

20 May 2021

Jim Betts  
 Secretary  
 Department of Planning, Industry and Environment  
 4 Parramatta Square, 12 Darcy Street  
 Parramatta NSW 2150

Architecture  
 Urban Design  
 Planning  
 Interior Architecture

To: Amy Watson, Team Leader

**2-60 Cumberland Street, the Rocks**  
Response to City of Sydney comments

Dear Mr Betts,

This letter seeks to provide a response to the submission received from the City of Sydney on 17 May 2021. It complements the Response to Submissions submitted to DPIE on the 18 March 2021, and the further Response to Submissions submitted to DPIE on the 7 May 2021.

The following table outlines the applicant's response to the issues raised by City of Sydney in relation to the further response to submissions of 7 May 2021.

This further response is supported by updated landscape drawings (both clouded amended plans and a final set).

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Issue raised	Response
<b>Heritage</b>	
The wall mounted timber bison artwork is now proposed to be relocated to a common area at Level 3 of the building. This is supported as the piece will now be retained within the building in a common area. Its relocation within the building is recommended to be conditioned as part of any approval.	The inclusion of a condition of consent is supported. The arrangements for the relocation of the artwork would be provided prior to the relevant construction certificate.
<b>Stormwater drainage</b>	
The RRtS provides further details relating to strip drains as raised in previous advice provided by the City. No further issues are raised, and it is recommended that a condition be imposed that all future public domain plans be submitted to the City for further consideration.	The inclusion of a condition is supported. This would be addressed prior to the issue of the relevant construction certificate.
<b>Traffic and parking</b>	
the City maintains that the development should provide at least 1 car share on site within the 70 existing spaces given that the proposed parking allocation is in excess of the Sydney Local Environmental Plan 2012 maximum. It is recommended that a car share space is provided in the building. Similar new developments in proximity to the site have	The inclusion of a car share space is not supported. There is not adequate space within the basement driveway to provide a car parking space and inclusion of a space within the wider basement would be in conflict with the security of the basement.

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Issue raised	Response
<p>provided car shares including developments at 1 Alfred Street, 50 Bridge Street and 189-197 Kent Street, Sydney. The space does need to be at a publicly accessible location within the driveway but is an important inclusion within the development to enable residents of the building access.</p>	<p>On street is the only appropriate location for a car share space however this is not supported by Place Management NSW. However, as noted previously there is a number of existing car share spaces within walking distance of the site within the public domain which would appropriately service the needs to the site.</p>
<p><b>Landscaping and tree management – street trees</b></p>	
<p>It appears that the RRTS includes canopy cover of Trees 50 and 51 located with the Gloucester walk. As these trees are not located within the site, they are not under the care and control of the applicant and do not contribute to the canopy cover provided within the site. The trees proposed in the internal courtyard areas are unlikely to achieve the canopy sizes indicated on the plans as they are restricted by the surrounding buildings.</p> <p>It is recommended that the plans are amended to provide the 181sqm that the application is claiming for these trees. This equates to one large tree with a 12-metre canopy spread and one medium tree with an eight-metre canopy spread. The plans must be amended to include these trees in locations that can provide adequate soil volumes. The easiest location appears to be within the forecourt area.</p>	<p>Trees growing outside the site boundary (Trees 42, 43, 50, 51) have been excluded from all canopy calculations (existing and proposed). Canopies have been amended to reflect building edges.</p> <p>The revised canopy coverage is as follows:</p> <ul style="list-style-type: none"> <li>– Existing: 513.15m<sup>2</sup> (14.01% of site)</li> <li>– Proposed: 551.93m<sup>2</sup> (15.06% of site).</li> </ul> <p>The proposal provides for greater canopy cover than both the existing and the DCP requirement for 15%.</p> <p>Accordingly, the proposed approach is appropriate and addressed relevant controls and planning instruments.</p>
<p>The tree within the raised planter next to the cafe is unlikely to reach maturity due to limited soil volume. This planter must be amended so it provides soil volumes in accordance with medium trees under the Sydney Landscape Code.</p>	<p>This tree has been substituted with a grove of <i>Livistona australis</i> (Cabbage Tree Palm) with the planter size amended to meet soil requirements.</p>
<p>The proposed Frangipani trees are a slow growing species and are unlikely to reach a size that would allow the site to reach the canopy cover requirements within ten years. This tree species must be amended to a more appropriate tree. The use of Chinese Elm, Weeping Lillypilly, Water Gum and Crepe Myrtle is supported.</p>	<p>Frangipani's have been substituted with Crepe Myrtles.</p>
<p>It is understood that the proposed street tree planting will be subject to approval from Place Management NSW. It is recommended that the street tree planting, similar to the proposed installation of City specified smart poles, should be undertaken in accordance</p>	<p>This is supported and can be addressed as a condition of consent.</p>

Issue raised	Response
with the City's Street Tree Masterplan technical specifications.	
The City further notes that the awning on Cumberland Street has not been set back as per previous recommendations. It is recommended that the awning is set back minimum of 1600mm from the face of the kerb in accordance with the City's DCP to allow for future tree planting. To address the applicant's concerns with the sightline from the driveway, the spacing and setback of trees in this area should be in line with the City's Street Tree Master Plan.	<p>Street Trees have been proposed along Cumberland Street, however the awning has not been amended as street trees are not located alongside the awning.</p> <p>Whilst this will maintain site lines to the shared vehicular/truck access, trees planting would also not be suitable in this location due to the need for clear access to the fire boosters located in the Cumberland building.</p>
<b>Communal open space</b>	
Council considers that many spaces used in the calculation of communal open spaces still include substantial areas of essential access paths and incidental 'leftover' spaces that do not contribute to the recreational needs of residents.	The areas that City of Sydney is referring to form part of the public domain improvements. These areas will both contribute the open space and amenity for residents as well as the general public. This approach is consistent with the Apartment Design Guide which states that 'some communal open space is accessible and usable by the general public'.
<b>General planting principles</b>	
The City recommends approval of a landscape plan and green roof by the Planning Secretary in consultation with Council prior to the issue of a Construction Certificate for above ground works.	We support the inclusion of a condition requiring approval of the landscape plan and green roof plan however this should be prepared in consultation with Place Management NSW as the landowner of the surrounding public domain.
<b>Waste management</b>	
<p>It is noted that the width of each 1100L bin shown in the residential bin storage areas is too small and should be amended by a suitable condition of consent. Currently, the bins have a 1050mm width when it requires a minimum of 1370mm (as detailed on page 34 in the City's Guidelines).</p> <p>Further, a condition of consent is recommended that an amended waste management plan be prepared in consultation with the City that notes residential waste will be serviced by Council and include a contingency plan for servicing if the truck hoist and/or turntable were to fail.</p>	The changes to the bin storage areas is supported and can be addressed through the waste management plan to be prepared as a condition of consent as requested by Council.

Should you have any queries please do not hesitate to contact Anna Johnston ([Anna.Johnston@fileplanning.com](mailto:Anna.Johnston@fileplanning.com)) or Mike File ([Michael@fileplanning.com](mailto:Michael@fileplanning.com)) of FPD Pty Ltd (consultant planners).

We thank you for your ongoing support in the assessment of this application.

Regards,

A handwritten signature in black ink, appearing to read 'Jane Fielding', written in a cursive style.

Jane Fielding  
Senior Associate, Planning