



BH/AC
12710
15 August 2016

Ms Carolyn McNally
Secretary
Department of Planning and Environment
33 Bridge Street
SYDNEY 2000

Attention: Matthew Rosel

Dear Ms McNally

**RESPONSE TO SUBMISSIONS
SECTION 96 (MOD 2) TO CONCEPT PROPOSAL (SSD_5878)**

We write on behalf of the proponent, Lend Lease (Haymarket) Pty Ltd (Lend Lease), in response to the submissions received during the exhibition period of the modification application to SSD 5878. This letter sets out the responses to the issues raised in accordance with Clause 85A of the *Environmental Planning and Assessment Regulation 2000* (EP&A Reg).

The public exhibition of the above mentioned application concluded on Monday 2 May 2016. A single submission was received from the general public and a total of nine (9) submissions were received from the following government agencies:

- Roads and Maritime Services (RMS) x 2
- Sydney Water
- Transgrid
- NSW Environment Protection Authority (EPA)
- Transport for New South Wales (TfNSW)
- NSW Heritage Council (Heritage Division)/Office of Environment and Heritage x 2
- City of Sydney Council (Council)

The submissions from RMS, Sydney Water, NSW Heritage Council/OEH and the EPA did not raise any objection to the proposal. TfNSW and Council raised a number of detailed matters for clarification. The Department of Planning and Environment has raised no significant issues, requesting a number of items are clarified and that a response be provided to the items raised in the remainder of the submissions.

A detailed response to each issue raised in the remainder of the government agency submissions and the comments raised in the single general public submission is provided at **Attachment A**. Those items and the final proposed modifications to the development are set out below.

1.0 AMENDMENTS TO PROPOSED MODIFICATIONS

To reflect the design changes within both the South East Plot and North Plot that have been made following public exhibition of these proposals, the subject modification to the Concept Proposal is proposed to be refined. The following key changes are proposed to the modification application:

- minor adjustment to the Darling Square site boundary;
- slight increase in the total additional GFA sought (by 105m²);
- further revisions to the North Plot to account for the ongoing design enhancements of the detailed building design; and
- consequential amendments to the Design Guidelines.

These changes are reflected in the updated Design report and Parameter Plans prepared by Denton Corker Marshall (DCM) (**Attachment B**). The key changes are described in detail below.

1.1 Site Area

The overall site area is proposed to be expanded to account for the further re-imagination of the North Plot. The site area is now slightly expanded to the north, curving in line with the shifting floor plate design which is envisaged for the revised North Plot. Overall, the site area has increased by 1.3m², equating to a total site area of 37,701.4m².

1.2 Gross Floor Area

An additional 105m² of non-residential GFA is now sought to account for refinements in the design of both the South East Plot and North Plot. As such, the total non-residential GFA increase now sought is 4,548m². This amended GFA total comprises an additional 40m² within the South East Plot and 65m² in the North Plot. An updated detailed breakdown of GFA within the development plots, as well as other specifics within the Darling Square, is provided at **Attachment C**.

1.3 Parameter Plans

Minor amendments to the Parameter Plans are also proposed to those which were publicly exhibited. These changes respond to amendments made to the North Plot detailed building design as a result of design development and further collaboration with Council on the proposed library. **Figure 1** below illustrates the changes proposed to the North Plot within the Parameter Plan since public exhibition.

The proposed amendments to the North Plot relate to the extension of the wrapping stair on the western side of the building, as well as a widening of the Plot to account for the 'shifting' nature of the floor plates. These detailed changes will be further reflected in the Response to Submissions Report for the North Plot State Significant Development Application (SSD 7021).

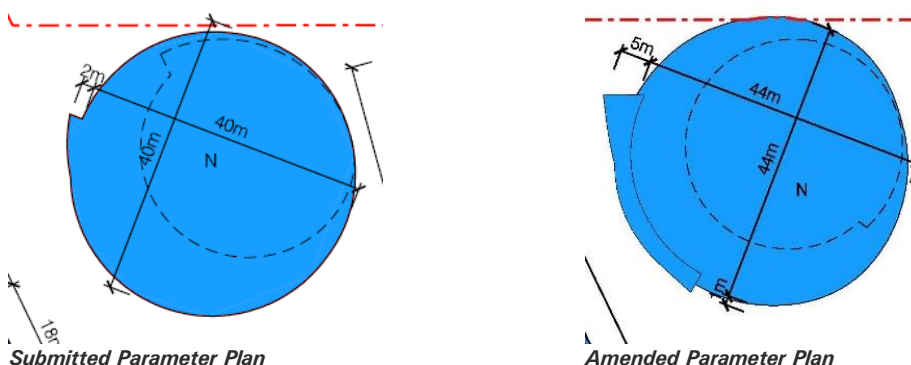


Figure 1 – Comparison of North Plot changes

1.4 Overall Modifications Sought (as amended)

In summary, the Section 96(2) modification application seeks the following modifications to the Concept Proposal:

- Slight adjustment to Darling Square site boundary;
- increase in the total maximum non-residential and residential Gross Floor Area by 4,548m² and 6,681m² respectively;
- adjustments and increase to the north plot parameter plan/building envelope (Note: maximum height of north plot has not increased);
- minor administrative correction to the alignment of Little Hay Street; and
- minor consequential amendments to the approved Darling Square Design Guidelines.

2.0 ASSESSMENT OF AMENDED MODIFICATIONS

The overall changes are considered to be positive and aim to deliver an improved outcome by facilitating the completion of Darling Square. Accordingly, the changes are not considered to give rise to any material alteration to the environmental assessment of the potential impacts considered as part of the original development application. Those matters which require further consideration are outlined below.

2.1 Gross Floor Area Increase

A total of 4,548m² of non-residential and 6,681m² of residential GFA is now sought as part of the modification application. This additional GFA will facilitate the delivery of both the South East and North Plots, ensuring that the aims and aspirations of these development plots are achieved, in particular activation of the ground plane. The minor increase in GFA compared to the publicly exhibited modification application will not result in any impacts not already assessed and will overall deliver an acceptable outcome. In particular, Arcadis has reviewed the amended proposal, namely the increase in GFA, and has confirmed that there will only be a minimal increase to the demands/projects for services requirements (refer to **Attachment D**).

2.2 Boulevard

The Department has requested clarification on whether the detailed North Plot building design will be consistent with the Design Guidelines in relation to encroachments into the Boulevard. It is clarified that the Design Guidelines have been superseded in part with new Design Guidelines related to the reimagined North Plot.

These guidelines require the following requirements be met in relation to the North Plot building:

- not encroach into the Boulevard more than 1m at grade
- not block any view lines through streets and laneways
- maintain the tree alignment in the Boulevard

The refined North Plot Parameter Plan retains a 19 metre separation to the North West Plot (effective width of Boulevard), except with the following flexibility:

A 500mm articulation zone is presumed around all building perimeters to allow for architectural detailing and expression (non-habitable space)

Minimum 19m plot separation at ground/ lower level reducing to:

- 13.4m at public stair/ canopy
- 16m at upper levels

Additional sections have been included in the Design Report (refer to **Attachment B**), reflecting the expected separation of the North and North West Plots. The relevant section is provided at **Figure 2** below.

As illustrated in **Figure 2**, the expected encroachments of the detailed North Plot building design into the Boulevard are minor and will still enable unrestricted pedestrian access and sightlines. The expected encroachments, which comprise a stair case at the lower levels and timber battens at the upper levels, will provide an interesting interface with the Boulevard and one that is highly articulated and lightweight. It is worth reinforcing in the context of these further refinements to the parameter plan that the north Plot building is of a public/civic nature.

CPP has considered the revised Parameter Plan from a wind perspective and has determined that the conclusions and recommendations of the original assessment provided with the modification application remain valid (refer to **Attachment E**). As such, it is expected that the amended Parameter Plan will not alter the amenity of the Boulevard in regards to wind comfort.

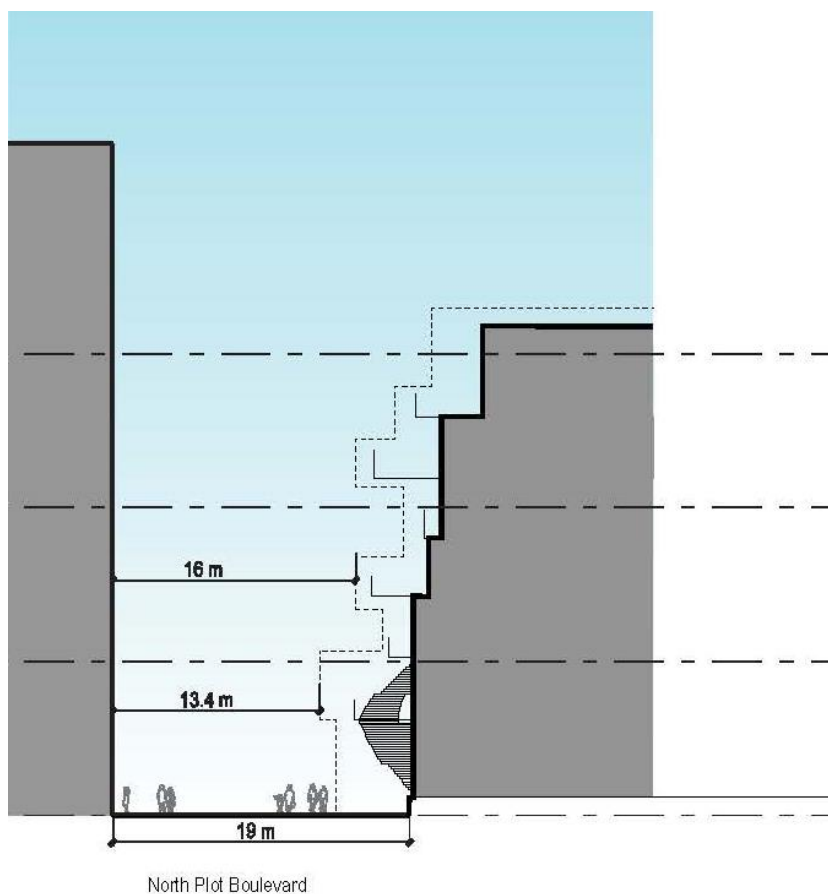


Figure 2 – Section of the Boulevard

2.3 Design Excellence

The proposed further amendments to the North Plot will facilitate the delivery of the North Plot building proposed under SSD 7021. The Darling Exchange, as the North Plot building is known as, is designed by award winning architects Kengo Kuma and Associates (KKA). The building will be a centrepiece to the new Square, anchoring the northern boundary of the Darling Square precinct and enhancing the public domain through its unique design response to the opportunities of the site (refer to **Figure 3**). The building adopts a circular form, with shifting floor plates creating interest at each level and articulated the overall massing of the structure.

Timber battens are also proposed in the detailed building design around the perimeter of the building, adding a layer of warmth and texture to the building form.

The amendments to the Parameter Plan will further strengthen the aspirations of the Darling Exchange and ensure the significant community benefits and design qualities of the building are delivered. Overall, the amended Concept Proposal will ensure design excellence is attained for the North Plot and that an iconic building is able to be delivered that will showcase Sydney as being on the forefront of architectural excellence.



Figure 3 – Photomontage of The Darling Exchange

2.4 Shadows

The amended North Plot Parameter Plan results in slightly different shadows compared to the publicly exhibited Parameter Plan. An amended shadow analysis has been carried out by Virtual Ideas and is included in the Design Report (refer to **Attachment B**). The shadow analysis demonstrates that the amended North Plot Parameter Plan will not result in any significant overshadowing impacts and the Square and surrounding public domain will receive adequate levels of sunlight.

3.0 SUMMARY

The proponent Lend Lease (Haymarket Pty) Ltd and its expert project team have considered the submissions made in relation to the public exhibition of the proposal. A considered and detailed response to all submissions made has been provided within this letter and the accompanying documentation.

The additional assessment undertaken to inform this response to submissions illustrates that there are no adverse impacts associated with the proposal. Overall, the proposal seeks to facilitate the completion of Darling Square. The proposed amendments to the Concept Proposal will enable the delivery of both the South East Plot and North Plot; high quality developments which will significantly contribute to the reinvigoration of the locality and the creation of a new neighbourhood in Sydney's CBD.

We trust that this response to submissions addresses all items raised and is of assistance to the Department in finalising its assessment of the application. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962.

Yours faithfully

A handwritten signature in black ink, reading "Brendan Hoskins". The signature is fluid and cursive, with the first name "Brendan" and last name "Hoskins" clearly distinguishable.

Brendan Hoskins
Senior Planner

Attachments:

- *Attachment A – Detailed Response to Submissions prepared by JBA*
- *Attachment B – Updated Design Report and Parameter Plans prepared by Denton Corker Marshall*
- *Attachment C – Detailed breakdown of Darling Square numerics prepared by JBA*
- *Attachment D – Updated Services Demand/Projections Letter prepared by Arcadis*
- *Attachment E – Revised Wind Letter prepared by CPP*
- *Attachment F – Traffic generation letter prepared by Arcadis*