



11 May 2020

The Director of Planning
Department of Planning and Environment
23-33 Bridge Street
Sydney NSW 2000

Attention: Lawren Drummond
Lawren.drummond@planning.NSW.gov.au

Dear Lawren

SECTION 4.55(1A) APPLICATION - STATE SIGNIFICANT DEVELOPMENT APPLICATION NO. SSD-4972 Mod 7 - 161 SUSSEX STREET, SYDNEY – RESPONSE TO SUBMISSIONS

GL Investment Co Pty Ltd provides this response to the submissions received from various groups following advertisement of the Section 4.55(1A) Application State Significant Development Application No SSD-4972 Mod 7 for 161 Sussex Street, Sydney.

Comments have been received from the agencies listed below:

- RMS
- City of Sydney
- Transport for NSW

In addition there was a submissions received from Pier 26, an adjoining owner.

RMS submission dated 20 February (attachment A)

RMS raises no objection to the application. Paragraph 3 of their submission reads: *"Roads and Maritime has reviewed the submitted application and raises no objection to the proposed modification as it is unlikely to have a significant impact on the classified road network."*

City of Sydney submission dated 28 February 2019 (attachment B)

GL has been given no opportunity to review the City of Sydney submission with them despite numerous requests for a meeting. Please refer **attachment C** - email dated 3 December 2019 addressed to Andrew Rees at City of Sydney providing a detailed response to their submission.

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In summary City of Sydney raise a number of concerns regarding the design and detail of the current layout specifically:

- Footpath levels on the Cockle Bay side of the road
- A number of references to an “approved design” which includes upgraded pedestrian connections between the hotel and Darling Harbour and increased public footpath area on the Darling Harbour side of the road.

We note that what is referred to as the “approved design” was in fact the existing condition at the time of approval. SHFA (now Place Management NSW) had significant issues with the existing condition, in particular the safety issues around bus reversing movements related to the 45 degree bus parking adjacent to the Aquarium.

The design and construction of the works around Wheat Road, both temporary and permanent, were the result of the requirements of condition A5 of SSD-4972 Mod 1 approval, all as described in our letter to the Director Planning dated 4 February 2019. Bus parking positions, bus movements and pedestrian access from the hotel in relation to the levels of the King Street overpass imposed significant constraints on the design such that the pedestrian stair from the hotel was relocated to the eastern side of Wheat Road and buses aligned in parallel along the western side of Wheat Road. The design solution, as constructed, was a direct response to SHFA requirements.

Transport for NSW submission dated 26/2/19 (attachment D)

The TfNSW submission notes the reduction in bus parking bays and requires GL to consult the Sydney Coordination Office within TfNSW and BusNSW prior to preparing our response. Further they require GL to consider their advice and amend the design to provide more coach parking and address any safety issues.

GL met with representatives of the Sydney Coordination Office on 19 March 2019 to review the design. BusNSW did not attend the meeting but TfNSW relayed their advice during the meeting. Attendees are listed below:

- George Mobayed - TfNSW (organizer)
- Lisa McGill - TfNSW
- Mark Pepper - TfNSW
- David Ballum - TfNSW
- Mark Carruthers – RMS (at that time now RMS is fully embedded in TfNSW)

Following the 19 March meeting, a formal response to the modification was not provided until 18 September 2019. Their response took the form of an email and is attached (refer attachment E and E1 to E4). The email was copied to Lawren Drummond at Planning NSW.

In summary the group requested the following to be considered:

1. The optional modifications and general maintenance works identified in the TTW Wheat Road Traffic Safety Review (refer attachment E2);

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2. Installation of lighting at or near the 'pedestrian access' sign for the safety of pedestrians; and
3. Updating of the vehicle/bus/pedestrian facility to be in accordance with Austroads Guidelines.

The email included a request that the applicant provide the following as part of the Response to Submissions:

- Vehicle swept path diagrams showing that buses could safely use the coach spaces and vehicles use the adjacent vehicle spaces; and
- Confirmation if a 14.5 metre non-rear steer bus could be accommodated, and if not, the largest size bus that could.

Further it requested that the applicant develop construction management plans to maintain pedestrian movements along footways at all times during construction activities. Should the development require closure to the facility, adequate safety and diversion measures put in place to limit time delay and detour distances.

GL engaged TTW to review the TfNSW requests and provide advice to GL on the detailed requirements. GL also engaged JDG to undertake the requested lighting assessment. Please see below response to these requests.

Item / finding	TTW comment	Final applicant / GL response
TFNSW COMMENTS		
Consider the optional modifications and general maintenance works identified in the attached TTW Wheat Road Traffic Safety Review dated 4 February 2019;	Refer below	Refer below
Consider installation of lighting at or near the 'pedestrian access' sign for the safety of pedestrians; and	Refer attached JDG email dated 19 April 2020 (attachment F) recommending the following: • Install a directional flood light (where indicated in the email), directed to the centre of the pedestrian crossing and connect into an existing local lighting circuit This requires confirmation of the following:	GL agree to undertake these works subject to obtaining PMNSW and other relevant authority agreement

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Item / finding	TTW comment	Final applicant / GL response
	- Capacity to connect an additional 1 Amp into a local circuit. NB: This is unlikely to be an issue. - The local circuit is controlled by Photo electric (PE) Cell. This ensures the lighting will operate at all times in the absence of daylight such as the expected arrangement for the light battens under the overpass to the south. - Ownership of the lighting circuits. NB: It is expected the existing lighting circuits will be owned and operated by Transport NSW (RMS) due to the location and intended function	
Consider updating of the vehicle/bus/pedestrian facility to be in accordance with Austroads Guidelines.	The facility has been designed in coordination with RMS (refer attachment G email thread) and has been approved by RMS (refer attachment H - PDF dated 23 November 2015).	N/A
Provide vehicle swept path diagrams showing that buses could safely use the coach spaces and vehicles use the adjacent vehicle spaces; and	See swept path analysis undertaken previously, refer attachment I	N/A
Provide confirmation if a 14.5 metre non-rear steer bus could be accommodated, and if not, the largest bus size that could.	See swept path analysis undertaken previously, refer attachment I	N/A
Develop construction management plans to maintain pedestrian movements along footways at all times during construction activities.	No construction activities are proposed.	N/A
TTW SAFETY REVIEW ITEMS		
Optional modification: Provide an additional convex mirror for the far north bus parking space	GL to advise on if these works will be undertaken.	YES



Item / finding	TTW comment	Final applicant / GL response
to improve sight distance to oncoming traffic.		
Optional modification: Adjust the height of the existing "Exit Speed 30km/h" sign to reduce the likelihood of being obscured and to improve sight distance for drivers.	GL to advise on if these works will be undertaken.	YES
General maintenance: Southern convex mirror should be adjusted and corrected.	GL to advise on if these works will be undertaken.	YES
General maintenance: Convex mirror south of the pedestrian crossing should be reinstated.	GL to advise on if these works will be undertaken.	YES
General maintenance: Pedestrian detour sign for 2014 – 2016 should be removed.	GL to advise on if these works will be undertaken.	YES

Pier 26 Submissions dated 21 February 2019 (attachment J)

Based on the advice from Place Management NSW in attachment K confirming that the Helm Bar lease boundary is being adjusted such that the works the subject of this modification no longer fall within their lease area we consider that their submission is no longer relevant. Further, we understand that Place Management NSW has been authorised to confirm that the objection of Pier 26 to the modification has now been withdrawn in full.

Additional Land

In the Department's email of 4 February 2020 GL were requested to provide advice in relation to additional land that the modification relates to and owner's consent for same. We confirm that in addition to the lots nominated in the application the modification also relates to the following additional lots:

- Lot 103 in DP771839
- Lot 54 in DP 1009561

We have requested Place Management NSW to provide their owner's consent to cover these additional lots and will forward on receipt. As advised above Place Management NSW has also confirmed that they have reached agreement with Pier 26 in relation to modifications to

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the Pier 26 lease area that sat within the area of Wheat Road and will be corresponding with the Department of Planning directly in relation to this matter. Please refer to the email trail in attachment K.

Should you have any queries about this matter, please do not hesitate to contact me on 0413 586555 or jenny@mandlinvestments.com.sg

Yours faithfully

Jennifer Watt
Development Manager
GL Investment Management

Cc Neil Maxwell CEO

Attachments:

- Attachment A – RMS submission
- Attachment B – City of Sydney submission
- Attachment C – 3 December 2019 email GL to City of Sydney re Mod 7
- Attachment D – TfNSW submission
- Attachment E – Email TfNSW to GL dated 18 September 2019
- Attachments E1 to E4 – attachments to E above
- Attachment F – JDG email dated 19 April 2020
- Attachment G – RMS email thread demonstrating comment close out Wheat Road design
- Attachment H – RMS letter dated 23 November 2015
- Attachment I – Swept path analysis
- Attachment J – Pier 26 Submission
- Attachment K – 200429 email PMNSW to GL re Pier 26 lease area adjustment

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