



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF PROCEEDINGS

RE: Gateway Determination Review (GR-2022-17)
Planning Proposal to Remove Land Acquisition Reservations in Edgecliff
(PP-2021-6740)

COUNCIL MEETING AGENDA

COMMISSION PANEL: JULIET GRANT (Chair)

OFFICE OF THE IPC: PHOEBE JARVIS
 HEATHER WARTON

WOOLLAHRA MUNICIPAL ANNE WHITE
COUNCIL: EMMA WILLIAMSON
 KRISTY WELLFARE

LOCATION: VIA VIDEO CONFERENCE

DATE: 3.30PM, MONDAY, 19 SEPTEMBER 2022

TRANSCRIBED AND RECORDED BY APT TRANSCRIPTIONS

MS GRANT: Good afternoon and welcome. Before we begin, I would like to acknowledge that I am speaking to you from Darramuragal land, and I acknowledge the traditional owners of all of the country from which we virtually meet today, and pay my respects to their Elders past and present. Welcome to the meeting today to discuss the Gateway Review request GR2022-17 for the planning proposal to remove land reservations in Edgecliff currently before the Commission for advice.

My name is Juliet Grant and I am the Chair of this Commission Panel. I am also joined by Phoebe Jarvis from the Office of the Independent Planning Commission, and

10 Heather Warton, who is 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 advice.

20 It is important for the Commission to ask questions of attendees and to clarify issues whenever it is considered appropriate. If you are asked a question and are not in a position to answer, please feel free to take the question on notice and provide any additional information in writing, which we will then put up on the website.

I request that all members here today introduce themselves before speaking for the first time, and for members to ensure that they do not speak over the top of each other to ensure accuracy of the transcript. We will now begin. So thank you very much for making the time, and I believe you have a presentation. Who is driving that? Is that you, Anne?

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MS WHITE: Yes. So through you, Juliet - shall I call you Chair?

MS GRANT: Juliet is fine.

MS WHITE: Juliet is fine. Okay. Thank you, Juliet, and hello, I haven't seen you for a while. So thank you so much for your time this afternoon on what is a very important issue for Woollahra and Edgecliff in particular. This is a matter that's been going on for a very long time, and we have been unable to seek a resolution, which is ultimately why council resolved to prepare this planning proposal.

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It has a number of implications for a number of reasons, and before us today we have the project officer, who is Emma Williamson, who is council's Strategic Planning Officer, and as you alluded to before, Emma has prepared a presentation, and also in the meeting with us today is council's Strategic Heritage Officer, who is Kristy Welfare, who is currently responsible for preparing the heritage study for the whole of the Edgecliff corridor, including a key building, which is effectively a gateway to part of the Paddington Heritage Conversation Area, which is the Cadry's building. So that's why we thought the panel might be interested in if there's anything feedback or questions for Kristy, we have her here, but ultimately I would be handing over to
10 Emma, who has the presentation for today's meeting.

MS WILLIAMSON: Great. Thank you, Anne, and thank you, Juliet. I will just share my screen now in the hopes that this will work smoothly for us. All right. Is everyone able to see that clearly?

MS GRANT: Yes. We've got two - - -

MS WHITE: It's on presenter view, Emma.

20 MS WILLIAMSON: So there's two - hmm. Is that any better?

MS GRANT: Perfect.

MS WILLIAMSON: Yep. All right. Great. So the purpose of the presentation today is consistent with the agenda that was provided. So starting with a background to the planning proposal, a discussion of council's public domain and active transport plans for the corridor, an overview of community engagement to date, consistency with the section 9.1 ministerial directions, before finishing with an overview of the relationship of this planning proposal to other planning proposals that council has.

30 So just starting with some background. So the 12 parcels of land that were identified in the Woollahra LEP 1995 as being reserved for acquisition, they were originally identified for road-widening purposes as part of the 1958 Road Alignment Project. Now, that project has since been superseded by transport improvements like the Cross City Tunnel, which was completed in 2005, eradicating intentions to direct traffic through Paddington, which would partly have been facilitated by the widening of New South Head Road, where these land affectations apply.

40 We have appealed to Transport to remove the reservations but been unable to gain support, as I mentioned, and council is now at a point where these hangover reservations are impeding planned public domain upgrades and active transport

infrastructure plans. Council has identified these plans in the draft Edgecliff Commercial Centre Strategy, as well as the draft Active Transport Plan.

Since we have been unable to gain support from Transport to remove these reservations, council resolved to prepare a planning proposal to progress the matter and enable us to continue planning for improvements. Now, Transport have maintained that the reservations are needed for future transport plans. We have provided with a designated copy of their road network plan for the corridor, and that plan does not identify any future upgrades along the corridor, and we have not been

10 provided with any plans or strategies that would require this reserved land.

As no plans have been made available to us, council resolved to submit this planning proposal for Gateway Determination in July earlier this year to enable us to progress with the plans that we have for the corridor.

Now, a quick summary of the land that is reserved for acquisition. As you can see on the map here, there's quite an extensive amount of land along the New South Head Road corridor, with some lots, such as the lot at 133 New South Head Road, being entirely affected by the reservation.

20 So in summary there are 12 parcels of land that are affected. There is one local heritage item, two draft local heritage items, four interwar residential flat buildings, which are the subject of an active heritage study, and three sites that are currently under investigation for local heritage listing.

I will just go into a little bit more detail on each of the areas, to give an overview of what they currently contain. So area 1 is towards the western edge of the corridor, near Rushcutters Bay Park, and this area contains the four interwar residential flat buildings, which house 61 units and a car service centre and these parcels are the

30 subject of the active heritage study which Kristy Welfare, who is with us today, is undertaking.

Area 2 contains five contributory items in the Paddington Heritage Conservation Area, as well as two draft local heritage items. The first being number 133 New South Head Road, which contains what's known as the Cadry's building, as well as 549 Glenmore Road, which contains an early Victorian sandstone cottage. The planning proposal for the heritage listing of these two items has been publicly exhibited, and is currently being finalised. This area also contains three sites which are under investigation for local heritage significance and potential heritage listing, and those are the single-storey workers cottages on the bottom right of the screen.

Area 3 contains one site and this is a corner site that's currently used as a retail premise and area 4 also contains one site, and this is a local heritage-listed item, being a two-storey historic bank building. There is also an active planning proposal request for this site, which I will discuss at the end of this presentation.

So now moving on to council's Public Domain and Active Transport Plans for the corridor, so the removal of the land reservations will allow council to confidently invest in public domain improvements across the corridor, and those would be consistent with the Draft Planning and Urban Design Strategy, and the Draft Public

10 Domain Plan, which have been publicly exhibited for the Edgecliff corridor. The ultimate aim of both of these plans is really to improve the centre's liveability and sustainability and as such there are a number of public domain improvements that are identified in those plans that would be significantly affected by the reservations.

Those include a linear park on the southern side of New South Head Road. There is cycling infrastructure, including a new cycleway to the Edgecliff Station. There are identified enhancements to pedestrian infrastructure, such as paving, street furniture, public art elements, urban greening elements, and smart city elements, such as EV charging and smart lighting.

20 So this slide just gives a very rough indication of a potential before and after, so the image on the left being the current landscape along the strip of New South Head Road, and the image on the right identifying some of the public improvements that would be delivered through the concept of a linear park, so there would be additional seating, art, greening, really enhancing that pedestrian area. And this is just an example of what the proposed share path along that corridor may look like, providing a safer space for pedestrians and cyclists to interact.

Council also has a draft Active Transport Plan, which very closely interrelates to the vision of the draft Edgecliff Centre Strategy. So the draft Active Transport Plan

30 identifies the highest priority cycling project in the entire LGA as the Rushcutters Bay to Edgecliff Station Cycling Interchange. This would be a new bidirectional cycleway and also include a shared path treatment at this corner of New South Head Road and Glenmore Road, on the bottom right, and that parcel of land there is the one that is most significantly impact by the land reservations at the moment. And as I mentioned, the draft Active Transport Plan commits to supporting the delivery of the walking infrastructure projects that are identified in the Edgecliff Public Domain Plan.

So council's plans in the Edgecliff strategy and the Active Transport Plan are entirely consistent with Transport for New South Wales' road allocation policy by prioritising walking and cycling instead of roads and private transport modes. Our plans are also

40 in alignment with Transport's vision to provide a safe and reliable corridor that

encourages the use of sustainable transport modes with high-quality active transport facilities and that vision was provided to us in a letter from the then Parliamentary Secretary for Transport and Roads, Eleni Petinos, in April 2021. So we're really, we're not aware of any transport strategies or plans that council's planned upgrades would be inconsistent with.

Moving on to the impacts of the reservations. Retaining these land reservations is contrary to best practice strategic planning. There are four overarching impacts of the reservations. So firstly the land reservations place an unreasonable burden on

10 landowners and prevent them from making improvements to their properties. So under clause 5.1A of the Woollahra LEP, which deals with development on land reserved for public acquisition, development consent cannot be granted for anything other than roads on this affected land in Edgecliff. So this clause prevents consent from being granted for any other type of development, and that includes alterations and additions and change of use.

So this obviously has very severe impacts on all of the landowners who are affected by these reservations, who are restricted from making improvements to their properties and over time this will result in the deterioration of the built form that marks the

20 gateway to the Edgecliff centre and Sydney's eastern suburbs more broadly.

Secondly, the land reservations create uncertainty about the intended future land use, and therefore risk sterilising this section of New South Head Road from any improvements, whether they're developed by council or by the private market. One of the objectives of the planning proposal is to enable council to confidently invest in the long-term placemaking of Edgecliff, and council staff are quite reluctant to independently progress any improvement works when transport have clearly indicated that there is a risk that any upgrades we make may be removed in the future to deliver potential transport plans. And I note again that we have not been provided with any

30 written or verbal advice as to what those plans might be.

Thirdly, if the land reservations were to be acted upon, our community could lose up to six heritage-listed buildings. So this planning proposal seeks to protect those buildings of heritage significance from future demolition by removing these reservations, which are simply a hangover from a historical project that was completed over 60 years ago. Protecting built heritage is one of the core aims of the Woollahra LEP and best practice heritage planning more broadly.

Lastly, retaining the reservations will result in adverse economic outcomes, both for

40 private landowners, as previously discussed, but also for the public. There would be a very high public cost should Transport wish to acquire the land, or in fact be required

to acquire it through the owner-initiated acquisition provision in the Land Acquisition (Just Terms) Compensation Act. This would be in excess of \$100 million for the residential properties alone, based on the median unit price in the area. So the planning proposal is really intending to address these four overarching impacts and subsequently facilitate upgrades along this corridor.

Moving on to discuss community engagement. We have engaged with our community on council's Public Domain and Active Transport Plans. This has included popup information sessions, online surveys, webinars and letters encouraging submissions,

10 and we've received over 300 submissions on those projects. Both Anne and Kristy have had regular discussions with Bob Cadry, who is the owner of the most heavily affected property at 133 New South Head Road, and as you know, Bob was keen to attend today's meeting to advocate for the removal, and is still very open to discussions, if that would be of interest to the Commissioner and the team.

If we receive a Gateway Determination that the planning proposal should proceed, we would of course undertake community consultation in line with the relevant strategic and legislative guidelines in our community participation plan, and that's the stage that we would envision engaging directly with the remaining landowners, and I note that

20 we haven't consulted with those affected property owners directly yet, due to the preliminary stage of this proposal and the real uncertainty of possible outcomes, given the heavy emotional and financial investment that those parties would have in this matter.

Now, consistency with section 9.1 ministerial directions, so the Gateway Determination letter that we received from the Department of Planning and Environment notes that the planning proposal is inconsistent with direction 5.2, reserving land for public purposes, and the reason for that inconsistency is that

30 Transport for NSW, as the relevant public authority, have not agreed to remove the land reservations. So we acknowledge that Transport's current position means that the planning proposal is inconsistent with this direction.

However, the proposal does meet objective B of the direction, which is to facilitate the removal of reservations where the land is no longer required for acquisition. So again, I'll just bring up that Transport have not provided any evidence to demonstrate that the land is in fact required for public purposes, and the intent of this direction is to help facilitate public services and facilities, which is what council is seeking to achieve with our public domain and active transport plans.

40 We've consulted with Transport for NSW on a number of occasions and found the lack of transparency in those discussions to be obstructive to this project and future

plans for the corridor and ultimately, if the planning proposal isn't progressed, there will be real detrimental outcomes for both public and private land along this corridor.

Now, the final thing I wanted to take you through is the relationship of this planning proposal with two other planning proposals that council is currently working on. The first one is a planning proposal request for 136-148 New South Head Road, Edgecliff. The image on the page here is the indicative development consent that was submitted with that planning proposal, and the area highlighted in the red box is the land that is affected by the land reservations, and this is the two-storey heritage listed bank

10 building.

So the planning proposal seeks to increase the site's development potential to facilitate a 12-storey mixed-use building. It requests amendments to the LEP to increase the maximum building height from 14.5 metres to 46 metres and increase the floor space ratio from 1.5:1 to 5:1. Now, the proposed new development would cantilever over the existing heritage item at 136 New South Head Road, and it doesn't include any, I guess, structural changes to the affected property. However, earlier this month council resolved that prior to the making of the LEP to facilitate this development, the land reservations must be addressed, so there's a potential blockage coming if these -

20 another potential blockage if these land reservations are not removed.

The second planning proposal is for the local heritage listing of 133 New South Head Road and 549 Glenmore Road. This planning proposal has been publicly exhibited and is currently being finalised by the Department of Planning and Environment as the nominated plan-making authority.

So in summary, this map really identifies the extent of the affectations along New South Head Road and, again, just demonstrates the rationale for why it is so critical that these affectations are removed, for those four reasons that I identified earlier: to provide more certainty to the landowners; to allow for future upgrades along the corridor; and to conserve the heritage and quality of the built form along this important section of New South Head Road. So thank you very much for that, and I will just stop sharing now.

MS GRANT: Thanks, Emma. That was really nice and clear. Thank you. Do you, by any chance, have a plan that kind of overlays your Public Domain and Active Transport Plans with the sites that are affected by the reservation?

MS WILLIAMSON: On the same sort of page, so you can have an overview of how they interrelate?

MS GRANT: Yes. And if not, if you can just put up your plan, and then we can just kind of work through what the restrictions mean in terms of delivering your vision?

MS WILLIAMSON: Yep, yeah. Just bear with me one moment and I will up our plan.

MS GRANT: Your presentation answered a few of my questions. I was going to ask you about engagement with the landowners, so you said you spoke to Mr Cadry and not necessarily others and - - -

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MS WHITE: And Juliet, if I may, we haven't advertised this planning proposal. Obviously it's pre-emptive that we do that, but every time we issue a planning certificate for the purposes of sale, we have to nominate on the land whether the property is subject to land (not transcribable) acquisition. So whilst we haven't consulted in terms of this planning proposal, I personally have spoken to a number of owners who queried this issue because my understanding is that it does have an implication in terms of resale and onward sale value. So, yeah, at the moment obviously we haven't, because it would be pre-emptive, and Kristy has a very good relationship with Mr Cadry, having done the heritage assessment, but we haven't consulted any more broadly in that terms from here.

MS GRANT: And have any of the landowners mentioned to you - I know theoretically there's the hardship question, but have any of them actually mentioned a hardship or a difficulty in sale, or a restriction in what they could do?

MS WHITE: No, no. Although, Kristy, perhaps you could jump in terms of your conversations with Mr Cadry. I understand that there have been some issues with him with regards to raising finance. And again I'm speaking on behalf of someone else, but I understand that there have been some conversations there that he's had with his bank with regards to raising finance.

MS WELLFARE: Not to my knowledge. That might have been a conversation that I wasn't a party to, but I know that the, there's concern about how the affectation fits in with the Edgecliff strategy and the potential future of the sites.

MS GRANT: Have you got that - even if it's just the plan, but, yeah.

MS WELLFARE: Oh, it is shown. There's some hatching.

40 MS GRANT: Yes. Okay.

MS JARVIS: What's this map, Emma? Which document is it from, sorry?

MS WELLFARE: This looks like it's from the draft Edgecliff Commercial Centre Public Domain Plan.

MS WILLIAMSON: It is, yes.

MS JARVIS: Thank you.

- 10 MS GRANT: So we can see that the area 1 - yes, so in terms of council's Public Domain Plan there, that would prevent some landscape planting. Well, the buildings are there at present, anyway, aren't they? That's the part, in that location, the buildings encroach into the road, the area identified as road, is that correct?

MS WILLIAMSON: Yes. So the four residential flat buildings that are there, and the car service centre on the corner, the land reservation is sort of, I'd say, maybe a quarter of the way up the actual built form that currently exist.

- 20 MS GRANT: So it's not the reservation per se that's going to prevent you doing improved landscaping in that location, it's the physical presence of those buildings, is that fair to say?

MS WHITE: So in terms of the - what we're proposing, we have very much worked around the buildings that are there. We don't want to see those buildings demolished. We particularly don't want to see Cadry's building demolished that we've recently done a comprehensive study for.

MS GRANT: Yes.

- 30 MS WHITE: What the Active Transport study does is - I don't know if you can zoom in, Emma - but at that corner between Reddy and New South Head Road, they're actually looking to have the bike route behind the buildings because we recognise that it's too constrained at that point and so that's where we're at in terms of the Active Transport route. Along the rest of the New South Head Road, where we've got the much larger pedestrian footpaths, we'd be looking to have a combined pedestrian/cycle, with landscaping, and possibly some encouraging outdoor dining and those kind of things, and at the moment, it's just, it's not comprehensive, it's not - so you see, so if you can see there, there's a little blue dashed line.

- 40 MS GRANT: Yes.

MS WHITE: And that's where we would be looking, because we don't, we are not recommending the demolition of any of these buildings. So we're looking to accommodate the route within the existing, but the key issue for us is, those minor landscaping improvements would be affected, and also the landscaping improvements on that, the right-hand side of that blue area, where the little bike is.

MS GRANT: Yes, okay. And then the area number 3 is the tiny little, the little pockets there on that corner.

10 MS WHITE: Tiny sliver, yes.

MS GRANT: Yes. And then we've got the one on the other side of the road, where the bank building is.

MS WHITE: Yes. Honestly, I don't know why they're there or where they've come from. I can only assume it's a - I think originally the intention was that there was going to be some kind of slip road into Paddington that never eventuated, and those were seen as facilitating an increased, you know, flow of traffic, but it's, yes.

20 MS GRANT: So we met with the Department of Planning and Transport just earlier today, and they, the department showed us a plan of council's urban design study that I think SJB for council that showed the potential uplift and I understand there was a condition on your LHS that you bring forward a planning proposal for uplifting the Edgecliff centre - - -

MS WHITE: Yes.

MS GRANT: - - - by December 2024 to support the local housing strategy.

30 MS WHITE: Yes.

MS GRANT: How does this plan and that proposal fit together? Or do they fit together?

MS WHITE: So since we've put the Edgecliff Commercial Centre Planning and Urban Design Strategy out on exhibition - obviously we received a very large number of submissions - and we're refining our approach in response to those submissions. We see no inconsistencies with, in terms of uplift. So a key priority for Woollahra and for our approach to planning is about heritage and heritage conservation and obviously where we've identified items that need, that we recognise need to be listed, we want to progress that. So I guess that would be the first one, is the Cadry's building and also

those additional properties down Glenmore Road. There's three single storey workers cottages that are just fabulous places to be and we need to be recognising those and that's part of the work that Kristy's doing in terms of the corridor.

MS GRANT: And that planning proposal is progressing independently, and you've got a Gateway for that one.

MS WHITE: Correct, correct.

10 MS GRANT: Yes.

MS WHITE: And we specifically broke those up, because it was originally one planning proposal and we broke those up because we knew that if this would probably, as we've now identified, it has issues, we didn't want the listing to be held up as a result of this project, and indeed, that was what we discussed with the Local Planning Panel, and they also had their concerns with regards to the removal of lands reserved for acquisition. So that's part of that process.

With regards to the other sites in Edgecliff where we're recommending uplift, the only
20 other site that we do have that issue, which is where, what Emma referred to is the one that's on the corner of Darling Point Road and New South Head Road, which is, it's called the Tongs building, but it's for those people that travel regularly through this area, it's got a photography building there, so it's also known as the photography building. It's an old bank building. There is an affectation on the corner. It's a relatively minor one, but it is still a significant one.

Through the planning proposal process, we thought we'd addressed it, because we were recommending that the buildings cantilevered over the top, but the Regional Panel recommended it was refused prior to the implementation of the LEP, and
30 council very much supported that approach. So, and when we met with the regional panel, they actually said, "Can we facilitate that? How can we help you facilitate that process?" - i.e. the removal of that affectation. Did that answer your question?

MS GRANT: Yes. Thank you. So the plans, I think the plans that the department showed with the town centre - and maybe the answer to this question is that it's been superseded and you're revising it - but I think from memory it showed in area 1 that as a potential development site for uplift, which would have then been resulting the removal of those buildings and presumably the opportunity then to negotiate road dedication as part of an uplift for that site. Is that no longer part of council's plan?

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MS WHITE: Yes, I think, Juliet, I think - and I'd have to refresh myself - I think area 1 did show some amendments to the area 1 for those interwar residential flat buildings, and if we may - You said this is a public recording, is that correct?

MS GRANT: Yes.

MS WHITE: Okay. So we are currently revising where the plan applies and where we will be investigating uplift but our intention would not be that we would be recommending uplift on those sites.

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MS WELLFARE: If I can just add to that. In response to the public exhibition, council decided to undertake a review of the heritage significance of all of the buildings within that Edgecliff centre and that's currently with GML, who are undertaking site inspections as we speak to identify buildings that may warrant further investigation for listing. So that's come as a response to the community concerns, particularly about some of the buildings that are affected by these affectations.

MS GRANT: So one of the justifications that Transport put to us in terms of keeping these reservations is, notwithstanding they may have been originally associated with

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previous plans, specific plans, that the uplift in Edgecliff as a consequence of local housing strategy work and other strategic work is that demand for public transport, whether that be a bus, a supporting bus, priority measures, or whether it's walking and cycling links, that the demand for that would increase as population density increased and they particularly mentioned the link from Rushcutters Bay Park up to the Edgecliff Train Station. Has council given any thought to how that might be facilitated as part of a kind of the urban design approach? Are there other areas that may be required, if it's not those specific areas of reservation, are there other areas that are going to need to be encompassed to facilitate that linkage?

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MS WHITE: So I don't - council has not turned its mind to whether we would need to acquire more land, if that was your suggestion, but we a hundred per cent support the need to encourage pedestrian and cycling opportunities, which is why we've got the Active Transport Plan that is - or Emma will correct me if I'm wrong - is about to go out on public exhibition. We very much recognise that we need to do that. But what we don't support is, we need to do that by increasing the width of the road. We think that there are opportunities to do that within the existing road reserve. We can come up with more creative urban design solutions, which was what was on exhibition with Edgecliff Public Planning and Urban Design Strategy. That is a much better outcome than ever looking to increase the width of that road.

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MS GRANT: Understood. And has there been engagement with transport in the development of these plans?

MS WHITE: Emma, I think we've - I definitely remember one formal meeting. Have we had two? Recently. To be fair, that's in the last 12 to 18 months. It's been rather whirlwind, hasn't it?

MS WILLIAMSON: Yes. It has, yeah. We did definitely have one meeting with Transport that was facilitated by the Planning Delivery Unit.

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MS WHITE: That's right, yes.

MS WILLIAMSON: And during that meeting, we did discuss with the officers from Transport, I guess, the shared desire to increase pedestrian and active transport infrastructure along this corridor, and that is something that I think we remain, you know, aligned on in our vision, but as Anne mentioned, it's a real risk for council if we begin to independently progress these plans because we know that the demand is going to come soon as the development potentially of this area increases. So we need to be planning for them, but it's quite risky for council to be planning for them when 20 there is the potential that Transport may come in with another plan. So I think that's one of the challenges that we're having, is that it's unclear what Transport want to do in this corridor but we have indicated before that we'd be very happy to work collaboratively to deliver these sorts of projects but we just need to know what they might be.

MS WHITE: And, Juliet, coming back to that question, so in your original question, sorry, when we prepared the standard instrument LEP in 2013, we consulted with Transport and this issue was specifically, was raised, we were unable to come to a conclusion, and these lands were retained. There were other ones that Transport asked 30 us to put back on and we said no and then the Department of Planning at the time, or DPIE at the time, supported them. We have gone back, and I think as part of our application, there's a couple of correspondence pieces from us with regards to asking for these to be removed, so we have tried and I think partly we've not got the right people at Transport, and ultimately that is why council made the decision, which is more, this is why we want to prepare a planning proposal, because we really do want to get these reservations removed and we want to make sure that it's in front of the right people. And it's also the reason that we removed it from the Cadry's listing, because we recognise that this was more likely - well, this would be the issue, and the listing was sound in its own right and we didn't want that to be prejudiced.

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MS GRANT: So the distinction is, the objectives are aligned between Transport and council, it's just the approach to facilitate that and deliver that.

MS WHITE: Well, if Transport gave us reasons why these needed to be retained, I have no reason with retaining these lands. The issue that I have is they've been here since 1958 and as far as I'm concerned the project for which they were required has been facilitated. It's burdening owners. It's preventing council from wanting to, you know, significantly invest in the area, and ultimately planning is about transparency for decisionmakers and I don't feel that this is any way promoting our aim in that area,

10 and we need to get these things removed.

MS GRANT: Heather, do you have any questions of council?

MS WARTON: Yes, thanks, Juliet. Yes. I'm assisting the Commission in writing up this matter. It's Heather Warton speaking. You just said then, Emma - I think it was Emma, or maybe it was Anne. No, Anne, sorry, that the affectations are preventing council from their desire, including the one that's on this screen of design improvements.

20 MS WHITE: So we don't want to be investing long-term upgrades if we think that the land is going to be subject to road widening.

MS WARTON: So, but, for example, where the buildings are now with the interwar units, the buildings will be there or they'll be demolished to make way for the road widening. Isn't it the same? Like, either the - as you said - you're preparing, the plans will be that the pathway or the cycleway or whatever would go around, or the tree planting would go around the building, or if the building wasn't there then it would go somewhere else.

30 MS WHITE: So (not transcribable) ultimately - sorry, I can't get rid of that habit. The road will be widened, which will be getting rid of the pedestrian area across the whole of New South Head Road. It makes sense. That's ultimately what it's for. It's for the widening of New South Head Road. So it wouldn't just be in these areas, it would actually be across the whole of New South Head Road. Does that make sense?

MS WARTON: Yes. So there's road there now, and these buildings jut into the road. There's a road reservation in there now.

40 MS WHITE: They jut in, they don't jut into the road, but they are reserved for acquisition, because the intention was that there would be effectively another lane on New South Head Road.

MS WARTON: Okay. So it will be seen in the transcript, but Transport for New South Wales suggested that one of their proposals, although - and you'll see that they say they, could they point to a document that shows it, no - was, might be for a bus lane along New South Head Road. Is that something that council would support, if the buildings, for example, the interwar units were to be demolished and the extra room that's already there in part, where these reservations jut out, was then changed into a bus lane. Is that something that the council want to see?

- 10 MS WHITE: I feel very uncomfortable speaking on behalf of council. I am not council, I am a staff member, but one of the slides that Emma showed in her presentation was about how we should be prioritising people and then cycling and then active transport over cars and what the suggestion would be at that point would be, we would be widening New South Head Road to effectively facilitate another lane of traffic and I am very uncomfortable with doing that, because you would seriously reduce the amount of footpath and all these other, all the other elements on that southern side to facilitate that. I would strongly question how that could be occurred within the priorities and the objectives that Emma brought up before with regards to Transport for New South Wales' objectives in terms of their reprioritisation of the public domain.

20 MS WARTON: Okay, yes, Okay, I get you. I think that's all. The reservation that's on the bank building that's the heritage item now and that's subject to the planning proposal, if the reservation was removed, how would that affect that planning proposal? Or would there be a different - there wouldn't be a different outcome, it would just that there would be some more certainty that the building wouldn't be demolished in some stage, is that right?

- MS WHITE: Yes. The planning proposal doesn't envisage uplift on that sliver, if that makes sense. So because the corner building is a heritage item already, council staff are recommending that any planning proposal cantilevers over that building by a maximum of 30 per cent. So we don't see it as an issue for the planning proposal. Now, should this acquisition area be progressed, then obviously there will be implications to the built form, and potentially the planning proposal may get amended because they might make, want to seek an alternative built form on the site, but we don't, I don't see that as an issue but the Local Planning Panel obviously are concerned, they want it resolved, the Local Planning Panel resolved, and at the council meeting on the 12th of September, they also had a recommendation that this area needs to be resolved before the LEP is made.

MS WARTON: And by “resolved”, obviously council’s desire is that the affectation is removed, that’s what you mean?

MS WHITE: Yes. So council can only ask to be the PPA, because we recommended, council has recommended that we refuse it. So the Regional Panel recommended endorsement and they asked us whether we’d like to take over the role as PPA. We have said yes, we would, and one of the conditions that we’re recommending as part of the Gateway Determination is that this issue should be addressed. So ultimately we don’t have any decision-making powers, we can only make recommendations, and

10 indeed after the public exhibition we can only make a recommendation on the decision but council did recognise that that was an issue.

MS WARTON: Thank you. Yes, I get it. And the diagram that’s on the screen now is from the draft Urban Design Strategy - - -

MS WHITE: Yes.

MS WARTON: - - - and that was exhibit F.

20 MS WHITE: Yes.

MS WARTON: And given that the actual road itself, or anything outside the property boundary, is in the domain of Transport for New South Wales, were they consulted, or were they - I know you said you had a meeting with the PDU, but were they invited or were they involved in developing the strategy, or did they comment on it or anything like that?

MS WHITE: So we did consult with Transport. We appointed a company called SCT and they did a peer review of our Traffic and Transport Study and they gave us feedback on that. There were elements of this strategy that we consulted with Transport for New South Wales, and this is the version that was on exhibition, which has been significantly amended, and we are ongoing with - for example, there’s a corner on the corner of Ocean Street and Edgecliff, which is a piece of (not transcribable) land, so we have engaged, on a couple of occasions during the exhibition. So, yes, I don’t think issues have been resolved but we have been seeking to consult, yes.

MS WARTON: Okay. And in terms of - just so when I’m, or when Juliet is making the decision and we’ll be talking about it, the versions that are publicly available of this strategy is the one that we would already have, that’s the most up-to-date version?

MS WHITE: Yes, all the, yes, all the versions- nothing will be going to council in the next few months with regards to your decision making, so there will be no changes.

MS WARTON: Okay. Thank you. Thanks, Juliet.

MS GRANT: Phoebe, did you have any questions?

MS JARVIS: No, not from me. Thanks, Juliet.

- 10 MS GRANT: Okay. Thank you. Thank you very much. I think that's really helped us and clarified it. Is there anything else from council's perspective that you would like to say before we wrap up the meeting?

MS WELLFARE: I have just one thing that I'd like to point out, just with regard to the planning proposal for the Cadry's building at 549 Glenmore Road. We did conduct pre-exhibition consultation with Transport for New South Wales, and they didn't object to the local heritage listing, although they did note that local listing is a council matter rather than them and that planning proposal is with DPE for finalisation. So we've seen draft opinions, made comment on them, and it is at the 20 finalisation stage, so we anticipate a local heritage listing is imminent for 133 New South Head Road and 549 Glenmore Road.

MS GRANT: Yes. And that's consistent with that that they had explained to us as well.

MS WHITE: The only thing I'd like to add is, thank you very much for your time today and for your consideration of what is a very important matter for the Edgecliff centre.

- 30 MS GRANT: Terrific. Thank you. I know everybody is busy, so really appreciate you taking the time. So thank you very much, and with that, we will wrap up this meeting. Thank you and have a great afternoon.

MEETING CONCLUDED

[4.18pm]