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TRANSCRIPT OF PROCEEDINGS

TRANSCRIPT IN CONFIDENCE

O/N H-1095790

INDEPENDENT PLANNING COMMISSION

MEETING WITH HERITAGE DIVISION

RE: SSD 7693
INTERCONTINENTAL HOTEL ALTERATIONS AND ADDITIONS

PANEL: CHRIS WILSON
SOO-TEE CHEONG

ASSISTING PANEL: MATTHEW ROSEL
CASEY JOSHUA

HERITAGE DIVISION: RAJEEV MAINI

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

DATE: 1.34 PM, MONDAY, 18 NOVEMBER 2019

MR C. WILSON: Thanks for coming in, I appreciate it.

MR R. MAINI: No problem.

5 MR WILSON: I just have some formalities before we start.

MR MAINI: Sure.

10 MR WILSON: Before we begin, I would like to acknowledge the traditional
custodians of the land on which we meet. I would also like to pay my respects to
their Eldest past and present and to Elders from other communities who may be here.
Welcome, Raj, to the meeting today – Rajeev – on the proposal seeking concept
approval for alternations and additions to the InterContinental Hotel, Sydney. My
15 name is Chris Wilson; I am the chair of this IPC panel. Joining me is my fellow
commissioner, Soo-Tee Cheong. The other attendees at the meeting are Casey
Joshua from the Commission Secretariat and Matthew Rosel, consultant for the
Commission.

20 In the interest 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 form one of several processes of information upon which the
Commission will base its decision. If – it is important for the Commissioners to ask
25 questions of attendees and to clarify issues whenever we consider it appropriate. If
you are asked a question and are not in a position to answer, please feel free to take it
– the question on notice and provide any additional information in writing which we
will then put on our website. I request – I request, Rajeev, that – well we know who
you are, so it doesn't matter – we don't have to do this bit. So we will now begin.

30 You have an Agenda, Rajeev?

MR MAINI: Yes. I do.

35 MR WILSON: So we're – we're just interested in hearing the Heritage Division's
views on the proposal which has been recommended to, to, by the Department to the
Commission for consideration. As you're aware, there's been a number of iterations.

40 MR MAINI: Yes.

MR WILSON: And I guess, we – we were very interested in hearing the Division's
views on the latest iteration and what's, what the Commissioner has been asked to
consider by the Department.

45 MR MAINI: Okay. I think before I start, I should put it on record that my answers
are not the answers from the Heritage Council itself.

MR WILSON: We understand that.

MR MAINI: Yes.

5 MR WILSON: Yes.

MR MAINI: Um, and also - - -

10 MR WILSON: The Division services the Council, I understand.

MR MAINI: That's right, the Heritage - - -

MR WILSON: Yeah, that's okay. We understand that.

15 MR MAINI: Yeah. Yes. Um, and also, the fact that I have not been able to discuss, um, the information submitted on Thursday with my seniors.

MR WILSON: No problem.

20 MR MAINI: So, in all probability, I will have to take the questions on notice and, um, provide a written response once that has happened and, maybe, we can also think about if there's an opportunity to take it to the approvals committee so that we have a, sort of, a more rounded response to the questions. I understand that the timeline is 22nd of November for providing written response. They meet on 4th of December.
25 So I will just put it on the table, if it's possible.

MR WILSON: Which committee was that?

30 MR MAINI: This is the approvals committee of the Heritage Council.

MR WILSON: Approvals Committee, okay. Yes.

35 MR MAINI: They would be interested because they were involved in the Stamford Hotel application and they were the second respondent to the court case. So I think that and here, the issues are similar. So they would be interested in providing a comment, in my view. So I think it'll be worth taking it to them and seeking their views.

40 MR WILSON: That's an interesting question. Did Stamford go to court did it?

MR MAINI: Yeah.

MR WILSON: I wasn't aware.

45 MR MAINI: Yeah.

MR WILSON: So I thought it was still under consideration.

MR M. ROSEL: Yes, so did I. Was it, has it been determined, issued?

MR MAINI: Yes, yes.

5 MS JOSHUA: Or was it a different one?

MR MAINI: Sorry?

MS JOSHUA: When was that? Approximately.

10 MR WILSON: That's okay, you can - - -

MR MAINI: That was 2015, I think - - -

15 MR WILSON: Okay.

MR MAINI: - - - the first one. But then – so I've got a copy, just a – for my information, I copied the – the last – the conclusion bit from 2015. And I think then it went subsequently to another, a review. I don't have a copy of that. But there, the issue was not the setback, etcetera. It was a technical issue where the Heritage Council had the authority to provide GTS over a part of the land which is not on the SHR.

25 MR WILSON: Okay. Yes. Yes. Thank you.

MR MAINI: So that was another issue. But, essentially, the matter relating to the setback from Macquarie Street was discussed at that court case.

30 MR WILSON: Okay.

MR MAINI: So you - - -

MR WILSON: But so – so this, um, so there is an approval, is there? You – is there an approval - - -

35 MR MAINI: For?

MR WILSON: - - - that's been issued, for Stamford?

40 MR MAINI: For Stamford, my understanding is the court decided that it should, that City of Sydney should work out a DCP which would answer this question of the setback.

45 MR WILSON: Okay. All right.

MR MAINI: And any further approval should be given on the basis of that DCP.

MR WILSON: Okay.

MR MAINI: And that DCP should be consulted – should have consultation, widely.

5 MR WILSON: Okay.

MR MAINI: That's what I understand.

10 MR ROSEL: Okay. And is – are you aware of a current application?

MR MAINI: No.

MR ROSEL: Okay.

15 MR WILSON: We'll chase that up.

MR ROSEL: We can chase that up.

20 MR MAINI: Yeah.

MR WILSON: But thanks for that. That's good information.

25 MR MAINI: No, I – I mean, as part of our response, we can do that bit of research and see what we have further to that decision.

MR WILSON: Okay. So just specifically, I guess, Rajeev is – do you have any comments on the recommendations of the Department?

30 MR MAINI: Um - - -

MR WILSON: In terms of the – let's focus specifically on the – on the Macquarie Street setback at this stage. And on that question, do you have – there's no change in view? Or - - -

35 MR MAINI: I – I think that I'll have to follow the Heritage Council's view on that.

MR WILSON: Okay.

40 MR MAINI: Which is that there should be 30 metres setback.

MR WILSON: Okay.

45 MR MAINI: And any development within that 30 metres should be low-rise development, which should be consistent with the Macquarie Street frontage.

MR WILSON: Okay.

MR ROSEL: Okay.

MR WILSON: You have some questions there?

5 MR ROSEL: Yeah, just two points of clarification, if you can.

MR MAINI: Yes.

10 MR ROSEL: I understand that the Governor's Domain and Civic Precinct is currently up for nomination for the national - - -

MR MAINI: That's right.

15 MR ROSEL: - - - for the national listing.

MR MAINI: Yes.

20 MR ROSEL: And second to that, I understand that Transport House is also nominated for State Heritage Register listing.

MR MAINI: That's right, yes.

25 MR ROSEL: Can you update the Commission quickly in terms of what the status of both of those items are, those reviews of those potential listings?

30 MR MAINI: I'm not aware of the latest on the draft national listing but on the SHR listing, my understanding is that it, um, that within the Department, there is an intention to move it forward. Um, I'm not sure, um, how much can be disclosed at this stage. Because, I guess, this record is going to be public. I'm – I'm really not sure how far it has progressed. But my personal understanding is that it is still under consideration.

MR ROSEL: Okay.

35 MR WILSON: Okay. Just in – just in terms of the, ah, you mentioned the approvals committee. There's no requirement for the Heritage Council to issue a permit in relation to this because it's SSD; is that right?

40 MR MAINI: Um, that's true.

MR WILSON: Right. Okay.

MR MAINI: That's true. But there is a requirement to provide comment.

45 MR WILSON: Right. Okay. I – I understand. Okay. Any more questions?

MR ROSEL: No. I was just keen for those two.

MR WILSON: Okay. But we're very keen, Rajeev – Raj – to get the views of the Division in relation to additional information that's been provided. We've sought a consolidated, I guess, submission from the applicant, just to highlight the changes they have made. And we will provide that to you, the department and council on, as soon as we get that information.

MR ROSEL: Okay. In addition to what I got? Or what - - -

MR WILSON: It really – it's really just a schedule of changes they have made since - - -

MR MAINI: Okay.

MR WILSON: - - - it would just assist you. It may or may not assist you. But, it will assist us certainly. The fundamental issue in that letter, submission of the last week - - -

MR ROSEL: Yes. On the 13th, yes.

MR WILSON: - - - is the setback issue, Macquarie Street.

MR MAINI: Yeah. Okay. Is there any discussion that is happening in relation to the articulation of the built form or the – or the blocking that they have submitted? Or they just, they want only that to be considered at that stage?

MR ROSEL: At this stage, they're just looking at - - -

MR MAINI: It's just the - - -

MR ROSEL: - - - it's just their building envelope they're looking at.

MR MAINI: Yeah.

MR ROSEL: So the articulation, the design, the detail will come at a later stage as part of a stage 2 application.

MR MAINI: Yeah. It becomes a little difficult because the issue is a visual issue.

MR ROSEL: Mmm.

40

MR MAINI: And if you simply put a white block there then, you know, it doesn't really do justice. It doesn't really give you the level of comfort that you're looking for.

45 MR ROSEL: Yes.

MR MAINI: So well, any way, if that's what we've got, then we will work with that.

MR WILSON: Yes.

5

MS C. JOSHUA: Yes, it's just a concept for the building envelope.

MR MAINI: Yes. Yeah.

10 MS JOSHUA: And so they can work on the detail designed within that envelope as stage two.

MR MAINI: Yes, but sometimes the devil is in the detail.

15 MR WILSON: Well, that's – that's right, and articulation will go a long way to resolving some of the issues that we're having now, even at concept approval stage. So but have you got any questions, Soo-Tee?

20 MR S. CHEONG: No, nothing. I think that's to clarify that, you know, the envelope is just an envelope and you cannot provide any further comment on the envelope issue, except a setback, is that right?

25 MR MAINI: My personal view is the setback is one of the issues. The other is the articulation of that envelope. At the moment, they're both combined and present a flat face. I personally feel that if there was articulation there it would probably look a bit different to the way it presents itself now.

MR WILSON: Okay.

30 MR MAINI: Mmm.

MR WILSON: Rajeev, that's all we have. So it's fairly straightforward. We really appreciate you coming in on such a short time, but – and short notice.

35 MR MAINI: You're welcome.

MR WILSON: But we appreciate that. So we will, um, have a think about which way we're going to go with this.

40 MR MAINI: Mmm.

MR WILSON: And we'll reconcile that at some stage before we think about which way we're going to go with this and we'll reconcile that at some stage before we think about - - -

45

MR MAINI: Okay.

MR WILSON: - - - whether or not we need to go back to the – the Heritage Council.

5 MR MAINI: Okay. So would I be preparing a written response, or would you like that? Or not necessary at this stage?

MR WILSON: What do you think?

10 MR ROSEL: Yes. Well, if – if, yes, we're keen to hear from the – the, your Division in terms of their views - - -

MR MAINI: Okay.

15 MR ROSEL: - - - on this amended, well, suggested amended change.

MR MAINI: Okay.

MR WILSON: Yeah. Even if it's to tell us what you said today.

20 MR MAINI: Okay.

MR WILSON: We need – we would like some response in relation to - - -

25 MR MAINI: Sure. Yeah.

MR WILSON: - - - to this change of the – so this has come to us at the last minute as another amendment to the proposal.

30 MR MAINI: Right.

MR WILSON: And so it's worthwhile you having the opportunity to comment on that.

35 MR ROSEL: Yep.

MR MAINI: And is there any opportunity to – to allow for approvals committee to provide comment, which is on 4th of December. So I guess, there'll be a delay until Friday, probably, the 6th of December.

40 MR WILSON: We'll take that on notice.

MR MAINI: Would you let me know if it's possible, then?

45 MR WILSON: We'll let you know. We – we, I guess it depends on which way we're going to go, for instance. I mean, if we do support it, then maybe we do have to go back to the – but we haven't come to those conclusions yet. We've still got, you know, information to consider.

MR MAINI: Right.

MR WILSON: But I - - -

5 MS JOSHUA: Well, I can send you some clarification on what exactly has changed.

MR MAINI: Right. Yeah.

10 MS JOSHUA: And then if you can start preparing a response as if you would a referral to the Department.

MR MAINI: Yeah.

15 MS JOSHUA: And then I can advise you when I send you the schedule of changes whether we have the scope to delay until the approvals council meets.

MR MAINI: Okay. Yeah. It'll be - - -

20 MR ROSEL: Do you need to know by a certain time to get on the - - -

MR WILSON: Agenda.

MR ROSEL: - - - the program to get to the Council?

25 MR MAINI: Yes. They – we should be doing a report now.

MR ROSEL: Okay.

30 MR MAINI: Yes. But, you know, I mean, if – if the Commission wants we could, you know, do it as a late report. And, you know, it is urgent. Because I realise that, you know, Macquarie Streets is one of the most historic streets in Sydney or even New South Wales.

35 MR WILSON: Yeah.

MR MAINI: So you know, it's really important that we get it right.

MR WILSON: It's only two weeks away. Yep.

40 MS JOSHUA: I anticipate being able to tell you within the next couple of days.

MR MAINI: That's all right, yeah.

45 MS JOSHUA: I think they'll get back to us.

MR MAINI: Yep.

MR WILSON: Okay.

MS JOSHUA: So definitely by the end of the week.

5 MR MAINI: Okay.

MS JOSHUA: Yep.

MR MAINI: That's all right.

10

MR WILSON: But certainly we – it would be desirable, I think, if – yeah, to have, have that impact.

MR MAINI: Okay. Sure.

15

MR WILSON: Okay. Thank you.

MR MAINI: Thank you.

20 MR ROSEL: Thanks.

RECORDING CONCLUDED

[1.47 pm]