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TRANSCRIPT OF PROCEEDINGS

TRANSCRIPT IN CONFIDENCE

O/N H-1246793

INDEPENDENT PLANNING COMMISSION

MEETING WITH CENTRAL COAST COUNCIL

RE: 26 & 32 MANN STREET, GOSFORD

PROJECT #: SSD 11014

PANEL:

**CHRIS WILSON (CHAIR)
WENDY LEWIN**

HEATHER WARTON (OFFICE IPC)

COUNCIL:

**ANDREW ROACH
EMILY GOODWORTH
ROBERT EYRE
MARK WASSON
CARLO FAVETTA
JOHN NOAKES**

LOCATION:

SYDNEY

DATE:

11.37 AM, TUESDAY, 28 JULY 2020

THIS PROCEEDING WAS CONDUCTED BY VIDEO CONFERENCE

MR WILSON: Okay. Yes, please.

5

MR ROACH: Hi. Just, firstly, I guess, you start with me. So my name's Andrew Roach. I'm the Unit Manager of Development Assessment at Council. There's a few other council people here. So Emily Goodworth is there. Wave, Emily. So Emily's the Section Manager for Major projects. Emily does most of the major project applications these dates in terms of Council's assessment. You've got Robert Eyre, one of Council's long serving and tirelessly working senior planning staff, and Robert's worked in and around the Gosford CBD for forever. So he knows everything that's ever happened, going back to the ark.

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You've got Mark Wasson there. Mark's Council's architect. I don't know what Mark's official title is but he's Council's Registered Architect. We get advice from Mark on architectural matters. And you've got, from an engineering point of view, you've got John Noakes and Carlo Favetta. So John and Carlo look after our engineering component in, I guess, tying in all of the development engineering stuff. We do have some specialist engineers on things like traffic and and things like that but John and Carlo try and tie all that together so – for most of the application so they're a good starting point for all things engineering.

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MR WILSON: Okay. We'll commence. Thank you for that. Before we begin I would like to acknowledge the traditional custodians on the lands on which we meet and pay my respects to their elders last and present. Welcome to the meeting today. SH Gosford Residential Pty Ltd is proposing a concept application for a building envelope with three towers for residential, hotel and commercial uses and associated landscape master plan, design guidelines and design excellent strategy for the site at 26-32 Mann Street, Gosford. This is SSD10114, known as the Central Coast Quarter development. Central Coast Council has lodged an objection to the development, triggering a referral to the IPC for this determination.

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My name is Chris Wilson and I am the chair of the panel. Joining me is my fellow Commissioner, Wendy Lewin as well as Heather Warton from the office of Independent Planning Commission. Representing Council today, Andrew Roach, Unit Manager, Development Assessment; Emily Goodworth, Section Manager, Major Development Applications; Robert Eyre, Principal Planner; Carlo Favetta, Senior Development Design Engineer; Mark Wasson, Strategic Planer Urban Design and; John Noakes, Section Manager, Engineering Assessment.

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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 decision-making process and is being conducted by electronic means in line with current COVID-19 rules around social distancing and public gatherings.

It's taking place at a preliminary stage of the determination process and will form one of several sources of information upon which the commission will base its decision. It is important for the Commission to ask – the Commissioners to ask questions of meeting attendees to clarify issues as we consider appropriate. If you
5 are asked a question and not in a position straight away, please feel free to take it on notice and provide any additional information which we will subsequently put on our website.

I would ask that all participants state their name before speaking each time and
10 please be mindful not to talk over the top of one another so that we can ensure the accuracy of the transcript. We will now work through the agenda. So we'll get – we've got just some general – had general headings we just wanted to discuss through so we're happy for Council just to – to interject or provide comment on each of these as we go through them. Try and keep it in formal process, formal but
15 informal, try and get as much information as we possibly can. I guess one issues for us, also, is the status of existing developments. I'm just wondering if Council, and it was referenced in the Department's assessment report and, in part, was part of their justification for their support for the proposal. Is Council in a position, I guess, to up-date us on the status of some of those DAs?

20 MR EYRE: Robert Eyre here. I can up-date you on probably most of them if not all of them.

MR WILSON: Thank you.

25 MR EYRE: Are you mainly interested in the four that are referred to in the planning

MR WILSON: Well, if you think there's others that are relevant, I'm happy to hear
30 them.

MR EYRE: Yes, okay. First of all, probably you've got to go back through some of the history of what happened with the Gosford and Council's attempts in the form of Gosford Council as well as the current Central Coast Council, to revitalise Gosford
35 and there's been a number of planning initiatives or changes to the planning scheme but what's – what really kicked a lot of things off was where Council brought in a new planning scheme in 2014 but they also brought in a 30 per cent bonus to heighten the floor space ratio which initiated a lot of development applications or approval. Some of those are being built now. Some of them are about to be built
40 and some of them have still got physical commencement but have not started yet or not physically started the building itself.

With regard to the ones around or near this site, you got the one to the north which was previously known as Froggy's. It had a skating park on it or something, former
45 – I think it was a former County Council building which has got a heritage on them but now it's known as Waterside and that's one directly opposite Council which had the three towers referred to in the Department of Planning's report. That one has

physically commenced. They've actually done a lot of demolition, tidied up the site and done some work on the site.

MR WILSON: Okay.

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MR EYRE: So that has physical commencement. It will not lapse. The one on the corner of Georgiana Terrace and Mann Street, which is – I think it's the south, south-east corner, which is known as the Creighton site, had a previous Creightons funeral parlour on the site. That one has physical commencement as well. They have done
10 some demolition work, they have done some drainage work, they have done whatever they have to to get physical commencement. So that one, once again, will not lapse.

The one that is currently or not under construction, I think it should be completed by
15 now, I think I've seen some people living in there, that's the one, I think, at number 21 to 23 Mann Street. The one behind the old what we call the Gosford South post office, which is the heritage item. It's directly opposite what I think they refer to on this side as the east – east tower. Now, that one has been – that one was approved –
20 it had an RL on the top level of about RL67 I think it said in the report. That one's an interesting one because they actually complied with their floor space ratio on that side but they took some of the floor space off the northern side and put it on the southern side of the building to keep views for across – from units on the other side of Henry Parry to the water and that podium, I think, went down to RL40 to keep
25 some views across the top of that site which obviously may be affected by what happens on this current site. I think it should be completed. I'm sure I've seen some people moving in there - - -

MR WILSON: We were up there just to – not from the record. We were up on the site, what date was it, Heather?
30

MS WARTON: Thursday.

MR WILSON: That's the white – sort of white-ish residential tower behind the - - -

35 MR EYRE: Yes, yes, yes, that's it.

MR WILSON: - - - behind the fig tree up the hill a bit. Yes.

MR EYRE: Yes.

40

MR WILSON: Okay.

MR EYRE: They had a hundred and – that's got 135 units in it. It's also part of the Telstra site because some of the parking on that site had to be kept for the Telstra - - -

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MR WILSON: Okay.

MR EYRE: - - - operations on the site. Now, the one – there's a site to the south of that which I think is 27 - - -

MR ROACH: Seventeen.

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MR EYRE: 17 Mann Street. That's the one on the northern side of the police station. That one was approved a long time ago, even before the current planning schemes or the bonuses. It's a little bit different. They have physical commencement on that site so that one – I think they've got the sign up now.

10 They're starting work and for sale and whatever. But that one, basically, had two towers in it. The back tower went up to RL45 metres and the front tower was RL36.4 metres. Now, they will obviously be blocked, to some degree, even by complying development on the school site because they had an RL – maximum RL of 48 metres.

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MR WILSON: Is there any more? I don't think there's - - -

MR EYRE: Yes, there's another one I might mention is one it's now known as the Archibald Project which is on the corner of Erina Street and Mann Street. It used to be the Union Hotel site.

20

MR WILSON: Is that the hotel which has now got – is it – it's not boarded up but it's got – it's got - - -

25 MR EYRE: It's got hoarding around it.

MR WILSON: It's got hoarding around it. It's about two storeys high, yes?

30 MR EYRE: Yes. That was one of the first ones approved in the Gosford City Centre under the bonuses and the – now, what makes that one a little bit different is it's actually in the commercial core zone, not the B4 mixed use zone around the commercial core. That was probably the first one that was approved under the bonuses and the initiatives that Council's trying to get development going and that was – and so you can imagine how long that's taken where they've only just started
35 demolition and construction. It got period of commencement, then it went on hold for a while. They're actually into it now. They're doing demolition, then they'll be doing excavation for about three or four basement levels and it's got about 26, 28 storeys, from memory, on that site, in two towers.

40 MR WILSON: How is that in relation to – just while you're talking on that one, is that near the Leagues Club?

MR EYRE: It's – if you go down Mann Street, turn left at the site.

45 MR WILSON: Yes.

MR EYRE: You've got the site on your right, go down towards the railway, your Leagues Club's down to your left further, that way.

MR WILSON: Okay. All right. Thanks.

5

MR EYRE: Leagues Club between Dane Drive and Baker Street, this site's diagonally opposite the Leagues Club, I suppose you could say that.

MR WILSON: Okay. Thank you.

10

MR EYRE: There have been – look, the initiatives that Council did with the 30 per cent bonus to height and floor space ratio, people varied that to some degree, to some extent, but the big success that that probably had was there was a lot of residential development done round the periphery of the B3 zone, or the commercial core, if you went round the other side of the railway up to Point Frederick and even Masons Parade, there are quite a few developments under construction or have been constructed under those initiatives. So I think basically at some stage we were doing about 90 – needed about 90 units a year in the city centre. With all the approvals that have been done, I think we've got about 15,

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MR WILSON: Okay. And that's 15, 20 years' supply for the LGA or for the - - -

MR EYRE: For the city centre.

25

MR WILSON: For the city centre. Okay.

MR EYRE: Now, with the big one - - -

30

MR WILSON: I understand there's another proposal for the Leagues Club, isn't there - - -

MR EYRE: There is one, I think - - -

35

MR WILSON: - - - potentially.

MR EYRE: There has been a SEARs issued for the Leagues Club, I believe. I haven't been directly involved in it. I don't know whether they've lodged a development application with the Department yet, or a master plan.

40

MR WILSON: No, I don't think they have. We understand SEARs have been issued. Okay. Thank you very much for that. Appreciate that. Just in terms of building envelopes massive in height, I understand Council's raised concern in relation to the height, particularly around the northern tower. Council's submission states the northern tower should be at least 15 per cent lower than the eastern tower. What's the numerical basis for the graduated height reduction?

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MR EYRE: It's Robert Eyre again. I don't know whether Mark Wasson would like to make some comments before - - -

MR WASSON: Yes.

5

MR EYRE: - - - I probably will make some comments as well.

MR ROACH: Yes. I think that those – the comments have mainly come from Mark architectural comments.

10

MR WASSON: Yes. Okay. So I've got a rock breaker working down the street. So – well, several concerns. One is that the very sort of flat, shall I say uniform appearance, uniform appearance of – of the towers. They have – there is a step but it is really my major concern is the height above the ridge line. I understand that even with the complying development it's going to be above the ridge line but I think if you look at the applicant's own photo montages, the visual bulk of those two – well, it's really one tower. They've attempted to break it. There's actually one very long tower way above the ridge line. The non-complying height, non-complying FSR, it's, to me, there's simply far too much on the site and the fact that it also results in such significant overshadowing of public spaces, both the park and within the development in particular, to me it is – certainly doesn't – design excellence that would justify that extent of non-compliance.

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As I said, the permissible height is 48, an RL of 48. They are proposing a maximum height of 81.4 which is 69 per cent non-compliance. And the density is 4.5 – 4.5 which is 28 per cent above the 3.5 they're permitted. Now, they have – the applicant has shown on their drawings a complying development which I accept is – I think the non-complying development is superior but that, to me, is not – clearly they're showing their compliant development, three very large slab sided buildings. The reality is they can build, if they cut – reduce the height, they could still build those slender towers. In particular the northern tower which is what you see looking directly from the bridge, is far – vastly too massive. That should be – as I see it, it should be broken up to provides at least some sort of visual break between the two and to permit, if possible, a view of the ridge line which is to the east.

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Now, I understand that they may not be – we have approved buildings behind that, I fully accept that. Whether we should have approved those buildings is another matter but that's – you know, what's done is done. To me the shortcomings of the proposal do not justify – to me, do not indicate design nexus that's necessary to justify 60 per cent non complying height and 30 per cent non complying FSR.

40

MR WILSON: Okay. We just – we have asked the Department for more information between – to enable us to give greater consideration in relation to a compliant and the proposed scheme. We just – we want access – well, we'd like access to more specific information to enable us to look at the differences between the two. We expect that information to be submitted in the next week or two. In terms of – Wendy, do you want to have a – discuss views? Wendy, turn your - - -

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MS LEWIN: Unmute. Okay.

MR WILSON: That's it.

5 MS LEWIN: So in relation to impacts on views or visual impact of the proposal,
we're interested to understand Council's concerns or not. From what vantage points
in the public domain does Council regard the views should be maintained, could be
developed further, have been addressed by the proposed development and we're
interested in a fairly global understanding of Council's position in relation to visual
10 impacts and the public domain and whether there'll be possible view loss as a result
of the development from existing residential and/or proposed approved
developments. Who's going to answer that?

MR EYRE: It's Robert Eyre here. I might just make a few comments.
15

MS LEWIN: Thanks, Robert.

MR EYRE: Probably also in addition to what Mark just said, to take you back and,
like Andrew said, I've been here for decades, a lot of the planning principles that the
20 LEPs, DCPs and that were done on in the past and, I think, to some degree still do,
when you look at the height controls, is that the heights were supposed to be lower
towards the waterfront and then increase as you go further away up the city, away
from the waterfront. So people back further in the city might get some view down
towards the water. That was the general principle.

25 That's been affected to some degree by some of the variation in heights done on
some of the developments, admittedly. But one of the things basically is that the
main viewpoints you'd be looking at is from the waterfront back towards Rumbalara
Reserve, from the railway – and a lot of people use the railway line. It was raised in
30 the past, and a lot of views also should be taken into consideration from people on
the – from the railway line, on the train, as they come in and out to Gosford, from
Brian McGowan Bridge and I think we mention, too, did you go and have a look up
the view from - - -

35 MR WILSON: Point Clare.

MR EYRE: - - - Point Clare.

MS LEWIN: Yes.
40

MR EYRE: What about from up Waterview Park, up in the top of the hill, the
lookout?

MS LEWIN: No, we didn't.
45

MR EYRE: Because that's a good vantage point to look down on the city and look
at everything and suspect it might be worthwhile if you still do any more inspections,

to go up to Waterview Park and look down on the city because while it won't affect views from residence according, like, a view and so forth, it probably gives you good perspective when you look at the overall city from that point. I don't think your – and the other view – views were really from Rumbalara Reserve. I don't
5 think that's probably so critical. But the point I'd like to make about what Mark said was that if you look at the three towers on the waterside or the old Froggy side, they are lower towards the waterfront and they increase in height as you go back. If you look at that – the Creightons building, on the corner of Mann Street and Georgiana Terrace, their height, I think, was 74.3 metres which is basically below the northern –
10 I think the northern tower's 81.4 metres.

MR WILSON: Right.

MR EYRE: From memory. Yes. So this tower, or proposed tower, will be about
15 another six, seven metres above that again. While it may not be relevant, that development did make some approaches in the past about increasing their height, if things happen on this site or on the old school site, but we said that would have to be approved by the regional planning panel because it was done by them originally and I – we haven't heard from them since so whether that's something that they may be –
20 we may get approaches from other developments to go higher than even the ones that have been approved and not built yet. But I think it's just worth pointing out that really, if you're going to lower the buildings so that you do – the ones behind do get some sort of view over the top of this and below the top of Rumbalara Reserve, that's one of the principles that was always looked at before in determining the heights of
25 these buildings.

MR WILSON: Could I just ask a question on that? Sorry. Was that work followed through into the urban design guidelines or, sorry, the urban design framework for Gosford?
30

MR EYRE: Do you mean the one we're working on now or the ones in the past? It's a continual change.

MR WILSON: Yes. Okay. So the urban design framework that was prepared by the Government Architect's Office. Did that have - - -
35

MR EYRE: I think John McInerney - - -

MR WILSON: Yes.
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MR EYRE: John McInerney did one scheme. I think you was involved in one scheme at one stage.

MR WILSON: Yes.
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MR EYRE: There's been that many different schemes and that many different people having different opinions. But essentially, the one in the Creightons property

did exceed the height limit. They did want to go higher but most of these developments, when they come in, they started off a bit higher and then they reduce – work their way down to something that might be acceptable. That’s usually the process.

5

MR WILSON: Yes. Okay.

MS LEWIN: So can we just also address or ask Council to address the part of the question that related to the public realm, not necessarily from – not only from other developments. If you’re in Mann Street, has Council got a position in relation to how the pedestrian will appreciate connective views through to Brisbane Waters or the reserve or – and so on. So from the public realm generally, from a user’s point of view, if this development is to proceed, is there something in the proposal that council would wish the proponent to address in more detail?

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MR EYRE: Robert Eyre here again. I think – I think it’s in the DCP and I think Mark Wasson supported in the past. He said there’s got to be a good connection between Mann Street and Baker Street and I think that’s part of the proposal. They got the areas – two areas that go between the buildings but I think the issues raised with that is that those areas probably could be overshadowed a lot because a lot of those pathways are on the northern side of the – southern side of the building. I don’t think you’re going to see, when you look up Mann Street to – from the northern end to the southern end, basically you’re just going to see the towers. You won’t – I don’t think you’ll see anything at pedestrian level through these sites.

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MR WATHAM: There is a view from Mann Street through to the water. It is a very narrow view and so while – when you actually walk past that there will be a glimpse which could be attractive but as Robert said, to me those through site link is largely just a stairway. It certainly does widen out and create some public space as you get – as the steps down the site. However, most of that public space actually is actually allocated to outdoor dining and is really not public space that could be enjoyed, you know, by the general public just sitting around.

30

Again, I understand that the park is there and that is important – that’s going to be an important public space as well. But much of that public space is overshadowed, particularly in mid-winter. Again, where at lunch time you’d expect a sunny dining area would attract people. If you look at the – and I think the shadow diagrams were included in my report and they show the Eat Street section in shade from about 10 till 2 in between March and September so it’s – to me, that is a significant failing. It’s all very well saying you provide a public space but if that public space doesn’t work, particularly with respect to overshadowing, that is a major shortfall in the development.

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MS LEWIN: And, Mark, does Council have a position in relation to the interface of the southern tower to the street on Vaughan Avenue and then the park across the road?

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MR WASSON: It's less – there is less of an issue. There is a Memorial Park across the road and the Poppy Park, which is heritage listed. Our heritage consultant has produced a report but she's not available. I can go through that. That the – to me, that is less of a concern in that the Leagues Club Park is going to be really –
5 especially now it's being redeveloped, is going to be a very, very important area within the city.

Again, with all these new developments, they clearly don't have outdoor spaces or just balconies, so to me the importance of the Leagues Club Field and they're just
10 essential public spaces. If they are overshadowed or even just visually overpowered which I believe this development is, that is going to detract from those very important public spaces.

Again, in the long-term, we would hope that even the road – that road might be put
15 underground and connected to the waterfront. Now, that's, again – probably won't happen in my time but there is – once we – once this is constructed and it is so visually dominating, it's really going to have a very detrimental impact on the long-term viability and enjoyment of those public places. So in particular the frontage along the Leagues Club Field is an issue – main issue to me - - -

20 MR WILSON: The interface.

MR WATHAM: On Vaughan Avenue as well.

25 MR WILSON: Yes.

MR WATHAM: But there's less of an issue. That's a lesser important site, I think.

30 MR WILSON: Interestingly enough, though, we've questioned the about this issue. But they claim that there's too many in the requirements of the DCP in relation to overshadowing of the Leagues Club Field.

MR WASSON: Yes. It is a – I think it's going to be a cumulative impact. The
35 three round towers on – are – will overshadow and that was always an issue that was raised with that development as well. However, that was approved, nothing we can do about it. This, I believe, is going to increase the overshadowing. I accept that it's not going to be a vast increase on what is there already, but each of these issues is a cumulative impact.

40 There is also a – the Leagues Club itself. There has been a proposed – well, a very preliminary proposal for something on that site and clearly that's going to increase overshadowing as well so it's really very much a cumulative impact. You know, death of a thousand cuts. So while, as the applicant says, and I would, you know, probably agree, that their overshadowing complies. When it's added to all the other
45 areas, I think it's going to be an issue and as said, the State government is spending a – whatever it is, \$20 million on that park to upgrade it, to have that overshadowed, is a serious issue for the whole – for the public.

Again, the overshadowing from this building's going to be in the morning. Once it hits 11 or 12, it will be – it will be in the – in sun. But then if you have, again, the Leagues Club building, which is directly to the north, once the overshadow from this building goes off the park and overshadowed from the Leagues Club development will start on it.

MR WILSON: Yes. Depend where those towers are located, I guess, at the front or the back of the site and how much overshadowing occurs.

10 MR WASSON: Yes, yes.

MR WILSON: Just in terms of you raise concern about the notional compliance scheme. Can you reiterate what those concerns were?

15 MR WASSON: Yes. Well, they – the applicant shows a compliance – a scheme of complying height and I have included that in my report. Now, I fully accept that the height, per se, is not – their application – that drawing, should I say, shows three very, very bulky towers. Now, I accept that tall slim towers would – could be preferable to that but I don't think the applicant's actual application really shows
20 slim towers. In fact, they show their southern tower – that's right, they're northern tower in their complying scheme, really has the same footprint as the southern tower that they're proposing.

Now, I will accept that the two other towers that they're proposing are slimmer than
25 the two towers in the complying scheme but I believe that simply showing three flat slabs is not – they're clearly showing the worst case scenario and to me, even their own – in their scheme that they're proposing, the northern tower, which does have a bit of a step and a light break in it, clearly indicates it's a very flat, slab sided tower.

30 MR WILSON: Which would need to demonstration design excellence regardless as well.

MR WASSON: Yes. Yes. The – I will acknowledge it does have a step in it and – but the reality is I believe that tower is very large, very flat. It has the same – pretty
35 much the same footprint as what they're showing as complying in their complying scheme. I mean, really, it doesn't – to me, it certainly doesn't – I'm sure they can make it, you know, pretty. But architecture should be more than just sort of a few pretty pictures. It is the total impact on adjoining areas, it is the mass when seen from public spaces and for instance if they actually put – split that tower into two,
40 perhaps, maybe that is possibly one solution, I'm not sure.

I'm not the design architect on this project but they could – the sheer bulk and scale of that northern tower, to me, is clearly excessive, it has detrimental impacts on views of the city from surrounding areas. I believe it will have detrimental impacts
45 and the sheer scale of it, when viewed from the park, if you look at it – there's a photo of it or their photo montage shows it from the bridge, which is half a kilometre

away at least. If you're looking at that from 50 metres away in the park, you are looking – it is just a massive, flat building.

5 MR WILSON: Okay. Council also raised some concerns about the step criteria, clause 8.34. Can you expand on these concerns? Relating to solar access, sorry, I think.

10 MR WASSON: Right. Yes. Yes. Again, the – it is my particular concern, if you – is that the public open spaces in – hang on – during lunch time will be – in winter, largely in shade. Again, having public open space, the applicant have given them public open – created that public open - - -

15 MR WILSON: You mean the internal – predominantly the internal public open space.

MR WASSON: Yes. The courtyards that, through site link, again, if you look at – the applicant had provided shadow diagrams for and they are showing that the – that, through site link and the Eat Street, the whole thing is pretty much in permanent shade in mid-winter. Yes, there are a few little gaps between the towers but really it becomes a – the reality is in mid-winter that's going to be a fairly cold, windswept area. There is, as – I don't know if you have the shadow diagrams in front of you, but clearly it shows the Eat Street and all those various areas of stairs in shade from mid - - -

25 MR WILSON: No, we're cognisant of that.

MR WASSON: And yes. It's - - -

30 MR WILSON: We acknowledge that.

MR WASSON: Yes. I mean, I fully understand that naturally the developer is going to push them as hard as they can and clearly the higher they go, there's more money in the higher units. I fully understand that. And if they came in with a taller tower with slimmer tower which addressed some of these issues, I think there are ways around it, but clearly they're creating a public space. While it's a public space, it is largely unused in mid-winter.

MR WILSON: You mentioned a previous scheme or Council - - -

40 MR WASSON: Yes. There was a preliminary scheme in 2018. It actually had a very – a very large public open space. It would be probably, roughly, where that hotel is now, and that was largely in a – had great solar access for pretty much all – much of the day in mid-winter.

45 MR WILSON: Okay.

MR WASSON: Now, clearly it's step down – the site had parking under it and a step down the site and corrected with Vaughan Avenue. Now, that – I was – I was – I was overjoyed to see that. I thought that was a development scheme which really showed a design excellence. It was – addressed the level changes very well rather than just flights of stairs. You've had stepping levels which work very well with the car parking. It connected with Vaughan Street and there was a large opening at the base of probably three or four storeys high which also connected with the park.

Now, clearly it wasn't a viable or the developer decided it wasn't a viable option and they've come back with this which I believe really is, as I've said, it's a developer special. It's a very – the pretty pictures show it looking beautiful but the reality of it is that the public spaces are going to be cold, windswept, narrow and largely not public and, to me, to – that is not an – doesn't exhibit design excellence and therefore the – there is no justification for such a significant non-compliance in height and FSR. I mean, I would love to see something which addressed these issues and I'd be more than happy to have non-compliance if it is deserved but I don't see non-compliance just as a – a few pretty pictures is not justification for that significant non-compliance.

MS LEWIN: Mark, Wendy here.

MR WASSON: Yes.

MS LEWIN: In the early iterations, was there always a hotel proposed for this site?

MR WASSON: From memory there wasn't the hotel on that one, on that site, which I - - -

MS LEWIN: From the earliest.

MR WASSON: Yes. Yes. It was – I can't – it was 2018 or maybe even 2017, so I don't recall – I cannot recall to be exactly, but I will – it is this very rarely that I will say I was ecstatic about a high rise development and I think that that was – it was a absolute joy because while the developer had – there was some non-complying heights, overall, it created a fantastic public space and connected to the streets. Now, clearly later the developer thought they could – it wasn't right for them, which I can understand. I have worked in private practice for a long while myself and I fully understand the economics of it, but after seeing that and then coming to this, it is such a disappointment that the public space is, to me, so overshadowed, narrow and no matter how many beautiful photo montages you provide, that's not the reality of it.

MS LEWIN: Okay. Thank you.

MR WILSON: Good, thanks.

MS WARTON: Can I just ask about Baker Street extension and the Leagues Club project? We understand from the applicant that the current proposal is that Baker Street will be a one-way, shared way for vehicles. Is that Council's understanding and will Council own that road and have control of that interface and what would the interface be with the development if it was to be approved?

MR EYRE: It's Robert Eyre here. I might just make some comments on that to start with and then probably hand over to our engineers, if they want to make a comment. But Baker Street is basically a public road. It was a paper road at one stage. But Baker Street – when the Tax Office was approved and built, they have constructed part of Baker Street south of Georgiana Terrace so the Tax Office and the Finance Office that's on the – on part of the original site, they both get access via Baker Street at the moment and will have to continue to have to get access via Baker Street.

So up to their driveway access to both those developments it's two-way traffic and the Tax Office also constructed additional 90-degree parking to provide additional parking for the public in that vicinity of Leagues Club Field and so forth. What happens after the driveway into the Finance Office and Tax Office is probably still up for ideas or suggestions. There have been talk about making it one way or part pedestrian friendly with vehicles and so forth. But there are services in that road corridor. I think the Council relocated the sewer from one side to the other not long ago. And there's also a major gas main and drainage systems over in part of Baker Street towards Georgiana Terrace end, too. But I'll just see whether Carlo or John – John wants to make any additional engineering comments.

MR NOAKES: Actually Carlo Favetta assessed this development and the engineering component. The current arrangement with Baker Street, servicing the Tax Office and there's a battle axe handle or a driveway servicing their Finance building as well, is all two-way traffic movements. It was, how I understood it, the plan to obviously extend that road with parking along that. The road reserve actually narrows when you get towards Vaughan Avenue. However, the plans that I've seen, and it's part of several documents, one's in the streetscape plan that was done by Oculus, was like a bollarded end to that intersection and that was just open for emergency vehicles and it was going to be a two way road to service all the future developments. That's how I understood it and those bollards, obviously, could be removed if there was an event or something like that or some emergency. But that's how I understood the road.

To make it one way you'd have to really seriously look at the intersection and the implications. Steve Green, our traffic engineer, has certainly looked at that. And the implications of traffic exiting out of that, driving up to Mann Street, which is quite steep, it's got an acute angle where it meets Mann Street, opposite – directly opposite the police station. It's not a very desirable, I guess, left turn or a right turn movement out of there because the slope or the gradient of Vaughan Avenue as it meets Mann Street, so I wouldn't think it would be in our interest to have it as one way and open at that end and build that intersection, for all those reasons.

Now, if it was to be two way, which was the plan, how I understood it, you'd have to have some sort of turning facility and whether it's like a wire or a hammer head arrangement, the road reserve wouldn't accommodate – it's not wide enough to accommodate like a cul-de-sac treatment because it wouldn't be large enough for
5 service vehicles so that's basically our understanding and what the issues that we've raised regarding traffic and the implications of just having it one way and potentially there could be issues with the other intersections if you did that.

10 MS WARTON: So how is this going to be resolved? Is it a matter for the HCC – whatever the acronym is, the Development Corporation, and in conjunction with Council or what's the process to get – resolve what the final version will be?

MR NOAKES: Well, how I – they'd have to have a Traffic Impact Assessment done and to look at options that are available and, I guess, have a detailed look and
15 an audit, too, a design audit on the actual intersection of that Baker Street extension if it's to be opened and – for 24/7. And they'd also have to look at how that traffic leaves that intersection and most probably it will go up to Mann Street and an audit would have to look at the possible risk associated with putting all the traffic out of that intersection of Vaughan and Mann. So, yes. And, I guess, other than that, they'd
20 have to – if it's to remain two way and like a closed intersection – closed to Vaughan Street, how they're actually going to accommodate turning manoeuvring vehicles with sufficient area to comply with Australian Standards, having regards to pedestrians and also, you know, the services that are there.

25 MS WARTON: So if it's - - -

MR FAVETTA: Carlo Favetta.

30 MS WARTON: Yes. Sorry.

MR FAVETTA: Yes. Carlo Favetta. According to DCP 2018, the Baker Street extension is a desired pedestrian boulevard with emergency vehicle access only. So from Council's perspective, when I was assessing this application, we required the constructed portion of Baker Street extension to remain two way. However, it could
35 be envisaged that it could be a pedestrian boulevard beyond that with only emergency vehicles going through the remainder of Baker Street.

But that being the case, what we – what was identified as a need for a turning area at the end of what's been constructed, to accommodate a heavy rigid vehicle to be able
40 to turn around because heavy rigid vehicles currently access Tax Office and Office of Finance and they will need to be able to turn around within what's been constructed, the two way portion of Baker Street so that connects it back to Georgiana Terrace as they won't be able to go through the remainder which is one way pedestrian boulevard which is only for emergency vehicles. Do you understand that?

45 MS WARTON: Yes. Yes. I get that.

MR FAVETTA: Okay. Okay. Now, I doubt that there's enough room within the existing road reserve and identify the need that there will be some proportion of this site will need to be dedicated as road reserve so that we can accommodate a turning area. Now, I've gone through the proposed conditions and I've gone through and
5 had a look at proposed changes to the development plans and none of that has identified this that's been pointed out.

MS WARTON: So, really, the Hunter – the Development Corporation will be making the final call on what it is. So we would need to probably talk to them.
10

MR NOAKES: But – sorry, it's John Noakes speaking. Council would have to agree because it's Council's road reserve.

MS WARTON: So is Council in discussion as to the final – the final outcome from the street? Is that actively happening?
15

MR NOAKES: Not to my knowledge.

MR ROACH: No, not to my knowledge as well.
20

MR NOAKES: We've - - -

MR ROACH: Wasn't – wasn't there also the issue of car parking in the base of - - -

MR NOAKES: Yes. Yes, yes.
25

MR ROACH: - - - the extension because that car parking was provided as seen to offset a shortfall of car parking in the Tax Office and the Finance development.

MR NOAKES: Yes. Yes. Correct.
30

MR ROACH: And therefore there was that width issue not only in terms of manoeuvring vehicles and making it two way and turning head for rigid vehicles, but also how the development of the Leagues Club Field and a subsequent development, this site we're talking about now, would affect the car parking arrangement as well
35 and where that parking's going to be. So there's obviously a number of questions that remain outstanding with regards to that.

MR WILSON: Yes. When do these need to be resolved? I'm just trying to understand. I mean, when you heard from the applicant this morning, the applicant said that they understood that there was going to be a one way through – road one way from that intersection plus there's going to be – a separate pedestrian fork off to the left and I'm not quite sure how this has been delivered.
40

MR ROACH: Well, it's not. I don't think we've agreed to a one-way traffic movement through Baker Street.
45

MR FAVETTA: No, that's right.

MR ROACH: It's not at all – it has been raised at meetings with the developer previously.

5

MR WILSON: Okay. So when does it need to be resolved? If this thing gets approved, when does it need to be resolved?

MR ROACH: Well, depending where you put the turning head because the road reserve width doesn't provide sufficient area to turn that heavy rigid vehicle or any suitable medium rigid vehicle. So you could actually put it – it doesn't necessarily have to be on this site. It could be on the adjoining sites. There's other – there's other – there's one, two, three, four lots as well. Maybe the hammer head could be – or the turning facility can be moved down. But there doesn't seem to be a strategy addressing this. They just making this assumption that we're going agree with one way without looking at the implications of one way and how it affects traffic and all the road users.

15

MR WILSON: Yes.

20

MR NOAKES: They just seem to ignore it. They've ignored that question.

MR ROACH: And this issue – sorry. This issue from my recollection has been pointed out multiple times to the various parties. I guess the difficulty from Council's point of view is that we're not the consent authority for the current site we're talking about and nor are we delivering the redevelopment of Leagues Club Fields. So apart from pointing out the issues to the two State government agencies involved, we're sort of – we need them to come and have some of those discussions to resolve those issues.

30

MS GOODWORTH: Emily Goodworth here, too. Just further to what Andrew's saying, I would think, in answer to your question, Chris, that this needs to be resolved at the concept approval stage because - - -

MR ROACH: I would agree with that, especially if we're going to ask for - - -

MS GOODWORTH: If the concept is approved - - -

MR ROACH: Yes, especially if we're going to ask for potentially, you know, securing an additional portion of land to provide that turning head, you would think – you wouldn't want an issue of approval with a big building on top of potentially what would be required for vehicle manoeuvring.

40

MR NOAKES: We would have to have an agreement for a dedication, absolutely. We wouldn't – and we'd have to – I guess the preliminary road design of that, or engineering plan showing that, to ensure that it is sufficient, it's – otherwise we don't know – we're obviously going to have to sterilise some land for that purpose.

45

MR WILSON: So just in terms of the TIAs that were undertaken or Traffic Impact Assessment that was undertaken for the site, what is it – what did it assume? I mean, does it have an impact on traffic flow and traffic analysis and SIDRA analysis and all that sort of – all those requirements in relation to Traffic Impact Assessment or is it
5 more localised than that?

MR EYRE: It's Robert Eyre here. Probably what I'd add to that is that their proposal is providing access to their garbage collection, basement car park and everything else, at the end of the construction section of Baker Street, which is going to add to or use part of the access that goes into the Finance Office now. So that will
10 be - - -

MR WILSON: Yes.

15 MR EYRE: If this development was approved as they're proposing, you'll have the Tax Office, the Finance Office and this development all using the one big driveway, albeit rights of way or whatever they're doing, from that constructed section of Baker Street.

20 MR WILSON: My understanding is they intended to just use that access with the ATO for stage 1 and then the access was going to move to the eastern side - - -

MS LEWIN: Vaughan.

25 MR WILSON: - - - Vaughan Street, is that right, Wendy?

MS LEWIN: Yes, that's correct, yes.

MR WILSON: Okay.
30

MS LEWIN: Yes. We also have been wondering about the assigned uses along the boundary to the Leagues field, playing field, and that road reservation. The proponent has allocated a substantial amount of the commercial floor space to that boundary and the connectivity between Mann Street to Baker Street is quite direct.
35 Has Council got a view on how that might be compromised if the road reservation uses are not settled or has the applicant come to Council to discuss the need to resolve this in relation to proposed uses? It seems like that interface has just been forgotten in the discussions.

40 MR EYRE: Robert Eyre here again. Basically, I think, one of the most important issues is the Baker Street extension's got to be sorted out the concept now because if you've got traffic there, where it's emergency or otherwise, that will be some conflict with pedestrians. When we originally had the first application for demolition the old public school in the Tax Office, Baker Street was an unconstructed section of public
45 road. In fact a lot of the public objections we got was everyone thought Baker Street was part of Leagues Club Field. And that's where we got a lot of objections from and a lot of flak because people thought because it was a grassed area, it was part of

the Leagues Club Field and there was no fence there. The public school, when they were there, actually used to use Leagues Club Field in the Baker Street as their playground or lunch time areas.

5 MS LEWIN: Not surprising.

MR EYRE: Yes. So you've got an opportunity that just loading ideas around, that if Baker Street finished at their driveway and the – between the end of their construct – their driveway and Vaughan Street was made almost pedestrian or part of the park, 10 it would actually provide a better frontage or more amenity, I would assume. But the issue you've got there, too, is that I think one of our engineers raised, was that you got flood levels there which the building has to comply with. So the Leagues Club Field can be – they'd have to meet four levels for cladding but how do you match the interface between the two when you're going to have to have different levels due to 15 flooding issues?

MS LEWIN: Yes, indeed. Thanks, Robert.

MR ROACH: I've just had a look through the assessment report, too, and at 6.6.21, 20 the Department's assessment report essentially says the requirements of road upgrade to be dealt with as part of future application, basically.

MR WILSON: Is that prior to or as part of the original – so I presume then it has to be done – look, we'll chase this up with the Department, but I guess it either needs to be done before or during the first application. It can't be held over, can it. 25

MR ROACH: Well, I would think that if you're going to issue a – any type of consent for a major development, you would like to know how the traffic's going to work. 30

MR WILSON: Yes.

MR ROACH: It would seem to be a logical thing to do upfront. I'm no engineer but that seems to make sense to me. 35

MR WILSON: We need to understand how it's going to work for the park as well.

MR EYRE: Robert Eyre again. Look, we – there's a number of things I want to raise about their draft conditions and other things but it might be best to leave it to that stage. 40

MR WILSON: I was just about – actually, that was my next question.

MR EYRE: Okay. 45

MR WILSON: And I guess it's Council's – look, we understand Council's position on this. Just is there any general comment – did you provide the Department with comments on the conditions? We haven't seen those comments.

5 MR EYRE: I haven't seen the draft conditions up until late last week.

MR WILSON: So Council saw them for the first time when this was referred.

MR EYRE: I don't know whether Emily or Andrew's seen them before.

10

MS GOODWORTH: No.

MR ROACH: No.

15 MS GOODWORTH: Only since they've been put up on the website by the Department.

MR ROACH: When was that?

20 MS GOODWORTH: I'm not sure. When we got a link to those I think

MR EYRE: Well, I think it came out with the agenda for this meeting, I think, was the first time I saw it.

25 MR WILSON: Okay. So I'm happy to – if Council wishes to make comment on those conditions, I'm happy to entertain that.

MR EYRE: Written or verbal?

30 MR WILSON: Written.

MR EYRE: Could I just make a few verbal comments now?

MR WILSON: Of course.

35

MR EYRE: When you go through the Department's assessment report and their draft conditions, the draft conditions are really almost saying amend the application, consider these things like shadow and other things, but that's an approval.

40 MR WILSON: Okay. That's a fair comment. I guess what they're saying is we will – they recommend approval of the concept plan subject to these changes.

MR EYRE: Yes. But you're granting consent for a master plan and some of the condition – the master plans – to my mind, the master plan is basically the developer
45 trying to get approval for the length with height sort of thing, the general principles of how this is going to work, mainly the external impacts and the appearance. The first DA then after the master plan approval would be deal with more internal stuff,

individual, a lot more detail and so forth, how that works. Not looking again at the external impacts or heights or thing – or shadow impacts or whatever the case may be, because the next stage will be a development application and then they would have to be able to get a construction certificate from that. Some of the conditions in the master plan consent I've drafted up so that the consent will lapse unless the works are physically commenced within five years. You can't get a construction certificate under this master plan. You've still got another step to go through.

MR WILSON: Okay. Thanks.

MS GOODWORTH: Emily Goodworth here. Just building on what Robert has just said, I think it's specifically condition B1 talks to the amendments that they wish to have to the concept proposed drawings. My concern is that how are these subsequently condition to be complied with if they are submitted to the Department. I'm not familiar with that process. And then it sort of begs the question as to how can the Department be satisfied at this stage that things such as solar access is acceptable to the southern through site link when they have no plans before them to assess this. So they are relying upon amendments in some – I think in the report they talk about potential reorientation and/or setbacks for the north eastern tower envelopes could be amended. So I guess it's just difficult to understand how the Department has assessed this proposing concept, additional concept amendments, but yet recommending approval to the consent or authority without fully appreciating those impacts.

MR EYRE: Robert Eyre here again. I'd just like to expand on what Emily said, too. If you go to B1 or something amendment to concept plans, I think there's a part (c) there. It says explore opportunity to improve solar access. They're matters that should be sorted out now. C13, condition C13, overshadowing. Future DDA shall include an overshadowing impact assessment. Shouldn't that be done now? C28, condition 228. Wind assessment. If you're designing – if you're going to approve as a master plan these buildings at these heights, width and whatever, we need to know what the impact on wind – what the wind assessment or wind impact is on other developments or be within this development now, not after they approve the master plan.

MS GOODWORTH: Yes. Emily Goodworth here. Building again on what Robert said. I mean, we've just had that recent Court of Appeal decision in relation to Ballina Shire Council v Palm Lake Works, you know, where the impact should be known now prior to making a decision in the granting of a consent and this condition B1 in particular is demonstrating that we're not too sure what the impacts may be. You can go away and make a few amendments but as I've previously stated, I'm not sure, then, how you subsequently condition those amended plans and whether or not who does the assessment and then are they satisfactory.

MR WILSON: It's a good point, actually, because my understanding is the amended plan – they can't – if amendments need to be made to, say, stage 1 DA, for instance, then they probably need to – depending on the nature of those changes, they

probably need to see an amendment to the concept plan as well, depending on the nature of the changes.

5 MR EYRE: It's Robert Eyre here again. My understanding is that if a master – if consent is granted for this master plan under this application, they can still amend this application.

MR WILSON: Yes, of course. I mean, it's no different - - -

10 MR EYRE: No different to any other DA.

MR WILSON: Yes. Yes. They can amend it and that's exactly what I'm saying is that – I guess what the Department – I'm not saying I agree with it. I'm just saying what the Department is saying is that we believe – you know, they believe that there
15 could be further improvements and they'd like to see those improvements but they haven't settled on those improvements. So, look, whether that's acceptable or not that's up for debate. But look, if you want to make written comments on those conditions, I mean, they're good comments, we'd like – we're happy for you to submit those to us for our consideration.

20 MR EYRE: In what time frame, sorry?

MR WILSON: Heather, can you help?

25 MS WARTON: I don't know.

MR WILSON: You tell us. You tell us.

30 MS WARTON: Tell us.

MR EYRE: Christmas?

MS WARTON: No.

35 MR WILSON: No. Seven days?

MS WARTON: A week or so? A week?

40 MR EYRE: Need two weeks at least because I'm out the rest of this week unless Emily wants to take over that.

MS GOODWORTH: Well, we'd probably like to have a joint discussion, if you don't mind, as a whole.

45 MR WILSON: Why don't we say COB, the end of next week. Is that okay?

MR EYRE: I think that's achievable.

MR WILSON: Okay. That would be great. Is there anything else you want to raise? We really appreciate your attendance today. Or have we basically covered council's concerns?

5 MS WARTON: I was going to ask about the car parking.

MR WILSON: Sorry.

10 MS WARTON: The Council's submission says that – well, the Council raises a concern about a lesser rate than the DCP rate and also you had a point that said:

15 *Where a development already gains benefits, concessions under the provisions of the Gosford City Centre SEPP and associated DCP, it is unreasonable for the development to then gain further concessions on car parking through deferring to the RMS provisions.*

20 So I just wasn't sure what was meant by that. So, firstly, what's your concern about the car parking that they're providing and also what does that last part of your submission mean?

MR WILSON: Or not providing.

MS WARTON: Or not providing.

25 MR EYRE: Robert Eyre here. Basically there's a certain car parking rate in the LEP or DCP for the city centre. For B3, B4 land or within, say close proximity, whatever, they can use a lesser rate under the State Environmental Planning Policy (Infrastructure) for using the RMS rates or the old RMS rates or whatever the RMS call themselves now, which is a lot less car parking. And I think the conditions, now
30 you mention it, the Department's put up, they're saying that you can provide a minimum RMS rates and a maximum under the DCP so there's uncertainty there of what car parking rate we're going to get.

35 What we found is in the city centre there's obviously, before everyone started working from home at least, there was a lot of shortage of car parking, commuter car parking. So the Council at the moment is doing a car parking strategy trying to find every bit of land they can for car parking. Really, if you're providing a development like this next to a park, if you had a look round the site the other day, you'll see there's not a great deal of public parking around the park or the waterfront. There is
40 some - - -

MR WILSON: It concerns on street parking, is it?

45 MR EYRE: To give you an example, when the Council did the stadium for 20,000 people back in 1999, I think it was, there's obviously not a car parking area that can provide that for the stadium. They had a car parking strategy for five, 10, 20,000 people that basically used every bit of commercial and public car parking on the

street parking and parking on the Leagues Club Field, I think, at one stage, to service that.

5 With the redevelopment of Leagues Club Field, now, if that's going to attract more people into the city centre and revitalise the waterfront, to some extent, there's no parking, to my knowledge, being provided for that. I haven't been party to that application but the Leagues Club actually restrict people that only go to the Leagues Club, going to parking in their area. Baker Street car park has the Work or the old WorkCover leasing part of that site. We could lose the 600 parking spots soon in the
10 old town centre. So there is a concern about the shortage of parking and they providing what should be needed for their site and maybe some public benefit as well.

15 Just to let you know, the development that is currently under construction on the corner of Donnison Street and Mann Street, the Archibald, whatever they call it, the one with the hoarding around, they actually provided more parking than what they needed for their development now, because they see the benefit of having more parking for the residential and more public parking, if needed, in the city.

20 MR WILSON: Okay.

MR ROACH: This comes – this comes back again, as well, to one of this issues where target 6.6.11 of the Department's report notes that the application has submitted an application that's got reduced car parking rate, not supported by any
25 justification such as a needs-based assessment parking survey, ownership, comparative analysis of other et cetera. It then goes on to say the Department is concerned that more detailed assessment is required of car parking and then says but will approve it then subject to future DA's require Traffic Impact Assessment and justification of car parking rates. So we've got an application that doesn't justify
30 current car parking but were going to approve it anyway and deal with it later. How is that a logical thing to do? Is the site even capable of catering to the car parking if a future traffic and parking impact assessment says they require a hundred more spaces?

35 MR EYRE: Robert Eyre here again. Look, when you take a general car parking requirement under DCP or a State Environmental Planning Policy as applied generally throughout the State or to a general area, these big developments should be getting down to the nitty gritty and doing their own assessment of what they really need which may be more than what the DCP even requires.

40

MR WILSON: Can I ask a question in relation to that other development you referred to where they provided additional parking? Was that on-site or was – there others - - -

45 MR EYRE: On-site.

MR WILSON: Okay. So Council doesn't have a scheme where parking spaces can be offset elsewhere.

5 MR EYRE: No, no. They were actually providing excess spaces on their site.

MR WILSON: Okay.

10 MR EYRE: Which surprised me because that actually means they're actually excavating more into the ground down to the water table. But that's their problem. It's their expenses. But they were actually providing – they were looking at providing two spaces for every residential unit.

MR NOAKES: There are four basements in there.

15 MR EYRE: Four basements or something.

MR NOAKES: Yes. Yes, there is.

20 MR ROACH: I think there's probably, like, in any car parking analysis, there needs to be a bit contextual stuff around the coast as well. I mean, the coast is not inner city Sydney nor is it Newcastle, it's a very car dominated region which I don't necessarily think it's a good thing but it's just a fact of the matter of how the region is laid out and the proposal – just flicking through the report from the Department, using RMS Guidelines, it's 57 per cent less spaces than the DCP and that one-third
25 of apartments, including 51 one bedroom apartments and 47 two bedroom apartments will have no car parking at all.

30 But then we've got other sites where they're over-providing because they've done their studies and they're aware of it and I don't understand how we can even just having a cursory glance at it, I don't understand how you can say we don't have any of this information about car parking but we're going to approve it anyway and someone can deal with it later. It doesn't seem to make much sense to me. If I signed off on a report like this and sent it to, you know, local or regional planning
35 panel, we would get slaughtered by the panel members.

40 MR NOAKES: Haven't we got to also deal with this road and know what we're going at the master plan stage? We can't really leave this, this one-way business, and the impacts on the other intersections. Doesn't this need to resolve – if they've got to put – they've got to take road dedication out of one of those lots even, not the subject lot but the others that adjoin Vaughan Street, we should really know where we're travelling now, shouldn't we, what we're working towards because otherwise every DA is going to be at a standstill. It's going to be a show stopper, this road, to know what the plan is because there's no plan and they're one-way treatment is problematic in itself. So I can't see how we can move forward unless – and we have
45 had a discussion, Robert and I a long time ago, probably two years ago, with St Hilliers, and they said they're not in the business of building roads. I remember it distinctly.

MR EYRE: That's this – this company. Just to expand on that. Basically, if all the traffic goes back from this site or the whole site, back to Baker Street, Georgiana intersection, when the Leagues Club becomes for redevelopment, even if the intersection's okay now, if the Leagues Club redevelops, it won't be then and the
5 Dane Drive and Central Coast Highway roundabout is already under – over capacity anyway and that needs upgrading, so we've been told.

MR WILSON: Okay.

10 MR NOAKES: See, it even could be two way right up to the intersection and just a connection so it – there's an exit but there's not an entry or vice versa. You could get in that way. Do you know what I mean? There's a – quite a few different options you could – you could, I guess, look at and run an audit over and a traffic study and do your calculations. But they seem to have ignored it all, like, and putting
15 it back.

MR EYRE: Okay. The other thing I – it's Robert Eyre here again. The other thing I'd mention, too, is that this site's going to have a water table issues given its proximity to Brisbane Water and all those sorts of things. I would expect they won't
20 want to go down too far in basement level parking because of the costs and the tanking and everything else. But they will be extracting ground water at some stage during the construction before they get to that point.

MR WILSON: Okay. Heather, did you have any more questions on the traffic?
25

MS WARTON: Yes. I just wanted to understand this Baker Street issue, sorry to bring it up again. But – so the Baker Street extension isn't on their land and why wouldn't the turning area be sorted out within the Leagues Club Field itself? Why would you need to – why would their site, since it's not on their land, need to resolve
30 the Leagues Club turning area, the Leagues Club Field turning area?

MR FAVETTA: Carlo Favetta.

MR NOAKES: Sorry.
35

MR FAVETTA: Carlo Favetta. The Leagues Club Fields under construction.

MR EYRE: And there's public reserve or Crown land.

40 MS WARTON: Yes, that's what I'm saying. So why – you've mentioned that your – this development should provide some land to dedicate for the turning area. Why wouldn't the turning area – if I was the applicant, I will say, well, this isn't our proposal, this road extension. Why would the turning area not be a matter to be sorted out with the Development Corporation rather than this applicant?
45

MR ROACH: I think what Carlo said was it needs to be sorted out one way or the other and it would probably – the road reserve's not wide enough to cater for it and it

either needs to be on the Leagues Club Field site or potentially on this site. But in either way we need to probably know what it is and at the moment we've got Leagues Club Field under construction and then potentially an approval for this site where nobody's taken it into account and all we're left with is the narrow road
5 reserve that can't cater for a turning area. I mean, that's the point - - -

MS WARTON: Okay.

10 MR ROACH: - - - that needs to be resolved one way or another.

MS WARTON: Okay. Right. I understand. Just two things I want to raise that the applicant mentioned in their discussion with us this morning. We raised with them about the issue of affordable housing and they mention that Council had an affordable housing strategy but they – the applicant – and this will be in the
15 transcript, indicated that the council's affordable strategy was more geared about having a variety of housing types, and residential unit types and about providing affordable housing in six sites, I think they mentioned, that Council owned. What's Council's position on affordable housing in this development or whether there should be any provided or what – is there any concern or issue with that?

20 MR EYRE: Robert Eyre here. I think basic – Council's response back to the Department, our social planner raised that issue. I can't recall exactly what was said but I think there was some comment that affordable housing should be provided within this development.

25 MS WARTON: Okay. And just another matter that they raise was about the Design Advisory Panel. So the design excellence, getting over the line on design excellence relies on the views of the Design Advisory Panel, the DAP. What's Council's interaction been with the DAP? Have you been attending the DAP meetings or were
30 you invited to the DAP meetings? How has that worked with the Council?

MR ROACH: So up until very recently, as in sort of the latter half of last year, we weren't really involved much at all which did cause a few problems. The Department recognised that and then as of, sort of, late last year or early 2020, we
35 were invited as observers on to that panel and then in the last couple of weeks, they've actually nominated Council staff; one to sit on the panel itself and one to sit on the advisory group underneath that panel. So I actually sit on that panel and we've got a bit of a process moving forward where any new applications I'll sit on the panel, any applications currently before the panel I attend as an observer. So
40 there is a bit of a process to weave Council more appropriately into that Design Advisory Panel process.

MR WILSON: Okay.

45 MS WARTON: Okay. Thank you.

MR EYRE: Robert Eyre here again. One thing I just like to mention again. We do have a 3D model of the city centre. Unfortunately, I'm not able to open it and work it from my screen or computer at home. We invited the person I thought might be able to do it because he's more in the IT or tech section, but unfortunately he's not
5 involved in this thing any more. But if there was something that could be done by that point, we might need to look at how we might be able to display that or use that in the future.

10 MS WARTON: What program is that in? This is Heather.

MR EYRE: It's on Council's system. It's a 3D model which we got the proposed developments in the model. But I can't open it and run it from home.

15 MS WARTON: If it was sent to the panel, would we be able to open it?

MR EYRE: I don't think so.

MS WARTON: Okay.

20 MR EYRE: I'd have to check with our person that installed it or runs it. But it's on Council's system and I don't know – and it's only just come in recently or been updated so I don't think we can send it to you. But we looked at giving it to the Department of Planning and we decided we could not do that.

25 MS WARTON: And does it show this development model as proposed?

MR EYRE: I believe they do have the model for this development in there but I'm not sure whether it's an old model or the recent one.

30 MS WARTON: Okay.

MR EYRE: But if it got to the point of which way you go, it might be worthwhile saying can we get to have a look at that somehow or another.

35 MR WILSON: What was the reason you couldn't provide to the Department? Was it technical?

MR ROACH: There was licensing issues with the software provider.

40 MR WILSON: Okay. Okay. All right.

MR ROACH: But the system has been designed to allow architects to submit their CAD or similar files and those be dropped into the system.

45 MR WILSON: Right.

MR ROACH: But there were some issues with licensing. But I think we discovered what we could do is drop in the relevant data from various CAD files and then take a series of images as a way of providing some information.

5 MR EYRE: And I think the last Council response we had a copy of one of those images in the Council response.

MR WILSON: You can take screenshots or - - -

10 MR ROACH: Take screenshots, yes.

MR WILSON: Look, if you can provide us with a couple of screenshots it may be useful.

15 MR ROACH: Can you indicate where you want those screenshots from?

MR WILSON: We'll get back to you. Heather, would you have a bit – Wendy, would you have a bit of a think about that and - - -

20 MS WARTON: Yes. Well, I thought - - -

MS LEWIN: So it would need to be comprehensive, I think, for us. Okay.

25 MS WARTON: Or otherwise if the person who has access to the model, when are they available?

MR EYRE: I'm not sure, I'd have to check with them.

30 MS WARTON: Okay.

MR ROACH: What might be a way forward is that we might be able to organise a Zoom or similar meeting where they could share a screen and run you through the modelling or something along those lines might be - - -

35 MR WILSON: I think it would be really useful.

MS LEWIN: Yes, great. Absolutely.

40 MR WILSON: So if we can try and get that done before the end of next week, it would be useful. When's that person expected back, do you know, or - - -

MR EYRE: I think he's at work. He's just not involved in that section of Council any more.

45 MR WILSON: Okay. All right. Okay. Do you want us to formally write and ask?

MR EYRE: I think that would help.

MR WILSON: Okay. All right. Might just do it by email, if that's okay.

MS WARTON: Okay. Well, I'll follow-up on that.

5 MR WILSON: Okay. Thanks, Heather. I think that's pretty much it. Is there
anything else you want to add? It's been very useful, thank you. Okay. So then
we'll send a reminder in relation to the virtual model and we will look forward to
seeing your comments on the recommended conditions by the end of next week.
10 We'll also send you an email to – a formal email, I guess, to remind you of that, if
that's okay.

MR ROACH: Thank you very much.

15 MR WILSON: No, thank you very much. It's been very useful.

MS WARTON: Thank you.

MS GOODWORTH: Thank you panel members.

20 MS LEWIN: Thank you.

MR WILSON: Thank you.

25 MS GOODWORTH: Thank you.

MR WILSON: Bye.

MS LEWIN Bye.

30 **MATTER ADJOURNED at 12.59 pm INDEFINITELY**