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TRANSCRIPT OF PROCEEDINGS

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O/N H-959208

INDEPENDENT PLANNING COMMISSION

MEETING WITH THE PROPONENT

**RE: 194-214 OXFORD STREET AND 2 NELSON STREET, BONDI JUNCTION
PLANNING PROPOSAL REVIEW**

PANEL: **DIANNE LEESON
TONY PEARSON**

ASSISTING PANEL: **MICHAEL WOODLAND
REBECKA GROTH
MATTHEW TODD-JONES**

PROPONENT: **JULIET GRANT
ELIA LEIS
IGAL LEIS**

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

DATE: **12.18 PM, FRIDAY, 9 NOVEMBER 2018**

MS D. LEESON: Good morning and welcome. Before we begin, I would like to acknowledge the traditional owners of the land on which we meet and pay our respects to elders past and present. Welcome to the meeting today on the review of a planning proposal that seeks to amend development controls and remove local heritage items to enable the redevelopment of 194 to 214 Oxford Street and 2 Nelson Street, Bondi Junction. My name is Dianne Leeson. I am the chair of this IPC panel. And joining me as fellow commission Tony Pearson. The other attendees at the meeting are Michael Woodland and Rebecka Groth from Keylan Consulting, who are consisting the commission secretariat in the process; and Matthew Todd-Jones from the commission secretariat.

In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being recorded and a full transcript will be produced and made available on the commission's website. This meeting is one part of the commission's process of preparing advice. It is taking place at the preliminary stage of our process and will form one of several sources of information upon which the commission will base its advice. It is important for the commissioners to ask questions of attendees and to clarify issues whenever we consider it's appropriate. If you're asked a question and are not in a position to answer, please feel free to take the question on notice and provide any additional information in writing, which we will then also put up on our website. So welcome and we will now begin. We have met this morning with the Department of Planning and representatives from council, and had the benefit of their thoughts and views on the proposal. I think we would like to start by opening up to you to give us an overview of the proposal and the merits of the proposal. We will get into some detail around that, no doubt. And we would also like to talk about the voluntary planning agreement or the public benefit offer that's being put forward and where that might be with council. That's probably enough to get us started, and then we will, you know, get some questions along the way. And the secretariat will also ask some questions, just to aid us in our sort of thoughts as we go along. So I will hand across to you.

MS J. GRANT: Okay. Terrific. So I will start. And I've just got a few brief notes, as I know you've got all the material and, as you say, you've had other briefings. And then we're very happy to answer questions and have that conversation. So, you know, we thank you very much for the opportunity to address the panel this morning – this afternoon. We've introduced ourselves - - -

MS LEESON: I'm sorry. I do this every time.

MR PEARSON: Missed one out.

MS LEESON: Because we are recording this, could you say who you are as you start. I am absolutely consistent in forgetting it every time, so - - -

MS GRANT: Not a problem. Juliet Grant, from City Plan Strategy and Development. I'm the town planner who has been working on this project. And the project itself is a planning proposal to enable the redevelopment of the western end of Oxford Street in Bondi Junction, which has been neglected for many years. And, basically, we're here today, my understanding of the role for the IPC, that in this particular project is to unlock the differing opinions that exist between the

professional planning reports and some of the political opinions that surround this that have led to the planning proposal not progressing.

5 Throughout this period of time, the planning proposal has had support from the professional planners both at local and state government. And the project has been ongoing since 2012, when originally Waverley Council acknowledged that there was a zoning anomaly at that western end of Bondi Junction that was – resulted from the 2010 Bondi Junction town centre review. And we were actively encouraged to participate in the review process and lodge a rezoning proposal to bring that up in line with the rest of Bondi Junction.

15 There's a well-mobilised group of local residents in Mill Hill who were originally very concerned about the potential redevelopment of the state transit bus depot. And originally, when council was looking at reviewing the controls, the bus depot site was part of that western end precinct that we sit next to. The bus depot is directly opposite us on Oxford Street. So the residents have used social media to garner quite a lot of objectors who are politically astute and who have lobbied the local MP, Bruce Notley-Smith, who has made representations on the planning proposal on their behalf.

20 We did try and meet with Mr Notley-Smith, but were declined that opportunity and were told that there was no political imperative for him to meet with us. So we did offer that opportunity to brief him on the planning proposal. The site was omitted from the Bondi Junction urban design work originally and, as a consequence, just not included in that development opportunity review. And we suspect that may have been a relic – that was not long after Waverley and Woollahra LGAs boundary realignment. And the site sits on that edge. So it has sort of – kind of got lost a bit in its land.

30 So over the last six years, we've been through a really rigorous planning process. Waverley Council sought to address that zoning anomaly that was identified. And they ran an independent charrette process. They had a public exhibition and consultation process and involved the government architect, even back then, in that process. And all the charrette participants were really supportive of redevelopment of the site, recognising that it was an important gateway site into Bondi Junction. And, again, following that charrette process, we were encouraged to lodge a rezoning proposal to council.

40 If you look at the planning proposal from sort of the strategic and site-specific merit tests that have now evolved, it didn't exist at the time when this started, but if you look at them through that lens of the strategic merit test, that was really recognised unanimously by the Sydney East Joint Regional Planning Panel, as it was known then, we had a gateway review. And the site is in Bondi Junction, which is a strategic centre in both the Greater Sydney Region Plan, as well as the Eastern City District plan. It's 650 metres from the Bondi Junction Train and Bus Interchange. It's generally consistent with the council's vision for Bondi Junction. We're offering the opportunity to have additional employment and commercial ground floor retail space, as well as additional housing supply and diversity. It approximately would yield about 90 units all up.

50

And, in terms of that strategic merit, it has been recognised through the council that there is that zoning anomaly. At our end of Bondi Junction, it has a height control of 15 metres and a floor space ratio of 1.5 to 1, while the remainder of the town centre spine from Grafton Street further to the east is 60 metres and has an FSR of 6 to 1.

5 I've got a little diagram. Am I able to - - -

MS LEESON: Certainly.

10 MS GRANT: This is material purely extracted from the previous planning proposals.

MS LEESON: So it's within these?

15 MS GRANT: It's totally within that.

MS LEESON: That's fine.

MS GRANT: And, in fact, you might already have - - -

20 MS LEESON: My only clarification was going to be if it's new material - - -

MS GRANT: No, it's not.

25 MS LEESON: - - - we will load that up on the website of - - -

MS GRANT: You're welcome to load it, but it's not new. It's extracted from the urban design report. So that was the picture that I was just going to point out. And I wasn't sure if council – yes – I've got multiple copies, because I wasn't sure if council or the department would be here, as well. So I was – just to point to that –
30 the first diagram is just the location within the precinct in terms of being at the tail end, that western end of Bondi Junction. The red-dotted line is the boundary of Bondi Junction town centre. The star shows the site at the western end. The T is the train station on that first page. And then existing height frame is that second page that shows the current height framings, spatially. And then the third diagram is that
35 cross-section showing the different heights and the proposed development and the relationship between the heights along the way.

MS LEESON: We've heard from council about their desire to transition from the high point of the town centre progressively lower as you head west. As you head
40 west. Can you talk to us about why this height of proposed 36 metres – or how this proposed height of 36 metres assists in their transition? Their aspirations to transition?

45 MS GRANT: Yes, yes. Should I – do you want me to come back to – is it all right if I come back to that?

MS LEESON: Come back to that.

50 MS GRANT: Yep, yep.

MS LEESON: If you want to go through something now, that's fine.

MS GRANT: I just – yeah, I – I will just kind of lead you through the – through the timeline and – and chronology, and then – and then come back to that, if that's okay.

5

MS LEESON: Thank you.

MS GRANT: So that was the sort of – the strategic merit position. Then, in terms of the site specific merit, clearly, this is an iconic gateway location. It's coming
10 down Syd Einfield Drive, heading east, it is the first part of Bondi Junction that you – you hit. At the moment, you see a surf board artwork. There is broad agreement that the heritage value of the remaining terraces on the site has been eroded with the construction of Syd Einfield Drive, they're the last remaining terraces that were along there, sort of, stand lonely and – and desolate and no one in the discussion has
15 objected to the removal of the heritage listing for those terraces. And the redevelopment then does give us the opportunity to provide an enhanced setting for – there's a heritage listed Norfolk Pine on part of the site, and we have the opportunity then to – to provide that with – with greater protection and – and enhanced amenity around that public domain.

20

Some of the other site specific issues that have been raised was a potential traffic impact and we have traffic assessment, as did Council, and the independent traffic assessment indicated that the scale of the resulting development was – was
25 reasonable and didn't cause unreasonable impacts and the RTA also supported that in – in their submission. And the independent shadow analysis also indicated that the scale of the proposed development didn't create unreasonable impacts. It doesn't create any shadow impact on resident – existing residential land uses. There's a minor impact for – an hour at 3 pm on one commercial premises. I think it's referred in the Department's report to – as a residential premises but it's actually a
30 commercial one.

And the shadows in Centennial Park fall for an hour at 9 o'clock in the morning, predominantly over where there's a Sydney Water reservoir that people don't access anyway. So the original planning proposal that was submitted was recommended for
35 approval by the Council officers and then was refused by Councillors at a – a full Council meeting. And then, following that, we did, in fact, reduce the height and the FSR of the proposal in response to some of the concerns that the Council has expressed at that time. Then - - -

40 MS LEESON: That was the reduction from 38 to 36 metres?

MS GRANT: Yes.

45 MS LEESON: Yes. Thanks.

MS GRANT: And then, when – a Gateway review, when the JRPP unanimously supported the planning proposal, one of the topics of discussion there was – was the significant public benefit that was arising from – from this proposal. And we have offered land dedication for three metres of road widening along Oxford Street to
50 assist the right-hand turn away from Bondi Junction. That also had the – the

additional benefit of providing opportunity for additional cycleway or public transport. At that time, in fact, the Council was pursuing light-rail down Oxford Street to Bondi Beach. They're no longer pursuing that but that was part of the – the – the imperative behind the idea of widening the road.

5

And then, also part of that public benefit was the public domain enhancements, the land dedication for the piazza, land dedication for through-site links and street upgrades that included planting, paving, lighting, seating. So we worked collaboratively with council officers to develop a draft DCP that would embody those public domain benefits and got sign off from council officers that they were supportive of that DCP, and that was exhibited with the planning proposal. It was never formally adopted by the Council because they had refused the PP and therefore felt no need to actually turn their mind to the DCP. So it existed and had officer support but never formally got considered one way or the other.

15

It now appears that the sticking point is really the VPA and the fact that it hasn't yet been actually executed and if – if the Department of Planning pursued making the planning proposal that the Council fears that they would lost that opportunity to – to progress that voluntary planning agreement. That concern is unfounded. The public benefit offer has always been on the table. It was exhibited with the planning proposal and we've continued to negotiate with Council on the VPA in good faith, even after the PP was refused, we've been continuing to meet and negotiate. We are willing to have those key elements embedded in other binding ways, if they're concerned that the VPA may never physically, you know, get signed. That's embodied in the wording of the parliamentary counsel draft LEP that actually includes those requirements for the site specific DCP and the particular things that we were trying to achieve through that DCP and, obviously, the – the design excellence competition. It's all embedded very site-specifically for this, in the – in the amendment. So we're more than happy, as it's a genuine offer to have it wrapped up in that way.

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And, finally, I guess, Stargate is a – a local Bondi Junction developer who's well known to Council and respected by Council and have executed, agreed, implemented and delivered many VPAs projects in Bondi Junction. So it's – it's kind of – like, it's difficult for these guys because they work so closely with the Council on so many other projects to – to now be told, well, hang on, we don't - - -

35

MR E. LEIS: We don't trust you.

40

MS GRANT: Yeah. So – yeah. We've continued, as I said, to negotiate the VPA with Council officers and – and have minutes of a meeting where it was agreed – endorsed minutes, where it was agreed for the VPA, in terms of the terms that we reached and the Council has a draft policy to gain 50 per cent of the uplift, of a – of a site through a rezoning process, to capture that for their value uplift – value capture.

45

MS LEESON: Is that draft or adopted, do you know?

MS GRANT: It's draft.

50

MS LEESON: Draft.

MR E. LEIS: Draft.

MS GRANT: Yeah, yeah. They were hoping to use this as a case study, ironically.
5 And some of the earlier – the earlier VPA policy, which applies specifically to DAs, some of Stargate’s projects have been – were used to – to develop that – the – the modelling and – and – and the negation, underpinning the – the – the quantum of financial contribution was used for the DA component.

10 MR E. LEIS: For regular DA - - -

MS GRANT: And now – and now they’re looking to expand it to the planning – so the 50 per cent uplift on this particular project, depending on what you calculate the base cost of the land, was generally at \$3.45 million, when we looked at the market
15 value of the land to be dedicated, plus the public embellishments, we end up with a value of this VPA at \$5.45 million. It’s a million dollars over the 50 per cent that the Council is seeking in their policy. The sticking point appears to be the value of the underlying - - -

20 MS LEESON: So sorry. Just to tease that out.

MS GRANT: Yep.

MS LEESON: You’re saying, depending on the base cost of land, is that as is –
25 where is, kind of value - - -

MS GRANT: Well, just because of the time, the – the time – length of time, valuations have changed in the – over the last couple of years, so do you want to
30 explain - - -

MS LEESON: I just want to understand clearly - - -

MS GRANT: Yep.

35 MS LEESON: - - - what you’ve assumed around - - -

MS GRANT: Yep.

MS LEESON: - - - base - - -

40 MR E. LEIS: Their assumptions – their assumptions on the base rate, by their valuers, differ to our - - -

MS LEESON: Sorry, Elia – Elia - - -

45 MR E. LEIS: Elia.

MS LEESON: Elia, sorry.

50 MR E. LEIS: Yep.

MS LEESON: Elia.

5 MR E. LEIS: Yep. They request that – that we do a valuation. We – which we complied with and presented it to them and then, based on that valuation, we justified our original offer in our planning proposal and quantified that. And that quantity resulted in, in our opinion, more than 50 per cent of the benefit that is in – within their proposed draft policy.

10 MS LEESON: Yep. We'll have a copy if you want to have the – the valuation - - -

MR E. LEIS: I've got it.

15 MS LEESON: I – I might – I might need to go through these ones.

MR E. LEIS: That's okay. Yep.

MS LEESON: - - - once or twice more - - -

20 MR E. LEIS: Yep, yep.

MS LEESON: - - - to be really clear, I - - -

25 MR E. LEIS: Yep, yep.

MS LEESON: - - - I'm understanding - - -

MS GRANT: Yep.

30 MR E. LEIS: Yes.

MS LEESON: - - - properly.

35 MS GRANT: Yep. We can - - -

MS LEESON: There – there's a – a base land value that you've – you've got. You've looked at some uplift off that and you've - - -

40 MR E. LEIS: Correct.

MS LEESON: You've decided that, on the basis of – assessed on the basis of that, that it's about worth – worth about 3.5 million. To get to over five million, was that because of the then dedications?

45 MS GRANT: So that included - - -

MS LEESON: Is that - - -

50 MR E. LEIS: Correct, correct.

MS LEESON: Is that what I understood?

MS GRANT: Yes, the dedication and the - - -

5 MR E. LEIS: So – yep.

MS GRANT: - - - embellishments.

10 MR E. LEIS: So if you – if you dedicate - - -

MS GRANT: So the public - - -

15 MR E. LEIS: - - - the land and give them title to it, the benefit is five and a-half million dollars. If they take a lease or a right over an access over those properties, then the value of obtaining that title, as opposed to having a right of way, is less. So I – in each case, it's greater than or equal to the 50 per cent that they require under their policy.

20 MS LEESON: Thank you. I just wanted to make sure that I understood - - -

MS GRANT: Yep.

MS LEESON: - - - around the dedication plus embellishments being worth - - -

25 MR E. LEIS: Yes.

MS LEESON: - - - five and a-half.

30 MR E. LEIS: Yep.

MS GRANT: Yep, yep.

MR I. LEIS: If I can just – can I add something or - - -

35 MS LEESON: Yes. Yes.

40 MR I. LEIS: Andrew Leis. I'm also a developer. Just at a higher level, rather than get caught up with the calculations of the VPA, which was – we have been trying to negotiate with them for a long time, and Tim Sneesby, who was before you earlier – we had actually reached agreement with the planners, with Tim Sneesby at council for a certain amount after an exhaustive valuation and assessment process, and we sat down with them, and they had actually agreed that this was a fair outcome. And then the Planning – it was agreed that it was a fair outcome, and, at the last minute, when the Planning Department was about to make a decision, a political aspect came into
45 it, and the councillors decided that they wanted to lobby against the development altogether, while, at the same time, the planners at council were supportive and we had reached an agreement. They obviously had to go with the councillors and lobby against it, but, at the same time, they said, “Just in case it does get approved, we still want to continue to negotiate and we are now not happy with what was agreed. We
50 believe that it should be a much larger amount,” just in case it does get approved.

So the planning outcome that you see before you is the result of six years of work with council planners, who, all along, guided us to come up with this – and were supportive of this. And, in fact, they recommended that to the council. So there's
5 always been this two-tiered approach at council. The planners were always supportive and negotiated with us and developed the DCP and recommended that we give road widening – we all work together towards a planning outcome, yet, on the other end, council was always using it as a political platform to whatever purposes.

10 MS GRANT: I might jump back in.

MR I. LEIS: - - - and, at the same time, wanted to negotiate a higher VPA.

15 MS LEESON: Thank you. I was just wanting to make sure I was understanding the principles, not necessarily the minute detail of the analysis and the costs, but just the principles that you were using.

20 MR I. LEIS: Yes. And, again, that was negotiated by us with council staff, and everyone had agreed, but then someone else at council came in and made the parameters very different. So which parameters are we working to?

MS GRANT: Yes. And those public benefits are shown on the next page in those diagrams in terms of where the public domain improvement would be and where the land dedication is for the road widening, the through-site link, and the piazza, and
25 where the tree sits in relation to all of that. And as Andrew said, it seemed the – notwithstanding the refusal of the planning proposal through the political process of council, the Department of Planning was progressing assessment of the planning proposal, and I understand, you know, their rationale and their procedures, having been the director of that team myself. I understand the process that they go through,
30 and they sought Parliamentary Counsel opinion. That's dated back in July this year. So that's the tail-end step, the last step you would do as part of the process. You don't go and ask for PC opinion until you're sure and you're ready.

35 So for them to have received that and obtained that in July, clearly, the department was supportive and prepared to progress this. That coincides with the timing of, I think, Bruce Notley-Smith getting involved again and, again, a step in the process procedurally through the department is to advise the local member of any LEP changes that you're going to make just prior to you making them. So he would have been advised by the department – or by the Minister's officer staff that, "This is
40 going to happen in your patch." So the timing, sort of, coincides with that.

And we've kept in touch with the department. We've worked collaboratively with council, but we're also quite well aware that a VPA is actually not a legal or technical requirement in order to make the planning proposal, which is why we have
45 always suggested to the department that the opportunity to, I guess, be so specific and include such a detailed clause in the LEP amendment that can tie everything together, that would give comfort to everybody to say this was genuine project and objectives and outcomes, notwithstanding whether a VPA ever did get signed, because I understand their concern that once the department makes the PP, they have
50 no legal requirement or ability to tie that. That said, these guys have to go back to

council to do their DA anyway, so, you know, it's not in anybody's interest to alienate the council, because they still need to get their DA. This is just the rezoning that allows it. So on that basis, we've continued to work collaboratively.

5 MR I. LEIS: But also, just to respond to the point you brought up that council wants the heights to be slowly diminishing along that, that's just a very last - - -

MR E. LEIS: A recent - - -

10 MR I. LEIS: Yes, a very recent change of mind, because all this is based on cooperation with them over the last six years to come up with that particular height. So now trying to, I suppose, derail or refuse this, suddenly there's a change of policy as to the heights. Their own staff, the urban the planners, they're all council.

15 MR E. LEIS: If I can jump in, there have been layers of discussions with council over the last six years, and every time it gets planning support, there is something else that comes up and the goalposts keep moving. This is one example where we haven't done anything different to what we always do with council. We go to them, we say, "Look, this is what we're about to do. We want your blessing." And back in
20 2012, in December, we wrote to them through your office, and we got their blessing to do a study of the area.

At the time, the desire was to create an iconic building at the beginning of Bondi Junction at the entrance of a main strategic centre, and to create one that would rival
25 the likes of Chatswood and Parramatta, because, at the moment, all it is is just a surfboard at the entrance of Bondi Junction. So the desire was to match the other end of Bondi Junction along Syd Einfeld Drive, which had the 60 metre six to one zoning, which has a beautiful iconic building at the end of Syd Einfeld Drive. This was to be a beautiful iconic building at the beginning.

30 So time then overtook us and after much public anxiety over the application, and that was mainly due to the bus depot being involved in the initial study, council had approached us to reduce our desire to do a six to one 60 metres. As always, being cooperative, and we have a reputation there at council for being cooperative and
35 trying to work with them, we reduced it to five to one, just to try to keep everyone happy - - -

MR I. LEIS: And 38 metres.

40 MR E. LEIS: - - - and a 38 metre proposal. That went into a planning report with a recommendation for approval up to the councillors who outright refused it and rejected it. So again, the goalposts moved and we were forced into lodging a formal planning proposal, because we wanted to get this through as a cooperative venture, which was our initial approach to council, and we got their blessing, and then the
45 goalposts moved. So we were forced to lodge a planning proposal

MS GRANT: The rezoning review.

50 MR E. LEIS: The rezoning review. We were forced to lodge a planning proposal, which ultimately got JRPP support and went to - sorry, after the charrette process,

which also had certain support from each of the three architects and the Government architect in varying shapes and forms, and this ultimately created the desire for a design competition, which we accepted as well. It then went – the PP went to the JRPP, who made certain recommendations, and put emphasis on the VPA, which we then commenced our - - -

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MR I. LEIS: When council got the feeling that its being supported on so many levels, including the JRPP panel, that’s when they just jumped up and said, “Okay. Let’s get the VPA maximised”, I suppose, but we offered public benefits already.

10
MS GRANT: Yes.

MR E. LEIS: So the VPA negotiations ensued, and in our planning proposal, we included certain benefits we thought that were good for the area, through-site links and road widening. One of the issues was some traffic congestion at peak hour, so we came up with the idea of giving some of our land for an extra turning lane, which was very well received by the RTA, and we would then gift that land to council or the RTA, in addition to a plaza and through-site link and street works, and that was all valued at 50 per cent of the benefit of three and a-half-odd million dollars.

20
So it had support at many different layers, and we keep reducing, reducing, reducing. Every time we get close, there is a new political obstacle that is put in front of us. We try to comply, but it’s now got the point where we’ve agreed on everything, and your comments now are new and disappointing to us in the fact that they want to transition to a lower area, whereby – our site is unique in the fact that it’s an island which comparatively - - -

MS GRANT: So I might jump in and answer - - -

30
MR E. LEIS: Yes.

MS GRANT: - - - Dianne’s question about - - -

MR E. LEIS: Yes.

35
MS GRANT: - - - those levels came - - -

MR E. LEIS: Okay, yes.

40
MS GRANT: - - - to that.

MR E. LEIS: Amenity-wise, does not impact on anyone.

45
MS GRANT: So there was an urban design study undertaken at the very beginning of this process that looked at the opportunities of how to set the heights across Bondi Junction, and that identified the opportunity to harmonise the heights at the western end with the central component and the other – the eastern end. Then through the

charrette process, a number of different scenarios were tested, and Stargate weren't involved in that charrette process; it was kept in - - -

5 MR E. LEIS: We didn't get a say.

MS GRANT: It was kept independent, so that's not them pushing a barrow. That happened separately and involved with the government architect. But that was – at that time, they established potential envelopes that they thought were suitable, and that's what we've used to then move forward through that process.

10 MS LEESON: And that, if we understand correctly from the conversations we've had so far – that's what led to the draft West Oxford Street Precinct Plan which council is yet to adopt.

15 MS GRANT: Yes, that's correct.

MS LEESON: Or they haven't adopted.

MS GRANT: That's correct.
20

MR I. LEIS: The charrette, with the short, medium and long-term goals for that area.

MS LEESON: Yes. Yes.
25

MS GRANT: Yes. Yes.

MS LEESON: Okay. Okay.

30 MS GRANT: Yes.

MS LEESON: You've been through a lot of things that raise, I think, some questions or some issues for discussion on that, and if you look to the public benefit issue - - -
35

MS GRANT: Yes.

MS LEESON: - - - and what's there, we understand that first, there was a first round of public benefit offer that included some car parking and - - -
40

MS GRANT: Yes.

MS LEESON: - - - bicycle parking.

45 MS GRANT: Yes.

MR E. LEIS: Yes.

MS LEESON: And that's, I think, no longer in the - - -

MR E. LEIS: They didn't want it.

5 MS GRANT: Council told us they didn't want to have - - -

MR E. LEIS: They didn't want it.

10 MS GRANT: Yes. I mean, that was – that – our original idea was to dedicate some of that basement car park - - -

MR E. LEIS: Yes.

15 MS GRANT: - - - as a council car park.

MR E. LEIS: Our idea was to pull cars off the street in the local area and to assist with the local business by facilitating more parking, which would be facilitated within a basement area to be run by council and given to council. They didn't want it.

20

MS LEESON: Okay.

MS GRANT: Yes. And they could – if they did – if that was a desire of council, then that could certainly be a component of the DA.

25

MS LEESON: So as we understand it, the public benefit offer at the - - -

MS GRANT: Yes.

30 MS LEESON: - - - moment are these - - -

MS GRANT: Yes, correct.

35 MS LEESON: - - - four items.

MS GRANT: Correct.

MS LEESON: Looking at the site plan that you have, I mean, it's been put to us that some of these things in the public benefit offer are actually things that you would expect out of a normal DA proposal, that, you know, these through-site links, separation of buildings – that some of these lighting, paving bits and pieces, streetscape, etcetera, would be part of your normal development approval process. Would you like to shed any light on your views about what's public benefit and what would be normally expected in a development approval?

45

MR I. LEIS: We develop in the area all the time - - -

MR E. LEIS: Yes.

MR I. LEIS: - - - with numerous projects already as – and in Bondi Junction in the last few years, at least three or four large projects completed, and we know exactly what’s required in the DA conditions, and what we’ve proposed is not something that you would regularly - - -

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MR E. LEIS: It’s not something you would normally do.

MR I. LEIS: - - - do to the surrounding streets. You will fix the footpath after you finish if you’ve caused damage to it, which is why they charge the damage deposit. Occasionally, they’ll ask you to plant one or two trees at most as part of the DA. You certainly would never be required to dedicate some of your land, in particular, 60 metres of frontage by three metres deep, which actually compromises our planning on the site, but they always express desire for that. Through-site links occasionally you would provide as - - -

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15

MS LEESON: Sorry. Was that council or was that the Roads and Maritime?

MR I. LEIS: It was council - - -

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MR E. LEIS: Both - - -

MR I. LEIS: - - - to begin with.

MR E. LEIS: - - - to begin with, yes.

25

MR I. LEIS: Then the - - -

MR E. LEIS: Correct.

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MR I. LEIS: - - - RMS supported that as well, but it was a council thing. We met with them on site and there was a bike issue and a bike lane issue and a turning issue, and then we suggested and – so yes, great, we’ll take it. Which now they’ve also changed their mind on that.

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MR E. LEIS: Now, they don’t – also don’t want it.

MR I. LEIS: At the last meeting a couple of months - - -

MR E. LEIS: Yes.

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MR I. LEIS: - - - ago, they said no, we don’t want it any more. We don’t want it.

MR E. LEIS: We don’t want it.

45

MS GRANT: Council don’t want the road widened.

MR I. LEIS: We want to concentrate on the VPA now, so - - -

MS GRANT: They just want the cash.

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MR I. LEIS: The goalposts are always changing. We've never had to do any street lighting or street furniture as far as I've been involved in Bondi Junction, so it's definitely not a regular item. Through-site links we have done for buildings when two streets were involved and connecting the street, but that was just beneficial to the circulation of our towers and - - -

MR E. LEIS: This is different. This is an open-air site.

MR I. LEIS: This is an open-air, dedicated to council with a public plaza and - - -

MR E. LEIS: With seating and lighting.

MR I. LEIS: Does not benefit the actual development in any way – the actual buildings in any way.

MS LEESON: Are you able to explain or describe how this precinct works at the moment in terms of desire lines and access.

MR I. LEIS: Currently?

MS LEESON: In the precinct. Yes.

MR I. LEIS: Currently?

MR E. LEIS: In their vision, you – their - - -

MS GRANT: No, currently.

MR E. LEIS: Or current.

MS GRANT: Currently, there is no - - -

MS LEESON: Well – well - - -

MR E. LEIS: There's nothing.

MS GRANT: There is no desire.

MS LEESON: There's no link at the moment.

MR E. LEIS: Nothing.

MS GRANT: Because there's – there's - - -

MR I. LEIS: Well, at the moment, if I can explain - - -

MS GRANT: Yes.

MR I. LEIS: - - - there's this existing row of terraces and then where our site begins, there's a – well, it's a car rental site.

MS LEESON: Yes.

5 MR I. LEIS: Just an open concrete platform with a small shop, and then the four really old, dilapidated heritage terraces are right at the end of that.

MS GRANT: So they're private. They're just houses. So there's no - - -

10 MR E. LEIS: Well, that's private land. There's no linkage.

MS GRANT: No public desire line.

MR E. LEIS: There's just a rear lane - - -

15 MR I. LEIS: That lane there just provides a little bit of - - -

MR E. LEIS: To collect rubbish.

20 MR I. LEIS: A little bit of parking for these guys here and then kind of stops there and it's quite difficult to - - -

MR E. LEIS: There's a cul-de-sac end.

25 MR I. LEIS: - - - turn around.

MR E. LEIS: And then there's an expressway behind.

MR I. LEIS: Yes.

30 MR E. LEIS: And there's no access. You've either got to go all the way around through these streets. There's no through access anywhere in between currently.

35 MR I. LEIS: And one of the biggest things that we offered to fix but they didn't really – it never went any further is that pedestrians can only cross here to go towards the city and Centennial Park.

MR E. LEIS: It's a major intersection here. You can't get across.

40 MR I. LEIS: It's pretty major. You can't cross. You see, if you're a pedestrian here, this leads you nowhere.

MR E. LEIS: It's dead end.

45 MR I. LEIS: So - - -

MR E. LEIS: Unless you want to get run over.

50 MR I. LEIS: You can even – there's no footpath there, so we've created this extra wide area right around the site that connects all these streets together, or we propose to create it, plus that bridge, that pedestrian bridge from Woollahra, from the

Woollahra side, that is quite well-used with the bike riders and pedestrians, so we've really opened that whole area up for – propose to open the whole area up to - - -

5 MR E. LEIS: For better access and usage.

MR I. LEIS: For future use.

10 MS LEESON: I guess my question is still who do you see as the community that will be using this through-site link, given we've got a bus depot on this side - - -

MR E. LEIS: Yes.

MS LEESON: - - - then we've got Syd Einfield Drive - - -

15 MR E. LEIS: Yes.

MR I. LEIS: Yes.

20 MS LEESON: - - - on that side.

MR I. LEIS: Yes.

25 MR E. LEIS: Yes. Users of Centennial Park would be happy to access or have greater or better access to the park from this side. Users coming and going – the bus depot – local residents would be using that. People accessing through to go to Woollahra would potentially use - - -

30 MR I. LEIS: As part of the road widening that we offered, there was some sketches done by Hill Fallis that actually proposed a pedestrian crossing here, so if that – either here or there. That's a bit more difficult, but if it actually happened here, that would be substantially used by everyone.

MR E. LEIS: There was a proposed - - -

35 MR I. LEIS: It really needs a crossing there.

MR E. LEIS: - - - bike track, as well, that would have – we would have facilitated.

40 MR I. LEIS: Yes.

MR E. LEIS: - - - better use of as well. Council have now pulled that off the table in their own bike policy.

45 MR I. LEIS: Well, in that long-term vision for that precinct, that came off the charrette, that island kind of – that island side at the moment was to be activated as some sort of a – there was a few different ideas for it, but basically, it was to be connected better to that part of Bondi Junction and better connected to the Centennial Park, and there's some nice images somewhere in the charrette that show how everything connects in. It's all about the connection over here, so whatever we

would do would facilitate the future use of that connection if they actually carried it out.

5 MS GRANT: The RTA do have some plans that they alluded to when we met with them for the remnant land that's – that they have there. That triangle that was left over with Syd Einfeld Drive. But there's also a heritage listed pub that's here, so the opportunities to provide that enhanced public domain and connections between patrons of the pub and that end of Bondi Junction and then across to the pub.

10 MR E. LEIS: And just to put it in perspective, the other end of Oxford Street in Bondi Junction, council rezoned that during their comprehensive review, up-zoned that from three-to-one to six-to-one without any infrastructure work whatsoever.

15 MS GRANT: Or VPA.

MR E. LEIS: No provision of – no VPAs, no parks, nothing, just the flick of a pen from three-to-one to six-to-one, and we haven't seen any improvements anywhere close to what we're proposing, even though that up-zoning was pretty substantial.

20 MR PEARSON: Where are you talking about that, sorry?

MR E. LEIS: It's down the end of Bondi Junction

25 MR I. LEIS: Next to the Westfield Shopping Centre.

MR E. LEIS: These new sites which have now been built, these high rises, they came to fruition after the 2010 rezoning review. So they do not involve any VPAs or any – any works, any infrastructure works. Traffic congestion is quite an issue down that end. You know, at least we're proposing to – to do something on our end. And I've got to say that the other frustrating part about their comment of the stepping down is if you look at our proposed site, it has no amenity impacts whatsoever on any residential properties in Bondi Junction. It has minor one-hour impact on a commercial terrace across the road at 3 pm in the afternoon – one commercial terrace, no other property.

35 It has a one-hour impact on a water reserve which has been unused for 20 years in Centennial Park, but they've made a big issue about overshadowing of Centennial Park, which is a 9 am to 10 am on the water reserve. Other than that, the island site has no amenity impacts whatsoever. If you look down the spine of Bondi Junction, Oxford Street, all the other developments that have been approved and proposed have impacts from the north to the south blocking out views and blocking – and overshadowing to the south, whereas our neighbour is simply that bus depot, and we don't impact anyone. We've tried to address any traffic issues. We've tried to give public benefit, much more than ever was proposed on the other side, and that went from three-to-one to six-to-one.

45 MS GRANT: I guess the underlying query that you had there about, you know, whether this public benefit is above and beyond what you would have to do for a DA anyway, the proposed amendment to the LEP ties specifically for this site to both a design excellence clause and a DCP, and it's very specific about the sorts of

improvements and enhancements that are required so that you can guarantee that it is above and beyond, you know, the design – we have no control over the design excellence clause competition. In fact, this – there is a requirement for design competitions in Bondi Junction, but this is above and beyond that, so since the time
5 we started all this exercise, Waverley did a housekeeping amendment to their LEP to introduce the requirement.

MS LEESON: The design excellence clause.

10 MS GRANT: Design – yeah. Yeah. And then – and so now this is above and beyond that – embellishing that procedure and process, so specifically to tie in those things.

MR E. LEIS: It would be much easier for us not to do any works and just – and just
15 cut them a check for \$3 million, which is the benefit of the VPA. Our proposed works is actually work for us, physical work to design and spend time delaying the completion of our project to complete these works to that value. It would be easier for us as developers to finish as quickly as possible and move on and give a cash contribution to affordable housing like we've done in the past in lieu of doing all
20 those works.

MR I. LEIS: In particular, the road widening was a big problem for the architect, I remember, because it took such a big chunk of the site away. They struggled with fitting the parking in, the loading areas, the towers the way they were set out. It was
25 a big thing for them to lose, and – but they wanted it, so we did it, and then at the last minute they don't want it any more.

MR E. LEIS: We're happy to do either/or - - -

30 MR I. LEIS: So - - -

MR E. LEIS: - - - to accommodate. We just think it's got to a stage where, you know, after six years after, you know after the charrette architects and the JRPP and Department of Planning and moving the goalposts and jumping through all the hoops
35 they've asked for, it's got to a state where it's pretty obvious on a planning permit perspective, on an island site in Bondi Junction, it's one that will eventually be redeveloped. It's got down to a VPA discussion.

MR I. LEIS: Well, not really. It's got down to them opposing it, but in case it does
40 by some miracle get approved, they want to negotiate a VPA and cut it out.

MR E. LEIS: Well, it got political as well, yes.

MS LEESON: Because it's quite a large site, the proposed staging that you follow,
45 it's not – I mean, it's not directly our planning consideration at the moment, but how would you stage them? I know that the RMS was looking for an infrastructure staging plan. Do you have one and how you would go about the development of this site?

MS GRANT: We – we never progressed that because of the council opposition. It's certainly something that we would need to do as part of the development application, and we would be more than happy to do that, but we just - - -

5 MR E. LEIS: We met with the RMS.

MS GRANT: Yeah.

MR E. LEIS: Yeah.

10

MS GRANT: But we never took it the next step and - - -

MR I. LEIS: Never got to that stage.

15 MS GRANT: We talked about doing it and decided that there was - - -

MR E. LEIS: Yeah.

MS GRANT: - - - a point at which we needed to stop - - -

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MR E. LEIS: Yes.

MS GRANT: - - - sort of throwing good money off the bed to develop a proposal if we didn't know if we had any certainty that we were actually moving forward. So

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it's something absolutely we can certainly do.

MR I. LEIS: But as far as handing over that - - -

MS GRANT: It might depend on the design – or the outcome of the design comp as to – because we actually don't know what product we've got yet, so this is only the parameters - - -

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MS LEESON: Yes.

35 MS GRANT: - - - of height and façade. We actually don't know what product is if it's built, so that's another implication.

MS LEESON: Okay.

40 MR I. LEIS: I was just going to say that as far as handing over, that road widening, if it did go ahead, that would be a big problem to stage that.

MS GRANT: Yeah.

45 MR I. LEIS: Yeah. It's not a massive project that could be overly complicated.

MS GRANT: Yeah.

MR I. LEIS: It's a fairly straightforward strip along the front.

50

MS GRANT: And the other thing that sort of got thrown up through this process is that RMS realised there was a mistake in the zoning, so we're - - -

MS LEESON: Yes.

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MS GRANT: We've not talked about, and that hasn't been in contention, but - - -

MR I. LEIS: That's something

10 MS LEESON: I don't think that's been in contention at all.

MS GRANT: Yeah. No. No.

15 MS LEESON: I'm mindful that I've probably been asking the lion's share of the questions. Tony, have you got any?

MR PEARSON: Just a couple. So council indicated to us a couple of other matters this morning, one of which was the heritage items that - - -

20 MS GRANT: Yeah.

MR PEARSON: They'd maintained a pretty constant opposition to their deletion – to the deletion of that, and that I think you indicated some numbers around the affordable housing, and I wanted to just make sure I got this right as well, that –
25 correct me if I'm wrong here, but I think it was indicated to us that the affordable housing offer, to use that word, that was put forward was in the order of \$400,000. So just wondering if you - - -

30 MS GRANT: So – yeah.

MR I. LEIS: No.

MR PEARSON: - - - have any comments on those.

35 MS GRANT: So the heritage - - -

MR I. LEIS: The heritage.

MS GRANT: - - - stuff had never been raised as an issue.

40

MR I. LEIS: Their own report supported the demolition of the heritage

MS GRANT: And the original council report for - - -

45 MR I. LEIS:

MS GRANT: - - - irrespective of which height or FSR you took, had council officer recommended – recommendation for approval. So - - -

MR E. LEIS: The three charrettes recommended that they should go. They're in a harsh vehicle-dominated environment. The average public do not enjoy. They can't even walk past it, because there's no access or link to anywhere towards the city or Centenary Park. So no one can actually view the heritage. It has been modified,
5 changed. It's - - -

MR I. LEIS: And we've - - -

MR E. LEIS: - - - almost in ruins.
10

MR I. LEIS: - - - provided two heritage reports that could support that, from two reputable firms.

MR E. LEIS: The heritage consultants support removal. Council support it in their
15 report. And the three charrettes support it. And the JRPP support it. So I don't know what - - -

MS GRANT: Yes. That's - - -

MR I. LEIS: That's the last ditch thing, just, like, saying that, "We now have a
20 policy of registering the heights."

MS GRANT: And then the other question about the affordable housing
25 contribution, that's one where - - -

MR I. LEIS: Okay. Yes.

MS GRANT: That has come up - - -

MR E. LEIS: The extra – so, in addition - - -
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MS GRANT: - - - subsequently, but then that's where that difference between - - -

MR E. LEIS: In addition to this, they got us back to the negotiation table, because
35 they were of the mind that the Department of Planning were about to approve this. So they came to us as a last minute proposal. "Is there any office space available in your development when it's finished for us to move into it?" We said, "What do you mean?"

MS LEESON: So who wants to move in?
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MS GRANT: Council.

MR E. LEIS: Council.
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MS LEESON: The building has asbestos.

MR E. LEIS: We said, "What do you mean?" We said, "What do you mean?"
50 They said, "Well, we're keen on office space." We thought, well, we would rather not, but what about an affordable housing contribution? In addition to the proposed

\$3 million of works, we said that we would contribute a half a million dollars to affordable housing in the area.

5 MS GRANT: But that's one of those things I would imagine - - -

MR E. LEIS: That was agreed.

MS GRANT: - - - would be part of - - -

10 MR E. LEIS: Which was agreed and when it went up to a final okay with, I think, the people you met with today, it was not done, again.

MS GRANT: So it wasn't part of the original offer, but something that we were totally willing to - - -

15 MR E. LEIS: Something that we were willing to accommodate and in the broad scheme of things in a large development like this, that half a million dollars to the local affordable housing policy was not material to us. So we agreed.

20 MR PEARSON: And then I'm intrigued. So you've made the point that you've undertaken a number of developments in the area. I'm interested to know whether you've had similar experience with this issue of public benefit and - - -

MR E. LEIS: No. It - - -

25 MR PEARSON: So - - -

MR E. LEIS: There is an affordable housing policy - - -

30 MS GRANT: You haven't done rezonings.

MR PEARSON: Public benefit or DA payments.

MR E. LEIS: We haven't done any rezoning, only DA.

35 MS GRANT: You haven't done rezonings for the other ones. They were only DA.

MR E. LEIS: This is our first planning proposal that we've ever done.

40 MS GRANT: That's the difference. They were all DAs.

MR PEARSON: And, I guess – you may not know the answer to this, but, again, I think you've indicated you've done a lot of work with this council and this is the first experience of this nature that you've had with council. Is there anything that – any
45 light you can shed around why this experience has been so different to all of your previous experiences with this council?

MR I. LEIS: It's probably the first planning proposal that we've done in the area
- - -

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MR PEARSON: Right.

MR I. LEIS: - - - so it's a little bit different to the normal DA process that we're used to.

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MR PEARSON: Yes.

MR I. LEIS: And I think for them, as well. They haven't done many planning proposals.

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MS GRANT: And the composition of council has also changed in the middle of this - - -

MR I. LEIS: Three - - -

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MR PEARSON: Yes.

MR I. LEIS: Two elections and

20 MR E. LEIS: Planning proposals are really only the platform now where councillors can get involved in – because all the DAs have been outsourced to an independent panel.

MS GRANT: To the local panel.

25

MR E. LEIS: So when – during election time this is probably one of the most anti-development-type platforms that can accommodate such opposition and for, I suppose, certain parties to sell their policies.

30 MS GRANT: And there was some real misinformation at the time of the local election. Some graphics that were dodged up on a GoPro of what this building would look like from - - -

MR E. LEIS: Yes.

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MS GRANT: - - - Centennial Park. And we subsequently gave Richard Lamb to do a proper view analysis of what – forget what the building looked like, but that height from Centennial Park - - -

40 MR I. LEIS: There was a - - -

MS GRANT: From the same spot where they were standing with their dodgy GoPro, but he had it all, you know, done with a surveyor. And they were so misleading.

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MR E. LEIS: There was a pamphlet - - -

MS GRANT: But those pictures are still - - -

MR E. LEIS: - - - with just a big block of concrete on our site. There was a pamphlet that was doing the rounds and - - -

MS GRANT: And a website and - - -

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MR E. LEIS: And it just got political. That's the only explanation I have. Other than that, we've had no problem dealing with VPAs before. We've always been able to negotiate an outcome. And - - -

10 MS GRANT: There's nothing underlying, I think, Tony, that, you know, that - - -

MR E. LEIS: No. No.

MS GRANT: - - - you know, inherently - - -

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MR I. LEIS: It's just inexperience, I think, on both parties. The first planning proposal in the area. I honestly cannot think of another planning proposal that they actually successfully executed. There was one about two or three years ago in Wellington Street which ended up going to the department, which approved it. It wasn't council.

20

MR E. LEIS: I think this is important for them from a VPA point of view, as it's their test case for future VPAs on planning proposals, because their - - -

25 MR I. LEIS: We know of a few more that are waiting for this to be resolved.

MR E. LEIS: Their VPA policy - - -

MR I. LEIS: Not us. Others.

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MR E. LEIS: Their VPA policy on DAs is well-established now after about eight years. And that's 15 per cent over the FSR is permissible, with - - -

MR I. LEIS: In Bondi Junction.

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MR E. LEIS: - - - two extra – in Bondi Junction – with two extra floors. And they are to capture 50 per cent of the developer's benefit. Now, because of all the argy-bargy and going back and forth on negotiations about building prices and sales rates, they're trying to move – and it was in their December draft. They're trying to move to a fixed rate in Bondi Junction, which is \$3900 a metre for extra FSR, so that there is no argument moving forward. And that would be very helpful, if they could apply a rate to a planning proposal, so we didn't have to go through this again, as well.

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MS LEESON: Okay.

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MR PEARSON: Thank you.

MR I. LEIS: Except it defeats the whole idea of the V of the VPA, the voluntary planning - - -

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MS LEESON: Yes. Voluntary.

MR I. LEIS: - - - if they are dictating the rates, it's a bit strange, I find.

5 MS LEESON: I need to check with the secretariat to make sure that we – I haven't missed anything – that Tony and I haven't missed anything.

MR M. WOODLAND: I only have one question.

10 MS LEESON: Are there any other clarifications?

MR WOODLAND: Michael Woodland, Keylan Consulting. You talked about the – you talked a lot about the public benefits and the items that constitute a public benefit. One you talked about – or a few was better connections through – on the
15 other side of Oxford Street. Can you talk a bit about why they're not part of your current benefit offer, because I think they were things that you said were raised during the charrette process.

MR E. LEIS: Yes. I think council was going to move to do their own things there.
20

MS GRANT: And we have no control over the - - -

MR E. LEIS: Yes.

25 MS GRANT: Over Oxford Street or the bus depot. It was a topic of conversation, obviously, at – obviously, at the JRPP meeting there was a lot of discussion about whether or not we could facilitate and buddy up, I guess, with the depot – bus depot site and do a combined redevelopment to address that. And it sounds - - -

30 MR E. LEIS: That's even more politically sensitive.

MS GRANT: It sounds all very good in theory, but, as Dianne would well know they just didn't pull it off in practice with a, you know, government owned site.

35 MS LEESON: It's an operating bus depot.

MS GRANT: And that – and, as far as we know, STA don't actually have any, you know, plans to move from that depot at this point in time. So there was a lot of discussion about could we in fact use this as a catalyst to do that, but it's not – I
40 mean, we were happy to talk to them, but it's kind of a little bit beyond our scope.

MR E. LEIS: We're open to it. We're open to - - -

MR I. LEIS: And I have seen a diagram that was developed somewhere - - -
45

MR E. LEIS: Hill Fallis prepared a very good proposal.

MR I. LEIS: Yes, I think by Hill Fallis, for a future or long-term objective - - -

MR E. LEIS: And that involved acquisition - - -

MR I. LEIS: - - - to connect it with Centennial Park.

5 MR E. LEIS: - - - of this site, and I think council was desired of acquiring that site from RMS, but, like most things, it's just fallen away by the wayside, and we haven't heard anything since. So we're happy to work with them, except we just don't know what they're doing.

10 MS GRANT: Presumably, when we do a design excellence, you know, process, those parties would be at the table, because that would be the obvious opportunity to integrate and make sure that we don't prevent any future benefits that they may pursue at a later date.

15 MR WOODLAND: Sorry, one other question.

MS LEESON: One other question, yes.

20 MR WOODLAND: Just in terms of the mechanisms, just so I'm clear, the mechanism you're proising would be through the proposed clause around the DCP, and will you then enter into a VPA at the DA stage - - -

MR E. LEIS: Yes.

25 MR WOODLAND: - - - or do you believe that the DCP is sufficient?

30 MS GRANT: Well, we're still happy to enter into a VPA now if that's - but I'm conscious that the department doesn't have any control over that. So that was why the discussion about, well, you know, the department, once they sign on the dotted line to make the amendment, then don't have a role in this process. So that was why the idea came to be to put it in as part of a site-specific clause like that so that there was some certainty that it would, in fact, be pursued, but - - -

35 MR I. LEIS: We're happy to sign it now, or at DA stage.

MR E. LEIS: We usually do it at DA stage, but were happy - we've delivered it before in a VPA.

40 MS GRANT: But this was - that was the - - -

MS LEESON: That's helpful to understand. Thank you.

MR WOODLAND: No, that's all.

45 MS LEESON: Any - no. Okay. Well, look, thank you very much for your time.

MS GRANT: Thank you.

MS LEESON: Is there anything that you wanted to let us know that we haven't given you the opportunity to tell us?

5 MR E. LEIS: No, I think we've discussed everything, really. The last six years.

MR I. LEIS: The last six years.

10 MS GRANT: The last six years in an hour. My only question would be timeframes. What should be expecting in terms of your process?

MS LEESON: I think the Department would like to get our advice sooner than later in a fairly efficient fashion. We now need to think about and digest all the representations that we've had and the material that we've got.

15 MS GRANT: Yes. Certainly.

MS LEESON: We will do it as quickly as we can. I can't be a lot, sort of - - -

20 MS GRANT: No, no.

MS LEESON: - - - clearer than that, because we may need to take some advice. We need to think about whether we need any more information or advice as we start to mull this over. So - - -

25 MS GRANT: Okay.

MS LEESON: - - - I would like to be very clear - - -

30 MS GRANT: That's okay.

MS LEESON: - - - as soon as we can would be my view.

MR E. LEIS: Okay.

35 MS GRANT: Well, if there is more information that you need from us, please, we are very happy to provide that.

MS LEESON: We will, and that will come back through Matthew.

40 MS GRANT: Yes. Yes.

MR PEARSON: We did ask this of council as well, but I wonder whether there were any aspects of the site - - -

45 MS LEESON: Yes.

MR PEARSON: Just out of fairness, I guess, if you thought there are aspects of the site that were worth visiting or paying particular attention to. We will be catching the train out - - -

5 MS GRANT: Good.

MR PEARSON: - - - and walking back down Oxford Street - - -

MS GRANT: Yes.

10

MR PEARSON: - - - but if there's anything that you thought was - - -

MR I. LEIS: Have a look at the heritage items, because – and form your own opinion as to the value of that.

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MR E. LEIS: And also pay attention to the amount of people around there. There's no one there on – there's no foot traffic whatsoever because of the harsh dominated motor vehicle environment. We wanted to change that and create a bit of a destination. Our vision was an iconic building which really needed to be taller, and the planners in the beginning – Peter Monks, when he started at Waverly Council, was – at that time, and he was quite excited about it, but I feel that he got worn down a bit by the political aspects of it, and it would have been great to do something with even an observatory on top of the building that we wanted to have over Centennial Park. All the good things have gone. So that's our disappointment.

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MR I. LEIS: I suppose that if all this gets rejected and fails, our fallback position is just to comply with the existing zoning, which is the one and a-half to one 50 metre. It would be a small residential development that would be there forever on a very important, we feel, part of Bondi Junction - - -

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MR E. LEIS: Yes.

MR I. LEIS: - - - and so did the planners of council. So if all this falls over, we just lodge a normal DA. There will be 25 - - -

35

MR E. LEIS: It would just be a shame.

MS LEESON: Thank you.

40 MR I. LEIS: Twenty-five apartments - - -

MR E. LEIS: It would be a shame.

MS LEESON: Okay.

45

MR E. LEIS: It would be a shame.

MS GRANT: And in - - -

MS LEESON: No, thanks for that.

5 MS GRANT: And the tree. Like, when you're out there, if you look at the Norfolk pine, some of the discussion at the JRPP was about the height of our business in relation to the tree, and - - -

MR E. LEIS: Yes, that's what they used - - -

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MS GRANT: - - - we had a discussion about whether the tree would grow any more.

MR E. LEIS: Yes.

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MS GRANT: So, yes, the tree.

MS LEESON: Michael had one more question.

20 MR WOODLAND: Just one last point of clarification. Just looking at these two maps. In terms of these two plans on the public benefits, the one that's in the urban design report is different slightly to the one that's in the planning proposal report. So could you just clarify which is the most updated report that we should be looking at in considering it.

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MR E. LEIS: I think it's that one, isn't it?

MR I. LEIS: No, no, no. Can I just – sorry, I can't see that.

30 MS GRANT: The planning proposal is more current than the urban design report.

MR WOODLAND: It references the urban design report - - -

MS GRANT: Yes.

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MR WOODLAND: - - - but the shapes and areas look to be slightly different.

MR I. LEIS: Yes.

40 MS GRANT: And remembering the PP doesn't dictate those shapes, because it's just the site, so the subsequent DA design excellence process would - - -

MR WOODLAND: Of course. We're just trying to get a feel for - - -

MS GRANT: Yes.

MR I. LEIS: Yes, that's the latest one, because this one here is the proposed public car park, which isn't – doesn't form part of that any more.

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MR E. LEIS: Which they didn't want, yes.

MR I. LEIS: So that's the one.

10 MR E. LEIS: That's the one, yes.

MS LEESON: Thank you for that clarification.

MR WOODLAND: Thank you.

15

MS LEESON: All right. Thank you very much for your time.

MR E. LEIS: Thank you.

20 MR I. LEIS: Thank you for your time.

MS LEESON: We will, as I say, consider all of that information and provide some advice to the department in due course.

25 MS GRANT: Thank you.

MR I. LEIS: Thank you.

MS LEESON: Thank you.

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MS GRANT: Would my speaking notes be of any assistance to you?

MS LEESON: That would be helpful, thank you, Juliet, but they will – just so you know, if we take those, they will be loaded onto the website. So it's - - -

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MS GRANT: Well, it's six and two threes, because I've read them and they would be on a transcript.

MS LEESON: That's true.

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MS LEESON: All right. Thank you.

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[1.18 pm]