

Cockle Bay Park – Response to Government, Agency, and Organisation Submissions

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Department of Planning and Environment	
Building Height and Form	
Further consider the height and form of the tower, including how the tower height relates to the immediate context and existing and desired future character of Darling Harbour.	Following the design review process outlined in Section 3.0 of the RTS the height of the tower has been reduced to a maximum of RL 183 m. Refer to Section 5.2 of the RTS and to Appendix C for more information.
Further consider the proposed tower floor plate options, including articulation zones to refine the building envelope and reduce visual dominance.	Following the design review process outlined in Section 3.0 of the RTS the building form controls that would shape the floor plate of any future tower have been refined. Refer to Section 5.2 of the RTS and to Appendix C for more information.
Further consider the tower setback from the western edge of the podium to Cockle Bay, including potential for increased setback to minimise visual dominance and overshadowing.	Following the design review process outlined in Section 3.0 of the RTS the minimum setback of the tower form from the western edge within the Concept Envelope has been increased from at least 6m to at least 8m. The average setback of the tower form within the Concept Envelope has been increased from an average of 8m to an average of 10m. Refer to Section 5.2 of the RTS and to Appendix C for more information.
Tower Siting	
Further justify the tower location, including analysis of alternative locations considering benefits/impacts of each.	Following the exhibition of the EIS the proponent has engaged in a series of design development workshops with the Department's urban design consultant and the proponent's design excellence team. The outcome of these workshops has been documented within the Response to Submissions document (refer to Section 3.0). The location of the tower form within the site allows for flexibility of outcome through the competitive design process and therefore proposes a larger area than would be occupied by any future built

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	<p>form. However, within the envelope various built form outcomes have been deemed acceptable where accompanied by further built form controls</p> <p>Further justification for the location of the tower envelope and built form controls has been provided within Section 5.2 and Appendix C</p>
<h3>Private View Impacts</h3>	
<p>Additional view impact analysis required, including:</p> <ul style="list-style-type: none"> - Comparative analysis of existing and proposed reduced view/cone from the Sussex St properties - Identification of the levels and units where water views and views to Pyrmont Bridge can be obtained and will be affected - Detailed response to submission from 222 Sussex St and associated view analysis - Further consideration of the tower height impacts on water views due to relative angle of depression 	<p>A supplementary View and Visual Impact Analysis has been prepared and is provided as Appendix D. This supplementary impact analysis provides an update on the previously submitted impact assessment to address changes to the design of the Concept Envelope and also includes a detailed assessment of view loss from neighbouring residential buildings where access to these apartments have been provided. This private view analysis has had regard to relevant Planning Principles for View Impacts. Refer to Appendix D and to Section 5.4 of the RTS for additional information.</p>
<h3>Overshadowing Impacts</h3>	
<p>Additional overshadowing analysis is required to address:</p> <ul style="list-style-type: none"> - Inclusion of the approved development at 230 Sussex St - Reduction of shadow impacts on the foreshore promenade based on CoS recommended 12m tower setback - Quantify the required reduction of the proposed envelope in order to meet no additional overshadowing for future town hall square <p>Further consideration to guide the utilisation of the building envelope to mitigate view and overshadowing.</p>	<p>Additional overshadowing analysis has been undertaken to assess the overshadowing impact of the amended Concept Envelope and potential building forms within this envelope This additional overshadowing analysis includes:</p> <ul style="list-style-type: none"> - Consideration of the impact of the approved development at 230 Sussex St; - Review of the shadow impacts on the foreshore promenade; - Existing LEP controls for Sydney Square and Town Hall steps; and - Additional analysis of the potential for a building within the Concept Envelope to overshadow future Town Hall Square, and an analysis of

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	<p>the extent to which the envelope would have to be amended to avoid any impact to this future planned asset.</p> <p>Further information can be found in Appendix C and in Section 5.3 of the RTS.</p>
<p>Other Matters</p>	
<p>Additional information on the mechanism to secure public benefits proposed, including access to open spaces and upgrades of connections from CBD to Darling Harbour and any other contributions</p>	<p>Additional discussions relating to the public benefit associated with the proposed development has been provided in Section 5.8 of the Response to Submissions.</p>
<p>Additional information on the agreement in principle on the proposed crossed over the WD with RMS</p>	<p>Correspondence between the proponent and RMS has been provided (refer to Appendix F) to confirm their in-principle support for the envisaged land bridge facilitated by the proposed development.</p>
<p>Additional information on the consultation with SFDAC and RMS on potential changes to the foreshore promenade and reconfiguration of the marina.</p>	<p>Correspondence has been received from RMS (refer to Appendix M) to confirm that RMS does not have any specific comment in relation to this element of the Concept Application.</p> <p>RMS confirmed that the development should be referred to the Sydney Foreshore Development Advisory Committee but noted that the obligation to refer the application to the Committee is on the Consent Authority.</p> <p>We note that following the introduction of the <i>Draft State Environmental Planning Policy (Environment)</i> and subsequent repeal of the <i>Sydney Regional Environmental Plan - Sydney Harbour Catchment(2005)</i> the Sydney Foreshore Development Advisory Committee is due to be dissolved.</p>
<p>Council of the City of Sydney (237645)</p>	
<p>Statutory and Strategic Context</p>	
<p>In order to enable an accurate assessment of the proposed development</p>	<p>The SEARs for the proposed development were issued on 23 June 2016 and</p>

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<p>within a meaningful context, amended SEARs should be issued and an updated Environmental Impact Statement (EIS) prepared, to address the key planning documents released after the Concept Proposals SEARs.</p>	<p>remain valid for a period of two years. Despite this, the relevance of the SEARs to the exhibited EIS (as modified) was confirmed by DP&E in October 2017.</p> <p>Notwithstanding, a supplementary assessment of the proposed development against documents released following the issue of SEARs in June 2016 has been undertaken and is provided in Section 5.1 of the Response to Submissions.</p>
<p>The submission states that <i>Darling Harbour Development Plan No.1 1985</i> is not a contemporary EPI and notes that the <i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i> (the Harbour SREP) should form the basis for determining the appropriateness of the Concept Proposal.</p>	<p>An assessment of the proposed development against the provisions of the Harbour SREP has been provided within the 2016 EIS and amended 2017 EIS documents associated with this development application. Further commentary is provided in Section 5.1 of the RTS.</p>
<p>Whether the Concept Proposal promotes the objects of the Act should be tested against these contemporary evidence based planning documents.</p>	<p>A supplementary assessment of the proposed development against contemporary planning controls and strategic plans has been undertaken and is provided in the exhibited EIS and supplemented in Section 5.1 of the Response to Submissions. This assessment supports that assessment of the Concept Application against the Objects of the EP&A Act.</p>
<p>Infrastructure provision must be appropriately addressed by the Concept Proposal and not deferred to a future Stage 2 application.</p>	<p>The proponent has committed to the delivery of several key public infrastructure items within the Concept Application, not least the provision up to 15,000m² of publicly accessible open space; fit-out and planting of the newly provided publicly accessible open space to the specifications of either Place Management NSW or Council; and ongoing maintenance and up-keep of the publicly accessible open space for the duration of the commercial lease.</p> <p>Any additional specific infrastructure requirements may be accommodated within the site through the competitive design process. DP&E will have the ability to review, and ultimately approve, the competitive design brief that will shape the ultimate development on the site.</p>

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Infrastructure and Public Benefits	
<p>No value sharing assessment has been made available for the proposal. None of the contributions described by the proponent are secured by way of a planning agreement and the proposal fails to address the appropriate provision of public benefits, services, and infrastructure.</p>	<p>Additional discussions relating to the public benefit associated with the proposed development has been provided in Section 5.8 of the Response to Submissions.</p>
Overshadowing	
<p>Proposal still results in unacceptable additional overshadowing of the Future Town Hall Square and the western frontages of the Darling Harbour foreshore. A 12 metre tower setback to Darling Harbour would eliminate overshadowing of the foreshore area to the development from 11am for the length of the site.</p>	<p>Additional overshadowing analysis has been undertaken to assess the overshadowing impact of the amended Concept Envelope and possible built form within that envelope. Further assessment of this issue is provided in Section 5.3 of the RTS and in Appendix C.</p>
Bulk and Scale	
<p>The amended tower floorplate of 3,575m² is still excessive and does not support a floor plate greater than 3,000m².</p>	<p>The referenced Concept Envelope area of 3,575m² has been further amended as outlined in Section 4 of the RTS and is now limited to a maximum of 3,000m². The expanded Concept Envelope is intended to reduce as far as possible restrictions that could otherwise reduce the flexibility and creativity available in the competitive design process. Notwithstanding, a range of built form controls are proposed to guide the Concept DA approval and competitive design process.</p> <p>While it is noted that the Concept Envelope is larger (and hence more flexible) since the exhibition of the 2017 EIS, it should be noted that building design controls would continue to apply to any future tower on the site which include maximum floorplate size and floorplate length. These controls would prevent a future building occupying the entire Concept Envelope which is guided by a desire to retain flexibility for the competitive process, but governed at the</p>

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	<p>same time by maximum built form building controls. Further information can be found in Appendix C and in Section 5.2 of the RTS.</p>
<p>The filling of the floorplate resulting in an overly bulky development that creates detrimental impacts on the locality in terms of overshadowing and visual impacts.</p>	<p>As noted above, building design controls would continue to apply to any future tower on the site. These controls would prevent a future building occupying the entire Concept Envelope. The applicant's intent is to facilitate a tower with an average floor plate of approximately 2,350m² as defined by built form controls sought to be approved with the Concept DA.</p>
<p>No support for architectural roof features to exceed the proposed building envelope at the Stage 2 SSD application.</p>	<p>Noted. No explicit consent for architectural roof features that exceed the Concept Envelope will be proposed at Stage 1.</p>
<p>The VIA refers to the eventual tower form occupying an average 60% of the envelope. Clarify what the addition of "average" as a qualification means. Concern is raised that this could lead to the delivery of a built form that is inconsistent with what is being assessed and what may eventually be approved.</p>	<p>A supplementary Visual and View Impact Assessment is provided within this submission at Appendix D to determine the suitability of a range of building forms within the Concept DA envelope. Any building delivered within the Concept Envelope will be further shaped by the building controls provided in Section 4.3 of the RTS. These further refine those provided within the 2017 EIS. A maximum envelope control rather than average control is now provide for extra clarity in the approval.</p>
View Impacts	
<p>The design of the pedestrian and axial approaches along Market and Druitt Streets must be developed in detail and tested to ensure that views to the harbour are preserved and improved. All new bridges and structures on this axis must be located north of the extension of the Druitt Street alignment in order to enhance water views from the City.</p>	<p>The proponent acknowledges that views along Market Street and Druitt Street are important and notes that any building the occupies the site should respect these view corridors, as per the Concept DA envelope proposed. Views along Druitt Street and Market Street are likely to be significantly improved by a future development of the site, this will be highlighted within the competitive design process brief and should be properly addressed in determining the winner of the competitive design process and therefore should be written into the Concept DA approval and competitive design</p>

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	process brief.
Recommended demolition of the existing large and functionally unnecessary projecting pier on the south edge of the existing Darling Park.	The Concept Envelope does not include this part of the existing building and hence it outside the scope of the application.
Heritage Impacts	
Alignment, design and detail of the Market Street land bridge link to Pymont Bridge must be resolved to enhance the setting of the Corn Exchange and ensure a high quality and resolved design of the north edge of the new bridge.	<p>A supplementary statement has been prepared by Weir Phillips to directly address the impact of the Market Street land bridge on the Corn Exchange (SHFA's 170 Register, SHR No. 01619). This supplementary statement has been provided as Appendix G.</p> <p>The statement concludes that, although the proposed land bridge abutment will be situated slightly closer to the Corn Exchange Building than the existing bridge, there is sufficient separation between the two structures. The landmark curved form of the Corn Exchange Building will still be visible along the Market Street/Sussex axis when at street level and the visual relationship with the Queen Victoria Building will be preserved. Refer Section 5.11 in the RtS report.</p>
The detailed design of the connection to of Pymont Bridge must be resolved with the input of heritage architects and articulated in the heritage impact statement.	The Heritage Impact Statement undertaken for the Stage 1 DA has assessed the likely impact of the proposed development on Pymont Bridge and determined that the impact will be acceptable, if not positive. This has been further enhanced by the distance of the proposed tower from the the Pymont Bridge when compared to the 2016 EIS design. A detailed and complete heritage impact assessment, including the impact of any direct connection between the then proposed development and Pymont Bridge, will also be undertaken as part of the Stage 2 Development Application.

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<p>Publicly Accessible Open Space</p>	
<p>Publicly accessible open spaces should be accessible at all times, and that the City's standard palette of paving, furniture, lighting and wayfinding signage should be extended throughout the public areas.</p>	<p>The proposed publicly accessible open space will form part of Darling Harbour Precinct that is subject to a lease between the NSW Government and the proponent. Arrangements for public access will be subject to the updated leasing arrangements for the site. The proponent agrees in-principle that public access to the newly created open spaces should be maximised.</p> <p>Details relating to the palette of paving, furniture, lighting and way finding signage adopted on the site will be agreed with Property NSW, if their preference is to adopt the City of Sydney's standard palette then this can be accommodated within the competitive design process brief.</p>
<p>If the publicly accessible spaces are to be used for events the following is recommended:</p> <ul style="list-style-type: none"> - Pedestrian through-routes and connections through the development to Cockle Bay via the terraces, and to Pyrmont Bridge from Market Street must be maintained at all times - A clear path of travel to and on both Pyrmont Bridge and the Cockle Bay terraces must not obstructed by events at any time - Event areas should be restricted in order to maintain some degree of access to publicly open spaces at all times - Consideration should be given to the suitability and durability of proposed materials on the land bridge for events 	<p>These considerations can be addressed within the competitive design process brief, and following this, the ongoing management of the precinct by the proponent and by Property NSW.</p>
<p>The consolidated area of publicly accessible space extending over the Western Distributor must include the provision of lawn, shrub plantings and set down trees on structure. *refer to tree canopy recommendations.</p>	<p>These requirements can be accommodated as objectives within the competitive design process brief.</p>
<p>Ventilation stacks from any infrastructure or building uses should not be located within the main area of publicly accessible open space.</p>	<p>This requirement can be accommodated as an objective within the competitive design process brief.</p>

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The building design should seek to minimise and manage the impacts of wind on Crescent Park.	This requirement can be accommodated as an objective within the competitive design process brief.
Expanded Boardwalk/ Circulation	
The City strongly objects to any additional filling-in or expanded decking over the harbour. The proposed development should be required to maintain the existing width of the pedestrian thoroughfare between the harbours edge and the development site.	The Concept Envelope as currently envisaged (and as previously exhibited) will deliver a building that maintains the existing width of the pedestrian thoroughfare between the harbours edge and the development site. Any future expansion of the existing decking could provide additional capacity for north-south pedestrian movement past the site but is beyond the scope of the current Concept DA for which approval is sought.
Outdoor dining must be contained wholly within the building envelope and should not impinge on the clear right of way of pedestrians.	Noted and agreed, this requirement will form part of the competitive design process brief.
Environmentally Sustainable Design (ESD)	
Any development that purports to display design excellence should include the delivery of exemplary ESD outcomes.	Noted and agreed, this requirement will form part of the competitive design process brief.
A 5 star NABERS rating for the commercial tower and compliance with BCA Section J for the retail component of the proposal represent the minimum standard requirements.	<p>A target will be included within the Competitive Design Process Brief as follows:</p> <ul style="list-style-type: none"> • a 6 star Green Star Design and As Built rating and a NABERS Energy Commitment Agreement targeting 5 Stars ; • a 6 star Green Star Design and As Built rating 4 star NABERS Water for the commercial office component; <p>This does not impact the project team's continued commitment to explore feasible and tangible solutions to achieve increased targets in the future.</p>
The use of high performance glazing for the commercial tower is not	It should be noted that no approval is currently being sought for the detailed

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considered to be an acceptable substitute for external shading devices.	building, any comment on the appropriateness of shading or high performance glazing should be reserved for the detailed design and competitive design process .
Design Excellence Strategy	
A robust Design Excellence Strategy should be submitted and assessed in parallel with the Concept Proposal.	A Draft Design Excellence Strategy has been prepared, reviewed, and discussed with DP&E and the Office of the Government Architect. A final Design Excellence Strategy will be provided to DP&E and the Independent Planning Commissions (IPC) and will accompany any determination.
Design Competition should be supported by a performance brief for the public domain and interface components that is prepared by the State (Office of the Government Architect) in consultation with the City.	The Competitive Design Process Brief will be include consideration of the publicly accessible open space and will be ultimately endorsed by the DP&E and the OGA, who may choose to consult with the City of Sydney.
With regard to jury composition, the guidelines provided in the EIS should be expanded to adhere to the Director General's Design Excellence Guidelines.	A final Design Excellence Strategy will be provided to DP&E and the Independent Planning Commissions to accompany the determination.
ESD benchmarks should be reflected in the Strategy and in the competition brief.	Noted.
Transport and Servicing	
Any approval granted to the Concept Proposal should not include any quantum of car parking. Any approval should contain a conditional requirement for the preparation of a Precinct Parking, Access, Loading and Adaptability Plan.	The proposed Concept Envelope includes an indicative quantum of car parking, which is considerably smaller than the quantum that would be permitted by the Sydney LEP 2012, being the adjacent applicable planning instrument (though not applying to the site). It is accepted that, as part of any Stage 2 Development Application, a justification will be required to support the final number of car parking spaces provided in that application. This will be based upon the ultimate amount of commercial floor space provided by the site and

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	will be within the maximum rates in the comparative Sydney LEP 2012.
It should be noted that the City encourages the provision of zero staff parking for new developments in the CBD, and a further reduction from the proposed 150 parking spaces is encouraged.	Noted, as part of any Stage 2 Development Application a justification will be required to support the number of car parking spaces provided in that application. This will be based upon relevant policy and the ultimate amount of commercial floor space provided by the site.
<p>The proposed development should seek to encourage Sustainable Transport (and Active Transport) in a manner which aligns with the targets and objectives set out in Sustainable Sydney 2030. In addition:</p> <ul style="list-style-type: none"> - City's Cycling Strategy and Action Plan 2007-2017 - Walking Strategy and Action Plan 2014-2030 - Connecting Our City Transport Strategies and Actions (2012) - Sydney City Centre Access Strategy (TfNSW 2013) 	Noted, as part of any Stage 2 Development Application a justification will be required to support the final number of car parking spaces provided in that application. This will be based upon relevant policy and the ultimate amount of commercial floor space provided by the site.
Appropriate car parking rates should be based on recommendations of the Precinct Parking, Access, Loading and Adaptability Plan and not exceed the maximum car parking rates in SLEP 2012.	Noted, as part of any Stage 2 Development Application a justification will be required to support the final number of car parking spaces provided in that application. This will be based upon relevant policy and the ultimate amount of commercial floor space provided by the site.
<p>A comprehensive Transport Study including a traffic report is required to address:</p> <ul style="list-style-type: none"> - the design, capacity and operation of the realigned Wheat Road, including coach/taxi/private vehicle set down/pick up, off street car parking, public disability parking and loading and servicing. - swept path analysis for all vehicles associated with the operation of the proposed development, is required for the realignment of Wheat Road. Turn paths should be provided to show that the largest vehicles and coaches accessing the site can turn left from Wheat Road onto Harbour Street to travel northbound 	<p>The proposed development is a Concept Application, which includes a conceptual outcome for the future built form of the site, including:</p> <ul style="list-style-type: none"> - the design, capacity and operation of the realigned Wheat Road; - swept path analysis and turn paths; - entry and exit from the car park; and - interface with Wheat Road and Harbour Street. <p>The exhibited information demonstrates that a operationally feasible solution is possible for the site. The development of the site, and its interface with the surrounding road network, can continue to be discussed with RMS, and (if</p>

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<ul style="list-style-type: none"> - Turn paths should also be provided for the new road through the site illustrating that all types of vehicles accessing the site can use the turnaround facilities on the proposed site or adjacent Ribbon site. - The entry to the new site car park requires 2-way access out of the Ribbon site's porte cochere. Given the Ribbon site has been designed to accommodate both 14.5m coaches and 19m semi-trailers, it does not appear 2-way traffic is possible. - Insufficient information is provided to determine if the right turn/left turn movements on to Harbour Street from Wheat Street can work especially if traffic signals are provided. It should be noted that a right turn out onto Harbour Street southbound would appear extremely problematic under any scenario. - Detailed information is required to assess queuing of vehicles on the Wheat Road approach of the Wheat Road/Harbour Street intersection and all access roads in and around Harbour Street. The assessment should ensure that no through traffic travelling north of the development site is impacted by vehicles associated with the operation of the development including any queuing around the proposed turning circle. - Concerns are raised regarding safety and queuing of vehicles onto and off Harbour Street as a result of traffic generation from the combined site (this site and Ribbon site). The safety concerns also relate to access to the new site through the porte cochere of the Ribbon site due to vehicles turning from the porte cochere to access the Ribbon site basement car park - Details are required of taxi rank locations, service vehicle loading and unloading within Wheat Road. - Further information is required to demonstrate the suitability of pedestrian access around Wheat Road and the proposed coach 	<p>required) Council, throughout the competitive design process and Stage 2 development application to ensure that these detailed design issues are addressed at the appropriate time in the approvals process.</p> <p>As noted within Section 2.4 of the RTS document, as well as the accompanying input from Colston Budd Rogers and Kafes (Appendix E), it would be possible to require amendments to any future detailed design to allow the comments provided here to be further addressed.</p>

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<p>parking and porte cochere.</p>	
<p>Cycling and Pedestrian Connections</p>	
<p>The Market Street to Pymont Bridge connection, and the Druitt Street to Cockle Bay/Western Distributor connection should be designed in consultation with the City.</p> <p>Subject to heritage considerations, the detailed consideration of cycleway access to and through the site as well as investigating the potential to widen the Market Street pedestrian bridge should be provided as part of the Concept Proposal, not Stage 2.</p>	<p>The design of the Market Street to Pymont Bridge Connection, as well as the Druitt Street to Cockle Bay/Western Distributor connection will be designed further as part of the competitive design process, along with the remainder of the site, though in principal both connections are enhanced through the form proposed in this Concept DA.</p> <p>Providing a detailed consideration of cycleway access during the Concept Application stage could potentially reduce the flexibility and creativity available in the competitive design process. Should the detailed design require widening of the existing Market Street Pedestrian Bridge, approval for this could be sought either concurrently with, or separately to, a Stage 2 building DA. Such an outcome would not be inconsistent with the currently proposed Concept Design and could be included as an objective in the competitive design process brief.</p>
<p>The proposal should optimise circulation and access through the site by providing clear and unambiguous routes that rationalise decision points and appropriate wayfinding strategies.</p> <p>Recommended that the design should facilitate on grade access for cyclists and pedestrians at both connections, rather than stairs, lifts and escalators.</p>	<p>Agreed, this requirement could form part of the design objectives for the competitive design process brief, as it relates to the design of the new open space.</p> <p>Agreed, this requirement could form part of the design objectives for the competitive design process brief, as it relates to the design of the new open space.</p>
<p>Recommended that proposal incorporates suitable connectors to local cycling routes including but not limited to the provision of a connection at Market Street / Kent Street or King Street / Kent Street that provides for a right</p>	<p>Agreed, these requirements could form part of the design objectives for the competitive design process brief, as it relates to the design of the new open space.</p>

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turn into Kent Street when travelling from Pyrmont Bridge.	
Contamination	
Due to the likelihood of contaminants being present a detailed site investigation will need to be carried out.	<p>No change of use is proposed at the site, which will continue to operate as a commercial premises. Significant separation will be maintained between sources of potential contamination, which are likely located on the seabed, and potential receivers on the existing decking. Coffey Consultants conclude that the Site is suitable for the continued commercial use. Coffey make the following recommendations to be implemented as part of any future Stage 2 DA:</p> <ul style="list-style-type: none"> • Implementation of a Construction and Environmental Management Plan; • Additional soil sampling to confirm presence of acid sulfate soils and to develop appropriate management options including preparation of an Acid Sulfate Soils Management Plan; • Disposal of spoil generated from the Site in accordance with NSW EPA (2014) waste Classification Guidelines; and • Implementation of an Unexpected Finds Protocol. • A detailed site investigation can be carried out during (or following) the Stage 2 DA. <p>These requirements can form conditions of consent.</p>
Transport for NSW (237332)	
Future Rail Corridor	
<p><u>Comment</u></p> <p>The amended concept proposal is largely identical to the original concept in</p>	Noted.

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<p>regard to the location of the proposed development that is in close proximity of the future CBD Rail Link (CBDRL). Previous comments relating to the structural integrity and the safe, effective operation and maintenance of the CBDRL remain valid.</p> <p><u>Recommendation</u></p> <p>TfNSW advises that Sydney Trains as the relevant "Rail Authority" under the provisions of the ISEPP will provide a separate response with relevant conditions of consent.</p>	
Impacts on Road Network Operation and Infrastructure	
<p><u>Comment</u></p> <p>The proposed introduction of additional phases to the Wheat Road/Harbour Street/Blackwattle Place intersection would have the potential to impact on the operation of Harbour Street during peak periods.</p> <p>The proposed left turn ingress into Wheat Road and associated modifications to the approved IMAX Theatre development's Porte Cochere and parking arrangement do not align with the altered design and operation of the IMAX Theatre development's Porte Cochere and parking arrangement, following discussions with TfNSW.</p> <p><u>Recommendation</u></p> <p>TfNSW advises that Roads and Maritime Services will provide a separate response and requests that the applicant addresses the issues raised by Roads and Maritime Services in their response to submissions in consultation with Roads and Maritime Services and the Sydney Coordination Office within TfNSW.</p> <p>TfNSW requests that any proposed changes to Wheat Road and the Wheat</p>	<p>It will be possible to amend any building delivered within the Concept Envelope so that it aligns with the solution provided by the approved IMAX Theatre development. As noted within Section 2.4 of the RTS document, as well as the accompanying input from Colston Budd Rogers and Kafes (Appendix E), it would be possible to require amendments to any future detailed design to allow the comments provided here to be further addressed once a detailed competition winning design building is known.</p>

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<p>Road/Harbour Street intersection as part of the subject proposal align with the IMAX Theatre development.</p>	
<p>Active Transport Connections</p>	
<p><u>Comment</u></p> <p>A review of the Pedestrian Assessment undertaken for the proposed development indicates that the Druitt Street Bridge entry access point from the Darling Harbour waterfront would be improved with respect to connectivity, comfort and amenity.</p> <p><u>Recommendation</u></p> <p>The applicant consider further improving the entry access point to the Druitt Street Bridge from the Darling Harbour waterfront and the remainder of the route between the development site and Sussex Street, by increasing its capacity to accommodate Darling Harbour workers and visitors (including during events) in consultation with the Sydney Coordination Office within TfNSW</p>	<p>It is noted and agreed that the interface between Darling Harbour and the Druitt Street connection can be improved. The intent of the Concept Application is that it will facilitate the integration of the Druitt Street pedestrian bridge with the future built form on the site.</p> <p>Once the competitive design process provides a detailed design, this outcome can be assessed, and approval sought, either concurrently with, or separately to a Stage 2 building DA.</p>
<p>The applicant consider connecting existing pedestrian/cycle infrastructure on the Western Distributor with the King Street and Kent/Liverpool Street cycleways via the development site, as part of the development, in consultation with the Sydney Coordination Office within TfNSW.</p>	<p>Agreed, these requirements could form part of the design objectives for the competitive design process brief, as it relates to the design of the new open space.</p>
<p>Construction Pedestrian and Traffic Management Plan</p>	
<p><u>Comment</u></p> <p>It is noted that the proposal seeks concept approval for the construction of new buildings which would be proposed under a Stage 2 development application. TfNSW advises that several construction projects, including the</p>	<p>Noted.</p>

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<p>Sydney Light Rail Project, Sydney Metro City and Southwest Project and the adjoining IMAX Theatre development are likely to occur at the same time as this development within the CBD. The cumulative increase in construction vehicle movements from these projects could have the potential to impact on general traffic and bus operations within the CBD, as well as the safety of pedestrians and cyclists particularly during commuter peak periods.</p> <p><u>Recommendation</u></p> <p>TfNSW requests that the applicant be conditioned to prepare a draft Construction Pedestrian and Traffic Management Plan (CPTMP) as part of a Stage 2 development application in consultation with the Sydney Coordination Office within TfNSW.</p> <p>TfNSW requests that the applicant consults with the Sydney Coordination Office within TfNSW in relation to the above issues. TfNSW would be pleased to consider any further material forwarded from the applicant.</p>	
Impacts on Western Distributor	
<p><u>Comment</u></p> <p>There may be potential impacts of the proposed development on the Western Distributor in particular, access to maintenance activities, road safety, structural integrity and Western Distributor operation.</p> <p><u>Recommendation</u></p> <p>TfNSW advises that Roads and Maritime Services will provide a separate response and requests that the applicant addresses the issues raised by Roads and Maritime Services in their response to submissions in consultation with Roads and Maritime Services and the Sydney Coordination Office.</p>	<p>Noted.</p>

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Interaction with IMAX Theatre Development	
<p><u>Comment</u></p> <p>It is noted that the approved IMAX Theatre development includes changes to Wheat Road and its intersection with Harbour Street. The subject proposal would have the potential to impact on the operation of the IMAX Theatre development, in particular the Porte Cochere and car parking arrangement.</p> <p>Following discussions with TfNSW, the design and operation of the IMAX Theatre development's Porte Cochere and parking arrangement has been altered and prohibits vehicle access at the southernmost vehicle ingress through the installation of bollards, except for service from Ausgrid. All vehicles associated with the IMAX Theatre development, including coaches and loading and service vehicles, would use the northern ingress</p> <p>The proposed left turn ingress into Wheat Road and associated modifications to the approved IMAX Theatre development's Porte Cochere and parking arrangement, as part of the proposed options for either a signalised left turn or left and right turn egress from Wheat Road to Harbour Street, do not align with the altered design and operation of the IMAX Theatre development's Porte Cochere and parking arrangement;</p> <p>It is unclear if the proposed modifications to the approved IMAX Theatre development's Porte Cochere and parking arrangement also form part of the proposed priority controlled left-only turn from Wheat Road onto Harbour Street, as the vehicle swept paths provided at Attachment B are based on the proposed modified Porte Cochere and parking arrangement design.</p> <p><u>Recommendation</u></p> <p>Any proposed changes to Wheat Road and the Wheat Road/Harbour Street intersection as part of the subject proposal align with the IMAX Theatre</p>	<p>It will be possible to amend any building delivered within the Concept Envelope so that it aligns with the solution provided by the approved IMAX Theatre development. As noted within Section 5.12 of the RTS document, as well as the accompanying input from Colston Budd Rogers and Kafes (Appendix E), it would be possible to require amendments to any future detailed design to allow the comments provided here to be further addressed once a competition winning design building is known.</p> <p>A road safety audit undertaken by an independent TfNSW accredited road safety auditor and can be required by Condition of Consent if required.</p>

Item Raised	Proponent's Response
<p>development and be investigated by a road safety audit that should be undertaken by an independent TfNSW accredited road safety auditor</p> <p>The applicant ensures that traffic movements from vehicles associated with the operation of the IMAX Theatre development, particularly northbound traffic on Wheat Road, are not impacted</p> <p>The applicant clarifies if the proposed modifications to the approved IMAX Theatre development's Porte Cochere and parking arrangement also form part of the proposed priority controlled left-only turn from Wheat Road to Harbour Street and if so, investigate the changes by undertaking a road safety audit by an independent TfNSW accredited road safety auditor.</p>	
<p>Roads and Maritime Services (RMS) (242460)</p>	
<p>Construction Traffic Management Plan (CTMP) and Maintenance Traffic Management Plan (MTMP)</p>	
<p>The proponent will need to properly demonstrate how the Project can be safely and efficiently constructed and maintained without requiring full closure of the Western Distributor or adverse impacts to traffic flows, to the satisfaction of Transport for NSW (TfNSW) Sydney Coordination Office (SCO), Transport Management Centre (TMC) and Roads and Maritime.</p> <p>Roads and Maritime, TMC and TfNSW would need to be consulted with regard to any proposed partial closure of the Western Distributor to enable the construction and maintenance of the Project including the Podium over the</p>	<p>Noted. Addressed in traffic response in the RtS report or by Conditions of consent.</p>

Item Raised	Proponent's Response
<p>Western Distributor.</p> <p>A concept CTMP and MTMP detailing construction/maintenance vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Roads and Maritime, the TMC and TfNSW SCO for review as part of any Stage 2 DA.</p>	
<h3>Fire Safety</h3>	
<p>The Project will have the effect of creating a tunnel like situation underneath the Podium. The Proponent will need to demonstrate that there is adequate provision for fire safety underneath the podium having regard to the traffic flow.</p>	<p>The detailed design of Stage 2 of the development at the site can progress in accordance with Aurecon's Landbridge Design Principles Appendix H- Design Criteria (dated September 2017, Rev 2). This document has been prepared to demonstrate to RMS that the classification of the envisaged land-bridge as a 'tunnel' is not necessary or appropriate.</p> <p>A further assessment of fire safety considerations will be undertaken as part of the Stage 2 DA, once the final design for the building has been determined.</p>
<h3>Lighting</h3>	
<p>The proponent will need to demonstrate that there is adequate provision of lighting. A qualified lighting consultant is to be engaged to carry out necessary lighting analysis and design to the satisfaction of RMS.</p>	<p>Accepted. The design team will coordinate a qualified lighting consultant to carry out necessary lighting analysis and design to demonstrate adequate provisions of lighting within the landbridge component</p>
<h3>External Façade and Reflectivity</h3>	
<p>The proponent will need to demonstrate that the reflectivity requirements are adequately addressed in accordance with relevant Australian Standard.</p>	<p>Accepted. A Reflectivity analysis and report was undertaken by Arup and provided as Appendix M of the 2017 EIS. This analysis will be further developed to include components of the land bridge, podium and commercial tower to further address reflectivity requirements as part of the Stage 2 DA submission.</p>

Item Raised	Proponent's Response
Air Quality	
<p>The proponent will need to demonstrate that the air quality is not adversely impacted over and in the vicinity of the Western Distributor.</p>	<p>Accepted. Pacific Environmental have undertaken an assessment of Air Quality and this was provided as Appendix Z of the 2017 EIS. This assessment confirms that the development will not adversely impact air quality in the vicinity of the Western Distributor.</p>
Prevention of Falling Objects	
<p>The proponent will need to take necessary measures to prevent any objects falling on to the Western Distributor during construction and operation.</p>	<p>Accepted. The design team will where practical will take necessary measures to mitigate the risk of any objects falling on to the Western Distributor during construction of the land bridge.</p>
Security	
<p>The proponent will need to demonstrate to Roads and Maritime's satisfaction that the Project does not pose an unacceptable security risk. Significant day and night lighting would be required for Western Distributor and Wheat Road as they would be covered by the overhead structures.</p> <p>The design of the Project, CTMP and MTMP and Emergency Response Plan will need to address:</p> <ul style="list-style-type: none"> • A significant risk of potential "vehicle as a weapon" is presented during the construction phase. Currently there are existing mitigation measures preventing this in the area. The construction of the Project may open the access to the pedestrian area for the precinct which could be exploited. • There is no reference to security processes or hostile vehicle mitigations in either the traffic assessment or construction traffic assessment. • The Project is to include hostile vehicle barriers and pedestrian refuge 	<p>Accepted. The design team is committed to undertaking a holistic security risk assessment review and will develop the design as part of the Stage 2 DA submission to address the security and risk mitigation comments as raised by RMS. This will include addressing the potential risk of the "vehicle as a weapon" in collaboration with TfNSW, RMS and TMC.</p>

Item Raised	Proponent's Response
<p>areas to strengthen protection measures in the area.</p>	
<p>Transport of Dangerous Goods</p>	
<ul style="list-style-type: none"> If the Project creates a tunnel, the impact to Dangerous Goods operators using the route would need to be assessed and, if necessary, an alternate Dangerous Goods route identified. Consultation with relevant industry groups and agencies that may be impacted by the structure and any restrictions on the movement of dangerous goods will be the full responsibility of the developer. 	<p>Aurecon have been engaged to undertake an assessment of future safety considerations associated with the operation of the Western Distributor following construction works facilitated by this Concept Application. Aurecon's preliminary report was appended to the exhibited EIS as Appendix F.</p> <p>The detailed design of Stage 2 of the development at the site can progress in accordance with Aurecon's Landbridge Design Principles Appendix H- Design Criteria (dated September 2017, Rev 2). This document has been prepared to demonstrate to RMS that the classification of the envisaged land-bridge as a 'tunnel' is not necessary or appropriate.</p>
<p>Pier Options</p>	
<p>To ensure that the Project will not preclude future infrastructure upgrades in the subject corridor, Roads and Maritime requires that the existing road corridor width (between existing barriers and kerbs) beneath the Project is maintained.</p>	<p>Noted.</p>
<p>Access for Maintenance and Repair</p>	
<p>The proponent will need to be able to demonstrate to Roads and Maritime satisfaction that the Podium will not unreasonably interfere with Roads and Maritime's ongoing ability to access the Western Distributor (and its surrounds) for the purposes of maintenance, repair, augmentation and, if ever necessary, replacement of the Western Distributor.</p> <p>As the proposed development would cover significant areas of the existing bridges, the level of risk to the maintenance of the bridges needs to be</p>	<p>Accepted. RMS has identified the potential for the proposed development to obstruct major maintenance works on Western Distributor bridges B 6794 and B 8565. As such it has requested that the design team undertake a demolition and reconstruction plan demonstrating that the development will not unreasonably interfere with RMS's ongoing ability to access the Western Distributor.</p> <p>The demolition and reconstruction plan submitted as part of the Stage 2 DA</p>

Item Raised	Proponent's Response
<p>assessed.</p> <p>The demolition and reconstruction plan will need to demonstrate that the demolition and reconstruction of the Roads and Maritime bridges at the end of service life will be possible within the available working envelope following the construction of the Podium.</p> <p>Reducing the size of the Podium land bridge may minimise the risk to Roads and Maritime's assets. This should be investigated in consultation with Roads and Maritime in the preparation of the Stage 2 DA.</p>	<p>will demonstrate that the demolition and reconstruction of the RMS bridges at the end of the service life will be possible within the available working envelope following the construction of the land bridge and podium.</p> <p>Previously provided in the Aurecon's Landbridge Design Principles (dated 21 Sept 2017, Rev2) were sections titled 'Access for Maintenance and Replacement of Bearings at Joint' (Appendix F of the report) and 'Demolition and Replacement of the Western Distributor' (Appendix G of the report) which supports this response.</p>
<h3>Structural Integrity</h3>	
<p>The proponent will need to demonstrate that the Project will not impact on the structural integrity of the Western Distributor and will be designed to meet all relevant safety requirements for the Western Distributor including natural disasters. The proponent is to give consideration to the cumulative impacts of other known developments in the area impacting on the Western Distributor structure.</p>	<p>Accepted. As part of the Stage 2 DA submission, the design team will demonstrate that the Project will not impact on the structural integrity and durability of the Western Distributor. RMS's Minimum Clearances requirements will be considered during the competitive design process, detailed design and Stage 2 DA submission..</p>
<h3>Durability</h3>	
<p>The proponent will need to demonstrate that the works (the Project) over and in the vicinity of the Western Distributor is designed to relevant durability requirements and the do not adversely impact on the durability of the WD.</p>	<p>Noted. This requirement can be conditioned to the Stage 2 DA.</p>
<h3>Minimum Clearance</h3>	
<p>The proponent will need to demonstrate that the land bridge and other works built over and in the vicinity of the Western Distributor maintain clearance as per RMS requirements.</p>	<p>Noted. This requirement can be conditioned to the Stage 2 DA.</p>

Item Raised	Proponent's Response
Constructability	
<p>The proponent will need to provide details of the methodology of how the Podium is to be constructed over the Western Distributor.</p>	<p>Noted. This requirement can be conditioned to the Stage 2 DA.</p>
Responsibility	
<p>The proponent will need to demonstrate that it will take long term responsibility for the elements of the Project which interface with Roads and Maritime infrastructure to ensure that the structural integrity, and Roads and Maritime ability to access the Western Distributor for maintenance, repair, augmentation and replacement, is not compromised.</p>	<p>Noted. This requirement can be conditioned to the Stage 2 DA.</p>
Works Authorisation Deed	
<p>The proponent would need to enter into a major works authorisation deed with Roads and Maritime relating to the construction of the project to ensure that the project is constructed consistently with Roads and Maritime's requirements and to Roads and Maritime's satisfaction.</p>	<p>We acknowledge the considerations raised by RMS with regards to the construction methodology. Further details in relation to the landbridge and podium construction including plans, structure and cross sections will be developed in consultation with RMS and submitted as part of the Stage 2 DA.</p> <p>The applicant will commence the WAD process with RMS before the construction certificate can be issued for the podium construction.</p> <p>The approach discussed and verbally agreed with RMS in previous coordination allowed construction to take place within 2m of the Western Distributor contrary to the proposed condition of consent of a 3m exclusion zone. The design team affirmed that it will need to demonstrate to RMS that maintenance access and any repair works can be safely carried out. Clearance arrangement were included within Aurecon's Landbridge Design Principles report and reproduced below.</p>

Item Raised	Proponent's Response
<p>Wheat Road and Vehicle Access to the development site</p>	
<p>In their current state the traffic signals at the intersection of Harbour Street and Blackwattle Place have almost no impact to traffic along this critical corridor. Adding an additional leg on the western approach will alter this scenario.</p> <p>Traffic from the new approach is relatively light and well below Roads and Maritime traffic volume warrants for traffic signals. This raises questions of the necessity of installing a signalised right turn, particularly given the importance of the corridor and the fact that alternative options are available for traffic leaving the development and heading south via the Kings Wharf precinct.</p> <p>The level of storage provided on the approach is relatively short. As taxis and point-to-point services accessing Darling Harbour may see this area as a convenient pick up/drop off location, traffic is likely to exceed predicted volumes. This may result in queuing on the approach back into the Ribbon development, possibly extending onto Harbour Street.</p> <p>In addition, Roads and Maritime is currently investigating a Smart Motorway through this corridor and if approved is likely to necessitate Ramp Metering on Harbour Street. This will further complicate this heavily trafficked area.</p> <p>In light of the above, Roads and Maritime does not support the alteration of traffic signals on Harbour Street at Blackwattle Place to facilitate right turning vehicles exiting the development via a new western approach and would not grant consent to the works under Section 87 of the Roads Act 1993. Roads and Maritime would raise no objection to the addition of a priority left-turn only exit with Give Way control.</p> <p>Improvements to the proposed access arrangements with the adjoining development should be investigated from a road safety perspective. The</p>	<p>It will be possible to amend any building delivered within the Concept Envelope so that it meets RMS requirements. As noted within Section 2.4 of the RTS document, as well as the accompanying input from Colston Budd Rogers and Kafes (Appendix E), it would be possible to require amendments to any future detailed building design to allow the comments provided here to be further addressed in the competition winning design.</p>

Item Raised	Proponent's Response
<p>arrangement of entering from Harbour Street and vehicles turning from the Porte Cochere to go into the basement parking appears to show cars driving on the incorrect side of the road.</p> <p>With relation to trucks servicing the site, only a 8.8m truck turning path accessing the loading dock area has been shown. Roads and Maritime would require swept paths for 12.5m trucks to be demonstrated.</p> <p>Vehicles accessing the drop off zone will be in conflict with trucks and other vehicles exiting the loading docks to egress from the site. It is recommended that vehicles exiting the loading docks be held with a stop sign or give way at the location of vehicles entering the drop off zone from Wheat Road</p>	
<p>Sydney Trains (242921)</p>	
<p>Sydney Trains advises that our previous comments still stand for this application, and that we have no additional comments.</p>	<p>Noted.</p>
<p>Office of Environment and Heritage (242918)</p>	
<p>Aboriginal Cultural Heritage</p>	
<p>OEH does not consider that a due diligence report is adequate to assess the impacts of the development on the Aboriginal archaeological and cultural heritage values of the subject land. OEH's previous comments remain relevant.</p>	<p>The exhibited Aboriginal Heritage Due Diligence Assessment (refer to Appendix T of the EIS) was prepared by GML Heritage. GML have confirmed that the report is referred to as a 'Due Diligence' rather than an 'Aboriginal Heritage Impact Statement' to provide clarity and consistency with standard OEH report requirements for the management of Aboriginal heritage.</p> <p>The report has been prepared in accordance with OEH policy guidelines to identify whether the site contains Aboriginal objects, whether any objects present will be impacted by the development, and provide recommendations for further work to mitigate any impacts.</p>

Item Raised	Proponent's Response
	<p>As the design of the proposed development is only at the building envelope stage it is not possible to assess in detail the impacts of the development at this stage. As such the impact assessment must be undertaken at a high level at this stage and is based on the types of activities that are likely to result in an impact to Aboriginal objects (based on the information provided by the project to date) and takes into consideration the assessed level of potential for Aboriginal objects (i.e. in areas with a low potential for Aboriginal objects activities associated with the proposed development may not result in any impacts).</p> <p>At this stage consultation with the Aboriginal community has not been undertaken; however, the report does provide recommendations for when consultation should take place depending on the potential impacts that may arise as a result of the development. This additional consultation can be undertaken during the Stage 2 (detailed) development application, when specific impacts associated with the development of the site are able to be addressed in greater detail. This is discussed further in Section 5.11 of the RTS.</p>
<p>Heritage Division of Office of Environment & Heritage (237340)</p>	
<p>Maritime Archaeology</p>	
<p>The results of the transect surveys undertaken under the current wharves, which have only examined the upper strata of the seabed, are not necessarily indicative of the archaeological potential of these areas. Limited test excavation of these areas would provide a better indication of the archaeological potential and nature of these areas.</p> <p>The MAS report does not provide details of the likely dredging, if any, around former wharf.</p>	<p>Additional assessment surveys can be undertaken as part of the Stage 2 DA, specific to the impacts of a detailed building design.</p>

Item Raised	Proponent's Response
<p>The MAS report has not addressed the potential impact of amended proposal on the SHR listed South Steyne (S.S)'s views once the vessel is relocated to the proposed Wharf 7 mooring near the Australian National Maritime Museum in 2020.</p>	<p>An updated Maritime Heritage Report has been provided that confirms that no impact from the proposed development is anticipated on the SS South Steyne in its current location, or any future location.</p>
<p>The report states that there is only low archaeological potential under the positions of the former wharves, as relics do not usually accumulate under wharves. However, other studies of wharf and piers sites (e.g. long jetty in Fremantle) have shown that relics accumulate both around and under these structures.</p>	<p>Additional assessment surveys can be undertaken as part of the Stage 2 DA, specific to the impacts of a detailed building design.</p>
<p>This potentially affects the proposed areas of maritime archaeological potential across the study area and should be reconsidered.</p>	
<p>Although there is a low relative area of suggested impacts to potential maritime archaeological sites across the study area, relative to the overall study area size, most of the potential maritime archaeological sites have been assessed as being of State level heritage significance. As the extent and nature of the sites has not yet been determined, the possible impact cannot be accurately determined until these aspects have been fully investigated using archaeological test excavation.</p>	<p>Additional assessment surveys can be undertaken as part of the Stage 2 DA, specific to the impacts of a detailed building design.</p>
<p>As the impact of the proposed development is currently based on concept structural plans only, the exact extent of the impact of the development cannot be accurately assessed at this time.</p>	<p>Agreed, this is the reason that the proponent will commit to additional assessment surveys, which can be undertaken as part of the Stage 2 DA once the specific impacts of a detailed building design have been determined.</p>
<p>The statement in the MAS report that the impact of construction could be reduced by the use of hollow piles is not supported, as although the use of hollow piles may introduce minimal disturbance when installed, they destroy the archaeological context and stratigraphy of the site when they are eventually removed.</p>	<p>Noted, this can be addressed in the Stage 2 DA.</p>

Item Raised	Proponent's Response
<p>The observation that the mitigation measures specified in MAS report should be improved and enhanced if the proposed works are modified to increase disturbance of the ground area/depth and seabed is strongly supported.</p>	<p>Noted, this can be addressed in the Stage 2 DA.</p>
<h3>Historical Archaeology</h3>	
<p>The applicant has addressed the concerns regarding the inconsistency between the previous EIS and the Historical Archaeological Assessment prepared by GML for historical archaeology. The proposed approach as recommended by GML Heritage, to undertake test excavation in the first instance to clarify the location of significant archaeological deposits and to redesign to avoid them is supported.</p> <p>The previous recommended conditions of consent to appropriately manage the historical archaeological resources located within the subject area through the life of this project are still relevant.</p>	<p>Noted.</p>
<h3>NSW Environmental Protection Authority</h3>	
<p>Minimal excavation and spoil removal is required for the proposed redevelopment, and that any unexpected finds during piling activities are to be managed under finds during piling activities are to be managed under an 'Unexpected Finds Protocol'. It is recommended that a suitably qualified person supervise activities which result in the disturbance of sub-surface materials.</p> <p>Should the final project design differ significantly from that assessed in the</p>	<p>Noted.</p>

Item Raised	Proponent's Response
<p>Preliminary Site Investigation, and significant excavation is required, then an intrusive contamination assessment should be undertaken.</p>	
<p>Sydney Water (237336)</p>	
<p>No further comments to make to our previous correspondence.</p>	<p>Noted.</p>
<p>Ausgrid (237326)</p>	
<p>Supply of Electricity</p>	
<p>It is recommended for the nominated electrical consultant/contractor to provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure.</p> <p>An assessment will be carried out based on the enquiry which may include whether or not:</p> <ul style="list-style-type: none"> - The existing network can support the expected electrical load of the development - A substation may be required on-site, either a pad mount kiosk or chamber style and; - site conditions or other issues that may impact on the method of supply. 	<p>A preliminary assessment has been undertaken alongside the preparation of this Stage 1 Concept DA. Further investigations can be undertaken as part of any Stage 2 DA once more detail is available pertaining to the exact future electricity demand, and the detailed design, of the future built form of the site. For Concept DA purposed the level of supply has been determined as suitable subject to any required augmentation from the Stage 2 detailed design.</p>
<p>Conduit Installation</p>	
<p>The need for additional electricity conduits in the footway adjacent to the development will be assessed and documented in Ausgrid's Design Information, used to prepare the connection project design.</p>	<p>Noted.</p>

Item Raised	Proponent's Response
<p>Proximity to Existing Network Assets</p>	
<p>It is recommended that the developer engages with Ausgrid as early possible to work through the possible construction implications with regard to the proximity of the cable underground assets on the site.</p>	<p>Noted.</p>
<p>It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.</p> <p>Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.</p> <p>The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations.</p> <p>Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.</p> <p>Exterior parts of buildings within 3 metres in any direction from substation ventilation openings, including duct openings and louvered panels, must have a fire rating level (FRL) of not less than 180/180/180 where the substation contains oil-filled equipment.</p> <p>The development must comply with both the Reference Levels and the precautionary requirements of the Draft Radiation Protection Standard for Exposure Limits to Electric and Magnetic Fields 0 Hz – 3 kHz (ARPANSA, 2006).</p>	<p>These requirements can be accommodated within a future Construction Management Plan.</p>

Item Raised	Proponent's Response
Elizabeth Elenius of Pymont (on behalf of the Pymont Action Group) (242923)	
<p>Scale of Project - PAG recommend a further reduction in the scale of the development with a height of no more than 35 storeys.</p>	<p>As outlined in Section 3.0 of the RTS, the development (as now proposed) has undergone an extensive design review process to ensure that the proposed scale is suitable for the site. Further discussion can be located in Section 3.0, Section 4.0, and Section 5.2 of the RTS.</p>
<p>Building Placement – PAG recommend a further setback of the podium to no less than 24m to ensure that there is no prospect of further encroachments by Property NSW over the water.</p>	<p>The separation between a future building and the existing waterfront would not be affected by the proposed development. The potential to expand the boardwalk has been included (at Concept level) to acknowledge that expansion of pedestrian capacity in this area may be required in the future and can be accommodated .</p> <p>This aspect of the development has the potential (subject to design) to improve amenity in the area and support a working harbour, the definition of which (as provided by the Draft Environment SEPP) includes a range of recreational, transport, tourism and commercial uses such as is proposed on this harbour-front site within the Concept Proposal.</p>
<p>Access - PAG recommend provision of additional direct pedestrian access to the CBD from Pymont.</p>	<p>By improving the pedestrian permeability through the site, the development will improve the pedestrian experience and encourage pedestrians to walk between the CBD and Pymont.</p>
<p>Traffic and Transport - PAG continue to recommend up-to-date traffic impact studies for all major intersections associated with Darling Harbour developments, including in Pymont and Ultimo as part of the integrated planning for the peninsula and the Western CBD.</p>	<p>The proposed development is for a Concept Envelope, further traffic studies can be undertaken as part of the Comprehensive Transport Study, which will be undertaken as part of the Stage 2 DA. The quantity of car parking proposed within the Concept Envelope is acceptable because it has been demonstrated to have no significant impact on the surrounding road network, and is consistent with the objectives and controls relating to car parking provided within the Sydney Local Environmental Plan 2012, which, although not directly relevant to the site, does provide a useful guide to inform the</p>
<p>Traffic and Transport – PAG recommend that (a) further traffic studies be undertaken to take account of new and proposed developments in the Darling Harbour area; (b) that new and improved public transport services be</p>	

Item Raised	Proponent's Response
<p>implemented to serve Pyrmont/Ultimo/Darling Harbour, as part of an integrated plan for Pyrmont/Ultimo and the CBD, both involving meaningful consultation with community and business representatives.</p> <p>Community Benefit - The developers of the Cockle Bay Wharf redevelopment should consult with local community groups to ensure that the project is of community benefit in more ways than just provision of open space. Developer contributions (either cash or in kind) should be allocated to social infrastructure projects that address unmet inner city community needs.</p>	<p>acceptable levels of car parking for a commercial building such as is proposed.</p> <p>Further discussion of community benefit is provided in Section 5.8 of the RTS. Further consultation between the proponent and local community groups will be undertaken as part of the competitive design process and subsequent Stage 2 DA.</p>
<p>The National Trust of Australia (NSW)(235603)</p>	
<p>The National Trust note that: in 1828 the Government Notice from the Colonial Secretary's Office stated that <i>'The Government shall reserve for itself all land within one hundred feet of high water mark, on the sea coast, creeks, harbours and inlets.'</i></p> <p>The National Trust has outlined the historic significance of the site and rejects the proposed development on the basis that it does not fully respect this significance.</p>	<p>The Government Notice of 1828 is not a statutory planning instrument and dates from the year 1828.</p> <p>The Site is subject to the provisions of the <i>Darling Harbour Development Plan Number 1 (DHDP)</i>, which does not provide a maximum development standards for height of buildings or FSR.</p> <p>In the absence of height and FSR standards for the Darling Harbour area, to inform a scale for buildings on the site, as outlined in Section 3.0 of the RTS, the development (as now proposed) as undergone an extensive design review process to ensure that the proposed scale is compatible with that of the surrounding buildings, its CBD context and the emerging CBD context. Further discussion can be located in Section 3.0, Section 4.0, and Section 5.2 of the RTS.</p> <p>A heritage assessment of the proposed development was included within the 2017 EIS and is supplemented within the RTS document (refer to Section 5.11 and Appendix G and Appendix H)</p>

Item Raised	Proponent's Response
Sydney Harbour Association, Watsons Bay (233327)	
<p>The Association stipulates that harbour-front land <i>ought properly to be utilised only for public purposes that clearly relate to the Harbour. The proposal does not envisage such a pattern of use.</i></p>	<p>The Site is under public ownership and will remain so following the proposed development. The development has the potential (subject to design) to improve amenity in the area and support a 'working harbour', the definition of which (as provided by the Draft Environment SEPP) includes a range of recreational, transport, tourism and commercial uses such as is proposed on this harbour-front site within the Concept Proposal.</p>
<p>The Association also notes: <i>the tower does not advance the stated policy of the NSW Government to the effect that the foreshore should be recognised, protected and enhanced as a public asset. Instead, the tower will have a deleterious effect on the whole of the Darling Harbour visual and recreational environment, and a similarly adverse impact on the Pyrmont Bridge, while making no positive contribution to maritime activity on and around the Harbour at all.</i></p>	
Environment Protection Authority (237330)	
<p>At this stage the EPA has no interest in the amended Concept Proposal</p>	<p>Noted.</p>
Alex Greenwich (MP for Sydney) (237274)	
<p>Height At 195 metres high, the commercial tower on the existing Cockle Bay Wharf marks a massive change in scale. The community has stated over and over again that it does not want high rise towers against the public foreshore yet that is what is continuing to be proposed. The tower would dominate Cockle Bay and surrounds, including the Harbourside foreshore opposite and the heritage Pyrmont Bridge. It would add to cumulative impacts from other high rise plans and proposals in the precinct.</p>	<p>The Site is subject to the provisions of the <i>Darling Harbour Development Plan Number 1</i> (DHDP), which does not provide a maximum development standards for height of buildings or FSR.</p> <p>As outlined in Section 3.0 of the RTS, the development (as now proposed) as undergone an extensive design review process to ensure that the proposed scale is compatible with that of the surrounding buildings, ts CBD context and the emerging CBD context Further discussion can be located in Section 3.0, Section 4.0, and Section 5.2 of the RTS</p>
<p>Views The tower would significantly impact on views within Darling Harbour, and</p>	<p>A supplementary View-loss and Visual Impact Assessment (VIA) has been prepared and is provided as Appendix D. The supplementary VIA is</p>

Item Raised	Proponent's Response
<p>from Pymont Bridge and Pymont.</p> <p>While the amended development proposal moves the tower further away from Pymont Bridge, it would continue to dominate outlooks from this heritage bridge for people travelling towards the city, blocking most city skyline views to the right of the bridge. The heavy presence of the tower adjacent to the bridge would detract from the experience of walking on this important bridge and impact on its heritage values and views.</p> <p>City views from the Harbourside promenade would be severely impacted with the tower blocking the city skyline and dominating outlooks. Large portions of city views from Cockle Bay Wharf would be blocked by the tower and podium. This would have a detrimental effect on the amenity and public experience of this important public space.</p> <p>I am concerned about significant loss of views from homes in the Astoria Building, some of which will be devastating. Views are important to the wellbeing of apartment residents, who live with no private open space. A view can connect someone inside an apartment with the outside world and create a sense of space.</p> <p>Of great concern is that the building would block such a significant portion of the outlook from some homes that it will also result in massive loss of light and brightness inside. There is also reference to the loss of views for the 230 - 234 Sussex Street residential building that is under construction however photomontages seem to be excluded in the documents, even though there are references to them. These need to be provided to ensure transparency.</p>	<p>summarised in Section 5.4 of the RTS and deemed acceptable for the Concept DA assessment, please refer to this section.</p> <p>The consent for the development at 230 Sussex Street has recently been modified and the site is no longer to be used for residential purposes and is now for hotel purposes.</p>
<p>Boardwalk</p> <p>I strongly object to the proposed boardwalk over water included in the amended design. The harbour continues to be incrementally reduced and this has impacts on its working harbour functions. The water is the major attraction of Darling Harbour and reducing its space impacts on the precinct's amenity. This proposal must be rejected.</p>	<p>The potential to expand the boardwalk has been included to acknowledge that expansion of pedestrian capacity in this area may be required and/or desired in the future . The separation between a future building and the existing waterfront would not be affected by the proposed development.</p> <p>This aspect of the development has the potential (subject to design) to improve amenity in the area and support a working harbour, the definition of</p>

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<p>Overshadowing While overshadowing of Tumbalong Park has been removed under the revised plans, overshadowing remains a serious problem with the proposal. The eastern promenade will experience overshadowing in the morning as will parts of the water, which could reduce its environmental quality. While there are improvements to solar impacts, the future Town Hall Square opposite Sydney Town Hall will have reduced sun access as a result of the proposed tower. Town Hall Square has long been part of the strategic plan to activate the city centre with a new civic boulevard and pedestrian hub, which will be reinforced by the light rail project on George Street. The draft Central Sydney Planning Strategy proposes a “no additional overshadowing” control for the square, and while it is not yet on public exhibition and not a required consideration, it is part of the long term vision for the city and should be respected.</p>	<p>which includes a range of recreational, transport, tourism and commercial uses such as is proposed on this harbour-front site within the Concept Proposal.</p> <p>The proposed development has been amended following the design review process outlined in Section 3.0 of the RTS. The exhibited proposal demonstrated limited overshadowing of the foreshore promenade and Cockle Bay water. A full assessment of that overshadowing was included within the 2017 EIS.</p> <p>Following refinements to the design of the Concept Proposal additional overshadowing studies have been undertaken and are provided in Appendix C and in Section 5.3 of the RTS.</p>
<p>Wind Downwash wind from the tower would undermine enjoyment of the Cockle Bay Wharf promenade, particularly at the corner of buildings. The boardwalk, Pyrmont Bridge and Sussex Street will only pass the pedestrian walking test and no longer be suitable for pedestrian sitting due to wind impacts. These are important civic spaces; people need to be able to sit and linger comfortably on the promenade and Pyrmont Bridge, which are significant tourist destinations.</p>	<p>Wind Impact Assessment of the amended Concept Proposal has been prepared by Cermak Peterka Petersen (CPP) and was exhibited as Appendix N of the 2017 EIS. The assessment demonstrates that the pedestrian environment of Cockle Bay promenade is not likely to be adversely impacted by the future building and passive activities will be unaffected. Further mitigation measures where required will be included in the Stage 2 DA.</p> <p>Wind impacts associated with the amended Concept Envelope have been addressed in Section 5.9 of the RTS and within the updated Wind Statement provided at Appendix I. In summary, the assessment concludes that any potential wind impacts to pedestrian comfort can be mitigated through the implementation of design features which will be further explored in the</p>

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<p>Traffic The proposal for up to 150 car parking spaces should be rejected outright; it marks a small reduction from the original proposal and remains excessive and unacceptable given the building's proximity to other transport options including buses, trains and ferries and in the near future: metro and light rail. There is already serious traffic congestion in the central business district road network with queuing a frequent occurrence on Harbour Street. Parking should be limited to space for service vehicles, bicycles and car share.</p>	<p>competitive design process and Stage 2 DA.</p> <p>Development of the Site will provide fewer car parking than permitted the <i>Sydney Local Environmental Plan 2012</i>, which whilst not directly applicable provided a guide to CBD parking rates</p> <p>Using the formula provided by the LEP the proposed development could provide a maximum of 498 parking spaces (420 commercial and 78 retail spaces).</p> <p>The exhibited Concept Proposal provided only 40 percent of the number of spaces that would theoretically be allowed by the Sydney LEP. The Concept Proposal therefore complies with the LEP if it were to apply to the Site and is indeed much lower.</p> <p>Notwithstanding the above, the amended Concept Proposal has further reduced car spaces by 25 percent to 150 spaces, which is significantly fewer than would be permitted by the LEP and the previous 200 spaces requested and exhibited with the EIS.</p> <p>By providing less parking than could be achieved under the LEP the proposal has accounted for the high level of public transport close to the site.</p>