13 February 2019

Mr Peter Duncan AM
Chair
Independent Planning Commission NSW
Level 3, 201 Elizabeth Street
Sydney NSW 2000

Attention: Mr Andrew McAnespie, Commission Secretariat

Email: ipcn@ipcn.nsw.gov.au

Dear Mr Duncan

Project: Request for Rezoning Review 44-78 Rosehill Street Redfern (the 'Project') (RR__2018_SYDNE_001_00)

We act for Redfern Rosehill Pty Ltd, the proponent of the subject Project, which is currently under review by the Commission for determination.

It is of concern to our client that only some, but not all, of the documents submitted on its behalf by its planning consultant, Willow Tree Planning Pty Ltd, are directly accessible on the Commission's website.

It is appreciated that other of documents so submitted on our client's behalf are accessible by the *link* on the Commission's website to the "*Department of Planning and Environment Webpage for this project",* however, again not all submitted documents have been uploaded to that webpage.

Willow Tree Planning wrote two letters to the Department in support of the Project. One letter, with appendices addressing issues of Overshadowing and of Strategic Merit and Site-Specific Merit, is uploaded on the Commission's own website, whereas the second letter is only accessible by link to the Department's webpage where one must click on the *link* to "*Proposal Cover Letters*" to access that letter and separately click on the *link* to "*Proposal Documents"* to access, some but not all, of the Appendices and Attachments itemised in the covering letter. To complicate matters, the Appendices and Attachments which have been uploaded are not in any order and are certainly not as itemised in the covering letter.

It is of serious concern that the Voluntary Planning Agreement ('**VPA'**) Offer comprising part of the Proposal which was enclosed with and referred to in the covering letter, both in its original and updated version, has not been uploaded to either the Commission website or the Department's webpage and therefore is not accessible.

The VPA Offer is integral to the Proposal as to the significant public benefits it provides. To omit the VPA Offer from the Commission's website and the Department's webpage is essentially misleading, as to the benefits of the Proposal and not in keeping with the Act which not only provides for VPAs as a means of providing public benefits associated with development proposals, but requires VPA Offers to be fully disclosed to the public.

To satisfy requirements of full and impartial disclosure, it is imperative that *all* documents including the VPA offer submitted on our client's behalf as part of the Request for Rezoning Review be uploaded as a matter of urgency to the Commission's website as part of the Project information. Would you please ensure the Commission's website is so updated without delay.

3440-4162-7916, v. 1

If you have any questions please do not hesitate to contact Ann Bowen on 02 8289 5888.

Yours sincerely

Anthony Whealy
Partner
Accredited Specialist Local Government & Planning