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TRANSCRIPT OF PROCEEDINGS

TRANSCRIPT IN CONFIDENCE

O/N H-988429

INDEPENDENT PLANNING COMMISSION

MEETING WITH PROPONENT

RE: REZONING REVIEW OF ROSEHILL STREET, REDFERN

PANEL: **PETER DUNCAN**
RICHARD MACKAY

ASSISTING PANEL: **ANDREW McANESPIE**

PROPONENT: **WILLIAM MESSITER**
MATTHEW SONTER
CHRIS WILSON
KEN McBRYDE
STEPHEN MOORE
RACHEL STREETER

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

DATE: **11.04 AM, TUESDAY, 5 FEBRUARY 2019**

MR P. DUNCAN: So good morning and welcome. Before we begin, I'd like to acknowledge the traditional owners of the land on which we meet and pay my respects to their elders past and present. Welcome to the meeting today on the request for a rezoning review seeking to amend the Sydney Local Environmental Plan 2012 for the land at 44 to 78 Rosehill Street, Redfern. The proposal seeks to amend the Sydney LEP 2012 by increasing development standards to facilitate a mixed-use development comprising 312 dwellings and commercial floor space. Specifically, the increased development stands comprised: increasing the maximum floor space ratio two to one to 10.4 to one and increasing the maximum building height from 18 metres to 99.6 metres. No change to the current B4 mixed-use zone is proposed.

My name is Peter Duncan and with me today – I'm the chair of this IPC panel and with me today is the other panel member Richard Mackay. The other attendee is Andrew McAnespie from the Commission Secretariat. In the interest of openness and transparency and to ensure the full capture of information, today's meeting, as you know, is being recorded, and a full transcript will be provided and made available on the commission's website. I would ask, however, if – when you're speaking, if you could say your name just to make it easier for the transcript, and we will go around the table for introductions as well at the end of this introduction.

This meeting is one part of the commission's process of providing advice. It is taking place at the preliminary stage of the process and will form one of several sources of information on which the commission will base its advice. It's important for the commissioners to ask questions of attendees and to clarify issues wherever it considers it appropriate. If you're asked a question and you're not in a position to answer it, please feel free to take that question on notice, and if you provide that back in writing, we'll also put that information on the website. At that stage, I think we'll begin, and if you could do the introductions first, please, and then we can take it from there. Thank you.

MR W. MESSITER: Good morning, all, and thank you for your time in a planning process – that – what we call, given this place. Yes. I'll introduce the team. So, firstly, we have got Matthew Sonter from - - -

MR M. SONTER: Morning.

MR MESSITER: - - - he's a planning partner at Mills Oakley; Chris Wilson from – the director from Willowtree Planning; Ken McBryde from the - - -

MR K. McBRYDE: Good morning.

MR MESSITER: - - - Sydney Architecture Studio who did a peer review on the project; Stephen Moore from - - -

MR S. MOORE: Morning.

MR MESSITER: - - - Roberts Day doing the design and architecture; and Rachel Streeter. So I understand that you have received our presentation. We are happy to just launch straight into question and answers to serve the time better, or if you'd like us to quickly run through the presentation - - -

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MR DUNCAN: I think we'd prefer you to do a bit of an overview for us - - -

MR MESSITER: Okay. Yes.

10 MR DUNCAN: - - - from your perspective. I think that would be useful - - -

MR MESSITER: Yes. Sure.

MR DUNCAN: - - - for the record as well. Yes.

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MR MESSITER: Okay. Okay.

MR R. MACKAY: And I have certainly looked at it on the basis that you were going to present it today. Not with a view - - -

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MR MESSITER: Sure.

MR MOORE: Yes. Yes.

25 MR MESSITER: Yes.

MR MACKAY: - - - to forming questions and – yes.

MR MESSITER: Yes, that's fine.

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MR MOORE: Sure. Yes.

MR MESSITER: So, firstly, process overview, Matthew from Mills Oakley will present.

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MR SONTER: Sure. So before you launch into the merits, my role today is really just to do a couple of things. It's just to give you a little bit of context about how we end up here, just to provide a little bit of clarification on some items from the council assessment report that come through, and I have also been asked just to respond to an issue that's been raised in the council correspondence that came forward quite recently.

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MR DUNCAN: Yes.

45 MR SONTER: Look, as you'll probably hear, it's been a long road for us to get to this point in terms of an assessment of this planning proposal. Ultimately, what has occurred is that the council would direct it by the Department of Planning to deal

with the planning proposal and provide a clear checklist to my client ultimately about what was required for the planning proposal before it could be formally assessed. That checklist has been provided. Then the provision of documents to council has been confirmed and here we go.

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And I suppose that is really at the heart of the proponent led planning proposal process which is something that comes out in the assessment report which ultimately allows sites for strategic merit to be approved and be rezoned prior to or without being held up by the preparation of precinct 1 plans, which is something that comes through in the council's assessment – well, I will touch on in just a moment.

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Just in terms of that, the test that's outlined in the rezoning review policy documents, but also the practice note that's been provided by the Department of Planning, is one of strategic merit which just emphasises what you're looking for here is a site by site basis on the strategic merit of that particular site, as opposed to having to wait for a precinct-wide or city-wide plan to come forward.

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Just in terms of the council assessment report that I'm sure you have all had time to read, it ultimately classifies the planning proposal that you have before you today as being premature based on a preparation of a number of other studies and strategies: that, at the moment, based on my interrogation of where they're up to, are genuinely in their infancy in terms of the relevance for your assessment purposes, and so how that plays out in terms of your role today is for assessment purposes.

20

The terms of the strategy is in a number of the policies that are referred to within the council assessment report are unclear and ultimately uncertain as to (a) whether or not they will come into play; (b) should they come into play, what they will, in fact, contain; and (c) the way in which that will affect what is happening on this site. Ultimately, this is an issue that the department's planning circular deals with quite expressly when it deals with what can and can't be considered, and so when it talks about – and so just to put the rezoning review process in context, not a legislative process. You have got the administrative documents there. It is just – it talks about the note in the practice note.

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It says the draft regional plan outside the Greater Sydney Region, a draft plan for the Sydney region or draft corridor precinct plan that has been released for public comment by the Minister for Planning, Greater Sydney Commission or department does not form the basis for the strategic merit test where the Minister for Planning, GSC or Department of Planning and Environment announces that there is to be another exhibition of or it is not proposed to be finalised. So that's just saying there are a range of documents that, even if they have been on exhibition, if they're about to go on another exhibition, aren't to be considered for the purposes of a strategic merit test, and that's a pretty clear indication from the department about what they're trying to put in front of you for your assessment purposes.

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And so my submission in relation to a whole range of the documents that the assessment report ultimately refers to is that they aren't – they shouldn't form the

basis to warrant a refusal on strategic merit, just because they are in their infancy and there's a clear intention in the practice note to say, unless it's been on final exhibition, that isn't relevant for the purposes of assessment against a strategic merit test. So, look, just to break that down in terms of specifics about where we're up to, there's a couple of documents that are referred to in the council assessment report. The first is the local urban infrastructure – the LUIIP which is the – central to Eveleigh and so that's paragraph 43 of the council assessment report. It just notes that that's still in its preparation stage. So my understanding is that that is not going to proceed any further.

And so that's a matter, I suppose, you can have correspondence with the department about, but my understanding is that that LUIIP isn't, in fact, proceeding. The other document that's referred to is the local strategic planning statement. It's not on exhibition. It's a document that's still in its infancy. It's still being prepared; it hasn't been submitted to the department. So all of the commentary in the assessment report as to what should and shouldn't or may potentially happen in relation to that is essentially a possibility, not a probability. There's nothing within that document. There isn't even a document yet against which the strategic merit test could be applied.

The final comment, just before I get onto the correspondence that's come through recently, is in respect of the affordable housing strategy and the criticism that's levelled at the rate of contribution that is proposed. So as you're probably aware, the current strategy provides for a range. The proposal in terms of what is offered as part of the voluntary planning agreement, which has been amended on a number of occasions in response to accounts that I have asked for, is smack bang at the upper end of that range that is currently in force. At the moment, what you have is you have an affordable housing strategy that the City of Sydney have promulgated and proposed to put on exhibition. There is no statutory weight that is to be ascribed to that policy simply as a function of the uncertainty and a lack of imminence in terms of its adoption.

So that's, I suppose – I understand the criticisms. All my client – because we're the ones that are drafting the VPA in terms of the correspondence and round tables that we have had with council – is attempting to respond to the issues that council raised in terms of what they ultimately want with the VPA. We understand council say, of course, "Please give us more affordable housing." Take that on board, but the only controls to which we can respond at the moment are those which are enforced, and what my client has done is put an offer in for a VPA that's in the upper echelon of that range. So, look, finally – and I won't waste any more of your time because you're probably more concerned with the important - - -

MR DUNCAN: Yes.

MR SONTER: - - - stuff about the merits of the application – is that there's just one thing that's come forward from council recently which is the correspondence that they have provided in respect of what you, as the panel, can and can't consider. I

have been provided with a copy of it, and it basically says – basically, it contends that you can't review any amended documentation that's come forward as part of the rezoning review application in respect of a planning proposal. I just need to provide a bit of clarity on that, just to make sure that you're open to consider the whole package that's before you because, from a legal perspective, all of this is in play - - -

MR DUNCAN: Yes.

MR SONTER: - - - and all of this requires your consideration.

MR DUNCAN: Yes, on that matter, we're happy to have your view and we aren't getting our own – taking our own advice on that as well, as you'd imagine.

MR SONTER: Okay. Sure. I – and it's a matter you should take advice on because I – I believe that, resoundingly, the answer will come back, hopefully, in accordance with what I'm about to tell you. So that the planning circular that comes out deals with it in – the express notation is only the same application that was initially presented to the council by the proponent will be reviewed by the Planning Panel and the commission.

So what that means, in general terms, is that you can't consider a planning proposal that initially came forward for an additional permitted use for a site that is then subsequently amended and put before you to propose a 100-metre height and an increase in GFA of X. What they are saying is that the planning proposal that was submitted to Council must be for the same subject matter as that which you will consider, and in this instance, that is in fact the case. The planning proposal that was put to Council proposed an increase in height, as you've already indicated, to 99.6 or 100 metres, and an increase in GFA from two to 10.4 to one.

Now, it – the proposition that the additional information can't be provided would completely undermine the whole assessment process that is part of a planning proposal. And the reason for that is – is that in all the correspondence that you would have in your file, you see, the council itself is asking for additional information in relation to the planning proposal.

The planning proposal is ultimately meant to be, "Look, we're looking for a vision for the site. We're going to come forward to try and amend the controls in order to deliver that vision." Of course, along the way, there might be a request for additional information or clarification. None of the documents that you see today change the subject matter of the planning proposal, that is, an increase in FSR and an increase in height. The only items that you have are responses to issues that have been raised.

And in the – in – whether it's a DA or a planning proposal, that is the purpose of that ability for a consent authority – or, here, the relevant planning authority – to come back to you and say, "Look," for example, "we have concerns about solar access and the overshadowing." The ability for us to say, "We accept that concern. Here's a detailed study that addresses it," is just part and parcel of the process.

So, from a legal perspective, my view is – and this is resoundingly – is that the planning proposal that is identified in the practice – planning circular is that that proposes the change to the LEP, and not just the documents that were first submitted to Council, because on that basis, you would actually not – if you’d adopt Council’s
5 view, you would never be able to look at any other document apart from the one that was furnished to Council on day one. And that would just undermine the process in and of itself. Look, I – I’m happy – I’m sitting here to answer any other questions you’ve got, but I’m sure most of your questions are probably more adequately directed to the guys down this end of the table.

10 MR DUNCAN: Thank you. Richard.

MR MACKAY: No

15 MR DUNCAN: All right. We’ll move through - - -

MR MOORE: Yes.

MR DUNCAN: - - - the presentation.
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MR MOORE: Yes.

MR C. WILSON: Great, thank you. Chris Wilson, from Willowtree Planning. And thank you for the opportunity to speak with you today. We could have almost made
25 a documentary out of the process we’ve endured on this planning proposal, to be quite frank, but I just want to let the panel know, and the Commissioners know, that in the very first instance, when this project was bought to us to assist, the very first thing we did was a strategic merit test. It presents as an island site, in a very strategic location, within 250 and 350 metres of two train stations. We saw that – I saw that
30 as an amazing opportunity, on an island site, and one which would probably be one of the few sites remaining in this part of Sydney that you could probably achieve what we’re actually asking in this, the subject of the PP itself.

So we ran, as we know to do now, the strategic merit test at the very beginning,
35 before we even started the planning proposal, and chose to get involved for that particular reason. And we were satisfied very early that it meets all the objectives of the Act; the Regional Plan; the – the District Plan, which is the prevailing planning instrument, if you like, you know; and a series of other strategic planning literature that’s available within the marketplace.

40 So I just want to touch on a couple of things. And I’m not going to labour the time with you today, taking you through every point of the Regional Plan and the District Plan and priorities and things like that, but I think it’s important to note that, in the – in the assessment report undertaken by Council, there seems to be this confusion that
45 we’re trying to dramatically change the strategic objectives of the zone. We’re not trying to change the zone at all, nor the permissible uses that are in that zone; we’re merely seeking of an uplift in height and FSR. And I think, you know, as I say,

we're not trying to alter any of the previous strategic planning that had been undertaken.

MR MOORE: And I think, Chris, just on that – and it's Stephen speaking – I think, particularly for our client's perspective, there is a – a genuineness in wanting to collaborate. When Chris had done the initial strategic merit test, we'd also done a preliminary concept plan for the site, that was clearly 30 storeys; we went and met with Council, and, the following week, from Ben Petrie, we got correspondence from the City of Sydney, basically, referring to our strategic merit test and the proposal, and that we should lodge a planning proposal consistent with what we had presented.

And at that point in time, if Council had simply said, "No, now's not the right time," then we would not have lodged it. We also then went and met with the Department of Planning, and also took them through the strategic merit test and the preliminary concept, and they also advised us to lodge the planning proposal. So we thought, through that initial collaborative process, we were all aligned.

MR WILSON: And, seemingly, and mysteriously, the original planning officer is nowhere to be seen – was pulled from the project for some reason. But, nevertheless, we are where we are. And I think, you know – well, as I said, in the PP, which you've had the benefit of reviewing, and the supporting material, we've been able to go through each and every single one of the relevant strategic planning documents, the Regional Plan, the District Plan, you know, the Harbour CBD Innovation – you know, it's a tick, tick, tick, tick, tick. And Council maintain that the LUIIP itself is the driving force behind us not meeting the strategic merit test, when in fact the LUIIP is no longer. And even if it were longer in existence, we would still pass the strategic merit test.

And it seems very odd that – and I will come to this in a little bit of time, but – it's some of the alternate truths – and that's exactly what they are – in the council assessment report. You know, talks about the lack of, you know, commercial and affordable commercial incubator space in our proposal. Yet I need to take the Commissioners back to the draft VPA offer 1, which actually included, you know, incubation space; and Council actually informed us, in a meeting with Tamara Buckshaw and others, that "Oh, no, no, no, it's too difficult for us to get our head around, so let's just go back to a straight residential – affordable residential component," which is what we did in the latest VPA you have before you. So – and then they're using that against us now, to say that we're not providing any additional employment on that – in this part of the world.

So, as I say, I won't labour the objectives and the planning priorities – of which there are a number, and I intentionally have bolded some of these items, and underlined for emphasis, and would I appreciate you would take the time to review those, but – and I haven't by any means cherry-picked them. Obviously, there's a series of them going to apply, but I just want to again reiterate the alternate truths. The pre-P pre-empts the LUIIP. Council and the DPA – and the DPE encouraged the lodgement of this PP. We were consultative and collaborative from the very beginning. The

LUIIP is not a relevant consideration, as we understand. All government agencies, and I presume this Commission, have been informed that that LUIPP is no longer proceeding. The land use conflict: land use has never been a part of our – our PP; it's been about height and FSR specifically. The - - -

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MR MOORE: But on that, and I think just back to Chris's point, we were genuine in having a place-led approach to the proposal, and understanding the vision for the Southern Tech Hub, that once you get Atlassian and other large banker users into that part of Sydney, smaller creative space for start-ups is part of that healthy ecosystem. So we were genuine in having a blended affordability model, with affordable housing as well as start-up spaces for the extra-small to small start-ups. And Sydney is leaking talent, in terms of that type of space. And we were told bluntly, by the City of Sydney, that whilst it was a good idea, they couldn't quantify it, and to flip everything over into the affordable housing contribution.

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MR WILSON: Yes, and I think – you know, there's fifty-six and a half thousand dwellings that are touted in the District Plan and the Regional Plan for this part of Sydney, and we're asking to have 300 of that, and had an offer on the table for some incubator-with-a-multiplier-effect space, you know. And then, all of a sudden, it's not acceptable any more. So I – I'm at a bit of a loss.

20

The other – the other matters – creation of a dormitory suburb – I found that quite bemusing. We have housing – affordable housing – commercial space, start-up hub, retail, community facilities and open space; two-minute walk to ATP and the Redfern Centre. I don't know how we're creating a dormitory suburb.

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Loss of employment space is a big one. There's 240 jobs. We're actually at one space, one employment space, per 13 square metres at the moment; by rationalising that space, even though the metrics are coming down, sure, in terms of square metreage, we're actually to get better use of that place, so it's likely to go north. And if you went back to the VPA offer 1, we'd also have more, again, but Council didn't want that.

30

Insufficient affordable housing: I don't know – it seems that the City of Sydney are making their own rules, but there's – in the District Plan and the Regional Plan, it all talks about five to 10 – 10 per cent. We're at 7.2 per cent, or \$14 million. So I'm not quite sure how we're not according with the requirements.

35

So, as I said at the beginning, strategic merit test was first assessed and undertaken, and considered to then, as it does now, meet and achieve the requirements of the test itself. And it's one of the only remaining sites of Sydney where we believe this proposal of this nature can in fact be achieved. VPA version 1, which I encourage you to have a look at, indeed, probably satisfies a lot of the things that have been brought about by Council's recent assessment.

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Council's report talks about "no public domain benefit". I've been down there numerous times, and we'll see it again this afternoon, but Corn Lane – Cornwallis

Lane revitalisation – it’s not a great – and, I suppose, safe – place at the moment. Two public open spaces; pedestrian through-site link; footpath widening; awnings; public art; landscaping active frontages: we’ve got all that on the table as public benefit.

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MR MOORE: And I think, too, particularly on that one – the District Plan talks about creating streets as places, and I think where we became quite concerned with the process is, the City of Sydney has a Laneway Activation Strategy, where they flew Jan Gehl over; it’s been highly successful, and they ended up giving him the keys to the city – in part, to activating laneways and the benefits that they bring to people that live in cities. So then for them to suddenly say this laneway wasn’t of any public benefit, for us, was a concern.

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MR WILSON: And I think, you know, congestion on trains and transport seems – I mean, it speaks for itself. We go down there; we know the Metro is going in down the road, and there’s committed funding to the upgrade of Redloo – Redfern–Waterloo Station. You literally – it’s – at my brisk walking pace, it’s – you’re there in a minute. And we’ll see that this afternoon. And, obviously, with the ATP plans next door, you know, it just – I just can’t understand how people can’t see the merit in this. But nevertheless, “the single-site PP cannot achieve energy efficiency” – I think that’s just a throw-in, and clutching at straws, quite frankly, because there’s numerous examples where that exists in Sydney and around the world. So I’ll move on from that.

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I think, in summary and in closing, and I just want to say, I think, the only merit that needs to be questioned here is not the site or strategic merit, or the – sorry; the strategic merit; the site-specific merit Stephen and Ken will take you through – but the – well, the merit of the credibility of the assessment undertaken by Council in this instance. It just fails to recognise what’s even in their own district plans, and most certainly the regional plan. So I might hand over to Stephen to talk about the site specifics.

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MR MOORE: Yes, thank you. I think, too – just back to Chris’s point – and I don’t want to dwell on it, but what was deeply concerning for us as a team is, we begun the process, and it was very positive. As we know, there’s certain things happening down around Waterloo, which the Mayor of the City came out very strongly against. And at that point, Council’s dealing with our matter dramatically changed, as you have the political arm of Council going on the offence against a larger State Government project.

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And at that point the relationship changed, and a number of these alternate truths, as Chris explained, begun to filter their way into a report. We were at a loss to understand their credibility from a planning assessment process – a dormitory suburb, not near public transport; the list went on and on. And we wondered, did Council have the capacity to provide an unbiased assessment of the planning merits of the proposal at that point? And that’s how – that’s how aggrieved we felt by the process at that point.

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But, look, moving on, I'm a director of Roberts Day; we're very passionate about making cities great. I sit on the Bayside Design Excellence Panel. I'm a City Expert for the Committee for Sydney. I was identified by Clover Moore as one of the top 50 creatives shaping the future of the city, going back a few years ago. We're
5 recognised by the Government Architect's Office for design excellence, and Adam Russell, our head architect, sits on a number of their boards, and we've won awards around the country, including World's Best Master Plan. So we're particularly passionate about what we do.

10 And I think, when we look at the project within the context of the three cities, just that graph across the bottom basically shows the intensification of development along railway corridors – and whether we call it “transit-oriented development” or “smart growth”, it is effectively the overarching pattern that the District Plans set for the growth of Sydney. And you can go through it in more detail, but what it
15 basically shows is, 30 to 40 storeys is the new normal around train stations, and from places as far away as Liverpool through to Edmondson Park, this is the norm.

But, as we are beginning to see, when done well, they do create places; they do bring activity; they do diversify the economy; and, more importantly, they do
20 diversify housing choice. So we do, at a city scale, sit within a context of development that is absolutely justifiable. If we just go to the next slide, thanks, Will.

The merit itself: the key strategic merit in the District Plan is the locational criteria
25 for housing. And it's very clear on those criteria: it's within a certain walking distance of train stations, other amenities, jobs, etcetera. And we tick all of those boxes. But within the District Plan, it also specifically identifies the Central to Eveleigh corridor as one of the key corridors to accommodate additional housing.

30 There's a specific priority aligned to that, and we basically – and we – our site, sitting in here, is effectively an orphan site between state land. So again, too, I think, when the City of Sydney has raised questions around their longer-term strategic plans for this land and local character statements and other things, I guess, we do question the credibility of, effectively, an orphan piece of land contributing to being
35 a greater precinct, and that it can be assessed on its merits.

When you look at that plan, it clearly outlines a different high-rise model. There's very tall buildings, transitioning down to very low buildings, and then it basically sets some criteria. Within that Central to Eveleigh plan that we fall within the
40 influence of, there's 10 key moves which have been adopted by Government, and we specifically deliver half a dozen of those moves in terms of diversifying housing choice, the types of buildings that we're doing, and a range of other things. If we just go to the next slide. Sorry, Will; just go back one. I think the other thing, too, that's really quite important - - -

45 MR MESSITER: Sorry. I can't read the - - -

MR WILSON: "Previous". Second one - - -

MR DUNCAN: Second one.

5 MR WILSON: - - - from the top.

MR DUNCAN: Second one. That's it.

MR MOORE: Yes. And I will come back to it. But it's particularly the
10 Government, a first principle is around environmental goals, and I will come back to
that shortly, particularly around solar amenity. If we go to the next slide. I think,
too, there's always the question around how you manage growth and transitions. But
this is an incredibly dynamic part of Sydney. We've had one central park be built up
to 40 storeys, the old Carlton & United Brewery site, controversial when it happened,
15 but it has gone on to win world's best precinct. We've got other development
happening through that corridor.

We've most recently had at the block a 24 storey development approved there.
Across the road we've obviously got the Redfern cluster, and there's also obviously
20 now the publicly released Government documents for the intention of their land. So
the vision to have an intensive, vibrant corridor of places and people benefiting from
proximity to the city centre and the metro is aligned with our vision, and I think to
most – of most interest is that the future built form anticipated by the State
Government itself is between 30 to 40 storeys within this part of Sydney. So, again,
25 we are generally aligned with the strategic intent and the planning projects underway.

If we go to the next slide, and that just begins to show the evolution of that corridor.
If we go to the next slide, this is the one, too – and it just goes back to Chris'
alternate truths and I think, you know, we take a lot of pride in our work. Whenever
30 we prepared our document 12 months ago, it was based on best available
information. In one of the recent reports from council, they specifically said there's
no vision to build high-rise towers over that part of Central Station. This is council's
adopted central city planning strategy with a high-rise cluster over that. So, again,
too, we just think that through the process for a variety of reasons we haven't been
35 treated fairly.

But notwithstanding that, what we did take, a positivity, out of this document is that
the city in understanding where to create additional high-rise clusters, their first
principle is, effectively, solar access planes and they're probably some of the most
40 stringent in the world and that, effectively, determines the optimal height of a tower.
And it's within that context that they City of Sydney asked us to prepare a detailed
solar analysis that you would have. It's a 44-page document.

And through that process, Jesse from the City confirmed that we had satisfied their
45 solar matters. I think the interesting thing, too, in terms of the process, at that point,
having prepared a 44 page solar analysis, if there was any questions around ADG
compliance, building separation or transitions, surely given the intent of the planning

proposal process, we would have been asked to provide those clarifications. The first
- - -

MR WILSON: Yes, and if I can - - -

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MR MOORE: The first that we heard of them was the two days before the council meeting when the report went up on to the council website. Up until that point, none of those matters had been raised.

10 MR WILSON: And if I can just echo that, we worked very closely with council to respond to their solar requests - - -

MR MOORE: Yes.

15 MR WILSON: - - - with a constant contact being made, “And so is there anything further we can give you?” And, “No, no, no, no, no. Nothing further, nothing further”. The VPA obviously – it’s our offer and so we were happy to negotiate and continue down that path. But then all these other things that are coming out in the assessment report which you have before you, none of that was ever communicated
20 to us at all.

Now, we’re more than willing to assist, but, again, as I said at the beginning, it would have been great to make a documentary out of this process because, you know, we feel that we’ve been really hard done by, to be quite frank, and we would have been
25 happy to procure whatever information they need.

But, at the end of the day, I don’t think we were going to sway their vote anyway. I think something else has crept into the process, as Stephen alluded to, you know, because, ultimately, this whole proposal is responding to the call and the regional
30 plan, the district plan and all the other salient strategic literature documents are available to us. Sorry, Steve.

MR MOORE: You’re right. If we just keep moving on and I will move through them quickly. Redfern Station upgrades, there are upgrades proposed by 2023 at
35 Redfern. Again, I would ask you to seek clarification at an executive level from within Transport for New South Wales or the Premier’s Office as to, effectively, build an east-west concourse at the southern end of Redfern Station with improved access.

40 MR DUNCAN: Yes.

MR MOORE: So I won’t dwell on that. If we just keep moving forward, the built form context. Again, we are contextually appropriate. There is bell curve now that goes from Central Station through our site and down to Waterloo, and we do sit
45 within that context. We also do begin to contribute to a dynamic skyline. It is a taller slender tower. We also weren’t ignorant of the aviation requirements. There’s

early correspondence that we have had with them and it's a process that's established and exists, and I'm sure you've got that correspondence.

5 If we go to the next slide, the wind, even though it is a planning proposal, we did
detailed wind analysis and modelling and the report concludes that there was an
appropriate treatment for wind on the site. And, again, I won't dwell on that, but
happy to take any questions. And if we just keep going through, building separation.
10 We did do then a detailed clarification to demonstrate that we do comply with the
apartment design guide. It is a tight site, but we have got an appropriate solution in
terms of building separation, using the centre line or Cornwallis Lane, that also
allows the adjoining site to redevelop over time with a very usable footprint, and I'm
happy to take you through that in more detail, as will Ken, my colleague.

15 But, again, too, this is the sort of clarification that we didn't pose to the council
meeting simply because we never knew council had any concerns with it and, if they
had asked for this clarification during the process, this is what we would have
prepared. And if we keep going through now, the building length, again, too, that's
raised as an issue. I think just we want to acknowledge that the 42 metre long
20 building length is, basically, when there's an 80 metre wide street reserve.

We actually benefit from having two street reserves, as well as the park, which then
by default allows us to have a building that's significantly wider than what council
suggests is appropriate. But, nonetheless, we have a building which complies with
the widths and then there's a series of articulation to create the fine-grained character
25 and the modulation that council wants. And, again, so I think for a planning proposal
you can see the level of detail that we've gone in to our preliminary studies. If we go
to the next slide - - -

30 MR McBRYDE: And, Stephen, I would like to reinforce that.

MR MOORE: Yes.

MR McBRYDE: That regulation is just of the blank facades - - -

35 MR MOORE: Yes.

MR McBRYDE: - - - that lack visual intrigue. This building for a range of reasons
is not a big blank façade.

40 MR MOORE: Just the public realm that the transformation of Cornwallis Lane.
And it is happening in Redfern, too. Just behind the Iglu Centre there's a laneway
that has begun to be opened up and you can go there in the evening. It's full of
students. The transformation is happening. And I think, too, as you can imagine,
10,000 workers in the Southern Tech Hub, the relationship between the type of
45 housing these workers want, the public realm, the connection into Redfern and the
activation of the laneways over time, it is a place-led strategy that we've undertaken.

If we go to the next slide, then just some clarifications on deep soil. We do comply. This clarification was never requested.

5 If we go to the next slide, the relationship to the terraces, yes, it is a – yes, it's a quick transition, but it's a transition appropriate within a city context and it's a transition envisaged diagrammatically by the Central to Eveleigh strategy, and it's a transition that actually happens throughout many parts of our city where high rise and lower rise buildings co-exist, and that juxtaposition actually adds to the character and the sense of place. And it's wholly appropriate on this site because it is,
10 effectively, an island site that's then orphaned between the State Government landholdings and that relationship between high and low will actually create a dynamic and vibrant place, and we've documented multiple case studies throughout the city.

15 And I think that's really an overview of our work. So, again, through a design lens we're absolutely confident that we have strategic design merit and I think, too, we also satisfy probably the most onerous solar provisions in the world – and I'm not joking – in the 15 minute increments. And then if we had been asked to clarify additional matters around ADG, etcetera, we would have proactively done that
20 during the process.

MR DUNCAN: Right. And just a time check, we've got about 15 minutes.

MR MOORE: Yes.
25

MR McBRYDE: I will be quick.

MR DUNCAN: But we would like some time for questions as well.

30 MR McBRYDE: Yes. My name is Ken McBryde. I'm an adjunct professor at the University of Sydney, the founder of Sydney Architecture Studio and prior to that design leader at HASSELL Studio for four years in Sydney. I was engaged by the developer, Redfern Rose Hill, represented here today by Will Messiter, in specifically in my role as founder of Sydney Architecture Studio. My opinions have
35 nothing to do with the University of Sydney or my role as adjunct professor there.

MR DUNCAN: I understand that.

MR McBRYDE: I wanted to clarify that.
40

MR DUNCAN: Yes.

MR McBRYDE: I've come at this as an architect who's interested in urban – or who's passionate about urban design and I was engaged to look specifically at the
45 planning proposal and the questions raised around its merit. And so I will take you through four stages or four parts. The first was my first impressions of the site, and it has been mentioned it's an island site and on a ridge that has particular benefits.

When I came back from the site visit, I did some quick sketches in response to that first impression. The first impressions, as I mentioned, we see this Cornwallis Lane which is not too bad. It's quite sad, but it doesn't look too frightening. A few people use it, particularly in peak hour when the ATP people are moving around. When
5 there are 10,000 more people at the ATP, I think it will be an exciting place to be reinvigorated.

The terraces which are adjacent to us that have been questioned about their development prospects overlook that lane and, as you can see, they don't have a
10 particularly pleasant outlook. The key thing, though, is that we will subdivide the site with a through-site link called the Plaza, and that will – this is a view from the east looking west to that lane, and there are two levels of incubator-type spaces that are front to back, so the tenancies run front to back.

So there's obvious potential for the lane to be invigorated through this process. The key thing about the terraces is that that is the secondary overlook. Not surprising, it's kind of a sad thing at the moment, but the evidence is there that there's generally
15 blinds down, screens and privacy from that side, whereas from the east we see that the terraces benefit. There's clearly their primary outlook, they're the front of the
20 building and they're living spaces, and they are clearly occupying those quite a bit more with a western outlook over the ATP, the rail corridor, and significant trees.

So they do – you know, we are completely adjacent to the ATP and all its pedestrian activity, so we see – it's obvious we're part of the innovation corridor if you visit –
25 when you visit the site, particularly morning and afternoon when the precinct is flooded with pedestrian movement. So when I came back to the studio, I busted out these quick, silly, not-to-scale sketches of my initial responses, and a typical response might be that this building is on a ridge, the site is on a ridge. You might make a podium that somehow talks to the terraces, and you might then attempt to
30 maximum the site by doing the minimum setback with non-habitable rooms to the boundary.

Instead, this project shunts itself to the east, because it has a natural outlook over the Gibbons Reserve and the road corridor, which is quite wide. There is no, let's say,
35 adjacent neighbour right there to the east. Similarly, the existing terraces could do the same thing. They have no adjacent neighbour to the west, and if they did a similar thing to their planning proposal where they – where we push clear of the lane to 12 metres with habitable rooms from the boundary at the top, we get a 24-metre setback, therefore I'm quite confident that the terraces, their potential for being
40 developed later, is quite strong.

And, of course, then the benefit of that north-facing lane could be bathed in sunlight in midday and, of course, the through-site link in the eastern time of day that Roberts Day provide, it brings light into the middle of the site, the Cornwallis Street
45 apartments benefit – continue to benefit from the western outlook.

MR DUNCAN: Just a question.

MR McBRYDE: Yes.

MR DUNCAN: Can the ATP representation there – is that existing buildings?

5 MR McBRYDE: Yes, and completely out of scale. It's a warehouse about - - -

MR DUNCAN: Okay.

10 MR McBRYDE: I didn't actually measure it, but let's say three generous industrious levels. That's probably about two-thirds the height I've sketched there. Gibbons Reserve is a clear benefit to this site, but is unloved at the moment and lacks functional components needed. I think it would be a great idea if it was – ended up, after this project, to be a place where parents might enjoy, and commuters might enjoy, passing through a little more and pausing.

15 The specific issues raised around ADG I wanted to satisfy myself before proceeding, and I requested further information from the client because – I don't know about you, but the – the planning proposal to me wasn't super clear about how this separation was achieved, so I asked for this three-dimensional view specifying habitable, non-habitable, and where the lift cores were, because there weren't a lot of plans in the
20 planning proposal. This diagram, I'm satisfied that a ADG separation to the west, where the terraces are, is well-satisfied. Thank you.

25 Mandatory communal open space. I think we're well over 200 per cent required for communal open space. I requested additional information again from the client so that I could clearly understand how it was being measured. You can see a schedule there. There's space on the roof terraces, which is a great idea, and also plenty on the ground plan. Deep-soil planting was the next. A few options were studied by the architects or the planners, Roberts Day, and the one that I appeal to is deep-soil
30 planting on the northern setback of the site on Margaret Street. Tall trees are required there for the wind conditions, so it's a great place for deep-soil planting. And, again, there's a significant more – 50 square, 40 square metres more required than necessary. Thank you.

35 Stephen spoke of the transitioning height, so I had a bit of a look at that. This terrace house has burnt down. That's a nice little shop. But the five sites there could readily lend themselves to an amalgamation and therefore be quite a satisfying transition in heights to the south of the site.

40 MR MOORE: And just on the transition to the south of the site, because I know it's raised by council, it's not just simply a 19-storey tower transitioning into the terrace. There is a two-storey terrace podium where the – where then the tower form is set back 12 metres from the terrace, but I think the other subtle nuance is, because the podium is set back that terrace actually gets improved sunlight into its front yard, so
45 we have really considered the site's integration into its surrounding context. And, unfortunately, we never had the opportunity to have this discussion at all with council, with how the process was handled.

MR WILSON: But we were cognisant the whole way that we didn't want to create any matters of what isolation or the ability of other – other sites to be developed to plan 101, so it was considered that way.

5 MR McBRYDE: Wind has been raised in the communications, and probably some reviewers have been confused by the association or the reference to Bosco
Verticale in Milano, which has these significant trees. The planning proposal
proposes something similar with generous balconies and large planting. I sought
clarification by interviewing WindTech. They did not measure or rely on the trees in
10 any way for wind conditions in the tower. They did rely on the stepping form of the building, which we've mentioned earlier. That's a usual response to wind, that you fragment the form of the building.

And they did rely on planting to the north, which is completely usual that we would
15 use planting in the urban domain – public domain – for wind protection, background level for pedestrian use and to achieve long-term stationary suitable for dining. Any other issues for the wind are – to mitigate the wind are completely usual. Wind screens, we could imagine glass. The more exposed the area or the more sheer, the higher the wind screen is. I think they get up 1.5 or something, or 1.8, maybe, in
20 some of the more exposed areas. Again, that is not usual at the top of a tall building, and I would encourage the tops to be occupied because of the outlook.

So the outcomes of my review are as follows. I support the project. The site, I think, fundamentally lends itself to density and height. The ADGs are well-satisfied, in my
25 mind, and there are no unusual issues with the wind. I do have recommendations, though. I would support the project with qualifications. That the plaza be designed specifically to include public dining. It's not clear to me that there would be simply the tenants who control the dining area. I don't think that would be a good outcome. And, also, the wind report does mention quite a few devices required for the plaza to be comfortable. They need to be part of the urban design; not an add-on later, which is often the case.
30

They need to be budgeted for at the beginning of the project. The proposal should also, as has been originally anticipated, offer robust accommodation, as is envisaged
35 in objective 21 in the Eastern City District Plan, that we want to support the ATP, the use of incubator spaces, so we want tough spaces that lend themselves to start-ups, with suitable infrastructure for technology. And, clearly, design excellence needs to be part of this process so that this massing that is subject to the planning proposal, we achieve the best outcomes. I think that's not clearly stated through the process.
40 Thank you, Will. And that, indeed, the landscaping communal areas, plus the transition in heights, are part of the brief for the design excellence. So thank you very much. That's the conclusion of my contributions.

45 MR DUNCAN: Thank you. So is that the round presentations now?

MR McBRYDE: Yes.

MR MOORE: Yes, it is.

MR DUNCAN: Okay. All right. So, Richard, have you got any questions you wish to start with?

5

MR MACKAY: A few. I mean, I think - - -

MR DUNCAN: I've got one or two, but - - -

10 MR MACKAY: I don't have questions at the moment, I think, on the strategic merits issue. But just with respect to the wind and the screens, and coming right to that very last point - - -

MR McBRYDE: Yes.

15

MR DUNCAN: Yes.

MR MACKAY: - - - Ken made - so there would need - am I right in understanding that there would need to be screens that are of a kind of unusual design in the public domain at the ground level? You showed a plan saying, "Look, here we more than comply - - -"

20

MR McBRYDE: Yes.

25 MR MACKAY: "- - - with the open space" - - -

MR McBRYDE: Yes.

MR MACKAY: - - - and part of that is - - -

30

MR McBRYDE: Yes.

MR MACKAY: - - - the T shape - - -

35 MR McBRYDE: Yes.

MR MACKAY: - - - at the ground level. But there would need to be devices in there - - -

40 MR McBRYDE: Correct.

MR MACKAY: - - - to manage the wind?

MR McBRYDE: Correct.

45

MR MACKAY: Right.

MR McBRYDE: The devices – have you visited Aurora place recently?

MR DUNCAN: I've been to - - -

5 MR MACKAY: No.

MR McBRYDE: The Renzo Piano - - -

MR DUNCAN: - - - Aurora Place, but not recently.

10 MR McBRYDE: The – well, it hasn't changed.

MR MACKAY: No, I don't recall - - -

MR McBRYDE: It doesn't need to be recent. Aurora Place has a glass canopy - - -
15

MR MACKAY: Yes.

MR DUNCAN: Yes.

20 MR McBRYDE: - - - specifically for downdraft.

MR MACKAY: Yes.

MR DUNCAN: Yes.

25

MR McBRYDE: It turned into, instead of a one-piece, a tiny little bikini – topless; it's much smaller than it should be.

MR DUNCAN: It has a wing on the side, too, doesn't it?

30

MR McBRYDE: Correct. And you may or may not have noticed, there are vertical blades around the base of the tower. Those are the devices similar that – what my position is, these are very common requirements. We did it 15 years ago at Aurora Place, with Professor Bill Melbourne. So the vertical blades, of which there need to
35 be two in this plaza, are to stop wind that does leak around of a horizontal pergola device described.

MR DUNCAN: Do those blades come right down to ground level?

40 MR McBRYDE: Correct. Correct.

MR DUNCAN: I'm just trying to picture them. I might revisit that site.

MR McBRYDE: Yes. They're about this big, and they're about that high.
45

MR DUNCAN: But they can be opaque, or - - -

MR McBRYDE: No, they're glass.

MR DUNCAN: - - - transparent? Okay.

5 MR McBRYDE: They're cantilevered glass.

MR DUNCAN: Okay.

10 MR McBRYDE: And the balconies – the balustrade along the street also serves as wind.

MR DUNCAN: Okay.

15 MR McBRYDE: And there is nothing unusual - - -

MR DUNCAN: I know the balustrade.

MR McBRYDE: Yes.

20 MR DUNCAN: I know what you mean.

MR SONTER: And just to your point, I think the reference was made to the image that was shown about the public domain being very open and plaza-like. There's nothing that will interfere with that. We're not talking about that image as
25 misrepresenting it, and you've got to go and put blades in the middle of it. The blades are incorporated into that image. You will still be able to have that great public open space that's seen in the image - - -

30 MR McBRYDE: Yes.

MR SONTER: - - - that came forward in the Roberts Day report. The treatments for wind are those that are located on the side of the building, stepping into the building, and in those areas, potentially, on the communal open space on the rooftop that would require that. They're not ones that would interfere - - -
35

MR McBRYDE: No, no. They're - - -

MR SONTER: - - - with the plaza space.

40 MR McBRYDE: It's to stop the direct passage of wind, so the wind moves around.

MR MACKAY: So are you saying, though, that – just to be clear – are you saying that the – a version, because obviously design excellence - - -

45 MR McBRYDE: Yes, and further wind studies.

MR MACKAY: - - - down the track – DA.

MR McBRYDE: Yes.

MR MACKAY: But are you saying that the visual of the - - -

5 MR McBRYDE: If we go – can we go to the - - -

MR MACKAY: Actually showed - - -

10 MR McBRYDE: Okay, this'll do. That needs to be a 50 per cent perforated - - -

MR MACKAY: Yes.

15 MR McBRYDE: - - - horizontal screen. And in here somewhere, subject to the success of that and further detailed wind studies, there will be – mentioned in the wind report – vertical blades.

MR MACKAY: Yes. And – but I – as I understand what Matt was saying, they were shown in the earlier artist's impression of the link, to help illustrate - - -

20 MR McBRYDE: Can we go to the artist's impression?

MR SONTER: No, not that they were shown; just that they wouldn't frustrate – or that that's not misrepresenting what will be there.

25 MR MACKAY: Okay. But – so they're not actually shown at the moment, though.

MR McBRYDE: Someone who can see the screen needs to help Will, I think. But the - - -

30 MR DUNCAN: Towards the end, isn't it?

MR McBRYDE: The visualisation

35 MR MACKAY: Sorry. I deliberately picked one that we have to go halfway back. No, there was a - - -

MR SONTER: It was after the main – yes.

40 MR McBRYDE: Can't we go to "View all slides"?

MR MACKAY: There was a visualisation showing - - -

MR McBRYDE: Hang on. I'll just go – I'll just – is that the one?

45 MR DUNCAN: That's it. Yes.

MR McBRYDE: So that alludes to it, before the wind report was done, I suppose.

MR MOORE: Correct.

MR McBRYDE: My other recommendation is, this whole thing, at the moment, I don't feel is particularly resolved, which is not surprising.

5

MR MOORE: Yes.

MR McBRYDE: But the proportion and space of that, and the wind devices, need to be all designed together.

10

MR MOORE: And - - -

MR McBRYDE: Which is normal.

15 MR MOORE: And I think, too, there are public amenity and wind targets set as part of the design excellence process, and there's a variety of solutions that you would explore through that detailed design process. So, for example, when you come down the escalator at Barangaroo, and there's that outdoor restaurant, and there's the thing with the hanging thing that sways in the breeze, and everyone looks at it: that's a
20 wind mitigation device. If you go to the student housing project in Redfern, at Iglu, they effectively facet the façade, and then they've got the top floor of the podium open, so that the wind actually eddies into the podium and helps basically cool some of the communal areas, but there's no downdraft onto the public realm. So, through that design excellence process – and it's very standard – you would set clear public
25 amenity goals, and specific wind measures - - -

MR McBRYDE: Wind conditions, yes.

30 MR MOORE: - - - which are quantified scientifically - - -

MR McBRYDE: That's right.

MR MOORE: - - - as part of the design excellence process.

35 MR McBRYDE: Correct. Wind speed based on the use.

MR MACKAY: And I just have a – I mean, I can probably look this up myself, but with Cornwallis Street – and you were showing the centreline, and your indicative envelope has a 12-metre setback.

40

MR MOORE: Yes. Yes.

MR MACKAY: What is the statutory setback on the western side of Cornwallis Street? I mean, I think what you were saying is - - -

45

MR McBRYDE: You mean the ADG?

MR MACKAY: - - - “Well, if we go back 12, and they go back 12, we get 24.”

MR MOORE: Correct, yes.

5 MR McBRYDE: But we’re - - -

MR MACKAY: But what is the minimum that they are required to go back?

MR McBRYDE: They can do six.

10

MR MACKAY: Right.

MR McBRYDE: Subject to height.

15 MR MOORE: Yes.

MR McBRYDE: If it’s non-habitable.

MR MACKAY: Yes.

20

MR MOORE: Yes.

MR MACKAY: Yes.

25 MR McBRYDE: My observation is, these guys have made habitable rooms, so therefore they’ve stepped – if we can go to their little - - -

MR MACKAY: I understand the point.

30 MR McBRYDE: Yes. Yes.

MR MACKAY: I mean, they’re habitable rooms, and their access - - -

MR McBRYDE: Yes.

35

MR MACKAY: - - - and overlooking are oriented - - -

MR McBRYDE: Cornwallis don’t need to - - -

40 MR MACKAY: - - - towards ATP.

MR McBRYDE: Correct.

45 MR MACKAY: So your argument is, or your position is, therefore, they – you know – they’re right on either scenario. They can either - - -

MR McBRYDE: Correct. Correct.

MR MACKAY: - - - set back 12 - - -

MR McBRYDE: Correct.

5 MR MOORE: Correct.

MR McBRYDE: Correct.

10 MR MACKAY: - - - and you get the 24; or they can choose to set back 6 - - -

MR MOORE: Correct.

MR MACKAY: - - - and orient towards the west.

15 MR MOORE: Yes.

MR McBRYDE: Correct.

20 MR MACKAY: That's the argument.

MR MOORE: Yes, that's correct.

25 MR MACKAY: And, look, I guess, that goes to my – I think my final question, which is, in terms of the whole ADG compliance, amenity, etcetera – you showed some coloured – and in the documents, there's coloured building size representations, the kind of - - -

MR McBRYDE: Is it – do you mean that one?

30 MR MACKAY: - - - fine grain – yes – the fine grain of the individual units. Is there a demonstration of how that actually works. Because, as you said – I mean - - -

MR MOORE: Yes.

35 MR MACKAY: - - - this is an unusually tight site, in terms of dealing with privacy, dealing with sunlight access.

MR MOORE: Yes. Yes, so what - - -

40 MR MACKAY: Yes.

MR MOORE: So we've basically done – and it's a planning proposal, but effectively we've done - - -

45 MR MACKAY: Yes.

MR MOORE: - - - preliminary floor plans for every level going up through the building; we've worked out the number - - -

MR MACKAY: Yes.

5

MR MOORE: - - - of cores, conceptually, for a planning proposal. These all meet ADG in terms of solar amenity. And then these have also been reviewed by a builder that said you could build them.

10 MR McBRYDE: And grunty big balconies.

MR MACKAY: Right. That's - - -

MR MESSITER: That's what the graphic representation is of that.

15

MR MACKAY: Yes.

MR McBRYDE: And that's the - - -

20 MR MACKAY: I may have missed them in the plethora of documents, but - - -

MR MOORE: Yes.

25 MR MACKAY: - - - where does it say in the documents that each one of those units does comply, please?

MR MOORE: I think in our - - -

30 MR McBRYDE: Solar access you've done, haven't you?

MR MACKAY: Solar access and privacy, I - - -

MR McBRYDE: Yes.

35 MR MACKAY: - - - guess, are the two obvious questions to ask.

MR MOORE: Yes. So, look, in our document, there's a summary ADG compliance table on page 95. And then - - -

40 MR McBRYDE: I think Richard wants to see - - -

45 MR MOORE: Yes. And then – and then, basically, for our building itself, there's effectively a computer program that models the amount of sunlight that the façades get. And that indicates the number of hours. So through that process, we demonstrate that our buildings comply, in terms of the apartment layouts.

MR DUNCAN: So that complies with Council's requirements, that program, as well, so - - -

MR MOORE: Correct.

5

MR DUNCAN: Yes, okay.

MR MOORE: Correct. And then we did some initial modelling of the surrounds, to satisfy ourselves; and then that's where Council asked us for the more detailed study, which is then the 44-page solar analysis of the surrounding area. So we're absolutely confident that our own apartments internally work, that they comply with the Apartment Design Guide and solar, and that the near surrounding solar amenity is also acceptable.

10
MR WILSON: Can I also just add that in the response, or request for the – request for review - - -

MR DUNCAN: Yes.

20 MR WILSON: - - - our document, the Willowtree document – it is actually addressed in one of the tables, because it - - -

MR DUNCAN: Covers the same issue.

25 MR WILSON: - - - directly responds – yes, correct – and actually spells out the actual amount of solar - - -

MR DUNCAN: Yes.

30 MR WILSON: - - - 77 per cent of what the ADG requires, and spells all that out for you. And I'll find it and come back to you in a moment, if that's all right, Commissioner.

MR MACKAY: Thank you.

35

MR DUNCAN: Okay. Thanks. I'm sure I don't have any other - - -

MR MACKAY: I've got one more comment I would just - - -

40 MR DUNCAN: Yes, we'll - - -

MR MACKAY: - - - like to make before the site - - -

45 MR DUNCAN: - - - get back to that. So we're going to wrap up in a moment, but - - -

MR MOORE: Yes.

MR DUNCAN: - - - are we all going on the site visit? How many of us are going?

MR MOORE: Put your hands up.

5 MR DUNCAN: Three. Three, is it? Okay. Just working out logistics. We'll probably need a few minutes to wrap up - - -

MR MOORE: Sure.

10 MR DUNCAN: - - - when we finish. But, Richard, you wanted to make a request.

MR MACKAY: Well, I just wanted to highlight that, in terms of the way the IPC process works, when we're on the site visit, it's perfectly fine to point out something that you've made reference to in the presentation, but insofar as you want to say
15 anything about the process, about how you're being treated, about the merits, that needs to be - - -

MR SONTER: On the record.

20 MR MACKAY: - - - in this meeting - - -

MR MOORE: On the record.

MR MACKAY: - - - on this transcript.
25

MR MOORE: Yes.

MR MACKAY: So I'm just - I just wanted to highlight, now is the time, because once we get there - - -
30

MR DUNCAN: Rather than have the debate on the site, yes.

MR MACKAY: We don't want to be rude about it, but if you start making more merits representations, we're going to have to say, "Sorry, but no."
35

MR DUNCAN: Yes. So the site visit will be pretty factual, and - - -

MR McBRYDE: Yes.

40 MR DUNCAN: - - - short. You're quite welcome to point out features and things about the site.

MR WILSON: There's nothing I want to redact.

45 MR MACKAY: So it's fine to say, "That's what I was talking about."

MR McBRYDE: Yes.

MR MACKAY: That's why we go.

MR McBRYDE: No new information.

5 MR MACKAY: But it's not fine to say, "This is why it meets the merits test" - - -

MR McBRYDE: Yes.

MR MOORE: Yes.

10

MR MACKAY: - - - because that's for here.

MR WILSON: Understood.

15 MR MOORE: I think all I'll say on that is, you know, there's planning documents,
and then there's just commonsense about how a city should grow. And I think, when
you're standing on the site, there's all the planning literature in the world, but
commonsense, when you can see the city skyline, the trains going in, the Metro is
being build down the road, and there's the arc of growth going through there – the
20 the university, the Southern Tech Hub, etcetera – if you don't want this type of housing
in this part of Sydney, it would be difficult to understand where it should go, and I
think it's also just the commonsense test that I'd ask people to do when they look at
the site and its surrounds.

25 MR DUNCAN: Okay.

MR SONTER: And just the last thing, for your reference, if you want – and I
understand you're getting your own advice on what you can and can't consider as
part of the rezoning review. If you want me to put that in writing, and as a piece of
30 written advice, so that you've got it on your file, once you've got yours, I'm happy to
come back to you with that after the meeting.

MR DUNCAN: Leave that to us to get through our process.

35 MR SONTER: No worries.

MR DUNCAN: And if we need to – and that might not be the – we might have
some other questions in this process, as well, so we do reserve the right to come
back. And it just helps us – like, obviously, day one, you know, we'll have a look at
40 the site, and then we may have some more questions as well.

MR WILSON: Just in terms of process from here, because I know the question is
going to be asked of us from our client - - -

45 MR DUNCAN: Yes.

MR WILSON: - - - we understand you are yet to meet with Council; is that right?

MR DUNCAN: No, we met. To be clear, we did meet with Council, and the department, this morning. So we had – we've had all three of you at the same time
- - -

5 MR WILSON: Great.

MR DUNCAN: - - - for the same amount of time. And then we're seeing the site this afternoon, and then we'll take it from there with our deliberations.

10 MR WILSON: Okay. And that – is – I don't mean to put pressure on the commissioners, but is there a timeframe around the decision-making process?

MR DUNCAN: It will be a few weeks, but - - -

15 MR WILSON: Sure.

MR DUNCAN: - - - it won't be a few months – put it - - -

MR WILSON: Okay.

20

MR DUNCAN: - - - that way – unless something untoward occurs - - -

MR WILSON: Sure.

25 MR DUNCAN: - - - at this stage. So, you know - - -

MR WILSON: Wonderful.

MR DUNCAN: We do like to get on with things pretty quickly.

30

MR MACKAY: We will take the necessary time to revisit documents, to ask supplementaries, till we get to a point where we are comfortable with our position.

35 MR SONTER: And so the meeting that you've had with the department and the council – similar format to this, and that kind of stuff will be - - -

MR DUNCAN: Exactly.

MR SONTER: - - - posted on the website - - -

40

MR DUNCAN: Exactly the same.

MR SONTER: - - - as well, is it?

45 MR MACKAY: There will be a transcript on the website.

MR SONTER: Okay.

MR DUNCAN: So you get a transcript of - - -

MR McANESPIE: All public. All public.

5 MR DUNCAN: - - - all the meetings, yes.

MR McANESPIE: Don't worry.

MR DUNCAN: And any information provided will go on our website as well.

10 MR MOORE: Definitely.

MR McANESPIE: That will probably happen – maybe tomorrow.

15 MR SONTER: Oh, wow.

MR McANESPIE: Yes, or the next day at the latest.

MR DUNCAN: It just depends on how quick it gets transcribed.

20 MR MOORE: Great.

MR DUNCAN: Okay. So if that's all, at this stage, if you could just allow us five minutes to wrap up - - -

25 MR McBRYDE: Thank you.

MR DUNCAN: - - - and then we'll all travel together to Redfern; is that correct, Andrew?

30 MR McANESPIE: We're going to go down to Town Hall Station - - -

MR MOORE: Yes.

35 MR McANESPIE: - - - hop on the train, get off at Redfern - - -

MR McBRYDE: Nice.

MR McANESPIE: - - - walk to the site.

40 MR DUNCAN: Walk to the site.

MR McBRYDE: Good.

45 MR McANESPIE: Short walk.

MR DUNCAN: Yes, short walk.

MR SONTER: I'm not coming on that. So it's good to meet you.

MR DUNCAN: Okay. So I formally close the meeting and finish the recording.
Formally close the meeting and finish the recording. Thank you.

5

RECORDING CONCLUDED

[12.02 pm]