



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)

DEPARTMENT AND TfNSW MEETING AGENDA

COMMISSION PANEL: JULIET GRANT (Chair)

OFFICE OF THE IPC: PHOEBE JARVIS
MELLISSA FELIPE
HEATHER WARTON

DPE: LAURA LOCKE
SIMON IP
PENGFEI CHENG

TfNSW: MURRAY CLEAVER
PETE MANN

LOCATION: VIA VIDEO CONFERENCE

DATE: 2.00PM, MONDAY, 19 SEPTEMBER 2022

TRANSCRIBED AND RECORDED BY APT TRANSCRIPTIONS

MS GRANT: Good afternoon everybody and welcome. Before we begin I would like to acknowledge that I'm 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'm the Chair of this Commission Panel. We are also joined by Phoebe Jarvis and Mellissa Felipe from the Office of the Independent Planning Commission and Heather Warton who's assisting the Commission.

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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. It's 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 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 on the website.

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I request that all members here today introduce themselves before speaking for the first time and for all members to ensure that they do not speak over the top of each other to ensure accuracy of the transcript. We will now begin. I understand the department, you have a presentation. Are you running that, Laura?

MS LOCKE: No, Juliet, Simon's going to be running most of the things from the department today and I'm just here in support.

MS GRANT: Perfect. Okay. Simon, over to you and you're welcome to introduce the team here as well.

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MR IP: Sure. My name is Simon Ip, Manager Place and Infrastructure from the Department of Planning. I work with Laura Locke, my Director, and also Pengfei Cheng, Senior Planning Officer from the department. Joining us today here also are two representatives from Transport for NSW. I'll just pass it onto you, Murray and Peter.

MR CLEAVER: Thanks, Simon. Murray Cleaver. Yeah, I'm a Network Development Officer within Greater Sydney Division of Transport NSW. My general focus is roads. Good afternoon all.

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MR MANN: Good afternoon everybody. I'm Peter Mann, Senior Manager, Strategic Land Use Planning at the Department of Transport.

MR IP: And, Commissioner, we have prepared a set of Power Point slides that we can run through with you. Just bear with me, I'll share the screen.

MS GRANT: Thank you.

MR IP: Can everyone see the screen okay?

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MS GRANT: Yes.

MR CLEAVER: Yes, Simon.

MR IP: That's great. So the PowerPoint slides are prepared by the Department of Planning and also Transport. We have covered the agenda items and also some specific questions raised by the Commission but feel free to jump in and ask any questions along the way. So first of all we would like to provide an overview of the planning proposal submitted by Woollahra Council. The proposal sought to amend the Woollahra LEP 2014 to remove several land acquisition reservations on New South Head Road and Glenmore Road in Edgecliff.

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The stated objectives of the planning proposal are threefold. Firstly, it is to remove redundant road reservation affectations from the LEP and to provide more certainty to landowners about the future of those land affected by the road reservations. Secondly, the proposal is to ensure that buildings of heritage significance on the affected land are protected from any future demolition. And thirdly, it is to allow council to invest in long term placemaking and public amenity improvements in Edgecliff. The department issued a Gateway Determination back on the 8th of June this year to not proceed with the planning proposal.

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Just a bit of background. Before council lodged the planning proposal in late 2021, there has been several correspondence between council, the department, Transport on the same matter. In April 2020 there is a letter from the former Parliamentary Secretary for Transport and Roads to the Mayor of Woollahra Council and the letter basically states that Transport currently has no plans to remove the road reservations and that the subject section of New South Head Road is part of an important transport corridor between Darlinghurst and Bondi and that the road reservations are required to support future public transport and active transport improvements.

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After council submitted the planning proposal with the department in late 2021 the department has issued - sorry - has organised several meetings via our Planning Delivery Unit. The meetings facilitated by the Planning Delivery Unit brought together Transport and also council to discuss this matter but the conclusion of those series of meetings is that the road reservations are still required. Taking on board the advice from Transport at the time the department wrote a letter to council recapping on the conclusion of those discussions and also requested council to withdraw the planning proposal. Council formally advised that they do not wish to withdraw the planning proposal and that led to the Gateway Determination issued by the department.

So this is a description of the road reservations question. As you can see from the map on the right there are four areas of reservations, area 1 to 4 which are highlighted in yellow and this map also superimposed the existing heritage items and heritage conservation areas in the locality. All four areas of road reservations are sought to be for mixed use and they fall within the Edgecliff commercial centre. There is one site, which is 136 New South Head Road, is currently listed as a local heritage item under the council's LEP. I will talk more about this site in a minute as there is a planning proposal which was recently a subject of a recent review.

There is also another planning proposal to list two properties, which are 133 New South Head Road and 549 Glenmore Road as heritage items and these two properties fall within area 2 of the road reservation and I'll talk more about this in a minute, as some of the sites fall within the Paddington heritage conservation area. So this slide shows the existing buildings within the road reservations. In terms of the reasons given by the department for the gateway determination there are four key issues. First of all, Transport for NSW is the state authority, the relevant acquisition authority for the subject land reservations under the Woollahra LEP and Transport does not support the planning proposal as the reservations are required to be retained.

Secondly, the New South Head Road corridor, including the subject reserved land have been identified by Transport as part of an important public transport corridor and the planning proposal does not safeguard opportunities for future public and active transport improvements. Thirdly, the proposal is inconsistent with relevant objectives and priorities in Eastern City District Plan including priority E1 and priority E10. And fourthly, the proposal is inconsistent with section 9.1 Ministerial Direction 5.2 as the relevant public authority being Transport for NSW has not agreed or provide approval to facilitate the removal of the reservations and the planning secretary also did not issue approval for the proposal through the Gateway Determination.

Just as a bit of background, council has prepared a draft planning strategy for the Edgecliff commercial centre and this draft strategy was exhibited from May to September 2021. All four areas of road reservations involving 12 parcels of land fall within the study area of this draft strategy. Currently in terms of the status, council has commissioned a heritage study and the findings will inform a revision of this draft strategy and which, when completed will be reported to council strategic and corporate committee and then to the full council. And also in the department's approval of council's local housing strategy there is a condition requiring a planning proposal for all or part of the Edgecliff commercial centre to be lodged with the department for Gateway by the end of 2024 and the reason for this is to ensure there's sufficient housing capacity beyond 2026.

For the four areas of road reservations, there are two areas, which are area 1 and area 3 identified in the draft strategy for uplift which are circled in red in the map. In terms of the planning proposal for the heritage listing of 133 New South Head Road and 549 Glenmore Road they are within area 2 of the road reservation. 133 New South Head Road is known as the Cadry's building and the adjoining early Victorian sandstone cottage is located 549 Glenmore Road. At this stage the planning proposal is being finalised by the department as the local planning authority. We have received a draft LEP for this heritage listing and we have shared a copy of this LEP with council for their comments. At this stage we are waiting for the final draft LEP and the PCL opinion in order to make the plan.

This planning proposal is for 136 to 148 New South Head Road. As I mentioned earlier, number 136 is affected by the road reservation and is also listed as a local heritage item on the council's LEP and this planning proposal is for site-specific uplift by changing the height and FSR controls but there is no proposed change to the existing road reservation. Council earlier this year resolved to refuse the planning proposal and this proposal subsequently was heard by the Sydney Eastern Sydney Planning Panel as part of a rezoning review. On the 18th of August this year the panel decided that the proposal has strategic and site-specific merits to progress to gateway.

As part of their advisory notes the panel also notes that the existence of a road reservation over the corner of the site - and this matter should be resolved with Transport for NSW - and the effects of the current affectation for the heritage building is unknown at this time and if acquisition is required for all or part of that land this needs to inform not only the final design but also any compensation. As such, the panel recommended that this matter be resolved prior to the making of any LEP. On the 12th of September council resolved to assess the role as the planning proposal authority for this planning proposal basically to take carriage of the proposal and to manage the subsequent planning process including exhibition and also as part of the

resolution, council recommends that the issue of the road reservation be resolved by the applicant with Transport prior to the making of any LEP.

This is another planning proposal further to the east on New South Head Road but this site is within Double Bay and is outside the study area of the Edgecliff Centre - draft Edgecliff Centre Planning Strategy and is also for site-specific uplift. In terms of council's justifications for the Gateway review, the key reasons include the land reservations are redundant from their point of view. They also state that the 1958 road alignment project that identified the subject land reservations has already been
10 superseded by the Cross City Tunnel project. Council also states that Transport has not provided any evidence to support the fact that the reserve land is still required for future public transport improvements. Council states that the road network plan 47
47 does not identify any major transport upgrades within or in close proximity to the subject corridor. Council also states that by maintaining the land reservations it inhibits council's progression of active transport and public amenity improvements and that the road reservations will lead to a vehicle or transport dominant future.

In terms of the department's consideration of this matter we conceded that Transport is the acquisition authority under clause 5.1 of the Woollahra LEP and Transport does
20 not support removal of the road reservations, as they are to be retained for future public and active transport improvements. Transport's advice on the need for the subject land reservations has been consistent and has not changed and also Transport's strategic vision for the corridor including, include encouraging the use of sustainable transport with efficient public transport facilities and high quality active transport facilities.

The proposal is inconsistent with priorities E1 and E10 of the Eastern City District Plan which requires proactive and early safeguarding of transport corridors for infrastructure investments and also maximising utility of existing infrastructure. The
30 proposal, like I mentioned before, is also inconsistent with section 9.1 Ministerial Direction which requires that the planning proposal must not create, alter or reduce zonings or reservations of land for public purposes without approval of the relevant public authority and the planning secretary. And lastly, we consider the opportunities for council to collaborate with Transport on active transport improvements or placemaking initiatives for the corridor. Now I'll pass onto Peter and Murray to discuss Transport's comments on this matter.

MR MANN: Okay. Thank you, Simon. I should warn everybody I've got a very significant delay on my audio so I'm going to go rather slowly. Okay. Now, look, we
40 maintain the position that the corridor reservation is fundamentally necessary. There's actually no strategic case presented by the council for its removal, so the idea that the

corridor is redundant I think is not correct. The claims that the council is saying that in our studies, or a lack of mentioning studies, which Simon just mentioned is not evidence that there is no strategic plan for this corridor going into the future. The claim by the council that the retention of the corridor would somehow undermine the Edgecliff Town Centre Master Plan and make it a dependent environment or make it impossible for placemaking activities is not sound, in our view.

10 To the contrary, the uplift in the town centre itself generates immense demand for the retention of corridors such as this and is likely to require further land acquisitions to make the town centre function and that has not been investigated. With respect to the issue of heritage conservation presented by the council, I'd just like to say a few words on that. We have advised the council that it's not our preferred position to have those items identified as local heritage items. However, we are prepared to consider a scenario that heritage listing would afford the council significant opportunities to better manage those heritage properties going forward into the future. However, if those properties were listed there is absolutely no assurance that those properties would not be demolished in the future to meet public transport and network improvements for our transportation systems in that area.

20 So we believe that we need to retain the reservation. We can offer the council short-term management options in terms of heritage management clauses in the LEP but there is much evidence across Sydney that heritage listing does not prevent demolition in the case of broader strategic considerations. With respect to the placemaking claim or the desire for council and Transport to work together in this regard, there is nothing to prevent the council entering into arrangements say for active transport and placemaking improvements within the reservation until such time as that reservation is required for future transport infrastructure to be delivered. So in summary, Commissioner, we would suggest that there is a fundamental case for the retention of the corridor and the council has not provided any evidence to suggest that it should be removed in any way.

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MR IP: Is there any other issues or justifications you would like to provide, Peter and Murray?

MR MANN: Perhaps there is one comment we can make here and that relates to the issue of precedent, and negative precedent in particular. The types of argument presented by the council, if supported, would set a very negative precedent for the issues around these types of corridors across Sydney and would prevent strategic planning for much needed infrastructure delivery service levels for transportation networks that are required to support any urban renewal or growth within the

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metropolitan area. So this is an issue that has far wider-ranging implications than just for this particular gateway proposal.

MS GRANT: Can I just pick up on that point, Peter? Simon, from your perspective, if Peter's raising this issue of precedent, the department's taken two completely different approaches to the planning proposals in this corridor so the other planning proposal for the heritage listing has proceeded beyond Gateway and has gone to formal consultation, whereas this one at this point in time hasn't had formal consultation from Transport. What does the department see as the difference, why is there a difference in approach?

MR IP: Yes, Commissioner. In terms of the planning proposal to list the two heritage items we did impose conditions requiring council to consult with Transport. There are, in fact, two conditions for that heritage listing planning proposal. One of the conditions is require council to undertake early consultation with Transport prior to exhibition and the other is a standard consultation requirement with Transport. So Transport for NSW did provide feedback on two occasions. One before exhibition and one after exhibition and Transport's comments states that it does not prefer the subject heritage listing. However, it also acknowledges that local heritage listing is a council matter.

It advises council that if council decides to heritage-list the sites and progress to proposal, there is a possibility that the properties may be acquired in the future when the details for the road reservations and public domain - public and active transport improvements are confirmed. So the department's take the view that Transport did not object to the subject planning proposal for - sorry - does not object to the planning proposal for the heritage listing and that's why we decided to progress with the proposal to finalisation.

MS GRANT: Okay. Thank you. Then if you go to your slide number 8, which has got the council's Edgecliff Strategic Plans, you mentioned this was tied to the local housing strategy and part of the LHS's conditions. So out of the four areas we've got, the area - there's two areas that are not contingent on uplift to facilitate this. The eastern-most one already has a planning proposal so that's being handled one way. The middle one is the area number 2 which is the one where they're proposing the heritage listing. So in terms of delivering on this vision and meeting council's housing strategy requirements is it really areas 1 and 3 that are the critical components?

MR IP: Yes, Commissioner. As you can see from the map here there are a number of land parcels identified for uplift. One of the key areas to deliver uplift is actually the block that contains the existing train station and transport interchange and you can see

there a 26-storey and a 14-storey building proposed for that block. However, having said that, the draft strategy is still in draft form and council has not formally endorsed this planning strategy at this point in time. Additional studies on heritage listing progressed by council and that would inform the revision to this draft plan. So at this stage there has been no planning proposal lodged by council with the department for uplift pursuant to this draft strategy. So the status still needs to be weighted and to be confirmed.

10 MS GRANT: Okay. Another question for Transport. Council's made a lot of the fact that the original reservation, you know, was 1958 or whatever, you know, a considerable period of time ago and that those plans redundant by virtue of the fact that they're sort of out of date with transport infrastructure projects that initially triggered that. If the corridors are retained, are you able to explain a little further of what kind of transport improvements, network improvements you would envisage and you made, Peter, the comment that, you know, with increase in uplift we would - there would be a greater demand for transport improvements. What kind of improvements are you envisaging would go along this corridor?

20 MR MANN: Commissioner, if I've understood the question correctly and again I qualify I've got a huge feedback issue here on the other end. Look, and Murray may care to comment further on this but as you can imagine we've had this corridor identified since 1958. So in a sense there is a policy position saying we recognise that we need this for managing future development. However, as I understand it, there is no investigations currently being undertaken or immediately planned to be undertaken for the investigation of the future use of this corridor.

MR CLEAVER: That's correct, Pete.

30 MR MANN: But the - yeah, thank you, mate. But that is not to say that it is not relevant to retain it and the types of things that one might imagine that need to be planned for is the provision of sufficient corridor space or road widths to run additional bus services, for example, to accommodate future growth and to ensure that, say, the Edgecliff town centre actually functions. So we're talking about network planning issues but we have not engaged in that project or process of looking at the specifics around how that would be planned for and developed.

40 MR CLEAVER: And, in fact, on top of that we're not only looking at Edgecliff but it's, the corridor provides public transport links as previously identified in the slideshow here, thanks, Simon, to Bondi. It covers a - it links to a much, much larger area well beyond Edgecliff and things that, as Pete said, we haven't entered into a planning situation where we've got this on the table and we're looking at how it might

be used but facilities such as bus layovers, facilities for bus operations generally, bus early starts along this major corridor, widening to accommodate like a bus early start lens, things like that that really would enhance the bus public transport links between here and further to the east, as I say, to Bondi but we've got a whole heap of other locations between here and Bondi.

10 So as Pete said, we haven't got to the stage of putting this down on a plan and looking at what we might be able to do with that but further to that, and perhaps in a shorter-term, situation Woollahra Council did at a previous meeting with us identify that they are keen on developing an active transport link between Rushcutters Bay Park and Edgecliff Station and we said that we could see part of this corridor being used for that and I would suggest any long term option to develop public transport infrastructure through here would certainly accommodate any active transport links through here also. And if you think, if you have a look at, not only longitudinally but some links, Darling Point Road is identified as a bicycle corridor. So there's a whole heap of - whole of Darling Point Road, there's Mona Road, Ocean Avenue to the north, Glenmore Road to the south, Cameron and Ocean Street to the south. There's a whole network of active transport links that come together at this particular location and if we were developing a public transport facility here that used this particular corridor we're discussing this afternoon we would have to accommodate those active transport links in that future project.

20 As I said, Woollahra Council has come to us and said that they're keen to develop an active transport link between Rushcutters Bay Park and Edgecliff Rail Station. We said that sounds great, come and talk to us, we can provide you with some contacts within Transport for NSW and it's highly feasible that funding for such a facility would be submitted through Transport for NSW for state funding. So on that basis we've shown that there's, we're happy to sit at the table and use part of this corridor for active transport and here we've come to this situation today where we're 30 challenging the widening proposal that's been there since 1958. That's nearly as old as me but there really is, as Pete identified, some advance planning to cater for what Woollahra Council is proposing here in these pink - this enormous uplift along this corridor.

MS GRANT: And it would be conceivable that there would need to be, as part of this uplift, investment in and contribution from these individual sites to enhance the corridor. Was Transport - has Transport had any involvement with council in the preparation of this urban design strategy?

40 MR MANN: Commissioner, as far as I know we have not had any involvement in it and that's essentially because it hasn't proceeded to any sort of pre-zoning

consultation and so, therefore, we would say no, we haven't had any consultation on it, at least as far as I'm aware of, but we naturally would want to be involved.

MR CLEAVER: Certainly.

MS GRANT: Yes.

10 MR MANN: So what we would be concerned about is certain - is that the draft masterplan is promulgating certain ideas around development yield and development capacity which have not been tested and, therefore, as a basis for arguing for the reduction of the, say, the corridor there is none.

MS GRANT: And so we don't know, I guess, Simon, you have probably not had that level of detail to know whether these yields are on the basis of assuming that there is dedication or acquisition of land to facilitate the widenings in conjunction with any uplift or rezoning?

20 MR IP: Commissioner, this piece of work is led by Woollahra Council. We are aware of the exhibition of this draft strategy. However, we have not had any detailed inputs to this draft strategy. I would recommend any details to be directed towards council for advice.

MS GRANT: And we're meeting council straight after this so I will ask the question but I guess I'm thinking that if you've conditioned the local housing strategy that needs to respond by December 2024 for a planning proposal it would be reasonable to presume that there's been some early discussions with council about how they're going to respond to that.

30 MR IP: Yes, Commissioner. According to council's Local Housing Strategy, Edgecliff centre is one of the key areas for delivering housing supply over the medium to longer term and in terms of the condition required for the Local Housing Strategy it is a very general condition. It requires a planning proposal for all or part of the study area for Edgecliff centre. So it does not prescribe the level of yield to be delivered as part of the future planning proposal by December 2024, it's a general condition.

MS GRANT: Okay. I understand. Thank you.

40 MS WARTON: Could I just ask a few questions? Hi, it's Heather Warton. We're talking about a corridor here but when I see the scheme it's like four areas with chunks of land that protrude into what I presume is the road reservation. Simon, would you be able to go to your first, the slide showing the actual sites? So like area 1, where is the

corridor exactly? Am I assuming that these are the buildings that the - we're going to the site tomorrow so although I'm, you know, vaguely familiar with New South Head Road but I haven't looked specifically at these slots yet but so like, for example, area 1 are there buildings that protrude into the road reservation? Is that the issue? Like where is the actual corridor? Is part of the corridor already road at the moment? Is that the situation?

10 MR IP: Yes, Heather. In terms of the detailed extent of the road reservation I would suggest to be confirmed with council because they have more detailed mapping for these road reservation areas and the extent of the road reservations in the LEP.

MS WARTON: But from Transport, am I assuming that the area that's already grey next to area 1 where it's got New South Head Road that that's already road, that is already the road corridor and that these lots, properties for historical reasons are not part of the road reservation, is that the situation?

MR MANN: I'm not sure that I can actually answer the question, Heather. I'd defer to Murray who's across the detail a little bit more of this.

20 MR CLEAVER: Murray is trying to conjure up another plan in the background here that I might be able to answer your - - -

MS WARTON: I guess my question is what is happening in the rest of the corridor besides these yellow bits of land?

MR CLEAVER: Now, those buildings to the west of Glenmore Road it is my understanding that they actually intrude into the future road reservation. Does that, is that, in fact, Simon, could you go to your next slide please? And I think - there's area 1, that top picture there and it is my understanding that the road-widening reservation
30 slices through those buildings, those three or four buildings there on that corner.

MS WARTON: Okay. All right. Yes, I get it. So where the cars are at 115 New South Head Road, in front of there is already effectively road reservation owned by the RMS or Transport for NSW, is that the situation?

MR CLEAVER: Well, council are the property owners. We take an interest in running the (not transcribable) - - -

MS WARTON: Okay.
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MR CLEAVER: - - - but look, I'll go back to what I said. It is my understanding that the future road widening slices through those three or four buildings in area 1.

MS WARTON: Right.

MS GRANT: Can I just jump in and pick up on something you said. Are you suggesting that the properties in area 1 are owned by council at this present point in time?

10 MR CLEAVER: No. What I suggested that the road, the land, it's a - it's not easy to grasp but the road, even state roads, the road is owned by council. It's not owned by Transport for NSW.

MS GRANT: So the road, not the properties fronting?

MR CLEAVER: That's correct.

MS WARTON: Right.

20 MR IP: Can I also share my knowledge about area 4, 136 New South Head Road. As part of the processing of the rezoning review the department understands that the road reservation actually slice across the corner of the bank building which is a heritage item. However, council would have more detailed plans that could show the actual extent of the road reservation.

MS WARTON: And can I just ask - it's Heather again. In that planning proposal does that show that the bank building would be retained in any future redevelopment? I mean, I presume it has like diagram urban design options or some sort of analysis. Does it assume that the building, the bank building would be retained as a heritage
30 item?

MR IP: In the conceptual scheme submitted by the proponent in support of the rezoning review the conceptual scheme does show the retention of the bank building with a tower behind it and also part of the cantilever over the retained building. However, the planning proposal is to seek a change to the planning controls in terms of FSR and height. So that remains a conceptual scheme that informs the proposal.

MS WARTON: Sorry. And just to Transport, Murray and Peter again, in area 2 when
40 you look at the yellow area in the plan for those areas it looks like it's road widening at the corners to possibly facilitate a better intersection treatment. Am I right thinking that Although you did mention possible cycleways. I'm not sure if that was one of the

streets that you mentioned. Is it essentially intersection works for those ones on the corner as opposed to the one in area 1?

MR MANN: I'm sorry, I can't respond because of my feedback problem. I literally couldn't understand what was coming through but can I pose a question to you? You're asking us about intersection design where the bank building is?

MS WARTON: I think it was definitely area 2. I don't know if Simon could go back to the picture that shows the yellow. Have you got the rest of the sites, Simon, or not?

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MR CLEAVER: Heather, I'm thinking that - - -

MS WARTON: Area 3. Area 3 in particular.

MR CLEAVER: Oh, okay. It is highly feasible that those would have been identified way back then to provide better geometry, swept path and vehicles coming into and going out of that side street. I'm sorry, I've got a noise problem here too, got some construction going on and I had my machine on mute and I was trying to talk to you but here am I talking to you now. And you're right, it would probably be aimed at better geometry site lines and to accommodate swept path of vehicles turning into and turning out of the side streets.

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MS GRANT: Does that mean that the sites could be looked at individually rather than collectively? Do they have (not transcribable) or is 1 and 2 relatively closely interconnected and - - -

MR CLEAVER: Commissioner, I think you're reaching too far forward for us to respond to on this one.

30 MS GRANT: Okay.

MR CLEAVER: Really we have not got plans or anything like that and without a thorough survey model with cadastral overlay and widening affectations shown on that and quite a bit of time spent on it we - I don't think we can provide you an answer.

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MS WARTON: Sorry, can I just ask one more question, Juliet? If I was - just for me to understand the process, if I was the owner of one of the properties, so for example, one of the units that protrude, like the walk-up, older style, walk-up units that protrudes into the reservation, what - and I'd said, well, I want to redevelop, I want to put a new building on there but I've got this road reservation, what I'll do is I'll ask the RMS or Transport for NSW to acquire the site. Is that the process and then you go

into some sort of valuation negotiations? Is that what would happen? Is this the options, the other option for these owners to ask to be acquired?

MR CLEAVER: It's certainly one of the options available, Heather, and it would - the current owner might be able to put their property on the market and on that basis might find a difficulty in selling the property because it's got this transport affectation and on that basis they would come to us and say this is our situation, folks, I've tried and it's been on the market for six months in this raging property market, I've had nobody come to me, it's a realistic price, blah, blah, blah, dot, dot, dot, I'm asking Transport
10 for NSW, NSW Government to acquire the property. There's a whole range of options available there and our property section perhaps could've and should've been in the room to answer your question but that's some of the way that it might take.

MS WARTON: Okay. Thank you.

MS GRANT: So what kind of work, Murray, would then be required? Presumably there's an imperative for further study and investigation in Edgecliff from a housing supply perspective. So presumably council will progress some of this urban design work and ultimately some form of planning proposal. What kind of work would
20 Transport need to undertake to be able to respond in a more informed manner, whether it's this planning proposal or the next one that comes along, the question isn't going to go away. What would you need to do and how long would that take to have a better handle on the sorts of improvements and the sorts of land take you would need to support the best public and active transport outcome for a town centre like this?

MR CLEAVER: There's a curveball, thank you very much.

MR MANN: I'm prepared to offer - - -

30 MR CLEAVER: Away you go, Pete. Please, happy to - - -

MR MANN: Well, look, Transport is faced with many of these types of propositions, whether it's Bankstown or Hornsby town centre or any local centre for that matter and the problems relate primarily to a lack or, either no scope or defining the scope for investigations around urban renewal and developing capacity. So the only way to really get a grasp on it in terms of our future service delivery models, what we can actually, in a sense the sorts of yields, we can accommodate is to look at urban renewal on a precinct basis and that, having said that, that really relates to the performance of the road networks which are in the precincts and beyond them. So the
40 scope of works we would need to do that, we'd need to know something about overall development, uplift development strategy, infrastructure funding - - -

MR CLEAVER: And transport strategy overall.

MR MANN: And transport strategy.

MR CLEAVER: And we might - this may not necessarily - - -

MR MANN: So this is a very large - it's a very significant piece of work,
Commissioner, and it's something that not any one individual landowner is going to
10 want to come on board with. So it needs to be funded through the council or in
discussions with the State Government, I think, in terms of perhaps the way to
consider this issue here.

MR CLEAVER: So we'd be looking at projected traffic volumes and how best to
manage those. Are they going to be managed via some sort of green traffic plan, are
they going to be put on bicycles, are they going to walk up the street to Edgecliff Rail
Station, are they going to hop on buses on New South Head Road, all of these things
and what might be teased out of that, and as Peter's identified it's not going to be
something that's done in a fortnight. It's going to be perhaps a few years in generation
20 and development and out of that might come infrastructure provision, change in
transport modes, anything that might be affected by such uplift.

Where are the people going? Where are they coming from? Where are they going to?
What sort of people are they? Are they shopping? Are they going to work? Are they
commuting to workplaces? What time of day? Are they going to be working in this
particular area? It's what they call planning, Commissioner.

MR MANN: Could I offer one final comment from Transport's point of view? I
know we're perhaps running out of time. The reason we're in this situation perhaps is
30 simply because the proponents have developed their planning proposals and their
concepts, their developing concepts by projecting into the road reservation. They
could redesign their proposals to take account of this rather than trying to extinguish
the corridor. So there's more than one way to look at this from a housing supply and
development point of view.

So there is the possibility if they make the necessary adjustments and the corridor is
retained it's the best of both worlds for everybody but this would preserve our ability
to plan for future uplift not only in Edgecliff but elsewhere. So I just leave that
comment with you, Commissioner, from the point of view of transport with you.
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MS GRANT: Noted. So, I guess, moving forward I'm still curious from a department, a planning perspective, you know, we might solve one planning proposal, you know, for the moment but what happens moving forward. Clearly Edgecliff is the council's preferred opportunity and the department supported that as a position to respond to the housing supply question. I take Peter's point, you know, that you can, you don't necessarily have to remove the reservation to achieve that but I wonder if there's been any thought about what the next steps in terms of how you facilitate and support the council to then progress to respond with a plan for the Edgecliff town centre if the first step in the process doesn't progress?

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MR MANN: I think they need to reformulate their development strategy on this road.

MR CLEAVER: I think so. It's, look, they've gone ahead and they've done - I think they've jumped the gun by the sounds of things. They need to include other players in their development, including us, and as I've said before, we've strongly encouraged council to come to us, particularly in regard to their active transport link between Rushcutters Bay Park and Edgecliff Rail Station and particularly now that there is, in fact, a Minister really, folks, you've got to understand the hot number that active transport links around Sydney are in Sydney now that there is, in fact, an active Transport Minister.

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MS LOCKE: I think though to your point, Juliet, the department take your point in that. The department supports council's aspirations for further development in Edgecliff and obviously we need to be supportive of state agencies as well in their future plans for improvement in transport. So given that we're some time off the Gateway requirements the department's happy to work with council and I think foreshadowing whatever the decision or whether recommendation of this meeting of the IPC is that we'd be happy to have those conversations with council and Transport to be able to rectify this issue before we get to a Gateway, you know, in 12, 18 months' time where potentially we're facing the same issues, that's not really productive for anyone so we're happy to facilitate those conversations.

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MS GRANT: Thank you. Phoebe, did you have any - I'm conscious that we're getting close to time. Did you have any questions that you would like to - - -

MS JARVIS: No, I didn't, Juliet, thank you.

MS GRANT: Okay. Cool. Heather, have you got any other questions?

40 MS WARTON: No, that's all good, thanks, Juliet.

MS GRANT: Okay. Is there anything from the Planning or Transport, anything else that you would like to make us aware of before we wrap up?

MR MANN: Thank you, Commissioner. Nothing to be made aware of other than that we're always willing to work with the councils and the proponents of planning proposals and the Department of Planning. However, we're very firm on our position about the retention of the corridor at this stage so I'd leave it at that.

MS GRANT: Understood.

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MS LOCKE: Nothing further from us except for obviously we're more than happy if there's any questions that come out of your briefing with council or you have any further questions or information to be provide any advice back to the panel out of session obviously.

MS GRANT: Thank you everybody for your time this afternoon and we managed to overcome any technical difficulties. So thank you, really appreciate making yourselves available to present to us so thank you.

20 **MEETING CONCLUDED**

[3.02pm]