

# Councillor Sam Ngai (Roseville Ward)

PO Box 139, Roseville NSW 2069

24 June 2020

Re: Lindfield Village Hub

Dear Support Lindfield,

I am writing this letter in response to your query to the Ku-ring-gai Mayor and Councillors on 25 May 2020.

I apologise for the delay in writing as our family has been ill the last few weeks (not COVID) and it has taken some time to recover. If you had asked a simple question I would have responded straight away but due to the length and complexity of your letter, it has taken much longer to respond.

In writing this response I also need to be clear that I do so as an individual and my comments do not represent the views of other councillors, council staff, or council's officially adopted position. These views are entirely my own.

## **Question 1: What was the reason for the abandonment of the 2015 Masterplan and the decision in 2019 to increase the maximum building height on the Hub site?**

My understanding is that our council has never had the experience of building a project of this size (hundreds of millions of dollars) and when staff came up with the financial modelling for the 2015 Masterplan, they unintentionally left out some key costs from the model. After being elected to council in September 2017, the new councillors were told that after including these costs, 7 storeys was not financially viable. The only way forward, supposedly, was to go up.

I personally explored alternate means of achieving 7 storeys. It seemed to me that both the previous and current councillors were open to taking active steps to sell the current Lindfield Library [see the council staff recommendations and minutes of June 2017 and November 2017, neither decision of which I had any involvement in]. Regardless of my position against the Library sale, I believed that if the Library sale was likely to happen then the proceeds should be used to fund the new Library at the Village Hub, and this in turn would bring it closer to the 2015 Masterplan. This idea faced significant opposition in early 2018 from council staff and some councillors as they wanted to use the Lindfield Library funds to plug other anticipated shortfalls across Ku-ring-gai.

Another alternate means of achieving low heights was to negotiate with Woolworths and ALDI. In May 2018 they had made an unsolicited proposal to build the Village Hub at 7 storeys including a pedestrian bridge, and whilst I was not satisfied with the commercial and legal terms, I said in the June 2018 council meeting that it was worth having a conversation with them to see if we could come to something more agreeable. The majority of councillors voted against this idea.

For the next 12 months council staff explored the 10/12/14 storey pathway to make the project "self funding". Behind the scenes I voiced my opposition but once again, I was in the minority so I was not in a position to change the course of events. I also witnessed community consultation workshops run by council where some residents stated their opposition to excessive heights, but after being told that "only 14 storeys was self funding", they said that they'd accept 14 storeys if there was no other choice, and their "preference" for 14 storeys was recorded in the workshop report. I disagreed with this approach because the "self funding" definition excluded the proceeds of the current library, excluded future rates collected by neighbouring Lindfield households, and excluded developer contributions of future Lindfield

dwellings. By using this unusual definition of “self funding” without disclosing the methodology, residents were being influenced to support 14 storeys.

In early 2019 there was significant lobbying against excessive heights by three groups; Friends of Ku-ring-gai Environment, Support Lindfield, and the 416 Group. I think it’s important to acknowledge the contribution of all three groups, not just Support Lindfield.

In July 2019 I proposed that council engage all residents of Lindfield, East Lindfield and West Lindfield via addressed mail to discuss council’s long term (year 2031) plans for the Lindfield Town Centre. I believed that it was only by engaging all households on the future of Lindfield that we could form a true view of what residents wanted for the Lindfield Village Hub. [And to be honest, if the majority of Lindfield residents told council through an open and transparent process that they wanted 14 storey buildings in Lindfield, I would have been willing to respect the majority.] Unfortunately my proposal for more thorough community consultation was defeated by the majority of councillors.

In August 2019 I voted to continue with the 2015 Masterplan but this was defeated by the majority of council. It was a long meeting but we eventually settled with 9 storeys. I was fine with 9 storeys as a compromise because it is still shorter than the Aqualand building next to the train station, and I believed that residents expect us at some point to settle on a reasonable height and just get on with building it.

One thing that I want residents to understand is that the council makes decisions by majority vote and even in the case of an even split (5 vs. 5), the mayor has a casting vote. The reality of the situation is that whilst I may have opinions on what the future of Lindfield could look like or how community consultation should be conducted, those ideas won’t be implemented if the majority of councillors have a different view. Council’s strategic direction and the General Manager’s performance targets are also determined by councillor majority, so minority opinions usually have little influence on outcomes.

**Question 2: Why are documents and information being withheld from the public? What are you going to do to demand greater transparency for the community? We expect to have access to all documents regarding the project unless there is a legitimate reason for not providing them.**

If council staff believe that it is not in the public interest to release a document, then they will withhold it from the public. On this matter, I support their actions in the vast majority of times [one exception being July 2019 when I voted against confidentiality because I believed that one of the five withheld documents should have been public].

The documents that are withheld usually contain information such as project assumptions, estimated costs, and other commercially sensitive matters. If this information falls into the hands of property developers and tenderers then council could be disadvantaged by receiving less competitive bids in the magnitude of tens of millions of dollars. It’s the ratepayers that end up losing out, so that’s why it’s important for these documents to remain confidential.

Also on the topic of transparency, I’m sure you remember the times in 2017 and earlier when updates on the status of the Village Hub would only be released once every six months, and usually only after the prompting of Support Lindfield. That frankly was not frequent enough so that is why in May 2018 I moved a motion to introduce a monthly Project Status Report. On this particular motion, I did receive majority support and so council staff began to provide monthly updates [but the quality of the updates was sometimes not up to my standard]. In May 2019 councillors agreed to reduce the frequency of the report to quarterly because the reported differences from month to month were not that significant and the report was claimed to have a significant impact on staff resourcing [however having worked in the private sector, I know that monthly reports such as these are quite common].

I hope it’s clear to you that I have done my best to fight for greater transparency and better community consultation, but once again there are limitations. This is a democracy and decisions are made by majority vote.

**Question 3: What are you going to do to ensure that Council officers are held to account and that the Hub is delivered in a timely manner and includes all the features the community is expecting (including a pedestrian bridge) and has been promised?**

I will continue to advocate on our residents' behalf and I hope to get some good outcomes [similar to the Lindfield Village Green where I helped to secure extra parking spaces and a second elevator]. And if it's possible to get a pedestrian bridge at a reasonable price then I will certainly fight for it.

However as a councillor who is usually in the minority, I'm also aware that my thoughts and opinions aren't always held in the same regard as those in the majority.

On the topic of timing, obviously we all want the Village Hub to happen as soon as possible but hypothetically speaking, if we had to delay the schedule a bit to get more acceptable commercial terms and build something that council can actually afford, then I believe that is something worth exploring.

I'd like to thank you for taking the time to read this. If you have any general questions feel free to reach out, though I will not be answering questions with information that is confidential in nature.

Kind Regards

Councillor Sam Ngai  
Roseville Ward Councillor, East Lindfield Resident