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TRANSCRIPT OF PROCEEDINGS

TRANSCRIPT IN CONFIDENCE

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INDEPENDENT PLANNING COMMISSION

MEETING WITH APPLICANT

RE: STAR CASINO REDEVELOPMENT MOD 13

PANEL: DIANNE LEESON
STEPHEN O'CONNOR
ADRIAN PILTON

ASSISTING PANEL: ALANA JELFS
ADAM COBURN

APPLICANTS: JOHN O'NEILL AO
MATT BEKIER
BRUCE RYDE
CHRIS DOWNY
CLARE BROWN
MADONNA LOCKE
RICHARD FRANCIS-JONES
SEAN McPEAKE
ANNIE HENSLEY
CRAIG WILLIAMS
DAVID BRENIC

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

DATE: 11.36 AM, WEDNESDAY, 14 AUGUST 2019

MS D. LEESON: So, uh, good morning and welcome. Um, before we begin, I would like to acknowledge the traditional owners of the land on which we meet, the Gadigal People of the Eora Nation. I'd also like to pay my respects to their elders, past and present. Welcome to the meeting today on the proposal whereby the Star Entertainment Group Limited, the applicant, is seeking approval to modify the project approval for the Star Casino at 20 to 80 Pymont Street, Pymont, to provide a new hotel and residential tower within the existing casino complex.

My name is Dianne Leeson. I am the chair of this IPC panel. Joining me are fellow Commissioners, Stephen O'Connor and Adrian – Adrian Pilton. We are assisted by Alana Jelfs from the Commission Secretariat and Adam Coburn from mecoo – Mecone Consulting, who are assisting the Commission Secretariat on this project. The other attendees of the meeting – and we have rather a long list here – are John O'Neill AO, chairman of Star Entertainment Group; Matt Bekier, Bruce Ryde, Chris Downy, Clare Brown, Madonna Locke, Stephen Davies – Stephen?

MS C. BROWN: We left him behind.

MR R. FRANCIS-JONES: No.

MS LEESON: No. You've left Stephen behind.

MR S. O'CONNOR:

MS LEESON: Okay. Richard Francis-Jones, Sean McPeake and Annie Hensley. Have I missed anybody?

MR M. BEKIER: We also – we also have Craig Williams from Far East - - -

MS LEESON: Craig Williams.

MR BEKIER: - - - who's one of our joint venture partners in this tower.

MR D. BRENECK: And David Breneck.

MR BEKIER: As well as David Breneck, who is a head of development for Star.

MS LEESON: Thank you. Thanks very much for that. 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. It is taking place at the preliminary stage of this process and will in – will form one of several sources of information upon which the Commission will base its decision.

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It's important for the Commissioners to ask questions of attendees and to clarify issues whenever we consider it appropriate. If you're asked a question and not in a position to answer, please feel free to take the question on notice and provide any additional information in writing which we'll then put up on our website. In having
5 people speak at the meeting, if I can request that people introduce themselves the first time they speak to assist in the recording and also to assist the recording to not speak over the top of each other, so that the transcript is actually clear for all to read. So on that basis, we will now begin. And welcome again. We have an agenda here which we put to Star and I think we now have an updated run-sheet from Star, in
10 terms of the briefing today. So if I can – that's your introduction – hand across to Star to introduce the project, John, that would be appreciated - - -

MR J. O'NEILL: Thank you.

15 MS LEESON: - - - and then we'll take it from there.

MS BROWN: Certainly.

MS LEESON: Thank you.
20

MR O'NEILL: Thank you very much. Um, uh, well, good morning, panel chair and panellists. My name's John O'Neill, chairman of Star Entertainment Group, and today we'll provide a briefing on the proposal before you. A \$600 million-plus initiative that will help enhance Sydney as a global tourism destination. This is a
25 development that has received widespread support from the tourism industry and support from within the local community. Uh, let me be clear, in terms of the – what's known as the Ritz-Carlton development, there is no gaming included in this investment. There was no gaming component, when, together with our partners, Chow Tai Fook and Far East, we acquired the Sheraton Mirage on the Gold Coast
30 last year.

What we want to do is drive incremental visitation to New South Wales, both from international visitation and domestic visitation, and create a destination that the local community will also embrace. I'll leave the architectural and planning detail to
35 others within the team here today. But I would like to make introductions to the two speakers that immediately follow me. Matt Bekier is the Star Entertainment Group's managing director and chief executive officer. Matt has led our ventures into developing more tourism assets all aimed at improving the levels of interstate and international visitation to our properties on the eastern seaboard. As you know,
40 we're in Sydney, Gold Coast and Brisbane. Bruce Ryde – where's Bruce?

MR B. RYDE: Here.

MR O'NEILL: Bruce. Thanks for joining us this morning, Bruce. Bruce is the
45 vice-president of luxury brand marketing for the Asia-Pacific from the Marriot International Group. Marriot International owns the Ritz-Carlton brand. And Bruce will explain why this proposal is the one they want to pursue over all other

opportunities that have been presented to them in Sydney over the – over many years. Also, I was hoping to introduce this morning the chairman of one of our esteemed joint venture partners, Tan Sri Dato' David Chui from Far East Consortium International. Unfortunately, Hong Kong Airport Issues, which I think we've all
5 seen in live colour. Those issues have forced the cancellation of David's flight last night to Sydney. But as Matt mentioned, Craig Williams, who's a director of Far East and a – a very valuable part of our joint venture relationship is here today. So, thanks, Craig.

10 David did really want to be here in person. He's, you know, quite passionate about the joint venture and quite passionate about the Ritz-Carlton development. Far East, of which he is the executive chairman, is one of the world's premier property development and investment firms with a rich history in hotel operation and
15 management. They've been developing and doing business in Australia for more than 20 years. Together with our partners, Far East Consortium and Chow Tai Fook, we have a pipeline of around \$5 billion for tourism infrastructure investments in Queensland, plus this venture in Sydney.

I should say that, in Queensland, we are, by some distance, the largest tourism
20 infrastructure investment in that state. The Queen's Wharf project is a \$3.6 billion project on its own, which construction has just started. Uh, and the Gold Coast, we've already spent about a billion dollars and acquired, as I said, the Sheraton Mirage. So we are a significant player in the Queensland tourism infrastructure space. The economic benefits from this development here at – in Sydney, for the
25 local community and the State of New South Wales will be outlined in the – in the briefing this morning. I trust your deliberations will agree with our premise that this project will have considerable positive impact. With that, I would like to invite our managing director and CEO, Matt Bekier, to address you. Thank you.

30 MR BEKIER: Thank you, John. Ladies and gentlemen, the vision for Star is to become Australia's leading integrated resort company. We used to be a casino company, but, as John said, we're investing a lot of money into tourism assets to transform ourselves. We've got lots of opportunities around us, and tourism is the
35 biggest opportunity that forces us to change our direction. In Sydney, we've already been able to make some of those investments. So we have the Darling Hotel; the best hotel in New South Wales according to Forbes; the only five-star-rated Forbes hotel. One of the best restaurants in Australia, Momofuku, was, in 2017, selected to be the best hotel, uh, best restaurant in Australia.

40 We have the event centre, which is one that sits up to 4000 people, and has won pretty much every award in its category. And we have, um, uh, the Lyric Theatre, which has been having a fantastic run of shows, including – have – including Book of Mormon and Hamilton and others, which are regional attractions that bring
45 customers, not just from Australia but from across the regions to our sites. And that's what an integrated resort is trying to do. In order to really capture the opportunity, we need more hotel space. We need more hotel space in – all – all over Australia.

So if you look at the tourism stats, in 2019, there's about 8.5 million international arrivals coming to Australia. According to Tourism Research Australia, that number is going up 15 million by 2027, up 78 per cent. If that's successful, Australia is barely keeping share – its share of the outbound Asian traffic. But right now, we're
5 losing share. We're losing share, because there's not enough hotels being built in this country. If you want to translate that, in order to absorb the additional capacity, Australians, uh, build 500 to a thousand extra hotels over the next eight years to accommodate these people, otherwise, we're going to lose out on this opportunity.

10 MS LEESON: Hotels rather than - - -

MR BEKIER: Hotels.

MS LEESON: Yes.

15

MR BEKIER: So, otherwise, Australia is going to lose out on the opportunity. And if you look at the utilisation across the country, all of the five-star product is very, very highly subscribed. That's why we are very excited about the investment opportunity here with the Ritz-Carlton, which is one of the premier brands amongst
20 premium customers in Asia. and that's really the brand that we need to position Australia and Sydney in the heart of that proposition. We've gone through an extensive process of community consultation that we'll talk about. We believe we've been able to address the bulk of the concerns. One of the advantages with a glacial planning process has been that we've been able to expose the project to lots of
25 people. We've had 5000 people come through our, uh, exhibition, ah, and, you know, we feel that there's been positive support, especially from the tourism community, but also from the locals.

We have submitted, along with our submission, uh, report from PwC that shows that
30 the project will generate some \$800 million worth of state product. Um, a gross state product – an incremental 800 million of gross state product. If you were to translate that into jobs, that's hundreds of jobs during the construction period, hundreds of jobs at Star in serving customers in the hotel and additional food and beverage, and hundreds of jobs in the tourism industry in Sydney and throughout Australia as we
35 attract additional customers. So, you know, we – we are very excited by this project. Hopefully, we can get that – we can convey that excitement. And I'm particularly excited that we have the Ritz-Carlton with us. And so, Bruce, bring us home.

MR RYDE: Thank you. Thank you. Good morning, everybody. Um, as John
40 mentioned, I look after brand management and marketing for the Ritz-Carlton brand or Marriott's luxury brands in Asia-Pacific, but here today specifically the Ritz-Carlton brand. Um, so just to set the scene, Marriott is – is the world's largest hotel operator, with over 7000, uh, uh, hotels and 31 brands. Uh, we're also – and important for this – for this gathering, we're also the largest luxury hotel operator in
45 the world with seven luxury brands. Um, and I think that's, uh, important to mention because the Ritz-Carlton brand is actually the jewel in our portfolio, if you like. It is

the pre-eminent luxury brand in our portfolio and one of the pre-eminent luxury brands globally.

5 Um, so in saying all of that and with the history of the Ritz-Carlton brand right from its inception from, uh, when Cesar Ritz founded the brand in – in Paris and positioning the brand with 150 hotels around the world, why are we not in Sydney and why are we – or why have we been away from Sydney for so long, between 20 and 30 years since Ritz-Carlton was in Sydney? It's really tough to land a luxury hotel at the level of Ritz-Carlton in – in Sydney. It's expensive. Uh, it is difficult to
10 attain, uh, the level that we absolutely demand with the Ritz-Carlton brand. We're incredibly selective. We turn away more deals that are put to us than we actually sign with Ritz-Carlton globally. That's an acknowledged fact.

15 So we really are very, very – so we're more selective with Ritz-Carlton than we are with any of our other luxury brands, and I think that's one of the reasons why we, as a brand, are so passionate about this particular development. It ticks the boxes. It's a group of partners that are delivering for us as a brand a – an iconic piece of architecture, uh, a hotel that delivers against our very, very stringent and detailed standards, uh, and an incredible location, and we think that's really important in
20 terms of Ritz-Carlton coming back into Sydney. Um, there is a problem I think you mentioned, uh, with luxury hotels in Sydney. In fact, it's interesting. Marriott, as the largest hotel operator, does not have luxury hotels in Australia at the moment. Uh, we, uh, opened the W in Brisbane last year, which is our first luxury brand in Australia. So we're slowly coming back in as economics of scale work for us in this
25 country. It's another why – reason why Ritz-Carlton in Sydney is so important for us.

Existing luxury product in Sydney, we've done our competitor analysis, is weak. It's dated, it's tired, and it's not keeping up with luxury strategies globally, and that's
30 something we are really pushing into Ritz-Carlton as we develop this product in Sydney. We firmly believe that Ritz-Carlton will deliver incremental luxury customers to this city. I'm from Sydney originally and I'm really, really passionate about this, uh, this particular product. We have a global network of loyal customers with the Ritz-Carlton brand and we dominate in some of the key markets that are
35 important for Sydney. Uh, if you look at China, we are the pre-eminent luxury brand in China. We have 13 Ritz-Carlton hotels. We have another 12 in our pipeline in China, and obviously China is the number one inbound market into this country and the type of Chinese customer that the brand brings in is important for the economy.

40 Uh, we are also, uh, a large player in the Japan market, which is also a major supplier for Sydney. We have four beautiful Ritz-Carltons in – in – in Japan and we have another three under development at the moment which will open in the next 24 months. So key source markets. Our vision of the brand is around – we call – we call our – our – our – our so – associates and colleagues our ladies and gentlemen,
45 uh, looking after ladies and gentlemen, and, uh, we inspire – what we like to say is we inspire life's most meaningful journeys and memories with this brand. We create incredible experiences. We think it's time for an iconic Ritz-Carlton Sydney to join

the ranks of global hotels, like Ritz-Carlton New York on Central Park South, the Ritz-Carlton Shanghai Pudong which, year after year, wins best hotel – best luxury hotel in Asia.

5 The Ritz-Carlton Hong Kong. I'm from Hong Kong, which is a, uh, uh, the lobby is on the 107th floor. It's an iconic piece of architecture in Hong Kong and one of the most famous hotels in the world, uh, and then the Ritz-Carlton Tokyo, which is also in an iconic tower in Tokyo and one of the best hotels in Tokyo. In closing, I would like to assure you, um, that if this hotel goes ahead, um, it's a prestige product that
10 we see as a global halo for us as a brand and we will apply every piece of marketing distribution that Marriott International has. We have already highlighted this hotel as one of our most important developments globally going forward and we will work with that across the substantial Marriott international organisation. We believe that delivering – this hotel will deliver Sydney's finest aspirational luxury experience, but
15 more importantly, another reason to believe for luxury customers who are looking at coming to this extraordinary city. Thank you.

MS LEESON: Okay. So I'm glad you made it from Hong Kong.

20 MR RYDE: Only just. It was one of the few flights yesterday, so.

MS BROWN: So the format from here is we're moving to - - -

MS LEESON: So, Claire Brown.
25

MS BROWN: Claire Brown. My apologies.

MS LEESON: Yes.

30 MS BROWN: Claire Brown for Mervis. So the format from here is we're moving to the technical side of the presentation and respond to the issues that the, um, the commission has asked us to address today before you and, um, the – the format is, um, as set out in the run sheet and onscreen there. So I will provide a – a brief overview of the proposal. As we've heard from our three – first three speakers, the,
35 um, uh, uh, dominant part of the project is the Ritz-Carlton, um, hotel and residential tower. There are other aspects to the proposal which I will provide some detail on. So just to provide some context, this is a modification application under section 75W of the EP&A Act. Part 3A of the Act has been repealed and this is a, um, an identified transition project. So as – as you're aware, the minister has the broad
40 power to modify an approval either with or without conditions and the application is before you today because there were more than 25 individual submissions and there was an objection by the City of Sydney to the application. So – which is why the application is before you today.

45 There has been a lot of discussion, um, uh, in submissions and in the media that the – that this application has not followed the appropriate process, but the application, the Star was established as a major project. MP080098 has been subject of previous

modification applications and this is a modification application to what is considered a state-significant development. The applicant – the – the application will transition to a state-significant DA upon the determination of this modification request. What I would like to identify is that it's not – the mi – the powers of the minister, as noted at
5 page 16 of the assessment report, the minister has a broad discretion – that is under section 75W – to approve or disapprove a modification request and the minister can – the – the assessment report has identified, in the department's opinion, the minister can reasonably form the view that the modification request falls within the scope of section 75W and is capable of being determined under section 75W. That delegation
10 then falls to the commission. So that flows that you have the power to determine the application as a modification. The department also notes, and it's quite important, that Sydney LEP 2012 and other EPIs, excluding state environmental planning policies, do not apply to this modification application and that is spelled out in the assessment report at page 16.

15

MS LEESON: Can I just seek a clarification there, Claire? The harbor catchment REP, where does that sit in the scheme of this relative to SEPPs and the LEP?

MS BROWN: Okay. That's a deemed SEPP. So amendments to the Act a couple
20 of years ago made REPs considered to be deemed SEPPs. So it does apply.

MS LEESON: Thanks. Sorry to interrupt.

MS BROWN: No. No trouble at all. Um, and what I would also like to point out is
25 the application followed the statutory pathway for modification applications under section 75W of the EP&A Act. It has been a long process, as you can see on the screen there. It started with an application for SEARS which were initially granted in February 2016. Following discussions with the department, amended SEARS were issued in May 2016. Part of the SEARS requirements, as you will hear later in
30 the presentation, uh, required the undertaking of a design excellence process either following a City of Sydney design guidelines, or an alternative process. You'll hear some more about that.

At the completion of that design excellence process, the application underwent a
35 series of test of adequacy, um, tests by the Department of Planning. I think we were subject to three test of adequacy processes. Formal lodgement then occurred in August 2018. The application was notified between 22 August and 18 September 2018. We were then invited to prepare a response to submissions report which was submitted in 26 November '18, and then that response to submissions report was
40 then placed on exhibition until 31 January 2019, following which there was quite considerable interaction between the – between Urbis and the technical team and the department responding to requests for further technical detail in terms of overshadowing or overlooking, etcetera.

45 And so there were – there was additional technical material provided and then the assessment report prepared. So what I would like to go to now is the proposal itself. A significant portion of the project is the Ritz-Carlton Tower, a residential and hotel

tower which is this form here on the screen that you can see. But there are – there’s a significant, um, other elements, um, involved in the modification 13 application. There is significant other investment being proposed across the whole of the Star project site, the integrated resort. So the other elements are what we call the
5 “ribbon”, which is level 5 and 7 fronting Pirrama Road, and that will provide a range of food and beverage offerings.

It will provide outdoor swimming pools and recreation areas for, um, visitors to the Star, as well as visitors to the – the Ritz-Carlton Tower. On level 7, there is also a
10 range of, uh, facilities for residents of the tower: swimming pools, barbeque areas, communal open space and the like to address the requirements of SEPP 65. Internal to the site on levels between, um, ground level and level 5, there is a range of other upgrades and investment works, upgrading food and beverage, relocation of some of the luxury retail, reorganisation of the internal facilities, improvements to staff
15 services. And so these are central to the site between ground level and level 5.

There is also, um, going to be a five-level neighbourhood centre, which you will hear about in some detail, sitting below the tower, and that is a – sorry, not a
20 neighbourhood centre – yeah, sorry, a five-level neighbourhood centre sitting below the tower at the corner of Pirrama Road and Jones Bay Road on the roundabout there, and it will wrap around that corner and address that street. There are also fronting as part of the Darling Hotel some upgrade to the food and beverage offerings, the cafés and the entranceways to improve the, um, the arrival entry and the amenity of those spaces on these corners here. We also have upgrade works to,
25 uh, the light rail station.

We are opening up the frontage of the site to Pirrama Road, getting greater visibility into the light rail and upgrading those station areas, improving the public domain areas around the site, and also providing for new, uh, vehicle access onto Pymont
30 Street to address issues of congestion and traffic management in and around the Pymont area. And we have also introduced a new traffic management process whereby we now have opened up in basement level 2 off Pirrama Road a new queuing system, taxi queuing system and taxi management system to remove all of the, uh, queuing of taxis within Jones Bay Road, so as to address, uh, issues that have
35 been raised through the consultation process by residents.

So it is – it is an integrated process. The significant part and – of the project is the – and I think the Ritz-Carlton can be described as the showpiece, but it is important to understand that modification 13 also incorporates a number of other key elements to
40 – to complement the evolution of the site as an integrated resort. As I was saying earlier, part of the traffic and access improvements is the opening up at the Pirrama Road frontage of this area here, so that you can actually see through and into the light rail station. You’re bringing the – the public domain into the site and you’re integrating it so it flows a lot better. There’s upgrades to the Pymont Street car
45 park, as I’ve said.

We're also providing an additional 220 car parking spaces in a car stacker below the tower. There is upgrades to the loading docks relating to the events centre. There's new commuter, um, and staff bike parking and end of trip facilities within – within the site, and there is going to be upgrades to the finishes of the light rail station
5 removing the barriers to Pirrama Road. And one point I'd like to emphasise is that there has been some discussion that this project is reliant upon the delivery of the Sydney Metro West. It's not. Um, the traffic assessment has been done and has demonstrated that this does not rely on the Metro West at all, and Transport New South Wales have, um, in the – their submission on the response to submissions
10 report raised no objection to the proposal and, in fact, provided conditions for the approval of the project. Whoops, I've gone the wrong way.

MS LEESON: Just before you go on, can I clarify one thing on the building height because the media has reported different views around whether it's 66 storeys or
15 sixty – 61 storeys.

MS BROWN: 61 storeys.

MS LEESON: I think what is definitely agreed is it's 237 metres topped out – the
20 height of the tower.

MS BROWN: 237 metres?

MR FRANCIS-JONES: Richard Francis-Jones, FJMT. The RL is 237. The
25 maximum RL is 237. The RL on Pirrama Road is just under three. I think it's about 2.8. So the actual height of the building, maximum height of the building is about 234 metres.

MS LEESON: And the number of storeys is - - -
30

MS BROWN: The – the number of storeys is – is - - -

MS LEESON: What's your interpretation of the difference?

MS BROWN: - - - is 61. Some of the descriptions in the environmental assessment
35 report talk about levels of – say levels of hotel. Now, some of those levels of hotel are actually in the basement adjacent to the car park, and some of the levels of the hotel are at the same level – levels of residential uses such as level 7 where you find yourself with a sharing of residential facilities, as well as the – the ribbon
40 development where you have, uh, swimming pools and cabana areas. So it was – it was poorly described in the EAR, which I believe has led to some of that confusion.

MS LEESON: Thanks. Thank you.

MS BROWN: So another key element, as described, is the neighbourhood centre
45 and, as you can see, this is located at the corner of Jones Bay Road and Pirrama Road on the roundabout. It wraps around the corner. It – it has a total floor area of 1691

square metres. It's five levels of mixed use community spaces. It has been informed by extensive community consultation. It will be accessed from Jones Bay Road, not Pirrama Road, um, and the Star has provided a commitment not only to build it and fit it out, but also to run and manage it for 30 years.

5

And the – the operation of that community centre will be covered by a neighbourhood centre management plan which will be a living document and will have input from the community and the community liaison committee that has been established by the Star already.

10

MS LEESON: What's the – we've yet to meet with council and understand their position on the neighbourhood. But can you tell us what they're likely – what you think they're likely to tell us around the neighbourhood centre, whether it's – whether they want it, whether they need it, or the management of it, commitment to it long term.

15

MS BROWN: Um, the council did not want to accept dedication of it. So the Star has – would you like to speak to on that?

20

MR BEKIER: I think we should let Chris Downy talk to it.

MS BROWN: Yep.

MR BEKIER: Chris has been leading the conversation.

25

MR DOWNY: Yeah. Chair, Chris Downey, General Manager External Affairs at the Star. We have had discussions, but we would – we're going to bring this up later, but we have had discussions with the council. They indicated that they did not, um, want to take control of the neighbourhood centre, and that's why we propose to manage the centre ourselves and that's why we've developed a plan of management, um, and in that plan of management we're suggesting that there would be a dedicated manager put in place by the Star and there would be a neighbourhood centre advisory panel which would be – uh, which would be composed of representatives, community groups and local residents that would – would assist in the management of the centre. And we see – sorry, we just – we see it as being complementary to the Pyrmont Community Centre and Annie might be able to talk to you about that. We actually will talk about this later if it – if it helps you.

30

35

40

MS LEESON: Well, we can come back to that. Steve, did you have a question then?

45

MR O'CONNOR: Yeah. And this might not be a question you can answer. It's Steve O'Connor, Commissioner. Did council not want to be – to accept it, etcetera, because they didn't think it was needed or because they didn't like the design of it or – did you – do you have any reasons why council wasn't interested?

MR DOWNY: I think it was more a case of – I think it was more a case of they just did not want to take, um, responsibility for the – the management of the centre. But that's probably a question you could ask - - -

5 MR O'CONNOR: Sure.

MR DOWNY: - - - council when you have them in here for a briefing.

10 MS LEESON: Okay. And so your – your subdivision proposal that you had is stratum – I think there are five subdivisions.

MS BROWN: Yes.

15 MS LEESON: One of those is not explicitly for the neighbourhood centre; it's just a stratum subdivision?

20 MS BROWN: It's – it's to create a stratum lot so we will be – be creating the hotel in the stratum lot, the – the residential apartment in a stratum lot and then the – um, the remainder of the site will be subject to the stratum subdivision as well.

MS LEESON: The neighbourhood centre wouldn't be a subdivision in its own right at this point?

25 MS BROWN: No.

MS LEESON: No. Okay.

30 MS BROWN: What I would like to do now is hand over to my colleague, Madonna Locke, to speak to you about the strategic context and strategic justification for the project.

35 MS M. LOCKE: Thanks, Clare. Hi everyone, my name is Madonna Locke. I'm a director in the urban design team at Urbis. Um, I will just introduce our section with, um, I guess a discussion on our approach to context and understanding that the context of cities is always changing. Cities are evolutionary places. They're not static entities and, um, they need to change in response to new investment and infrastructure, the growth challenges our cities face, but also changing lifestyles and expectations from the people that live in our cities. Um, changing technology could be in there as well. Um, so our context is, I guess, consider the complexity of the
40 location of the Star and the city within it's located.

45 Um, there were, I guess, two considerations and three elements that, um, have broken up our, um, comprehensive approach to context. The first, um, considerations were the – both the planning context, which really, importantly, sets the future direction of the city and also the place context, which really talks about the history and the evolution of the city, where it is today but also where it may be in the future. Um, the elements that we've considered and the matrix that we've put together to

understand context is around three key elements. So scale; we consider that the city is a global city and we go from that context of what is its role in the global world all the way down to the local operations of the site and the immediate context.

5 We consider the three elements of time: historic, current and future. Um, and we also consider the city in different themes. So what is the existing land form, how do people move around the city, what activity exists in different parts of the city, what are the places that we go to, and also what is the architectural form. So I will start off with just talking about the planning context. Um, the key drivers for planning
10 context for this project were really established when the Greater Sydney Commission, um, was established in January 2016 and from there, we've actually seen this new strategic direction established for the City of Sydney, um – sorry, the metropolitan area of Sydney, um, which means there's a greater region plan – a greater Sydney Region Plan but specifically to this location, the Eastern City District
15 Plan.

Um, so those two documents were set up around March 2018 and have guided the direction of, um, planning in Sydney since their exhibition. Recently, though, City of Sydney has produced its draft LSPS, local strategic planning statement, just in
20 August 2019 so we've looked at that. Um, those LSPSs were required to be prepared by each of the councils to make sure that they can – they are consistent with the strategic planning directions of the region plan and the district plan and also will inform updates to the LEP and DCP controls and anything in the sustainable Sydney 2050 document. So those documents haven't been prepared yet, they're currently
25 needing to be prepared, but the local strategic planning statement is on exhibition.

MS BROWN: And one comment I would just like to make is that the environmental assessment report, when submitted in August 2018, had responded to the region plan and the Eastern City District Plan because it – we were in response to – we were in
30 test of adequacy phase and we were requested to actually update and address the new strategic context of the site, which was done.

MS LEESON: And – sorry. When did you say the strategic planning statement from council - - -
35

MS LOCKE: August 2019. It has literally just been released.

MS LEESON: It has literally just gone on. Okay.

40 MS LOCKE: Yep. So we've had a look at it.

MS BROWN: It's on - - -

MR PILTON: Is it available online?
45

MS BROWN: Yes, it is. It's on exhibition now.

- MS LOCKE: Importantly, we understand that the LEP and DCP are still there and – and do provide some context. Um, while they do not apply to the assessment of the project, one of the things that we did look at is what has changed in those documents in the time and we note that there has been no material change to FSR and height
- 5 controls of the site since 1996, which essentially means there has been no real revision in about 20 years of the actual controls on our site. In terms of the Eastern District Plan, I will just step you through, I guess, the key components that are critical to the Star and understanding the context of the Star.
- 10 So the Star is located within Sydney’s harbour CBD, the metropolitan centre for Eastern City District. It’s considered the vision for this CBD is considered to be Australia’s global gateway and the financial capital but also the engine room of the Greater Sydney economy. There’s some key thoughts there about the future of this location so to remain globally competitive, the CBD must be a magnet for skilled
- 15 people, a powerhouse for creativity and innovation at all levels and it talks of the role of entertainment, cultural, tourist and conference assets as being part of the – the package of offer that Sydney has, um, which is the competitive advantage of the harbour CBD in its global context.
- 20 Within the harbour CBD, there’s an area identified as the Eastern City Innovation Corridor and the Star is located in – in that area. That’s the darker orange sort of arc that you can see in the – in the map on the screen. The innovation corridor is identified as an area that contains knowledge intensive, creative and start-up industries, along with health education and research services that support the global
- 25 competitiveness of the harbour CBD. Again, tourism, conferences, entertainment and culture contribute to that attractiveness to attract global and international talent to our city. So jobs these days and skilled workers are actually looking for great amenity but also great attractions, great things to do, great lifestyle.
- 30 So it’s a really important part of actually attracting the talent that we want to work in our city. Um, it identifies that ongoing investment is required in lots of the areas in the innovation corridor but especially in places like Darling Harbour and entertainment precincts which make sure that we remain diverse and competitive offering globally within these sectors. They do go into a little bit more detail on the
- 35 innovation corridor and then identifies a number of sub-precincts within that corridor. The Star is located in the Darling Harbour precinct so I’ve just identified that, um, for you there on the screen. The Eastern City District Plan identifies that precinct as being a destination for tourism, conferences, entertainment and culture and, again, it talks about the need to, um, strengthen that – that precinct and the
- 40 international competitiveness of that precinct to make sure that we play a pivotal role in providing a more diverse and vibrant night time economy and a broader range of cultural entertainment and leisure uses.
- 45 We then move on to the draft LSPS. So as we mentioned, this was just released recently but is required to be consistent with the strategic planning directions of the Eastern City District Plan. Um, I’ve identified here, again, the innovation corridor but the innovation corridor actually sits in two parts of the city that the City of

Sydney have described: the central city, which is on the left hand side of your screen, and the city fringe which sits in the middle. And on the right hand side you can see the light blue colour of the innovation corridor overlaid. So it actually includes components of both the central city and the city fringe areas of the city.

5

In terms of the way the City of Sydney LSPS talks about the innovation corridor it acknowledges that it is a knowledge intensive business clusters and it's vital to the district's ongoing economic success and global competitiveness. There's a short quote there which talks about the need to:

10

...manage growth sustainably and promote economic diversity and collaboration by making sure that our internationally competitive industries and sectors can innovate, agglomerate and grow.

15 And the role of tourism, entertainment and leisure as being one of those industries that needs to be internationally competitive is essential to the success of the innovation corridor. The other thing the City of Sydney talks about is the character precincts and the role of, um, design excellence in making sure that we can grow the city but also maintain the character of key areas. So it identifies that design
20 excellence is held up as an example across the country of ways to integrate improved liveability and changing lifestyles whilst conserving local heritage items and conservation areas. As you can see from the, um, diagram, the Darling Harbour precinct within which the Star is located is sitting adjacent to the Harris Street Conservation Area and there has been a number of proposals that have been through
25 the design excellence process to achieve outcomes in that context.

So I guess, just in conclusion, in terms of alignment with strategic planning directions Sydney needs to remain globally competitive and this means that we must be a powerhouse of creativity and innovation at all levels and attract that talent to our
30 city and give them the offering of what makes it an attractive place for them to locate, especially considering, I guess, our – our regional location and – and distance away from any other places in the world. Um, the Darling Harbour precinct within the innovation corridor is a real opportunity for us to strengthen our international competitiveness, making sure that we have a – a really vibrant, diverse offer of
35 tourism, entertainment, conferences and culture. And finally, that the Star is a tourism destination and it's an internationally competitive one that contributes to that role in the Darling Harbour precinct. I will then talk about the place context. So I've got a big diagram up her on the screen for you. That's – I'm not - - -

40 MS LEESON: We won't be daunted.

MS LOCKE: We – yeah. We won't – I won't be going through all of that, but I guess we just wanted to communicate we've done a really extensive process. We've got the six themes down the side of the screen. Across the top, we go from the scales
45 of strategic observations all the way down to detailed site investigations on the site. And we identified a series of principles and then a response to each of those themes that we looked at throughout the process. What I'm going to talk to you today is, ah,

the ones that we think are the really key issues relevant to the discussion today. But there's obviously a lot of work that sits behind this as well.

5 So the first one, and really interesting for me was the, um, looking into the location of the site and its original location within the city, and what was the original, um, historic foreshore line. So you can see there, traced in orange, that the – the historic sh – shoreline of this part of the city actually runs directly through what is currently known as the site. It almost splits the site in two. What this means for us is that the role of this site is both part of the Pymont Peninsula, but really importantly, a
10 really strong part of that waterfront role and the waterfront setting of the city, especially around Darling Harbour.

This is reflected through this small series of maps. You can see the transition of the site from a natural foreshore through industrial development and the – the growth of
15 Darling Harbour into a modified foreshore. And as we move into more sort of, I guess, clear thinking around planning and development of our city, this is reflected in the controls that actually come through in the city. So you can see the – the – the Star side is actually closely related to the previous rail line that ran through the site and the – the working harbour foreshore of Darling Harbour. There's also been a – a
20 – a – a strong history of the visibility of the site.

Um, while we may not have it there today, there once was the location of the Pymont Power Station. It was built originally in 1904 and the stacks on the Pymont Power Station range anywhere from 60 to 170 metres in height over the life
25 of the project. Um, there was - - -

MS LEESON: Is that RL, uh.

30 MS BROWN: No. Absolute.

MS LOCKE: Absolute.

MS LEESON: So do you know what that would be in terms of the RL? So just to give a sense where it would be on the tower that you're proposing.
35

MS LOCKE: We can provide that out

MS LEESON: Thank you. That would be interesting.

40 MS LOCKE: Um, so there has been 89 years, um, of markers of the Pymont Power Station in Pymont, um, on the site, um, in which they were a prominent part of the skyline, and in a part of time in the city where there wasn't much else. There's photos of – of, um, the Pymont Power Station and – and the Harbour Bridge, being those two key dominant components. In 1993, the Pymont Power Station was
45 demolished and we've now had 26 years without that in – on the skyline. I think importantly to note is that 1993 also correlates quite closely to when those controls

around the site were originally envisaged in 1996. We haven't really had any interpretation of that since that time.

5 The other thing that we started to look was, now knowing what the – where the historic foreshore line is, we also know that the local topography of Pymont and the – and the – and Darling Harbor is quite unique. Um, many people would associate, um, the large sandstone – sandstone cliffs that define the point of the peninsula of Pymont as being a defining element. And as you move around those cliffs and head
10 toward – south towards the Star, you actually see there's a – there's a change in topography. So at that roundabout where the – the neighbourhood centre is identified to be located, it's a real point of transition where you move between the threshold of either going up Jones Bay Road and into Pymont or you continue to move along the foreshore and into Darling Harbour.

15 So we really see this as the point in which you actually arrive in Darling Harbour. It's the first use in terms of tourism and entertainment that you also really see as a key destination in that location. We've taken a bit of a step back and then look about what that means when you move around the city and identified on that plan where that Darling Harbour precinct from the Eastern City District Plan is being identified.
20 So you can see that actually as you move round the city and you get to the Star first, but then there's a – a grouping of more significant, um, facilities, including the ICC. We've got the Maritime Museum, the convention centre, and as you move round towards the – the, um, Darling – yes, to the east. Sorry. Thanks very much, um, to the aquarium.

25 We've also got, um, other facilities like Darling Park. So there is a – there's a grouping of large sites that actually sit in that part of the city. You'll also notice that the Star sits on that key east-west spine which connects Hyde Park across the Pymont Bridge through to Pymont; and then in the future, to the Bays precinct.
30 And with the growth of the city west towards the Bays precinct. That's going to become an important navigator around the city.

MR O'NEILL: Where's the Sofitel?

35 MS LOCKE: In – located just in here near the ICC.

MR O'NEILL: yep. Yep. Yep.

40 MS LOCKE: We then take a bit of a deep dive into that precinct and how to look at the urban grain and lot size. And this again is another component which really identifies the transition between when you're in Pymont and when you're in Darling Harbour. Um, those sites that are identified are really large sites that are located around the water's edge and there's no – not many opportunities for redevelopment of that scale in that location. Um, with recent redevelopment, you'll see that there is
45 – these large sites are actually setting a new character for this precinct. So we've identified these sites, and you can see as you move around – and they're large sites.

They have a large podium form and the recent evolution of these sites has actually seen tall tower elements also begin to emerge. And this is a unique opportunity that is available to large development sites. It allows us to actually respond to the context of Darling Harbour and to the waterfront setting that these are located in. And we've
5 done some little studies just around the podium elements in the dark orange and the tower elements in the lighter, um, orange as we move round. And you can see there's varying heights that actually exist between these tower elements. And I guess where we ended up to – in this component of the work is that there was a lot of drivers that actually meant that yes, a tower element in this location contributes to its
10 context and is of its context.

And the question really came to us as to then the form and the height of the tower is something that needs to be considered through a more detailed process. So just, I guess, the – the key findings from the place context was really that the historic
15 setting of the site and use of the site has established its waterfront location. Industrial scale and visual prominence are all part of the site's history. Um, the land form and use of the site today really defines this site as that transition point between when you are part of moving up into and part of Pyrmont before where you stayed down on the water's edge, it actually become part of Darling Harbour.

And the final one was really around the idea that the – the grain and the typology of building and – and, um, sites within this location really says that it is part of the Darling Harbour precinct and collectively, these sites have actually established a new
20 building typology, podium form and tower element. That's where I jump off, um, and I'm gonna pass over briefly to Clare and then to Richard. But I guess the key component for the urban context was really to answer to answer the question of is a tower form appropriate in this location and is it consistent with its context? And when you look at its context, we really do believe that it is part of the Darling Harbour precinct, as established in the Eastern District Plan.

Its use is consistent with that and its urban form is consistent with that, and therefore, the built form is responding to that. The question around architectural design
25 response to that context in terms of the form of the tower and ultimately, the height is really something to be considered through the design excellence process and the consideration of impacts that will shape that outcome.
30

MS LEESON: Before we go on, you got any questions around the – the context?

MR PILTON: Yeah. I'm just interested to know what your vision is for the future
40 of that area? I mean, do you see this setting a precedent for a lot more tall towers in that area or - - -

MS LOCKE: I think the – it's a really - - -

45 MR PILTON: - - - the, ah, standing alone as - - -

MS LOCKE: Yeah. It is a really interesting question and look, I think that's something that, you know, we'd be really interested to understand also what other people's vision is for that area. Um, I don't think it's the same as the CBD, so I don't think it's a full clustering of buildings and towers in that location. What's
5 we've seen emerge is actually a series of towers that are seen in the round at the moment. It doesn't mean that one or two or three might be appropriate in the future, but I don't see it as necessarily being what the CBD is. The CBD is something in its own as well.

10 And again, I think each of those towers actually have to look at their role in the urban context. Um, I do think it's going to evolve over time as well as the city grows, the innovation corridor develops. Um, really understanding what the Bays precinct is going to offer and how that comes together. Um, I do think no one thought there would be tall towers on the waterfront until Barangaroo came and now we're seeing
15 them establish. Um, but it is, I guess, setting a new – a new character and a new vision for that precinct and it is really talking about, you know, the nature of this part of the city. You know, Barangaroo is another part of the city which actually really took to the global context and has responded to that. Um, and we're seeing that in terms of the hotels that are being proposed around the city and around that Darling
20 Harbour edge.

MR PILTON: Thank you.

MS BROWN: So I'll just, uh, lead off the design excellence part of the
25 presentation. Richard Francis-Jones will be, um, providing the – the – the bulk of the, uh, the presentation on the – the tower, the design development and the design excellence that they have sought to achieve. But I thought it was important to first point out in response to a number of comments that have been made that the – there was, uh, the – suggestions that there may have – the – the application may not have
30 followed the correct process in terms of des – uh, design competitions or design excellence. And what needs to be remembered is that the, uh, SEARs has issued in February 2016 and the amended SEARs in May 2016 had SEAR number 2 which identified the requirement to conduct a – a – to – ought, sorry, to demonstrate design excellence through, um, either a competitive design process, um, a dot – uh, run
35 under the City of Sydney guidelines or through a – an alternative design excellence process to be endorsed in writing by the secretary of the Department of Planning.

And, um, I can say that the brief was endorsed by the secretary of the Department of Planning in, um - - -
40

MR O'CONNOR: It says 16th of October up there.

MS BROWN: 16th of October. That's the date I was looking for. So it was – it was endorsed by the secretary on the 16th of October 2016. And by – by endorsing the
45 brief, the – the process was endorsed as well. So the – the SEARs gave the opportunity to do a process under the City of Sydney guidelines or an alternative process. The alternative process was chosen. The brief was signed off. That brief

was then issued for architects, who were agreed architects. A panel of, ah, judges was also established, which was also agreed to, ah, by the department. And then the design competition was held. So – so that brief was issued. Ah, FJMT were one of the four invited architect – architectural firms. And there were three sub – three
5 schemes submitted. One of the firms who were invited did not submit.

Um, so there was a competition whereby BVN, FJMT and Grimshaw actually presented their options. It was actually quite an unusual and – process and, as Richard will – will say, probably one of the most extensive, because, at the end of
10 the first range – round of deliberations, there was no clear winner. The panel just invited all three of the competing architects to refine their pro – projects, and then to re-present. So they were given a, uh, a short period within which to refine their projects and re-present. FJMT was announced the winner.

Now, the unusual thing about this process is the extensive consultation that occurred and involvement in – with – by the community, which Richard will identify, but also the fact that the Department of Planning was present through – throughout the presentations, was present throughout the design competition, and they had representatives present through the process. So it's – it's – it was a process that had
20 quite considerable oversight by the department.

MR O'NEILL: Clare, could you just remind us – if I may, Madam Chair – who was on the panel.

25 MS BROWN: Off the top of my head, the panel chair was Peter Poulet, Lisa-Maree Carrigan.

MS LEESON: We do have the list of - - -

30 MS BROWN: Yes, you do.

MR O'CONNOR: We've got a list, yeah.

MS BROWN: Yes, yeah.

35

MS LEESON: - - - panel members within the documentation.

MS BROWN: Yes. That – they are there.

40 MS LEESON: It will test all our memories if you ask us, I think, at the moment.

MS BROWN: Yes. But – but – but it's – I think it's also important to note that Peter Poulet, who was at that time the government architect, was – was present. And it – and – and an additional step that we were required to undertake was as part of the
45 test about – sorry, the response to submissions report, because there had been some refinements from the time of the competition winner being announced through to the submission of the application and through to the final responsive submission scheme,

um, we were required to consult back with the, um, the – the design jury to ensure that they were satisfied that the design excellence had been maintained within the submitted application. And we received that – that assurance from the panel.

5 MS LEESON: We saw some unattributed comments within the documentation to that effect.

MS BROWN: Yes.

10 MS LEESON: When we met with the department this morning, we talked about the design excellence process, as – as you would expect. And we've asked them to provide us a copy – provide us with a copy of the brief and the design excellence report of the jury panel. We didn't actually talk to them about the, um, endorsement of the secretary by the, uh, of the – uh, the brief on the 16th of October. Would you
15 be able to forward us - - -

MS BROWN: Absolutely.

MS LEESON: - - - that document?
20

MS BROWN: It's – it's correspondence from the department - - -

MS LEESON: Thank you.

25 MS BROWN: - - - so we can – we can provide that.

MS LEESON: Thanks.

MS BROWN: So what I would like to, now, do is to hand over to Richard to ask
30 him to explain to you – sorry. Before I go. Or would you like this one?

MR RYDE: No, you can do it.

MS BROWN: Okay. So, importantly, part of the – part of the design brief that was
35 issued under the process, as you would appreciate, you have to provide a brief to the architects to design to so that there are parameters around which they can focus their design. So this is an extract. The diagram here is an extract of – from the design brief.

40 MS LEESON: Mhmm.

MS BROWN: And it shows a – as you can see, it shows the ICC Hotel in that
picture, which was under construction at the time; the – the ribbon development that
45 had been approved, which was awaiting construction at the time, which is now under construction; Harbourside, which at the time was pending SEARs, which has now been submitted. And it then provided the indicative podium and tower location for the proposed tower and hotel and residential tower and podium elements on this site.

So – so the design brief was for a tower and podium element. And it indicated that – that location. So there had to be a, uh, a brief issued. It was issued. And that is part of the brief and this is the brief that went to the competing architects - - -

5 MR PILTON: So where – where - - -

MS BROWN: - - - and as – as signed off.

10 MR PILTON: Sorry. Where, exactly, is that Harbourside development is sort of a bit ghost-like there.

MS BROWN: Um - - -

15 MR PILTON: I had the impression from the previous drawings that it was further away than the Sofitel.

MS LEESON: That's the proposed one over the market. See the Harbourside Market.

20 MR FRANCIS-JONES: Shopping centre.

MR PILTON: So – okay.

25 MS LEESON: Shopping – yes.

MR PILTON: Now I understand. Thank you.

MR FRANCIS-JONES: Yeah, yeah, yep.

30 MS BROWN: Okay. So I'll pass over to Richard now.

35 MR FRANCIS-JONES: Richard Francis-Jones, FJMT. Uh, so you've just heard a little bit, uh, about the process. So our involvement began with participating in the design competition. So this is an aerial view of the site. Um, as Madonna has outlined, the site is part of the Darling Harbour, uh, precinct, as identified in the district plan and it's also a very large site in this area, due to, of course, it's, uh, industrial history. Um – and it's a north-south site. It's almost four – four hectares. And that was the location for a northern tip for the tower that was nominated in the

40

Um, and, you know, one of the key issues that we were asked to address was environmental effects. So I thought what I would do is, first of all, give – give you the background to the brief document. This is an image from the SEARs request, uh, preceding our involvement in December 2015. Um, and this is an extract from the SEARs that were delivered, which I think is already, uh, spoken to, which outlined some of the key issues that the department asked for the project to address. A copy of these SEARs was included in the material sent to us for the design competition.

45

The other important document that we received, uh, was the brief. And I just have a few extracts, uh, here. Ah, very hard for you to read, actually, from where you are. I know I can hardly make it out. Um, but, obviously, you have hard copies of this.

5 MS LEESON: Thank you.

MR FRANCIS-JONES: And what that included was diagrams illustrating the determined position for the tower and also requirements that the competition participants needed to address issues of form and – and – and context and,
10 importantly, environmental effects. There was also material on the history of the site here.

MS BROWN: And if – if I can just jump in.

15 MR FRANCIS-JONES: Sure.

MS BROWN: Richard's made the comment that it – it identified the, uh, determined the position of the tower. Before the brief being issued, invest – structural investigations had been undertaken for other locations for tower forms
20 within the site. Ah, due to structural reasons, many other locations within the site were found to be unsuitable or, um, it would require the demol – uh, a suitable site found was where the Lyric Theatre is, but, um, a decision was made not to demolish the Lyric Theatre, but, rather, to retain it and to see how we could marry in, ah, a podium form and a tower within the site elsewhere.

25 MR FRANCIS-JONES: Ah, and so there's - - -

MS LEESON: So that was essentially – sorry. That was essentially geotech type work or - - -

30 MS BROWN: And structural.

MS LEESON: And structural.

35 MS BROWN: Building – building structural.

MR FRANCIS-JONES: And, uh, again, two extracts from the brief, a location and contextual plan and the image that Clare illustrated to you. Ah, and part of the role of the design excellence process was for the design teams and the design review
40 panel to give consideration to the urban context and the proposed development, ah, and – and the location of the tower. So, now, these – this was the documentation that ourselves and the other participants in the – in the competition received. Now, some of the important aspects of that were there were some key objectives there. I apologise, something's gone wrong there.

45 That's an extract from the brief, so a little bit hard for you to read, but that's just a direct extract from the brief identifying the four or five key objectives. And one of

the very detailed pieces of information that was provided, uh, along with the position of the tower, was the determination of a maximum height or envelope for the site. A little bit hard to see there, so I've got this, um, extract which had the highest, ah, point of the – of the tower going up 237 metres and the lowest point at, uh, 220
5 metres, uh, an angle that was provided in relation to the winter solstice sun angle. So, um, we - - -

MR O'CONNOR: Sorry. Can I interrupt there?

10 MR FRANCIS-JONES: Yes.

MR O'CONNOR: Steve O'Connor.

15 MR FRANCIS-JONES: Yes.

MR O'CONNOR: Do you know the basis for that determination? Um, is it all to do with overshadowing or - - -

20 MR FRANCIS-JONES: I – I believe it is, yes.

MR O'CONNOR: Yes.

MR FRANCIS-JONES: Yes. And I'll – I will, ah, try and explain my interpretation of that. So, ah, what you see here are our competition panels, as part of the design
25 excellence process. And, um, our approach was to – to try and, ah, develop a very slender tower that could respond to what we felt were very specific, ah, environmental effects. Um, so we developed a – a building that had a – a duality to it, had two elements, and it had a very organic, ah, character. And – and part of the reason we developed a – a form like this was to respond to what we felt were
30 quite complex environmental effects that needed to be taken account, beyond those that were identified in the brief. Ah, and, ah, so this summary diagram, ah, explains some of those overshadowing lines into public spaces around the site, both as part of the Darling Harbour precinct and then further back up into Pymont. And, ah, I'll just take you through that, and then also back into the city.

35 One – one of those, ah, that we felt was important was the overshadowing of – of Union Square or the potential shadowing effects on Union Square. So, um, what you can see here is an extract which looks at a detailed plan of Union Square. Union Square is just located there. And – and it's a – an important public space in Pymont
40 that leads onto Pymont Bridge. And, um, it seemed to us when we were analysing the height – ah, maximum height, an envelope that was provided in the brief, that this angle had been determined to avoid overshadowing of this important public space, um, between 12 and 2 on the 21st of June, because at that height, no shadow falls on that public space.

45 But in – in our analysis during the competition, um, we realised that there were some shadowing effects in the morning in winter. And, ah, so we – ah, our proposal

eliminated any overshadowing effects on, um, Union Square. Um, and that also mitigated the perhaps less important and less significant shadowing effects in other public spaces, such as Pyrmont Bridge Gateway and around the waterfront, where the Maritime Museum is and Pyrmont Bay Park: ah, also, ah, reduce those. So our
5 proposal, um, actually reduced the height of the tower and determined a new sun plane, based on a revised solar access strategy, ah, into Union Square.

The other thing that we were aware of because of, um, the work that the City of Sydney had been doing was that there was a concern for, um, maintaining a, ah – a –
10 a – a parapet line behind the bank buildings at the end of Martin Place, so that you saw sky there. So this image was taken from our competition scheme. It actually preceded the construction of a new building on Clarence Street, which I think Sean will talk about a little bit later which is there. But you can see that reducing the height of the building along the lines that we're talking about also eliminated that
15 view, in particular from the lower part of Martin Place, which, of course, ah, is the most important, ah, around the Cenotaph and so on. So we were also looking at the City of Sydney's controls as well as the solar access studies. And therefore we felt, ah, that – that the tower should be reduced in height. And that was the nature of our proposal.

20 The other, ah, element of that apart from the solar access planes into public space was a concern we had, ah, to improve view sharing, ah, for the immediate residential developments on the other side of, ah, Jones Bay Road. So what we do is we actually tucked in the building at this point. So these lower-level views to the water
25 could be increased from those shown in the envelope that we were given. This also had a – another important benefit, because it actually allowed us to create a lower-scale building on the corner here, ah, addressing the northern side and the – and the lower scale as we go north through here. So it allowed us to create a setback here, both for wind mitigation but also scaling and defining Jones Bay Road, which is a –
30 which is much more residential in character. Um, and – and then, of course, one of the reasons we developed this quite organic curvilinear form was to mitigate any negative, um, wind effects, because, of course, it helps reduce pressure differential around the town and mitigate wind effects.

35 Um, part of our analysis of – of the – of the – of the context was to – came to understand that in fact, Pirrama Road as it – as it runs north changes in character from a character which is very defined by the waterfront and the Darling Harbour precinct, entertainment and – and – and – and the life and, ah, character of the Star and the – and the museum – and then as we move further north, we move into a more
40 residential precinct. So we felt that there should be a transition as we move through here. Ah, and this led us to propose that this lower form, ah, is created, the tower set back, so we could create a lower scale around Jones Bay Road as the, ah, Pirrama Road rises.

45 Now, we also did a preliminary, um, demographic analysis of the area in terms of community facilities and use and Annie Hensley will talk about that in a moment. But during the competition, we analysed that ourselves and we felt that there was a –

a need for a neighbourhood or a community use, and we felt that there being a need in this area was one factor, but also we felt that a project like this, which in a sense terminated where you start to transition from a formal waterfront industrial site, uh, in a now current entertainment site into more residential neighbourhood site should
5 have a neighbourhood component. So in our competition entry, we included, uh, a neighbourhood community use which was not in the brief. Um, Clare mentioned the process, uh, that was gone through. So it was rather extensive.

Uh, there was a day 1 presentation to the designer review panel. Day 2, we had to
10 present to a whole series of stakeholders, uh, and day 3 then there was back to the panel, uh, and then there were presentations to the public as part of an exhibition. So all of the competitors, um, were required to make these presentations, each of us sequenced in after the other so we couldn't see anybody's work. So, uh, here - - -

15 MR : Five minutes remaining.

MR FRANCIS-JONES: Gosh, I'm going a bit slow. So this shows one of the presentations to the stakeholder groups that we were giving, but also all the other competitors gave. This was a list of the attend – the groups that attended those
20 stakeholder sessions. Uh, and then these were presentations to the community groups, um, which – the community groups that were present, as I understand it, are listed here. And then there was a public exhibition, um, uh, that was open to anyone, uh, where all of the schemes were illustrated, uh, and exhibited through models and panels. Now, following, um, that process, uh, there was a second stage and then
25 subsequent development of the project. And during that phase, uh, we were asked to, uh, study the, uh, implications of extending up to the original height that had been identified, uh, and during that process, too, our proposal for the community facility, um, was adopted, uh, and embraced - - -

30 MS BROWN: Yes.

MR FRANCIS-JONES: - - - and I think as a result, perhaps, of a lot of the community process that was integral to it. And I've got a – there we go. So then what that led to was the development of two schemes, all of them including the
35 neighbourhood centre and the principles that I outlined about, uh, mitigating views and so on. But there were two heights that were looked at: uh, the height that we submitted in the competition, which is an absolute height; it was 210 metres, uh, as against the original competition brief, uh, which went up to 234 metres, or 237 RL. Uh, what – oh sorry, I went through it.

40 So then the panel – they were presented to the panel and the panel endorsed the taller, uh, building to go forward and to be considered by the department, uh, because of, uh, what was assessed as negligible additional environment effects, uh, and the vertical proportions of the tower. So two were looked at and then – and then one
45 selected for submission for, uh, the department to consider. So I've gone a bit slow there. So I'm going to go really quickly through this next bit, which just attempts to

tell you where everything really is. Um, interestingly enough, this is an overlay on the original, uh, industrial use of the site.

5 So as, uh – as Madonna and Clare are identifying, Darling Harbour, of course, was a very industrial piece of waterfront. Here, perhaps, in Pyrmont, one of its most iconic elements was the original power station and the, um – and it's the distinctive flues. There were several chimneys over its lifetime. Um, those four you're looking at in that photograph I think were built in the 1950s. Uh, they were – they were built, I think, just under 107 metres, um, and at the time they were actually the third highest structure in Sydney behind the Sydney Harbour Bridge, which was 134 metres, and the radio antenna on top of the AWA building, which is 111, um, interestingly enough.

15 And, of course, these – this – this power station sustained on the site until the early 1990s when it was then redeveloped for the Star project. So as part of our, um, study, we, of course, looked at the historic evolution of the site and one of the things that we were very interested in was what I mentioned earlier, this transition from the heavy waterfront industry and the large scale buildings through into, essentially, what were workers' cottages along the cliff front and further on as we move north around the bay. And this informed our strategy for an evolution and a change in the design and the – and the character of the public space that we sought to enhance.

25 So what that meant was that to Pirrama Road around the entrance into the Star and the light rail, all these facilities, we sought to create a boulevard character with additional planting, external seating and retail, generous, uh, footpath and extended spaces here for outdoor seating. So this was a – in a sense, an activation of that public space and very much in line with that Darling Harbour precinct, uh, waterfront, uh, entertainment character. So you see that shown in one of those, um, excerpts there. And then as we moved further north, there was the entrance into the hotel, uh, that you see here, porte cochere, and then as you rise up the hill – it's quite a steep rise in Pirrama Road as it goes around here – you arrived at the community centre that is shown here, the neighbourhood centre in this image here.

35 And, um – whoops – and, uh, then if we – if we look at the ribbon element, you can see how that was developed to respond to that boulevard address of Pirrama Road and that addressed to the harbour front and the – uh, and the Maritime Museum just opposite. That, uh, also seeks to improve public access up to level 5, where there is a sky terrace with restaurants and bars around it. So you will be able to move up to that space as a kind of extended, uh, public space as you go up. And then sitting above that there are the pools and, uh, other amenities associated with the hotel, and then the apartments, uh, and, there, open spaces to the north.

45 The other important element, of course, are the residences and, there, we've located a separate entrance altogether on Jones Bay Road, so connecting the residential with the neighbourhood away from the, uh, the entertainment precinct and Darling Harbour precinct. So that's entered directly off Jones Bay Road. Uh, the residences are located in the area of blue towards the bottom of the tower, and that shows you a

typical plan. It's a – it's a very slender building, um, uh, less than 900 square metres GFA, and has been carefully developed to comply with the requirements of ADG, uh, and good quality apartments, and they're – they were in – also embedded in the brief, uh, and, of course, endorsed by the department. And so very important that
5 they were delivered to a high standard.

And then the hotel which is located at the upper level of the building and the sky lobby is located here, uh, high up in the building. So what's quite interesting about the, uh, Ritz-Carlton Hotel vision is that you arrive at the ground floor, uh, to a
10 relatively modest lobby, in fact, where you then travel by express lift, uh, to arrive at a sky lobby. Uh, so the very nice thing about this is, is we're going to meet for a drink at the Ritz-Carlton, or you meet someone, or you're staying in the hotel, you actually get an incredible view of the city. Above that there are the typical guest
15 rooms plans that also include the penetration of natural light into all of the circulation spaces, and the development of landscaped greens by facing west.

The hotel, uh, in effect –in effect, terminates with a roof garden that you can see here and solar array. So, uh, really, that – that was our – our vision, our developed vision. Uh, this, uh, is an excerpt from some of the material also that this developed that
20 illustrates the buildings that sit in the, uh, harbour front, the Darling Harbour precinct as part of the Eastern City District Plan. So you can see there the Crown, the residential towers at Barangaroo, uh, one International Towers, the approved height of Cockle Bay, and then the ICC Hotel. Um, and then you can see just – just for
25 reference, the two heights that were looked at as part of this project, and then the plan of those developments, which also is useful for comparative purposes.

So, uh, I mentioned one of the key drivers and one of the issues – key issues in the brief was the environmental effects and, of course, in – in considering any approval. I might hand over to Sean McPeake now to take us through that.
30

MR McPEAKE: Thank you, Richard.

MR FRANCIS-JONES: Do you mind doing that?

MR McPEAKE: So I'm Sean McPeake from FJMT. The SEARs, as issued in May 2016, set out specific requirements as related to environmental impact including a need to demonstrate how the preferred built form and envelope minimises
35 environmental impacts and an assessment of visual impact. Key amongst the environmental impacts are overshadowing of both public spaces and private residences, together with view loss of both public views and private views. Solar
40 and shadow impacts were assessed using a number of methodologies including shadow diagrams and heat map type analysis which examine the hours of direct solar access to a public place or an individual residence both before and after the completion of the tower.

45 This series of shadow diagrams show the new shadow in blue as generated by the proposal. These are midwinter diagrams taken from 9 am to 3 pm. Following this,

four key public spaces were identified for further consideration: Union Square, Pymont Bay Park, Pymont Bridge and the clifftop walk, which is a public pedestrian path located approximately 360 metres south-west of the site. Union Square is located at the junction of Union Street and Harris Street. The Pymont War Memorial, dating from 1921, is located within the square. The square currently achieves 92.8 per cent direct solar access at midsummer and 64.4 per cent during midwinter.

The proposal reduces the midwinter figure by 4.6 per cent while there is little impact during summer. This impact to Union Square is limited to between 19 May and 24 July and the impact lessens as we move away from midwinter. And the midwinter impact occurs between 10.30 am and 11.30 am with any single point in the square being impacted for approximately 30 minute. These diagrams compare the shadow impact from the initial competition proposal along the top row against the submitted proposal along the bottom row. The comparison was discussed in detail with the design review panel and as Richard has mentioned, the panel concluded that the taller option was better proportioned whilst the additional environmental impacts were considered minimal.

Pymont Bay Park is located adjacent to the Jones Bay waterfront. It receives 100 per cent solar access between 9 am and 3 pm. Our analysis concluded that the proposed tower would result in a 2.1 per cent reduction in midwinter solar access, giving an adjusted figure of 97.9 and a 1.67 per cent reduction at the equinox. The shadow impact occurs after 2.30 pm, thus avoiding the key noon to 2 pm recreation period. The Pymont Bridge approach also achieves 100 per cent solar access throughout the year between 9 am and 3 pm. The department's review of the analysis provided concluded that the solar impact in midwinter is confined to a small section of the western edge of the bridge after 2.40 pm.

The clifftop – the clifftop walk is located approximately 350 metres to the south-west of the proposed tower and it resulted from sandstone quarrying dating from the 1800s. The proposed tower creates a localised shadow impact at the eastern end of the walkway adjacent to Mount Street, which occurs between 9 am and 9.30 am at midwinter. In regard to public space shadow impacts, the department's assessment report concluded that the overshadowing impact to Union Square is moderate, while the – whilst the overshadowing impact to Pymont Bay Park, Pymont Bridge and the clifftop walk are all minor. A similar analysis was undertaken in regard to solar impacts upon adjacent residential properties where initial heat map analysis located those properties currently receiving greater than two hours direct solar access which would then drop below this threshold.

A further analysis located those properties receiving less than two hours which would lose greater than 20 per cent of their current solar access, a threshold established in section 3B of the ADG. The initial assessment of those residences currently receiving greater than two hours identified three properties requiring detailed analysis, ie, 49 to 51 Mount Street and two apartments at 102 Miller Street. Examination of the apartment plans for these address concluded that all living spaces

and balconies would retain two hours direct solar access. Our assessment of those residences receiving less than two hours solar access identified two apartment buildings for detailed analysis.

5 Again, 102 Miller Street and 1 to 27 Murray Street. The maximum single impact identified at Miller Street was 9.7 per cent, which is in these blue areas – it's blue because it's currently below the threshold of two hours – while on the next slide, the examination of Murray Street concluded that the living spaces and balconies were indeed orientated away from the proposal and were not impacted. In regard to the
10 private residences solar impacts, the department's assessment report concluded that:

The department has carefully considered the potential overshadowing impact on the nearby affected properties and considers, on balance, the proposal to be acceptable.

15 Moving to visual impacts. A visual impact assessment was prepared by Architectus with a peer review undertaken by Richard Lamb. The material I have on screen today was provided by Architectus but we are presenting it in the interests of time. 105 photographs were initially considered for the public domain views. From this
20 long list, 24 views were selected for detailed assessment. An additional 24 private views were also selected for assessment. The methodology for the public domain view assessment was developed by Architectus based on relevant planning principles for a view assessment as established by the New South Wales Land & Environment Court.

25 Impacts are assessed through the planning framework including iconic features, such as the Sydney Opera House, and land, water interfaces, public places, identified landmarks and heritage items, views and vistas from public places to the waterway and finally, public places, parks, Sydney Harbour, heritage buildings and
30 monuments. The proposal does not obstruct these. Importantly in this methodology, height and prominence is not, in itself, a detrimental environmental impact. The department and Peter Webber's consideration of views uses language such as "undue prominence" and "overly dominant". That is not from visual impact policy.

35 The next images are an example of a high to moderate impact, in this instance taken from the central Barangaroo foreshore. Within this view, the proposed tower is considered as a new element within the view. However, it does not obstruct elements of ascribed significance and the existing elements of importance will be retained. This image shows the tower seen from the upper eastern portion of Martin
40 Place now with 151 Clarence Street, a new building, highlighted in blue, visible in the foreground. I think the highlight is missing.

MS LEESON: Sorry. Can you just point that out on the screen again where the Clarence Street building is.

45 MR McPEAKE: It just sits – it just sits between the red highlighted volume of the – of the Star and the – and the tower.

MR FRANCIS-JONES: Just there.

MR PILTON: You can see it.

5 MS LEESON: Okay.

MR McPEAKE: Yes. Sorry about that. It's hard to control this There. The independent design adviser, Peter Webber, notes that:

10 *Even from Martin Place, where glimpses would be visible, the new tower, being relatively distant, may not be unduly intrusive from most viewing positions.*

The next image shows the tower with the overall height as per the original competition scheme. Are we missing – it was two slides of that. We will move on.
15 We must also acknowledge that those views are partly obscured by a temporary such that – and we recommend perhaps that we review it further during a site visit. Moving on to private view impacts. This series of images shows the existing view on the left from the most impacted building, 2 Jones Bay Road, while the view on the right shows the proposed view. The blue volume, as ghosted, represents an LEP
20 permissible envelope which would obstruct the same horizon and water views, the most significant elements within these views. Under the DCP, view preservation itself is not required, only pleasant outlook. Design mitigation is provided through the inset of the lower levels of the tower as per Richard's earlier description. Richard Lamb's peer review concluded that:

25 *The visual impact assessment shows that while the building would be a change to the visual environment in the public domain, the building does not have substantive negative visual impacts measured with regard to view loss, view sharing or access to views of scenic, iconic, or other items of documented*
30 *importance and that the additional impacts would, therefore, be limited.*

I'm now going to pass over to Chris Downy who is going to speak about the community engagement as undertaken.

35 MR DOWNY: Thanks very much, Sean. Ah, Chris Downy from Star. I won't take up too much time, Madam Chair. I realise time is getting on, and reference has already been made to the design excellence, um, program, but I just thought I'd make a couple of other points. Ah, in terms of that whole consultation process, that fits within our – what we call our good neighbour plan, which is about communicating
40 with, ah, local residents. Ah, it's about supporting the local community, and it's also about making sure we get feedback from the community on the issues that are concern – of concern to them. On that last point, we have a regular – what we call our neighbourhood advisory panel, ah, and that's composed of residents who, through an expression of interest process, are part of that process.

45 Um, in terms of the – in terms of the community panel, that was set up, ah – that was set up specifically for this project, and, just to – just to give you an understanding of,

- um, um, the – the breadth of the communication, with regard to the community panel we invited 19 local groups – you saw a – a list there, ah, in Richard’s presentation – and, ah, 16 attended. In terms of the community open-house presentation on the evening of the 11th of October, ah, we issued 10,000 invitations. We decided to take it as far as we could. We – so we – we – we distributed through Millers Point in an arc right around through the Balmain peninsula. Um, we had 44 people attend that particular, um, community drop-in session. We also had an online survey, um, process available throughout the day, and we had 72 surveys completed.
- 10 Once we – once we’d gone through that process, however, in March of 2017, and once the – once the winning design had been selected, um, we set up a – a similar process. Um, we re-invited the community panel to come back, and FJMT briefed the community panel not only on the design but also on how the feedback from the community had been incorporated into the – the final design, um, and we also
- 15 conducted two community drop-in sessions on the 23rd and the 25th of March. Um, we had 73 people attend those days. We limited the – the invitation area just to the Pymont, um, area. So that was – 6000 invitations went out for that community drop-in session.
- 20 And then, of course, um, once – once we were in the public exhibition process, we set up the Star, ah, Ritz-Carlton display centre. We had 5000 people, um, come through that centre. We, once again, advertised, um, four community drop-in sessions in that period of the public exhibition, and, um, we also had, ah, a briefing event for invited community members, mainly the community panel, the
- 25 Neighbourhood Advisory Panel and some other community organisations. We also conducted additional briefings with the lord mayor, councillors, council staff and the board of City West Housing. I’d now like to pass over to, um, Annie, who can take you through the neighbourhood – the neighbourhood centre and how we’ve arrived at the position we’re in with that centre today.
- 30 MS A. HENSLEY: Annie Hensley, FJMT. Um, I will be very brief, understanding that we’re running out of time. Um, since the neighbourhood centre was proposed as part of the competition, um, it has now been endorsed, and its design has been developed in collaboration with both the community panel and Friends of Pymont
- 35 Community Centre. The community centre that already exists is a 600-square-metre – approximately – facility, which is highly popular, um, and has a range of spaces but suffers from, ah, issues of inflexibility, ah, the fact that there are very few drop-in spaces. There’s an outdoor space for children but not too much else. Ah, recently, OOSH has also taken one of their other major spaces, um, and the gym occupies one
- 40 of the primary spaces. So, generally, it is, ah, undersized for this dense urban environment, and they are very – very much embracing the idea of the neighbourhood centre being a complementary facility only five minutes’ walk away, um, from the existing community centre.
- 45 Some of the other, um, feedback that we received was that there are few areas for exhibition and music. Here we go. Um, also undertaken at the time with the needs assessment, we understand that there are very few places for private hire, um, in – in

the Pymont area – in fact, none on the City of Sydney map – um, but also we benchmarked a series of other, ah, local neighbourhood and library facilities, particularly the Darling Exchange, which has been developed in partnership with a private development, ah, sitting at 2200 square metres, ah, Surry Hills Library at
5 1200 square metres, and Green Square, with a much larger, um, projected population at 3000 square metres.

The recent development of Darling Exchange has, ah, a lot of digital, ah, and innovation technology areas, and something similar with a similar demographic is
10 proposed for, ah, the Star Neighbourhood Centre. We would like this to be, as I said, a complementary facility to the – the community centre: a place with community lounge space, digitally enabled meeting spaces, spaces for study, which is very important in dense urban environments, spaces for family and children, ah, and also, at the top of this building, a large gathering space, which would be the jewel in the
15 crown for Pymont, um, which we’re calling the community forum.

Its size is just under 1700 square metres, ah, with a footprint of approximately 350 to 400, ah, square metres over five levels. The ground level includes, um, a community lounge space, as well as an enterprise café for upskilling locals. Ah, the middle
20 level, ah, is – is fundamentally a study space but also has, ah, technology, ah, and computers. The next level up has a suite of various-size meeting spaces, particularly smaller meeting spaces, for start-ups and for community groups, and at the top of, um, the facility this forum, over two levels, with, um, a large function area and casual roof terrace on the top.

25 I won’t spend too much on time, but there’s a strong transparency to Jones Bay Road so that you’re actually extending public realm into the facility, ah, through the various levels, the suite of meeting rooms. There is an overlay of the Surry Hills Library, just to give you an idea of scale. That’s the footprint of the Surry Hills
30 Library. So certainly it is a significant piece of social infrastructure for Pymont, and I’ll hand back to Clare.

UNIDENTIFIED MALE: Chris.

35 MS HENSLEY: One more for Chris.

MR DOWNY: Yeah. So just – just very quickly, once again, I won’t dwell on the economic, um, benefits because Matt has already touched on that, and, ah, included in our – in our submission, of course, was a report from PwC. I think, in terms of the
40 public benefit, however, it should be – apart from the – apart from the neighbourhood centre, which will provide a range of, um, high-quality places for interaction and, um, you know, social events, etcetera, which, as Annie said, is – is missing from that Pymont area – in fact, I often get local community groups asking me if there’s space in one of our restaurants for, you know, fundraising functions and
45 the like, um, and we often – we often assist in that matter. There’s certainly room for such a space in Pymont somewhere, and that’s been identified in our – our proposal.

Um, in terms of the way the centre would work, as I said previously, we have included a draft plan of management, and I say “draft” because the final plan of management will be finalised in conjunction with the community, but part of the –
5 part of the – part of that activity will include, ah, a local advisory panel that will work with a manager of the centre to, um, determine policy in terms of hiring, etcetera, etcetera, etcetera, but it’s all detailed in the plan of management which was included in our submission.

10 Um, in terms of other, um, public benefits, of course, you’ve got the \$1.9 million in affordable housing contributions. The Star is, in fact, a preferential shareholder of City West Housing, which is the – which is the affordable housing provider for the City of Sydney Local Government Area. Um, we also have, in terms of, um, sustainability, 165 kilowatts of rooftop solar. There will be site-wide landscaping and improved, um, biodiversity, but, once again, that is all included in our – in our
15 submission, and I’ll now pass back to Clare. Thank you.

MS LEESON: So if I can just delve into that a little bit more.

20 MR DOWNY: Yeah, sure.

MS LEESON: A lot of those things that you have there would be a requirement of any development anywhere.

25 MR DOWNY: Correct.

MS LEESON: So affordable housing contributions, local infrastructure contributions, etcetera, um, sustainability. It – the sort of - - -

30 MR DOWNY: Yes.

MS LEESON: - - - regular type requirements these days. It’s been put to us that the – the genuine public benefit, if you like, is really the neighbourhood centre, that that’s all there is and the context is that there’s a very significant development. I had a quick look before and I couldn’t really see – I mean, there appears to be a statement
35 of commitment that is very succinct. Is that a work in progress? Is it intended that that is the scope of the public benefit offer, if I can put it outside the – the sort of the routine and the statutory - - -

40 MR DOWNY: So are you talking about the tenure, the 30 year tenure? Is that what you’re talking about?

MS LEESON: Well, it’s really the value of the contribution that’s being made outside what you would normally expect from a development. That really looks like – it appears that the neighbourhood centre is the only thing outside of a normal, or an
45 expected contribution, be it section – I’ve still got 94 in my head – section seven – 11.

MR DOWNY: Yes. So something else now. Yes.

MS LEESON: Or affordable housing. So – and then the statement of commitments, I'm not sure whether it's a – it's a work in progress. It's very succinct. It talks about
5 plans and management of things that you would normally expect. I'm just trying to get a feel for the level of public benefit contribution and offer and whether it's really just the neighbourhood centre.

MS BROWN: I think, to put in context the comment of Professor Webber, he was
10 indicating that it was a single level neighbourhood centre in – in – in his report.

MS LEESON: Mhmm.

MS BROWN: As demonstrated today, it is a five-level centre. It is that – and the
15 commitment is to the – to the construction, fit-out, management, um, of that centre for – and, therefore, the funding of it for – for that 30 year period. So that is a commitment - - -

MS LEESON: Mhmm.

20 MS BROWN: - - - that has been made which, um, is – is quite a significant commitment, um, and over and above anything else in terms of community centres or neighbourhood centres that have been provided. And I think the – the other one that has been provided, um, at the southern end of the Darling Harbour precinct, the City
25 of Sydney actually leases that back on a commercial basis from – from the developer, so it's not as if it's actually being provided to the community, whereas this – this is available.

MR BEKIER: Chair, maybe we can complement our submission by just putting a
30 little bit more beef on how we see – what that contribution really looks like, because, as Clare says, it is more than just making a space available.

MR O'CONNOR: That would be good.

35 MR BEKIER: The, um – the only other point that I would want to stress is, is we look at this as a, you know, a job creator. For every – for every additional tourist that comes, you know, that's about a \$10,000 spend in the state, and that creates a lot of jobs. And that's – so that's why we're keen to sort of see this project go ahead.

40 MS LEESON: Oh, and I appreciate what you've described here is direct employment.

MR BEKIER: Yes.

45 MS LEESON: Direct jobs. It's not sort of the indirect jobs and whatever. So I appreciate that.

MR BEKIER: Thank you.

MR O'NEILL: And we are currently, um – so this is the way we operate – the largest single-site employer in the Sydney CBD: 5000 people.

5

MS LEESON: That's a big workforce. That's a big workforce.

MR O'CONNOR: Um, yeah. And I think, um, Chris, you just touched on the question I was about to ask, and that is what happens after 30 years? So, um, this is a commitment you're prepared to make for 30 years, but the life of this building, presumably - - -

10

MR DOWNY: Mmm.

MR O'CONNOR: - - - is going to be longer than 30 years. Have you any comments you can make?

15

MR DOWNY: That's a question that we've – that's a question that, um, we've been looking at with the City of Sydney too. If, I mean, I think, in terms of being realistic about it, 30 years is quite a sizeable contribution and it's quite a sizeable, um, period of time. Um, for example, if you take – let's take the Pyrmont Community Centre up the road, who's to say that's going to be there in, you know, 30 years time? Who's to say that – you know, I know I'm on the record here and I'm not – I'm not trying to, um, um, provoke controversy, but who's to say that, some time in the future, a future city council might not to decide to – might decide to, um, close that community centre down, um, look at selling it off; who knows? 30 years is quite a considerable period of time, I would have thought.

20

25

MS LEESON: Okay. Thank you. Do you have any other questions?

30

MR O'CONNOR: No.

MS LEESON: Okay.

MR PILTON: No.

35

MS LEESON: No. Look, that's been a very comprehensive briefing. Thank you. There's a lot for us to absorb. We've read quite a few of the documents – ah. Sorry, Alana. Sorry. There was one – there was more.

40

MS BROWN: Well, I – there is - - -

MS LEESON: I beg your pardon.

MS BROWN: There is – there is one more. I think – I think we've probably run out of time. We - - -

45

MS LEESON: No, no. Did you want to go through that briefly? That – that stuff?

MS BROWN: Well, just very briefly, and only because it was an issue that had been raised, um - - -

5

MS LEESON: Mmhmm.

MS BROWN: - - - by the Commission that you would like us to address. So I will do it briefly. We will have, ah, hard copies of these slides available to you. So I think they'll be waiting out – outside for us at the end. So one of the – one of the issues was to, um, identify the – the Response to Submissions and how we've – how we've responded to them. So, ah, the table you can see is just, um, the number and allocation of the submissions and just the percentages.

15 The key issues of the – of the agency issues was the planning process, which we have addressed; the context and setting, which has been addressed by Madonna and Richard; visual impact and, um – from public and private, which Sean has addressed today; overshadowing of public and private spaces, again which Sean has, ah, addressed today. And as – as Sean pointed out, the Department of Planning's assessment report identified the impacts in terms of visual and overshadowing to – to be generally minor in their nature. Um, it's – it's also important, um, to – to point out that, um, the department in its assessment report identifies that should the Commission consider the project is capable of being approved, then mitigation measures could be defined and detailed in conditions of consent or conditions of approval. So – um, so there are – there are ways of mitigating those impacts if the – if the Commission thought they were of a – such a significant nature.

Ah, in terms of reasons for support – and these are reasons from the agencies that, um, made submissions to the project – is – the key benefits are seen as contributions to tourism and the art; the public benefit to be delivered by the project; the, um – the, ah, positive nature of the rejuvenation of the Western Harbour precinct or the Darling Harbour precinct; the iconic architecture that would be, um, delivered by the building as well as the prominent Ritz-Carlton brand; and the reduction in pressure on hotel occupancy rates. So they're – they're issues that the agencies saw as being positives in relation to the project as submitted.

In relation to the community, um, there were 110 community submissions. There were two duplicates. So the department identified there were 108 for us to address. Of those 108, there were 15 pro formas, um, and there were 83 submissions, ah, in objection and 25 submissions in support. Now, that has be viewed in the context of the fact that 5000 people came through the display suite. And it's also in the context of the extensive community, um, consultation that had been undertaken.

45 A number of the issues in relation to traffic access, um, management of taxis, public domain, F&B offerings, ah, acoustics, lighting, etcetera, were actually addressed in the – in either the, um, environmental assessment report as submitted or in the Response to Submissions report. So we – we have gone to great, ah, lengths to seek

to address those issues of concern in the documentation. And – and that is step – you’ll step through that within the, um – within the EAR and Response to Submissions report. So the key issues for the – for the objectors were – now, this 48 per cent that you see here – here is the amalgamation of amenity issues as defined.
5 So – so there’s a – a smattering of – of things such as overshadowing, wind, odour, view loss, visual privacy, visual amenity, glare, light spill, construction impacts, general amenity, litter and the Pymont vibe.

10 So, ah, a lot of those issues are addressed by, um, ah, aspects of the – the traffic management that we have addressed. Um, ah, in terms of, ah, infrastructure for the, um, ah – for odour. We have wind reports that address the wind and show that it is a positive, ah, environment, particularly at the ground level. Um, we’ve addressed view loss and visual privacy. Reflectivity and glare is addressed. There are no issues in relation to that. We have technical reports to address all of that. Ah,
15 general amenity and litter. In terms of traffic and transport – they have all been addressed. Ah, there is no objection by New South Wales Transport. And we have their conditions.

20 Social impacts that’ve been raised relate to crime and antisocial behaviour, which – which, um, don’t really arise in relation to – to the proposal. Inadequacy of existing services. Ah, there is adequacy of water, sewer, electricity, ah, telecoms and the like. And that has been demonstrated. There is improvements in – in the infrastructure. And there is actually upgrades to the stormwater network in the – in the locality to address localised flooding that exists today. So that all forms part of this proposal.

25 Um, there is a comment about the – the neighbourhood centre, about user pays. Yes, there will be a higher charge, as there are in any other neighbourhood or community centres that you go to. But there will be also drop-in centres, free centres and spaces such as libraries that will be free of charge. But if you want to hire a – a space for an event up on the upper level, there will be a – there will be some sort of hire charge.
30 But that will all be part of the management plan, which will be developed by the community liaison community.

35 Um, a major issue was consistency with the LEP and, as pointed out earlier, uh, the LEP does not apply. Its – EPIs don’t apply such as LEPs. And then there’s, um, consistency of the proposed built form with the local character, which has been addressed, um, by Madonna. But, again, we must remember that this is a site in Darling Harbour precinct. It’s not a site in the Harris Street heritage precinct which is adjacent, but to the west, comments also made about the Pymont master plan,
40 which is a 1992 master plan which was never implemented.

45 Key reasons for support is the positive community benefit, including the flow-on effect such as the transport upgrades, tourism, F and B offering, urban renewal, positive social impact from the neighbourhood centre. These are comments from the community: the positive architectural contribution, the inclusive, uh, engagement process that had been undertaken, and there are members of the community that are supportive of the height of the proposal. So, in conclusion – oh, I think we can skip

that one. So, in conclusion, I'd just like to say that we have heard this morning of the significant investment of the proposed development, not only of the Ritz-Carlton Tower, but the other upgrade works throughout the site, the flow-on effect of the – in terms of construction jobs, jobs on site, and associated industries.

5

Um, it has also been demonstrated that the site is part of a waterfront setting. It's part of the Sydney CBD. It's part of the Darling Harbour precinct. And that has been demonstrated in adopted State Government strategic planning documents. The Department of Planning's assessment report in section 3 of the report actually identifies the consistency of the project with those key strategic documents.

10

MR FRANCIS-JONES: Chair, I wonder if I could just make a comment in relation to Commissioner Hilton's earlier question as to precedent that could be set - - -

15 MS LEESON: Certainly.

MR FRANCIS-JONES: - - - just because it clearly is a very important one. Um, based on the, uh, analysis that you've seen from Urbis, this site falls in – consistent with the Eastern Sydney District Plan, within the Darling Harbour precinct. There are very few sites in that precinct that remain – maybe Maritime Museum or some site; maybe the historic wharfs – there's very little in there. The adjacent precinct, which is Pyrmont, an ultimate – obviously a very different context to consider, a very different heritage and scale and character issues to consider there, which is difficult to comment on, other than it is different.

20

25

But, in particular, the analysis that we have – we have done from when we started work on the competition is to look at the environmental effects of – of a tall building in this location. And having looked at those in great detail, um, it's – there are very few sites that can accommodate height with so – such little environmental impacts as this one, and it's very clear to see when you look at that primarily in terms of, uh, shadowing and other impacts on public space, uh, but also on private, uh, open space, uh, living rooms and solar access. So you can see from our analysis that any other sites are going to find it very difficult to perform to that level. So, therefore, it's very difficult for us to see based on our analysis how this will form any kind of precedent.

30

35

MR O'NEILL: Thank you.

MS LEESON: Thanks, Richard.

MR O'NEILL: If I could just say a final thing. When, um – when the board of our Star and our partners Far Eastern Chow Tai Fook started this journey, you know, four years ago, the aspiration through management was to leave no stone unturned, and a very significant project, extremely important to our overall offering. And that aspiration to leave no stone unturned I think is being reflected today with the presentation and, um, uh, we wish you well in your deliberations and we just want to put our best foot forward.

40

45

MS LEESON: Thank you.

MR O'CONNOR: Thank you..

5 MS LEESON: Thank you very much. We appreciate that. It has been a very
comprehensive briefing and we appreciate the time that you've taken to give that to
us. We didn't ask a lot of questions today, so we're absorbing what you've told us
today. We're obviously going through all your documents. We will come back
through Alana if we have any clarifications or follow-up questions that we want. We
10 will do a site visit next - - -

MS BROWN: Tuesday.

15 MS LEESON: - - - Tuesday. We will make up our own view about what we would
like to see, but we welcome your suggestions of where we should go and any vantage
points that we should be looking from. And, yeah, I think that's probably about – is
there anything else all up?

20 MR FRANCIS-JONES: Chair, you did ask for some – sorry, I probably should
mention - - -

MS LEESON: We did, some materials.

25 MR O'CONNOR: Great, yeah.

MR FRANCIS-JONES: You did ask for some material here.

MS LEESON: Thank you. They are terribly difficult to read on a computer.

30 MR FRANCIS-JONES: Yeah. I probably should have given them to you before.

MS BROWN: Yes.

35 MS LEESON: So - - -

MR O'CONNOR: And it takes forever to download them as well.

40 MS BROWN: So there are two packages of plans. They're – that is not the
complete set of architectural plans - - -

MR O'CONNOR: No, no.

MS BROWN: - - - because I think you requested select - - -

45 MR O'CONNOR: We don't – no, we don't need that.

MS BROWN: - - - representative views. They are the FJMT drawings of the neighbourhood centre, the tower, and the tower elements. The other elements which were designed by DWP Architects – and these elements were not part of the design excellence process because they’re predominantly internal works. Internal upgrades, refurbishments, etcetera, are in the second package of plans which I have here.

MS LEESON: Okay. Thank you very much.

MR O’CONNOR: Can I just ask the - - -

MS LEESON: So - - -

MR O’CONNOR: Sorry.

MS LEESON: Sorry.

MR O’CONNOR: Sorry, the MOD 14 which is - - -

MS BROWN: Which has been determined.

MR O’CONNOR: - - - it’s approved back in 2017, has that been undertaken? Is that underway at the moment?

MS BROWN: It – it’s under construction and I think nearing completion and occupation.

MR BEKIER: It will be completed in, uh, May 2020.

MR O’CONNOR: Right.

MR BEKIER: So we’re about 60 to 70 per cent through. You’ll see it when you get to the site.

MR O’CONNOR: Yeah. That’d be useful to understand that.

MS BROWN: So – so all of the plans, um, that you see from MOD 13 are on the basis that MOD 14 exists.

MR O’CONNOR: Yeah.

MS BROWN: And so – so it might not be quite finished when you come on site, but the – it was the only way we could make logic out of presenting the plan.

MR O’CONNOR: Yeah.

MS BROWN: So MOD 14 is the base drawing, and then MOD 13 takes – takes off from there.

MS LEESON: And that's, effectively, your baseline from which you all look at environmental impacts and issues.

MR BEKIER: Yep.

5

MS BROWN: Correct. Yes.

MS LEESON: Okay. Thank you very much. Thank - - -

10 MS JELFS: Can I just ask – sorry, just if your name's not on this list because I don't think it captured the drawings at the of the tape. We just need to have everyone's name and - - -

MR FRANCIS-JONES: Yep.

15

MS JELFS: Yeah.

MS LEESON: Okay. Very good. Well, thank you very much for coming along today.

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[1.32 pm]