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**TRANSCRIPT OF PROCEEDINGS**

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TRANSCRIPT IN CONFIDENCE

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O/N H-1465446

**INDEPENDENT PLANNING COMMISSION**

**MEETING WITH APPLICANT**

**RE: HARBOURSIDE SHOPPING CENTRE REDEVELOPMENT (7874)**

**PANEL:**

**DIANNE LEESON (Chair)**  
**WENDY LEWIN**

**OFFICE OF IPC:**

**STEPHEN BARRY**  
**LINDSEY BLECHER**  
**KATE MOORE**

**ASSISTING PANEL:**

**KANE WINWOOD**  
**SAMMY HAMILTON**

**APPLICANT:**

**SUSAN LLOYD-HURWITZ**  
**BRETT DRAFFEN**  
**DAVID HOGENDIJK**  
**RICHARD FRANCIS-JONES**  
**SEAN McPEAKE**  
**TIM BLYTHE**

**DEPARTMENT OF  
PLANNING,  
INDUSTRY AND  
ENVIRONMENT:**

**ANTHONY WITHERDIN**  
**AMY WATSON**  
**DAVID GLASGOW**

**LOCATION:**

**IPC OFFICE**  
**LEVEL 3, 201 ELIZABETH STREET**  
**SYDNEY**

**DATE:**

**11.02 AM, THURSDAY, 6 MAY 2021**

MS D. LEESON: We will get going then. So thank you, and before we begin, I would like to acknowledge the Traditional Owners of the land on which we meet, the Gadigal People of the Eora Nation today, and pay my respects to their elders, past, present and emerging. Welcome to this meeting today regarding the Harbourside Shopping Centre redevelopment project. The Harbourside Shopping Centre is located towards the north-western corner of the Darling Harbour Precinct on the south-western foreshore of Darling Harbour, Cockle Bay. Consent is sought for a concept proposal for a residential and commercial building envelope and Stage 1 early works for the demolition of the existing Harbourside Shopping Centre buildings and structures.

My name is Dianne Leeson. I am the chair of this Commission panel. I'm joined by my fellow Commissioner Wendy Lewin. We are also joined by Steve Barry, Lindsey Blecher and Kate Moore from the Office of the Independent Planning Commission, and Kane Winwood and Sammy Hamilton, consultants assisting the Commission. In the interests of openness and transparency, and to ensure the full capture of information, today's meeting is being recorded and a complete transcript will be produced and made available on the Commission's website. This meeting is one part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its determination.

It is important for the Commissioners to be able to ask questions of attendees and to clarify issues whenever it is considered appropriate. If you are asked a question and not in a position to answer, please feel free to take up the question on notice and provide any additional information in writing, which we will then put up on our website. I request that all members here today introduce themselves before speaking for the first time, and for all members to ensure they do not speak over the top of each other, in order to ensure accuracy of the transcript. We will now begin. And I would also like to introduce that we have three Departmental representatives on the line, Anthony Witherdin, Amy Watson and David Glasgow, and our consultants assisting, Sammy and Kane. So welcome. David, you should almost be able to recite that introduction by now, so we will - - -

MR D. HOGENDJIK: Unlikely. Not just yet.

MS LEESON: So we do have a very simple agenda for today, and we appreciate you coming along to talk to us and to present to us. We have the opening statement, which we have just been through, and we're receiving a presentation from the applicant today.

MR HOGENDJIK: Yes. Could you let Tim into the meeting?

MR T. BLYTHE: Just need to get – let me into the meeting. Sorry.

MS LEESON: That will help.

MR HOGENDJIK: Yes.

MS LEESON: If there are any follow-up actions and questions out of that, and then close the meeting. So fairly straightforward. We will see where we get to. Tim just  
5 needs to get in.

MR BLYTHE: I'm in. I just need to – I think we're all experts now at - - -

MS LEESON: Although even after a year, I don't know if – in your world, people  
10 are like, "You're on mute".

MS W. LEWIN: Yes.

MS LEESON: It's a constant refrain, "You're on mute". You're actually lucky it's  
15 not me that's running this. It would take us quite some time to get there.

MS S. LLOYD-HURWITZ: I don't know if you saw. There's a wonderful article  
in the Wall Street Journal where the Zoom CEO is sick of Zoom.

20 MS LEESON: Yes, that's correct.

MS LLOYD-HURWITZ: Well, maybe we will start while we're working on the  
technical. I'm Susan Lloyd-Hurwitz. I'm the CEO of Mirvac and we're really  
25 grateful for the time to be able to present in person and discuss our concept for  
responding to your concerns around Harbourside. We have owned this asset for  
quite some time. It is the ugly duckling of that precinct which the New South Wales  
Government has invested billions of dollars in and that we're – we have been  
working for five years to come up with a solution to provide something that truly is a  
30 legacy that we can be proud of as Mirvac, and citizens can be proud of as well as part  
of that precinct, and we have worked extensively to ensure that we come up with  
something that – that really will stand the test of time.

We understand your concerns around access to public amenity, around sight lines  
and around overshadowing, and so I will make a brief introduction to say that we  
35 have taken those concerns on board and have been working ever since we received  
your letter to come up with a proposal that we think addresses those concerns and  
retains the viability of the project. And you will see that we have I think  
significantly improved the access to public amenity. We have reduced  
overshadowing and we have improved sight lines, but importantly, the project is  
40 viable under the construct that we would like to put before you, clearly not viable  
with the proposal or the request or – for information that you put to us, that returns of  
an IRR under five per cent, which is not a viable project.

This, we hope, will address your concerns and make sure that we can proceed with  
45 the project on the terms that are acceptable to Mirvac's security holders. So I will  
stop there because it's much more interesting to listen to – to Richard and walk  
through – this is all very fresh. I mean, literally, the – we have been working on it

downstairs, because this is work that we have turned around since understanding more clearly what your concerns were. So I will hand to Richard to walk through how – what we want to present. Thank you, Richard.

5 MR R. FRANCIS-JONES: Thank you, Susan. Richard Francis-Jones, FJMT Studio, and I'm also here with Sean McPeake who may chip in, and I will shortly also hand over to Tim. So these were the three items that you asked us to address, and so we have gone away and done that analysis, and I will take you through that one by one. The first of those was relating to the northern part of the podium and  
10 bringing it down to an RL of 11.8. Your concerns related to the foreshore access to public open space, the shadowing of the public domain and also view loss, so each of those we have looked at. So this is the first one that you asked us to address, and I wanted to take you through an analysis of what are the implications of that on the – on the scale of the development and also on the impacts on the public and private  
15 domain.

So on the left area is the submitted scheme and on the right, that indicates a volume of area that would need to be removed from the scheme to bring it down to an RL of 11.8. If we take a north-south cross section through there, you can see that we have  
20 indicated on the right-hand side there the RL of the bridge at 11.8, and then that area that is highlighted in red is the area of the development that would need to be removed, which is accommodating at the moment a GFA of approximately 16,435 square metres. Now, I just wanted to explain how we have determined levels in the – in the submitted scheme. So this is a detail of that cross section, and you can see the  
25 elevation of the bridge beyond there, which is shown at an RL of 11.8. So we have a floor-to-floor RL for the retail of five metres, and then above that, the retail is reduced to four metres, and then there is a 1.25 allowance for a balustrade – this is in the – in the submitted version – which took us up to 13.75.

30 There was also a note in – that was worked through with the Department that allowed for elements of landscape, lights, shade elements, elements to enhance the public domain to allow them to sit above that RL. So that was how we got to that Guardian Square northern alignment. So if we – if we were to strictly bring that envelope down to 11.8, that would – as the top level of – of the balustrade, that would actually  
35 reduce our floor-to-floor height of level 1 to just over two metres, and also even if we were to push that up to include that balustrade, so right up to 11.8, it would – it would only be just over three metres, 3.25, which obviously is a difficult level to accommodate. I can't really accommodate retail in that. So effectively, it would mean one level of retail. So then I just wanted to go back to one of the slides that we  
40 brought in which was indicating the context in terms of the redevelopment of Darling Harbour for the podium and lower levels, in particular in relation to the city-side of Pyrmont Bridge, and those levels which step up from there RL 12 to 19 to 19, and other contextual elements. And I think, David, you wanted to make some points about - - -

45 MR HOGENDJIK: Yes. Look, I think, as said earlier, we have always tried to really balance this project between the views – the competing views around the

precinct, but also try and maintain a built form that works for the project and actually gives us a viable project. So the changes that are there now, as Richard sort of ran through quickly, you know, 16,000 in commercial floor space sitting in that northern – northern section of the podium. The – and the key driver here also was to really  
5 promote office space and non-residential uses, so that's a – there's significant reduction in commercial floor space. But I think at the end of the day, we have a podium that we have really tried to, you know, massage to try and achieve a balance between all of those views, whether it's the north podium or the south podium, and – and it's really – for us, we need to maintain area, so there's not that many alternative  
10 options to – to push this area around the – around the site as it stands. But – so I think doing what has been suggested at the moment, as you can see, the podium on the north – northern end is obviously significantly lower than the southern end, but, you know, importantly, for us, you know, these – these changes really compromise our ability to deliver the public realm that we have proposed to date and work  
15 through the detail with government, including ..... you know, place management, and, you know .....

MR FRANCIS-JONES: Thanks, David. So, of course, there was adjustments to the northern podium, which I have just been through in summary, and then there were  
20 adjustments to the tower which gave this revised arrangement which you see here is I think reflecting what you asked us to look at. I'm going to go through and analyse that as well in terms of solar impacts and so on, which I will go through. We were also asked by Mirvac to see if it was possible to address the issues that were raised by – by the Commissioners, but by – but also maintaining the area, which I will also  
25 take you through. The second item related to the tower itself, and you wished to understand what were the consequences of the tower BEA being reduced to 1000 square metres, and I think, Tim, you wanted to talk about the planning context for this, yes?

MR BLYTHE: Yes. So thank you, Commissioners. So Tim Blythe, director of Urbis. So we have given – we have obviously given some careful thought to how we would address the tower and what are the benchmarks that we should consider for what's an appropriate tower footprint, and also to grapple with what you are seeking when you asked for a BEA of 1000, because there are some different terms that get  
35 put around, what's BEA, which is building – gross building area. Then we have got a gross – well, a GBA and we have got a GFA, so the terms do get mixed around quite a bit. So we have grappled with what does BEA at 1000 square metres mean, bearing in mind that we have always had a 20 per cent plus ..... within our envelope.

So that's – on the right-hand side is what that represents, that image, and the left-hand side is our current scheme. So we move – so what we have done is looked at some – what are the benchmarks that we should start with, so that on the next slide, Richard – so we have – we have gone back to the City of Sydney's controls, which is probably the greatest – probably the strongest proxy in the absence of specific  
45 controls on this side. So they're the city's controls, as you would be familiar with, which require – which are a maximum of 1000 square metres GFA for a tower in – in

the central Sydney area. So that's – that's the only control that is the closest one that we could find on this site.

If we go to the next – so what we did then is just look at some basic benchmarking.

5 What do we see in this broader context around the CBD and the surrounds? So there on the left-hand side you will see some relativities in terms of other residential tower – or hotel tower footprints, and as you can see, where it – a current one is 948 GFA, and you can see other examples in the 900s. One standout there is probably at 1400, which we are not necessarily wanting to emulate, but that's – that gives you some  
10 other examples in the vicinity. And also, importantly, to recognise on the right-hand side is the separations, what is a little bit unique about this site compared today, a city context, is the quite significant separation between towers in a – in a – in the city where we are today, you see – obviously you have a much closer relationship between those buildings.

15

The next one – then we went back – because you did ask us separately to look at what's the relevance of the Design and Place SEPP. So we have obviously had a look at that, and it's important to recognise that that has called out in its first draft  
20 version this concept of a 700 square metre GFA footprint, and so that has led people to gravitate to that potential control. I think we should recognise though that that isn't a formal matter for consideration under the – under the DA, so under the Act. It's not a - it's not a draft LEP, so it's not a matter that under the Act you should give any significant weight to, in our view. And – and it's also important to recognise that the Government has just completed exhibition of that first Explanation of  
25 Intended Effects, and they got a large number of submissions, and the Government Architect has now proposed a 12 month process of engagement across a whole range of areas, because there's actually a lot of implications that sit within that document that will affect all urban development in the city.

30 So I think they're taking it very seriously. There has been a lot of feedback from the industry and the broader stakeholders. So we just need to tread a little bit carefully about how much weight you might apportion to that particular – I don't think – I don't think the concept of slender towers is a foreign concept and should we ignore, but equally shouldn't necessarily gravitate to that singular number as being the  
35 answer. So – and obviously the second part of it is when it comes to – we do want to embrace the designer principle steps, because they're obviously founded on some very strong guiding design principles, and I think it's important to recognise that even when you read the draft instrument as it exists today, whilst it talked about an indicative floor plan, equally it talks about how to consider the context, the amount of sunlight, the amount of sky view, the sense of bulk and scale of the development,  
40 the – the relativity of the tower versus the podium.

So it's a broader conversation than just a singular footprint control that we need to consider. So if you were embracing the controls, as we believe we have, or the  
45 principles of the controls, we believe – we – we feel comfortable that it aligns with those broader controls. So that's just a bit of background on the context of that assessment, and we move forward, Richard – just in terms of broader density, the

question I think has come up a couple of times about what's an appropriate density, and in the absence of any detailed planning controls on the site, it is quite challenging, but we have just provided you with some benchmarks here to show that we sit comfortably – we believe we sit comfortably in the range of overall urban density for a site of this nature in this location, and that 4.24 is by no means a large urban development or dense development, but equally, we recognise the context wouldn't lend itself to an FSR much beyond what is proposed on the site, given all the other constraints.

5  
10 Can we move forward, Richard. We have also then – the second part of it goes to the question of what's the appropriate gross building envelope that the Commission should consider for the site, bearing in mind that, as you might recall, there's about a 20 per cent – or been a 20-plus per cent contingency in that envelope to allow for design excellence, to allow that tower to push and pull, to give the – the design  
15 competition as much bandwidth as possible to – to come up with the most elegant and suitable design. So we're – and Richard will touch on this in a moment, but we have obviously been looking at how we can tighten up the envelope without losing the opportunity for – to create great design outcomes. So what we have – so we started with 20-plus per cent, which is what the Department was recommending that  
20 we go with.

We have also then referenced in this document, which is the – the Central Sydney's Guidelines for Site Specific Proposals, and they're proposing the towers of a scale of about a – at least a 10 per cent type variation or flexibility. So we're not necessarily  
25 going – propose to go down to 10, but we think we can tighten up the envelope further and still achieve the design excellence outcomes, and we use that as a bit of a reference guide for that – for that purpose. So ultimately, what does that all mean? So if you look on the left-hand side at the top, so currently at the A. Our gross envelope at the moment is circa 1500 square metres, with the 80 per cent. That's the  
30 20 per cent variation in the flexibility, which gives you a GBA of circa 1150 and a GFA of 948, thereabouts.

If you go to the bottom of that row, you see the – what the Commission asked us for, which – to prepare, which was 1000 square metre BEA. If you translate with the  
35 same flexibility of the envelope, it comes out to a GBA of 800 square metres, which then translates to a GFA of circa 659, but we might lose some efficiency as well ..... we haven't tested that at this stage, but you can see the significant diminution of GFA in the project if we were to adopt the 1000 square metre BEA footprint. And so what we have done is – and what Richard will take you through is a midway point or  
40 an alternative proposition which we feel we can achieve the desired outcomes that are sought, or the environmental outcomes that are sought without compromising the envelope to the extent proposed here.

45 MS LEESON: Thank you.

MR FRANCIS-JONES: Thanks, Tim. So what we have done in addition to analysing the adjustments that you have asked us to, is to see what could be done to

achieve those outcomes but maintain the same area. So what is illustrated in this diagram in the middle there, where it says Proposed in blue, is an adjustment to the BEA, so – so just tightening up a little bit, recognising that we were over 20, and bringing it down to 15 per cent. So just in other words taking a little bit of flexibility  
5 out of the envelope but still exceeding that recommended in the site specific DCP or planning proposals from the CSPC. So that – that then allows us to make an adjustment to the envelope that is illustrated in that plan in blue.

10 So the one that's in yellow, or a little bit green-yellow in that image, shows that cutback that you asked us to achieve, a BEA of 1000 square metres, and then the purple one that goes right out is as submitted, and then the blue one is the revised envelope that we are suggesting is also worth some consideration. And you will notice that it angles off like that which is based on the solar access alignment into the promenade, which I will take you through. So what that is illustrating in this  
15 diagram here is where you can see those lines running through and that corner pushed back, because, of course, it is that leading north-western – north-eastern corner which actually, you know, is the hard line on the shadow.

20 So we have looked at that, and then we have also looked at making other adjustments to the northern area reducing that to address the concerns that the Commission have put to us, but in a slightly different form, and then we have looked at where is it possible to locate additional area to compensate for those adjustments, which I will come to. You can see those highlighted in light blue. So our adjustments then are illustrated also in this three-dimensional diagram. So you can see the dark red  
25 volumes are those areas of the envelope that have been removed, so push – pushing the tower setback more. Highlighted in red in the podium there, you can see a level that is removed, and also a setback of that upper form that was sitting over the boardwalk at higher level has also been removed, both with the intention of improving solar access to the promenade and also improving access to those upper  
30 levels and through to – on the street and also through to the pedestrian bridge that's going to remain, that we walked over on our inspection.

35 So it's a little bit hard to read from this distance, but that is really showing the removal of those areas of the envelope, which I think totals approximately 4000 square metres, and then redistributing them elsewhere. So where they're redistributed to is the top of the tower, but sitting under the 170 RL that we see in Pymont Peninsula Place Strategy, and then also repositioning some space that was in the podium. So these diagrams kind of highlight where the area is moved to. So 1000 square metres is moved to the top of the tower, and then the floor that is  
40 removed is distributed either to the top of the tower or to the – further south in the podium, where it is away from the bridge and away from Murray Street.

45 What that means – what that redistribution means, as you can see in those areas on the – on the left there, it means that the overall total remains the same, and the proportion of residential to non-residential is slightly increased, but non-residential does remain slightly over half of that area still. The impact of removing that level is also illustrated in this view, so a slightly aerial view looking down from the north



from above Pymont Bridge, and what you can see here is the removal of – of that level. I actually can't – can you see my cursor? Yes. So this level has been brought down, so – so now you come across at the Guardian Square level.

5 From there, you move up one level, which takes you to the junction with the bridge that connects through into Murray Street, and then you go up another level here which also connects you ultimately through to Bunn Street. And just there is the area of additional space that has been included. So that – that is intended to – both of those adjustments are intended to improve solar access into the public promenade.  
10 But if we go back now for a moment to strictly what you asked us to look at, that is, this adjustment, and I wanted to take you through the consequences of shadowing that that adjustment leads to. So here we're looking at 12 o'clock on 21 June, and the open frame in – in purple there is the submitted envelope, and then the pink volume is the overshadowing of the – of the revised envelope in accordance with  
15 your request.

So as I go through this – 12.15, these are at 15-minute intervals – 12.30, so you can start – if you just look at the top of the image, you can see there is some white space within the frame, so that's showing you some – a little – a little bit of additional  
20 sunlight that is coming through there, and then at 12.45, again, if you look at those zones, you can see those areas of sunlight, but the – it's really when we get to 1 o'clock where the shadow of the tower starts to come across the promenade that you can see there are areas there in front of the convention centre that – that are actually now in sunlight, which – which previously on that envelope would have – would  
25 have not been. And then looking at 15 – 1.15, you can see that impact. 1.30, and then by 1.45, of course, largely in shadow. So that gives you a sense of the additional sunlight that is delivered to the public space as a consequence of the adjustments you asked us to study, bearing - - -

30 MS LEESON: Have you done that for other times of the year as well, or have you only analysed for – for the winter solstice .....

MR FRANCIS-JONES: We have done it for the equinox as well.

35 MS LEESON: You – okay.

MR FRANCIS-JONES: Yes. We have – we have it for the equinox as well.

MS LEESON: Well, we .... well - - -

40

MR FRANCIS-JONES: Well, we - - -

MS LEESON: I mean, unless you want to look at it now.

45 MR FRANCIS-JONES: We will give that to you.

MS LEESON: But if we can have that, that would be helpful.

MR FRANCIS-JONES: Yes. Totally. Totally.

MS LEESON: Yes. Thank you. Thank you.

5 MR FRANCIS-JONES: And if you want other days, we can provide those as well, or if you want closer intervals, but 15 minutes gives you a pretty good sense of – of what is happening.

MS LEESON: Thank you.

10

MR FRANCIS-JONES: So then at 2 o'clock, of course, it's largely off, although you can still see at the northern end there, there is an area where it remains in sunlight still, and then 2.15, 2.30, 2.45, 3 o'clock. So then what we did was we tried to see how is it possible while maintaining the – so we're going to reduce the envelope, as we talked about, but still maintain the developable area within the envelope, adjusted as we talked about. How can we optimise the sunlight into the public space? So – so we looked quite carefully then at that critical period. Here is shown from 12 o'clock through to 3 o'clock, but, you know, the really critical period is – is around 1 o'clock to – to 1.30, and that hard line shows the corner of the envelope, which is, of course, casting the most significant shadow.

20

So I mentioned before the RL – maximum RL that is recommended in the Pyrmont Peninsula Place Strategy. So – so we – we pushed the envelope up to that level. And then we look closely at the geometry of those sun access alignments from 12 o'clock to 3, and it was really around kind of 1 – 1 o'clock/1.15 that became the most optimal angle for us to take. So – so what – what we have done, therefore, is then – in this diagram there is two lines which indicate the submitted envelope and the revision that we are suggesting is worth consideration, and it shows the additional sunlight that is delivered as – as a result of that adjustment to the envelope.

25

30

So if we just look at that in the same way in the same incremental way, the submitted envelope is in the open frame in purple, and the revised shadowing from that adjustment is shown in blue. So then we just run this through on the same times, and so 12.15, 12.30, 12.45. So you can see some additional sunlight as a consequence of the reduction of the podium just to the north there. So there are quite fine points. We're at 15 minutes, so at 1 o'clock, you can still see some adjustment – adjustment as a result of that being dropped down. And then perhaps what this shows you is the area of additional sunlight in front of the ICC and the boardwalk. And then here we are at 1.15, and we have just highlighted that area in relation to the tower in yellow there, and – and that is – so that's at 1.15. That is approximately 1400 square metres of space, and then also there's some additional sunlight you can see to – to the north there as well.

35

40

MS LEESON: To the north.

45

MR FRANCIS-JONES: Which we haven't highlighted. And then this is just a slightly different way to look at that. So if you – if I go back for a second, what we

have – we have also noticed it has just cast a line on – on that eastern edge of the – of the solar access and – and just then the revised shadow would meet that point 15 minutes later. So in other words, another way to think about it is an additional 15 minutes of sunlight in that – in that zone. And then, of course, similarly, at 1.45 the shadowing is largely across the promenade, but we are still achieving some additional sunlight in the northern part of the site as a result of the reduction of the podium, and then, of course, as we move through 2 o'clock and beyond is when the shadow is effectively mostly over the harbour itself, but there's still that area of gain which you can see there.

10 And then we also do have the equinox. I might just go quite quickly through this, and we also have this for the – for the other envelope, which we will provide to you. Also a similar kind of relationship that you can see there in – in the same location, essentially, so it gives you a sense of – of the – and if we could – we could overlay all three envelopes on the same drawing as well. So that's just a summary of what the adjustment to the envelope that we're suggesting would deliver, so that's the result of tightening up the envelope a little bit but still providing 15 per cent, and – and then profiling it to remove that north-eastern corner. Another point, of course, is that there is still that 15 per cent in the envelope, so depending on how you ultimately design the building, you would be able to improve the solar access more, and - - -

MS LEESON: Yes.

25 MR FRANCIS-JONES: But you can get a sense of how fine that – that adjustment or gains are. So then if we are focusing on what we're suggesting is the adjustments to the north, so suggesting the removal of a floor – full floor to the north and a redistribution into those areas marked in – in blue. So on the – on the left there is an illustration of what was submitted. On the right there are revision to that diagram, and I will take you through that in a little more detail. So it shows those revised RLs. Also, when we look actually from the Darling Drive side – so here we're just coming across from the new bridge from Bunn Street – it allows you to move across in an equitable manner all the way through to that northern space, so we actually do connect equitable gradients across from Bunn Street to that upper level.

35 MS LEESON: Yes.

MR FRANCIS-JONES: And then this diagram is showing how – obviously this is subject to the ..... could be done many ways, but this is just showing how those levels can be interconnected, and those adjustments are taken within the envelope, so you're further cutting out the envelope, of course, and using those percentage flexes to bring you up from Guardian Square up to this level. So there's a – north-facing steps bring you up to that level where you connect to that bridge, and then that brings you up to the open space at the top here which then connects through to Bunn Street a little bit further on. And then this is a – just giving you a perspective of that level. So that's coming across the pedestrian bridge that exists at the moment as we arrive at that point, looking down to Guardian Square on the left, and then this is taken

from Guardian Square looking at those north-facing steps that take you up to that level.

5 And just referencing, I think, the value of the changing gradient, not only for giving you views, access to sunlight, but also those additional levels allow activation of those open spaces as well. So the view – view loss was also an important factor, and so we have endeavoured to look at those. So here we just reference a few of the apartments that we have been looking at here. This is 201, and this is just putting in our model of the existing Harbourside that you can see through there. That is an illustration of the envelope coming down to 11.8, which is below the – the ridge height of the existing Harbourside. That is the submitted envelope, and then that is that level removed, and then half that space relocated to that zone on the right-hand side. And then if we - - -

15 MS LEESON: Sorry, Richard, could you just go back?

MR FRANCIS-JONES: Yes.

20 MS LEESON: So the red line, sorry, is the relocated – the - - -

MR FRANCIS-JONES: The red line is the submitted envelope.

MS LEESON: Yes. Sorry, yes.

25 MR FRANCIS-JONES: Yes, the submitted envelope, and the - - -

MS LEESON: And it's the blue-shaded area that is the – the relocated floor space.

30 MR FRANCIS-JONES: Correct.

MS LEESON: Yes.

MR FRANCIS-JONES: We have just shaded that to – so you can identify it.

35 MS LEESON: Yes.

40 MR FRANCIS-JONES: And then this is from 204, so a little bit further south. So that's the existing Harbourside Centre, and then bringing the envelope down to 11.8, the submitted envelope, and then the adjustment. And then going up to 504, but also very southern location, so simulation of the current view over Harbourside, the adjusted envelope, 11.8, the current submitted proposal, and the adjustment. And, of course, important in the – in any of these is the fact that there is a landscape setting in the foreground. So then this is then a rough image from our model of what that revised massing in the adjusted proposal would mean when looking from that point that we have talked about during our site walk, and then in terms of what that generally means in terms of that revised massing. So then finally, this is a – our last slide is really just showing those three that we have endeavoured to analyse. On the

left in blue, the submitted envelope. In centre – in the centre, the adjustments to that envelope and reductions in accordance with your requests, and then on the right, a suggested realignment of space and – and envelopes to achieve summer objectives. Thank you.

5

MS LEESON: Very good.

MS LLOYD-HURWITZ: That's what we wanted to cover and we're very happy to take any questions or respond in any way that's appropriate.

10

MS LEESON: It's a considerable amount of work that has been done in a short space of time, so thank you for that. Thank you for taking on board our – our request. There's certainly a lot for us there to digest and to sort of think about over the next little time. But, Wendy, did you have any questions that you would like to ask today?

15

MS LEWIN: No. Actually, I don't at this stage. I would like to have the opportunity to go through the material and consider and – in detail.

20

MS LEESON: Yes.

MR FRANCIS-JONES: Yes. Look, we have endeavoured to try and make it as clear as possible.

25

MS LLOYD-HURWITZ: Yes.

MS LEESON: No, we appreciate the effort that you have gone into over the – over the last week.

30

MR FRANCIS-JONES: Yes.

MS LEESON: It has been - - -

35

MR FRANCIS-JONES: If you do want any further detail, just don't hesitate to ask us.

MS LEESON: We will.

40

MR FRANCIS-JONES: Yes.

MS LEESON: If we need any further clarification, we will – we will come back through – well, through the Department, I suppose, through Anthony and his team to David in the first instance, but that's how we will manage it.

45

MR HOGENDJIK: Yes. Okay. In terms of formal process, we obviously haven't written back addressing the letter specifically. Would you like – I think it would be

good to cover that off and attach the submission and any other – to, you know, cover off items we should address.

5 MS LEESON: I think that would be helpful. If you can sweep up in your cover letter the various questions that we have put to you so far.

MR HOGENDJIK: Yes. Yes.

10 MS LEESON: We have received some feedback from the Department and some questions have been put to them. That came in last night.

MR HOGENDJIK: Yes.

15 MS LEESON: So we have got a fair bit to do over the next week or so. But if you can take up any of those outstanding questions, cover them in the letter and then submit those materials to us, that would be - - -

MR HOGENDJIK: Yes.

20 MS LEESON: That would be terrific.

MR HOGENDJIK: No, that would be fine. I mean, I should point out – and it's probably obvious that there has been a lot of work done in the last week or so. We're still – it's still a bit of a moving feast for us because, as you can imagine, shuffling  
25 GFA around, moving things and, you know, you have got the service spatials to address and all these things, so we have been trying to be definitive on areas, but it's still tricky, because even, as you can see, those stairs, you get an envelope that comes down like this but then the stair, you know, is over here. So there's lots of areas of envelope we're not probably still using, but we also don't want to lose it either  
30 because you still never know how you're going to accomplish design excellence down the track.

So we tried to hold the GFA but tried to make a big impact on lowering that one floor, and as Richard said, particularly on the tower edge as well. So it has been  
35 primarily around how can we address the three concerns that you put to us in an alternative solution. Still, from our perspective, it's probably not our – you know, it's not our preferred option, because we're still – still a little bit behind where we would like to be, because, you know, there's a lot of things that balance here for us. But certainly we see the benefits in it but it's – it's still a – it still for us is a lot of  
40 work we have to cover off to make sure that we can deliver this, because ultimately we want to be able to deliver a project and keep everybody happy at the same time.

MS LEESON: I think we understand that, and I hope you can see that the Commission's interest in this is really around the public domain and, you know,  
45 Darling Harbour is a major public precinct for Sydney. So that's the reasoning behind our – our line of questioning in large part.

MS LEWIN: Yes, exactly.

MS LEESON: So as I say, thank you very much for the effort that you have put in.  
5 We now have quite a lot to digest and work through. We will come back with any  
clarifications.

MR HOGENDJIK: Thank you.

MS LEESON: But other than that, I think we're good for today and appreciate you  
10 all coming along.

MS LLOYD-HURWITZ: Okay. When do we expect to get ..... submitted by?

MR HOGENDJIK: Maybe we probably need a week, probably towards the end of  
15 next week to just close this out, the formal response.

MS LEESON: We – let us think about that. If you can do it any faster it would be  
helpful, because we will then need to put things onto our website.

20 MR HOGENDJIK: Yes.

MS LEESON: And reactivate the public submission period on the new submitted  
material.

25 MR HOGENDJIK: Okay.

MS LEESON: So the longer it takes at this end, then it sort of flows through to the  
other.

30 MR HOGENDJIK: Okay. Sure. Sure. Okay.

MS LEESON: So it's – we will see if we can find a reasonable time for you to work  
with.

35 MR HOGENDJIK: Okay.

MS LEESON: But just understanding that we have to put that through that public  
exhibition process again.

40 MR HOGENDJIK: Sure. No, that's okay. Yes. That's fine. And we appreciate  
you taking the time to meet with us today too, because it's – it's harder to just submit  
this as a package and just say, "Here you go," sort of thing. It's - - -

MS LEESON: It has been helpful to have that presentation, and yes, so thank you.

45 MR HOGENDJIK: So that - - -

MS LLOYD-HURWITZ: Thank you for your time. We appreciate it.

MS LEESON: Thank you. We will close the meeting.

5 MS LLOYD-HURWITZ: It was nice to meet you.

MS LEESON: Thank you. Thanks very much.

10 **RECORDING CONCLUDED**

**[11.44 am]**