



## **TRANSCRIPT OF MEETING**

**RE: NOVUS ON ALBERT – 763-769 PACIFIC HIGHWAY, CHATSWOOD –  
BUILD-TO-RENT (SSD-59805958)**

### **COUNCIL MEETING**

**PANEL:** BRONWYN EVANS (CHAIR)  
MICHAEL WRIGHT

**OFFICE OF THE IPC:** KENDALL CLYDSDALE

**WILLOUGHBY CITY  
COUNCIL:** DYALAN GOVENDER  
CHRIS NGUYEN

**LOCATION:** ZOOM VIDEOCONFERENCE

**DATE:** 2:15PM – 3:00PM  
FRIDAY, 13<sup>th</sup> JUNE 2025

## <THE MEETING COMMENCED

5 **DR BRONWYN EVANS:** So, good afternoon and welcome. Before we begin, I'd like to acknowledge that I am speaking to you this afternoon from Gadigal land, and I acknowledge the traditional owners of the lands from which we all virtually meet today, and pay my respects to Elders present and past.

10 Welcome to the meeting today to discuss the Novus on Albert – 763-769 Pacific Highway, Chatswood – Build-to-Rent Project (SSD-59805958) currently before the Commission for determination. The Applicant, the Trustee for Albert Avenue Sub Trust, proposes the demolition of existing buildings and the construction of a shop-top housing development comprising 198 build-to-rent units, retail premises, car parking across three basement levels, residential amenities, and communal spaces.

15 My name is Bronwyn Evans. I am the Chair of the Commission Panel. I am joined today by my fellow Commissioner, Michael Wright. And we're also joined by Kendall Clydsdale from the Office of the Independent Planning Commission.

20 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.

25 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 commissioners to ask questions to attendees and to clarify issues whenever it's 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 our website.

30 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.

35 We'll now begin. Thank you. So, we've got the agenda for today, so I'll hand it across to Council to give us an opening statement or overview, so over to you.

40 **MR DYALAN GOVENDER:** Thank you for the opportunity. My name is Dyalan, I'm the Acting Head of Planning here at Council. Look, I'll be brief, because no doubt you've had a chance to review Council's submission and no doubt the report in response.

45 And given where we are in the process, I think rather than go over the whole submission, noting that I think there are a number of issues that we'll get to as we get through the agenda, some of which have been addressed through conditions and so on. I'd rather just focus on a couple of the residual, in my mind, and the key elements to why we've retained our objection.

Principally, that objection hinges on a couple of key items: the heritage item and its treatment. There has been disagreement on this and its appropriate treatment throughout the process. We acknowledge that the Applicant has made significant, and that we don't underestimate the significant attempts to try to grapple with what is a very challenging heritage constraint, we do acknowledge that.

But what it comes down to for Council, Council's DCP flowing on from the Statement of Significance as it was assessed at the time, acknowledged and always acknowledge that there would be redevelopment of this site. It acknowledged and always acknowledge that the façade was unlikely, indeed impossible to retain in its current location. However, we anticipated that it would be reasonable and plausible that a significant retention of that façade could be facilitated and it could be moved and incorporated. This is not an unusual approach to heritage where there are similar constraints.

Notwithstanding that, we had meetings with the Applicant who came to us advising that they didn't consider that to be reasonable and wished to follow an alternative path. Council advised them that we are open to considering alternative paths that meet a similar level of respect to the heritage item as a moved façade would. Noting that, if I recall correctly, those initial approaches were made on the basis that there was a view that there could be an equal if not better approach, which, as I said, we were open to seeing. That increasingly through the discussions, the impracticality of moving the façade was raised as well.

And I guess where it lands for Council is, in our view, we've never seen anything that details or represents a specific assessment of the façade's existing condition and detailed methodology to treat it, that indicates it's not reasonable for it to be moved. We've seen general statements that it would be damaged, that it would be insufficient, that it couldn't be done, but we've not seen a shred of detailed assessment of the condition of that façade or the methodologies available to comply with the DCP control as it stands for that façade.

On that basis, it's very difficult for us to then jump to alternatives, notwithstanding that, we still did consider the alternatives put forward to Council and provided detailed comments relating to the re-interpretation strategies, the sort of wire structure that was proposed, the dwell space on the Pacific Highway. And provided detailed comments as to why we think that would be inappropriate in the circumstances and certainly well short of what was envisaged under the DCP.

So, we retain that objection. We don't believe that the approach is satisfactory and particularly in the absence of seeing detailed advice as to why the façade could not have been better retained and moved. So, that's the heritage component.

The other key component is the setback to the neighbouring site, the zero setback to the neighbouring site. Council retains a significant concern that the future state of this frontage to the Pacific Highway will be significantly compromised and deficient in what is reasonable to expect in terms of good urban design outcomes

5 along this block. Should a zero setback be permitted to that boundary, it could and would likely result in a 90-metre tall, extremely lengthy structure along the Pacific Highway when the neighbour is inevitably developed. That would read as bulky. It will read as imposing. It will read as dominant, and it is at the edge, a significant edge, highly visible – we don't consider that to be appropriate.

10 We are not seeking, we are not trying to aggressively impose the DCP setbacks. We understand that individual sites require consideration. We understand that variation from DCP setbacks needs to be appropriately considered, and we are open to variation. What we don't think is appropriate in this location is that zero setback in particular. We do think there needs to be a reduction in the scale of this building and the bulk of this building.

15 I understand that it's been through a design excellence process. However, the design excellence process considers design excellence from the perspective of its remit and its scope. In Council's view, there is an additional layer that needs to be overlaid over that design excellence process that looks at the wider surrounds, the wider context, and the overall built form, not just of the building in its place, but the overall impact when the future development occurs. And we don't believe that's been sufficiently treated through that process, and we don't believe our concerns have been answered either in that process or in the assessment to date.

25 They're the big two issues with respect to Council's objections. There have been a litany of other smaller issues, some of which we believe are reasonably or close to reasonably addressed through the conditions of consent, and happy to get into those should you wish through your questioning. I will do my best to answer as many of them as I can. Noting that a whole range of areas of Council went into making that submission, I'll do my best to recall what I can and answer what I can.

30 The other, I guess, the sort of two-and-a-half, I'd say, the other matter that was – a key issue, and I have to admit, my personal view as a planner has always been on the edge of this, but it's certainly been Council's view that we haven't quite got there. Is in the waste and loading treatment to the lane.

35 It is, again Council acknowledges it is an extremely challenging proposition. Council does have a significantly sized waste vehicle and it's a difficult thing to acknowledge. Indeed, when Council put in the controls – look, I won't go into the whole history and delve into the issue we have with build-to-rent in the core as a standing issue in principle. But it does speak to some of these more specific challenges we're seeing in the non-compliances and the impacts, this being one.

40 One of the things we were looking at when we were looking at the controls for the commercial core, or minimum lot size, so the setbacks going with those, and those minimum lot sizes and the need for consolidation to address precisely these sorts of matters. Setbacks to the tower forms, and access for things like loading and waste vehicles.

I appreciate the landowner has made reasonable attempts to consolidate the site and has been unable to do so. We acknowledge that. But now we are left with the challenges that come with that, and the setbacks and the access are key in that regard, because now we're left with a more constrained site where it is extremely difficult to get those substantially sized vehicles off the street.

It seems to me where we landed in the most engineering plans, we had seen allow their waste vehicle, for example, to get mostly off the street, but there were still some concerns with how the loading would occur. Again, my view as a planner on balance is while it's not compliant, it's not fully, it's quite there yet, I do think a 100% compliance is unlikely to be achievable on this site.

That said, we need to make sure we've designed appropriately so that it can still occur safely. And I'm not – that's the other area where I do think there is still some doubt. Appreciate waste in particular is likely to be collected outside peaks and in low volume times to what isn't – it's not a heavily used laneway. But it is a laneway where it's in quite a constrained local network. And there is significant danger for vehicles coming around that corner and encountering a waste vehicle, particularly if it is a time of the day where there isn't a huge amount of traffic. So, there's just a residual concern there.

They're the three principal concerns. Rather than, as I say, go through the whole submission, I'll leave it there, and I'm happy for the rest of Council's issues to be drawn out through the discussion.

**DR EVANS:** Thank you, that's been very helpful to understand your view. One area I did notice in your submission related to stormwater – I think it was in the Appendix 3 to your submission, and I noticed there are conditions related to stormwater. And I just wondered if those stormwater concerns had since been addressed through the conditions in the ...

**MR GOVENDER:** Thank you for the question, yes, and I was doing my best to bone up on precisely that element of it, not being an engineer myself. Coming into the meeting just moments ago in fact, and just reconfirming with the engineer had we got the right cable, for example, in condition 20.

Look, it's very rarely our preference to condition that level of detail prior to a CC. Because inevitably, you end up with modifications because elements of the design cannot be achieved, which is why they haven't been achieved to date. So, there is a residual concern from Council that, look, while it's conditioned to address the concerns that we have raised, it is conditioned for amended plans to be submitted that satisfy our concerns.

So, yes, in principle, but we do retain that residual concern that there is a significant risk here that the nature of those amendments will have knock-on effects and may not be achievable, which would lead to future delays.

**DR EVANS:** Thank you. Michael, did you have a ...?

**MR MICHAEL WRIGHT:** Yes, look, maybe just going back to that first, more significant item you raised there, Dy, in terms of the heritage item. So, I understand you're concerned about – the view of the Council that there hasn't been a detailed technical assessment of the feasibility of deconstructing and reconstructing the façade. Point taken.

Hypothetically, if that assessment had been done and the conclusion was that it couldn't be reconstructed and deconstructed and then we moved to the heritage interpretative treatment the Proponent is proposing. Could I just get a clear steer on what Council's view of that particular interpretative treatment is.

**MR GOVENDER:** Thank you.

**MR WRIGHT:** Oh sorry, would be, would be, should I say.

**MR GOVENDER:** Sure, sure. And that's entirely a reasonable question. As I mentioned, we did try to make sure we were providing feedback in that regard, noting that that is an entirely plausible outcome here.

So, notwithstanding that, there's a – you've all been doing this long enough – is a tension between Council designing it for the Proponent, and the Proponent having the challenge of dealing with the constraint. But I have to admit, my practice is as much as possible to be proactive in that regard.

So, to the point. Some of the issues – so, thinking about the nature of this item. It is a unique item. We're not talking about a domestic, we're not talking about a dwelling, we're talking about what was an industrial use, we're talking about – or a utilitarian use, being the Fire Station. So, with a community overlay. So, that was a piece of significant community infrastructure and utility that speaks to how the community operated at that time and how it was serviced at that time, aside from the architectural significance.

So, thinking about ways to combine those things. There was discussion around how the design could be incorporated into the building. From an aesthetic perspective, I do think there has been really excellent strides in that regard – materiality and so on. And I don't think they've done it in a way to ape the design. I think they've done a very good job as using it as inspiration. But I do think that's a different proposition to actually dealing with the significance in question.

So, when you're getting to interpretative strategy. If there are, for example, land uses on the site, there was talk about workshop-type facilities for the residents, bike workshops and so on, on the ground floor in a similar location. That would be a good opportunity for an interpretative strategy to allow for that industrial utilitarian thread to be expressed.

Now, how specifically, how would you express that specifically? Again, there are a whole range of opportunities there that the Applicant did come to us with the

example of interpreting the façade in the glass and providing paste-ons and so on. Not a bad solution, however, not enough in of itself, noting that that would be potentially temporary and only going some of the way. I do think there would need to be a meaningful interpretation strategy that would communicate and depict what was on the site and that connection the land uses that flows into that ground plain.

Then you get to the opportunity that exists in the public domain. And I guess the issue I have with what's proposed, and not just myself, our urban designer and our heritage advisor provided this feedback as well. So, the location we're talking about is an extremely busy location. It's not a pleasant place to dwell. It's not a pleasant place to stop and have a bite to eat, a lunch or whatever it might be. It is a movement corridor.

The intervention proposed, I think, and as I say, our heritage advisor and urban designer think is less akin to a movement corridor and more akin to a place to dwell. So, that's an issue. If some sort of interpretative structure, not the original material, is proposed to be retained somewhere on the site for the purposes of allowing someone to dwell and reflect, that's not the appropriate location for it. And finding a better location in the site would be recommended by Council.

I'd also note, when you're getting now to no retention at all of the original material, I think the need to spatially and physically re-represent that structure in some sort of physical form, falls away quite significantly. Because now we're talking about neither the material nor the location being reflected. So, what is the purpose, in terms of the spatial and physical representation here?

I think we're getting far enough away to say, well, if we're losing the item, we're losing the item. If the interpretation strategy was played out as is currently proposed, there's no reason that it should be retained as a local item, in my view. Now, on the one hand, Council objects to that as an outcome, sure. But the question is, if that's the inevitable outcome, I think Council's preference would be to have a treatment that accepts and then deals with that outcome and isn't some sort of less appropriate halfway house.

Does that – without giving away design solution, does that answer the question?

**MR WRIGHT:** No, that's good, Dy, and thank you. And I know that, yes, from the Proponent's perspective, I think they have committed to where possible retaining some of the material, like capitals, for example. And I think another view the Proponent put was that if you were to somehow incorporate the skeleton of the existing façade, deconstruct and reconstruct it in, the proposed building would be out of scale with the podium structure, I think. I just wanted to note, that's all. But otherwise, thank you for ...

**MR GOVENDER:** I think, in the end where we landed on that, and as I said, for the Applicant's credit, they did devote time to this. And I think this is an area

where, again, you've got plenty of experience, you've dealt with if there is an area for scope for variation of views and we understand that.

5 So, I don't want to come here and try to present this as the examples that are out there, where heritage has been given lip service. It has been given significant consideration. And I think in the end, that was just one of the areas where on balance we disagreed. We thought that the scale could be reasonably managed.

10 And indeed, the attention that may well be drawn for the façade and whatever retention could be done, precisely because of that difference in scale, is part of why it would still be worth considering. It's not simply a matter of integrating seamlessly a heritage façade into a modern building. I don't know that that would be the appropriate treatment anyway.

15 **MR WRIGHT:** Sure. Okay, thank you, Dy.

**DR EVANS:** Thank you, that ... Was there any – or what's Council's perspectives on things like overshadowing and visual privacy and visual impact?

20 **MR GOVENDER:** So, the overshadowing issue – obviously, we were very careful when we set the maximum heights, and our maximum heights do have – they're thread pulls back to overshadowing of a number of key locations that were identified in the underlying urban design strategy. In particular, the Memorial Gardens and Chatswood Oval, which are in the vicinity.

25 As I understand it, at the proposed height, there's no issue in terms of overshadowing with the oval. I believe it's close to the garden. But – apologies, it's been a little while since I've reviewed the overshadowing. But if I recall correctly, I don't think the proposed height in this location has an issue for that garden either.

30 So, my – where I land on that is, our issue with the height is less the overshadowing; it's the combination of that height with the bulk and scale of the building, particularly in relation to the setback non-compliances. So, when we set our heights, we took the, I guess, version of the New York approach, as you go higher, the setbacks should increase to ensure that there's sufficient separation and to establish a specific character for the Chatswood skyline.

35 Again, we understand that different sites and particularly where consolidation is not possible, there's a need for variation. But we don't think those principles have been taken through into this development, and so we're left with what, in our view, is not a tall slender form, it's a tall form, but it's bulky, and in particular, in its context, that will be exacerbated. It won't settle into its location. That impact is only going to get worse over time as the neighbouring site develops.

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45 **MR WRIGHT:** If I could just follow up on that, Bronwyn. So, Dy, with the Chatswood CBD strategy, there was an aspiration for those two sites to be



consolidated. Was the intention then for there to be a single slender tower to, say, up to 90 metres across those two sites – was that the intention?

5 **MR GOVENDER:** That was the most likely outcome that we considered. And if I recall, and apologies, this happened before my time at Willoughby. In the handover, this was something that I was very keen to get to the bottom of, knowing that there would be these challenges.

10 It was looked at – that study occurred at a CBD level. While there was some site modelling, it was a series of sites, I don't believe there was a specific design outcome on this site that had been modelled in detail. But that said, sites such as this of this sort of scale, there was a view that they could accommodate two varied tower heights on a podium, or one tower, depending on ...

15 Because some of the sites, particularly further north, are quite strange dimensions, different shapes and sizes. So, as I understand it, there wasn't a specific urban design model of one versus two towers on this site. But the view was most likely, given it's not the deepest site to that laneway, most likely one, but it could potentially accommodate two, as I say, with compromise setbacks.

20 **MR WRIGHT:** Yes, thank you.

25 **MR GOVENDER:** The big issue with the – I will say, the bigger or as big an issue for the consolidation, or rationale for the consolidation was very much driven also by the need to manage the local traffic network. And so, rationalising accesses to the Pacific Highway, rationalising accesses in and around the Pacific Highway, was also crucial to allow this level of density. Because otherwise the impacts on the local traffic network are going to be quite a challenge.

30 But again, we acknowledge that, look, this isn't always going to be the case here. It's not always going to be possible. Yes.

35 **MR WRIGHT:** Yes. And just with the traffic, there's a modest provision of carparking spaces within this development.

**MR GOVENDER:** Correct, yes.

40 **MR WRIGHT:** I know that the Willoughby City Council submission had originally suggested that the Proponent should consider upgrading the Albert Avenue and Pacific Highway intersection.

**MR GOVENDER:** Yes.

45 **MR WRIGHT:** The TIA would sort of counter that view. Does Council – I'm just interested in what Council's view is about that intersection going forward.

**MR GOVENDER:** Actually, sorry, I'll come to that. It just occurred to me also, one thing I should have mentioned in regards to the two single-towers, being

commercial core. That was the other element that came into this, because we were modelling both commercial core sites and mixed-use sites.

5 The mixed-use sites were more likely to be able to hold multiple towers because of the smaller floorplates we're envisaging. This site's in the commercial core. So, it was always – sorry, it was more likely anticipated that this would have been a commercial building with a larger floorplate, hence the single tower site. Yes, sorry, I should put that caveat to it.

10 Now, getting to the question at hand. Council's view remains that – we do think the upgrade of the intersection's required. There is a title flow that Transport for NSW manage at the Pacific Highway along this location. And we understand that the eventual intent is for that to be removed through widenings and adjustments along the Pacific Highway. We strongly believe that when that occurs, there is  
15 going to be a need for that larger throat, if you will, coming off the Pacific Highway, and for the intersection to be amended along the lines of the concept that we've been working to.

20 But again, we acknowledge that the Applicant has made a proactive attempt to get feedback from Transport for NSW, and we've certainly tried to facilitate that as well. And I believe there was at least one meeting with all three parties talking this through. Council's position remains we really do believe this is an opportunity to get that concept for the intersection delivered. Because it will be necessary to manage vehicles getting on and off the Pacific Highway, particularly off the  
25 Pacific Highway, into the future when the title flows potentially are removed.

30 But also in the interim, there is a substantial amount of development we're talking about, in Chatswood CBD. And there's not a huge amount of opportunity to address key congestion points. Now, we've been pretty blunt with our community and they've accepted that, okay, there's – we have to accommodate growth and on balance this is a reasonable way forward. But that was on the proviso that we will do what we can, being some key intersections need looking at.

35 This was one where, as I said, we had a concept plan that we do believe in, and we think is a key component. There's a number of other ones further down, some of which haven't been as advanced in terms of concepts. We do believe that this needs to be done and we've consistently corresponded with Transport for NSW, if I understand it correctly from my colleagues in the transport side of Council, seeking for this to be put in their program, both in terms of there's the land  
40 required, it's on their acquisition map, which hopefully at the very least this can be addressed. I note there's a condition for dedication of the land, in accordance with Council submission. That's certainly a step in the right direction.

45 But yes, our view is there has been significant uplift on this site. This site will densify and will intensify its impact on the road network. There is a direct nexus between this site's impact on the road network and that intersection. And we believe that there's good reason that it could have been explored to see that upgrade now.

**MR WRIGHT:** Yes. But I presume any development contribution levy might go towards meeting some of the costs associated with that future intersection –

5 **MR GOVENDER:** It can meet some, and it's complicated by the fact that the Pacific Highway is a state road, and while we can spend it on the components that relate to the local road, we cannot use the contributions on anything related to the highway. But yes, it can be used for some of it other –

10 **MR WRIGHT:** For the Albert Avenue component, yes.

**MR GOVENDER:** Correct, yes, yes.

**MR WRIGHT:** Yes.

15 **DR EVANS:** And Dyalan, just to confirm that I understood your comment. Any upgrade on that intersection would become the responsibility of Transport for NSW because of –

20 **MR GOVENDER:** There's a – well, there's a portion of it would be on the highway, as I understand it, but a significant portion is also council as well, on Albert, yes.

**DR EVANS:** Okay. Thank you for that clarification.

25 **MR GOVENDER:** And so we've been corresponding with Transport, essentially saying, "Look, there's a mix of local and state works here. Can we align our programs and get this upgrade done?"

30 **DR EVANS:** Yes, okay.

**MR WRIGHT:** Can I just another question, Bronwyn, about traffic.

**DR EVANS:** Sure.

35 **MR WRIGHT:** In terms of Albert Lane, looking at the Willoughby City Council submission, there was a suggestion in there that the Proponent might want to investigate a one-way solution. Is that something that Council could be looking at itself?

40 **MR GOVENDER:** It is. It is something that Council will need to look at regardless, because as these sites develop, with that rear access, it's going to be necessary regardless.

45 The other key – in addition to this site and the site directly adjacent, the other key site that uses Albert Lane for access is the Meriton Serviced Apartments to the east. And so managing their access would be crucial in that regard. Preliminary assessment from our traffic team indicates that it is doable, in principle. But it

would – we would need to go through traffic committee and so on, and again, we saw this – that is something Council would have explored down the line.

5 Noting that, again, being commercial core, the expectation was this site would develop a little bit later than upfront. It's only with the build-to-rent potential that the development has come forward in time. And now we've sort of had to say, okay, well, if it's coming forward in time, that consideration needs to come forward too. Given the impetus for that consideration is this development, perhaps it is worth noting that it should be explored as a result of this development, rather  
10 than, as I say, leaving it to Council now, they have to catch up. Yes.

**MR WRIGHT:** And in theory, that would allow for a Council heavy-rigid ...

**MR GOVENDER:** Correct. Waste vehicle to come in from ...

15 **MR WRIGHT:** ... waste collection vehicle to come in from either through ...

**MR GOVENDER:** There's still the issue around when it's doing its collection, how can that vehicle get entirely off the lane when it stops to do the collection. We  
20 aren't convinced. But it would certainly mean that the manoeuvrability and the routing would be clearer and most likely safer, because you're less likely to get vehicles coming in from both sides.

And in particular, the vehicles going to most likely have to come in from the  
25 north, from memory, which means it's going to pull onto the site from the north across the laneway. And so, you've got vehicles coming up from the south that's now going to be potentially confronted by a waste vehicle facing it head on, which is less than ideal, to say the least.

30 And obviously, the site's location and its access is further down towards the south as well. So, it's that very – again, Council acknowledges it is a tricky challenge, and getting a perfect solution is unlikely.

35 I reflect on sites all over Sydney. I'm sure we've all turned up a one-way street in Sydney and encountered a waste vehicle facing us down a narrow street. So, the notion that we can stop that from happening everywhere or we need to stop that from happening everywhere, I think that's a bridge too far. And I appreciate the engineers have their standards that they want to achieve, but we need to be  
40 practical.

I do think there's a middle ground and I do think if it's not conditioned or it's not required as part of this consent, it's something Council will inevitably have to look at to manage the site.

45 **MR WRIGHT:** Indeed. Thanks, Dyalan.

**DR EVANS:** And just on conditions, Dyalan, do you have any comments on any of the other recommended conditions of consent from the Department?

**MR GOVENDER:** Thank you for the – yes, we had a look through, and look, apologies, we have a lot of SSDs at the moment, I know this is the case with a lot of councils. So, we’re kind of pumping out a submission a week. So, we did our best, so hopefully we haven’t missed anything. As I said, in particular I focused and had a good look at the engineering conditions, they do appear to attempt to address the stormwater and water quality issues. Again, notwithstanding the comment I made before around the timing of that being potentially a challenge.

The other one that jumped out at me, and I appreciate the Department’s doing this increasingly as their standard, the HPC is clearly calculated. The local contribution, however, the condition, this is condition A7, look, it’s great that there’s a condition on there that requires them to provide their local contributions, but it simply refers to coming to Council and getting a calculation.

This is not something that would take a long time. I preference would strongly be that the Department get the calculation from us, and we apply it in the condition like we usually would on any major DA that Council delivers. It ensures that the calculation is correct, that there’s certainty, and there’s no opportunity for the Applicant to try to manipulate the wording. I note there are two different sentences in that clause – one saying you’ve got to pay the contribution, and then a separate sentence saying you’ve got to talk to Council about the required contribution. It seems relatively watertight, but my preference is always just to have the amount there.

**DR EVANS:** Thank you.

**MR GOVENDER:** So, that’s the one that sort of jumped out at me. Obviously, there are the conditions proposed around heritage and, look, if it does – if on balance the decision is made that the heritage treatment is acceptable and it proceeds I’m comfortable that there are conditions there that require ongoing consultation with Council, require that the heritage treatment be consistent with the concept, should it be approved, as I say.

I sort of looked at that condition, rather than saying, “Oh, we object to the condition on the basis that we object to the heritage treatment,” would that condition work for the purposes if that’s the decision? Yes, they would work for the purposes of implementing the decision.

**DR EVANS:** Thank you. And just noting that we have invited Council to our site inspection next Tuesday [cross-talk 00:40:55].

**MR GOVENDER:** Yes, I do need to get back to confirm that. I am available, I will be present, I’m happy to come down and have a look.

**DR EVANS:** I think that would be very helpful, thank you. Noting we have three minutes left, Michael, was there anything else you would like to cover?

**MR WRIGHT:** No thanks, Bronwyn. I'm good, thank you, yes.

**DR EVANS:** And Kendall, was there anything you would like to cover?

5 **MR KENDALL CLYDSDALE:** No, nothing from me. Thank you.

**DR EVANS:** Dyalan, was there anything else you would like to cover?

10 **MR GOVENDER:** Nothing else other than to just again thank the Panel for the opportunity, I know it's extremely busy at the moment, so we do appreciate it.

**DR EVANS:** Thank you. And Chris, was there anything you wanted to add?

15 **MR CHRIS NGUYEN:** No, nothing further, thank you.

**DR EVANS:** Thank you for joining us this afternoon, thank you very much, and we look forward, Dyalan and maybe Chris, seeing you Tuesday afternoon.

20 **MR GOVENDER:** Fantastic. See you then.

**DR EVANS:** Thank you.

**MR WRIGHT:** Thanks a lot.

25 **MR GOVENDER:** Cheers.

**DR EVANS:** Thanks very much.

**>THE MEETING CONCLUDED**