

28 July 2023

Our Ref: R/2020/14/C and R/2016/20/F
File No: 2023/436112
Your Ref: SSD-9978934 and SSD 7684 MOD 1

Thomas Piovesan
Department of Planning and Environment
via Major Projects Planning Portal

Dear Thomas,

Response to Submissions – Cockle Bay Park Redevelopment – Modification to Stage 1 (SSD 7684 Mod 1) and Stage 2 (SSD-9978934)

Thank you for your correspondence dated 14 July 2023 inviting the City of Sydney (the City) to comment on the Response to Submissions (RtS) submitted for the Cockle Bay Park Redevelopment.

The City has reviewed the additional RtS prepared by the proponent and while some of the issues raised by the City in our previous letters have been resolved, there are several issues that remain outstanding which are outlined below for your consideration.

In addition, we reiterate that this project is contingent on the delivery of the public benefits that are essential to the scheme, including the land bridge, and therefore all outstanding issues associated with the delivery of these benefits, including landowner's consent and any issues raised by other stakeholders, must be resolved prior to determination.

1. Urban design

(a) Market street ramp

It is understood that the ramp needs to be longer to provide a more accessible slope. The Department should ensure that impacted trees/ telephone booths are adequately considered and resolved in the assessment.

Regarding the height of the ramp, the RtS says that the height increase *"is attributable to minor adjustments to the ramping configuration to accommodate the more accessible gradient."* This is not clear and has not been further demonstrated or explained. It would be expected that the increased height would make it more difficult to achieve the required grades.

Recommendation:

- Consideration should be given to the impacted trees/ telephone booths in the assessment or by condition of consent.

- The Department should ensure that the reason for the height increase of the ramp is clearly demonstrated and properly understood.

(b) Sussex Street lift

It is our view that the images provided on page 4 of *Appendix C – Supplementary Design Report* (Figure 1 below) highlight the difficulty of navigating towards the Sussex Street lift due to the amount of obstructions in the way including the column, planter and stairs. Relying on the current route conditions is not considered adequate justification for a development of this scale.



Figure 4 / Existing accessible route



Figure 5 / Proposed accessible route

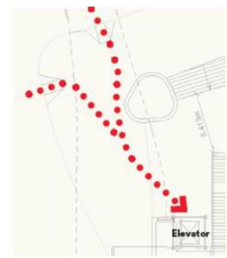


Figure 6 / Proposed accessible route

Figure 1: Excerpt from p4 of Appendix C – Supplementary Design Report showing the obstructions in front of the Sussex Street lift.

The images provided on page 4 are taken from the middle of the road and high up above the ground. In reviewing accessibility, it is important to consider that people in a wheelchair are lower down to the ground and are not likely to be able to see past the stairs, planter or columns in the same way that a person would be able to if they were standing.

When travelling to the site from Market Street or Sussex Street via the routes identified in the images above, it is unlikely that someone in a wheelchair will be able to easily navigate this space.

Recommendation:

- Further consideration should be given to the design of the space in front of the Sussex Street lift. The Department must be satisfied that this space can be easily navigated by all people, including people in a wheelchair. If the Department is satisfied with the design, then appropriate wayfinding must be implemented so that people can find the lift.

(c) Barriers

The barrier on the land bridge has been changed to glass, which is supported by the City.

Recommendation:

- A condition of consent should be imposed requiring details of the glass to be submitted. The glass must be transparent and not be tinted.

(d) **Druitt Street stairs**

The RtS has clarified in writing that the Druitt Street stairs have a height of 176mm. While photomontages of the stairs are provided on page 5 of *Appendix C – Supplementary Design Report*, detailed drawings of the stairs have not been provided.

The City considers 176mm to result in a relatively high and steep stair. A height of 150-160mm would be more suited to achieving a gentle grade. In our view, the photomontages submitted in Appendix C indicate that these stairs will be steep.

In addition, the renders show that the stairs include smaller steps linking each level. These are small and lack a visual key to guide people for safe access. While seating areas can provide much needed amenity, it cannot be at the cost of public safety. Further consideration needs to be given to handrails, contrast strips and balustrades require to highlight the edges and guide safe access.



Figure 2: Excerpt from p5 of Appendix C – Supplementary Design Report showing photomontages of the Druitt Street stairs.

Recommendations:

- The Department must be satisfied that all options have been explored to make the Druitt Street stairs as gentle as possible to ensure ease of use for all people including children and the elderly, given these are described as a civic space for sitting. The City generally recommends a height of 150-160mm to achieve this outcome.
- Details of any required handrails, contrast strips or balustrades are required. This needs to be resolved prior to determination so that the final design of the stairs is clear.
- To address the above, detailed drawings of the stairs would be expected (as opposed to photomontages).

(e) **Materials and finishes**

Additional details of the proposed materials and finishes are provided under 'COS6' in *Appendix C – Supplementary Design Report*.

The material palette specifies the use of solid timber glulam/ CLT. Details must be provided to guarantee that 1) there will be adequate supply of this material available for use and 2) provide a guarantee/ sign off that it will meet relevant fire requirements. This information is essential to confirm that this material is deliverable prior to determination.

Recommendations:

To ensure the solid timber glulam/ CLT is deliverable, the proponent should provide:

- Information to indicate that there will be adequate supply of this material; and
- A guarantee/ sign off from a relevant professional to confirm that this material will meet relevant fire requirements.

(f) Wind

The City has raised wind impacts as an issue since exhibition of the EIS and this remains a significant outstanding concern. This project is contingent on the delivery of public space and the Department must ensure that this space is not only delivered, but that it is useable, safe for all people and has high amenity at all times.

Our position remains that even 24m/s is considered unsafe in practice and as noted in our comments on the EIS, can be described as dangerous conditions for abled bodied people, and even more so for children and the elderly. We therefore maintain our position that we do not accept the safety criterion proposed by ARUP of 28m/s.

Appendix F – Wind Memo prepared by Arup has been reviewed. It remains unclear whether the local treatments described in the previous RtS package are still required and no further details of these treatments (such as a pooling water feature or vertical balustrade) have been provided. We reiterate that retrofitting these features is too late in the process and must be considered in the assessment of the Detailed DA.

Recommendations:

- It is noted that the City remains significantly concerned about the wind impacts within this development and the adverse impact this will have on the quality, safety and amenity of the public space being delivered. We do not agree with the safety criterion proposed of 28m/s.
- If the Department is supportive of the wind conditions and comfort criteria proposed, at a minimum any wind mitigation measures must be clearly identified and shown on the drawings for assessment *prior to determination*.

2. Heritage

(a) North-western corner of podium

The City has previously raised concern about the visual and physical impacts of the north-western corner of the double storey podium on south-westerly sightlines from Pyrmont Bridge (point 2.1 of our previous letter).

The RtS has not included any changes to address these concerns but rather provides further justification.

The north-western corner of the podium exceeds the RL 12m of the approved podium envelope. In justifying the additional height, the *Mod 1 Submission and Amendment Report* suggests that the envelope increase is to accommodate additional retail space and to provide better access to the open space above the podium.

It is our position that the comparison images at Figure 20 COS5 in the *Supplementary Design Report* highlight that the top of the podium's north-western corner does

negatively block views towards the harbour water and the convention centre. This obstruction is considered inappropriate, given the views from Pymont Bridge are properly protected by other recent developments in the bridge's vicinity. Maintaining the approved RL 12m at this corner could only have marginal impact on the yield of retail space and would have no impact on public accessibility if the podium corner is properly designed.

Recommendation:

- The additional height on the north-western corner of the podium is not supported by the City. The approved height established in the Concept envelope should be maintained.

(b) Heritage interpretation strategy

We note the response to our concerns about the later delivery of the Heritage Interpretation Plan. It is the City's common practice to require Heritage Interpretation Plans to form part of the Stage 2 DA so that it is meaningfully implemented into the design and to allow it to guide design development.

The RtS suggests that the Strategy should be submitted after the issue of a Construction Certificate. We consider this to be too late in the process to properly integrate the Strategy into the design.

Recommendation:

- If the Department is of a mind to condition the Heritage Interpretation Strategy, this should be submitted prior to the issue of a Construction Certificate (or at least a preliminary Strategy to be submitted) so that it can provide meaningful guidance on the design development.

3. Landscape

(a) Calculations

The Southern park is 1,000sqm and excludes lifts and pavements, however the revised Crescent Garden open space diagram includes large areas of pavement, stairs and structure built over uses below including a gym, end of trip facilities, food and beverage and multipurpose rooms.

It is noted that the architect has not provided amended open space calculations. While this removes the issue of inconsistency, it is generally the architectural plans that are stamped. This should be considered by the Department.

(b) Crescent/ Waratah Garden design

No additional information has been provided for the reduced size and redesign of Crescent/ Waratah Garden.

(c) Pergolas

Written information has been provided to describe the four different type of pergolas however there are no corresponding plans. All of this information needs to be captured in the landscape plans with design details and a plant schedule.

Recommendations:

- A set of landscape plans is to be provided at all levels of the building where landscape, green walls and all other greening is proposed. This is essential in being able to assess the suitability of the design and for the City to provide recommended conditions.
- All written details in the RtS package must be captured in the landscape plans including pergola details.
- Details of the reduced size and redesign of Crescent/ Waratah Garden are required.
- The Department should ensure that the size of the open space is captured in the stamped plans.

4. Transport and access

(a) Pyrmont Bridge connection

The proponent has suggested using rumble strips to slow cyclists down on approach to the King Street Bridge entrance from Pyrmont Bridge. It is requested that the City be consulted if this treatment is proposed.

(b) Loading

The number of loading spaces remains at 14 which is still well short of the 37 spaces required by both the DCP and the TfNSW Urban Freight Forecasting tool. Our previous comments on this matter still stand.

Recommendations:

- The City should be consulted on the proposed rumble strips proposed and this should be a requirement of any condition of consent on this matter.
- The number of loading spaces is inadequate and remains unsupported by the City.
- Conditions of consent relating to transport and access can be provided to the Department when required.

5. Public domain

The following items require clarification or changes on the plans.

Recommendations:

- No clarification has been provided as to whether the pedestrian areas along Cockle Bay will be upgraded as part of these works. This is essential and must be provided.
- Ramped access between the Pyrmont Bridge to the retail podium indicates the balustrade reduces in height as public transition to the podium. Confirmation is required that the height of the balustrade is sufficient to satisfy relevant requirements.

6. Contamination

A letter of interim advice from a NSW EPA accredited Site Auditor has been submitted. The City recommends conditions relating to land contamination and site remediation that can be provided to the Department when required.

7. Waste management

The City's previous points on waste management have been addressed, including plans showing the required number of bins and providing a letter of confirmation that adequate clearances are provided.

The proponent has stated that they have a goal to create a sustainable and resilient site and the development will incorporate measures to minimise landfill waste and maximise resource recovery, consistent with the principles of the 2019 NSW Circular Economy Policy Statement and the Commonwealth Government's National Waste Policy Less Waste, More Resources 2018.

In achieving the above, it would be expected that onsite food waste management practices be considered. In particular, it is recommended that applicant explore the possibility of including onsite food waste composting technology as an alternative to onsite collection given the amount of food waste expected to be generated from the site.

Recommendation:

- In order to achieve the proponent's goal of creating a sustainable and resilient site, and given the volume of food waste that will be generated from the site and the large volume of bins required, it is recommended that the proponent explore the possibility of including onsite food waste composting technology.

In summary, the City has identified a number of recommendations in this letter that should be addressed prior to determination. We also have draft recommended conditions of consent and request that the Department advise us when these conditions are required.

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,



CHRISTOPHER CORRADI
Area Planning Manager