

2 February 2022

Our Ref: R/2022/10/A
File No: 2023/055617
Your Ref: SSD-46246214

Russell Hand
Department of Planning and Environment
via Major Projects Planning Portal

Dear Russell,

Advice on Environmental Impact Statement – Hunter Street Over West Over Station Development – SSD-46246214

Thank you for your correspondence dated 2 December 2022 inviting the City of Sydney (the City) to comment on the Environmental Impact Statement submitted for the Concept State Significant Development Application (SSDA) relating to the Over Station Development (OSD) at Hunter Street West.

The Concept SSDA for Hunter Street West seeks consent for a building envelope above the Hunter Street Station western site located at 296-318 George Street, 5101 De Mestre Place and 5-13 Hunter Street, Sydney, including:

- maximum building height of RL 220 (approximately 51 storeys)
- maximum gross floor area (GFA) of 69,912sqm
- land uses within the OSD building envelope and podium including commercial uses within the tower, commercial and retail land uses within the podium
- provision for up to 70 car parking spaces on the site

A Planning Proposal was submitted to the City in May 2022 seeking to amend the planning controls for the eastern and western Hunter Street Station sites under the Sydney Local Environmental Plan 2023. It is understood that the proposed Concept envelope is consistent with the draft site-specific provisions under the Planning Proposal.

This submission is not conclusive or able to cover all potential issues given the tight timeframe. The City has reviewed the EIS for the western site and provides the following comments for your consideration.

1. Interface with the public domain

1.1 City North Public Domain Plan

The Concept SSD should refer to the City North Public Domain Plan (draft update exhibited in November/ December 2022). The provision of additional pedestrian space around the site on Hunter Street is a priority to support this proposal.

Consideration of this public domain vision at the concept design stage will ensure that the opportunities for a maximised pedestrian area including landscape and significant trees in the future public domain are preserved through the design of all components of the Metro project.

Overall, the concept SSDA should reflect the current context, with George Street north now closed to through traffic and Hunter Street closed just east of the George Street intersection.

1.2 Awnings

The reference design does not show awnings along the George Street and Hunter Street frontages (only over major building entries). Development of the detailed SSD must be consistent with the controls in relation to awnings for shade and weather protection at an appropriate height.

1.3 Pedestrian volumes

The Transport and Access Report (p22) states that pedestrian accessibility on Hunter Street is constrained by high pedestrian volumes on the footpath, restricting flow and causing crowding, particularly around the intersection of Pitt Street.

These existing restricted and crowded footpaths on Hunter Street will be significantly impacted by the proposal. The cumulative impact of the Metro and the surrounding development will be significant and are inadequately modelled in the proposal (refer Transport and Access comments below).

Hunter Street will facilitate a significant amount of surface level pedestrian movement between Metro West, Metro City & South East, Light Rail and Wynyard Station. In addition, it provides a connection between this new transport hub and the Macquarie Street precinct, and Sydney Modern/RBG beyond.

Public domain works needed to support this SSD include significant additional pedestrian space in Hunter Street between Pitt Street and George Street.

The Concept SSD does not include any improvement to the existing quality of quantity of public circulation space surrounding the site. The EIS refers to the CSSI as covering these public domain areas, however no specific improvements to the public domain have been proposed under the CSSI. This needs to be addressed.

1.4 Driveway on Hunter Street

The reference design shows a two-way driveway crossing the Hunter Street footpath, with very wide splayed kerbs. Any driveway should be perpendicular to the kerb to minimise impact on the pedestrian footpath. The drawings also need to be updated to reflect the closure of Hunter Street at George Street i.e. left turns out of the driveway are not required.

1.5 Crime Prevention Through Environmental Design (CPTED)

The reference design shows a through-site link along the eastern site boundary which has very little active frontage to provide natural passive surveillance of the space. Any publicly accessible area should have good visibility and activation in line with CPTED principles. While it is acknowledged that this is a reference design, the location of the core is constrained by the station box and tower envelope and therefore the activation and CPTED impacts of this need consideration at the concept design stage.

2. Urban design

The concept plan for Hunter Street West should be revised to show the relationship between the proposed tower and the planning proposal to the east of the site at 15-23 Hunter Street, including the following:

- Show the relationship of the ground level through-site links between the sites. At the interface between the two sites there are limited active frontages proposed on the subject site. Clear views through the through-site link to the surrounding street network (including the potential Ash Street connection) are important for perceived safety, security and wayfinding through the sites.
- Show the location of the towers above the podiums. This is required to show the alignment of the towers along Hunter Street and to demonstrate if there is sufficient separation between the towers so that they do not appear as a single aggregated tower.

3. Heritage

3.1 Driveway design and location

The three storey building at 15-17 Hunter Street, known as Pangas House, is pending imminent heritage listing. The reference design shows a large driveway immediately next to this building. The scale of the driveway is not sympathetic to the fine grain and low scale of the neighbouring heritage buildings and the historic character of Hunter Street. It is also not consistent with the following point in the draft Guidelines associated with the Planning Proposal:

- *6. Vehicle access and egress is to be designed as a single lane crossing the footpath with a maximum width of 3.6 metres and designed to ensure any queuing is contained internally within the site, so vehicles do not queue across footpaths.*

A driveway following this guideline will considerably reduce the vehicle entry's visual impact on the streetscape and adjacent heritage buildings. The City recommends that this guideline be followed.

3.2 Empire Lane

The connection to Empire Lane as shown in the reference design is supported. The rear wing buildings of 15-17 Hunter Street abutting the lane are expected to be retained and a good design of the junction of Empire Lane and the eastern walkway at ground level can celebrate the historic lane.

The design of the connection of Empire Lane to the station circulation is to retain and expose the rear wing buildings at 15-17 Hunter Street. The location and width of Empire Lane should not be altered.

3.3 De Mestre Place

Though it is acknowledged that the ground floor plane is not strictly part of this Concept SSDA, given the limited detail provided with the CSSI application the City wishes to highlight the importance of incorporating interpretation of De Mestre Place in the ground level space and circulation design.

De Mestre Place is one of the oldest laneways in Sydney and was named after Prosper de Mestre who operated his stores on the site from 1821 to 1844. The lane is a rare surviving historic lane dating from the 1820s. The name of the lane should be retained, and the configuration of the lane should be interpreted.

4. City access and transport

4.1 Pedestrian assessment

The City strongly objects to the use of Fruin for assessing footpath performance on Hunter Street and surrounds. This is an issue that the City has raised multiple times in previous submissions on the State Significant Infrastructure applications as well as during consultation meetings with Sydney Metro.

The City reiterates that the Walking Space Guide (WSG) published by TfNSW in 2020 at <https://standards.transport.nsw.gov.au/search-standard-specific/?id=TBA%20-%200003173:2022> is appropriate NSW standard for footpaths external to buildings in the public domain. It is misleading to imply that these footpaths are 'interchanges'. This leads to an under provision of walking space, crowding issues and safety concerns.

Sydney Metro argues that TfNSW's WSG is not fit for purpose as it shows poor performance for current conditions. The City's disagrees with this and is an accurate representation of existing conditions and a reason for intervention and road space reallocation, not a reason to ignore the issue by using a metric more suited to crowded station conditions.

4.2 Parking provision

- ***Mechanism to limit parking across two sites***

The proposal includes a maximum of 70 private spaces across the two sites (Hunter Street East and West).

However, the sites are being assessed as independent SSDAs and there does not appear to be any meaningful and legal way for conditions of consent to apply to sites other than that of the SSDA. Therefore, it is unclear how this maximum will be enforced with the SSDAs. The intent of the Planning Proposal should be followed.

- ***Parking volume***

The proposal indicates that there will be 70 spaces included for private vehicle parking across the two sites. The traffic assessment gives no justification for the need for 70 spaces beyond that it is lower than the permitted maximum.

The City notes that these rates are maximums and given the extremely high access to public transport at the site, including the Metro, the City would expect to see much lower car parking provision than proposed.

This is an opportunity for Sydney Metro to lead by example. The delivery of the Metro network is a transformational project that will change the nature of the Hunter Street precinct and pave the way for zero or ultra-low car developments. This SSDA should be providing an exemplar of the sort of development that the Metro itself was designed to encourage.

- ***Parking on the western site***

The City's position is that no private parking should be provided on the western site as this would compromise the Government's ability to pedestrianise the block on Hunter Street between Pitt and George Street as per the draft City North Public Domain Plan.

- ***Inconsistencies with how parking is referred to***

The Transport and Access Report doesn't consistently refer to the 70 spaces being apportioned between the two sites. For example, Table 5-4 seems to imply that the western site has 70 spaces, which is incorrect. This should be rectified.

- ***Car share***

It is unclear how car share will be apportioned between the two sites and whether the proposed 3 spaces will be pro-rated depending on the final allocation of private parking.

4.3 Vehicle access and loading

- ***Vehicle access movements allowed***

Section 5.2.3 Vehicular Access of the Transport and Access Report should acknowledge that Hunter Street is now closed at George Street, so the anticipated vehicle access movements are unlikely.

- ***Loading layout***

Swept paths should be provided showing that each loading space is able to be accessed with all other spaces occupied. Swept paths of waste trucks accessing collection points should also be provided.

4.4 Traffic assessment

- ***Trip generation***

Trip generation assumes a rate of 1 trip per space during the peak one hour. This appears to be very high and overestimating driving trips could lead to overprovision for driving and under provision for other modes, particularly walking.

Instead, the applicant should conduct surveys of a similar nearby site and apply those rates.

- ***Background traffic growth***

The City disagrees with the traffic background growth factor of 1.27 sourced from PTPM. There is not capacity for an additional 27% increase in vehicle traffic in the City Centre, so this could not materialise without providing additional space for it, which would be a poor planning outcome.

TfNSW has adopted a paradigm of 'vision and validate'. Assuming an exogenous growth factor that needs to be accommodated goes against this paradigm and runs the risk of leading to arguments for more priority and space for private vehicles.

The applicant should assume nil traffic growth, an assumption which has precedent in other state significant projects within the City of Sydney such as the Central Station OSD.

- **Background pedestrian growth**

Similarly, a pedestrian growth factor of 1.17 seems very low, particularly compared to the growth assumed for vehicle traffic. It is disappointing that the applicant is assuming and planning for higher vehicle growth than pedestrian growth, particularly considering the huge investment in the area in public transport and redevelopment.

4.5 **Cycling and end of trip facilities**

- **Bike parking**

Bike parking and end of trip facilities should at a minimum meet the City's DCP requirements. The City will provide further comments on layout once this is available under the future detailed SSDAs.

- **Queueing analysis**

The SDCP requires end of trip facilities and bicycle parking to be on the ground floor or ramp accessible. Given the constrained geometry, the City is supportive of the use of lifts to access these facilities. However, the proponent must demonstrate that there is adequate vertical transport capacity so that there is no excessive delay or queueing for people cycling.

A queueing and spatial analysis should be undertaken for bicycle lifts at the detailed SSDA stage, similar to that undertaken for mechanical vehicle lifts. Waiting bikes and riders should not interfere with passing pedestrian flows.

- **Lift dimensions**

Lift dimensions should vary from passenger lifts. The lift dimensions need to need to be accommodate alternative bicycle types, including cargo bikes which are increasingly common.

4.6 **Potential for change**

The Transport and Access Report states that *'Due to current constraints, there is limited scope for significantly changing signal timings or increasing the footpath widths to improve walking experience in the CBD.'*

The City strongly objects to the above statement. The delivery of multiple major projects within this precinct should act as a catalyst for transformative change around Hunter Street, triggering reallocation of street space to accommodate the high pedestrian volumes and creating more space in the public domain for people to spend time.

As a key driver of change in this precinct, some of that responsibility for change lies with the Metro project.

The City is eager to work with Sydney Metro and TfNSW to reallocate street space, widen footpaths and change signal timings in order to improve the overall experience of the Hunter Street precinct. The City's Public Domain Plan outlines the City's vision for public space in the precinct and includes:

- The closure of Hunter Street to private vehicles between Pitt and George Streets.
- The pedestrianisation of George Street north of Hunter Street.
- The conversion of Hunter Street to a single lane one-way street between Pitt and Phillip Streets.

4.7 Through-site links

The proponent needs to work with adjacent sites to deliver the through-site links. The City supports the through-site links and is keen to work with Sydney Metro and adjoining sites to coordinate the design and ensure the northern connection between George Street and Pitt Street is high quality but not excessive width. This is a time sensitive matter given the nearby planning proposals currently being considered.

5. Trees and landscaping

Overall, the EIS and supporting documents do not adequately address the requirements of the SEARs with regard to trees and landscaping. The proposal therefore is unable to demonstrate integration of landscape design excellence and there is insufficient clarity in the proposed envelope and reference scheme for landscape locations on structure at podium and upper levels. Specific comments are outlined below for your consideration.

5.1 Landscape, greening and canopy cover

The requirements of the SEARs have not been adequately addressed in the proposal, particularly the following points:

- Point 3 – Built Form and Urban Design requires the proposal to *demonstrate how the landscape design can be integrated into the building design, contributing to design excellence and greening of the site.*
- Point 7 – Trees and Landscaping requires *a site-wide concept landscape plan that details the proposed site planting approach and considers available opportunities for greening and tree planting on any proposed rooftop and open space terrace areas.* The concept landscape plan also needs to demonstrate how the proposed development would:
 - *contribute to a long term landscape setting in respect of the site and streetscape*
 - *mitigate urban heat island effect and ensure appropriate comfort levels on-site*
 - *contribute to the objective of increased urban tree canopy cover*
 - *maximise opportunities for green infrastructure, consistent with Greener Places*
 - *integrate landscape design into the building design, contributing to design excellence, greening for a responsive Ecologically Sustainable Development and meeting the recreation needs of workers.*

Part 6.2.3 of the EIS discusses landscape design. This includes a short statement that defers landscaping of the public domain to the Stage 3 CSSI Application.

The City has not yet been given the opportunity by Sydney Metro to review architectural plans or landscape plans associated with the Stage 3 CSSI Application. Therefore, the City has no understanding of what is proposed in the public domain.

Opportunities for greening and tree planting are of particular importance on Hunter Street, where the Metro station box sits under the street. Opportunities for tree planting in Hunter Street will be complex and need to be preserved at this early concept design stage by addressing the street's existing configuration and providing a future configuration which addresses the pedestrian space needs.

Part 6.2.3 of the EIS also defers all other landscaping within the building envelope to the future Detailed SSDA. No other details, including the required concept landscape plan, have been submitted with the SSDA.

Overall, the EIS and supporting documents do not adequately address the requirements of the SEARs. No concept landscape plan has been submitted and the proposal is unable to demonstrate how the proposal can achieve the integration of landscape design excellence and greening of the site.

The following comments are made with regard to specific documents submitted with the EIS:

- **The Built Form and Urban Design Report** (page 46 – Appendix E) includes precedent images. These indicate green roofs with succulents and/ or grasses and use of bamboo only. The landscape images indicate that landscaping will be minimal with species that are not responsive to and the architectural features of the building. Further, the podium design strategy relates to the street wall heights and does not address design strategies for communal landscape terraces on the podium at the base of the tower.
- The **Concept envelope plans** (Appendix G) do not provide any details to confirm the landscape locations within the envelope. It is unclear if there will be any landscape at podium level and upper levels.
- The **Reference scheme** (Appendix H) does not provide details of landscape locations within the proposal and no landscape plans have been submitted. The reference plans potentially allow for landscape on Levels 4 and 5 and Level 54 Skyrise setback floor – communal terrace facing Hunter Street. Without any additional information, an assessment cannot be undertaken to confirm if proposed landscape on structure will be feasible, contribute to adequate greening of the site, achieve amenity for workers and visitors and comply with the Landscape Code.

5.2 Wind impacts

The building envelope has been defined by wind conditions in the public domain only. Potential wind impacts at podium levels (if applicable) need to be assessed. Wind impacts need to be adequately understood and any wind mitigation measures to reduce down wash by shaping the tower design must be considered in any future design competition and prior to the Detailed SSDA.

This is the preferred outcome rather than relying on interlocking trees and vegetation which can fail in windy environments and are difficult to replace at upper levels of a development post-construction.

5.3 Existing trees

An Arboricultural Report for the site has not been provided with the EIS. There are five street trees located in the vicinity of the site:

- George Street – Four *Zelkova serrata* (Green Zelkova)
- Hunter Street – One *Celtis australis* (Southern Hackberry)

All trees are of young age with heights of between 3-5m and were observed to be in good health and vigour at the time of assessment (9 December 2022).

These trees are considered to be of high retention value. There is no proposal for the removal of these trees as part of the proposed development and the City supports the retention and protection of these trees.

An Arboricultural Impact Assessment (AIA) report must be prepared to assess the impact of the proposed works on the street trees and outline tree protection measures. The report should be prepared by a qualified Arborist with a minimum Australian Qualification Framework (AQF) of Level 5 in Arboriculture, be written in accordance with the Australian Standard AS 4970 2009 Protection of Trees on Development Sites (AS4970) and include the following:

- Identification and assessment of the five street trees listed above
- An assessment of the impact of the proposed works on the street trees, including any above and below ground constraints
- Details of design and construction methods to minimize impacts on the trees
- Details of any required pruning in the form of a Pruning Specification (including marked up photos). Any pruning requirements are to be in accordance with Australian Standard 4373 Pruning of amenity trees (2007)
- Details of tree protection measures in accordance with AS 4970 2009 Protection of trees on development sites and preparation of a Tree Protection Plan (drawing) showing the Tree Protection Zones and tree protection measures
- Details of other works that must be prohibited throughout construction and development.

6. Waste management

The Reference Scheme for the western site does not appear to show any waste storage area or waste holding area at the loading dock. This area is marked up on the Waste Management Plan but says 'subject to change'.

The plans need to be updated to adequately address waste management issues. There are significant issues that need to be presented and resolved prior to determination, particularly the size of the waste storage area needed and the distance that waste containers need to be wheeled to the loading zone.

The plans must clearly outline the following:

- the location and space of the designated waste storage area/s

- the number of bins required, correctly scaled and distinguishing between sizes (eg 240L, 660L, 1100L)
- the proposed layout of bins within storage areas
- these must be based on the collection frequency of bins identified in the waste management plan.

Additional design considerations must be shown as follows:

- ensuring adequate door width for the size of the bins
- back of house requirements for the location and storage of additional waste storage and waste handling equipment to be used, e.g., glass crushers, compactors, balers, tugs/trolleys, glass crushers and any other equipment.
- identify space dedicated for storing bulky waste and problem waste for recycling (see Guidelines for Waste Management in New Developments 2018 for minimum requirements).
- a bin for each waste stream (waste, recycling and food waste) is to be centrally located on each commercial office floor (clearly mark on the plans). Details on the changeover/ servicing and maintenance of these bins is to be outlined within the waste management plan.

The Waste Management Plan must be updated to show the following:

- show the path of access/travel of waste from the waste storage area to the nominated waste collection point for the site.
- maximum travel distance between the storage points and to collection points for all waste and recycling bins and bulky waste shall be no more than 10 metres.
- movement of bins and bulky waste to and from the waste storage area (WSA) or the collection point is to be level, free of steps/stairs, avoid the kerb and does not exceed a grade of 1:14 at any point
- swept paths for collection vehicles are required to be submitted, outlining sufficient space for the turning/manoeuvring of the collection vehicle to enter and exit in a forward direction.
- commercial waste collection vehicle specifications should be matched to Council waste collection vehicle specifications as set out in Design requirements for collection vehicle access within the City of Sydney's Guidelines for Waste Management in New Developments 2018.

7. Public art

The application states that a Public Art Strategy will be submitted with the future detailed SSDA for the OSD.

The proposed budget for the project requires additional confirmation/ clarification given there is no indication of a public art budget at this stage.

The co-ordinated public art strategy (or Preliminary Public Art Plan for the sites, as required under the City's Guidelines for Public Art in Private Development) should clearly indicate the total budget allocated to public art for the Hunter Street sites.

The budget proposed in the future co-ordinated Public Art Strategy, proposed for submission with the SSD for the Over Station Development, should be based on the total CIV for the project, including the towers in spite of the fact that there are no public art opportunities identified for them at this stage.

8. Public domain

Any future detailed SSDAs must include the following information:

- Public domain plans which detail the following:
 - The scope of public domain works which will be delivered with the Hunter Street Metro Station and Over station development.
 - Integration of publicly accessible areas with the City's public domain
 - Demonstrate that access points into the Over Station Development and associated retail premises do not impact the levels and gradients of the adjoining public domain to ensure equitable access for all.
 - Scope of works proposed for upgrading the existing Richard Johnson Square.
 - Hostile vehicle mitigation measures are incorporated into the building design or are within the boundary of the site. They are not to be located in the City's public domain.
 - Demonstrate that proposed scope and works are in accordance with the City North Public Domain Plan, the City's Public Domain Manual, Sydney Technical Specification and Sydney Streets Code 2021.
- Detailed flood assessment report determining relevant flood planning levels in AHD is required. These FPLs are to be compliant with the requirement of the City's Floodplain Management Policy.
- Detailed Stormwater drainage design/ stormwater management plan.
- A MUSIC link report is to be submitted with the stormwater management plan.

9. Acoustic impacts

The Construction Noise and Vibration Impact Assessment presents the worst-case construction scenario, with the nearest residential receiver being approximately 100m south of the site. The main affected premises are commercial, where an exceedance of up to 23 dB has been predicted.

As per the recommendations of the assessment, a Construction Noise and Vibration Management Plan will accompany any future SSDA.

The City recommends standard conditions of consent relating to construction hours and noise levels which can be provided when required by DPE.

10. Design excellence

The City notes that future SSDA(s) based on the current planning proposal are to be undertaken in accordance with the design excellence provisions contained in the Sydney LEP 2012 (as amended by the Planning Proposal), the Hunter Street Station Over Station Development Design Guidelines (currently in draft form) and the Sydney Metro West Design Excellence Strategy endorsed by GANSW.

Should you wish to speak to a Council officer about this advice, please contact Samantha Kruize, Senior Planner on 9265 9333 or at skruize@cityofsydney.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'GJahn', is positioned above the printed name and title.

Graham Jahn AM LFRAIA Hon FPIA
Director
City Planning | Development | Transport