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## TRANSCRIPT OF PROCEEDINGS

#### TRANSCRIPT IN CONFIDENCE

O/N H-1070423

#### INDEPENDENT PLANNING COMMISSION

MEETING WITH DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT

RE: BARANGAROO RESIDENTIAL BUILDING R5

PANEL: JOHN HANN

**MARY O'KANE** 

XANTHE O'DONNELL MATHEW ROSEL

DEPARTMENT: DAVID McNAMARA

CAMERON SARGENT KARL FETTERPLACE

LOCATION: IPC OFFICE.

LEVEL 3, 201 ELIZABETH STREET,

**SYDNEY, 2000** 

DATE: 9.57 AM, THURSDAY, 5 SEPTEMBER 2019

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MR J. HANN: Before we begin, I'd like to acknowledge the traditional owners of the land in which we meet. I would also like to pay my respects to the elders past and present. Welcome to the meeting today on the Proposal for Barangaroo Residential Building R5. The applicant Lend Lease (Millers Point) Proprietary Limited is seeking approval for the construction of a 30 story residential building containing 210 apartments, including 48 apartments designated as keyworker housing, with ground floor retail at Barangaroo South. My name is John Hann. I'm the Chair of this IPC Panel. And joining me is my fellow commissioner Mary O'Kane.

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And the other attendees, we'll just get you to announce, introduce yourselves for the – for the speaking ..... In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being recorded and a full transcript will be produced and made available on the Commission's website. This meeting is one of the Commission's decision making processes. It will take place at the preliminary stage of this process and will form one of several sources of information upon which the Commission will base its decision. It is important for the Commissioners to ask questions of attendees and to clarify issues whenever we consider it appropriate.

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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. I request that all attendees introduce themselves before speaking for the first time. And for attendees to ensure they don't speak over the top of each other, to ensure accuracy of the transcript. Are we ready to go, Caitlin? Okay. All right. Well, welcome. And, look, I think Xanthe sent through a brief note saying that the – the key matters that we wanted to, sort of, draw some attention to. But, really, over to yourselves to talk – talk us through the key matters that you raised in your Assessment Report.

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MR D. McNAMARA: Thanks John. My name's David McNamara, I'm the Director of Key Sites Assessments. I'll just briefly speak to the background for this project and the Barangaroo Precinct more generally. As you may know, in February 2007, the then Minister for Planning approved a Concept Plan for Barangaroo. It established building envelopes for the Barangaroo Precinct including gross floor areas and heights. And sets the gross floor area and height for this particular development site, R5. The Concept Plan also includes built form principles and urban design controls to guide future development within Barangaroo.

Since that time, there's been a range of changes to the concept plan, as the Commission will be aware. Most notable for building R5, which we're discussing today, was Modification 8. And that both established the current formation of Hickson Park, which sits to the north of R5. And it also cited The Crown Hotel

Resort at the north western edge of Barangaroo South. It's important to remember that the concept plan, as modified, represents the planning controls for Barangaroo. It includes the controls that this state significant development application is required

to be assessed against. And Barangaroo, as I'm sure you're aware is divided into three precincts.

- Very briefly, the North, containing the Headland Park which the works were completed several years ago. Central Barangaroo where there's some boardwalk works that have been completed, but, and some contamination works which are underway. And there is also the ongoing construction of the future Metro station. But the significant development within that precinct has not been resolved at this stage. And Barangaroo South, where now the majority of the buildings have been approved and constructed or are under construction or about to commence construction. And we'll talk more about that later. Building R5 is the final major building within Barangaroo South. And in effect, it's the little sibling of the previously approved R4A and B.
- And as you know, the Commission approved R4A and B just over a year or so ago. And those buildings will, shortly, commence construction. I'm now going to ask Karl and Cameron from the Key Sites team to discuss in more detail our assessment process, the key issues from our report. And in doing so, we'll also look to address the matters the Commission raised in its letter we received yesterday. And following that part of our presentation, more than happy to take other questions and clarifications. So - -

MR HANN: Thanks, David.

25 MR McNAMARA: --- over to Karl.

MR K. FETTERPLACE: Thanks, David. I'm Karl Fetterplace, Senior Planner in Key Sites Assessments. So the proposed development, for the Commission today is for a 30 story, primarily residential building, known as Building R5. And as David mentioned, located within Barangaroo South. As David also said, we'd like to first discuss the proposal with you and then address the matters that you've raised, that you seek further clarification on, following that. The building contains 210 apartments, of which 48 are designated for keyworker housing. And there is also 871 square metres of retail floor space within the podium of the building.

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The application also seeks approval for the use of the basement as a car park within the previously approved stage 1B Basement, public domain works and a signage zone to accommodate future building identification signage. As David alluded to, Barangaroo is located on the north western edge of the Sydney CBD. Within the City of Sydney Local Government area, it's bounded by the Sydney Harbour Foreshore to the north and west. Hickson Road and Millers Point to the east. And King Street, Cockle Bay and Darling Harbour to the south. And as David also alluded to, Barangaroo has been divided into three distinct redevelopment areas. And building R5 is the last SSD Application within Barangaroo South.

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The proposed development adjoins Hickson Road to the east, commercial buildings C1 and C3, the latter now being known as International Tower T1 to the south and

residential buildings R4A and R4B to the west. And the future Hickson Park to the north. The public domain works for the site and surrounding area including Hickson Park have been approved under the Stage 1B Public Domain Works Application which was SSD7944. And the proposal has been designed to integrate with these works. The proposed development has been designed by the same architect which is Renzo Piano Building Workshop, as buildings R4A and R4B. And has a similar layout, built form, materials and finishes.

Building R4A which is 72 storeys and RL250 in height. And building R4B which is 60 storeys and RL210 in height were approved by the Independent Planning Commission on the 7<sup>th</sup> of September 2017. The Department considers the development would exhibit design excellence. Key design features include a three-story podium to Watermans Quay, colonnade to Hickson Road, 30 story tower with high performance double glazing and landscaped communal open space areas on the roof of the podium and also on level 26.

The Department has waived the requirement for a design competition as the architect has an outstanding reputation in architecture and the necessary arrangements have been made to ensure the design is carried through to the completion of the development. And the Department proposes a condition to secure this. The building is consistent with the built form approved in the Concept Plan and Design Controls, including height, setbacks, podium location and design and gross floor area. The Application was publically exhibited and the Department received seven public submissions with six objecting and one supporting.

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The key concerns raised include built form, privacy and cumulative visual impacts, demand on infrastructure and construction noise and vibration impacts. No government agency has objected to the proposal. Council objected to the proposal with its key concerns including the planning process being inappropriate and uncertain, non-compliances with SEPP 65 and the Apartment Design Guide, the absence of podiums, wind impacts, traffic modelling and excessive car parking. The Application was exhibited concurrently with buildings R4A and R4B between the 29<sup>th</sup> of September 2016 and the 14<sup>th</sup> of November 2016.

On the 17<sup>th</sup> of February 2017, the applicant provided a Response to Submissions or RTS. However, on the 27<sup>th</sup> of February 2017, ten days later, the applicant requested the Application be placed on hold. In December 2018, the applicant submitted an updated RTS which increased the number of apartments from 151 to 210. Which included an increase of 50 on market dwellings to 162 and an increase of nine keyworker housing dwellings to 48. The RTS also increased the height of the building by one story and made several design refinements including floor plate reconfiguration.

Key changes made in response to submissions and the Department's assessment issues included provision of dedicated communal open space for keyworker housing, which was the top of the podium, reduction in car parking spaces from 170 residential and one retail space to 143 residential spaces. Realignment of the

colonnade on Hickson Road with that established by building C1 and C2 to the south. And amendment of the podium footprint to align with Scotch Row to the south. And, also, façade refinements to the Hickson Road elevation including a notch to break up the massing and step in building height at the upper levels of the building.

Due to the increase in height and number of dwellings and the time period since public consultation on the original proposal, which was more than two years, the Department publically exhibited the RTS, including notifying previous submitters. The Department received three public objections, one of whom had objected to the original proposal. And the key concerns raised included: built form, privacy and cumulative visual impacts, the increase in the number of apartments from the EIS and construction noise and vibration impacts. No government agencies objected to the proposal.

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Council maintained its objection. Whilst supporting the increased provision of keyworker housing, it objected to the interface of the development with the public domain, including the absence of a clear podium, non-compliances with the apartment design guide, traffic impacts and excessive car parking provision and construction noise impacts. Key changes made by the applicant in response to these submissions and also the issues raised by the Department included: a reduction in the number of car parking spaces from 143 to 134, adjustment of ground floor levels to align with surrounding public domain and roads to provide level access to the building, an increase in the width of living rooms and reconfiguration of study rooms into open storage areas.

In its assessment of the applications, the Department – carefully considered the issues raised in the submissions. In terms of design excellence and built form, the Department considers the development exhibited design excellence as it respects the Concept Plan layout, height and setbacks and the built form controls contained in the Barangaroo Urban Design Controls and notes the form of the building is, "consistent with that of buildings R4A and R4B." We'll also discuss materiality a little bit later on in response to the Commission's concerns.

Terms of keyworker housing, this is defined as housing for any nurse, teacher, childcare worker, ambulance officer, member of the Police Force or Fire Brigade or retirees with an income of plus or minus 50 per cent of the median household income for the Sydney Statistical Division as defined by the Australian Bureau of statistics and as defined in the Barangaroo Housing Strategy. The proposed 48 keyworker housing units meet the required amount of keyworker housing required under the Barangaroo Concept Plan, as modified. The Department considers the future occupiers of these units would be afforded a high level of amenity.

Regarding the public domain, the Department considers a landscape design would provide a high level of amenity for residents, employees and visitors. And it's consistent with the overall landscaping of the Barangaroo Precinct and will also sufficiently mitigate wind impacts in addition to that already provided by the

approved public domain works. And we will talk to your questions regarding wind impacts, coming up. Regarding amenity impacts to neighbouring properties, in terms of visual impact and overshadowing, these impacts are reduced compared to that accessed in the concept plan.

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In terms of private views, the proposed building would not result in additional visual and privacy impacts and would improve view corridors by four degrees from three of the four existing residential buildings when compared to the concept plan building envelopes. There is a five-degree view loss for the Stanford on Kent Building compared to the indicative building envelope assessed under the Concept Plan. However, this would be offset by the increase of four degrees as previously mentioned resulting from the approved buildings R4A and R4B.

The Department considers a loss of one-degree in total compared to the assessment of the indicative building envelopes in the Concept Plan is acceptable due to the other improvements in design that are experienced as a result. Including the revised street alignment and the benefits of aspect and solar access for future occupiers. Additionally, the total proposed viewing angle of 62 degrees for Stamford on Kent residence is six degrees greater than the potential viewing angle of 56 degrees that would result from a building sited within the south eastern extent of the Approved Concept Plan envelope, which is illustrated in the figures here, the indicative building envelopes assessed under the Concept Plan.

- A building occupying the full extent of the concept plan envelope in the current building that we have before us. In terms of residential amenity for future occupants, the apartments will satisfy or exceed the majority of the Apartment Design Guide or ADG criteria, with most units receiving a high level of residential amenity. Regarding setbacks and building separation, the proposed 18 metre setback to the approved R4B building complies with the Concept Plan. Noting the ADG recommended 24 metre setback at nine storeys and above is not intended as a strict development standard, the Department considers the design incorporates various design treatments to also ensure reasonable privacy is provided, including orientation of views, window placement and privacy screens.
- Regarding communal open space, the total provision of 452.5 square metres is equal to 25.8 per cent of the site area, which exceeds the minimum 25 per cent criteria in the ADG. In consistency with the recommended two hours of solar access between 9.00 am and 3.00 pm in mid-winter to 50 per cent of the communal open space is acceptable because the spaces are well designed and will have views of the public domain and harbour. Regarding natural ventilation, of the 62 units in the first nine storeys of the building, 31 or 50 per cent would be naturally cross ventilated. The Department supports the applicant's proposed ducting system to provide a form of cross ventilation to a further eight units in the first nine storeys.
- This would result in 39 units or 62.9% achieving natural ventilation recommendations, which is consistent with the recommendation of 60% in the ADG. And the Department notes a similar solution was provided in the approved buildings

R4A and R4B. Regarding traffic and car parking, the proposed total of 143 car parking spaces which includes our envisaged nine keyworker housing car parking spaces, which we will discuss, in a little bit more detail soon, is 62 spaces less than the maximum 205 permitted under the Concept Plan. And the Department considers the traffic movements associated with the development will have minimal impact on the local road network.

Following detailed assessment, the Department supports the proposed development subject to the proposed conditions and presents the application to the Commission for approval. And then following on from the Commission's identification of matters requiring further consideration, we'd like to provide the following responses.

MR HANN: Karl, can I just interrupt for, for - - -

15 MR FETTERPLACE: Sure.

MR HANN: --- just for one moment, just for the record, um, also in attendance is Xanthe O'Donnell, Principal Planning Officer with the IPCN and Matthew Rosel who is a consultant to the IPCN. Sorry, Karl, I'll let you speak.

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MS O'KANE: ..... we'll get a copy of those ones.

MR HANN: So the Department will also provide a copy of the documentation that we've been viewing, which is an enlarged set of the graphic, essentially.

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MS O'KANE: Thank you.

MR HANN: Sorry, Karl, please - - -

30 MR FETTERPLACE: No problem, John.

MR HANN: --- proceed.

MR FETTERPLACE: So as I mentioned, we'll now discuss the matters the
Commission identified as requiring further clarification. The first of these is wind impacts. This was a matter which the Department requested further information from the applicant on. And the Department has reviewed the applicant's Pedestrian Wind Environment Study and is satisfied sufficient comfort levels will be provided to pedestrians at the tower and the adjoining park. This is an image from the applicant's Wind Study. The study identifies that on the north west edge of the building, the proposal can comply with a wind speed of three point five metres per second. And that's at these three locations here. And that wind speed would provide for a long exposure to wind which is sufficient for parks and outdoor dining where people may be seated and resting.

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MR C. SARGENT: That's a comfortability criteria. I'm Cameron Sargent, sorry. Okay.

MR HANN: Yes.

MS O'KANE: Yes.

5 MR HANN: You used the word pedestrian, but you're also talking about sitting as well, was that right?

MR SARGENT: That's - that's - - -

10 MR FETTERPLACE: That's correct.

MR HANN: In terms of the comfort - - -

MR SARGENT: Our, yeah, comfort criteria - - -

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MR HANN: Criteria.

MR SARGENT: --- there's a range of wind speeds depending on the – the type of use.

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MR HANN: Yes.

MR SARGENT: But for outdoor seating areas, it's three point five.

25 MR HANN: Yes.

MR SARGENT: But for other areas around the building, that is a wind speed of seven point five. And that's for comfortable walking.

30 MR HANN: Okay.

MS O'KANE: And would it – would it be varied, what times of the year would it tend - - -

35 MR SARGENT: So that's an – that's an average.

MS O'KANE: Mmm.

MR SARGENT: A weekly average, so they've measured that.

MS O'KANE: Sure. So what would it – but what will it be like in real life in terms of variation, you know, what times of the year will it be fairly windy down there and when, when will it be fairly calm?

45 MR SARGENT: Look, we can - I'm happy to take that on notice. The, the report states that the, the wind speeds that have been predicted will meet that - -

MS O'KANE: Yes, I'm sure.

MR SARGENT: --- three point five on a weekly basis.

5 MS O'KANE: Yes.

MR SARGENT: They also say, though, that there's a safety, there's a safety criteria, as well.

10 MS O'KANE: Yes.

MR SARGENT: Which is approximately 23 metres per second. And they say at no stage will that be exceeded.

15 MS O'KANE: Mmm.

MR SARGENT: The – the times in between - - -

MS O'KANE: Yes.

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MR SARGENT: --- happy to take that on notice and we can get back to you.

MS O'KANE: Yeah. Just to get a sense of, you know, is it a ---

25 MR HANN: Yes.

MS O'KANE: --- is it a calm or is it occasional windy or is generally a bit ---

MR HANN: Yes.

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MS O'KANE: --- windy down there, just ---

MR McNAMARA: We can do that, David McNamara, but it also will depend on exactly which point you pick.

35 MR FETTERPLACE: Yes.

MR McNAMARA: Because seasonal variations in wind direction will have a big

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MS O'KANE: That's, that's what I'm asking is - - -

MR McNAMARA: --- big impact on which points that they've studied are windy at which time. But we can get some more ---

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MR HANN: They're, I think they've do, they've shown there - - -

MR McNAMARA: --- information.

MR HANN: --- it's John Hann, they – they do have the wind roses there and I think for various seasons. But ---

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MR McNAMARA: Yes.

MS O'KANE: Only if it's available. Because I completely accept that, it's within the – the parameters, both of comfort and design parameters. But just, just out of interest because we will - - -

MR McNAMARA: Yes, absolutely.

MR FETTERPLACE: Karl Fetterplace again, it's important to note that that achievement of that wind speed criteria is subject to mitigation measures. Which is

MS O'KANE: That they've done - - -

20 MR FETTERPLACE: --- which is, which is proposed in the ---

MS O'KANE: Mmm.

MR FETTERPLACE: --- largely in the public domain planting.

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MR McNAMARA: Yes.

MR FETTERPLACE: The four trees within this application, for that corner there

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MS O'KANE: Yes.

MR FETTERPLACE: - - - but a different criteria is set for these four study locations there of seven point five metres per second - - -

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MS O'KANE: Mmm.

MR FETTERPLACE: --- which is more geared towards pedestrians walking or passing through rather than sitting, as you would be for café, public domain space.

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MS O'KANE: Yes. I mean, one of the things we were talking about was while the trees were growing too. So what do we know about while the trees were establishing? Because presumably, I don't know, what these trees will be, whether they, and I can put up, but you know, how long till they get into established form?

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MR McNAMARA: Yep. And you could talk to the applicant about their intentions

MS O'KANE: Well, that's what I'll do.

MR McNAMARA: --- in terms of the maturity of planting.

5 MR HANN: Yes.

MS O'KANE: Mmm.

MR McNAMARA: I – I understand anecdotally, they are growing out - - -

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MS O'KANE: Going to be a big tree, right.

MR McNAMARA: --- a lot of trees.

15 MS O'KANE: Right.

MR McNAMARA: And they have a site where they're growing the trees.

MR HANN: Yes.

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MR McNAMARA: And they would intent to bring in a significant portion, proportion of mature - - -

MS O'KANE: Fairly sizable, yes.

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MR HANN: Mmm.

MR McNAMARA: Which specific locations, they're better placed to – to advise.

30 MR FETTERPLACE: Yes.

MS O'KANE: No, we'll do that, thank you.

MR McNAMARA: And just while we're talking about the use of mitigation, the use of mitigation to ensure that wind conditions are appropriate is not unique to this building; it's quite a common practice.

MS O'KANE: Of course.

40 MR McNAMARA: Both within Barangaroo and other urban developments - - -

MS O'KANE: Yes.

MR McNAMARA: - - - to use landscaping and - - -

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MR HANN: Yes.

MR McNAMARA: --- other features to mitigate the wind impacts.

MR HANN: I think the key issue it there – there may be a time period by which that mitigation won't be effective enough to meet that criteria. So it would be useful to know. And we can ask the applicant that when, ah, when they brief us. Are you going to talk about the screening that's proposed as well as the mitigation?

MR FETTERPLACE: I am, yes.

10 MR HANN: Okay.

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MR FETTERPLACE: So the other mitigation measure is the screening. But the Department feels that sufficient details of the required screening haven't yet been provided. We've therefore proposed a condition stating that outdoor dining and seating areas are not approved as part of this application, which the applicant has accepted. And we also note there's an awning proposed on the elevation - - -

MR HANN: On that north west face?

20 MR FETTERPLACE: Correct.

MR HANN: Yes.

MR FETTERPLACE: Fronting Hickson Park, which would also assist with minimising wind impacts and downwash from that façade.

MS O'KANE: Mmm.

MR HANN: So a separate DA for the retail elements and in particular, in this case, the screening and the awning prior to any occupation from a – from a dining point of view.

MR SARGENT: Or they could lodge a modification application.

35 MR HANN: Yes. Okay.

MS O'KANE: Mmm.

MR SARGENT: To - to - - -

MR HANN: All right.

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MR SARGENT: - - - um, provide those details.

45 MS O'KANE: Yes.

MR HANN: Anything else on the wind - - -

MS O'KANE: Not from me, no.

MR HANN: --- Mary?

5 MS O'KANE: No.

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MR FETTERPLACE: The next issue the Commission raised is the tower design. In — in two parts. The first being the tower design and form. So regarding this, the Department notes the following measures were included in the proposal to minimise the massing of the tower and the Hickson Road Façade. There's a step in the levels proposed at the top of the building. This is the Hickson Road Façade. Realignment of the colonnade on Hickson Road with that established by building C1 and C2 to the south, as shown here. Amendment of podium footprint to align with Scotch Road to the south. A chamfered corner at the north eastern edge of the building and a notch on the Hickson Road elevation.

MS O'KANE: Yes.

MR FETTERPLACE: Which is here, that's to also break up the massing of the building, as well as variation in the façade design including opaque and partially opaque glazing, openable areas to balconies, aluminium louvres to ventilate plant space and painted aluminium nosing, transoms and mullions, which is indicated in this elevation here. These measures are consistent with the urban design controls for this block, which require a consistent street wall to be provided to Hickson Road, which is of varied massing and heights. And the Hickson Road street wall to continue the colonnade form from the blocks to the south.

Therefore, despite only a small part of the proposed podium addressing Hickson Road, the Department does not consider the overall massing of the building to be overbearing. With regards to materiality, the Department considers the building will be composed of high quality materials and finishes as consistent with those buildings R4A, R4B and The Crown Sydney Hotel Resort. Which, as discussed, include both opaque and partially opaque platforms, double-glazing, aluminium louvres, transoms and mullions. The Department has proposed a condition requiring the final Schedule of Materials to be submitted to the Secretary prior to the issue of a Construction Certificate.

The Department notes the Commission did impose a condition on buildings R4A and B requiring the details and materials to be approved by the Secretary, however in regards to advice reviewed from the Government Architect. And the Department would not have concerns with a similar condition being imposed on this development. Regarding public domain and landscaping, firstly - - -

MR HANN: Sorry, Mary, just - - -

MS O'KANE: Yes.

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MR HANN: --- did you have any, anything on that?

MS O'KANE: No, no, I was just happy with that. Yes, thanks.

5 MR HANN: Okay. All right.

MR FETTERPLACE: Regarding public domain and landscaping, firstly, the relationship of the proposal to the approved public domain works, this was another matter which the Department requested further information from the applicant on. The Department is now satisfied the proposed works will suitably integrate with the surrounding public domain. The Department notes there is an existing Concept Plan condition requiring public domain works approved under SSD7944, as previously mentioned, the Stage 1B Barangaroo Public Domain Works, which includes Hickson Park, to be completed prior to the occupation of the R5 building. No landscape

exclusion zones are proposed for the R5 building within Hickson Park.

MR HANN: Okay.

MR FETTERPLACE: And the Department has proposed a condition to restrict the issue of an Occupation Certificate for R5 until the adjoining public domain works within the R5 building envelope have been completed.

MR HANN: Karl, will you, you'll – on the, our last point about timeframes, perhaps we'll leave it till then for you to go through the sequencing.

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MR SARGENT: Yes.

MR FETTERPLACE: Sure.

30 MR HANN: To bring it all together.

MR SARGENT: Yes.

MR HANN: Rather than do it now if that's okay.

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MR SARGENT: Yes.

MR HANN: Okay. Thanks.

40 MR FETTERPLACE: We will discuss that - - -

MR HANN: All right.

MR FETTERPLACE: --- yes, we're coming – we're coming to that fairly soon.

And, as previously noted, the applicant amended the ground floor levels to align with surrounding public domain and roads to provide level access to the building. And we have a section here of the building cutting across to the public domain area. With

regard to the proposed tree species, the Harpullia pendula tree species is also proposed for planting on Barangaroo Avenue. And this is shown on the approved Public Domain Plans and also referenced on the building R4A and B plans. The Department does not consider there are any associated maintenance or safety

5 considerations with these species. And just to note, the species name is Harpullia with a P, which is missing from the reference in the report.

MS O'KANE: We've worked that out, too.

10 MR HANN: Yes. We - - -

MR FETTERPLACE: Which was based on some references made in the applicant's documentation. But - - -

15 MR McNAMARA: Yes.

MS O'KANE: And can we ask you a question on that, please?

MR FETTERPLACE: Sure.

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MS O'KANE: We had a picture floating around here somewhere. And the tree has red berries.

MR HANN: What did we do – what did we do with our little, our little - - -

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MS O'KANE: What did we put our little picture?

MR HANN: I don't know.

30 MS O'KANE: Um, and we just wondered, since the berries are supposed, oh, here it is.

MR HANN: Oh, yes, there we go.

- MS O'KANE: So and, and the berries are on and the flowers are on from November to January, which is a very wet period. We've no idea, but we just wondered, do these drop? And does it; is it a safety concern in the rain? That was our, our the issue we were wondering about.
- 40 MR FETTERPLACE: I think we'll happily take that one on notice.

MS O'KANE: Right. You can even have the picture.

MR SARGENT: I mean, I – it's probably important to note that this is the tree that will line all of Barangaroo Avenue.

MR HANN: Sorry, Cameron, can you just introduce yourself, yeah?

MR SARGENT: Oh - - -

MS O'KANE: Yeah.

5 MR SARGENT: Oh, sorry, Cameron Sergeant.

MS O'KANE: Yeah.

MR HANN: Thanks.

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MR SARGENT: So you know, we'll – we can get back to you. And it's - - -

MR HANN: It's a very beautiful tree and it, you know, it's a New South Wales trees and all those - - -

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MR SARGENT: It's evergreen.

MS O'KANE: Yep.

20 MR SARGENT: Yep.

MR HANN: Yeah.

MR FETTERPLACE: Mmm.

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MS O'KANE: Lots of good things. But we just wondered, for people who are on walking sticks or something, if in rainy weather, you slipped on pavements or something?

30 MR SARGENT: We'll look into it. And, and, obviously, if that was an – an issue, that would then become part of the, the management regime - - -

MS O'KANE: Mmm.

35 MR SARGENT: --- that would be needed.

MR HANN: Yes.

MR SARGENT: As well, to – to deal with that. But we'll come back to you.

MS O'KANE: Thank you.

MR FETTERPLACE: It is also important to note that we've proposed the condition requiring the applicant to submit the final landscaping details to the secretary, for approval.

MS O'KANE: Yes.

MR FETTERPLACE: So that's something that could also be considered at that point.

MR HANN: Yes, okay.

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MR FETTERPLACE: But we will - - -

MR HANN: All right.

MR FETTERPLACE: --- respond of course. And those details, yes, would have to be submitted prior to the issue of a construction certificate. And the condition also proposes that these should be generally consistent with the stage 1B public domain drawings. So we'll move onto Key Worker Housing management if there wasn't any further questions.

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MS O'KANE: No, that's fine.

MR HANN: No, that's fine. Thanks, Karl.

- MR FETTERPLACE: So again, this was a matter on which The Department requested further information from the applicant on. And The Department notes the applicant has not yet confirmed a provider for the proposed Key Worker Housing. Although, has been in discussions with City West Housing. In its assessment, the department has therefore anticipated the crucial factors associated with the
- 25 management of the Key Worker Housing and has required these to be contained and an operational plan of management to be approved by the Secretary as proposed in condition E4. And this would include details on the management of communal areas and open spaces, access waste management and car parking arrangements.
- 30 MR SARGENT: I think it's important to note that the Key Worker Housing that was a Statement of Commitment - -

MS O'KANE: Mmm.

MR SARGENT: --- that was embedded in the Concept Plan. And then the – the former Planning Assessment Commission, now the IPC, required as part of its consideration of the application, application of more than eight. They imposed a condition that confirmed the two point three per cent of Key Worker Housing for all residential GFA at Barangaroo which has been met. But in addition to that, there is a further requirement for Key Worker Housing to be provided off site.

MS O'KANE: Yep.

MR SARGENT: And I can say what that is. And that's, um, at least a – an additional point seven per cent of the residential GFA on Barangaroo South or its equivalent development value. But comprising at least a minimum of 1740 square metres of residential GFA to be provided, off site but within five kilometres of the

site or elsewhere within the City of Sydney LGA. As a mix of unit sizes including at least 40 per cent of the GFA to dwellings comprising two or more bedrooms and prior to the issue of any Occupation Certificate for blocks 4A, 4B or Y. In other words, prior to the occupation of Crown and residential buildings R4A, B and R5.

5 Um - - -

MS O'KANE: I guess, the only other thing we wondered about was the, the communal area is – is separate for the Key Worker Housing to the others. And we understand that it often happens in this type of arrangement. But are you, you're satisfied with the quality of the communal spaces? And - - -

MR SARGENT: We are. It's in - it's on the south western side. Originally, as we - as Karl stated earlier, there was, there was no provision for any communal - --

15 MS O'KANE: Right.

MR SARGENT: --- open space for Key Workers. We thought that was inequitable.

20 MS O'KANE: Mmm.

MR SARGENT: And so as one of our key issues that we raised with the applicant in our RTS letter, we wanted them to – to review that. And they subsequently agreed to provide communal open space areas, which we think is a real positive.

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MS O'KANE: Mmm.

MR SARGENT: And that it is in the south western corner - - -

30 MS O'KANE: Yes.

MR SARGENT: --- south eastern corner. It is located on a podium; however, it will have expansive views.

35 MS O'KANE: Mmm.

MR SARGENT: Which were westwards towards a harbour - - -

MS O'KANE: Yes.

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MR SARGENT: --- so we do think it will provide a sufficient level of amenity.

MS O'KANE: And the other thing that we were wondering about was the lift. So that there's one lift and then there's two for the rest of the – the building.

MR SARGENT: Mmm.

MS O'KANE: So I suppose, it's a general lift question. You know, like, it's within regulations. But are there really enough lifts? And given the two types of housing, even though there is that door that you can get through in case of something breaks on the first lift, just a comment on the lifts generally.

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MR FETTERPLACE: Yeah - - -

MR SARGENT: So Key Worker Housing that their access to the lift is provided off Hickson Road.

10

MS O'KANE: Yeah.

MR HANN: Yep.

15 MR SARGENT: And for the residents it's provided off Watermans Quay - - -

MS O'KANE: Yes.

MR SARGENT: --- ah, through the park. Ah, servicing, um, requirements or ability we – I think we can take that on notice.

MS O'KANE: Mmm. And I think we noticed that the – the wait time was something like, maximum of a minute or something - - -

25 MR HANN: 55 seconds or something like that, so.

MR SARGENT: Yes.

MR FETTERPLACE: 55 seconds, that's correct, yep.

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MR HANN: Yep.

MR McNAMARA: I think the - the lifting they've proposed and - and modern lifting is quite efficient.

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MS O'KANE: Yes.

MR McNAMARA: They have got the redundancy to allow to access the other lifts

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MS O'KANE: Yes.

MR McNAMARA: --- if there's a failure, which is the most important thing from our perspective.

45

MR HANN: Yeah.

MS O'KANE: Yep.

MR HANN: Yeah.

5 MR McNAMARA: Ah, um, so, look, we think it's all right. But if you want more, a little bit more detail? Or - - -

MR HANN: No, we just wanted to bounce it past you.

10 MS O'KANE: Yep.

MR McNAMARA: Yeah, I think, as you pointed out, Mary, it does comply with the Code.

15 MS O'KANE: Mmm.

MR McNAMARA: And there is the ability to access those other two lifts.

MS O'KANE: Yes.

20

MR McNAMARA: Which is probably the most critical - - -

MR HANN: Yeah.

25 MR McNAMARA: --- factor.

MS O'KANE: Yeah. Good, thank you.

MR SARGENT: Just while we're on Key Worker Housing and this, sort of, ties in with the basement car parking.

MR HANN: Yeah.

MS O'KANE: Yes.

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MR HANN: Yep.

MR SARGENT: So as part of The Department's consideration of the car parking that was proposed, we noted that the applicant did not propose any car parking for key workers. The – we requested additional information about that. It's, City West Housing has provided a statement in regard to the need for Key Worker Housing, being provided car parking. They do raise some concern around the management of – of, that, or the potential management of that. But they do state that for – for residents who may have accessibility requirements that it – it should be provided. If the applicant does not want to provide it, they don't feel that Key Worker Housing tenancies should be provided, the Department disagrees.

There's a number of reasons why. We feel at this stage, there hasn't been sufficient enough information to demonstrate, based on the definition of a Key Worker that they do not require car parking. We also don't agree that retirees potentially will not have or – or general members of the public would have accessibility issues. So on the basis that there are nine car parking spaces available in the basement that have not been allocated to by the buildings, R4A, B or C, we think that it is reasonable

MS O'KANE: Mmm.

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5

MR SARGENT: --- and acceptable that those car parking spaces be allocated for Key Worker Housing tenants.

MR HANN: Okay.

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MS O'KANE: Yep.

MR FETTERPLACE: And just to add to that, we wouldn't be opposed to the nine spaces being required as a minimum to allow for an increase if capacity becomes available in the basement.

MR McNAMARA: And that would, potentially, just be a subtlety in the wording of any condition - - -

25 MR HANN: I was going to say - - -

MS O'KANE: Yes.

MR McNAMARA: --- to give the ability for it.

30

MR HANN: --- it would have to be carefully worded as to how that would work

MR McNAMARA: Yes, yes.

35

MR HANN: Yes.

MR McNAMARA: If we say nine it's an - it's an absolute.

40 MS O'KANE: Mmm.

MR HANN: Yeah.

MS O'KANE: But if we - - -

45

MR McNAMARA: But if we say a minimum of nine - - -

MS O'KANE: Minimum of nine.

MR McNAMARA: --- it'll allow an affordable housing provider to negotiate something different.

5

MR HANN: Yeah, okay.

MR McNAMARA: In the future, we don't know what the requirements for car parking will be. We're trying to make sure there's some equitable - - -

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MS O'KANE: Mmm.

MR McNAMARA: --- access to car parking ---

15 MR HANN: Yeah.

MR McNAMARA: --- and ability to, some flexibility in the future.

MS O'KANE: Would you mind just going back over the management issue?

Because we did wonder about the conditions about that, too. You're confident they will find a partner. Or do we need to say anything about - - -

MR McNAMARA: In terms of who will take on the affordable housing?

25 MS O'KANE: Yep.

MR HANN: Yeah.

MR McNAMARA: Yeah, no, ah - - -

30

MS O'KANE: We know they were talking, but - - -

MR SARGENT: We, yeah, we – we're, we haven't got any information on it as to who they are – are looking at appointing. But we do know that they have been in discussions with providers. I – I think it's – it's probably also important to note that they're proposing Key Worker Housing which is different to affordable housing.

MS O'KANE: Yes.

40 MR HANN: Yeah.

MR SARGENT: And is different - - -

MR HANN: Yeah.

45

MR SARGENT: --- to social housing ---

MS O'KANE: Indeed, of course.

MR HANN: Yeah.

5 MR SARGENT: --- when you look up what the definitions are.

MS O'KANE: Yeah.

MR HANN: Yeah, good point, Cameron.

10

MS O'KANE: Yeah.

MR SARGENT: So I'm not aware of – of there being any similar Key Worker Housing - - -

15

MS O'KANE: Anywhere - - -

MR SARGENT: - - - developments in – in New South Wales, so it's sort of - - -

20 MS O'KANE: But there are going to be more. Because we've got the other set.

MR HANN: Yeah.

MR McNAMARA: Correct. Correct.

25

MR SARGENT: That's right.

MS O'KANE: So this is an interesting space.

30 MR McNAMARA: So I think there's also an imperative built into the concept plan for them to – to secure a partner.

MS O'KANE: That's - - -

35 MR McNAMARA: So I think that alone will ensure that it happens and there's - - -

MR HANN: Well, the obligation is - is really on the applicant.

MR McNAMARA: Yeah.

40

MR HANN: And I think the Occupational Certificate - - -

MR McNAMARA: And - - -

45 MR HANN: --- Test is, is ---

MS O'KANE: Yeah.

MR McNAMARA: And - - -

MR HANN: Is there to see that that's going to be - - -

5 MR McNAMARA: Yeah.

MR HANN: --- in place prior to occupation.

MR McNAMARA: Sorry.

10

MR HANN: I think that's the way it's worded, right.

MR McNAMARA: Yeah. And there's a lot more opportunities being investigated for Key Worker Housing for built to rent and other models of – of housing, which would mean your traditional Social and Affordable Housing Providers would be looking to diversify into those markets - - -

MS O'KANE: Yeah.

20 MR McNAMARA: --- as well.

MR HANN: Yeah.

MR McNAMARA: But I think it's a good question, also, to put the applicant about where they have got?

MS O'KANE: Yeah.

MR HANN: Yeah.

30

MS O'KANE: Mmm.

MR HANN: Yeah, let's - - -

35 MR McNAMARA: And what the feedback has been from, from the market, to date.

MS O'KANE: Yeah. Thanks.

MR SARGENT: Um, so, I'll quickly just touch on the basement car parking. Karl can, but just to give you a bit of a history. So the stage 1B Basement Car Park was approved. It, whilst the application did not specify a maximum number of car parking spaces, the application spoke to what potentially could be a maximum. And that was 884 spaces. There was a subsequent modification made to the basement car park application approval, I should say. And that reduced the number of spaces by

45 62. But what it also did, did was approve a number, which was 822 spaces, for that car park. Which was to service residential buildings R4A, B and C.

That total included a provision for residential car parking as well as retail. And the car parking rates were determined by the concept plan. So the basement car park that we have now, as we said earlier, there's a shortfall of – but there's a – three not nine spaces, that are remaining to be used in that, in that space. And we said that that should be provided for key workers. The loading dock that's provided, that will service the retail areas. There is no retail car parking, um, being, ah, proposed, ah, for the R5 building. Ah, so all the - - -

MR HANN: Is that the same for 4A and 4B as well?

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MR SARGENT: Um - - -

MR HANN: I, I can't recall.

MR SARGENT: Let – let us take that on notice. I believe it, there was only a couple of spaces that - - -

MR HANN: Okay.

20 MR SARGENT: --- were approved for the retail areas. The exact number, we can

MR HANN: Okay.

25 MR SARGENT: --- look up.

MS O'KANE: Would they be things like handicapped, used for handicapped spaces, sort of thing?

30 MR SARGENT: The, for retail?

MS O'KANE: Yeah.

MR SARGENT: I believe it would just solely be for - - -

35

MS O'KANE: Just retail.

MR SARGENT: - - - retail. There is no distinction - - -

40 MS O'KANE: Right.

MR SARGENT: --- between whether it would be for, um, disabled ---

MS O'KANE: Yes.

45

MR SARGENT: --- um, retail workers.

MS O'KANE: What about, given the evolution of cars and electric vehicles and things, are there charging stations or anything associated with the parking?

MR McNAMARA: It's not a level of detail that they would - - -

5

MS O'KANE: it's too - - -

MR McNAMARA: --- normally talk to us about.

10 MS O'KANE: Yes.

MR McNAMARA: I would see no issue why they couldn't. The infrastructure you need for charging stations is pretty straightforward.

15 MS O'KANE: It is.

MR McNAMARA: But I-it would be worth putting to them, have they? I'd be surprised if they at least haven't - - -

20 MS O'KANE: Yeah.

MR McNAMARA: --- started to think about that ---

MR HANN: Yeah.

25

MS O'KANE: No, exactly.

MR McNAMARA: --- and allocate some space. It doesn't mean that you ---

30 MS O'KANE: Mmm.

MR SARGENT: --- that charging space isn't effectively a permanent parking space.

35 MS O'KANE: Yes.

MR McNAMARA: But we understand there is still capacity within the basement structure. I would have through they could configure it in a way to provide for some charging points.

40

MR HANN: Mmm.

MS O'KANE: All right.

45 MR McNAMARA: Yep.

MR HANN: Okay.

MS O'KANE: Thanks.

MR SARGENT: Ah, the City of Sydney Council, obviously, view the car parking rate to be excessive.

5

MS O'KANE: Mmm.

MR HANN: Mmm.

- MS SARGENT: Um, however, as noted previously, it complies with the rates in the Barangaroo Concept Plan. And we're quite comfortable based on, um, the approved rates that, ah, that it it meets or does not exceed, um, the number of spaces that, um, potentially are available to the development. In respect of the, the loading dock, that, um, will service all three buildings. Um, there has been, ah, as part of the application, they advised that waste deliveries are only expected once daily during
- application, they advised that waste deliveries are only expected once daily during out of hour periods. Um, with other deliveries anticipated to be approximately twice per day. Ah, as required by Council, the loading dock has been designed to cater for a nine point two five metre rigid vehicle. Ah, and includes a turntable to allow vehicles to enter and leave in a forward direction. Ah, the Department therefore
- considers the service vehicle spaces provided in the 1B basement, of which there are five, um, are sufficient to, ah, cater, ah, for the loading and unloading and servicing requirements of the development. The Department has proposed, however, a condition requiring a loading dock management plan.
- 25 MR HANN: Yeah.

MS SARGENT: Um, following, ah, feedback from Transport for New South Wales to be submitted to the Secretary.

30 MR HANN: Okay.

MS O'KANE: Look, I'm happy.

MR HANN: Yeah. No, I, that's good. Thank you.

35

MR FETTERPLACE: Okay. We'll move onto your other considerations then. And the first of those was to do with completion time frames.

MR HANN: Yeah, yeah.

40

MR FETTERPLACE: So the - - -

MS O'KANE: Just for us to get an understanding - - -

45 MR HANN: Yeah.

MS O'KANE: Of what was happening when, yeah.

MS SARGENT: Yeah.

MR FETTERPLACE: Sure. So the Department understands the likely timeframes for the completion of other developments within the Barangaroo Precinct are as follows: Building R4A would be 2023.

MR HANN: Are we talking end of that calendar year? Or it's just a number - - -

MR McNAMARA: I think at this stage, it's just a year - - -

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MR HANN: Okay. All right.

MR McNAMARA: --- for that. That's information that – that Lendlease have provided to us ---

15

MR HANN: Sure.

MR McNAMARA: --- is just a year.

20 MR HANN: Okay.

MR McNAMARA: They may, themselves, have - - -

MS O'KANE: Mm.

25

MR McNAMARA: --- um, ambitions within the year.

MR HANN: Mmm. We can ask them.

30 MR McNAMARA: I'm sure they would.

MS O'KANE: Mmm.

MR HANN: Yeah, yeah.

35

MR McNAMARA: Absolutely, I would ask them.

MR HANN: Yeah, yeah. Okay.

40 MR McNAMARA: But the, ah, information we have it just whole years. So 2023 for R4A.

MR FETTERPLACE: R4B 2024, ah, the stage 1B public domain works including Hickson Park 2020, the Barangaroo Metro Station 2024, and building R5 is subject

45 to - - -

MR HANN: So the Metro – yeah, okay.

MR FETTERPLACE: Yep.

MR HANN: 2024 and - - -

- MR FETTERPLACE: And building R5 is subject to this application, of course, 2024. However, to David's point that he's just mentioned, we note this has been revised in the latest information we've received from the applicant. Um, this was previously envisaged as 2022, 2023. So - -
- 10 MR HANN: R5 was?

MR FETTERPLACE: Yeah.

MR McNAMARA: Was, but I think that reflects the delay, where they put the – the matter on hold. And it was almost two years - - -

MR HANN: Yeah.

MR McNAMARA: --- from RTS to coming back in. And that delayed the construction to 2024, which aligns nicely with the Metro.

MS O'KANE: Mmm.

MR McNAMARA: Um, the date 2020 for Hickson Park, just to note also, that aligns with the anticipated finalisation and opening of The Crown Sydney Hotel Resort. And it is a requirement that the parks' complete - - -

MS O'KANE: Yeah.

MR McNAMARA: --- at the time, um, that – that The Crown Resort, ah, is occupied. Ah, and we understand that is on schedule or ahead of schedule.

MR HANN: Right. Just as a matter of interest, I think, on the broader plan, where is the Metro?

MR McNAMARA: Yeah. The Metro station is in - - -

MR HANN: Access, pedestrian access, access and so on, do you - - -

40 MR McNAMARA: --- within – within the central precinct. But at the Northern end of the Central Precinct. It's, I'm just showing you on the image here.

MR HANN: Yeah.

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45 MR McNAMARA: It's – it's up closer to, ah, the little cove - - -

MR HANN: Yes.

MR McNAMARA: --- that is at the southern edge of the – of the park.

MR HANN: Yes. All right.

5 MR McNAMARA: So it is, um, I don't know the exact distance, ah, footfall.

MR HANN: So the pedestrian access is – is limited to one, one location and then

10 MR McNAMARA: Ah, there'll be a series of access points. It's ---

MR HANN: Right.

MR McNAMARA: --- um, I think some of the future development at central will confirm what other access points ---

MR HANN: Okay.

MR McNAMARA: --- to the station, whether there might be entrances further here that then take you underground ---

MR HANN: Right.

MR McNAMARA: --- to the station, as well as primary entrances here. So there's a little bit of detail still to be forth coming in terms of, ah, the built form outcomes in Central and how that integrates with the station.

MS O'KANE: Mmm.

30 MR HANN: All right.

MR McNAMARA: But it's only a – a couple of hundred metres. It's not - - -

MS O'KANE: Yeah.

35

MR HANN: Mmm.

MR McNAMARA: It's not  $a - a \log distance$ .

40 MR HANN: No. Okay. Ah, any queries on the timeframes, Mary?

MS O'KANE: No, no, that's been helpful.

MR HANN: Okay. No, that's good. No, thanks, Karl.

MS SARGENT: Um, there was – the final question was that, you asked whether or not there was any modifications - - -

MR HANN: Yeah.

MS SARGENT: --- under assessment.

5 MR HANN: Yeah.

MS SARGENT: So we – we do have a modification, um, ah, that's currently under assessment. And that relates to the stage 1B public domain works.

10 MS O'KANE: Okay. Yeah .....

MS SARGENT: So Council, um, has raised a – a number of issues. But primarily around the raising, um, of parts of Hickson Park, up to 400 mils. Um, the purpose of that is, essentially, to match the raising of Hickson Road, which, um, is being - - -

MR HANN: Yeah, um, okay.

MS SARGENT: Ah, which was part of a - a part five application.

20 MS O'KANE: Yeah.

MS SARGENT: Ah, so at the moment we are waiting on, ah, Lendlease's, ah, response to submissions, ah, that – that will speak to the – the issues that have been raised by Council.

25

MR HANN: Okay.

MR McNAMARA: Yeah. I think it – it'll speak to the need to align this public domain in 1B and Hickson Park with the future levels of the road.

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MR HANN: Yeah.

MR McNAMARA: The timing for those two different projects to occur.

35 MS O'KANE: Mmm.

MR McNAMARA: And how, if there is any, if there was a gap in the public domain works being completed ahead of Hickson Road being raised how you, as an interim measure deal with a slight level of change.

40

MR HANN: Given you've got an intended completion date, the public domain of 2020.

MR McNAMARA: Yes.

45

MR HANN: Yeah.

MR McNAMARA: Hickson Road - - -

MR HANN: Who's responsible for the Hickson Road?

5 MR McNAMARA: Ah, Infrastructure New South Wales.

MS SARGENT: Infrastructure New South Wales.

MR HANN: Right.

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MR McNAMARA: Have taken over the responsibilities - - -

MR HANN: Okay.

- MR McNAMARA: --- of the Barangaroo Development Authority. They'll be delivering that project in, potentially in partnership with Sydney Metro, who have responsibility for part of the works to Hickson Road, closer to the metro station. So as all of these things go ---
- 20 MR HANN: Yeah. Yeah. Okay.

MR McNAMARA: --- it's a little bit complicated.

MS O'KANE: Mmm.

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MR McNAMARA: Um, but timing – the timing aspiration is to align with Hickson Park, is my understanding.

MR HANN: Okay.

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MR McNAMARA: But they will have a-a fall back situation if that can't be achieved.

MS SARGENT: We have done a – a preliminary review of the, the levels that are on the plans of part of this application with the modification application. And they do align. Which you would hope that they do.

MR HANN: Okay. All right. Okay. Ah, Mary?

40 MS O'KANE: No, nothing from me.

MR HANN: Any other queries, um, Matthew, Xanthe, do you have any additional queries? All right. Well, I think that's excellent.

45 MS O'KANE: Yes, thank you.

MR HANN: Thanks very much, gentlemen, I appreciate it.

MR McNAMARA: Okay. And there's a couple of things there that we'll – we'll come back to you on.

MS O'KANE: Mmm.

5

MR HANN: Okay.

MR McNAMARA: And as you, um, no doubt will be, potentially, speaking to Council and the applicant if any matters come up there that you need - - -

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MS O'KANE: Sure.

MR McNAMARA: --- our advice on, um, just let us know.

MR HANN: Yeah. We're meeting the Council later today. And, ah, we've yet to set a time for a meeting with the applicant.

MR McNAMARA: Okay.

20 MR HANN: And a site visit.

MR McNAMARA: Yep.

MR HANN: All right. Meeting closed. Thank you very much.

25

MR McNAMARA: Thank you, yeah.

MR HANN: Thank you.

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### **MATTER ADJOURNED at 10.49 am INDEFINITELY**