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TRANSCRIPT OF PROCEEDINGS

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INDEPENDENT PLANNING COMMISSION

MEETING WITH APPLICANT

**RE: REQUEST FOR GATEWAY DETERMINATION REVIEW
 OF MCLAREN STREET, NORTH SYDNEY**

**PANEL: CHRIS WILSON
 WENDY LEWIN
 ALAN COUTTS**

ASSISTING PANEL: MATTHEW TODD-JONES

**APPLICANT: MICHAEL HARRISON
 JOHN CURRO
 TAYLOR VERNON
 GREG REED
 RICK McEWEN
 PIRAN TRETHERWEY
 PENELOPE SEIDLER**

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

DATE: 10.01 AM, WEDNESDAY, 10 APRIL 2019

MR C. WILSON: Good morning and welcome, everybody. Before we begin, I would 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 gateway determination review for a planning proposal seeking to amend the
5 North Sydney Local Environmental Plan 2013 in relation to 41 McLaren Street, North Sydney. The proposal seeks to amend the LEP by increasing the building height control from RL 100 metres AHD to RL 226 metres AHD and increase the minimum non-residential floor space ratio from 0.5 to one to three to one. My name's Chris Wilson, and I am the chair of this panel. Joining me on the panel is
10 Wendy Lewin and Alan Coutts. The other attendee is Matthew Todd-Jones from the IPC secretariat. 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.

15 This meeting is one part of the commission's process of providing advice. It's taking place at a preliminary stage of this process and will form one of several sources of information upon which the commission will base its advice. It is important for the commissioners to ask questions of attendees and to clarify issues whenever we consider it appropriate. If you are asked a question and you are not in a position to
20 answer, please feel free to take it on notice and provide any additional information in writing, which we will then put on our website. We will now begin. So we – our intention is just to ask you to broadly give us a summary of what – why you think this has both strategic and site-specific merit - - -

25 MR M. HARRISON: Yep.

MR WILSON: - - - which I believe is probably part of this presentation.

MR HARRISON: Yes, it is. On the first page.
30

MR WILSON: Yes.

MR A. COUTTS: Before you do - - -

35 MR WILSON: Yes. We need to introduce. Yes. For the - - -

MR COUTTS: Would you mind - - -

MR WILSON: For the record.
40

MR COUTTS: - - - just introducing yourselves individually for the record.

MS P. SEIDLER: I'm Penelope Seidler of Harry Seidler Associates.

45 MR J. CURRO: John Curro from Harry Seidler & Associates.

- MR HARRISON: I'm Michael Harrison. I'm an urban designer and urban planner and – from Architectus – and have been working on this project for four or five years now.
- 5 MR T. VERNON: Taylor Vernon, an urban planner from Architectus.
- MR P. TRETHERWEY: Piran Trethewey from Ason Group, traffic and transport consultant.
- 10 MR R. McEWEN: Richard McEwen, director of Clayjade, owner of the building.
- MR G. REED: And Greg Reed, a director of owner of the building.
- MR HARRISON: And I might say that unfortunately our heritage consultant
15 couldn't be here – Jodie Somerville of GML, who did the heritage work – but I guess there aren't – even though it's a heritage item which is part of the project, they haven't been raised as an issue by the council or the Department of Planning.
- MR WILSON: Thank you. Do you want to summarise - - -
- 20 MR HARRISON: Yes.
- MR WILSON: Go through your - - -
- 25 MR HARRISON: Well, I - - -
- MR WILSON: Hang on. We've done the introductions. Yeah. Let's do that next. Sorry.
- 30 MR HARRISON: The – I've got a comprehensive but brief document, which I just want to do a page turn on, and – because there are issues like overshadowing and so forth that are quite detailed issues that council has raised, and half this document is overshadowing. So you don't have to worry about too many pages to go through. The first thing I want to ask is that – at the district planning panel, we actually played
35 a short video – it was only two minutes – about the background to the site and the master planning and so forth, and I'd appreciate to show that to you again. It's just on a screen here. We don't have to show it – we just - - -
- MR: Right. We can put it up on the screen there if you need.
- 40 MR HARRISON: No. Just put the computer here.
- MR: Okay.
- 45 MR HARRISON: That's fine.
- MR REED: I can just put it here - - -

MR: Yeah, yeah.

MR HARRISON: And - - -

5 MR WILSON: And that's something we can put on our website.

MR: Yeah. If we can put that - - -

MR WILSON: Okay.

10 MR: Yes, of course.

MR WILSON: We will need a copy to put on our website.

15 MR: If you can send it to us, that would be great.

VIDEO SHOWN

20 MR HARRISON: Thanks for that. So I guess what I want to convince you today is that we now – if this planning proposal goes ahead, we have the opportunity of having the best tower north of the Harbour Bridge. We will set a benchmark in quality for new development commensurate with the \$20 billion investment in the
25 Metro system. So that's trying to sort of set the scene. On page 4 of this document, there's – we've – you've introduced the planning proposal's increase and height and the commercial floor space ratio.

30 Then there's a summary here of the strategic merit and site-specific merit, and I just – I need to read through that because it's quite important. The – in the North District Plan, which has now been finalised since lodging the planning proposal, it identifies a need to continue to provide housing close to jobs, services and infrastructure. The plan sets a target of 3000 additional dwellings by 2021 for the North Sydney LGA, and the proposed development will maintain a minimum non-residential FSR of three
35 to one and also accommodate 224 residential units in close proximity to the Victoria Cross station North Sydney.

In fact, the site's only – as you see by the plan there, you can see our is outlined on McLaren Street and the Metro – the northern entry to the Metro station is just on the
40 corner there, about 50 metres away from the site. The – on that plan you can also see the southern entry to the Metro on the corner of Berry Street and Miller Street, and the middle of the diagram shows the Ward Street car park site and the two – on Berry Street, you've got two little office buildings facing Berry Street, and I want you to note that because that comes up in the presentation. The – as you know, the Victoria
45 Cross Metro Station was selected – the location was selected by the government for its capacity to accommodate significant growth, and, in fact, EIS talks about maximising growth. The \$20 billion investment, according to the economists, as part

of the EIS for the Metro is boosting economic activity by \$5 billion per annum along the route, and the northern access to the new station's just 50 metres from the site. So the strategic merit is, I think, undeniable.

5 The site-specific merit. Proposal allows for a meaningful conversion, long-term maintenance of a significant heritage fabric. There's a few words – more words than that coming up in the presentation. We've got the best heritage consultants in Australia looking at it. Within GML's team they have people who are specialists in Seidler work all across Australia, and so we've got the best people looking at it. The
10 second point:

The proposal facilitates the redevelopment of the Ward Street Precinct and provides a vital north-south connection between Berry Street and McLaren Street.

15 And I will explain that a bit further to go into it because it is quite important to understand in this context. And:

The proposal is consistent with future building heights stepping up to RL 289.

20 So we're wanting an RL of 226. That's 60-odd metres below the highest height that's in the current LEP for North Sydney, and the highest height sits just south of Berry Street on the Berry Square development.

25 MR WILSON: Sorry. What number's that on this map?

MR HARRISON: It's - - -

MR WILSON: It's further south, is it?

30 MR HARRISON: You can see this 37-storey building here. It's that block through there is the highest height.

MR WILSON: Right.

35 MR HARRISON: That's – after the – this presentation, we will step to the model, and you will see - - -

MR WILSON: Okay.

40 MR HARRISON: - - - everything on the model.

MR WILSON: Thank you.

45 MR HARRISON: Page 5 talks about Victoria Cross, the Sydney Metro, and I guess you know a lot about that. The right-hand photograph is the approved indicative design for an office building of 40 storeys. 40 storeys is equivalent to 50 residential

storeys. There's potential to go higher, but that's what's approved at the moment by the government. The diagram just puts it a little bit more in context. It shows the Ward Street block outlined in dashed lines. It shows our site between the two Metro station entries. So it's a little uphill walk to the Victoria Cross north entry, and it's a level walk to the Victoria Cross south station.

On the next page – this is page 6 – the main thing to say is that council has reviewed building heights in their recent – or a couple of years ago – their capacity land use strategy, and that's now reflected in an amendment to the North Sydney LEP in October last year, and the key things to note – you can see those – on that plan – this is the height plan for the LEP, and the letter in white is the block to the south, on the south side of Berry Street, where you can see those higher heights of 289 – RL 289, RL 260, etcetera. So it's – and RL 230 for the Metro station office tower.

MR WILSON: Sorry to interrupt.

MR HARRISON: No, please do.

MR WILSON: So there were no changes made to the Ward Street Precinct?

MR HARRISON: There were some changes made, and they more reflected on Miller Street.

MR WILSON: Okay.

MR HARRISON: There was no change made to our site – our site changed – RL 100.

MR WILSON: Okay. That's fine. Thanks.

MR McEWEN: Largely because it was deferred to the Ward Street Precinct, which - - -

MR WILSON: Right.

MR McEWEN: Yeah, it's sort of a separate process.

MR WILSON: Yeah, that's right

MR HARRISON: Yeah, that's right. Yeah.

MR WILSON: Thank you.

MR HARRISON: The Ward Street Precinct Plan was deferred out of this until – and the council, while they're doing the strategy of the Ward Street Precinct - - -

MR WILSON: Okay.

MR HARRISON: - - - they won't - - -

MR WILSON: Yes.

5 MR HARRISON: - - - be changing controls subject to the planning proposal on the individual sites.

MR WILSON: Sure. Thank you.

10 MR HARRISON: Page 7 talks about timing. 2014, the owners were – actually, I think the owners were approached by council to look at a coordinate development because the Ward Street car park, owned by council, the lease was coming up in a few years and – see what could be done with the street block. Council asked us to hold off on preparing a planning proposal, and – but we ended up submitting a
15 planning proposal on the 1st of September 2017. That was after the first draft Ward Street Precinct Masterplan was exhibited.

Then, in 7th of March 2018 – just over a year ago – in bold here – we met with the North – the Sydney North Planning Panel, and they supported going to gateway. The
20 gateway determination was issued on the 23rd of August, and then council requested a review of that gateway, and that's why we're here. Now, you might think it's a bit cumbersome going through some of these plans, but I just want to talk about the context of the site and how the planning has progressed, and I will just talk to it briefly, and our lengthy and detailed involvement, not just on our site but looking at
25 the precinct.

On page 8 is the draft Ward Street Precinct Master Plan, our drawing of their information. So everything's presented the same way. It was done by consultants called Roberts Day, and they identified a number of development sites in the Ward
30 Street Precinct, and they are, fundamentally, items E, D, C, B and F on that diagram. Now, it's interesting because on this master plan, B is 41 McLaren Street, and they said that we could add another five storeys on top of the building in this plan. D is a hotel, and that's sitting on top of those two little office buildings facing Berry Street which I pointed out in the aerial photograph before. That hotel is only seven rooms
35 per floor, and we say that's completely unviable to council.

The next – building C is council's car park site, with an office building on top, with residential above the office building. The office floor plate's about 570 square metres – again, unviable and not A-grade office space as was required by the council
40 brief to their own consultants. Nevertheless, they exhibited this plan. We then submitted a massive submission. We went through it. We looked at everything. We got a couple of economists and real estate people to look at the built forms and the viability and demonstrated to council how there's not one aspect of this plan that's workable and that, "You really need to look at it again."

45 So we presented what's called an alternative master plan. This is on page 9, and the main thing was to get A-grade office space, and the best way to do that is to have a

planning system that allows council to amalgamate its Ward Street car park with those two little office buildings fronting Berry Street and have a major building, have 14, 15 hundred square metre floor plates, 40 storeys of office space at least, and that item B is a hotel on top. And we also proposed a north-south spine right through to –
5 between Berry Street and McLaren Street, and then on McLaren Street, if – I don't know if you've seen the site, but there's actually a colonnade that is on the western side – the left-hand side – of the building, running through, and we can extend that colonnade to connect to the north-south spine, and I will explain that in a little bit more detail.

10 So what we tried to do is put our proposal in the context of what really should be a great future for North Sydney. We still felt this was a bit underdone. On this diagram, at that stage, we didn't know the height of the Metro development, and I've assumed we could go to 60 storeys, but the actual height is 40 storeys. That's
15 reflected in the model now. This is what they've presented to council at the time. The next page is page 10. We also presented what we called a visionary master plan, and I want to note this because this – half of this visionary master plan the council has actually finally taken up. The visionary master plan talked about building B, which is amalgamating council's site.

20 I must say the council officer said at the time, "You can't hold council to ransom, bribing us to amalgamate." I said, "We're not requiring you. We're just saying that – put the planning controls in place to allow that to happen, and I reckon, 95 per cent, the market will do it." That's precisely what's happening. Dexters has bought up
25 land next door. They will eventually do a deal with council, and this – and they've actually proposed this, and this is very similar to what our visionary master plan was. Also, building E is currently a 12-storey office building on the corner of Walker and Berry, and we said, "You could go – put a proper office building there. I'm sure – we're sure that would be viable," and subsequently the owners of that site have said
30 yes, but it does mean overshadowing that little Berry plaza, and so in council's preferred master plan, now, they've also accepted – so they pretty much accepted the southern part of the street block as the way to go.

35 On page 11, we thought it was a really good idea to get this north-south spine going. I actually – a couple of us here worked in 41 McLaren Street building about 15 years – worked in that building – and we know the ant track. As you go – Miller Street is relatively a bit steeper. Walker Street there's a bit of a valley. So the actual easiest pedestrian route from north of McLaren Street through to the shops and so forth in
40 North Sydney is actually right through the middle of the street block. So the opportunity to have a direct connection – you can see from Berry Street right through to McLaren Street – would be absolutely fantastic.

I mean, various incidental open spaces could happen off that and widen that. That's
45 what the video referred to. It's widening the – that sort of pedestrian spine and making it a really interesting place for people, and the council has said, "Well, we don't really need that because we own half of that right of way on the western side." This one here. "We own half of that, and we don't really need this colonnade." And

we're saying, "Well, that's fine. The colonnade adds to The colonnade adds to – adds to what you're doing in that right of way."

5 So, to confuse things even more, page 12 is, then Council decide, in response to our submission and other people's submissions, that they would review the master plan, and they employed Hassell, in 2018, who produced to options. And the first option is on page 12. And in the plan you can see on the right-hand diagram, they said, rather than have an open space in the middle of the street block, why not put the open space on Miller Street? And that's a good idea, because you get better light. Miller street is a – a lot of those buildings are set back, and it's quite a pleasant environment to do that.

15 And in fact I was involved in the master planning of the – they call it the APDG street block in Central Sydney; you know, Alfred Street and Pitt Street and George Street, with the Lend Lease Tower and Mirvac Tower and all that – when I was at Council, from 2007 to 2011, as their director of city strategy, we looked at a master plan for that area, and we had a central open space. It was overshadowed, but we accepted that. But Lend Lease now come and said, "Oh, we can do better," and they put the open space on George Street, and – to be part of the George Street spine. 20 And so that's a similar sort of thinking as here, as the open space is on Miller Street. One of the problems is that the development potential that Council allowed for that office building to be replaced by a taller office building is just not enough for that to happen, and so the council have – are preferring option 2.

25 Just going back onto option 1, as far as McLaren Street is concerned. Option 1 did have a tower on our side. It was offset, not symmetrical with – symmetrical building. And they had designated it to be a hotel. A hotel is, you know – it's really not viable. It needs to be part of a – the – a larger development to be viable. You – and the council have actually also indicated, a hotel could go on top of their building in Ward Street. So – and it's not – from a heritage point of view, it doesn't really work being offset with the symmetrical quality of the development. Nevertheless, 30 Council proposed a 30-storey – all up, 30 storeys. And it's part of the exhibited – these two options.

35 Option 2 is their current preferred position, although at the council meeting in February they've deferred their position on the master plan, basically saying they've adopted our visionary idea for the Berry Street properties, which is the Ward Street car park amalgamated with the two little office buildings, and also that one on the corner of Walker Street and Berry Street, which is currently a 12-storey office 40 building and – major office building.

So they've adopted our visionary scheme, but they left the rest of us a bit at sea. And the rest of us are 41 McLaren Street and the site on the corner of Walker Street and McLaren Street, which is this one. So these two are sort of left out of the plan. Now, 45 option 2 talks about how – you can see the right-hand plan – they talk about an open space, in – with a little (b), and then the (d) was the community building. So that was – was presented as option 2.

MR WILSON: That's the community building there, is it?

MR HARRISON: This one, (d).

5 MR WILSON: (d), I see.

MR HARRISON: So that's where we were, I guess, in late 2018. So then the final master plan of Council – well, it's not final yet; preferred, and it's been deferred – is on page 14. So as I say, they've accommodated – they've really got our visionary scheme for the southern part of the street block, and nothing on the northern part of the street block.

Now, it's worthwhile noting, our neighbours, at 45 McLaren Street, on the corner there – that note, on the left-hand column, says, 45 McLaren Street was proposed at 12 storeys in the 2017 plan. It's currently three or four storeys. Then it was 25 storeys in the 2018 option 1, and now there's no uplift at all. So you can imagine, they're unhappy. One of the reasons why the council has deferred it is because these people have objected, and the councillors have said, "We will come and meet with the owners and see what can be done." So it's still in that state of flux.

20 MR COUTTS: The difference between the – on page 10 – those two diagrams is, you've skimmed in your - - -

MR HARRISON: Yes, just for - - -

25 MR COUTTS: Yes.

MR HARRISON: - - - reference points.

30 MR COUTTS: Yes.

MR HARRISON: Yes, that's right. That's not Council's preferred – we've just put it in there to show it all in scale.

35 MR McEWEN: And I will just say that the main difference between the preferred master plan and what was option 1 was the removal of the community building, which has now gone into the podium of the tall office building.

MR HARRISON: Yes, it was a good idea. So page 15, the overshadowing of Berry Square: that's been another issue that's been playing around the last few years. There is an LEP control that protects sunlight onto Berry Square between 12 and 2, though it's mostly overshadowed in that time.

MR COUTTS: Before you go on to the overshadowing - - -

45 MR HARRISON: Yes.

MR COUTTS: - - - can I just ask a question?

MR HARRISON: Yes.

5 MR COUTTS: Do you have any thinking or – as to why Council has basically left your area as it is, or - - -

10 MR HARRISON: I think the main reason is that they've decided they can't go as – well, things – decisions have not been actually made yet, but they'd prefer – it looks like they want to go with the central open space, and they feel our building overshadows the central open space. I think that's the main reason. And – but I've got lots of shading diagrams that talk about that.

15 MR COUTTS: No, I just want to get a sense if you have any feelings on why Council was taking the position they were with that.

20 MR HARRISON: Yes, I – there's – there is impacts on the residents to the west, and that hasn't come out strongly – you might comment, Taylor – but the main issue is, I think, shadowing of the newly created open space, yes.

25 MR CURRO: Yes, there's a real drive to try and create this sunny plaza in the middle of a whole lot of modern buildings, and it seems to be, you know, pushing in the wrong direction. Yes, try to provide a terrific, active spine, but it's never going to be a Sydney open parkland sunny space; it's more like a Melbourne, you know, laneway, that should have fantastic activity along it.

MR HARRISON: Well, it seems, being a mid-block, that's sort of inevitable, isn't it, really?

30 MR CURRO: It's very difficult to do what you're trying to do.

35 MR HARRISON: Anyway. So – we're still on page 15, Berry Square. That's that little, really, forecourt of a building on Berry Street, on the south side of Berry Street, but it's on that same north-south axis, through the Ward Street precinct. That's how they control protecting sunlight on it, which is pretty ineffective because it's mostly overshadowed at 12 to 2 in the middle of winter. And so the council thought about extending the – the control times to in the morning. But now, with the latest preferred master plan, as you can see, they're proposing these two large office buildings to the north-east and north-west of the square. They've decided that –
40 well, haven't decided; their current preference is that the planning control – the sunlight access control of that space be removed, because that's the implication of these two plans – of their planning to date.

45 MR CURRO: And – sorry, Michael – it might be just worth adding - - -

MR HARRISON: Yes.

MR CURRO: - - - that before these developments happen, the design of our building actually will shape so that there will be no further loss of sunshine on that square - - -

5 MR WILSON: As a result of your building?

MR HARRISON: That's right.

MR CURRO: So - - -

10

MR WILSON: So, just in relation to this, notwithstanding there's implications for Berry Square from option 2 - - -

MR HARRISON: Yes.

15

MR WILSON: Yes – you don't – if your site was developed, it doesn't add additional overshadowing?

MR HARRISON: Well, we – well - - -

20

MR CURRO: No.

MR HARRISON: The current design doesn't add additional overshadowing, but because there will be additional overshadowing from the two buildings that are proposed in Council's plan, it does open up the opportunity for the top of our building to be changed, because it's not – it can still be within the shadowing of the new shadow that's being cast by the other buildings.

25

MR WILSON: Yes.

30

MR HARRISON: So we haven't investigated that. But at the moment it doesn't overshadow.

MR WILSON: And you will be casting a shadow on a shadow.

35

MR HARRISON: Yes. Well - - -

MR WILSON: Well, potentially.

40

MR HARRISON: - - - we haven't actually done the detailed study - - -

MR WILSON: Yes, yes.

MR HARRISON: - - - to work that out yet.

45

MR WILSON: That has to be – yes.

MR HARRISON: There might be - - -

MR WILSON: A procedure.

5 MR HARRISON: - - - some further - - -

MR COUTTS: But you won't be adding to any overshadowing, basically, is what you're saying?

10 MR HARRISON: It's – that's our current position, and I think that, if – if it's decided by Council that shadowing of the space is not a concern, well, then the design might change. Page 16 is – I just wanted to put a bit of comparison in – and this might be in the wrong location in this presentation – but we've got three sites next door to us to the west: there's 221 Miller Street – and I will talk about them in a
15 moment; you will see what I'm talking about – and 231 Miller Street, 229 Miller Street. They're residential developments of mainly sort of around the 20-storey mark. And I just – while our development is twice the height of that, in terms of density, we're actually at about the same density, or a little bit lower.

20 And North Sydney Council doesn't use FSR as their control, so we don't actually know the FSRs of those buildings, but if you divide the number of apartments by the site area, the right-hand column basically says, the existing developments on those three vary from 7.5 to 9.5 square metres of site area per apartment; we're sitting at 10.5 square metres per apartment. And so we're actually at a slightly lower density,
25 in terms of numbers of apartments. And so just – it's just understanding the relative densities.

If you were to use an FSR as a measure, the FSR on our site is 13.1 to one. That's the residential and commercial together. That's pretty consistent with Central
30 Sydney as between 12.5 and 14 to one generally, and then our planning proposals coming in at twenty – 22 to one and being approved. And North Sydney – our offices are doing an office building in Mount Street; it is 22 to one floor space ratio. So it's – I think the density would be reasonable, when you look at those sort – that sort of context.

35 Heritage: I think the video sort of explained it quite well. There were sort of – the main heritage values of the building are how it presents to the street. So the current building is the stepped form, with terrace gardens. The – how it presents to its east and west elevations, with the interesting – light – shadow and light play on the
40 louvred façade, and those balconies. And then the colonnade entry. They're the three most important parts. The interior of the office space – got the plan there of the, I guess, the seven-storey component of the office building. The idea would be, with a tower on top, within I think a metre or so of the external façade, that would be gutted, and a new core and new office space, with residential above.

45 As I say, GML have done the work, and we've got a – we've got a heritage impact statement, and a – what's the other document? Two – two heritage documents

supporting it. I'd like to hand over to John to talk about the architectural design of the tower and how it integrates with the building. It's – we thought it was very important, being a Seidler building and a heritage item – the only people to talk – to go to as architects would be the Seidler office. And – over to you.

5

MR CURRO: I guess it's probably easier to talk to the architecture when we look at the model, but just briefly, some of the comments about the building and the design. Of course, we're adding to an existing building, which is a heritage building. It's a building that's built in 1973, and is a particular style of Harry's architecture, which is quite rectilinear in form. As Michael explained through those diagrams, there are some fantastic façades that have sunblades and inset balconies, and in particular this stepping terrace front to Miller Street, which is landscaped and creates a wonderful sort of podium scale for North Sydney. And that's something that we want to maintain in developing a tower over the top of it.

15

So we're building a new core that's running through the centre of the building. Michael mentioned a distance back from the edges; it's probably more significant than what was mentioned, where we're actually leaving quite a considerable area back from the façade, because that's where the structure and the depth of these inset balconies and so on are, to provide a core through the middle and then columns that go up and provide support for our tower, and down into the basement and provide suitable layouts for the basements.

20

But in particular we want to make sure that there's a separation between this well scaled podium that presents itself to the streetscape, and to set our tower well above and well back from the edges of this. And that's why we've positioned the tower more central to the site; we've pushed it as far as – away as we can from the western buildings, and positioned it well away from the buildings opposite on – on Miller Street, because that's – that was proposed to be a very bulky building, with over 400 apartments, so we felt that was kind of like the position we needed to be, but in the same time to create a setback from this wonderful terracing at the front of the building, which we don't want to, you know, overwhelm by our tower.

25

30

And we've produced a tower that only occupies about a third of the site; so it's very slim. It's very tailored, so that it has two very slim wings. It has re-entrant curved forms, that come back into that, to allow natural light to come into the lobby, rather than having everything inboard and closed off. And the whole thing, as a design, I guess, takes you through the history of Harry's architecture, where we started off with more rectilinear buildings, which had interesting forms, and interesting three-dimensional spaces, to forms that were starting to show more curves. And then later in his career, he had curves that were much more curvilinear, and counter – counter-curves. And this, I guess, in one sort of thing, shows that development through his architecture and that's how it tied back to the heritage and, I guess, our way of presenting this is a valuable return to North Sydney.

35

40

45

MR HARRISON: And one of the great advantages is the double-height colonnade.

MR CURRO: Yes. So at the moment, there is a single-height colonnade as Michael mentioned. Originally, it had this wavy paving in it that was a feature of the design and now, the proposal is that we reinstate that paving. That could be a feature of this spine that goes through to connecting the metro in the south area and through this
5 new precinct that North Sydney is trying to create – the Ward Street precinct. And also to make this two storey high to introduce an artwork like you're shown on the diagram that, I think, is a number of pages back, and we've had an artwork designed by Robert Allan if you just, sorry, turn back to page 11. This becomes a spine that opens into the various functions of our building, which is obviously the residential,
10 the commercial and hopefully, some retail as well and creates a connection with history and something moving forward to add to the vibrancy.

MS SEIDLER: The photo at the bottom is the original building with the way the pave and the sculpture which unfortunately, one of the previous owners took with
15 them.

MR CURRO: They took away.

MR HARRISON: In their backyards somewhere.
20

MS SEIDLER: The way the pavement is

MR CURRO: So Michael has obviously mentioned the opportunity of this site being located where it is and the – you know, the opportunity to provide residential
25 in a location that adds value to North Sydney and takes it from being a commercial centre that closes after, you know, 6 o'clock and, you know, in the same way as we're pursuing in the city and everywhere else where, you know, residents are nearby and they frequent the place and it becomes more lively and so on. I think the rest we can probably talk over the model.
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MR HARRISON: Okay. Yes. Because the - - -

MR CURRO: introduction to what the architecture is about.

MR HARRISON: And obviously, you're – we're asking you to approve a couple of
35 changes to the planning controls and there's no – under the planning controls, there's no guarantee of the architecture. So the voluntary planning agreement that we have offered to council, we're happy to – the owners are happy to – as part of that agreement – that the Seidler office is the architect for the project. On page 20, a little
40 bit – and I wanted to start talking about impacts of the tower on the neighbours and the open space to the south.

Looking at the setbacks, you can see the tower on the plan on page 20 that, it's set
45 back 7.4 metres and 8.6 metres from the middle of the adjacent right of way or laneway and the residential development to the west is 39 McLaren Street. That's seven metres set back from the middle laneway. We don't – I've shown a view line there. We've drawn a 60 degree angle from the middle of the southernmost balcony

on the eastern elevation to show that that the tower set back – there's quite good outlook retained from that tower.

Obviously, the buildings above the four – I think it's a 12 storey building, isn't it?
5 The storeys above the seven storey existing residential have commanding views of the harbour and so we will be blocking those views. But that's, sort of – I think that's an inevitable consequence of being in a densifying environment close to a railway station. The next building to the south is 229 Miller Street and again, it's only set back six metres from the middle of the laneway and also only 13 metres
10 separated from its building to the north and six metres separated from the building to the south. 229 and 221 Miller Street, so both 20 storey – 20 – 22 storey buildings – 229 was approved only early last year. Yes. I was at the independent – at the District Planning Panel meeting at the time and it was a very difficult site because it's surrounded by other buildings. The building to the west had a blank wall up to
15 15 storeys and so it's clear that the building of some sort of size was going to go. We're a bit surprised at how close it is to the - - -

MR: It's commercial here.

20 MR HARRISON: No. It's residential. So all they've got is a residential and both the two southern ones, 229 and 221, are under construction now. 221 is, sort of, almost topped out I guess and 221 is just getting out of the ground. Those apartments have mostly been sold, I believe. So obviously, there will be – there's some issues on impact. We believe in terms of views, we've done a good job of
25 offsetting our tower, so that there's still outlook to a reasonable distance from both those buildings. I think 229 was always a compromised site and shouldn't really compromise our development being on such a much larger site, probably four or five times the size and it could really be much more presentable.

30 Visual impact – page 21. This is an interesting little diagram. So I will just – I will go from right to left. So building M, at the bottom of that little arrow, is the top of 168 Walker Street building M. So that's an 18 storey office building which is now being approved to 29 storeys residential and that's sitting probably a couple of
35 storeys above ours, so it's equivalent of our 31 storeys compared to ours at 45 storeys. Building E is our site at 45 storeys. Building M – Aqualand own it. They got a DA approved a couple of years ago.

We understand they've put it on ice for the time being. If I was them – well, they've got quite a wall of buildings occurring. It will be on the model up there. And if I
40 was them, I would be going for a taller development there at some point in the future. So as far as I know, they've put it on ice and kept it as an office building for the time being. Building E is our tower at 45 storeys. Building B is the council preferred master plan for their site at the moment. Building A is the metro tower sitting behind building B. That's your approved 40 storey office building. Building G – 76 Berry
45 Street – what's that one?

MR McEWEN: That's the – part of the Ward Street Precinct Masterplan on the south east corner - - -

MR HARRISON: Yes. Yes. That's right.

5

MR McEWEN: Yes.

MR HARRISON: That's the south east corner of – corner of Berry Street and Walker Street that – to the north east of Berry Square. Building K is a development approval a little bit south in the Berry Street block to the south. And building L is an office building, almost finished construction that my office is designing – 100 Mount Street – and that's the one that's – I think it's close to 40 storeys, isn't it?

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MR McEWEN: Yes. 40

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MR HARRISON: 40 storeys and – what was the other thing – and that's one sitting at 22 to one FSR – well, the council doesn't use the FSR as a control, but it's quite interesting. Okay. The next page is, sort of, full photograph – sorry. I haven't – I didn't address the image to the right of page 21. So obviously, the image to the left is the view from the walking – the pedestrian bridge over the Warringah Expressway and the view from – a view on the right-hand side of page 21 is from the walkway just coming onto the Harbour Bridge, so looking northwards, and you see the cluster of towers that have been in various stages of approval. Page 22 is – just shows our tower in the current context of development. So we're looking at the – our existing building is obviously a small building now compared to the surrounding developments that are going on and our planning proposal with the site of design is really the next generation of development to – I think for North Sydney as part of the city metro. And I think that's a particularly beautiful looking image.

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Page 23 – overshadowing adjacent buildings. So this plan just – we're basically talking about two buildings. There's – the number one is 229 Miller Street and number two is 221 Miller Street and so we've got some comprehensive shadow analysis of those buildings coming up. Page 24 – now, a bit difficult to explain, I guess. But running across the bottom, there's three diagrams. The first diagram – solid access to living rooms of adjacent buildings with the Ward Street Precinct plan. So that's the preferred plan of council.

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So the preferred plan of council is no development on our site and even with no development on our site, there's only about three apartments on the top couple of floors are getting two hours sunshine. But mainly that's because of the development approval of 168 Walker Street that is overshadowing and also because the angle of the sun – there's sunshine on – start about 11 o'clock and – but it's shadowed from pretty much up to 10 o'clock. So there's less than two hours sun and it's the control.

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The next diagram is the option 1 of the council's plan, so that the 30 storey hotel sitting on 41 McLaren Street and shows that the council's option there effects shadowing on two of the apartments at the top there for one of the buildings. And

45

then the next diagram, the third diagram, is our planning proposal. So we're effecting two or three apartments reducing their – from the two hour sun they currently enjoy. There's further analysis on page 25. The first row of diagrams is in mid-winter at 9 am, at 10 am and 11 am, and they're the two buildings – 221 and 229
5 Miller Street. And the grey represents the overshadowing caused by the preferred master plan which is no development on 41 McLaren Street. The lighter grey is the additional shadowing caused by the architect's proposal and the hatched area is the additional overshadowing caused by the precinct plan option 1 which have the hotel on our site.

10 So you can see that at 9 o'clock, a large part of the building is overshadowed. At 10 o'clock, the 229 has some sunshine. 11 o'clock, it has broad sun and then after 11 o'clock, you will see in the shadows that the sun moves around and causing shadow again. The living rooms are all set back behind balconies and so in some ways, you
15 could say these buildings never would have enjoyed the ADG level of solar amenity, but the reason why the District Planning Panel approved one of these buildings recently was mainly because something had to be done with the site and generally, the amenity of the area north of Sydney balanced the solar access issue.

20 Page 26 is overshadowing the new public space. So the council's public space in their preferred master plan is now in the middle of the street block and these diagrams – the top row are diagrams on page 26. The preferred Ward Street Precinct Masterplan which is no development on 41 McLaren Street and it shows at 9 o'clock a very slim sliver of sunlight coming through and 9.30, much the same. Pretty much
25 fully shadowed at 10 o'clock. A little bit of sun at 10.30. Better sun at 11 o'clock and 11.30. So 11 o'clock to 11.30 and even to 12, you might say there's some reasonable sun in that central open space and then 12.30 onwards, it's really in shadow. So for the lunch, the critical period, 12 to 2, the open space is pretty much in shadow. That's, sort of – that's - - -

30 MR WILSON: That's without – that's without 41.

MR HARRISON: That's without 41, and that's quite an important thing, I think, to understand because it just further reinforces what John has said about a mid-block
35 space. It's pretty hard to expect good levels of sunlight throughout the year, and that's even without our proposal. So with – on page 28, we've got the 41 McLaren Street planning proposal, and so you can see there's still a shaft of light at 9 o'clock, at 9.30. 10 o'clock, there's very little light. 10.30, little light. 11 o'clock, a little shaft of light. 11.30, some light. 12 o'clock, some light. 12.30, it starts to go, and
40 then it's shadow for the rest of lunchtime. So, yes, there's an impact by our development, and – but on the other hand – so then we looked – then we decided to look at the equinox. The council wanted to look at the equinox as well. So that's what the next series of diagrams look at. Probably a good idea to focus on 12 till 2.

45 So this is – on page 30, this is without the tower on 41 McLaren Street. So you can see, yes, it looks quite good sun in the morning and getting through into lunchtime, but by – after 12.30 you start getting the space overshadowed significantly in the

spring equinox. And then our development, on page 32, says that spring – actually getting reasonable sun in the morning from 9 to 9.30. Starts to close down at 10. 10.30's a little bit. 11 o'clock, it's pretty much overshadowed. Then a shaft of light comes through at 11.30 to 12. So there's half an hour of the shaft of sun because of that north-south spine, and then it starts to close over again, with no real sunlight in the middle of – in the lunchtime hours and the afternoon. And then the summer solstice. Well, the summer – it's pretty good regardless, as you probably might expect, but they're still overshadowed at – after 2. What's this one. Sorry. So page 34 was the existing situation without the tower, and page 36 includes our tower. So pretty marginal impact in summer.

On page – this is a complicated table, but you don't need to know it all. Page 38, it's just really the bottom line. What we did was we added up how many square metres of that open space was in sunlight at every half-hour of the day, and between 12 and 2 we added up the square metres. So that bottom line is how many square metres of sunlight that's in the open space during the day, and so – of the various proposals. So the Ward Street preferred master plan, without our tower, there's 1300 square metres of sunlight in 12 to 2. In our proposal, that reduces it to 1100, and if – we've also been asked, as one of the gateway conditions, about what if we move the – shuffle the tower as east as possible, and would that have some beneficial impact? And if we move the tower in line with its eastern boundary rather than set it back from the east and the west, it would be – open up sunlight a little bit to 1220, but obviously it's much of a muchness. The same thing – that's the winter. Then there's the spring, and then there's the summer, and you can see the numbers – I don't think are that significant.

One of the issues that council has said is that it is wholly – going to be wholly shadowed by our development. Well, it's already significantly shadowed, and in fact we don't really – there will be some sun there, but – and we don't, I don't think, significantly further overshadow it. I think that's a reasonable thing to say. Page 39 – that's the alternative tower location. So that just shows moving the tower to the east. So I think – so we're getting – I think that was – it was – I think it was set back 2.5 metres from the eastern boundary. So it moves over 2.5 metres, but the – as you can see by that table, it's a fairly marginal change in shadow impact.

MR CURRO: And the impact of moving the tower further east is an impact on the heritage building because that's one of the key facades that we want to stay back from. So moving our building and our structure further to the east complicates the

MS SEIDLER: Complicates the whole zone.

MR HARRISON: Yes. I mean, if we were getting a significant solar improvement, I'd probably sort of press for that to be considered, but the heritage advice is that that's the wrong thing to do. It's a symmetrical building. The tower should be symmetrical. Seidlers, the design advice is the same, and so – and there's not – I don't think there's enough merit in moving the tower to justify moving it. Page 40 of

the VPA – just to let you know, the VPA has been – there has been an offer. The offer is ten and a half million dollars, and that’s based on two methodologies. We had Urbis look at it, and that’s – and then we also had Hill PDA. Hill PDA have done, I guess, the basis for VPA for many councils and developers, and they’ve particularly followed, I think – what’s it called – the State Government’s guideline for doing VPAs.

And so that’s Hill PDA’s review, and it’s fundamentally based on 50 per cent of the uplift of the value of the land – from the residual value of the land, which is the way that the government has said is a good way to do it. So they pretty much align with what Urbis has said. The council has said, “How can they tell if it’s a good offer or not a good offer? It’s all too difficult.” Well, it’s quite easy. Just employ someone who’s independent and has a look at it. Anyway, the offer is made. The right-hand column is a number of points. I spoke to Helen Macfarlane at Addisons Lawyers just to sort of – well, about the VPA. She basically says that once it’s made, it runs with the land. It can’t be changed without agreement with the council. That – and I think an important point there is in the middle it says:

An LEP amendment can be made without a VPA in place.

This is if council takes the VPA:

The VPA can be agreed to be required at the same time as DA consent.

So there is time to sort things out if council is unhappy with the VPA. Traffic and parking. There is a condition in the gateway determination, and there’s a condition that the Department of Planning want that parking should be reduced on the site. So we’ve currently got 210 parking spaces proposed in the planning proposal. There’s currently 91 existing spaces, and the office’s advice at this stage is consider having no more parking spaces than currently on the site, being right next to the railway station. My view is that – well, that’s one way of looking at it, but the real principle is traffic generation, and the current – and this information here is provided by our traffic consultants.

Fundamentally, it says that the planning proposal provides for 18 parking spaces for commercial, where it says 91 now for commercial. So we’re hugely reducing the number of commercial parking spaces, but we’re also proposing 197 residential parking spaces for 224 – 220 units. So almost one space per unit. And in order to sell it, make it good for people, it’s – and it’s obviously at the premium end of the residential market – we really do need one space per unit. That’s quite consistent with central Sydney, the way its parking works, with – it’s – it averages one space per unit in central Sydney. So we think it’s probably unreasonable to just keep the number of parking spaces to 91.

When you look at the parking generation, the – just in the middle here – the traffic impact assessment by Ason assumed the current site would generate the following peak-hour traffic: 35 trips during the am peak and 29 trips during the pm peak. And

the current proposal would be 26 trips in the am peak and 19 trips during the peak hour. So even though we've got all this additional residential, the actual trip generation is markedly lower, and then you take into account, with the precinct, the Ward Street car park, the intention of council is – I - - -

5

MR: Neutral.

MR HARRISON: The intention of council is no public parking in the precinct. So that'll reduce traffic generation enormously in the precinct, and so I think that we're going to ask you, at the end of this, to remove that condition.

10

MR WILSON: And the point is, Michael, that residential car parking generates less trips - - -

15 MR TRETHERWEY: That's correct.

MR WILSON: - - - than commercial parking.

MR TRETHERWEY: Yeah. I mean, I think the condition's really speaking to – I think it's a very sensible condition. If you were thinking of a wholly commercial development on the site, then you wouldn't want any more than 91 parking spaces for that commercial development, in order so that the traffic generation of that future development wouldn't exceed what you currently have. I'd suggest this goes further because it's significantly reducing the commercial parking from 91 spaces to 18 spaces, and in traffic not every parking space operates the same.

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Commercial car parking and retail, they're what we class as destination parking. Residential is what we class as origin parking, and, really, your decisions as to whether you take the car relies heavily on your ability to park it at your destination, and so because you have residential parking here doesn't necessarily mean that those residents would use their car. Their decision to use their car, certainly during the critical commuter peak hours, depends on the availability of parking as to where they want to go.

30

And so, by significantly reducing the opportunity for destination parking on the site, that's why you can provide, in purely qualitative numbers, significantly more parking, but expect less traffic generation in this instance. So the condition, as I read it, is really about capping the traffic generation of the site, and not necessarily about – something we know at the end – how many parking spaces would they count. And so whilst we would have more parking spaces, the traffic generation would be certainly no more, and most likely less, than what a commercial development with 99 spaces would generate.

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MR HARRISON: And, I guess, Council has had a rule of thumb, throughout the precinct planning for the last four or five years, that no – that traffic generation in the precinct should be no more than current, or – and reduced where possible.

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MR McEWEN: I will just quickly add to that, as well, that this reduction was based on the inclusion of visitor car parking as well. Council have raised an issue with that, I mean, as it's sort of just gone through the process, and we anticipate that, going through a DA process, it probably wouldn't have visitor car parking. So they probably – the numbers come down even further from what's here. So it was a reduction with the inclusion of that; take away the visitor parking, which may have to happen in the future, then it's an even further reduction.

MR HARRISON: There's probably about 20 visitor spaces?

MR McEWEN: Yes.

MR WILSON: 20, yes.

MR TRETHERWEY: And they don't actually – that's a good point, because, whilst I said "residential parking is origin parking", residential visitor parking is destination parking. So if you are going to remove any parking that's allocated to a residential development, removing visitor is a good way to manage that traffic, anyway. I suspect most of these spaces, if they have cars in them, they will be parked Mondays to Fridays, and people will have their cars for use on the weekend and stuff outside of commuting peak hours.

MR HARRISON: And you will probably know this, but there's been some surveys done on the Rhodes Peninsula, with all the apartments there, and we've been involved with some projects there. The traffic generation is much lower than anticipated before the development occurred, because people are just using their cars 50 per cent less than what was anticipated. And it's part of – it's just the way people are changing their habits.

The – on page – 42, in the council report, they've made a number of issues; I guess, we've just put them on the – we've put them down here. There's about 10 issues altogether. I won't go through each one. But I guess the main issue they have is that this undermines – our proposal undermines the strategic planning work of the council's doing. And our view is, that might have been a valid criticism a couple of years ago, but it's not really valid now. We've – Council is in their preferred position for at least half the street block, so we know what's happening for the whole street block except for our site and for the site next door at 45 McLaren Street. And so there – so it's just a matter of whether you think some high-density development is appropriate on McLaren Street, and whether the increased shadowing of the open space is significant or not. I think that's really what it comes down to. Item 2:

It unfairly burdens the development – future development potential of adjoining sites, including Council land.

Well, that's obviously not true. The only development potential that's not in Council's preferred master plan to date is our site and 45 McLaren Street. I've talked about the – item 5, the VPA. I've talked about the bottom of the middle

5 column, of solar access to adjoining residents. I've talked about the middle of the third column, blocking sunlight to the new square. So I've just put it all there, what they've sort of said and our response, but I don't need to go through it all, because fundamentally, I think, all of the comments are now either outdated or inaccurate or unreasonable.

10 Page 43 are the – is the summary, now, of where we're sitting with the recommended gateway conditions. There were gateway conditions put on by the District Planning Panel, and then gateway conditions recommended by the department. And it's a list putting them all together, and our response. Fundamentally, we're quite happy with all of the gateway conditions, except, we would like you to remove condition (e), which is about the traffic and parking issue, because we believe that that's – I think it can be consistent with the DCP, and which gives us almost one space per apartment, and that's a reasonable position to be.

15 MR COUTTS: Presumably that would be considered again, as part of the development consent process.

20 MR HARRISON: Yes. Well, it has to be. And even then, if Council changes its rates, it would be whatever the rates are. But when we look at the council rates, and we look at the city centre rates, and we look at the RMS rates, the RMS rates are slightly more generous; the city rates are pretty similar to the council's DCP. So we think it's reasonable.

25 MR WILSON: And the rates that were designed into the building were actually North Sydney Council rates.

MR HARRISON: Yes, that's right.

30 MR WILSON: That was the basis - - -

MR HARRISON: Including the business and everything, which might be the – might be the point where – on the – item (d) is:

35 *Consider what impacts your proposal may have on adjoining residential developments, and what mitigation measures or built form setbacks could be applied to minimise the impacts.*

40 We have moved the tower over to check that. We believe the advantage – there's not sufficient advantage in doing that. We believe we have satisfied item (d). But – well, I guess, our main concern is, if Council remain – if Council is the relevant planning authority, all these things will be held up for ever, while we go through endless permutations unnecessarily. So that brings us to the next page. So generally we're happy with the conditions, but those two – if they could be either removed or
45 modified, we would be even happier.

Page 44 is the conclusion. So it's pretty clear what the proposed LEP amendments are, the increase in the height and providing a – we haven't really talked about the commercial office space. The current floor space in the buildings are seven – seven floors of office space, and while we – that will be reduced slightly because of the
5 new core coming through, it will, obviously, all be new and upgraded, and it will be high – suitable to high-end office users, being right close to the Metro station. Currently the floor space ratio for commercial development is .5 to one in this part of the street block, and we're saying we're quite happy with a minimum FSR three to one to ensure that it stays – it's still providing at least the current employment
10 capacity.

The reasons the planning proposal should proceed separately to the Ward Street precinct master plan – because I think this is one of the issues Council has – we've – and I think these points are – we're quite fairly convinced that our tower is consistent
15 with the mixed-use vision for the precinct as such. It meets all the council's objectives the council had when they were having the brief for the precinct plan for the various consultants. At present there's no committed timeline on finalisation of stage 2 of the master plan. It could be imminent; it could take some time. The master plan is not yet resolved, despite it taking over four years, and gone through
20 different hands.

The planning proposal can proceed and still take into consideration the final master plan, because we now know, even though there's all this effort that has been done and we're a bit uncertain about the future, there are some common elements, and it's
25 the southern part of the street block, and urban space and so forth is fine. And we think allowing the planning proposal to proceed will mean it could be delivered and quite well timed with the metro – the station coming on board.

So we're requesting the Independent Planning Commission – there's – I've got three
30 items here, and I want to add a couple. We're asking you to recommend to proceed to gateway determination – public exhibition through gateway determination; that – I would just ask you to note that it's not necessary the draft of the VPA to be publicly exhibited at the same time as the public exhibition. We're caught – we're concerned about getting caught up in endless rounds with Council. I've been on other PPs
35 where the public exhibition is delayed, delayed, delayed, months, months, months and years, because the draft of the VPA is not agreed by the council. And there's really – talking to lawyers who have been involved in many, many VPAs – most VPAs actually don't get exhibited at the same time as the PP – as the planning proposal. It actually does go on for a longer period of time.
40

Item 3, amend condition 1(e), about the parking. We would prefer you to remove that or amend it. Then there's two other items I want to add. The fourth item I've talked about is to remove condition 1(d), about doing further work on mitigating impacts on the neighbours, in terms of setbacks and overshadowing. But, you know,
45 you might leave that.

And then – but – and then the next most – I guess the most important one, which I didn't actually put in the – in this report: we would like the Department of Planning to be the relevant planning authority, not the council. There's two reasons for that. Council really hasn't fulfilled its role properly to date. But it – but, I guess, one of
5 the main reasons is, it's actually conflicted. It's the major landholder in the precinct; it's our neighbour. And it would be more transparent and straightforward for everybody if the DPE was the relevant planning authority. So that's where we are. Now, what we would like to do is gather around the model, just point a few things out, and sort of open up the discussion to questions. It's up to you how you would
10 like to.

MR WILSON: I'm just trying to work how that works with the transcript.

MR M. TODD-JONES: I've asked for a microphone to be set up here, so that any
15 discussions around the - - -

MR WILSON: Okay.

MR HARRISON: Just by the way, in the appendix here, it just shows the tower
20 moved to the east, and the impacts on the neighbours north-west of it. This model is the current preferred master plan of the council. So they've got their site amalgamated with the two office building – little office building sites on Berry Street. Dexters own this and this, and they've put in a submission to Council about how it could all work together.

25 So we think that's a real potential happening. That's the approved Metro tower, the arrows all sitting on top, the office building. This is in the council preferred master plan for an office building of – because it's currently, I think, about this high – to be developed on this site. It would also be amalgamated with – there's a redundant
30 substation, electrical substation, fronting Berry Street; a new one's being built behind, and that will be amalgamated together and achieve a property with a greater result.

35 The three buildings we talked about: there's the northern McLaren Street fronting building next to us, about 12 storeys, and then there's the two buildings that are – with Miller Street addresses, at around 20 to 22 storeys. So that's the – I guess – that's the building that's of – is the one that's difficult for everyone, because it's sort of hemmed in. And then we haven't showed anything on 45 McLaren Street at all; that's to be resolved. But if a tower did occur there, it would be part of the – I think,
40 this development.

45 Across the other side here is the – I've forgotten the name of the lane, but there's a heritage conservation area here, and so Council has always been quite conservative, and they've kept development of heritage houses here – they've been able to develop behind. And so I imagine that one – the height here – to sort of somehow mediate between us and the kind of conservation area.

5 This is the DA. There's currently an office building of almost that length, 68 Walker Street. That's the DA envelope, and, again, if it was slimmer and taller, I think it would be better. This – at this height – this land is the Metro land for their construction access, and the Metro entry will be up here in the corner of McLaren Street and Miller Street. This is the height of a DA for the site and running through at that height. We've put extra height on here thinking that – we would think that some additional height would occur there one day.

10 Perhaps we shouldn't have done that, but the DA actually is at this height the way through. Council have just – are calling for tenders for consultants to look at all the area north of McLaren Street almost up to and through the Pacific Highway and including this block here between Walker Street and the freeway. Originally – that has gone now to tender for the consultants to look at the planning potential and the like for Metro coming in. Originally, this street block between Walker Street and
15 the freeway was part of the Ward Street Precinct. The council felt – I don't know – for whatever reason, they excised it out. So the Ward Street Precinct their master planning.

20 So these heights here are the new heights that are in the LEP for development to the south of Berry Street. So you can see this tower has the height up to 289 which is the highest height in the centre, and you can see existing office buildings, Northpoint, the old building from the 1970s. This is the office tower that our office is building. It's almost – well, it's finished. It's that's the building. In the – if you can – so we still have the north/south spine running through.

25 From our point of view, we would prefer the spine to be a wider public domain than what there is shown. We don't know why they've narrowed it back down because having that long shaft of space, I think, is – would be much better for the street block. So who knows what the council will do in the future. They might take that
30 up. You can see the – either side of our site there's a public lane which is owned by council. There's right of ways to these buildings behind, and – so that will always have cars accessing garages, and – but half, I think, of that roadway is now owned by council. It has been dedicated to council, and so our colonnade will just augment that sort of public domain component.

35 MR: I've actually got the model that's our preferred

MR VERNON: Yes. So we can just talk about this one. So this was, basically, our
40 master plan.

MR HARRISON: Sorry. What's this one? That's the council one?

MR McEWEN: This is our one, and this is the council's. So this is what we had
45 submitted, which has got the wider laneway.

MR HARRISON: I see what you mean, yes.

MR McEWEN: And there – you can see the wider – much wider laneway.

MR HARRISON: But Council still have an option to do that if they want to; it's just a matter of how the DA gets resolved on that, once the so there's still a way
5 to go with that.

MR CURRO: It's probably very obvious, but it's probably good to point out the discussions we've had about setbacks to buildings and things, and how we set the tower back because of this bulk that is emerging in Miller Street and McLaren Street,
10 but also to respect this terracing of the building and the streetscape around the building, but also to allow, you know, this building to have views past. And you can see, we've undercut our building, to some degree, there to allow that building to get views past. And this is the way we've shaved off our tower, when we were trying not to provide any more overshadowing to the square in Berry Street.

15 MR COUTTS: Moving your building east moves it this way?

MR CURRO: Moving it this way potentially compromises this site, but at the same time, you can see the depth of this heritage façade here. For us to move our structure
20 further to the east would have – be very difficult to do that. You know, there's a certain zone that's probably about three metres deep, from our façade back in, that represents the structure and the recesses of those balconies, and that's the basis that's determined the way we've – we've evaluated the structure and how we've resolved it, to have as little impact on the façade of the heritage building as possible.

25 MR WILSON: Council's adopted a – my understanding, Council adopts an east-west transition of buildings, whereas you've adopted a – I think that's reflected in here, probably – you've adopted a north-south transition type, using – is that right?

MR HARRISON: Yes, well, I think council has both, actually. They have both. They've got east-west and then north-south. And it's a generalised principle. I
30 guess, on the other side of the freeway, there's mainly – it's residential, and so the – ultimately they've said, I think, between 9 and 3, the controls, no more overshadowing between 9 and 3; the new LEP says between 10 and 2. And in effect
35 we could go up to 55 storeys and not overshadow anything west – anything east of the freeway after 10 o'clock. So – or whatever the time is – yes, 10 till – 10 to 2. And then there's – yes, I think – so that's – so – and that's also, I think – it's probably determining the height of this as well.

40 MR WILSON: So this is as it stands in the – in option 2, stage 2, yes?

MR HARRISON: Yes, and their preferred master plan. So – well, actually, that's – that was our – that's our scheme - - -

45 MR McEWEN: The only difference is the - - -

MR HARRISON: It's the same height. But this is the council's scheme.

MS W. LEWIN: And would your response be the same, strategically, if 45 is developed and achieves a higher

5 MR HARRISON: Yes, because we – the reason why we didn't go 55 was - - -

MS LEWIN: No, no. So not about the height; it's to do with the strategic approach to placing the building, the orientation – sorry – orientation of apartments and so on. Would that be the same strategic approach if – if - - -

10 MR HARRISON: For 45?

MS LEWIN: - - - 45 was developed much more intensively?

15 MR HARRISON: We – in our visionary plan, I think we had it up to 20 storeys.

MR McEWEN: I've got it as - - -

MR HARRISON: You've got it in your - - -

20 MR McEWEN: Yes.

MR HARRISON: Yes. So we thought that – we – in deciding the height for ours, we thought, mediating the stepping up was the right thing to do, and being right next to the railway station, it should be really – relatively tall. It's really unknown what the right strategy is for 45. You got the conservation area opposite. I would expect some sort of mediation, a smaller development here. So we've thought up to 20 storeys. The council has sort of gone up and down, and now has nothing. But with the new planning strategy for the area north of McLaren Street and this street block, hopefully those things will be further resolved.

30 MR VERNON: This is actually the envelope from Council's master plan, and – it was the original, or - - -

35 MR McEWEN: It was the – option 1.

MS LEWIN: Option 1?

MR McEWEN: Option 1.

40 MR VERNON: Option 1.

MR McEWEN: Yes.

45 MR VERNON: Option 1 or stage 1?

MR McEWEN: Option 1, stage 2, yes.

MR VERNON: Option 1, stage 2.

MR McEWEN: There's been a lot of master plans.

5 MR CURRO: And when you – of course, the kind of long site lends itself to having wings that face in these two directions, but that's also the – allied with the fact of the building's goals, and therefore we're getting cross-ventilation, and cross-sunshine, and views, and so on, that helps ameliorate this two-directional - - -

10 MR WILSON: And this is all approved?

MR HARRISON: This is an approved DA to – sorry – to that height.

MR WILSON: Okay.

15

MR HARRISON: And this is – there's an office building – there's now, like, a cluster of four buildings, and that's approved – DA approved.

MR WILSON: Yes, okay.

20

MR VERNON: The reason – so at that height – the reason the additional height was added there was to bring it up to here. And we know full well that Sydney Metro have been trying to seek additional density on all their sites as they've gone through, and they're sort of doing future work on future OSD as well.

25

MS LEWIN: Taking many steps back, in the earliest discussions with Council, were there any requests for studies on wind patterns? I mean, the amenity of public open spaces is largely contingent on two things: sunlight and calm space, one that's not really promoted as a wind tunnel. And there seems to be nothing in any master plan that's addressed this.

30

MR VERNON: We - - -

MS LEWIN: I would suggest that - - -

35

MR VERNON: We had wind tunnel testing done, by Windtech, and they undertook it not only for our building, for essential amenity, but also for the – our alternative master plans for the pedestrian space. And – as I recall; I mean, it's a long time ago now – but there were no issues; otherwise we would have amended to address those.

40

MS LEWIN: Are we able to request those - - -

MR VERNON: Yes. Yes, absolutely.

45 MS LEWIN: Yes. That would be good. Are you aware of any testing that was done by Council that would be able to be - - -

MR: I doubt if they've done any testing.

MS LEWIN: It seems like a funny way to - - -

5 MR HARRISON: Well, think of the shadow – also the shadow work they did was sort of based on this detail of the buildings around that we've got access to, so our shadowing is more accurate; they recognise that. So the – it went quite well with Council, but it's just that they just thought it was ahead of the process. But - - -

10 MS LEWIN: Okay.

MR HARRISON: - - - the process took quite a long time; you remember.

15 MR CURRO: But, I guess, the focus is that to have such a density of buildings, whatever the result is in the future, to try and put a public plaza here, that has to somehow get sunshine and not get – be windy and so on - - -

MS LEWIN: Yes.

20 MR CURRO: Is that really the right approach? Yes, fine to have an active, you know, corridor through, which we're all trying to promote, but it should be looked at in a different way, that has fantastic activity along it, and not necessarily relies on, you know, sunshine and – and calm conditions to make it a fantastic space. And hopefully that can be found somewhere else. There's been discussions about – I know Michael has said he's keen on this – that, you know, some of the freeways covered, so that there's a lot more green space. Or maybe but, you know, that's probably pie in the sky.

30 MR HARRISON: No, it's not. Okay, I - - -

MS LEWIN:

35 MR HARRISON: Yes. I think we're going to have to – because we're over time. But look, thank you very much. From here, Matt? Sorry.

40 MR TODD-JONES: Yes. So there's a couple of things. If I could be sent a copy of the presentation – a hard copy of that. Obviously we've been discussing this today: what I will do is take a – I've taken a photo of this, and it will be uploaded to our website, just to know that – just for transcription purposes, that kind of thing. And the video as well, if we could be sent that, and that'll go up on the website.

MS LEWIN: On Wednesday.

45 MR TODD-JONES: And what's that?

MR HARRISON: Wednesday.

MR TODD-JONES: Wednesday, yes.

MS LEWIN: Wednesday.

5 MR COUTTS: So your version of – that version becomes Mark III of the master plan, doesn't it? You could tick off - - -

MR HARRISON: On the - - -

10 MR COUTTS: - - - termination. It becomes a - - -

MR HARRISON: And in fact the District Planning Panel want our option to be exhibited at the same time as the Council option, so it will be looked at together. But anyway.

15 MR COUTTS: go ahead with the process.

MR HARRISON: Sorry?

20 MR COUTTS: This would – you would be going ahead with the process; someone in the council still hasn't finalised the - - -

MR HARRISON: Yes, I – that's true, we would – Council - - -

25 MR COUTTS: Which is what you want.

MR HARRISON: Yes, and – and we think – but on the other hand, we think enough is known about the process now, and someone has got to make a decision. Okay.

30 MR COUTTS: I understand.

MR HARRISON: Thank you very much.

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[11.24 am]