-half hours that in there. So, all I've said is when I've looked at the model, why don't we see what happens in terms of SES resourcing and movements, if we move the R7 evacuation time to 1.5. And what that means is the people in R7 could slip out without impacting traffic congestion issues within the egress routes before they get to the M5. So, that's, I suppose, the short answer.

MR MILLS: Yes, I guess what I understand you're saying though, is that you're considering that R7 evacuates first and earlier. Is that right?

DR MARTENS: No. So, R25 evacuates first.

MR MILLS: Sure, okay, still evacuates first.

DR MARTENS: It evacuates first. There's two-and-a-half hours' gap between getting from R25 to getting to these other areas, I5 and I13, for example. Roughly in the centre of that figure is a – I don't have access to the mouse, but if someone could move the mouse, you can see the sectors are on the other side of the floodplain. So, there's an area that's elevated in the middle, a ridgeline, the SES would have to come across over that ridgeline and then into those areas, which adjoin the western part of the Georges River sort of bend there.

MR MILLS: Right.

DR MARTENS: And so, I just see there's an opportunity that could be worked through, and there are a number of ways that you could work that through so that whatever spare capacity exists within the evacuation of the floodplain is not impacted. We would likely have a benefit to the evacuation uses of the site. There wouldn't be a need to undertake road upgrades to do this. And because the site is operated under a body corporate, it makes it very convenient for the SES to notify the body corporate who would be able to marshal resources and coordinate with the assistance of the SES, an evacuation.

5 And look, this ideas is not novel in the sense that, you know, for example, around
the Penrith Lakes area, there is the Penrith Lakes DCP, and under that DCP, a
development was approved that I worked on with Molino, where there was – it
was a modification to the evacuation trigger and there was an early evacuation
trigger developed for that precinct in that area. And in that case, that was managed
together by the SES and – because it was community titled subdivision, industrial
subdivision in the Penrith Lakes, it was managed by the body corporate, the
committee association. So, they would be in discussion with the SES to make sure
10 the SES could disseminate its information as quickly as possible without impact
on the SES resources.

15 But I'm saying this, there's a few ways you could slice the bread, so to speak. And
that might fall out of discussions with the SES as the planning proposal develops
further. But in summary, I just see there's an opportunity here to look at the
modelling in detail, and I've said this to the proponent, that this work needs to be
done and it hasn't been done to date. The work that's been done to date, and I'm
not criticising it in any particular way, but it hasn't looked at the details of this
model. There aren't many people that have the capacity to run this model, we're
20 one of the few, and so we've had a look at it and I think that the results are
promising at this point in time.

25 **MS GRANT:** And you mentioned on one of the later slides that the assessment
you've done thus far is based on no road upgrades.

DR MARTENS: Yes.

MS GRANT: Are there road upgrades that would assist?

30 **DR MARTENS:** Well, if we just go back – no, forward one slide. So, Site F,
which is the Moore Point – what's it called ...

[Cross-talk 00:28:42]

35 **DR MARTENS:** It has a gateway approval. But that – so, the initial proposal
there was for something like 25,000 vehicles, and I believe that's been scaled back
down, the exhibited documents say something like 5,500 vehicles. But that
development, which I've run using the Molino model, it can't work without a
range of road upgrades. And so that work hasn't been done by others yet. It's not
40 really my place to talk about what road upgrades might need to be undertaken for
Site F to be undertaken, and to be able to safely evacuate the floodplain.

45 So, for the purpose of the modelling, I've assumed whatever Site F will do in the
future, they will do, and they will no doubt run their own evacuation models. But
for this planning proposal, I'm not relying on any actual road upgrade work. In
terms of [unintelligible 00:29:45].

Site F's a big one, and they've got some challenges.

MS GRANT: I appreciate that. So, I was more so coming at it from are there any road upgrades that could be done to assist R7?

5 **DR MARTENS:** I think at the moment, I don't think there's any that are needed, from what I've seen. But it may be that I can make some suggestions to improve those numbers further, they're preliminary numbers. I just – I apologise, but I just haven't had much time yet with this. I've had a two or three-week period to get my head around the background and get my head around the evacuation model
10 that's been undertaken and look at it from a clean set of hands, so to speak.

MS GRANT: Thank you.

15 **DR MARTENS:** So, look, that's evacuation. I said I'd come back to the other two issues briefly. If you don't mind, I'll just return to those.

20 So, issue one was flood impacts. So, the impacts of the development really in general, I suppose, arise from filling within high-hazard flood ways which causes flood levels to increase detrimentally on adjoining properties or velocities to increase or flood flow directions to increase such that there might be erosion or other issues arising.

25 I note that the applicant's used Stantec based modelling, which is the 2018 model, and they haven't used the BTM 2020 model. I'll just say a couple of things in relation to that. Both models predict a 100-year flood level of about 5.5 metres. I think the Stantec one is 5.6 metres for the 100-year, and the BMT model is slightly lower at 5.5.

30 So, I don't expect that there'll be any significant differences if the models were rerun using the BMT – sorry, if the development was rerun using the BMT models. And look, essentially there's a conservation of flood storage largely within the floodplain and as you'll all appreciate, the development is largely built on a set of piers and it's elevated above flood water.

35 So, I don't expect that that issue is, in terms of flooding, a material issue to any future development application.

40 The second issue, which is risk to property, and I know that there's quite some discussion in relation to the development of high-hazard flood waters and flood ways and so on. So, the building platform is, from what I've seen in the concept plans anyway, elevated to 7.6 metres AHD, which is about 2 metres above the 100-year level. And it's about equivalent to the 1-in-5,000-year flood level. And that's the level for the basement carpark entry as well.

45 So, really the response that the applicant's taken to managing development in high-hazard flood ways, if I can use those terms together, is to elevate the proposal out of the risk area and then connect that to land which is elevated above those risk areas as well. So, look, it's not a novel concept. There are many areas in Sydney

where you have quite successful developments that are elevated and suspended over deep water. Sure, we can provide you with a whole range of examples for that.

5 But I don't see any fundamental flood risk issue to the community arising from that type of proposal, as it's proposed here. And that needs to be sort of said in the context that the residential levels here will be at the probable maximum flood, which is obviously a standard much, much higher than what's been applied elsewhere in the state but also locally.

10 And so I think those issues one and two, the flood impacts and flood risk to property are issues that can be readily dealt with at a DA stage and, from my perspective, certainly secondary issues compared to the risk to life issue which I've looked certainly in a preliminary way using the Molino report.

15 **MS GRANT:** Can I just ask. So, when you're talking about the risk there, when you're talking about elevating this development out of the flood risk and connecting it to elevated land. That covers off those occupants of the proposed development site. Are there any flow-on implications for the surrounding developments in terms of that risk? The Ministerial Direction requires us to think not only of how the site itself is managed, but any impacts on the surrounding. So, is there a consequence of that approach?

25 **DR MARTENS:** Look, I think the only consequence that's conceivable is really the evacuation one, and we've talked about that. There's no consequence in terms of the flood levels and flood velocities. I don't see how there could be a consequence to other properties in terms of risk to their property or property damage.

30 Yes, so look, I don't see there being any consequential impacts arising from this development to adjoining land or other areas on the floodplain that are subject to the same type of risks.

35 **MR MILLS:** Can I ask a follow up then, and it's really going back to the first point around evacuation as much as anything else. And it does go to Commissioner Grant's question as well in terms of the impact on others.

40 But the – sorry, that's a long-winded introduction to my question. But the question is really the bridge road that has been built over that creek, how would that be affected by a flood? How is that creek affected by the flood? Have you looked at that?

45 **DR MARTENS:** All right. I just think – we leave the slide up. So, within Site C ...

MR MILLS: Sorry, just so you know, those – Juliet and I have visited the site as well. We do understand what's there and we've ...

DR MARTENS: Okay, all right. Well, the bridge, as far as I understand, at its highest point is about 10 metres AHD, 10.2 metres AHD.

MR MILLS: Thank you.

5

DR MARTENS: It's well above the 5.5-metre AHD level. And then as you cross towards the west onto Brickmakers Drive, we've run the flood model, the BMT flood model, and Brickmakers Drive becomes impassable at approximately the 1-in-250-year flood event. I think it's at a level of about 5.7/5.8 metres or something like that. And in terms of the operation of the evacuation route, I don't see that there'd be any impact on that evacuation route. The new bridge, certainly not even the pedestrian crossing that's elevated and makes its way off to the park in the west.

10

MR MILLS: Thank you.

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MS GRANT: So, the bridge is at 10.2, so that would cover off the PMF. But Brickmakers Drive is only at 5.7, so at PMF that would have ...

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MR MARTENS: Yes. Sorry to interrupt. The driveway that would connect this planning proposal site to the bridge, that road rises from about 7.5 metres to 10.2 metres. So, it rises up and it gets to the bridge point within Moorebank Cove, the existing residential – and then it, if you've been there, you'll know it grades downwards towards Brickmakers Drive which is lower.

25

So, Brickmakers Drive is 1-in-300-year event and then after that, it begins to become inundated. There is an alternative route that you can take if there is water over Brickmakers Drive, but in any case you'd take either the primary route through Brickmakers Drive or the alternative route, make your way to the M5.

30

So, look, those evacuation routes, we haven't changed those, and we haven't modified those from Molino's model. I've just run the model with his evacuation routes in it, so we haven't tried to fiddle around and optimise and do anything like that. We've stuck with what he's proposed.

35

The planning proposal levels for the internal access road are at 7.4 metres and that's to match in with the level at the southern end of Moorebank Cove as constructed. So, that's about the roughly the 1-in-5,000-year event. So, it's helpful in that sense that it's elevated, but the constraint is on Brickmakers Drive. So, you need to get out before Brickmakers Drive is under water. As does everyone else within sector R7.

40

MS GRANT: And when you said that there's an alternative evacuation route if it's not Bridgemakers Drive, where's that?

45

DR MARTENS: So, Bridgemakers Drive heads – on the image that you see before you, that sort of dividing line, it's drawn in red, between the bushland and I think it's R9, sector R9. The Bridgemakers Drive heads around that corner there,

or that curve. The alternative route is to go essentially straight ahead and you'll get out of the flood water immediately.

5 So, the yellow line that's sort of, is on the western boundary of R9, that's the extent of the PMF. Once you pass R9, so what you need to do to get out of flood water is get from location C to pass the yellow line, which is 300 or 400 metres.

MS GRANT: Okay.

10 **DR MARTENS:** Yes. So, the alternative route is to go straight essentially, rather than to follow the route that Mr Molino's put into the flood model.

MS GRANT: Understood.

15 **DR MARTENS:** Yes. I think that covers the sort of points that I wanted to make today. Thank you for taking the time to listen to me and ask questions. We've covered those points.

20 **MR MILLS:** Thank you. Can I just – and it's more just so I have a better picture in my mind. Having visited the site, I got the impression that because there's a fair bit of buildup behind where the marina is, that the intention – sorry, not where the marina is, but where the water is that the marina is proposed to go. That in fact a lot of it would be built above, on that sort of built-up area, but the concept picture at the very beginning of the slides, suggested that, while this makes absolute sense
25 in many ways for a marina, it looks like it is right down on the water.

30 So, can you just help me in understanding, getting a better picture in my mind about that built-up area behind, the part that looks like it has been deliberately built-up and there's a retaining wall and so on that's behind the water. I'm not quite sure who can help me with that. Just to get a ...

MR SERAGLIO: Do you mean the landform or do you mean the structural?

35 **MR MILLS:** The landfall and then how the structural then fits with the landform. So, if you go back to the very beginning of your slide pack.

MR SERAGLIO: This image that you see on your screen?

40 **MR MILLS:** No, the very beginning. That one.

MR ERNEST DUPERE: That's not the marina.

45 **MR SERAGLIO:** This image that you're seeing on screen is our Darling Harbour development.

MR MILLS: Right. Thank you. That will help – that helps me considerably, because I was very confused seeing those.

MR SERAGLIO: This is the high-rise in the background.

MR MILLS: Yes, well that's very big as well, but yes, I thought I'd come to it eventually. Maybe there was something I didn't know about it completely. Okay, so nothing to do with it.

The built form, is it going right at the water level or is it intended it will be at that built-up part behind?

MR SERAGLIO: I may just – without having the image that I think you require at hand, I might just describe off this image on the left-hand side. There is an existing approval for the marina that Louise mentioned earlier. As part of that approval, we have to form the marina basin and rock-protect it. That is what has occurred to date. Works are still ongoing. That DA's been activated and works are continuing. This yellow platform is basically the landform above the rock formation defining the basin, that has been created as part of that DA.

MR MILLS: Okay, that helps. So, it is being built on that higher level.

MR SERAGLIO: That's correct.

MR MILLS: Yes, thank you.

MS GRANT: And would it make any difference to the flood story if that key site was rotated 90 degrees and more abutted the existing residential Georges Cove rather than having it more of the north-south?

MR SERAGLIO: In terms of flooding, it wouldn't make any difference. It's, I think, more logical to have it the way that it is because of the consent that operates for the marina. And a lot of work's gone into doing that. It's sensible to have the footprint for the planning proposal to have the same footprint as the land basin of the marina.

MR MILLS: And if I understand what you said earlier, is that the, behind the proposed development would be that road that's currently covered by the red dots. That would then allow the egress from that site north – I'm talking about the right-hand picture, underneath that there looks there's another road, or a continuation of a road, that would be the egress to join the current development that already exists. Is that right?

DR MARTENS: That's correct.

MR MILLS: Thank you.

DR MARTENS: And that land is already substantially filled and raised.

MR SERAGLIO: If there's no more flood related waters, I may hand over to Allan just to go through some planning issues.

MR ALLAN YOUNG: Thanks, good morning and thanks to the commissioners and the commission officers for the chance to have a chat this morning. Given the constraints of time, I'm going to take a slightly themed approach and focus on two things that were kind of a recurring theme in the Assessment Report, which are housing supply and the issue of well-located development. Much like Daniel Martens, I'd like the opportunity to provide a more detailed response if I can, at a later stage, I'm happy to do that.

But basically, my underlying, I guess, point will be that this planning proposal does indeed have strategic and site merit. The Region Plan, the District Plan, the LSPS, Housing Strategy and so forth have all been considered. And in my view, there's support in all of those things for this proposal.

Looking at them generally, I think the Region Plan, District Plan and so forth, they're generally easy to apply for the 90% of development that we see. We just need to do a little bit more work, to work a little harder, for a unique situation such as the one that we have now, and I think that's demonstrated by the fact that we're here today discussing it.

We, like the local community and the local council, want this to be an iconic precinct. And in order for that to happen, it needs to be lively and attractive and successful. So, I guess my slides look at some of the things that will help us get there.

The uniqueness of the site, I think, is an important point to make and understand. This is a marina in western Sydney. It's scarce as hen's teeth; the nearest other marina is about 10 kilometres to the east, almost in Hurstville. And really, and we have a lot of ownership, we've got sailing clubs, we've got everything else around western Sydney and Liverpool and so forth, so this is a rare offering, in my view, and it's on the way to becoming an important place. And one of the place-making principles that the State Government likes to emphasise is that we need to make special places thrive.

In this case, it's really important for that thriving to happen, that we have a retail and a residential mix with the marina site, so that you get activation and viability. And there's proof of this working and for, I guess, a strong market demand for that kind of lifestyle property. There are a million examples in Queensland. The closest one in New South Wales would probably be the Waterfront in Shell Cove, near Shell Harbour, where they're activating their newly built marina with a lot of high-density and a lot of development there.

So, I think it's a bit of an outlier in some ways, but nonetheless needs to be considered, and the Housing Strategy and other documents point to the fact that there's some flexibility to consider these things outside the standard investigation areas.

Turning to housing supply and affordability. I did note that the Council is

comfortable with meeting their own targets. But as the Commission would be aware, and if you've even seen the news lately, we know it's a city-wide issue. It's not just a Liverpool thing.

5 So, looking at it from that perspective, we also need to think that housing choice, mobility and affordability, they're all inter-related. Certainly, there's a benefit in providing social or affordable housing. But fundamentally, if you build attractive development, and this, if you think about how you've changed houses over the years, that tends to create upward mobility. You will sell one house and move into
10 a more expensive one or a more, you know, better located one and so forth. That in itself frees up existing stock, and more stock means less housing pressure. That's kind of a – just an economic perspective to bear in mind.

15 The demand – yes, the Housing Strategy and so forth, which did some modelling, clearly shows a demand for townhouses and apartments, which are the type of premises that we're looking to develop here. And in terms of locations, I think it's really important to consider not just where the strategic planning instruments think these might be sensible areas, like city centres and what have you, but to think about where the community also wants to see development. And the LES talks
20 about areas where it's walkable, close to open space and so forth, and those things are in spades at this site.

25 So, I'm happy to move onto the next slide. And I might pause after this one, because I've just got the two slides on the question of strategic merit. I'll take questions. But generally, this – the concept of well-located housing. If we look at not just the marina site but the whole of this Moorebank East precinct, the Georges Cove precinct, if you like to call it that, it's really emerging as a strategic centre in its own right. We've got existing roads, shops, employment, transport, recreation obviously with the marina, and lots of open space and connections for active
30 transport.

35 So, try to think of this as something that's emerging now and for the – whether or not the location is one that is contemplated, I guess, in these documents, there is a list of things which are suggested as areas where urban renewal could happen – near a port, near an airport, near existing social housing, near a school. The thing is, you'll never find one location that ticks all those boxes. So, I don't think we should treat that test, if you like, as a checklist. The fact that it doesn't sit near a port or an airport, for example, shouldn't rule it out. I think we need to look at those criteria more as if you're doing urban renewal, these things – here are some
40 suggested things that would be looked on favourably, but it certainly doesn't rule out something that doesn't tick all those criteria.

45 As I mentioned previously, the LSPS which, let's remember this was drawn from a survey of the local community and what they see as the top priorities. The two things that the LSPS identifies for well-located housing is access to parks and recreation, and walkable neighbourhoods. I think that there are, in terms of location, there are other tests such as proximity to transport and so forth; those are addressed in other submissions that we've made. But I just want to point out that

looking at this from a local community perspective, that's what they think they need.

5 The community also, and Liverpool Council, I guess, to some degree, also are very keen to capitalise on the amenity of the river. So, if that's the case, I think we need to consider opportunities like this. And the Region Plan also makes a very strong point that we are promoting sort of, I guess, vertical development, capitalising on air rights, rather than sprawl – that's kind of a – I'm paraphrasing, but that's basically in the Regional Plan as well. So again, all of these things point
10 to this being the type of thing that is envisaged for the region and the district and the LGA through those instruments.

15 There's a bit of a point made in some of the assessment so far, pointing to things that in those plans deal with new urban development. And the way the plans simplify the system is they talk about new urban development, they'll talk about infill, and they talk about urban renewal.

20 So, if we're going to classify this development, I think it falls into the urban renewal category. You know, it's an old industrial site that's being revitalised. So, much of what's being made of the constraints on new development, I think, is referring to the greenfield sites and so forth. We acknowledge there are issues to deal with, as we've just spoken about, in terms of flood hazard here. But that's, I think those – that interpretation of that new development has to be out of flood areas is really relating to greenfields, given that there are those classifications in
25 the planning documents.

30 And just finally, I think this area is already well serviced by utilities, roads and transport and so forth. With the land on Newbridge Road which is, I think, Site C, if I recall correctly, that's where there will be light industrial and retail development coming. That kind of completes the picture.

35 So, we've kind of got an emerging site here that I think is slightly left of field but nonetheless fits within the requirement for strategic and site suitability. So, I might pause there before we move onto any other issue, in case the Commission had any questions.

40 **MS GRANT:** Allan, if I may, your first slide, the slide prior, where you're talking about that need for activation there. What's changed since the time when – the proposal was obviously originally conceived as the Georges Cove was the residential, and the marina was the recreation and support facilities. What's changed now that that arrangement is no longer sufficient to be an active ...

45 I presume the original DA for that talked about it being, you know, an active development. So, why is it no longer sufficient?

MR YOUNG: I think it's to do with just, well, there's the density that makes things activated and so forth. The presence of people right at the marina. I'm happy to allow Daniel or someone else from Mirvac to kind of enlighten us as to

how they see this as well, but from my perspective, this is around – and again, as you'll see, if you do just Google up residential and marina mix developments, there's invariably a high concentration of medium density and high density right on the marina, because that's the lifestyle location.

5

Having residential development nearby, I mean, it helps but I think this is more – this is really more along the lines of, like, what's proven to work in terms of activation and I presume project viability in other places. Daniel, did you have a view on that one as well?

10

MR SERAGLIO: Thanks Allan, I might just jump in. I think the first point is we weren't involved in the DA; that was undertaken by the landowner. Our involvement commenced through that process and from the outset we costed that DA and the sheer cost of those structures just rendered, you know, versus return rendered that – well, we saw that as unviable. Secondly –

15

MS GRANT: The construction cost of the marina, you mean?

MR SERAGLIO: The cost of the marina. The construction costs have almost doubled and [unintelligible 00:58:26] cafés and restaurants and function centres, the return is just not there. And I think when you overlay that with lifestyle change and affordability over the last few years. I mean, I think if you go to Liverpool on any given weeknight except Friday, it wouldn't be vibrant. And unless it's vibrant seven days a week, no retail outlet will survive. So, you know, to ensure activation, we see you need some level of residential above it, like in Canberra I think there's plenty of examples. There's – I can't remember the name of the project, Kings ...

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25

MR YOUNG: Kingston?

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MR SERAGLIO: Kingston, that's it. And you've got Shell Harbour. Plenty of examples in Queensland where a little bit of residential above creates activation, people get their breakfasts, their coffees, their dinners. And without that, like, we see this project as not being a success.

35

MR MILLS: Can I ask in relation to, just putting together a couple of concepts there around walkable neighbourhoods and the retail. The current retail of course is at Moorebank, but it's proposed that Site C, as you mentioned, would have retail. But then you've mentioned light industrial and retail, and it made me think is the retail in fact more big box retail, as opposed to supermarket-type retail?

40

MR YOUNG: There is a supermarket – there were plans for a supermarket and gateway's been approved to allow that in that section, Site C. So yes, supermarket and ...

45

[Cross-talk 01:00:08]

MR YOUNG: The light industrial, there are – it's not bulky goods, it's really

small unit in light industrial units.

MR MILLS: Because without that, the walkability is all the way to Moorebank instead of something a little bit closer.

5

MR YOUNG: There would be specialty shops and a supermarket within Site C.

MR MILLS: It's probably slightly beyond the scope of what we're looking at, but that's fine, thank you.

10

MR SERAGLIO: But I'd also add that in terms of walkability, Council's overall vision is to activate the foreshore all the way from Pleasure Point all the way through to Liverpool CBD and have continual cycleway linkages along the foreshore.

15

MR MILLS: Thank you. Is there anything else that you want to present to us?

MR YOUNG: Oh, there were two other slides. The agenda did mention biodiversity and socio-economic.

20

MR MILLS: Thank you.

MR YOUNG: So just briefly, I'm not entirely sure what it was the Commission wanted to look at in relation to biodiversity. But as Louise mentioned earlier on, this is a highly modified site. We've had extractive industries and resource recovery industries (not recourse – recovery, sorry). And the vegetation has been cleared, the soil has been excavated and put back and so forth. It's highly disturbed land.

25

But if there's a need for biodiversity assessment to occur, we'd look at a BAR or other assessment to occur as a condition of gateway. But really, we're looking at – as you saw with the yellow box and as I think Daniel – or one of the Daniel's explained – there was, you know, we're really just on top of another structure that's going to be there for the marina anyway. So, I don't think there's an issue with biodiversity.

30

35

For socio-economic, my view is there's an opportunity for a VPA or other ways of generating – and again, I'm assuming this is what the socio-economic issue is about – affordable housing and so forth. Apart from a general, like creating mobility and therefore freeing up housing stock, which also makes available more affordable housing, I presume there are ways to do that at DA stage, for example.

40

And mostly, I just want to emphasise that the location and the housing type that we're proposing matches what the community says they prefer. So that if there were things that I didn't quite read into for those two things that were on the agenda, let me know.

45

MR MILLS: I think that's probably fine at this stage. Thank you. If there's

something else I think of ...

5 **MS GRANT:** Andrew, I've got two little questions, if I may. I'm mindful that we are over time, so I'll be quick. And maybe Louise is best placed to answer them. One is Allan just mentioned a VPA. Can you just confirm, I'm not aware there is a VPA associated with this. Is that correct; that there is no VPA?

10 **DR CAMENZULI:** Yes, there isn't presently a VPA. I think it was sort of trying to understand what is the issue around the socio-economic concern that's been raised. At the moment, you know, our intention is to increase housing supply, as Allan has said, which will just free up stock. All of that said, if there was some concern around that, again, these are all things we'd be happy to have conversations about, Commissioner.

15 **MS GRANT:** Okay, thank you. And the other quick question is, what's the thinking or the rationale – and it might have been before your time, Louise – as to why this is being undertaken as an additional permitted use rather than rezoning? It's kind of residential development and retail is not really an RE2 kind of a land use, so as was there a rationale behind why this wasn't being changed to a
20 different zone rather than additional permitted uses?

DR CAMENZULI: I mean, I wasn't involved in the early planning proposal that this is sort of ultimately a modification of, Juliet. But if I can just say that it's not uncommon to add in an additional permitted use of this kind where you have a site that is abutting sort of like a foreshore, and that is because there is a general desire
25 in zoning maps to keep the zoning consistent, as opposed to having pockets of residential in what is otherwise a sea of RE2.

30 So, there's nothing wrong with the pathway that's being adopted. And if I have – I mean, it's speculation, but I suspect it would be preferred by Council, as I said, in terms of ...

MR DUPERE: That's actually right. Council referred that.

35 **MR YOUNG:** Yes, that's my recollection too, that this was on the advice of Council as the better method.

40 **MR SERAGLIO:** We, at Mirvac, we were open to any option and it was their preference to proceed down the enabling clause allowing for one additional use or two additional uses instead of a blanket zoning which will permit multiple uses.

MS GRANT: Okay. Thank you. Thanks, Andrew, that's all of my questions.

45 **DR CAMENZULI:** And so I should just add that that also confines then that use of the key site, which is the box in yellow, coming back to our discussions about where it would be located.

MS GRANT: Yes.

MR MILLS: Okay.

5 **MR SERAGLIO:** I might just conclude, unless there's other questions on our side. But again, we asked the IPC to review this proposal on a practical, actual risk-based approach against what's been perceived. We hope Dr Marten's review demonstrates that it is possible to reduce the risk on the site to achieve a level, and further confirmation of this can be provided as a condition of a favourable gateway determination.

10 As we all know, one size fits all approach to deliver – well, sorry, as we know, a one size fit all approach will not deliver the desperately housing in Sydney, nor deliver choice in other public benefits. Planning now needs to be innovative, allowing practical solutions and have a significant positive impact. This can be achieved by simply applying data, relying on actual evidence and best practices from around the world. And in the context of this site, by working together to achieve a sensible outcome. Which will not be achieved by the reliance of SES 30-year-old methodology which is not fit for purpose.

20 [Incredibly 01:07:38] applying the perspective that I was informed last week that, you know, an ice age occurs every 100,000 years, so there'll be 16 ice ages before we get to a 1-in-1.6 million PMF event, where at absolute worst case our residents, if they chose not evacuate because they could, would have to shelter in place.

25 Finally, as a way of summarising the outset, in order to assist the Panel to be satisfied as to Dr Marten's findings, before making a final decision on the gateway determination review, we seek a four-week deferral for Dr Marten's report, to report on his findings to the Panel for further consideration.

30 We thank you for your time.

35 **MR MILLS:** Thank you, all. Certainly, we will take the request for an adjournment or deferral of four weeks on board, and we will advise accordingly after we've had a chance to think about that. But thank you all very much for your time. We appreciate that. Thank you for the details, comments and submissions that have been made today.

[All say thank you]

40 **MS GRANT:** Thank you.

>THE MEETING CONCLUDED