Appendix A – Response to Submissions – SSD 9978934

Table 1 Response to agency and authority submissions

No.	Issues Raised	EU Response
Department of Planning and Environment		
DPE1	Structure over the WD and mgt of dangerous goods Provide endorsement from FRNSW, in consultation with the EPA and SafeWork NSW, and Transport for NSW in relation to the proposed structures over the Western Distributor and management of dangerous goods	Consultation with FRNSW is ongoing, with a formal submission issued to FRNSW on 28 March 2023. It is anticipated that their response to the formal submission will be received by late July 2023.
DPE2	Pyrmont Bridge connection to the land bridge Consider removing or amending the canopy over the escalator and stair in the 'base case' preferred option for the proposed connection between Pyrmont Bridge and the open space over the Western Distributor. In addition, please provide updated plans and perspectives as follows: a) amend Options 1 and 2 to setback the proposed lift as shown in the base case b) update the Option 1 perspective image to setback the stair landing point correctly (currently shown as the same depth as the base case)	Please refer to the Pyrmont Bridge Escalator and Lift Design Response at **Appendix D**
DPE3	Provide further details on the likely structural interventions / support required for the escalator, stairs and any canopy structure on Pyrmont Bridge and its heritage fabric, including: a) to what extent do the proposed elements require structural support from the existing bridge structure b) would additional structural elements be required to support the added load upon the bridge c) consideration of bridge integrity (noting the existing bridge is a complex structure with structural elements tied to balance, load and tension) should any intervention be proposed onto the existing structure of the bridge.	Please refer to the Pyrmont Bridge Escalator and Lift Design Response at **Appendix D**
DPE4	Clarify access and use of the spaces around/under the proposed Pyrmont Bridge escalator/stairs Options, including: a) whether the space located below the proposed Pyrmont Bridge escalator/stairs would be publicly accessible b) how the following spaces would be managed to prevent unwanted access, anti-social behaviour / undesirable activities, security concerns and the collection of littler/clutter: - the space beneath Pyrmont Bridge escalator/stairs (if open) - the space to the south of the proposed Pyrmont Bridge stairs and north of the southern Pyrmont Bridge pylon.	As outlined in the Pyrmont Bridge Escalator and Lift Design Response at **Appendix D**, the preferred design for this space results in a space below the stairs and escalators. Passage underneath these stairs and escalators is blocked by a column, and it will not be wide enough to accommodate circulation. Therefore, it is proposed that the space underneath the stairs is closed off and not accessible. On the walls of the newly enclosed space, it is proposed that a green wall is installed, alongside seating that is consistent with the other existing seats on the Pyrmont Bridge.

No.	Issues Raised	EU Response
		The space will become a meeting spot and will provide an opportunity for dwelling. This solution is shown in the photomontages at **Appendix C**. This will also ensure that all cyclist and pedestrian access to the King Street Bridge is to the north of the escalators, reducing potential conflicts whilst travelling between the Pyrmont Bridge and King Street Bridge.
DPE5	Confirm how full accessible public access/connection would be maintained between Pyrmont Bridge and the land-bridge, in the event that the single proposed lift is offline due to maintenance, damage or repair.	In the event that the proposed lift adjacent to the Pyrmont Bridge escalators is closed for maintenance, damage or repair, users will have 24 hour access to another public lift that is located approximately 50 meters away to the south. This would result in a 100 metre round trip to get onto the Pyrmont Bridge. The alternate lift location and path of travel is shown in **Appendix C**. Under the current arrangement, if the existing Pyrmont Bridge lift is not operational the location of the alternate lift is a distance of approximately 650 metres in the Druitt Street Plaza. This results in a 1.2 kilometre round trip for those requiring lift access. The proposal therefore represents a significant improvement when compared to current conditions.
DPE6	Podium Envelope The Department maintains its concern about the potential heritage and visual impact of the increase of the podium height from RL 12 to RL 13.5 on Pyrmont Bridge. Council has also raised on-going concerns about the relationship of the podium to Pyrmont Bridge and impact on views. The Department therefore recommends you further consider options to reduce the scale of the podium adjacent to Pyrmont Bridge, including a reduction in height and/or an increased setback. In addition, please provide: a) a new perspective taken from the foot of the Pyrmont Bridge escalators/stairs, taken at pedestrian eye-level height and looking south-west towards Darling Harbour and the podium b) imagery comparing the approved podium building envelope massing and the modified building envelope massing (taken from the same position as point 5(a)).	Given this relates to the modification of the Concept Approval envelope, this has been addressed in the Response to Submissions for SSD-7684 – MOD 1, dated 31 May 2023.
DPE7	Traffic and Transport Respond to Transport for NSW's (TfNSW) comments and information requests relating to: a) Harbour Street access and road safety issues, including sight distances, swept path analysis and vehicle queuing impact b) porte cochere operational issues, including provision of PM peak demand data, overflow queuing and potential for bus/coach trip generation from retail and public domain spaces c) active transport/bicycle enhancements (waiting queuing areas, wayfinding, ramps, stairs and lift access).	In relation to the Harbour Street access and road safety issues raised, revised swept paths and site distances have been provided at **Appendix M**. In relation to the operation of the porte cochere, these items have been addressed in the Aurecon letter at **Appendix E**. Revised Wheat Road and Public Domain Alignment Plans have also been provided at **Appendix P**. In relation to the active transport items, these have been addressed in the TfNSW responses in this table, see items TFNSW 12 and TFNSW 13.

No.	Issues Raised	EU Response
DPE8	Consider any opportunities to further rationalise the ground floor layout to further increase the number of loading dock bays. If there is no ability to increase the number of loading bays you will need to provide further details or how loading can be effectively managed in response to: a) Council's concerns that the loading dock provides significantly less vehicle bays than the SDCP recommendation and resulting operational capacity issues b) TfNSW concerns that during peak times the loading dock is likely to exceed the capacity (and associated impacts), vehicle access to the compactor is compromised and operational mitigation measures are required.	The Loading dock capacity analysis was developed in accordance with industry standards, the dock capacity of 14 bays exceeds the calculated demand of the peak hour operation of 13 bays. These results indicate the capacity of the dock is sufficient for the development demand with the assumption of a dock management plan to be developed in the next design phase of the project taking into consideration the core principles and assumptions of the capacity analysis which are: • The hours of operation (14hrs). • The use booking system. • The employment of a dock manager on site to ensure dwell times are adhered to and the dock is operating safely and efficiently. This is discussed further at **Appendix E**. In relation to the loading dock exceeding capacity during waste removal, vehicle access to the compactor is not anticipated to be compromised as waste collection is proposed to be after hours, resulting in the loading dock bays immediately adjacent to the compactor being vacant during collection and drop-off times. This operational mitigation measure is proposed to be documented in the Dock and Waste Management Plans.
DPE9	Respond to Council's concern about pedestrian movement conflicts at the eastern end of Pyrmont Bridge, pedestrian, cyclist and vehicle conflicts at Wheat Road and Western Distributor and waste vehicle access to the loading dock. In addition, address Council's information requirements relating to mode share, footpath capacity and precinct cycling.	As discussed at **Appendix D,** the preferred base case of the Pyrmont Bridge connection will redirect all cyclists and pedestrians onto the King Street Bridge to the north of the escalators and will enclose the space underneath the escalators and stairs. This will ensure that pedestrian and cyclist conflicts are reduced by making access to King Street Bridge clear. In relation to the Wheat Road and Western Distributor pedestrian, cyclist and vehicle conflicts, responses are provided in the response to the City of Sydney items further on in this table.
DPE10	<u>Design and Public Domain</u> Reconsider the material selection for the northern edge of the land bridge, noting both Council and Place Management NSW (PMNSW) have concerns about the use of plexiglass.	Given the concerns regarding the use of plexiglass, the Proponent is comfortable with replacing this material with glass. This glass will be suitable to the outdoors, and similarly resistant to the elements and graffiti.
DPE11	Confirm the proposed material selection for the barrier on the southern edge of the land-bridge.	The materiality of the southern edge of the landbridge will be the same as the northern edge of the landbridge, being glass.
DPE12	Respond to Council's requests for additional information relating to the Market Street ramp and street tree removal, Sussex Street lift, accessibility of Druitt Street Plaza, obstructions within the internal retail street, ground floor retail glass line, landscape calculations, Crescent Garden design and pergola design	These are responded to in the City of Sydney section in the following sections of this table.
DPE13	<u>Wind</u>	It is anticipated that the gust criterion level of 24m/s would be exceeded (i..e the maximum 0.5 second duration gust wind speed in an hour between 24 and

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	For each of the three points identified to exceed the safety criteria (points 2, 5 and 11), confirm the predicted maximum number of days per year this is expected to occur and at what time of the year (month/season).	25.6m/second) on an average about 3.5 times per annum during daylight hours, or a total of about two seconds above 24m/s per annum during daylight hours. This is a significantly small timeframe. Please refer to the memo prepared by Arup at **Appendix F** in relation to the wind issues raised in this RTS.
DPE14	Consider any wind mitigation measures (eg an awning or other physical element) to address the wind safety exceedance at point 2, noting this location is an active pedestrian route/throughfare, rather than a passive open space.	
DPE15	Consider any other mitigation measures that could be employed to reduce the wind safety exceedance within the identified open space affected zone (including points 5 and 11).	
DPE16	Other Matters Provide an itemised response to PMNSW's RtS submission on the proposal dated 17 February 2023 and Landowner's consent letter dated 1 March 2023.	The responses to PMNSW's RTS Submission have been provided in the following sections of this table.
DPE17	Provide a peer review of the RAP by an accredited Site Auditor, including certification that the RAP is practical and the site can be made suitable for its intended use.	This has been provided at **Appendix O**. The Site Auditor's review confirms that the preliminary RAP prepared by Douglas Partners for the original SSDA submission is adequate to inform additional assessment requirements and adequately outlines proposed remediation strategies. The auditor confirms that the site can be made suitable for the proposed use if the recommendations are included.
DPE18	Respond to Heritage NSW's comments and provide the requested non-Aboriginal archaeological and marine archaeological information and methodologies information.	These responses have been provided in the following sections of this table.
DPE19	Update the drawings and waste management plan to address Council's information requirements.	This is responded to in the City of Sydney section in the following sections of this table.
DPE20	The SSD drawings include two plans with identical references and titles (drawing A-DA-1090, p14 and p15 of Appendix A1). Confirm whether approval is sought for both drawings, and if so, update the drawings to provide individual references and titles	The drawings have been revised and page 15 has been omitted. Please refer to **Appendix B**.
Environment and Heritage Group		
EHG1	Environment and Heritage Group (EHG) raised no biodiversity or flooding concerns, but recommended consultation with the NSW State Emergency Service in relation to flood and evacuation. EHG understands that this consultation has occurred and thus has no further comments.	Noted.
Department of Planning and Environment: Water		
DPEW1	**1.0 Water Access Licence** **1.1 Recommendation – Post Approval** That the proponent ensures: • sufficient water entitlement is held in a water access licence/s to account for the maximum predicted take for each water source prior to take occurring unless an exemption applies.	Noted. The Proponent accepts a condition of this nature.

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	1.2 Explanation The report indicates that take should be less than 3ML during construction. If the exemption relating to the take of less than 3ML apply (Clause 7 Schedule 4 of the Water Management (General) Regulation 2018), it should be acknowledged that the required reporting must occur. More information can be found https://water.dpie.nsw.gov.au/licensing-and-trade/licensing/groundwater-wal-exemptions	
Heritage NSW (Aboriginal Cultural Heritage Advice)		
HNSW1	Heritage NSW previously provided advice on the Environmental Impact Statement Heritage NSW provided Aboriginal cultural heritage advice to the Department of Planning and Environment on 7 December 2021 in relation to the Environmental Impact Statement for this project. In this advice we: • Identified the potential for submerged Aboriginal cultural heritage landscapes and sites to be present on what subsequently became reclaimed land • The potential for sites of high significance and potentially including fragile organic remains to be present in submerged contexts • Stated that we did not support Recommendation 1 of the EIS (section 6.12.1) which recommends archaeological monitoring and mechanical test excavation. • Suggested that the indicative scientific significance assessments in the previous version of the ACHAR (2021) may need to be reconsidered. • Supported the ACHAR (2021) recommendation for archaeological test excavation and assessment to occur if any proposed works are within the natural soil horizon. • Recommended that the archaeological test excavation methodology be finalised before the SSD application is determined.	Noted.
HNSW2	The revised ACHAR (Artefact 2022) has responded to several of the recommendations in our previous advice, including the following: • The statement of indicative scientific significance in the ACHAR (Artefact 2022, p.57) has been revised to 'high' significance for all identified landforms. • The staged archaeological excavation methodology has been revised to include additional research questions (Artefact 2022, pp.73-74). • The archaeological management measures in the ACHAR have been revised to incorporate geotechnical information and recommend a program of archaeological test excavation if natural soils are identified (Artefact 2022, pp.74-75).	Noted.
HNSW3	While a detailed archaeological test excavation methodology has not been provided (as recommended in our previous advice) Artefact (2022, p.74) has identified that this would be prepared after demolition and fill removal once the depth of any natural soil deposits is known. We support the preparation of this methodology in consultation with the Registered Aboriginal Parties (RAPs).	As requested, the Proponent will prepare a detailed Aboriginal archaeological test excavation methodology for the project works following demolition works and prior to the commencement of any building works. This methodology will be prepared in consultation with the Registered Aboriginal Parties. It is recommended that a condition to this effect be included in any development consent.

No.	Issues Raised	EU Response
HNSW4	We continue to support the recommended preparation of a Heritage Management Plan (HMP) (Artefact 2022, p.79). As noted by Artefact (2022, p.79), the HMP must be integrated with the Construction Environmental Management Plan (CEMP) given the need to monitor for the presence of natural soil profiles during the excavation works. It is important that appropriate monitoring provisions and triggers are developed across all relevant construction plans and procedures to ensure that natural soil profiles, if present, are identified during works.	As requested, a Heritage Management Plan for the project will be developed prior to development commencing and will form part of the overall project Construction Environmental Management Plan. This Heritage Management Plan will include monitoring provisions and triggers for construction to allow the identification and recording of natural soil profiles during works. It is recommended that a condition to this effect be included in any development consent.
HNSW5	We also recommend that a copy of the revised ACHAR (Artefact 2022) is provided to the RAPs for the project.	The Proponent will ensure that the revised ACHAR is provided to the RAPs for the project prior to the preparation of the Aboriginal archaeological test excavation methodology as per the established procedure for the management of Aboriginal heritage.
Sydney Water		
SWC1	Sydney Water's response to both Response to Submissions has been combined. Sydney Water has reviewed the application based on the information supplied and provides the following comments to assist in planning the servicing needs of the proposed development. Sydney Water understands the Applicant's Water Servicing Coordinator has lodged a Section 73 application under Sydney Water case number 193883. Sydney Water servicing requirements have been issued under the Notice of Anticipated Requirements for 193883. Water and wastewater main extensions are required to service the proposed development. **Please note** Sydney Water case number 188945, which proposed deviation of the existing Sydney Water stormwater mains traversing the site, has now been terminated. The required stormwater deviation work must now be carried out under case number 193883. Sydney Water's case manager will be issuing a revised Notice of Requirements with the required stormwater deviation works included directly to the applicant, they key requirements of which are noted below: **Stormwater** The proposed development requires deviation of Sydney Water's 1,500mm stormwater pipe which is located within the development site as per the following concept plans submitted as part of Sydney Water case number 188945: • Drawing No. CBP-SK-ENS-CIV-DRW-10-1012 Rev 07 Dated 28.07.20 • Drawing No. CBP-SK-ENS-CIV-DRW-25-1012 Rev 05 Dated 28.07.20 • Drawing No. CBP-SK-ENS-CIV-DRW-25-1022 Rev 05 Dated 28.07.20 • Drawing No. CBP-SK-ENS-CIV-DRW-10-1032 Rev 05 Dated 28.07.20 The above stormwater deviation work is to be carried out as part of the Section 73 application, case number 193883, for this development once the Applicant has received DA approval.	Noted. The Proponent would accept a condition of this nature.

No.	Issues Raised	EU Response
	This advice is not formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application.	
Maritime Planning (Transport for NSW)		
MTfNSW1	We recommend the Department the following conditions for its consideration: **Environmental Matters** • No fill, building materials, rubbish or any other deleterious matter shall be allowed to enter the waters of Cockle Bay as a result of the development. In the event that any such material enters Cockle Bay it shall be removed immediately. • Environmental safeguards (siltation barriers, silt curtains, boom etc) are to be used during construction to ensure that there is no escape of turbid plumes into the aquatic environment. Turbid plumes have the potential to smother aquatic vegetation and have a deleterious effect on benthic organisms. • All water arising from the development and required to be transported from the site shall be appropriately contained and covered to prevent any material from entering the waterway	Noted. The Proponent would accept a condition of this nature.
MTfNSW2	**Navigation/Waterway Management** • All construction works shall not interfere with access to and/or use of adjoining boating facilities. All lighting shall be designed in accordance with AS4282-1997 Guidelines for Outdoor Lighting and Pedestrian Areas (Category P) and shielded downwards as not to cause adverse impact on the safe navigation of vessels on the adjoining waters. Details demonstrating compliance shall be provided to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.	Noted. The Proponent proposes the following wording to be conditioned. *All lighting shall be designed in accordance with AS/NZS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting and AS/NZS 1158.3.1:2020 Pedestrian area (Category P) Lighting, so as to not cause adverse impact on the safe navigation of vessels on the adjoining waters. Details demonstrating compliance shall be provided to and approved by the Principal Certifying Authority prior to the issue of a Construction Certificate.*
City of Sydney		
Urban Design		
COS	The City has reviewed the RtS documents and **does not raise objection** to the proposal. However, it should be noted that this is subject to the prerequisite that the relevant landowners have agreed to and provided landowner's consent for all aspects of the development, including the land bridge required to deliver the proposed public benefits which are essential to the scheme. The City's comments on the RtS documents are outlined below for your consideration.	Noted.
COS1	**Land Bridge** The City previously raised two key issues with regard to the land bridge:	The Market Street bridge is required to be a certain height to ensure clearances for traffic below. In order to reach the required height of the Market Street bridge with a more accessible slope, as requested by the City of Sydney, an extension of

No.	Issues Raised	EU Response
	• The additional length of the ramps along the Market Street footpath; and • The gradient of the ramp. The RtS provides more accessible gradients for the ramps which is positive, however this is at the expense of the length, which is now even longer than the original proposal by approximately 5m. This results in a ramp that is approximately 12m longer than the existing connection to the Pyrmont Bridge. The more accessible gradient is supported; however, it is noted that the length of the ramp creates a physical and visual obstruction between the two sides of the street. It is also not clear why the amended design is marginally higher than the previous proposal at the same locations. Additionally, it appears that a street tree and a telephone booth may be affected. This requires coordination and consent from the City of Sydney should the ramp extend beyond Place Management NSW's land.	the bridge's length is required. It is not possible to achieve a more accessible slope without extending the bridge further in length. The marginal height difference in the amended design is attributable to minor adjustments to the ramping configuration to accommodate the more accessible gradient. In order to accommodate the additional length in the bridge, one street tree and a telephone booth is required to be removed. In consultation with Telstra, the Proponent will explore the relocation of the phone box, and in consultation with Council, the replacement of the street tree along the Market Street frontage. It is recommended that a condition to this effect be included in any development consent. A comparison of the existing Market Street bridge, the previous design and the proposed design is provided at **Appendix C**.
COS2	**Sussex Street lift** Regarding the visibility of the Sussex Street lift; while the structure is legible, the lift itself is not. The only accessible entrance to the lift is from Market Street under the pedestrian bridge. From Sussex Street, stairs are required to be negotiated to access the lift doors.	Diagrams of access to the proposed lift is shown at **Appendix C**. These diagrams demonstrate that the proposed at grade access to the lift is to the north of the columns of the Market Street bridge, which does not require the navigation of any stairs. This is consistent with the current route to the Market Street lift.
COS3	**Barriers** A 3m high transparent (Plexiglass) barrier is proposed to the northern edge of the land bridge. While this is a significant improvement compared to the previous scheme, it is noted that Plexiglass is an acrylic material and is known to scratch more easily than glass. This should be given consideration, as planting is proposed against the barrier which could cause scratches and opaqueness in patches. A maintenance strategy should be required to ensure the proposed material is kept clean and clear throughout the lifespan of the development. The material for the southern edge of the land bridge has not been specified and is described as a 'transparent finish'.	Given the concerns regarding the use of plexiglass, the Proponent is comfortable with replacing this material with glass. This glass will be suitable to the outdoors, and similarly resistant to the elements and graffiti. The materiality of the southern edge of the landbridge will be the same as the northern edge of the landbridge, being glass.
COS4	**Public domain connections – Druitt Street** The issues raised by the City regarding the Druitt Street connection have not been addressed due to the head height clearances required under the Druitt Street Plaza. As such, the stairs to the Druitt Street Plaza are to be provided at a gentle grade to provide ease of use for children and the elderly, especially as the stairs are described as a civic space for sitting. There is no objection to the proposed use of public art along the Druitt Street bridge as it appears that only cosmetic changes can be delivered to enhance the pedestrian experience of this connection.	The proposed design has provided a stair design that seeks to provide access from the Promenade to the southern extent of the podium, as shown in the diagrams at **Appendix C**. These stairs are suitable for children and the elderly, with a generous treat and riser distance (300mm x 176mm). The riser of the stairs is comparable to the existing stairs in this location (also being 176mm high), however, the proposed stairs have a more generous tread (300mm, as compared to 285mm as existing). The larger steps located fronting the promenade in this location are designed to accommodate seating facing towards the west. This provides a publicly accessible location with a comfortable place to sit and admire Darling Harbour. It is noted that there is portion of smaller stairs in the centre of the larger steps, to allow access up to the podium directly from the promenade on the western frontage.

No.	Issues Raised	EU Response
		Revised diagrams demonstrating the scale of these steps is provided at **Appendix C** which better reflect the accessibility of these stairs.
COS5	**Podium** The issue of the height of the podium is related to heritage issues and views from the heritage listed Pyrmont Bridge to the City and across to Pyrmont. The City maintains general concern about the height of the podium and its impacts on the visual curtilage of the bridge. If the podium height cannot be reduced, it should be setback further from Pyrmont Bridge to provide visual and physical breathing space or curtilage to the bridge, recognising its heritage importance.	The proposed podium design was developed following comments from the Design Integrity Panel (DIP) which requested all areas between the Pyrmont Bridge and the retail podium be level to provide seamless connection. There are significant secondary architectural consequences by reducing the height of this section of the podium, including accessibility and reduction in the size of the land bridge park within the approved building envelope. If the height of the podium retail was to be reduced, longer ramps between the Pyrmont Bridge and the podium would be required, creating a valley like effect in the space between. This is an undesirable outcome in relation to accessibility and aesthetics. Setting the podium further back from the Pyrmont Bridge would have a similar effect. It is noted that the proposed design of the podium and its relationship to Pyrmont Bridge is a significant improvement from the existing conditions from the bridge and to the bridge from the promenade. Presently there is dense vegetation obscuring the view east from the promenade towards the pylons. The proposed setback provides a significantly improved view from the promenade, by removing the vegetation and increasing the visibility of the bridge from the promenade, despite the location of the podium. Further, the proposed connection to the landbridge from the Bridge and promenade significantly improves legibility and sightlines. This is demonstrated at **Appendix C**. In relation to view loss from the Pyrmont Bridge to the south-west over Darling Harbour, the podium will only partially obscure a small section of the south-western views from the bridge towards the Harbour. This is consistent with the existing outward views achieved with the Cockle Bay Wharf Building towards the Harbour. Photomontages provided at **Appendix C** indicate that there are many differently viewing angles to the south west from the bridge towards the Harbour, with only a very minor section being affected by this increase in height resulting from the podium in this location. In consideration of the improved accessibility between the site and the Pyrmont Bridge, it is considered that the proposed minor visual impact is reasonable given the need for clear and easy access. It is noted that the RTS for SSD-7684 further addresses the impact of the proposed envelope immediately adjacent to the Pyrmont Bridge, and that a portion of the approved envelope is proposed to be removed immediately adjacent to the Pyrmont Bridge to ensure that no built form is ever built abutting the bridge in this location. It is recommended that a condition to this effect be included in any development consent.
COS6	**Materiality** The City's comments regarding materiality are not yet resolved. The RtS	The presentations and minutes from DIP meeting #6 and #7 are provided at **Appendix G**. A detailed materiality palette has been provided at **Appendix C**. The

No.	Issues Raised	EU Response
	summary references DIP meeting #6 and #7 which don't appear to be included in Appendix 2. The City's previous comments regarding materiality remain relevant and a physical material and finishes board keyed to the elevations should be provided.	Proponent does not expect that a physical materials and finishes board is critical for the project at this point in time, given the extensive work completed to date with the DIP, particularly with the focus on materiality. However, if the Department deems that a physical board is necessary, the Proponent would accept a condition of this nature.
COS7	**Wind** The City's comments regarding wind impacts have not been resolved. The pedestrian wind statement recommends that the wind impacts be 'ameliorated through local treatments such as a pooling water feature to ensure people would not be using the space during a strong wind event, or vertical balustrades to dissipate the flow in this area. Potential local treatments would be developed during further wind assessment to be carried out prior to the issue of the relevant Construction Certificate.' The above suggestion of a pooling water feature is not included in the drawings. Retrofitting this type of feature at Construction Certificate stage is considered too late as wind amelioration features could have an impact on the design of publicly accessible spaces. The City does not accept the safety criterion proposed by ARUP of 28m/s and have not changed the criteria in our controls.	Arup have identified that the maximum wind speeds of 25.6m/s would occur on the site would occur on average once per year between 6 am and 10 pm. The gust criterion level of 24 m/s would be exceeded (i.e. the maximum 0.5 second duration gust wind speed in an hour between 24 and 25.6 m/s) on average about 3.5 times per annum during daylight hours. Therefore, the maximum wind speed of 25.6m/s is considered appropriate in this circumstance, noting that the City of Sydney's DCP control of 24m/s is not applicable in this instance. This is further discussed at **Appendix F**.
COS8	**Level 2 internal retail street** With regard to the level 2 internal retail street, it is recommended that there be no visual obstructions (solid balustrades, walls/ partitions, kiosks, planters, etc) that block the north-south view along the level 2 internal retail street. This may require a window to be located on the northern wall.	In the current design there are no balustrades, walls/partitions or kiosks that block the north-south view along the level 2 internal street. The only visual obstructions are the 12 planter boxes equally placed throughout this corridor, however, these boxes will not have a considerable visual impact and will have a positive wind impact on the overall environment of the internal retail street. Illustrations are provided at **Appendix C.**
Heritage		
COS9	The issues raised by the City regarding the sightline towards Pyrmont Bridge from the harbour promenade (Cockle Bay Wharf) and the view from the eastern end of the bridge top towards southern Darling Harbour have not been resolved in the amended plans. The two storey corner retail space at the north-western corner of the podium (Podium L0001 DP LC1C2) projects out from the alignment of other shops and will partially block views towards the bridge from the promenade. The roof and garden on top of this podium corner is higher than the Pyrmont Bridge surface and the proposed north-south walkway. The elevated garden will block the south-western views from the bridge towards the harbour. We reiterate our previous comments in this regard. To avoid the visual impacts of the above, it would be beneficial for the north-western corner podium to be reduced to one storey while the top garden is retained and lowered. In addition, the corner retail's western frontage should be setback to match the alignment of other shops (see Figure 1).	As noted in the response to item COS5, the design of the podium in this location has undergone significant testing to ensure the most appropriate outcome. The proposed design of the podium and its relationship to Pyrmont Bridge is a significant improvement from the existing conditions in terms of the view from Pyrmont Bridge to Darling Harbour and to the bridge from the promenade. Presently there is dense vegetation obscuring the view east from the promenade towards the pylons. The proposed setback provides a significantly improved view from the promenade, by removing the vegetation and increasing the visibility of the bridge from the promenade, despite the location of the podium. Further, the proposed connection to the landbridge from the Bridge and promenade significantly improves legibility and sightlines. This is demonstrated at **Appendix C**. In relation to view loss from the Pyrmont Bridge to the south-west over Darling Harbour, the podium will only partially obscure a small section of the south-western views from the bridge towards the Harbour. This is consistent with the

No.	Issues Raised	EU Response
		existing outward views achieved with the Cockle Bay Wharf Building towards the Harbour. Photomontages provided at **Appendix C** indicate that there are many differently viewing angles to the south west from the bridge towards the Harbour, with only a very minor section being affected by this increase in height resulting from the podium in this location. In consideration of the improved accessibility between the site and the Pyrmont Bridge, it is considered that the proposed minor visual impact is reasonable given the need for clear and easy access. It is noted that the RTS for SSD-7684 further addresses the impact of the proposed envelope immediately adjacent to the Pyrmont Bridge, and that a portion of the approved envelope is proposed to be removed immediately adjacent to the Pyrmont Bridge to ensure that no built form is ever built abutting the bridge in this location. It is recommended that a condition to this effect be included in any development consent.
	The connection between the land bridge and Pyrmont Bridge has been discussed in detail. The City notes DIP's overview, indicating that the base case design is acceptable after the connecting lift is shifted towards the east to make the bridge pylon visible from the new walkway. The City may accept this position, however from a heritage perspective the alternative option where the land bridge is only directly connected with Pyrmont Bridge by stairs is preferable. If option 1 is adopted, the connecting lift should be shifted further east compared to the base case.	The response to the design of the Pyrmont Bridge connection is outlined in **Appendix D**. This has been negotiated through engagement with DPE and Heritage NSW. This include pushing the lift as far east as possible. Refer to **Appendix D**.
	The proposed pergola structure above the escalators and stairs should be deleted or redesigned. Currently, the tall pergola above Pyrmont Bridge overwhelms the bridge and its stone pylons and balustrades. The pergola may not be able to provide sufficient weather protection to people using the escalators and stairs. The pergola columns need to be supported by the bridge structure and may need considerable structural intervention to the bridge, which may adversely affect the original fabric and significance of the bridge	Refer the **Appendix D**.

No.	Issues Raised	EU Response
COS10	**Heritage interpretation strategy** The City recommended the heritage interpretation plan be further developed so that it can be properly integrated into the Stage 2 architectural and landscaping designs. The response from the applicant is that the interpretation strategy is undergoing further update and refinement. It is suggested that the updated strategy is to be submitted prior to the issue of Construction Certificates. While this process can be acceptable, the strategy should be developed earlier so that it can provide guidance on the design developments.	The Heritage Interpretation Strategy is intended to be further refined to analyse the content of other recent developments in the vicinity to avoid duplication in the key themes, stories, and histories. It should be noted that the Interpretation Strategy will not be able to be completed without the results from archaeological investigation which occur after the issue of the Construction Certificate. It is recommended that a condition to this effect be included in any development consent.
Landscape, Tree Management and Biodiversity		
COS11	**Calculations** The areas of open space that are required for compliance with the Stage 1 DA vary in size between the landscape architect's calculations and the architect's calculations. For example: • Crescent Garden landscape drawings nominate 3078sqm while the architects nominate 2940sqm. • Southern Park is required to be a minimum of 1000 sqm. The landscape drawings nominate 1325sqm and the architects nominate 850sqm. The open space calculations should be clarified prior to determination.	The updated calculations for the Crescent Garden and the Southern Park are detailed in **Appendix H** and clarified below: • Crescent Garden open space area is 2,940m^2. • Southern Park open space area is 1000m^2 (minimum area.). These areas meet the minimum requirement as set out in the ToA conditions A11 and A12, that the calculation of publicly accessible open space, shall exclude retail tenancies inclusive of outdoor seating/dining area and primary pedestrian throughfares for the principal purpose of access to/from and or through the development.
COS12	**Crescent/ Waratah Garden design** The applicant concurs that open space is precious in this part of Darling Harbour, however, states that the existing Waratah garden has a modest set of uses that provides for smaller groups, is static and less adaptable. There is no change to the proposed Crescent Garden layout with south facing bleachers. The justification for the reduced size and redesign of the garden is to accommodate a larger number of users, movement networks, a diversity of places to sit, dwell, enjoy and incudes a naturalistic water feature for cooling and acoustic effects.	Noted.
COS13	**Pergolas** The landscape response does not include a response to the concerns raised regarding the four different types of pergolas.	The pergolas have been designed in coordination, and in-keeping, with the landscape design intent and use of the varying open spaces. Of note: • The rectilinear, simple forms of the pergola over the more fluid landscape design is the desired design intent. Keeping the form of the pergola simple allows the more organic landscape design to not compete and be the hero of the space. • The double height pergola serves several functions in contributing to the public open space on the site. The pergola reduces downdrafts from the tower, creating a comfortable pedestrian environment. Further, it provides weather protection from rain and summer sun and helps bring a human scale to the space. • It is noted that a significant portion of the open space on the site is open to the sky, including areas in the Northern Park, Southern Park, Crescent Garden, Sussex Plaza, Pyrmont Walk and Druitt Plaza, accounting for a significant amount of publicly accessible open space that is open to the sky on the site.

No.	Issues Raised	EU Response
		• The impact of shade from the pergola on the planting below has been accounted for. Species have been selected that are shade hardy for those areas where planting is under any pergola structure. The pergola also provides a structure for climbing plant species to be integrated into the space; furthering the green, biophilic design intent of the project. In relation to the types of planting in the shade of any pergola, five plant species (of which three are native) have been selected to grow up the applicable pergola structures with an integrated stainless steel cable system. These species are: • Cissus antarctica (native) • Epipremnum pinnatum (native) • Pandora Pandorea (native) • Pyrostegia venusta • Trachelospermum jasminoides These species have been selected for several reasons: • They are growing/thriving in adjacent developments (for instance, Pandora and Trachelospermum are thriving at Darling Square) • They art hardy species adaptable to a range of conditions (including limited sunlight) • They are fast growers and will establish a sense of vertical greenery quickly. Groundcover and shrub species that sit under the pergola structure will be species suitable in constrained conditions. For instance, species include Philodendron xanadu, Doodia aspera, and Dianella revoluta. Species selected are hardy and tolerable to extremities of site conditions (solar, rainfall, wind, high pedestrian activity).
COS14	**Tree management** The proposed tree removal and replacement planting are supported by the City. The City has prepared recommended conditions of consent which can be provided to DPE when required.	Noted.
Transport and Access		
COS15	**Traffic study** • The change in design vehicle from HRV to MRV is supported. Loading and servicing in the CBD tends towards smaller, more frequent deliveries rather than larger, less frequent deliveries. Also, accommodating HRVs significantly decreases the operational capacity of the dock due to the manoeuvring space required. • The proposal to collect waste outside of hours is supported and should be included as a condition of consent. The configuration of the loading dock means that servicing waste collection during the 14h operational window would significantly decrease the operational capacity. • The queuing analysis shows acceptable queue lengths and likelihoods. Also, given that queuing vehicles would be waiting either internally within the	Noted. The operation of the loading dock has been addressed at **Appendix E**. In relation to the suggested condition of consent for collection of waste outside of hours, this is supported by the Proponent.

No.	Issues Raised	EU Response
	dock (as shown in Figure 42 of the Traffic Response) or on the private slip lane, impacts to the public road network would be very unlikely. • We appreciate that the RTS scheme has responded to our request for additional loading spaces by increasing the number from 9 (EIS) to 14 (RTS). However, even with the reduction in retail GFA, the RTS scheme is still well short of the 37 spaces required by both the DCP and the TfNSW Urban Freight Forecasting tool. The City remains concerned that under provision will impact the operations of the development and may lower the commercial viability of the tenancies.	
COS16	**Pedestrian study** • Page 13 assumes 18% car mode share. This seems very high considering there is zero private parking being provided. • The City's interest in this work is primarily to understand whether the existing footpaths widths are adequate. The study should use the TfNSW Walking Space Guide to identify whether there are any locations around the Cockle Bay redevelopment that require upgrades, either due to the redevelopment or to general background growth.	18% car mode share was extracted from data reported in the 2016 ABS Census Journey to Work survey. 18% is how census respondents claimed they travelled to/from work in the zone adjacent to Cockle Bay (bounded by Market, Sussex, Druitt Streets and the Western Distributor). The proportion represents people who drove into the City and parked somewhere, not necessarily on the development site. Two potential future mode share scenarios with lower car mode share were also studied in the report. We understand the Walking Space Guide (WSG) is intended for use when assessing street footpaths. The walkways immediately adjacent to the development (waterfront promenade, Pyrmont Bridge, Druitt St Bridge) are not traditional footpaths given they are shared paths and not adjacent to streets, so the WSG is not an appropriate analysis methodology. At the same time, the waterfront promenade, Druitt Street bridge and Market Street bridge width is unchanged in dimension. The western footpath of Wheat Road is covered in the Traffic report and is understood not to be a pedestrian thoroughfare but basic access to Back of House spaces. Based on this, there is significant capacity in the surrounding footpaths, entrances to the site are improved and the proposal is deemed acceptable.
COS17	**Precinct cycling study** • The reduced ramp gradient from the land bridge down to Market Street is supported. This will make cycling (as well as accessible and pram access) easier. • Clarification is required as to what is meant by 'We have improved the condition at the connection point of Pyrmont Bridge and the Shared Path to King Street by relocating the cycle lane towards the Northern side'. The RTS design realigns the King Street shared path to the northern edge of the Pyrmont Bridge – it is unclear whether this is what is being referred to. Both Pyrmont Bridge and King Street bridge are shared paths there does not appear to be cycle lanes existing or proposed. • The diagram on page 7 of the cycling study refers to 'local commuters' and 'regional commuters' implying that all people who cycling are commuting. The City uses the language 'regional cycleway' and 'local cycleway' to include all types of cycling trips.	It is noted that Council supports the improved gradient on the Market Street bridge for accessibility purposes. In relation to the Pyrmont Bridge and King Street bridge connection point, this has been improved through the relocation of a connection pathway to the northern side of the eastern end of the Pyrmont Bridge, as opposed to its current, central location. The preferred base case of the Pyrmont Bridge connection to the landbridge will redirect all cyclists and pedestrians onto the King Street bridge to the north of the escalators and will enclose the space underneath the escalators and stairs. This is intended to reduce any pedestrian and cyclist conflicts by making access to King Street Bridge clear. Any references to cycle lanes in this circumstance are referring to regularly used cycle routes which may be shared with pedestrians.

No.	Issues Raised	EU Response
COS18	**Pyrmont Bridge connection** • The revised lift location is supported from a transport and access perspective. Setting the lift back from the walkway will give people space to wait without blocking the walkway. • The City is concerned that the design of the connection from the land bridge to Pyrmont Bridge does not leave enough space to allow for the different movements that will occur in that space. The escalators and stairs extend well into the end section of the bridge, reducing the existing space by about 11m. This space poses a major walking / cycling conflict even today and reducing the space available for people to decide their route while also increasing the number of people using it could become a safety issue. While realigning the King Street ramp to the northern edge of Pyrmont Bridge will go some way to 'detangling' routes, there is not enough space to create a safe environment given the high volumes and conflicting movements. Conflicting movements are shown below. The best solution would be to push the escalators and stairs east, so that they land closer to the end of Pyrmont Bridge (Figure 3 below). This also aligns with heritage comments which note that the stairs and escalator should land behind the existing bridge pylons.	As discussed at **Appendix D**, the preferred base case of the Pyrmont Bridge connection will redirect all cyclists and pedestrians onto the King Street Bridge to the north of the escalators and will enclose the space underneath the escalators and stairs. This will ensure that pedestrian and cyclist conflicts are reduced by making access to King Street Bridge clear. A suggested mitigation measure proposed by the Proponent is the inclusion of rumble strips on approach to the King Street Bridge entrance from Pyrmont Bridge. This will alert cyclists of the incoming pinch point and encourage them to slow down. It is recommended that a condition to this effect be included in any development consent. It is noted that the pedestrian conflict issue lies largely with the design of King Street Bridge itself, which is outside the scope of this SSDA. The proposed connection to the King Street Bridge from the Pyrmont Bridge, is considered to be an improvement upon the existing condition. In relation to Council's suggestion of pushing back the escalators as far as possible, this option has been explored considerably throughout the RTS process, and it has been found that it is not possible to push the escalators or stairs back any further given the competing structural constraints of the landbridge and Western Distributor.
Public Domain		
COS19	**There have been several refinements to the proposal that in part address the public domain comments raised in the City's original submission. This includes:** • Amending the steepness of the pedestrian ramp from Market Street to a more accessible 1:20 slope from 1:14. • Reduction of the visual impact of the land bridge, particularly when viewed from along Sussex Street. • Introduction of protection for pedestrian from rain when using the land bridge. • Improvements to circulation and access generally	Noted.
COS20	**However, there remain some areas of concern that have not been addressed, including:** • Regarding the loss of street trees in Market Street from the construction of the land bridge, comments in the Landscape Design Report on street tree removal references the Arborist Report. However, the Arborist Report only addresses trees within the works boundary. This is to be clarified. • Whether the paving along the Cockle Bay frontage will be upgraded to match the rest of the Darling Harbour Precinct.	Within the works boundary, the following vegetation will be impacted: • x 1 existing tree impacted, and will need to be removed, as a result of the new Market Street Bridge. As per the arborists report, this is tree no.63 - Platanus X acerifolia with medium retention value. • Hedge/climbers impacted and will need to be removed. The species appears to be an exotic climber of moderate health with likely low retention value. Outside the works boundary, the following vegetation will be impacted: • x 1 existing tree impacted, and will need to be removed, as a result of the new Market Street Bridge (see **Appendix G**, Figures 02-04). As per the City of Sydney Online Tree Data Base, this tree is a Lophostemon confertus (asset idTS31710) approximately 5m in height.

No.	Issues Raised	EU Response
		The impacted tree along Market Street is a juvenile Lophostemon confertus installed during 2014/2015. The tree is likely around 8-10 years of age and has exhibited minimal growth since installation (current height of 5m), indicating that the tree is either not of optimal health and/or has been planted in quite a constrained environment inhibiting growth. Due to the minimal size of the tree, it is currently not providing any significant street amenity in terms of shading. As part of this project, a significant number of new trees will be planted throughout Cockle Bay Park to mitigate the loss of any impacted trees such as this to ensure amenity, habitat and biodiversity strives to be best practice. Please refer to the ESI submitted within the Stage 2 SSD-9978934. In consultation with Council, the Proponent will explore the replacement of the street tree elsewhere along the Market Street frontage. The upgrading of the Darling Harbour promenade will be undertaken separately in consultation with PMNSW, the landowners.
COS21	**The following new issues are noted:** • The position of the stairs and escalators on Pyrmont Bridge introduces a concentration of pedestrians beside the cycle route that cyclists will access. The position of the stairs and escalators could be swapped to avoid conflict between pedestrians and cyclists. Also refer to Transport comments above. • Changes to pedestrian access along Wheat Road that provides pedestrian access through to the hotel entrance. Together with the road network changes that provide increased and direct access onto the Western Distributor, this will expose pedestrian and cyclist access to the distributor, where currently it is protected behind a jersey kerb barrier and fencing that goes some way to removing any ambiguity about access. • Also, part of the changes to Wheat Road, direct access for vehicles onto the Western Distributor has potential for confusion and the possibility of traffic incidents. It is recommended that the safety and security of traffic flow and access onto the Western Distributor be further considered by the applicant.	In relation to the Pyrmont Bridge query noted by Council, this has been addressed at **Appendix D**, as well as in item COS18 above. The stairs and escalators in this location cannot be swapped, as this would result in significantly more impacts to the heritage girders of the Pyrmont Bridge. It should be noted that it is not proposed to provide pedestrian access to the hotel along Wheat Road. Any pedestrians seeking to access the W Hotel from behind Cockle Bay Park (along Wheat Road) will be redirected back to the promenade through the placement of signage, bollards, railings and the like. The changes to Wheat Road at the loading dock provided access to Harbour Street, not the Western Distributor. Traffic measures in this area between the loading dock and Harbour Street include stop sign and stop line for vehicles exiting from the neighbouring Ribbon development. A more detailed response to the Wheat Road arrangement is provided in the responses to the items raised by Transport for NSW.
Contamination		
COS22	The Site Remedial Action Plan prepared by Douglas Partners and dated May 2022 states that the site will be suitable after remediation for the purpose for which the development is proposed. The RAP has not been peer reviewed by a NSW EPA Accredited Site Auditor and does not include a Section B Site Audit Statement or letter of interim advice issued by that auditor certifying that the RAP is practical and the site will be suitable after remediation for the proposed use. This must be provided.	As per item DPE 17, this has been provided at **Appendix O**. The Site Auditor's review confirms that the preliminary RAP prepared by Douglas Partners for the original SSDA submission is adequate to inform additional assessment requirements and adequately outlines proposed remediation strategies. The auditor confirms that the site can be made suitable for the proposed use if the recommendations are included.
Waste		

No.	Issues Raised	EU Response
COS23	The RtS has responded to the City's comments by marking up the waste bins and bulky storage areas within the reconfigured floor plan with a commercial waste room off the loading dock and a separate retail waste room. The updated plans show bins drawn as requested, however the number of bins shown does not match the numbers proposed in the WMP. While it is acknowledged that the applicant proposes interim storage areas in the podium, there must be adequate space for all proposed bins to be presented in a holding or storage area on collection days. The updated design appears to have reduced the vertical clearance height of loading area (to 3980mm) and size of the largest vehicle in the loading area (HRV to MRV) as confirmed in the 'Traffic response' document.	The WMP has been revised to ensure the number of bins on the plans reflects the amount required by the WMP. Refer to **Appendix I**.
	Given the reliance on the use of large compactors for waste management which also determines the sizing of waste storage areas, the applicant should ensure that the proposed vehicles required to service compactors can still access and service the compactors. The 'Traffic response' report indicates that a 10m 'light rigid vehicle' will service the compactors on site. Confirmation should be obtained from a commercial waste provider confirming they can service compactors of that size with the proposed clearance heights.	The proponent has sought specialised advice from a commercial waste provider known as Organic Recycling Group (ORG). ORG is a leading bespoke waste service provider in the Sydney market and has implemented over 30 compactors across various sites. This depth and variety of sites has enabled them significant experience in positioning and compactor suitability. ORG have confirmed that based upon the current loading dock configuration, the following provisions are supportable: • Provision of 10m all in one compactor (General Waste) • Provision of either a $10m^2$ all in one or stationary compactor (Cardboard) • Adequate height clearance to enable lifting and lowering of compactors into waste management area. Adequate area to enable manoeuvre of vehicles in and out of the loading dock is available.
	The WMP suggests a clearance of 4800mm would be required. If this is not possible, alternative waste storage and management strategies must be proposed. The applicant should ensure that the operational waste management plan is updated to reflect the final configuration of waste rooms and consider transfer paths for all users. Given the scale of this new, A grade development the City strongly recommends that the applicant aspires to lead by incorporating circular economy principles within the design and operation of the site. At a high level this includes: • designing out waste and pollution; • keeping products and materials in use; and • regenerating natural systems From a design perspective this could include strategies to increase building utilisation, designing for adaptability, disassembly and longevity, and actively selecting materials with lower embodied emissions.	As per the revised drawing provided at **Appendix B**, the loading dock provides a clearance of 4800mm, which accommodates the requirements from Council. Further, the revised Waste Management Plan at **Appendix I** has addressed the circular economy principles.
Heritage NSW		
Built Heritage		

No.	Issues Raised	EU Response
HNSW5 HNSW6 HNSW7	Heritage NSW (HNSW) is appreciative of the overarching urban design outputs for the project that attempt to enhance pedestrian movement, wayfinding and restoring the historic function of the Pyrmont bridge as an important connection between the CBD and the western suburbs. The design guidelines, while in essence, promote the inclusion of the bridge into the proposal, the resultant design iterations have been unable to satisfactorily resolve and mitigate the impacts upon the bridge and its significant elements and dominance. As noted during previous meetings with the applicant, the Base Case presented in the Pyrmont Bridge Connection Options Analysis, results in both physical and visual impacts to the SHR item. The butterfly canopy and its structure extending over the Pyrmont Bridge is not supported. It not only visually overshadows the bridge - reducing its legibility; it also has direct physical impact upon significant fabric.	Noted. This has been discussed further at **Appendix D**.
HNSW8	The setback location of the elevator further back from the pylons is considered to be an improved outcome and is supported. However, the elevator has not been consistently retained in this set back position in the other options presented. It is considered, that in any scenario, the set back location of the elevator illustrated in the Base Case should be considered the preferred solution from a heritage perspective as it reduces the interference of the proposal with the significant pylons that are intrinsic to the legibility of the bridge and its function	As outlined in **Appendix D**, the elevator location is pushed back as far east as possible in the preferred design. This has been discussed further at **Appendix D**.
HNSW9	HNSW has consistently recommended the proposed staircase and the escalator to be pushed back from the SHR listed curtilage of the bridge.	As outlined in **Appendix D**, the elevator location is pushed back as far east as possible in the preferred design. This has been discussed further at **Appendix D**.
HNSW10	It is clear that there are several constraints that restrict the approach and movement from the proposed development directly onto the Pyrmont Bridge as the solutions noted in both the Base Case and Option 2 continue to adversely impact the historic and aesthetic values of the SHR item and its significant fabric.	Please refer to **Appendix D** for further discussion.
HNSW11	Of the three iterations presented, HNSW considers that the location of the staircase and escalators illustrated in Option 3 results in the least impact to the Pyrmont Bridge. However, further design resolution is required including setting back the elevator to the location noted in the Base Case and treating the culmination point of the bridge along with any other urban design challenges.	While HNSW suggested solution presents the least physical impact on the bridge, the other two options have significantly better urban design and pedestrian wayfinding benefits to locating the connection directly onto Pyrmont Bridge and restoring the historic axial connection between the Pyrmont Bridge and the CBD This issue was discussed with the DIP meeting No. 11 held on the 12th August 2022. In summary the panel/DIP reviewed the stairs/escalators in relation to the sandstone pylons and three options were presented to the panel. The panel assessed the difference between a more generous stair and the visual impact of the heritage pylons and agreed that the current design, with a generous public stair and retained alignment of the substructure, presented the most desirable outcome. The panel prioritized retaining pedestrian permeability and found that

No.	Issues Raised	EU Response
		the visual impact of moving the stairs/escalators was negligible compared to moving the lift. Please refer to **Appendix D** for further discussion.
Maritime Archaeology and Infrastructure		
HNSW12	Given that there have been significant discoveries of buried maritime heritage along the entirety of nearby Barangaroo, the KENS site, and southern end of Cockle Bay, there is a strong likelihood that highly significant maritime heritage sites, relics and original shoreline will be found within the footprint of the proposed development (especially in the areas investigated using historical archaeological methods (as the former maritime sites are now under landfill).	Noted.
HNSW13	Several sites have been identified within the maritime archaeological assessment by Cosmos Archaeology as being of probable State significance; however, not all have been covered in the Historic Archaeological Assessment. The historic report should also consider the findings of the maritime SOHI especially where maritime sites above water extended into terrestrial areas.	Noted. The Artefact Historical Archaeological Assessment will be updated to include, and where relevant, assess all identified maritime and historic archaeological sites and be amended to consider the findings of the maritime SoHI, specifically where maritime sites extend into terrestrial areas. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.
HNSW14	As noted by HNSW in its earlier responses, the maritime archaeological assessment is considered the more accurate assessment especially in regards for heritage significance and likelihood of finding archaeological sites.	Noted. Once updated, the non-Aboriginal (historical) Archaeological Assessment will correspond with the Maritime report and thus achieve the expected level of accuracy. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.
HNSW15	As potential sites within the project area are likely to be of State heritage significance, the strategy of salvage as the only option for mitigation is not appropriate, as highly significant sites may be found that might warrant reconsideration of structural design aspects of the project to allow in situ preservation or interpretation.	While in-situ preservation of State significant archaeology is the policy of the NSW Heritage Council, given the constraints of the development and its Harbour setting, it may not be feasible. However, mitigation measures will be included in all archaeological methodologies to ensure that if intact State significant archaeology is discovered during excavation, works will cease while the Proponent's heritage and design team considers how best to manage this archaeology. This may include reconsideration of the design aspects of the project, or partial and/or complete removal of the archaeology after thorough recording, and interpretation of it within the development. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.
HNSW16	Based on the submitted archaeological reports, there still does not appear to be a research design which is guided by pertinent research questions. It is recommended that the Archaeological Research Design and Excavation Methodology should be finalised and approved by the Heritage Council of NSW (or its delegate) PRIOR to any approval issued for the development.	Until the full extent of impacts from the development are known (at least 75% design), there is no way to fully plan the archaeological programmes. Therefore, the Archaeological Research Design and Excavations Methodology (ARDEM) will be prepared following further design development. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval. This condition is considered fulfilled by this and previous consultation/ correspondence with the Heritage Council NSW. C12 of the Stage 1 Concept Proposal (SSD 7684) states that the NAAA will be prepared in consultation with

No.	Issues Raised	EU Response
		the Heritage Council NSW. As this is a State significant development, there is no requirement for the ARDEM to be submitted to the Heritage Council or its delegate for approval.
HNSW17	The following comments are provided to be incorporated into the maritime impact assessment which should be submitted for review by Heritage Council of NSW (or its delegate) prior to the any approval granted for the development:	Noted. The HNSW comments outlined under point HNSW17 will be incorporated into the Maritime Archaeological Assessment noting that final piling locations are still not available for the project. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval. This condition is considered fulfilled by this and previous consultation/ correspondence with the Heritage Council NSW. C12 of the Stage 1 Concept Proposal (SSD 7684) states that the NAAA will be prepared in consultation with the Heritage Council NSW. As this is a State significant development, there is no requirement for the Maritime Archaeological Assessment to be submitted to the Heritage Council or its delegate for approval.
	• It is recommended that the applicant provides detailed mapping that indicates the depth of excavation and piling across the site to illustrate areas where impact may occur and where areas will remain unaffected. o There is no final statement of significance (i.e. State/local or no heritage significance for the Other seawalls (s 6.2.2). This should be updated.	Noted. The Maritime Reports including the ARDEM and MAMP will be updated following piling design. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.
	• The depth of the piling was not available when the maritime SOHI was drafted. The report assumes that the piling will go to bedrock, however, this assumption remains unconfirmed, and accordingly, the impact assessment should be updated to consider the impact of the piling and its depth.	The Maritime report has been amended to state that seawalls prior to 1850s could be of State significance while latter walls into 1900 are of local significance.
	• The assessment report assigns moderate significance to the area of the deluge tank; however, the diagrams indicate that the proposed excavation would impact areas ranging from high to low archaeological significance. The downgrading/diluting of impact on significance is not considered appropriate. Accordingly, it is recommended that the area of the deluge tank be archaeologically investigated and recorded prior to any demolition works and that consideration should be given to redesigning the proposed development footprint if significant sites are found in these areas.	The piling will very likely penetrate existing fill layers and into upper portions of the seabed. The Maritime Report will be updated following piling design. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.
	• Similarly, the maritime SOHI says that the pile structure will be spread over a wide area and therefore will not have a significant effect OR it would be a Minor impact on the Moderate to High areas of maritime archaeological potential. Some of these areas have been identified as potentially being of State heritage significance. As they have not been archaeologically investigated and excavated, their nature, extent and ultimately their significance has not been established. Accordingly, the true effect and impact of the piling works cannot be confirmed.	There appears to be a misunderstanding between archaeological potential, cultural heritage significance and impact. The report assesses that there would be a Moderate impact to the heritage significance of the archaeological remains within the footprint of the deluge tank (pg. 105). The deluge tank is an area that has both low and high archaeological potential. Some of those remains could be of State significance. There is no dilution. It is noted that it is recommended that the site be investigated and recorded prior to demolition. The Maritime Archaeological Report has been changed "moderate' archaeological potential to 'medium' in so as to reduce confusion.

No.	Issues Raised	EU Response
	• Only Geotech bores have been proposed across the site where piling is proposed to provide a greater understanding of the stratigraphy nature possible extent of archaeological resources. It is recommended that these form part of a wider Maritime Archaeological Geotechnical Programme (MAGP) for the proposal.	In NSW it is standard practice to prepare a SOHI such as this prior to any ground disturbance. This SOHI has been prepared on the basis of the information currently available. The SOHI will be reviewed when more detail on the proposed works becomes available and if any test excavation is carried out, the significance will be updated. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.
	• The maritime report states that excavation and piling works for the tower core and deluge tank excavation and piling would have a Moderate effect and that the works would be unacceptable without mitigation. However, without an archaeological investigation, the true nature of these works or their impacts remain unknown.	Noted. See Section 7.4.2 of the Maritime report, **Appendix J**.
HNSW18	A Maritime Archaeological Management Plan (MAMP) which includes a Maritime Archaeological Research Design and Excavation Methodology (MARDEM) and Maritime Archaeological Geotechnical Programme (MAGP) are recommended. It is also recommended that these strategic documents are submitted for review and approval by Heritage Council of NSW (or its delegate) PRIOR to the any approval granted for the development	Noted. Refer to Section 7.5 of **Appendix K**. A Maritime Archaeological Management Plan (MAMP) which includes a Maritime Archaeological Research Design and Excavation Methodology (MARDEM), and Maritime Archaeological Geotechnical Programme (MAGP) is best prepared following further design development, due to the access to the site and availability of developed design. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval. This condition is considered fulfilled by this and previous consultation/ correspondence with the Heritage Council NSW. C12 of the Stage 1 Concept Proposal (SSD 7684) states that the NAAA will be prepared in consultation with the Heritage Council NSW. As this is a State Significant Development, there is no requirement for the ARDEM to be submitted to the Heritage Council or its delegate for approval.
HNSW19	A photographic archival recording must be prepared in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006) and that if the data gained during the previous maritime archaeological survey is insufficient to produce this, then further surveys will be needed to collect more data. The archival recording submitted should include all photographic and video footage of those sites.	Noted and accepted.
HNSW20	The following comments are provided to be included in the Non-Aboriginal Archaeological Assessment which should be submitted for review by the Heritage Council of NSW (or its delegate) PRIOR to any approval granted for the development:	Noted. The relevant HNSW comments outlined under point HNSW20 will be incorporated into the Historical Archaeological Assessment noting that final information required to adequately address the comments raised by Heritage NSW are not available at this point in time, and are subject to further detailed design and demolition works to be undertaken. When further information is available (e.g. final pile locations) during the later stages of the development, the documentation will be able to be more holistically revised, providing a more positive heritage outcome overall. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.

No.	Issues Raised	EU Response
		This condition is considered fulfilled by this and previous consultation/ correspondence with the Heritage Council NSW. C12 of the Stage 1 Concept Proposal (SSD 7684) states that the NAAA will be prepared in consultation with the Heritage Council NSW. As this is a State Significant Development, there is no requirement for the non-Aboriginal (Historical) Archaeological Assessment to be submitted to the Heritage Council or its delegate for approval.
	• The assessment notes that the 1855 areas are only likely to have structures of landfill and timber, however, there is a high likelihood that jetty structures with stone are present in the 1855 areas especially in earlier structures were incorporated.	Noted.
	• The assessment does not adequately assign value to the 1920-1950s stage. This should be reconsidered as it may meet local significance threshold.	Noted. The NAAA will be updated to reflect the level of significance assessed in the maritime report. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.
	• The assessment has not adequately demonstrated how terrestrial areas with extensive modern development and bulk excavation are assessed to a low likelihood of intact arch deposits and hence possible heritage significance.	Noted. This will be updated in the assessment when appropriate in the detailed development stage. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.
	• There is a high potential for well-preserved archaeological deposits from a variety of periods below modern capping surfaces. This assessment should consider this and provide mitigation measures accordingly.	Noted. This assessment will be updated accordingly when appropriate in the detailed development stage. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.
	• The report states that there is evidence indicating that intact areas of archaeological deposits may be evident in landfill above high tide mark areas. While some boreholes (SS1/2) didn't find archaeological remains, the narrow width of a borehole is not enough to indicate that archaeological materials are not present in these areas.	Noted. Refer to page 31 of the NAAA, **Appendix K**: Although the program of geotechnical investigations cannot conclusively demonstrate that intact archaeological remains are present, the bore logs do indicate the presence of historical materials that are expected to be found in association with structural developments. On the land side of the study area these historical materials were typically found within about 5m of the ground surface, though in CW2 historical material was found up to 9.5m deep. This indicates the possibility for relatively deep deposits of historical material. The potential for findings in this area is assessed to be moderate (see page 97 of **Appendix K**). It is recommended that appropriate conditions of consent requiring detailed further exploration of this matter are included in the SSDA approval.
	• The assessment report provides contradictory information on the presence of archaeological sites/remains in landfill areas. It is recommended that a detailed map is provided that illustrates P locations with the archaeological sites overlaid to clearly indicate areas of disturbance and potential impacts. It	Noted. The assessment will be updated accordingly when appropriate in the detailed development stage. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.

No.	Issues Raised	EU Response
	is also recommended that any bulk excavation within landfill areas should be preceded by a program of archaeological investigation and excavation.	
	• The report notes that the exact location and depth of piles was not known at the time of assessment, therefore, it is considered that the report is unable to provide a true representation of the nature and extent of the piling or its impact upon significance.	Noted. This information still not available. When the piling locations are available the extent and nature of these works on the potential archaeological resource will be determined. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.
	• Further consideration should be given to the impact of bulk excavation and piling within the landfill areas covered by transects P5 – P29. This area has a highly significant archaeological potential, and the proposed works would remove any significant archaeological deposits entirely resulting in localised areas of major adverse impacts.	Noted.
	• The assessment should be updated to consider that while areas of piling outside the bulk excavation areas have a reduced risk of affecting archaeological remains, the risk still persists. Additionally, the assessment also misrepresents the impact of works outside the bulk excavation and piling zones by providing a cumulative impact over multiple areas. It is therefore considered that the impact of the works upon the significance of the site requires reassessment. Heritage NSW considers that the cumulative impact to the individual sites or the Cockle Bay Arch precinct may be much higher than that being advocated in the document. As mentioned above, diluting/downgrading the impact on significance is not considered an accurate representation true nature or extent of this proposal.	Noted. The assessment will be revised and updated accordingly when appropriate in the detailed development stage. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.
	• The report recommends archaeological testing/ salvage excavation as a mitigation method. It is noted, however, that the assessment has been unable to effectively demonstrate or establish the extent or nature of the pre-1850s sites that are noted as being of state significance in the maritime report. It is therefore recommended that the document be updated and aligned with the findings of the Maritime report.	The NAA found at **Appendix K** provides the summary of assessed potential in Table 5 and Figure 40. Phase 1:1800-1850 has been assessed fairly adequately. There is some room for minor improvement which will be addressed in the updated historical archaeological assessment when appropriate in the detailed development stage. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.
	• The report should also offer provisions for where deep piling impacts significant archaeology but is unreasonable to reach (i.e. 10m below). Mitigation measures should be included that discuss potential excavation of the deposits within the piles as a means of potential mitigation and/or recording destroyed significant archaeological deposits.	Noted. The report will be updated to include mitigation measures for deep piling detailing of which will be addressed in the ARDEM when appropriate in the detailed development stage. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval.
HNSW21	As noted above, it is recommended that the Archaeological Research Design and Excavation Methodology (including an excavation and management plan), should be finalised and reviewed by the Heritage Council of NSW (or its delegate) PRIOR to any approval issued for the development. Mitigation measures would include provision for in-situ retention and interpretation for any state significant deposits.	This condition is considered to be fulfilled by this and previous consultation/correspondence with the Heritage Council NSW. C12 of the Stage 1 Concept Proposal (SSD 7684) states that the NAAA will be prepared in consultation with the Heritage Council NSW. As this is a State significant development, there is no requirement for the ARDEM to be submitted to the Heritage Council or its Delegate for approval.

No.	Issues Raised	EU Response
		Until the full extent of impacts from the development are known there is no way to plan the archaeological programmes. Therefore, the ARDEM will be prepared following further design development.
Transport for NSW		
Roads Act 1993		
TFNSW1	Comment: TfNSW concurrence under section 138 of the Roads Act,1993 is separately required for the following works: • Structure over the Western Distributor motorway • Road works on Wheat Road and Harbour Street • Proposed vehicular access on Harbour Street The Agency advises that separate conditions and requirements will be provided to the Applicant. TAB B is provided to inform the Applicant of TfNSW preliminary requirements.	Noted.
TFNSW2	Recommendation: To address the above comments relating to TfNSW concurrence under section 138, Road Act 1993, the following condition is recommended to be included in the Development Consent: • The Applicant will need to obtain TfNSW concurrence under section 138 of the Roads Act, 1993 prior to the issuing of a construction certificate for the following works: i. Structure over the Western Distributor motorway ii. Road works on Harbour Street and Wheat Road (including porte-cochere) iii. Proposed vehicular access on Harbour Street • The Applicant is to initiate this process by contacting TfNSW (via email development.sydney@transport.nsw.gov.au) with the approved stamped plans and conditions of consent, following which the agency will commence the Roads Act 1993 approval process.	Noted. The Proponent would accept a condition of this nature relating to obtaining a Works Authorisation Deed (WAD) prior to the commencement of the works.
Protection of CBD Rail Link (CBDRL) Corridor		
TFNSW3	Comment: TfNSW has reviewed the RtS (Section 5.1, 18 K - Noise and Vibration Impact Assessment 211222 and Appendix U - 29 U - Memorandum: CBP Market St Footbridge Structural Design, Enstruct 20/07/2021) documents and the Agency provided comments and requirements in response to the assessments (Appendix A – Memorandum, Enstruct). In addition, it is also advised that an electrolysis report is also required as the piers of the new footbridge must be protected from the effects of possible stray current.	Noted.

No.	Issues Raised	EU Response
TFNSW4	Recommendation: To address the above comments relating to protection of the CBDRL Corridor, the following conditions are recommended to be included in the Development Consent:	Noted. The Proponent would accept a condition of this nature prior to the issue of the relevant Construction Certificate.
TFNSW5	**General Conditions** • All structures which are proposed for construction or installation, or which are constructed or installed, in connection with the approved development that have a potential impact on the CBD Rail Link (CBDRL) must be designed, constructed, and maintained in accordance with design criteria specified by TfNSW. • The design and construction of the bridge foundations and ground anchors for the approved development are to be completed to the satisfaction of TfNSW. • The applicant must make allowances that are to be agreed with TfNSW in the design, construction, and maintenance of the approved development for the future operation of railway tunnels in the vicinity of the approved development, especially in relation to vibration, stray currents, electromagnetic fields, and fire safety. • The design and construction of the foundations and ground anchors (if any) for the approved development are to be completed to the satisfaction of TfNSW. An accurate plan/CAD model should be included for the proposed foundations, to enable verification against the CBDRL alignment model. The foundation design and any encroachment into Exclusion Zone 4 and beyond must comply with the limitations of the Structure Exclusion Zones as required by TfNSW. • No modifications may be made to the approved design without the consent of TfNSW. • The applicant must provide access by representatives of TfNSW upon request to the site of the approved development and all structures on that site during all stages of the development. • TfNSW, and persons authorised by it for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor for the approved development or the owner or occupier of the part of the site to which access is sought. • Copies of any certificates, drawings or approvals given to or issued by TfNSW must be delivered to DPE for its records; and • All TfNSW costs associated with review of plans, designs and legal must be borne by the applicant.	Noted. The Proponent would accept a condition of this nature prior to the issue of the relevant Construction Certificate.
TFNSW6	**Prior to Issue of construction certificate** • The Applicant should consult with TfNSW to confirm the timing of construction certificate and associated documentation and activities prior to preparation of requested documentation. The Applicant should provide the	Noted. The Proponent would accept a condition of this nature prior to the issue of the relevant Construction Certificate.

No.	Issues Raised	EU Response
	information to TfNSW for review and endorsement. The Principal Certifying Authority (PCA) is not to issue the construction certificate until written confirmation from TfNSW that the following conditions have been complied with. • The Applicant should address the adverse effects of the approved development on the CBD Rail Link (CBDRL) identified in State Environmental Planning Policy (Transport & Infrastructure) 2021. The Applicant must i. Provide the following for TfNSW review and endorsement: Geotechnical Report – An updated Geotechnical Report needs to include the following: Ground Information and the geological sections at the proposed foundation locations. An engineering assessment of the ground/structure interaction, associated with the future tunnel construction. Details of the bridge foundation design in Zone 4 to accommodate movement due to future CBDRL works. Details of the loads of a dynamic nature (such as from wind) on the tunnel support including sandstone bedding planes and rock bolt design and A detailed geotechnical and hydrological analysis to the satisfaction of TfNSW to demonstrate likely movements of the ground due to the future CBDRL. Structural Assessment - Structural Report should be updated with final structural foundation design and associated drawings and to confirm the appropriate consideration of the future CBDRL to enable verification of compliance to TfNSW requirements in relation to the foundation loadings and layout, bearing pressures, settlement value allowance, soil /structure interaction stresses and movements in the protection zone. Structural drawings should show offsets to the CBDRL including protection zones in both plan and elevation sections; and Electrolysis Report - All Structures must be designed, constructed, and maintained so as to avoid any damage or other interference, which may occur as a result of stray electrical currents, electromagnetic effects and the like from future railway operations. An Electrolysis Report should be submitted to TfNSW demonstrating the Electrolysis Risk to the development. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. ii. Make allowances that are to be agreed with TfNSW in the design for the future construction of railway tunnels in the vicinity of the approved development. iii. Consult with TfNSW including preparation of a detailed regime for consultation with and approval by, TfNSW for the excavation of the site and the construction of the building foundations (including ground anchors) for the approved development, which may include geotechnical and structural certification in the form required by TfNSW.	

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	iv. Provide detailed survey information to TfNSW, to confirm the property boundaries are consistent with the setting out on the CBDRL drawings. **v.** Provide to TfNSW drawings, reports and other information related to the design, construction, and maintenance of the approved development; and **vi.** Address such other matters that TfNSW considers is appropriate.	
TFNSW7	**Prior to the Issue of the occupation certificate** As-built drawings certified by a Registered Surveyor should be submitted to TfNSW and DPE by the Applicant. The Principal Certifying Authority is not to issue the occupation certificate until the written confirmation received from TfNSW that this condition has been satisfied. Please send documentation to TfNSW - Corridor and Network Protection (via email: development.corridors@transport.nsw.gov.au).	The Proponent notes the comments from TfNSW and would accept a condition as proposed in relation to the CBDRL Works.
Harbour Street access driveway and internal service road operations		
TFNSW8	Comment: TfNSW has reviewed the RtS documents (Appendix T - Technical Note-Respond to RTS Comments on Cockle Bay Redevelopment TIA, Aurecon 17/8/2022, Appendix V - Wheat Road Site Works Plan, Appendix W – Swept Paths and Appendix X – Sight Line Drawings) which shows a revised access arrangement that separates the ingress access driveway for the subject development from the ingress driveway of the neighbouring property at 31 Wheat Road. The updated access arrangement reduces the number of conflict points for vehicles entering and exiting the internal service road. However, the following road safety concerns are still raised which needs further review and investigation: • Sight distance assessment should be based on a formalised Safe Intersection Sight Distance (SISD) checks and demonstrated in the vertical plane as well as horizontal plane. The vertical plane is particularly important due to the proposed F Type barrier. • Appendix W – Swept Path analysis indicates HRV as the largest vehicle. However, 14.4m buses will be entering and exiting the internal service road. Swept path analysis should be updated showing the 14.4m bus traversing through the internal service driveway and egress driveway on Harbour Street. • Concern is raised with delays and queuing from vehicles exiting the egress driveway on Harbour Street which may block access to the loading dock. This is a particular concern for: i. MRV vehicles and Buses due to the swept path constraints at the Harbour Street intersection and access is unrestricted during peak periods. A Road Safety Audit and Assessment is recommended to identify mitigating measures to manage safety issues relating to the loading dock access, internal service road and the access driveway on Harbour Street.	Noted. The Proponent has undertaken an updated Safe Intersection Sight Distance (SISD) to include both horizontal and vertical SISD checks, refer to **Appendix M**. The Swept Path analysis has also been addressed in the letter prepared by Aurecon at **Appendix E**. Similarly, the discussion around queuing is also addressed at **Appendix E**.

No.	Issues Raised	EU Response
TFNSW9	Recommendation: To manage and mitigate the issues relating to Harbour Street access and internal service road the following conditions are recommended to be included in the development consent: • Swept path analysis should be updated to include 14.4m bus accessing the internal service road and Harbour Street access points. Designs of the internal service road and access driveways should be updated accordingly. • An assessment of the operation of the Harbour Street egress driveway should be undertaken to the satisfaction of TfNSW. Measures to minimise delays and queuing on the egress driveway that block access to the loading dock should be identified and incorporated in the designs and operational management plan. • A Stage 2 (Concept Design) Road Safety Audit should be undertaken by TfNSW accredited independent auditors for the design and operation of vehicular access on Harbour Street and services areas including the loading dock and internal road network, including links to the neighbouring property (31 Wheat Road). The Road Safety Audit Report should be submitted to TfNSW for endorsement prior to issue of a Construction Certificate. • All recommendations of the Road Safety Audit should be included in the design and operational management plan. The plan should be submitted to TfNSW for review / comment prior to the issue of the construction certificate. A review of the plan should be undertaken at 12 months and 36 months after occupation of the development. The review is to consider whether any amendments are required to the plan or if any additional measures are required.	Swept paths are provided at **Appendix E**. It is noted that the updated swept path analysis shows a widened loading dock entry, which shows improved vehicle movements. The Proponent is comfortable accepting conditions relating to these items, including the provision of a Road Safety Audit, with provision of the audit to occur prior to the issue of the relevant construction certificate.
Porte Cochere Operation (Point-to-point transport and coaches)		
TFNSW10	Comment: TfNSW has reviewed the RtS documents (Appendix T - Technical Note-Respond to RTS Comments on Cockle Bay Redevelopment TIA, Aurecon 17/8/2022, Appendix V - Wheat Road Site Works Plan, Appendix W – Swept Paths and Appendix X – Sight Line Drawings as well as EIS documents) and the following comments are provided regarding the porte-cochere operation: • An assessment of the forecast demand for the porte-cochere was undertaken for the AM peak only. The demand in the PM will be generated by both the commercial and retail land uses. • In addition, justification for the development not generating or attracting private buses or coaches has been provided. It is considered likely the retail and public domain land uses will generate some private bus or coach trips. • Queuing assessment of the porte-cochere has been undertaken however, there could be instances where queue will overflow. This needs to be reviewed to identify measures that would ensure road safety and operational issues do not occur on Wheat Road.	The AM peak is estimated to be a more intensive peak period, and therefore the demand calculation has been undertaken for the AM peak only. Because the PM peak is anticipated to be less intensive than the AM peak due to the larger timeframe of people leaving the commercial and retail premises in the evening, the AM forecasting has been conservatively applied to the PM time period as well. Hence further forecasting for this time period was not considered necessary, and the forecasting applied is considered appropriate. In relation to bus pick ups and drop offs, the porte-cochere will service the commercial and the retail development and it's designed to accommodate a stretch limousine vehicle, and no bus pick up or drops off provided within the porte cochere. The bypass lane is designed to accommodate bus movement to maintain bus access to the neighbouring developments. In relation to porte cochere capacity assessments, it was determined that during the busiest 15 minute period of the AM peak, approximately 11 vehicles will utilise the porte-cochere. This could grow to 13 vehicles, assuming a future taxi/ rideshare modeshare of 3%, instead of 2.5%.

No.	Issues Raised	EU Response
		The average vehicle dwell time at a pickup/drop off areas (porte-cochere) is around 5 minutes per vehicle therefore, the proposed design of 6 bays allows for 18 vehicles every 15 minutes (72 vehicle per hour), which exceeds the calculated demand. In relation to queuing impacts, the proposed porte-cochere design provides a bypass lane to prevent minimise queuing likelihood and potential impacts on Wheat Road. Swept paths at **Appendix E** show the geometry of the porte cochere design and demonstrate that the bypass lane is sufficient for avoiding queuing. These items are discussed in more detail at **Appendix E**.
TFNSW11	Recommendation: To manage and mitigate the issues relating to point-to-point transport and coaches, the following conditions are recommended to be included in the development consent: • An assessment of the forecast demands generated by both the commercial and retail components during the PM peak should be provided to the satisfaction of TfNSW. Details on how this can be accommodated within the porte-cochere should be provided. • The Applicant should prepare a detailed porte-cochere management plan and submit it for endorsement by TfNSW prior to issuing the construction certificate. The management plans are required to include the following (not limited to): i. Location of vehicle stopping/parking area for valet parking vehicles, taxi and pick and drop off facilities. ii. Details of the types and frequency of vehicles accessing the porte-cochere and updated swept path analysis based on the largest vehicles. iii. Details of alternate car parking locations and pick and drop off locations to redirect vehicles due to extensive queuing at the access to the porte-cochere; and iv. Management of incidents at the access to the porte-cochere	Noted. The Proponent would accept conditions of this nature.
Active Transport Access Network		
TFNSW12	Comment: TfNSW has reviewed the RtS (Appendix O – Precinct Cycle Study, Arup and Architectus) documents and the following comments are provided: • The NSW Government vision is to provide a safe and connected cycleway network across Greater Sydney to enable ore people to safely ride their bicycle as part of their everyday travel. • Strategic documents have been developed that outlines the planned cycle network that would service the area. This includes Strategic Cycleway Corridors, Eastern Harbour City Overview, TfNSW 4/2022 and Cycling Strategy and Action Plan, City of Sydney 12/11/.	Noted.

No.	Issues Raised	EU Response
	• In line with these strategic documents various cycling improvements are being investigated and implemented by Council and TfNSW. • It is important that the Applicant continues to consult with Council and TfNSW to enable the development to incorporate appropriate cycle enhancement and ensure future cycle improvements are not precluded by the development. • This includes provisions for wayfinding and the suitable design for ramps, staircases and lift to ensure safe and efficient passage for pedestrians and cyclists.	
TFNSW13	Recommendation: To manage the issues relating to active transport access following conditions are recommended to be included in the Development Consent: • The Applicant continues to consult with Council and TfNSW throughout design and delivery of the Cockle Bay Project to ensure current and future cycle projects are further considered. • Measures to ensure safe and efficient access for cyclists should be developed in consultation with Council and incorporated in the designs. This includes waiting/queuing areas provisions and suitability of access to different levels (i.e., ramps, lifts, bicycle staircase ramps, etc). • Wayfinding strategies should be prepared in consultation with Council to assist with the increasing mode share of walking and cycling. This should include signage to other destinations external to the site including transport nodes and tourist destinations.	Noted. The Proponent would accept conditions of this nature.
Freight and servicing		
TFNSW14	Comment: TfNSW has reviewed the RtS documents (Appendix T - Technical Note-Respond to RTS Comments on Cockle Bay Redevelopment TIA, Aurecon 17/8/2022, Appendix V - Wheat Road Site Works Plan and Appendix W – Swept Paths) provides further information on freight and servicing including the operation of the loading dock and the following comments are provided: • An assessment utilising TfNSW's Urban Freight Forecasting Model indicated that during peak times, the loading dock demand is likely to exceed the loading bays provided for the proposed land use composition. In addition, there may be instances where a delivery vehicle arrives outside of the allocated loading time slot or incidents and delays with service vehicles. • Vehicle access to the compactors is only possible if the adjacent five spaces are unoccupied. Management of the utilisation of spaces in the loading dock is required to ensure access to the compactors is possible when required to ensure queuing does not occur. • Management measures should be developed to mitigate any impacts on the operation of the loading dock and internal service road.	Noted.
TFNSW15	Recommendation:	Noted. The Proponent would accept conditions of this nature.

No.	Issues Raised	EU Response
	To ensure the concerns relating to freight and servicing are managed, it is recommended that the following conditions are to be included in the development consent: • The Applicant should follow the methodology described in the Delivery and Servicing Plan Guidance (https://www.transport.nsw.gov.au/system/files/media/documents/2022/delivery-and-servicing-plan-guidance.pdf) to develop an approach for ideal management of freight and servicing activity that will result in it being adequately contained, well managed and minimal impact on the surrounding areas. While the process should start in the building design phase, the "Development Application Phase" should adequately be concluded prior to an occupancy certificate being issued. The Applicant should prepare the detailed Delivery and Servicing Plan (DSP) in consultation with TfNSW - Urban Freight (via email: michael.stokoe@transport.nsw.gov.au). The DSP should ensure that any potential traffic and safety impacts associated with the loading dock operation are mitigated. The Applicant should submit a copy of the final plan to TfNSW for endorsement. The DSP should specify, but not be limited to, the following: i. Updated details of the development's loading and servicing profile, including the forecast loading and servicing traffic volumes by vehicle size, frequency, time of day and duration of stay based on survey of similar sites. ii. Details of managerial approaches to ensure all freight and servicing traffic generation will be managed to the building. iii. This should address specific concerns including: Traffic management does not result in delivery vehicles excessively queueing on the driveway or unnecessarily occupy public road space as they wait for the allocated loading time slot to enter the loading dock. Details of measures to manage any potential traffic and safety impacts of the loading dock operation Management of conflicts between vehicles on the internal service road and vehicle movements to/from loading bays. iv. Proposed approaches for ongoing measurement of performance and governance v. Proposed approaches for continuous improvement in commercial vehicle traffic management to the site • The DSP should be implemented by the Applicant following the issue of the occupation certificate.	
Green Travel Plan		
TFNSW16	Comment: The Green Travel Plan and Travel Access Guide is key to promote the use of active and sustainable transport modes.	Noted.
TFNSW17	Recommendation:	Noted. The Proponent would accept conditions of this nature.

No.	Issues Raised	EU Response
	To ensure the active and sustainable transport modes are promoted, it is recommended that the following conditions are to be included in the development consent. The Applicant is to be conditioned to prepare and submit a Green Travel Plan (GTP) and Travel Access Guide (TAG) prior to the commencement of first occupation, to promote the use of active and sustainable transport modes. The GTP and TAG must: a. be prepared by a suitably qualified traffic consultant in consultation with TfNSW and Council. b. include objectives and modes share targets (i.e., site and land use specific, measurable, and achievable and timeframes for implementation) to define the direction and purpose of the GTP. c. include specific tools to manage travel demand and mitigate any queueing and delays that may result from vehicles exiting the site during peak periods. d. include specific tools and actions to help achieve the objectives and mode share targets. e. include measures to promote and support the implementation of the plan. f. identification of a responsible party (or Committee) for the ongoing implementation of the Travel Plan and its initiatives. g. confirmation of extent and nature of end of trip facilities and bike parking and how they will be promoted to visitors and employees. h. consideration of car parking management strategies that may be required to encourage sustainable transport use / mode share targets. i. include a Transport Access Guide that provides information to visitors and employees about the range of travel modes, access arrangements and supporting facilities that service the site; and identification of a communications strategy for conveying Travel Plan information to visitors and employees, including for the Travel Access Guide. j. The Transport Access Guide is to include (but not be limited to) the following: i. Information regarding lack of off-streetcar parking and passenger pick-up and set-down areas at the development site. ii. Suitable nearby drop-off/pick-up locations. iii. Identify areas where drop-off/pick-up is prohibited and instruct visitors to avoid use of these areas; and iv. Suitable nearby Taxi Zones. k. The Green Travel Plan and Travel Access Guide should be reviewed and endorsed by TfNSW l. The Green Travel Plan and Travel Access Guide should be reviewed and updated annually in consultation with the key stakeholders and provide an Implementation Strategy that commits to specific	

No.	Issues Raised	EU Response
	management actions, including operational procedures to be implemented along with timeframes. m. The Green Travel Plan and Travel Access Guide (as reviewed and updated annually) should be implemented by the Applicant for the life of the development. n. The Applicant should submit a copy of the final plan for TfNSW for endorsement.	
TFNSW 18	Comment: The CTPM is required to manage operation and road safety during the construction period.	Noted.
TFNSW19	Recommendation: To ensure the CTMP is prepared it is recommended that the following conditions are included in the development consent: • Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, the Applicant should: i. Prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW(via email: development.ctmp.cjp@transport.nsw.gov.au). The CPTMP needs to specify matters including, but not limited to, the following: ii. A description of the development. iii. Location of any proposed work zone(s). iv. Details of crane arrangements including location of any crane(s) and crane movement plan. v. Haulage routes. vi. Proposed construction hours. vii. Predicted number of construction vehicle movements, detail of vehicle types and demonstrate that proposed construction vehicle movements can work within the context of road changes in the surrounding area, noting that construction vehicle movements are to be minimised during peak periods. viii. Construction vehicle access arrangements. ix. Construction program and construction methodology, including any construction staging. x. A detailed plan of any proposed hoarding and/or scaffolding. xi. Measures to avoid construction worker vehicle movements within the Parramatta Precinct. xii. Consultation strategy for liaison with surrounding stakeholders, including other nearby developments xiii. Identify any potential impacts to general traffic, cyclists, pedestrians, bus services and any light rail within the vicinity of the site from construction vehicles during the construction of the proposed works. Proposed mitigation measures should be clearly identified and included in the CPTMP; and	Noted. The Proponent would accept conditions of this nature. In relation to the first suggested condition, the following alternate wording is requested: • *Prior to the issue of the initial construction certificate relating to any preparatory, demolition or excavation works, and each subsequent construction certificate, the Applicant should:* It is also noted that the example condition from TfNSW refers to the Parramatta Precinct. It would be expected that this condition is updated to refer to the Cockle Bay project.

No.	Issues Raised	EU Response
	xiv. Identify the cumulative construction activities of the development and other projects within or around the development site, including infrastructure projects and private development. Proposed measures to minimise the cumulative impacts on the surrounding road network should be clearly identified and included in the CPTMP. xv. Submit a copy of the final plan to TfNSW for endorsement. xvi. Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and TfNSW to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The Applicant is responsible for ensuring the builder's direct contact number is current during construction. • Prior to issue of a construction certificate, a Road Occupancy Licence (ROL) should be obtained from Transport Management Centre (TMC) for any works that may impact on traffic flows on Western Distributor, Harbour Street, and Wheat Road during construction activities. A ROL can be obtained through https://myrta.com/oplinc2/pages/security/oplincLogin.jsf.	
TAB B – TfNSW Preliminary Requirements		
TFNSW20	Comment: TfNSW has reviewed the RtS documents (Appendix N Memorandum: CBP Market St Footbridge Structural Design, Enstruct 5 April 2022 and EIS documents Appendix KK_Western Distributor Impact Assessment and Attachment CC_Stormwater and Flood Management Report) and the following comments are provided: • The Western Distributor is under the care and control of TfNSW. Support structures for the land bridge are within the minimum clearance to Western Distributor Structure at four locations which will result in maintenance issues for TfNSW. • The Memorandum (Enstruct) indicates various measures to increase the durability of the affected structures to minimise the requirement for maintenance and repair. • There will however be added complexity to the maintenance and repair process which adds significant cost over the life cycle of the structure.	Noted.
TFNSW21	Recommendation: To address the above issues the following comments relating to Impact to Western Distributor assets, the following preliminary requirements are provided to assist the Applicant in preparation of plans and documentation to support an application for TfNSW approval and concurrence: • No permanent infrastructure is to be constructed within the clearance requirement of the surface of any part of the Western Distributer structures other the four locations as outlined in Appendix N Memorandum: CBP Market St Footbridge Structural Design, Enstruct 5/4/2022. TfNSW is to be consulted prior to issue of a construction certificate to ensure that appropriate clearances from the Western Distributor structures are provided to allow for access for inspection and maintenance of those structures.	Noted. The Proponent would accept conditions of this nature.

No.	Issues Raised	EU Response
	• Maintenance agreement between the Applicant and TfNSW: Separate TfNSW concurrence under section 138 of the Roads Act 1993 will be required and interface agreement for the maintenance of the land bridge and Western Distributor is required so that both TfNSW and the developer can maintain their asset to ensure safety for the road users. This will include the development of Technical Maintenance Plan for the assets that will be maintained by TfNSW. The plan should also include measures outlined in the Memorandum (Enstruct) and details of contribution for the additional cost for maintenance and repairs.	
TFNSW22	In addition, the following requirements should be considered: • Any activity that has the potential to affect an TfNSW maintained road and Western Distributor infrastructure, (which includes any support columns, footings, or piers), should be investigated for integrity and serviceability by a qualified practicing bridge structural and geotechnical engineer(s). These activities must comply with TfNSW Technical Direction (GTD 2020/001) – Excavation Adjacent to TfNSW Infrastructure. This will require the Applicant to submit geotechnical investigation reports, in ground structure design drawings to TfNSW for assessment prior to construction.	With regards to this item, the activities that have the potential to affect a TfNSW maintained road and the Western Distributor infrastructure should be defined with the Works Authority Deed (WAD). The requirements of this investigation can be defined within the WAD. The Proponent would accept a condition of this nature noting the works are covered by the WAD.
TFNSW23	If any new structures or footings are proposed near or adjacent to the existing deep raked piles and other foundations associated with the Western Distributor piers, then TfNSW approval must be obtained at the preliminary and detailed design stages. A copy of this Technical Direction can be downloaded via the following link: http://www.rta.nsw.gov.au/doingbusinesswithus/engineeringpolicies/technicaldirections. html	The Proponent notes that the structural design outlines adjacencies to these raked piles. The details of the design should form part of the scope of work detailed within the WAD. Any design validation and review required would be carried out as per the processes of the WAD.
TFNSW24	The development is to be provided with fire protection and exhaust systems such that heat, smoke and exhaust from the proposed development do not endanger TfNSW structures and vehicles on the structure (a qualified Fire Engineer's Certificate is required). TfNSW is to be consulted prior to issue the construction certificate to ensure that the appropriate systems are incorporated as per the relevant Australian Standards.	Noted. The Proponent would accept a condition of this nature. The information should be issued prior to the issue of the *relevant* construction certificate.
TFNSW25	All external facades of the development should be positioned / lined to have a reflectivity that ensures that motorists on the Western Distributor viaduct should not be blinded or disabled from maintaining control of the vehicles being driven. To ensure compliance, assessment of the potential effects of the façade on the reflectivity and glare environment in the surrounding area is to be undertaken and submitted to TfNSW for review prior to construction.	Noted. The Proponent would accept a condition of this nature. The information can be issued prior to the issue of the *relevant* construction certificate. The Proponent notes that a Reflectivity study has been completed and was submitted with the original SSDA submission, dated 24 September 2021. Glazing reflectivity was reviewed specifically in relation to assessing impact on vehicles. Aside from the general limit of material specular reflectivity being less than 20%, additional controls were applied to the western facade based on assessment. It is recommended that conditions of consent are included to mirror the requirements and findings of the Proponent's Reflectivity study.

No.	Issues Raised	EU Response
TFNSW26	The land bridge is to be designed to prevent any falling object from impacting adversely onto the Western Distributor or members of the public from the development, during construction and in operation. Plans/details are to be approved prior to construction. Please also refer to Work Health & Safety (WHS) requirement guidelines which should be provided upon request from TfNSW.	Noted. The Proponent would accept a condition of this nature.
TFNSW27	External facades should be designed to minimise damage from potential vandalism, including debris impacts from passing traffic. Plans/details are to be endorsed by TfNSW to construction.	The Proponent would accept a condition of this nature. The information can be issued prior to the issue of the *relevant* construction certificate
TFNSW28	For TfNSW to carry out maintenance and rehabilitation works on the Western Distributor, including the soffit of the bridge deck, access is required. As such, the relevant part of the structure of the development needs to be able to carry a working load of not less than 2.5kPa. Plans/details are to be approved by the Certifying Authority prior to issue of a construction certificate.	The Proponent notes previous consultation has been undertaken with TfNSW Asset Maintenance Team. This demonstrated that there is adequate clearance from the Western Distributor to the new landbridge structure for TfNSW to carry out all necessary maintenance activities without needing to rely on the Land Bridge structure. The Proponent would suggest this issue be resolved with TfNSW as part of the Maintenance and Interface Agreement.
TFNSW29	TfNSW require suitable protection screens to be installed in the building (where appropriate) to ensure that access is prevented between the Western Distributor and the development by vandals which may attempt to graffiti any part of the Western Distributor. Plans/details are to be endorsed by TfNSW prior to construction.	The Proponent would accept a condition of this nature. The information can be issued prior to the issue of the *relevant* construction certificate
TFNSW30	As some parts of the Western Distributor structure's columns/piers and the superstructure are within and near the development, it is appropriate to carry out investigation and maintenance activities at the same time as the construction of the development. The maintenance activities will depend on the results of the investigation and would most likely involve applying a coating system to the bridge structure and/or cathodic protection to the bridge. This would benefit all parties, as this would reduce the need for future maintenance and associated inconveniences.	Noted. This is outside the scope of the project and is not considered relevant to the Proponent's application. The Proponent would welcome consultation with TfNSW in the future prior to the relevant construction works commencing to explore the possibilities of TfNSW undertaking these works.
TFNSW31	The Applicant is to consult with TfNSW prior to construction regarding any maintenance activities to the Western Distributor structures prior construction	Noted. The Proponent would accept a condition of this nature.
TFNSW32	The Applicant will be required to enter a Works Authorisation Deed (WAD) for the works associated with the development prior to construction. Please note that the Works Authorisation Deed (WAD) will need to be executed prior to TfNSW assessment of any required detailed civil design plans.	Noted. The Proponent would accept a condition of this nature.
TFNSW33	TfNSW fees for administration, plan checking, civil works inspections and project management should be paid by the Applicant prior to the commencement of works.	Noted. The Proponent would accept a condition of this nature, noting that this payment of fees forms part of the WAD, timing of payment should reflect the details as agreed in the WAD.
TFNSW34	Dangerous goods vehicles: All risk mitigation measures recommended in the DGV assessment should be provided by the Applicant including the routine maintenance cost and the periodic rehabilitation/upgrade cost for the implemented mitigation measures	Noted. The Proponent would accept a condition of this nature.

No.	Issues Raised	EU Response
TFNSW35	Fire Protection and Sprinkler system: Both new land bridge and the impacted Western Distributor bridges will need to be made compliant to meet the minimum fire resistance level of the assessment.	Noted. The Proponent would accept a condition of this nature.
TFNSW36	Fire Hydrants: Conforming fire hydrant system is required in Western Distributor under the land bridge to manage the tunnel fire. The Applicant will need to fund for the routine maintenance and rehabilitation / upgrade of the fire suppression system over the life of the asset.	Noted. The Proponent would accept a condition of this nature, however, the Proponent would prefer this issue included as part of the Maintenance and Interface Agreement.
TFNSW37	Air Quality: Conforming air quality monitoring system and the risk mitigation measures should be provided if the air quality issue arises during the service. The developer needs to pay for the routine maintenance of the air quality monitoring and the risk mitigation measures.	Noted. The Proponent would accept a condition of this nature however the Proponent would prefer this issue included as part of the Maintenance and Interface Agreement.
TFNSW38	Flood lighting on the bridge: Any form of flood lighting and other lighting should not dazzle the drivers on the motorway below.	Noted. The Proponent would accept a condition of this nature, however, the Proponent would prefer this issue included as part of the Maintenance and Interface Agreement.
TFNSW39	Lighting: Necessary tunnel lighting needs to be installed for the affected roads including Western Distributor under the land bridge. The Applicant will need to fund the routine maintenance and upgrade of the lighting system including any power supply cost.	Noted. The Proponent would accept a condition of this nature, however, the Proponent would prefer this issue included as part of the Maintenance and Interface Agreement.
TFNSW40	Water: Adequate water supply system should be installed to operate the fire suppression system. The Applicant needs to fund the cost for the periodic maintenance and upgrade of the water supply system.	Noted. The Proponent would accept a condition of this nature, however, the Proponent would prefer this issue included as part of the Maintenance and Interface Agreement.
TFNSW41	Safety screens on the land bridge: The proposed safety screen has vegetation on the inside of the wall and panels on the outside of the wall over the roadway, which can present road safety issue if the panel is dislodged	The design will be reviewed as part of design finalisation to validate design safety criteria are adhered to. The Proponent would accept a condition of this nature.
TFNSW42	Traffic / Security Cameras: It is suggested that the Applicant install a traffic / security camera under the proposed bridge structure to monitor the asset, security, and transport network.	Noted. The Proponent would accept a condition of this nature noting that the camera would be owned, maintained and monitored by TfNSW. as part of their Traffic/Security camera network.
Harbour Street and Wheat Road		
TFNSW43	Comment: TfNSW has reviewed the RtS documents (Appendix T - Technical Note-Respond to RTS Comments on Cockle Bay Redevelopment TIA, Aurecon 17/8/2022, Appendix V - Wheat Road Site Works Plan and Appendix W –Swept Paths 211222) outlines proposed road works on Harbour Street and Wheat Road (including the Harbour Street access driveway and the porte-cochere) was reviewed and the following comments are provided: • The submitted plans require further details for TfNSW to undertake a more comprehensive review. It is recommended that the Applicant consult with TfNSW during the design process.	Refer to items TFNSW 44-56 below. The Proponent notes the requirement to consult with TfNSW during the design process.

No.	Issues Raised	EU Response
	• The left turn lane in to the porte-cochere should be designed in accordance with Austroads. The current proposal uses a diverge length of 40m, however this assumes a design speed of 60km/h (same as the posted speed) and an exit speed of 30km/h. Current practice is for the design speed to be 10km/h above the speed limit and the bay should assume a stop condition if the porte-cochere is full and queued back to the left turn bay.	The left turn lane into the porte-cochere was designed in accordance with Austroads. It is noted that the Structural Engineer used current practices as the existing posted speed in Harbour Street is 50km/h and the design used the 60km/h.
	• The porte-cochere should be designed so the largest vehicle can enter and exit at the appropriate speed wholly within the road space. The swept path analysis shows a stretched limousine and other vehicles egressing the porte-cochere encroaching outside of the road space.	The port cochere is designed to accommodate a stretch limousine, which is likely to be the largest vehicle accessing the port cochere. While the bypass lane is designed to accommodate busses and coaches accessing neighbouring property.
	• The following comments related to design are also provided: i. The Western Distributor Impact Assessment Report outlines that 'An additional horizontal clearance between the road edge and any vertical structure has been incorporated into the design at all new column locations' of 750mm. The working width for F Type Barrier in the Safety Barrier System Acceptance Conditions (which is based upon real life crash test data) exceeds the clearance provision. Due to the new works and taking into consideration above, it is recommended that 2m working width be provided. It is unknown if the building façade adjacent to Harbour Street is designed for collision loading or not, but at this location the taller F Type barrier (1100m high) needs to be used and 2m working width (horizontal offset) be provided from the face of barrier to the building due to the serious outcome of crashes that could occur. ii. A length of linear drain is proposed at the development of the proposed left turn deceleration lane. The note on the plan states, 'ROAD EMERGENCY OVERFLOW ROUTE TO BE CAPTURED WITH LINEAR DRAINAGE ADJACENT TO JERSEY KERB'. It is recommended that the proposed linear drain should be replaced with conventional pit and pipe products unless there are constraints that can be justified. TfNSW's position is that linear drains are a last resort product due to their maintenance implications.	The design has provided Type F profile barriers along the building adjacent to Harbour Street and the Wheat Road auxiliary lane with a 'minimum' lateral clearance of 750mm from face of barrier system to face of structure in line with the AustRoads truck rollover envelope. An additional dynamic deflection zone (working width) has not been provided due to: • Contribution of the permanent structure in resisting the barrier impact loading and minimising lateral deflection, with barrier loading consistent with a Regular performance level as defined in AS5100.1. • All structural columns and walls within 2m of the road edge have been designed for road collision loading to AS5100.2. • Type-F profile rigid barrier height increased to 1100mm to reduce body roll. • TfNSW have requested that a Sway Protection modification (Vic DoT, 2019b, Road Design Note 0613) be investigated at Detailed Design noting this is currently pending approval in NSW. In light of the above, and due to the proposed design of the barrier system, a deflection zone of 2m is not required. The proposed linear drain is to collect any stormwater ponding in Wheat Road and Harbour Street in the event of failure of the main stormwater network in Harbour Street. A linear drain was proposed as the existing longitudinal grade of Wheat Road / Harbour Street is approximately 0.2% and Harbour Street has a cross fall, which would require significant number of pits to drain adequately. In addition to the above, the linear drain would also assist in keeping the connection pipe to the Harbour above the high tide line, so the pipe was not submerged in the Harbour.
	• An assessment for widths of flow and aquaplaning for the proposed slip lane should be undertaken in accordance with Austroads and Australian Standards. The stormwater strategy makes no mention of widths of flow and aquaplaning.	The width of overland flow in Wheat Road is considered to be narrow due to the proposed conditions of having the Landbridge over Wheat Road and Harbour Street, preventing rain from falling directly onto the roads. Based on the above, the risk of aquaplaning is considered low, however, further analysis can be undertaken as part of the next phase of the design. The

No.	Issues Raised	EU Response
		Proponent would accept a condition of this nature requiring consideration of the matter at detailed design, prior to the *relevant* construction certificate.
TFNSW44	Recommendation: To manage and mitigate the issues relating to design and construction of works on Harbour Street and Wheat Road the following preliminary requirements are provided to assist in the preparation of plans and documentation to support an application for TfNSW approval and concurrence:	Noted. As noted in TFNSW48, the intention is that these works form part of the WAD scope of work and approval processes.
TFNSW45	The proposed works along Wheat Road and Harbour Street should be designed to meet TfNSW requirements and endorsed by a suitably qualified practitioner. The design requirements should be in accordance with AUSTROADS and other Australian Codes of Practice. The certified copies of the civil design plans should be submitted to TfNSW for consideration and approval prior to the release of the construction certificate by the Principal Certifying Authority and commencement of road works. To ensure TfNSW requirement are met, consultation with the agency is required.	Noted. As noted in TFNSW48 the intention is that these works form part of the WAD scope of work and approval processes
TFNSW46	Comments above in relation to clearance and drainage requirements for the proposed land bridge should be addressed in consultation with TfNSW.	
TFNSW47	It is recommended that the Applicant consult with TfNSW during the development of the designs to ensure any concerns and requirements are identified early in the design process.	The Proponent notes that this consultation will be carried out as part of the WAD.
TFNSW48	The developer will be required to enter a Works Authorisation Deed (WAD) for the abovementioned works. Please note that the WAD will need to be executed prior to TfNSW assessment of the detailed civil design plans.	Noted.
TFNSW49	TfNSW fees for administration, plan checking, civil works inspections and project management should be paid by the developer prior to the commencement of works.	Noted.
TFNSW50	Any realignment boundary to facilitate a footway resulting from the proposed works must be dedicated as road at no cost to TfNSW.	Noted.
TFNSW51	Redundant driveways to be removed and kerb and gutter reinstated	Noted.
TFNSW52	The developer should be responsible for all public utility adjustment/relocation works, necessitated by the above work, and as required by the various public utility authorities and/or their agents.	Noted.
TFNSW53	All works/regulatory signage associated with the proposed development are to be at no cost to TfNSW.	Noted.
TFNSW54	A Stage 2 (Concept Design) Road Safety Audit should be undertaken by TfNSW accredited independent auditors for the design and operation of the proposed works on Wheat Road including porte-cochere. The Road Safety Audit Report should be submitted to TfNSW endorsement prior to certificate.	Noted. There is no proposal for amending the signalised traffic intersections on the project.
TFNSW55	All recommendations of the Road Safety Audit should be included in the design and/or operational management plans	Noted. The Proponent would accept a condition of this nature.

No.	Issues Raised	EU Response
TFNSW56	Any impacts that require a modification to the existing signalised traffic control facilities (including signage and line marking) requires separate approval under section 87 (4) of the Roads Act 1993. Traffic signal plans is to be submitted to TfNSW for review and in principle agreement.	The Proponent would accept a condition of this nature and propose the inclusion of this clause in the WAD.
Place Management NSW Place Management NSW (PMNSW), as landowners, prepared a submission dated 17 February 2023. The items raised in the PMNSW submission are a mixture of items that can be dealt with via planning conditions (i.e. conditions of consent) and through the Agreement for Lease (AFL) between the Proponent and PMNSW as landowner. This principle has been agreed with PMNSW. Therefore, this following section outlines the response to items that are proposed to be resolved via planning condition or in the planning process. All items to be dealt with under the AFL have not been included in this documentation.		
Materiality along Market Street link		
PMNSW5	• It is understood that the solid panelling along the Market Street pedestrian link is to be replaced with a transparent 3m high flexi-glass panel. PMNSW is concerned that the exposed flexi-glass panelling will become damaged overtime and create a poor visual presentation at an important gateway into the Darling Harbour precinct. It is recommended that the proponent explore the use of a more robust material along this important link.	As noted in item DPE 10, it is proposed to amend this materiality to a durable glass, to address concerns raised regarding the potential impact of plexiglass. However, given the ongoing detailed design development with the DIP, it is requested that a condition be included that requests that the DIP approve any changes to the materiality in this location. Suggested wording is included below: *Any changes to the panelling materiality along the Market Street pedestrian link is to be approved by the DIP.*
Heritage Assessment		
PMNSW6	• The response to submissions report does not sufficiently detail the location of the proposed works in relation to the heritage fabric and curtilage of Pyrmont Bridge. An appropriate condition should be included in any Stage 2 SSDA approval to ensure that the required details are submitted to PMNSW for endorsement prior to the issue of any CC.	Refer to discussion at item number COS9 and HNSW 5 – HNSW11. This is discussed further at **Appendix D**.
Archaeology and Interpretation		
PMNSW8	• All mitigation measures outlined in the Aboriginal cultural heritage assessment report to be implemented by the proponent.	Noted. It is intended that all measures will be implemented accordingly. The Proponent would accept a condition of this nature, requiring compliance with the relevant mitigation measures as per the Aboriginal Cultural Heritage Assessment Report submitted with the EIS.
PMNSW9	• The mitigation measures outlined in the Maritime archaeology HIS are to be implemented by the proponent.	Noted. It is intended that all measures will be implemented accordingly. The Proponent would accept a condition of this nature, requiring compliance with the relevant mitigation measures as per the Maritime Archaeology Statement of Heritage Impact submitted with the EIS and revised at **Appendix J**. It is noted that these items are addressed in greater detail at item number HNSW18.
PMNSW10	• Mitigation measures outlined in non-aboriginal archaeological assessment to be implemented by the proponent.	Noted. It is intended that all measures will be implemented accordingly. The Proponent would accept a condition of this nature, requiring compliance with

No.	Issues Raised	EU Response
		the relevant mitigation measures as per the None-Aboriginal Archaeological Assessment submitted with the EIS and revised at **Appendix K**. It is noted that these items are addressed in greater detail at item number HNSW20.
PMNSW11	• Archaeological assessment (European/ Non-European) of the site will be required for the development (LOC/ Heritage Act) and results must be considered for on-site presentation/ interpretation	The updated Archaeological assessments (non-Aboriginal, Maritime, and Aboriginal) will be prepared and provided to the interpretation team (as will any relevant archaeological results) for use in the development interpretation strategy. It is recommended that appropriate conditions of consent addressing this matter are included in the SSDA approval, as per the response to the items raised by Heritage NSW in this RFI.
PMNSW12	• A holistic site interpretation plan must be developed in conjunction with PMNSW and must address themes relevant to this location outlined in PMNSW's interpretation guideline document "Telling the stories of Darling Harbour", particularly in relation to industrial and transport development of Darling Harbour. Reference must be made to similar works and historical/ environmental studies previously completed for adjacent developments to ensure compatibility.	The Heritage Interpretation Strategy is intended to be further refined to analyse the content of other recent developments in the vicinity to avoid duplication in the key themes, stories, and histories. It should be noted that the Interpretation Strategy will not be complete without the results from archaeological investigation which occur after the issue of the relevant Construction Certificate. The design team has made allowances for design changes following the finalisation of the Interpretation Strategy. It is anticipated this can be a condition of consent.
Wind Impacts		
PMNSW13	• The wind analysis report has identified several areas in the main open space as being particularly susceptible to adverse wind impacts. Accordingly, it is recommended that further wind tunnel testing is undertaken prior to the issue of CC for public domain/landscaping construction to demonstrate that wind speed is safe. Any further mitigation measures required within the public domain and landscaping arising from this testing will need to be presented to the DIP prior to the issue of relevant certificate.	As discussed in item DPE 13-15, a further explanation of the wind outcomes is provided at **Appendix F**. No changes to the wind response are proposed as a result.
Signage and Wayfinding		
PMNSW21	• A detailed signage strategy shall be developed in consultation with PMNSW prior to the approval of any signage zones. The need for 4 sky signs on the commercial tower is questioned.	Noted. Only two signs will be permitted and constructed at the top of building at any time.
Pedestrian Bridges (Market and Druitt)		
PMNSW24	• The proposed new Market Street pedestrian connection shall be designed as an inviting pedestrian link between the City and Darling Harbour through the introduction of innovative lighting, wayfinding, architectural elements, and interpretation and/or art. The final design of the Market Street pedestrian connection shall be developed in consultation with PMNSW prior to the issue of CC.	Noted. This design has been endorsed and approved by Design Integrity Panel (DIP).
Cycle Movement		
PMNSW34	• PMNSW understands that it is proposed to adopt a more site-specific approach to calculating the required bicycle parking rates on the site instead	Noted.

No.	Issues Raised	EU Response
	of relying upon the City of Sydney's DCP rates. This approach is acceptable to PMNSW.	
Load Restrictions		
PMNSW51	• Pyrmont Bridge is not to be used for any purposes relating to the project due to the load restrictions appliable to the asset.	The design requires load from stairs, escalators and two link walkways to be applied to the Pyrmont Bridge structure to make connection between the landbridge and the Pyrmont Bridge. There are no other structural load requirements on the Pyrmont Bridge.
Traffic and Loading		
PMNSW54	• The Wheat Road access configuration at southern end of the site and interface with the neighbouring Ribbon / IMAX development requires further detailed design development.	Noted. This has been undertaken, as discussed in DPE7 and in the Greaton response overpage.
Pinch-Points		
PMNSW56	• Further analysis shall be carried out by the proponent to demonstrate that the eastern deck of the Pyrmont Bridge approach where it meets the northern end of retail podium does not create any unnecessary pinch-points for pedestrians and cyclists moving through the precinct.	As outlined in the response to item DPE9, the proposed design to the Pyrmont Bridge will improve the access between the Pyrmont Bridge and the King Street bridge. This will be further supplemented by mitigation measures to encourage cyclists to slow down on the approach to the connection point. This includes: • the connection between King Bridge will be curved to slow down cyclists before entering Pyrmont bridge and no longer an abrupt 90-degree turn. • the connection between King Bridge and Pyrmont Bridge will be open to the sky with direct sightlines across to help pedestrians and cyclists negotiate each other. • the connection between King Bridge and Pyrmont Bridge will be wider than King Bridge to ensure no bottle necks are created at this junction. This is discussed further at item number PMNSW34.
Greaton – The Ribbon		
A response was received from Greaton dated 18 April 2023 in relation to the relationship between the Ribbon and the Cockle Bay development. The Proponent has proposed a number of changes which we believe addresses Greaton's concerns. Greaton are currently reviewing these changes. These changes are outlined in the main cover letter prepared by Ethos Urban, dated 3 July 2023.		