

09032
3 August 2009

Mr Sam Haddad
Director General
NSW Department of Planning
23-33 Bridge Street
SYDNEY NSW 2000

Attention: Toby Philp

Dear Mr Haddad

**PART 3A REQUEST FOR MINISTER'S DECLARATION
FITOUT OF COMMERCIAL TENANCY AT DARLING WALK, DARLING HARBOUR**

We are writing on behalf of the Commonwealth Bank of Australia (CBA) the proponent for the fitout of the commercial tenancy at Darling Walk, Darling Harbour. On the 2 January 2009, the Minister for Planning approved Major Project No 08_0057, being the construction of two, nine storey buildings comprising 67,827m² gross floor area, (including, 64,235m² of commercial floorspace) at Darling Walk, Darling Harbour. Condition A1 (3) of the approval requires a separate application for the fitout of the commercial floorspace.

State Environmental Planning Policy (Major Projects) 2005 (the Major Projects SEPP) identifies development to which Part 3A of the EP&A Act applies and for which the Minister is the consent authority. The Darling Walk site is located within the Sydney Harbour Foreshore area, identified at Clause 10(1) of Schedule 2 of the Major Projects SEPP. Under this provision, developments with a capital investment value of greater than \$5million are subject to the provisions of Part 3A of the EP&A Act.

The purpose of this letter is to request that the Director General issue the requirements as to the level and scope of the Environmental Assessment required for the proposed development. The development includes the fitout of the commercial tenancy for use by the Commonwealth Bank, child care centre for staff and associated business identification signage. The project has a capital investment value of approximately \$80m

To support the request for the Director General's requirements relating to the environmental assessment, a Preliminary Assessment relating to the tenancy fitout and proposed signage is detailed below. This Preliminary Assessment provides detail on the site location, an outline of the components of the project, and identifies the key likely environmental and planning issues associated with them.

1.0 SITE DESCRIPTION

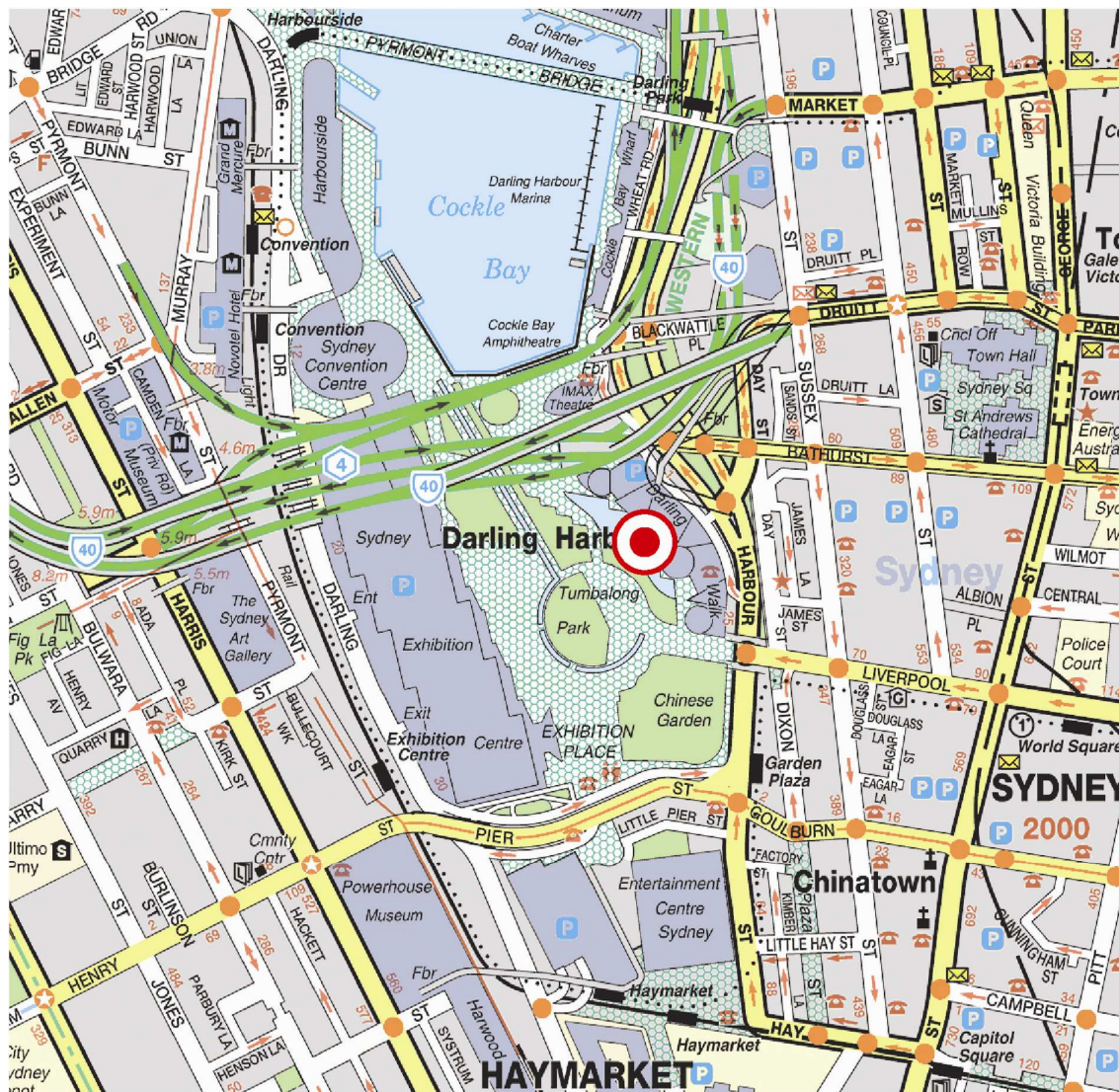
Darling Walk is located within the Darling Harbour precinct. It is situated west of Harbour Street at the western edge of Sydney Central Business District (CBD), south of the Western Distributor fly over, north of the Chinese Garden and east of Tumbalong Park. Town Hall Railway Station is

approximately 400m to the north-east and Central Station is approximately 800m to the south-east.

Darling Walk is a highly significant part of Darling Harbour. It forms the edge to the central public domain which includes Tumbalong Park, Darling Harbour's principal green space.

The former Sega World building and associated retail tenancies were located on site. These buildings have been demolished and bulk excavation and remediation have commenced.

The site's location is shown at **Figure 1** below.



The Site

Figure 1 – Darling Walk Locational Context

The extent of the site is illustrated in **Figure 2**



 The Site

Figure 2 – Aerial View

The site is legally described as shown at **Table 1**. The site includes 7 parcels of land. The land is owned the Sydney Harbour Foreshore Authority.

Table 1 – Landownership details

Lot	Deposit Plan	Owner
Lot 900	1132344	Sydney Harbour Foreshore Authority
Lot319	871455	Sydney Harbour Foreshore Authority
Lot 318	871455	Sydney Harbour Foreshore Authority
Lot 600	1126760	Sydney Harbour Foreshore Authority
Lot 505	1126762	Sydney Harbour Foreshore Authority
Lot 11	1125890	Sydney Harbour Foreshore Authority

2.0 PLANNING CONTROLS

The following planning instruments are relevant to the proposed development:

- Darling Harbour Development Plan No. 1
- State Environmental Planning Policy (Major Projects) 2005
- State Environmental Planning Policy 64 Advertising and Signage 2007
- Sydney Regional Environmental Planning Policy (Sydney Harbour Catchment) 2005

Darling Harbour Development Plan No. 1

The principal environmental planning instrument applying to the site is the Darling Harbour Development Plan No.1 (DHDP). Following recent amendment to the EP&A Act the DHDP is now taken to be a State Environmental Planning Policy. Its principal aim is to define the type of development which may be permitted within the Darling Harbour Development Area. Permissible uses include commercial, retail, cultural and entertainment uses.

State Environmental Planning Policy (Major Projects) 2005

The Major Projects SEPP identifies certain categories of development and certain specified sites that are subject to assessment and determination under Part 3A of the EP&A Act. The Minister for Planning is the consent authority for Part 3A projects. The site is listed under Schedule 2 of the Major Project SEPP and projects with a capital investment value over \$5 million are subject to assessment and determination under Part 3A of the EP&A Act.

State Environmental Planning Policy No 64 Advertising and Signage

SEPP 64, amongst other things, aims to ensure that signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations, and is of high quality design and finish. Under SEPP 64, the consent authority must not grant consent to an application to display signage unless it is satisfied that the project satisfies the assessment criteria specified in Schedule 1 of the SEPP.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, provide a set of planning principles for land within the Sydney Harbour Catchment and general matters for consideration for sites within the Foreshores and Waterways Area that consent authorities must consider before granting consent to a development application.

3.0 PROPOSED PROJECT

The proposed project is for the fitout of the commercial tenant space of buildings approved under Major Project Application 08_0057 and the erection of business identification signage.

The CBA is the proposed tenant for the commercial floorspace. The fitout comprises the following:

Level	Proposed Works
Basement Level 2	Mail room, dock masters office and uninterrupted power supply room
Ground Floor	Security/concierge desk, turn styles to lift lobby in southern building and child care centre in southern building
Level 1	Workstations, additional amenities, commercial kitchen and servery, meeting/conference rooms, turn styles to lift lobby in northern building
Level 2	Open plan workstations, meeting rooms, lunchroom/kitchenette, main computer room
Level 3-8	Open plan workstations, meeting rooms, storage, printing rooms, floor computer rooms, lunchroom/kitchenette, informal meeting spaces
Roof Level	Satellite dish

Business identification signage is also proposed for the north and eastern elevations of the northern building and the eastern and southern elevations of the southern building. The signs are proposed to be located on the building at a high level. A total of four signs with the tenant name and logo are proposed, with the signage to be illuminated at night. The location of the signs will be detailed in the Environmental Assessment Report.

4.0 PRELIMINARY ENVIRONMENTAL ASSESSMENT

The proposed project consists of works largely confined to the internal areas of the buildings and is therefore likely to have minor environmental impact. The scope of environmental planning issues proposed to be addressed in the Environmental Assessment Report (EAR) to accompany the Project Application is outlined below.

The key environmental planning issues associated with the development are:

- Green Star Office rating – the construction and fitout of the Darling Walk buildings are aiming to achieve a minimum 5 Green Star rating. A Green Star Office Design rating report will be submitted with the Project Application.
- Construction Management – a construction management plan will be prepared setting out the construction methodology and management plans to manage any potential environmental impacts of the project.
- Building Code of Australia – a Building Code of Australia compliance report and fire engineering assessment will be prepared and submitted with the Project Application.
- Signage – an assessment of the proposed signage against SEPP 64 and the Sydney Harbour Foreshore Authority signage guidelines will be included in the Project Application. The assessment will address the location, size of signs and proposed illumination.
- Child Care Centre – layout and design including mix of play spaces, quiet areas, child drop off and pick up, security and amenity.

5.0 CONCLUSION

We trust that the above project description and Preliminary Assessment is sufficient to enable the allow the Director General to issue requirements for the preparation of the necessary Environmental Assessment.

Should you have any queries about this matter, please do not hesitate to contact me on 9409 4918 or kosborne@jbaplanning.com.au.

Yours faithfully

A handwritten signature in blue ink that reads "K. Osborne". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Kirk Osborne
Principal Planner