



**Beville Group**

9<sup>th</sup> May 2013

Director General  
NSW Department of Planning and Infrastructure  
23-33 Bridge Street  
SYDNEY NSW 2000

Attention: Thomas Mithen – Major Projects Assessment

Dear Sirs,

**STATE SIGNIFICANT DEVELOPMENT APPLICATION – SSD 5752  
SYDNEY INTERNATIONAL CONVENTION, EXHIBITION AND ENTERTAINMENT PRECINCT  
(SICEEP)**

Suntrack Holdings Pty Ltd ("SH") is the leaseholder and operator of Harbourside Shopping Centre, Darling Harbour ("HDH"), which is the major neighbour immediately adjacent to the proposed SICEEP development. This correspondence and the accompanying report by our appointed Town Planning advisors, Don Fox Planning, establish the context of the interface between HDH and the proposed development, and outlines our objections and concerns over the Proposed Development.

SH have made every attempt to be a cooperative and supportive neighbour throughout the SICEEP development process. We have made ourselves and our advisors (at our own cost) available to Infrastructure NSW ("INSW"), Sydney Harbour Foreshore Authority ("SHFA"), the bidding consortia, and the selected bidding consortium, Darling Harbour Live ("DHL"), and have been involved in numerous meetings with those involved. We are therefore extremely concerned at the lack of recognition placed on the importance of the interface with HDH. It appears none of the legitimate expressed concerns from SH and our advisors have been reflected within the Environmental Impact Statement, and there is no recognition of these concerns and issues recorded in the consultation records lodged with the Development Application.

We are further concerned at recent feedback from INSW that they now do not recognise the critical meetings involving numerous parties as formal, and have requested that records are not to be circulated of consulting discussions. Ultimately we are significantly concerned that the consultation process for this project is simply talk, with little if any recognition given to the significant and valid concerns of the existing neighbours to the Project Site.

Within our response we have not raised any objection to the fact that the redevelopment is occurring. We see that there may be long term benefits from the change and evolution of the facilities, and we do not wish to enter into a subjective debate on the appearance or design of the proposed facilities. Our concerns are about real functional and practical issues that will have a detrimental effect on HDH and the Darling Harbour precinct generally.

Our concerns, as detailed in the attached submission, are focussed on our concern for the patrons and visitors to HDH and Darling Harbour. Our criticisms relate to:

- the major street address to HDH from Darling Drive ("Harbourside Place") including the lack of vehicle spaces and amenity, pedestrian conflicts and emergency services;

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- traffic and parking concerns, including the need for the development to have a real recognition of the patrons of, and visitors to Darling Harbour, and how this affects parking and public transport for the precinct;
- construction impacts, including traffic planning, emergency services, egress and fire life safety impacts, construction noise, air quality, and construction hoardings;
- the impact on the public space from the proposed development – specifically in relation to wind generated by the proposed buildings; and
- the treatment of the public domain.

We also have a major concern over how this Development Application can be assessed given that a major integrated part of the SICEEP project works is excluded. The ICC Hotels are, as we understand it, a major requirement of the redevelopment of the SICEEP precinct, and are integral to the DHL scheme. The proposed 900 room hotels will have a significant impact on traffic, wind, changes to circulation, the public domain, and car parking. The proposed ICC Hotels will create fundamental changes to the Construction Management Plan ("CMP") to the extent that the CMP submitted with this development application will be irrelevant to the project.

We do not believe that the development application can or should be considered without the ICC Hotel development application being either integrated or at least being considered at the same time, and strongly encourage NSW Department of Planning and Infrastructure to hold this application in abeyance until such time that this can occur.

The construction period of the redevelopment is likely to reduce the number of visitors to Darling Harbour and HDH. SH has been assured by the proposed builder, Lend Lease ("LL"), that there will not be any food services, including canteen facilities provided on site, or any food trucks permitted on site, as an endeavour to support the myriad of food retailers that will be impacted by the construction. As LL has verbally made this commitment several times, we request that they formalise this commitment in writing and within the planning process to provide reassurance to the retailers within Darling Harbour.

SH believe that our concerns could be addressed through a meaningful, open and honest consultation process with INSW, SHFA, LL and the DHL consortium. We believe a genuine commitment to consult combined with some design changes will result in a positive outcome for the parties involved, and provide the level of quality and amenity that Darling Harbour deserves and demands.

We also note that SH are currently considering redevelopment options for HDH, and have already made representations to INSW and SHFA on this issue. We wish to reinforce that any approval or conditions placed on the SICEEP development should not diminish or impact the development potential of the HDH site.

We would be pleased to meet and further expand on our concerns, and to be involved in a meaningful discussion how the application can be developed and modified in recognition of the existing and future users. Please contact me directly on (02) 8204 1888 for any further requirements, or alternatively contact our Architect and Development Advisor, David Dove on 0410 025 892. We look forward to speaking to you and the Planning Assessment Commission to assist in achieving the best outcome for Darling Harbour.

Yours Faithfully



John Beville  
Managing Director  
Suntrack Holdings Pty Ltd



planning consultants



town planning  
economic & retail assessment

10 May 2013  
Our Ref: 8469A.1KO

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NSW Department of Planning and Infrastructure  
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SYDNEY NSW 2000

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Dear Sir

**STATE SIGNIFICANT DEVELOPMENT APPLICATION – SSD 5752  
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(SICEEP)**

DFP has been commissioned by Suntrack Holdings Pty Limited ("SH"), the owners of the Harbourside Shopping Centre, Darling Harbour, to review the State Significant Development Application for the redevelopment of the Sydney Convention and Exhibition Centre and Entertainment Centre and associated public domain works. The submission is prepared in response to the public exhibition of the development application.

The proposal represents a major redevelopment of the convention, exhibition and entertainment facilities in Darling Harbour, a development strategy which is in principle supported by SH. Our client believes it is important that Sydney is able to provide facilities of an international standard in order to compete for conventions, exhibitions and conferences, and to attract major events.

The proposed redevelopment however will have a number of both short and long term negative impacts directly on the Harbourside Shopping Centre, Darling Harbour ("HDH") and the surrounding Darling Harbour Precinct.

The redevelopment of the area referred to in the Development Application as the "Bayside Precinct" is of primary concern. The Convention Centre redevelopment, along with the adjacent proposed twin tower ICC Hotel development, does not provide adequate consideration of the requirements of the immediate area, and seriously impacts on the operations of HDH. This impact specifically is in regard to traffic, vehicular movements and pedestrian access, both during construction and with the final proposed scheme. The proposed construction process will also have a major detrimental impact on HDH during the three year construction period.

The principal issues of concern are:

- The assessment of the development proposal in the absence of the associated ICC Hotel Development, and the associated cumulative impact of the Hotel with the SICEEP Development;
- The design of the Harbourside Place;
- Traffic, transport and parking arrangements, including emergency vehicle access to HDH;
- Construction Impacts including noise, site access and hoardings; and
- Environmental impacts, particularly wind impacts.



DFP understands SH has raised and detailed a number of the above concerns during numerous meetings and consultations with its landlord, Sydney Harbour Foreshore Authority ("SHFA"), the developer Darling Harbour Live ("DHL") led by consortium member Lend Lease, and with Infrastructure NSW (as the project manager of the SICEEP development for the State Government) prior to the lodgement of the Development Application. These concerns were not acknowledged, addressed or responded to in the Development Application as submitted, or referenced in the Environmental Impact Statement (EIS) or associated documentation. To provide background to the context of SH's concerns, a summary of HDH operations is provided in Section 1. Sections 2-6 detail HDH's principal issues of concern.

## 1.0 Harbourside Darling Harbour

HDH is located on the western foreshore of Darling Harbour, directly adjacent to the Sydney International Convention Centre ("ICC"). Darling Harbour is a major cultural, entertainment and tourist precinct with over 26 million people visiting the precinct each year. It is important to note that the visitors statistics to Darling Harbour<sup>1</sup> show:

- 73% of visitors are from Sydney;
- 14% of visitors are domestic tourists from regional NSW and other States; and
- 13% of visitors are international tourists.

It is important to recognise the high percentage of Sydney based visitors to Darling Harbour, as this directly relates to transport and parking requirements for the precinct. Key statistics for HDH are detailed in Table 1 below.

Element <sup>2</sup>	Details
Gross Floor Area	Approx. 24,000m <sup>2</sup>
Shops	<ul style="list-style-type: none"> <li>• 54 retail stores</li> <li>• 25 restaurants, cafes, bars</li> <li>• 20 food court eateries</li> <li>• 15 service stores</li> <li>• 4 entertainment venues</li> </ul>
Annual Visitation	13 million visitors per annum ( approx. 50% of visitors to Darling Harbour visit HDH). 14 Million visitors are predicted for 2013
Reason for visit	<ul style="list-style-type: none"> <li>• Shopping (29%)</li> <li>• Dining (35%)</li> <li>• Sightseeing (21%)</li> <li>• Experience (11%)</li> <li>• Convention (4%)</li> </ul>
Mode of Arrival to HDH	<ul style="list-style-type: none"> <li>• Car 33.5%</li> <li>• Walk 39.6%</li> <li>• Train (incl Light Rail) 16.9%</li> <li>• Bus 6.5%</li> <li>• Monorail 3.5%</li> </ul>

HDH has a mix of traditional retail shops, restaurants and entertainment venues. The centre is a popular entertainment and recreation destination for Sydney, with internal survey data showing 35% of visitors coming to HDH for dining, and a further 32% for sightseeing and the experience of the centre and the precinct. The Food and Beverage success can be seen with the centre housing several of the highest turnover restaurants in Sydney.

<sup>1</sup> Source – Sydney Harbour Foreshore Authority ("SHFA")

<sup>2</sup> Note: "Reason for visit" and "Mode of Arrival" data sourced from independent survey work carried out inside HDH - survey carried out between September & October 2012.



The internal survey data also indicates that visitors to the centre are attracted by the retail shopping facilities (some 29% of respondents specifically coming to the centre for retail shopping).

HDH caters for a number of tour operators (predominantly inbound tourism operators), who visit the centre due to its location, food and beverage offering and availability of coach passenger drop-off and pick-up immediately adjacent to the centre accessed from Darling Drive.

As noted in the above table, HDH has approximately 13.5 million visitors per year through the centre. This is a conservative estimate as it does not take into account visitors who dine at the promenade restaurants, bar and cafes, but do not enter the centre (estimated to be in excess of 1 million visitations, thus totalling 14.5 million annual visitations).

By comparison the Sydney Exhibition and Convention Centres attract approximately 900,000 visitors annually. Whilst it is anticipated that the new exhibition and convention facilities will attract additional visitors, it remains that there are significantly more visitors annually to the HDH than there are (or will be) to the Convention and Exhibition Centres.

As noted in the EIS<sup>3</sup> the primary street address to HDH is from Darling Drive, accessed via the loop road. The loop road provides the only direct public vehicular access and drop-off and pick-up point for visitors to HDH (as well as servicing the ICC). This area includes:

- Taxi rank (eight spaces)
- Separate holding area for hire cars (four spaces);
- Separate drop-off and pick-up area which accommodates up to three coaches; and
- A separate bus stop for the Sydney Explorer bus.

The total drop off area can accommodate the equivalent of 18 car sized drop off bays.

SH have engaged a third party contractor to monitor and record vehicle movements in the loop road off Darling Drive, with vehicle counts taken for drop-off and pick-up to the east kerbside bays only (directly adjacent to HDH) over a 2.5 week period between 7am and 7pm<sup>4</sup> as shown in the Graph below (Figure 1). Passenger drop-offs by coaches, taxis and hire cars peaked at 1010 movements during the survey period. Peak vehicle movements occur on Thursday-Sunday (inclusive). Figures 2 and 3 illustrate the use of the area by coaches and taxis. We note that these numbers exclude the taxi and hire car bays in the centre of the loop road.

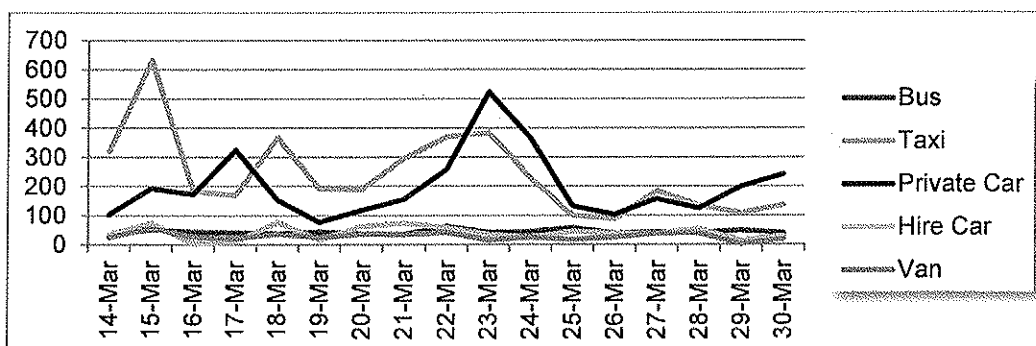


Figure 1: Findings of the loop road drop off monitoring survey

The loop road services coaches dropping passengers to both HDH and the ICC. During the noted survey period there were up to 11 busses arriving at the drop off area within an hour, with a typical

<sup>3</sup> Page 30 of the Environmental Impact Statement prepared by JBA

<sup>4</sup> Survey dates 14th-30th March 2013.

4pm-7pm timeslot accommodating 20-25 busses. We have attached a number of summary slides detailing the findings in **Attachment 1** to this submission.



Figure 2: Coach, taxi and hire car use – midday



Figure 3: Coach, taxi and hire car use – 5pm



Importantly this area is also used by Emergency vehicles (police, fire and ambulance) when required. The loop road provides direct fire truck access to the centre's fire control room, hydrant booster connections. This is illustrated in Drawing MP9114 as attached to this submission (**Attachment 2**). Numerous emergency exits are located on the western side of the building discharging directly to the loop road, totalling in excess of 14.75 metres of egress width which needs to be maintained for the life safety of occupants within HDH, both during construction and upon completion.

## 2.0 Assessment and the ICC Hotel Proposal

The development proposal as submitted excludes the proposed ICC Hotels which are proposed to be located to the northern end of the SICEEP development parcel adjacent to the ICC and Darling Drive (refer to **Attachment 3**). This hotel development will be directly adjacent to HDH, and has the potential to have a significant impact on HDH.

It is our understanding that the ICC Hotel development is an integral part of the SICEEP proposal. As such we do not believe that the DA properly assesses the cumulative impacts of the proposed hotel towers.

The development of the ICC Hotels will:

- have a significant impact on traffic demand and circulation;
- will change pedestrian circulation in the proposed "Harbourside Place";
- increase the demand for car parking, taxis, coaches and delivery vehicles;
- create changes to the environmental conditions impacting HDH and the Darling Harbour Precinct (including but not limited to creating excessive wind impact for pedestrians); and
- result in significant changes to the Construction Management Plan.

It is our understanding that the ICC Hotel is proposed to include up to 900 guest rooms, in addition to function, ballroom, meeting and restaurant spaces. This will increase traffic generation, and critically parking requirements. We also understand that there is to be no parking provided directly in association with the hotel (on the hotel site), and the hotel will be using car spaces elsewhere in the vicinity, thereby reducing the available car parking for other visitors to Darling Harbour.

The circulation of guests from the Hotel to Darling Harbour, the ICC and HDH has the potential (in the current configuration) to further create the risk of pedestrian and vehicle conflict within Harbourside Place. Our concerns regarding pedestrian conflicts are expanded upon in Section 3.0 of this submission.

SH is considerably concerned regarding environmental conditions created by the combined ICC and ICC Hotels, specifically the aggressive wind conditions as detailed in the Wind Report appended to the Development Application. This is expanded upon in Section 6.0 of this submission.

The DA notes that the ICC Hotels are to be the subject of a separate State Significant DA (which we understand to be currently scheduled for lodgement in June 2013). HDH is concerned that the proposed designs for Harbourside Place and Darling Drive will create constraints on the design of the ICC Hotel. The approval of Harbourside Place should not be granted in the absence of the detailed design of the ICC Hotel.



### 3.0 Harbourside Place

The DA lodged by DHL illustrates that an area designated as "Harbourside Place" is proposed to be located at the northern end of the ICC and is to provide *"access for vehicles to drop-off and pick-up convention delegates and other visitors to Cockle Bay and surrounding development, including the Harbourside Shopping Centre and the future ICC Hotel."*<sup>5</sup>

Harbourside Place is also identified in the documentation as a key pedestrian zone with a pedestrian crossing on Darling Drive linking the new Harbourside Place to the light rail stop. The EIS also states (refer to page 3) that approval is being sought for a range of outdoor events and functions to occur within Harbourside Place.

Based on the drawings and information provided Harbourside Place is proposed to include:

- An at-grade shared vehicular and pedestrian carriageway with landscaped medium; and
- Five to six (car sized) drop-off/pick up bays for use by taxis and coaches, and VIPs.

In addition there is a ten bay taxi rank located on the western side of Darling Drive, requiring any passenger accessing the rank to cross Darling Drive via the on-grade crossing. DFP understands that this rank is intended for taxi holding only (not for customer pick-up/drop off). This is reflected by the DA drawings which indicate that there is no pedestrian footpath or shelter facilities at this taxi rank. It is also noted that the Traffic and Transport Assessment report states there will be 18 taxi spaces in the northern precinct, however there are not 18 identifiable spaces on the plans.

A single coach bay is also proposed on the eastern side of Darling Drive (in front of the proposed ICC Hotel). This coach bay is shown in the space in front of the proposed ICC Hotel porte cochere, with limited pedestrian circulation space available. Given the location it is likely that this single coach bay would be heavily utilised by the hotel rather than being available for coaches visiting the precinct for exhibition and convention events, servicing HDH or for any other purpose.

The design of Harbourside Place is not encapsulated in a single legible drawing, but detailed in part on several drawings including the Civil Works Plan, Pavement Plan and Landscape Plan. The drawings illustrate six car spaces for drop-off. This suggests there will be only potential for three spaces available for taxi's, with the remaining area to be used by one coach (as illustrated on drawing PP\_LA\_201). These same spaces are also identified as the VIP drop-off point creating a conflict in use and an unrealistic expectation of the demand during normal usage as well as peak events. We note that the survey of usage in the current loop road included a peak demand of 293 taxis in a 1 hour period<sup>6</sup>.

The EIS and Transport and Traffic Assessment report does not include any assessment of the demand and requirements for taxi, hire car and coach parking generated by the convention, exhibition and theatre facilities, the ICC Hotel nor HDH and the other facilities and attractions in the immediate area. We note that the Transport Management and Accessibility Plan prepared by Mott MacDonald and appended to the Transport and Traffic Assessment prepared by Hyder included the following in their parking strategy:

*"The existing coach and bus zone for the Convention Centre is located north of the complex at the rear of the Harbourside Shopping Centre. This area is to be retained under the proposed development and will remain the main access point for coaches and private buses servicing the Convention Centre."*

<sup>5</sup> Page 63 of the Environmental Impact Statement prepared by JBA

<sup>6</sup> Survey period 14th-30th March 2013. Peak taxi usage occurred on 15th March between 12pm & 1pm



Based on the current arrangements with the loop road off Darling Drive in front of HDH and the frequency of use, the proposed design of Harbourside Place does not provide sufficient space for taxi, hire car and coach parking that will be required to efficiently and effectively service the expanded convention and exhibition centre, the proposed ICC Hotel or the existing HDH. At a minimum Harbourside Place should be designed based on the current level of spaces provided.

Given the likely high level of vehicular activity Harbourside Place should be designed to minimise pedestrian and vehicular conflict. The proposed design may be noted as a pedestrian share way, however there are changes to the paving to denote vehicle paths, and the primary pedestrian route crosses the vehicle paths at multiple locations putting pedestrians at an unnecessary risk of being struck by a vehicle (refer to **Attachment 4** to this submission - Drawing No MP9125).

The Traffic Transport and Access Plan (drawing number PP-C1-0011) shows the location of the future hotel and indicates the location of the hotel loading dock area directly in front of the main western entry to the centre and the current location of passenger drop-off and pick-up areas. Whilst we note the hotel is not the subject of this Development Application, the indicated location of the loading dock is strongly objected to as it is totally inappropriate to locate a loading dock and garbage compactors together with associated truck manoeuvring, noise and smell directly in front of the main western entry and street address for HDH.

The existing roadway area in front of HDH should be maintained as a drop-off area for coaches and taxis and be integrated with the design as part of Harbourside Place. This could be readily achieved as access is already provided from the existing roundabout and can be easily connected to the proposed Harbourside Place. This will provide additional space and capacity for taxis, coaches and hire cars and reduce potential queuing and pedestrian conflicts that are likely to occur under the current design of Harbourside Place. Furthermore, any design solution of Harbourside Place should orientate the main pedestrian circulation to one side of the space to minimise the risks associated with pedestrians crossing vehicle paths.

The use of Harbourside Place for outdoor events such as markets, entertainment or additional exhibition space is considered to be an inappropriate use of Harbourside Place given the vehicular and pedestrian movements through this area and the availability of other spaces around the SICEEP precinct and within Darling Harbour for such events. It is considered that other alternate and more appropriate spaces are available. It is therefore requested that approval not be granted to hold outdoor events and functions in Harbourside Place.

It is requested that the current design of Harbourside Place not be approved and that an alternative design be prepared that:

- Provides at least the same number of vehicle bays and level of convenience from those bays to the surrounding facilities, and for the bays to be calculated solely on the number of vehicle bays located to the east of Darling Drive;
- Maintains the current kerbside drop-off/pick-up area directly in front of the HDH;
- Provides a through link connection from the roundabout to the proposed Harbourside Place and Darling Drive along the western boundary of HDH;
- Provides separate and adequate spaces for coaches, taxis and hire cars;
- Is designed to clearly delineate pedestrian and vehicular areas;
- Allows for emergency vehicle access to the western side of the HDH both during construction and upon completion;
- Provides adequate setback to facilitate current fire engineered solutions and egress from HDH; and



- Properly integrates with and services the Convention Centre, HDH and ICC Hotel.

Further it is requested that SH, as a key stakeholder, be formally consulted regarding design changes to Harbourside Place.

To assist in the assessment and understanding of the space, explanatory diagrams and an illustration of an alternate design solution is included at **Attachments 5 and 6**, prepared on behalf of SH to demonstrate that an alternate solution is achievable for the proposed Harbourside Place.

## 4.0 Traffic and Parking

### 4.1 Traffic

SH are concerned that the road network servicing the western side of Darling Harbour continues to operate effectively post completion of the redeveloped SICEEP precinct. The Transport and Traffic Assessment report submitted as part of this Development Application identifies upgrades to key intersections (including Darling Drive/Murray Street/ Pyrmont Bridge Road) that will be required to achieve satisfactory functionality of the road network. These mitigation measures are necessary to manage potential traffic and transport impacts resulting from the SICEEP redevelopment.

SH seek that a condition of consent be imposed requiring upgrades to the identified intersections to be completed prior to the issue of any Occupation Certificates for the convention and exhibition centres and the theatre.

### 4.2 Parking

SH has a major concern about the limited number of parking spaces proposed for the development. SH acknowledge the need to promote public transport, however:

- DHL have publicly stated that the SICEEP development results in the removal of more than half<sup>7</sup> of the number of car parking spaces in the project site.
- Of the spaces provided across the entire SICEEP development site, a significant number are unlikely to be available during peak event times due to competing demands from residents, commercial tenants, The Star casino and other Darling Harbour attractions.
- It is our understanding that the proposed 900 room ICC Hotel will not have any dedicated parking and the number of public spaces will be further reduced to meet the hotel's needs. These will need to be sourced from the SICEEP car park, or by reducing the available existing stock in other surrounding facilities.
- SH understand that Harbourside Car Park (Wilson Parking) have recently reduced the number of available public parking spaces, with a lease of 300 spaces to The Star casino for staff parking (required as the casino is suffering from a parking shortfall).
- The SICEEP Development will result in a significant increase in the scale of facilities, in addition to the additional supporting development of the ICC Hotels and the Haymarket Precinct. This increased intensity of development will have a logical increase in visitor demand, and as such it is anticipated that, despite the potential for increased public transport usage, the requirement for car parking is anticipated to increase, rather than reduce.

In relation to the 'block booking' of the Harbourside Car Park by The Star, SH have written to SHFA requesting that this arrangement be reversed and that the 300 spaces be made available to the general public.

<sup>7</sup> DHL Consultation briefing 5th February 2013 indicating that the existing 2,800 car parking spaces would reduce to 1,200.

Recent independent Visitor Surveys<sup>8</sup> undertaken on behalf of HDH have indicated that some 33.5% of visitors arrive at Darling Harbour by car. Visitors to HDH represent over half the number of visitors to Darling Harbour, with the forecast number of visitors to HDH in 2013 to be in the order of 15.5 million visitors. The number of people driving to Darling Harbour is understandable, given the high proportion of visitors coming from the Sydney metropolitan area, and that the a significant number of these visitors are from outer lying suburban areas where public transport is a more challenging option, particularly at night and weekends when Darling Harbour is at its busiest. Of the Sydney based visitors, some 22% were from the western suburbs (West of Strathfield), 19% from the South and South West suburbs, and 13% from the Northern suburbs.

**Overall Visitation Origin**

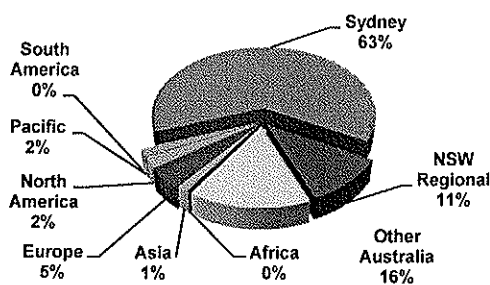


Figure 4 Visitor Origin

**Sydney Visitor Origin**

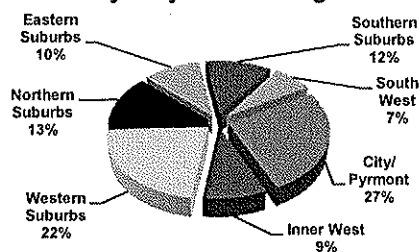


Figure 5: Sydney Visitor Origin

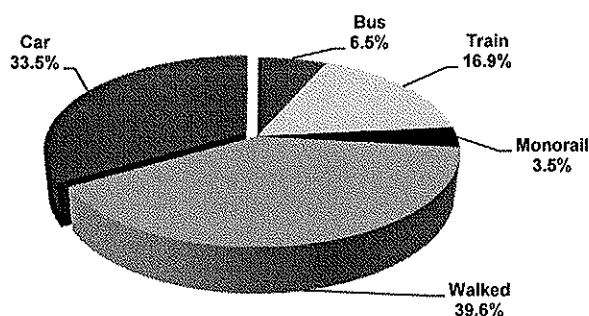


Figure 6: Mode of arrival - note some 33.5% of visitors arrived to Darling Harbour by car

Only 826 car parking spaces are proposed for the Convention and Exhibition Centres and Theatre, which is significantly less than comparable interstate facilities. According to the DHL documentation, peak demand is estimated to range from 948 spaces (morning period) to 1,240 (afternoon peak) and 2,300 spaces (evening period).

Whilst an additional 400 space public car park is proposed at the Haymarket precinct, this car park will also be used by shoppers, commercial tenants, residents and visitors to the Haymarket precinct and it is likely a significant number of those spaces will not be available to delegates or guests attending events at the new exhibition, convention and theatre facilities.

The Transport and Traffic Assessment report does not include a thorough or proper assessment of the hotel's likely demand for car parking. For example, it includes a broad assumption that the hotel will require minimal parking, however there is no substantive evidence to support this. A recent parking assessment of the proposed Four Points by Sheraton Hotel expansion found that parking demand generated by hotel guests, visitors and staff was about 150-160 spaces per day during

<sup>8</sup> Harbourside Visitor Survey Sept/Oct 2012



peak use. Parking demand generated by the Four Points Hotel by Sheraton is directly comparable in that the hotel is within the Darling Harbour precinct, as it provides no on-site parking, will be approximately 900 beds when complete and will include function, conference and convention spaces with the hotel. The hotel relies on nearby parking stations to meet car parking requirements for staff and guests. It should also be noted that the Four Points by Sheraton Hotel has four coach bays for drop-off and pick-up of guests and 8-10 spaces in the hotel porte cochere for drop-off and pick-up of guests.

SH is concerned that such a shortfall in car parking will lead to additional traffic as cars circulate through the precinct and surrounding streets looking for alternative car parking, and have a significant impact on the attractiveness of Darling Harbour for visitors.

It is therefore recommended that the SICEEP car park be increased in capacity to provide a minimum of 1240 spaces (separate to the 400 space public car park in the Haymarket precinct). The 1240 spaces is the number of spaces identified in the Traffic and Transport Assessment report as the afternoon peak usage of the facilities. Given the high usage of surrounding car parking facilities during the day, the SICEEP development should meet its own car parking demand in the afternoon peaks. The provision of 1240 spaces is still significantly below the 2,300 spaces required to satisfy peak evening demand.

### 4.3 Public Transport

As noted in Section 4.2 above, the development as proposed will result in a significant decrease in public parking, the justification of which is that it will encourage the use of public transport. However, the DA has limited detail on what measures are being taken to improve public transport connections to the precinct, or what increased public transport services will be available to facilitate the modal shift that will result in a reduction of private vehicle trips and hence expected reduction in demand for car parking. SH has written to SHFA on this matter and a copy of this correspondence is included at **Attachment 7** for information.

## 5.0 Construction Issues

### 5.1 Construction Traffic and Traffic Impact

The Construction Management Plan (CMP) suggests that the existing drop off and pick up area servicing HDH will be maintained in its current form during the "PPP works" i.e. the construction of the Convention and Exhibition Centres. However, Lend Lease (as the development partner in DHL) have advised that they intend to lodge a development application for the construction of the ICC Hotel by June 2013 and that the ICC Hotel is to be constructed concurrently with the Convention and Exhibition Centre and Theatre. As the proposed location for the hotel includes the roadway comprising the existing taxi rank, hire car bays and coach drop-off/pick-up area, this area will clearly not be maintained and the validity of the CMP is therefore questionable.

The cumulative impacts of both the construction of the Convention and Exhibition Centres and ICC Hotel overlapping and the impacts on HDH have not been properly addressed in the CMP nor the Transport and Traffic Assessment report for the proposal.

The Construction Management Plan indicates that the bus and taxi ranks be relocated to the Maritime Museum, however this area is used currently used by Sydney Buses and is not appropriately configured by taxi and private coaches. Furthermore, no approval for this is being sought in this application. SH request that a detailed plan for temporary arrangements be formalised and approved by all stakeholders as a condition of consent.

The existing coach drop off at the proposed Harbourside Place services in part for inbound tour operators dropping guests to the large restaurants located at the southern end of HDH. The proposed relocation of the coach drop off to a remote location to the north of the centre (during the three years of construction) is likely to result in these tour operators taking their business elsewhere, having a significant impact on the existing business operation of these restaurants. It is the opinion



of HDH Centre Management that the loss of the revenue provided by tour bus patrons is likely to directly result in the closure of restaurants in HDH.

It is therefore sought that a condition of consent be imposed that the vehicular access will be maintained for coach and taxi drop-off in front of the HDH (southern end) for the duration of construction works for the Convention and Exhibition Centres and Theatre.

Furthermore, clarification is sought regarding the proposed location of construction vehicle gates. The description on page 17 and the layout plan on page 18 of the Construction Management Plan indicates that there will be no access from the loop road near HDH and that access (for Gates 1-5) will be from Darling Drive. This is inconsistent with other drawings in the CMP which suggest on construction gate will be accessed via the loop road on the western side of HDH. A construction vehicle access gate in this location is not supported due to the potential conflicts with pedestrians, shoppers, taxis and coaches as well as noise impacts from trucks and other construction vehicles. HDH therefore request that a condition of consent be imposed requiring construction vehicle access is restricted to be directly off Darling Drive as illustrated on page 18 of the CMP.

## **5.2 Fire Services and Egress**

The fire control room and sprinkler valve room for HDH are located adjacent to and accessed from the loop road off of Darling Drive. The drop off area of the loop road provides for fire engine access to this location. Based on the available information it appears that the construction hoardings and construction area (including the ICC Hotel) will result in restricted access to this area. This presents an unacceptable risk to HDH, and is a risk to the life safety of patrons of the centre.

Furthermore, a number of fire egress routes open to the loop road. Many of these are from staircases directly discharging to the roadway, in addition to the large retail entry on ground that is a main egress point for the centre. In total the egress width discharging to the loop road exceeds 14.75 metres. It is our understanding from the CMP and other information provided by DHL (Lend Lease) related to hoardings for the ICC Hotel that this egress path will not be able to be provided.

HDH therefore request that any approvals are to be conditioned such that access and circulation is to be maintained at all times for Fire Service and other emergency vehicles to HDH, and that egress widths and corridors from HDH are provided in accordance with the requirements of the legislation.

## **5.3 Construction Noise and Air Quality**

The noise impact assessment shows that there will be significant impact to HDH during demolition and construction of the new facilities. Construction noise levels will exceed acceptable noise criteria by up to 17 dBA. Moreover construction noise levels will be exceeded during every stage of demolition and construction works, and at a significant frequency.

HDH has 25 restaurants, cafes, and bars, many with outdoor seating areas and terraces, including a number at the southern end of HDH. Many of these restaurants are very successful, with high patronage and turnover. The major trading periods for the restaurants, cafés and bars are weekday afternoon/ evening, and weekend breakfast, lunch and dinner. The potential impact to these businesses is of considerable concern, particularly given the proposed construction hours of 7am - 7pm Monday to Friday and 7am -5pm on Saturday.

Due to significant noise exceedances over the three year construction period, SH are seeking that a condition of consent be imposed which requires as a minimum that construction hours be restricted to Monday to Friday 7am to 6pm, Saturday 8am to 1pm and no work on Sundays or public holidays. These hours are consistent with the recommended standard construction hours set out in the Interim Construction Noise Guidelines prepared by the then Department of Environment and Climate Change. These hours are recommended where construction noise impacts on sensitive receivers which are noted to include restaurants and retail spaces.



It is noted that a Construction Noise and Vibration Management Plan detailing measures to limit and control construction noise is to be prepared prior to the issue of a Construction Certificate. SH request that a condition of consent be imposed requiring the installation of noise barriers near the HDH centre as one of the mitigation measures to be implemented throughout demolition and construction works. SH also request that a condition of consent be imposed requiring the installation of a noise logger at the northern end of the SICEEP site to monitor noise levels during construction.

Further, SH request a condition of consent be imposed that respite periods be implemented where construction activities generate noise levels at or in excess of 75 dB(A). It is requested a condition of consent be imposed requiring construction noise levels not to exceed 75dBA after 4.00pm Monday to Friday and after 11am on Saturday. The implementation of respite periods is a recommended mitigation measure in the Environmental Noise and Vibration Impact Assessment prepared by AECOM as appended to the Development Application.

SH also seek that conditions of consent be imposed to minimise the air quality impacts from diesel fumes from heavy equipment and from dust during demolition and construction.

#### **5.4 Construction Hoardings**

SH are concerned with the siting and design of the construction hoardings, particularly at the south western end of the centre where there is a close interface with the ICC. SH is seeking confirmation that the hoardings will not impact of the existing outdoor dining area at the southern end of the centre, both at ground level and on the first floor level. Given the likely proximity to the outdoor dining area SH is seeking that the hoardings have a suitable level of finish including acoustic barriers, colours, graphics and directional information and signage.

At ground level, SH also seek that the hoardings are sited and designed to provide a safe, secure and well lit environment and that they allow for access from the drop-off/pick-up area and taxi ranks to the western HDH entry.

#### **6.0 Wind Impacts**

The wind impact assessment as appended to the EIS indicates that there will be potentially negative impacts to the ground plane area between the Proposed Convention Centre, HDH and the proposed ICC Hotel. The extent of the impacts will be dependent on the final design of the ICC Hotel and the ability to minimise downwash off the ICC Hotel and the ability to control the channelling of winds between the ICC and Hotel. The wind modelling shows that at these locations the wind environment may only be suitable for able bodied persons and not be suitable for outdoor dining.

Currently the Hard Rock café and Cyren Restaurant include outdoor dining areas at the southern end of HDH, facing the ICC. HDH request that design measures be incorporated into the façade of the ICC to minimise wind downwash and the channelling of winds to ensure the southern end of HDH public domain area remains suitable for all pedestrians and outdoor dining. We also note that Harbourside place is a drop off location and major circulation route for pedestrians, including disabled and ambulant disabled visitors to the precinct. The design should be required to ensure that the level of amenity is such that all visitors can safely use the area including the proposed Harbourside Place.

Furthermore, as previously stated, we request that any assessment is undertaken in parallel to the assessment of the ICC Hotel to allow the cumulative impacts to be understood, assessed and mitigated.

#### **7.0 Public Domain Finishes**

The proposed development includes changes to the traditional colour palate used throughout the Darling Harbour precinct. The materials and finishes plan included with the application shows the extensive use of grey coloured paving and pavement treatments. This will result in distinctive changes in colour between the SICEEP precinct and the remaining public domain areas of Darling



Harbour such as Cockle Bay, Darling Quarter and the areas around IMAX, HDH and Maritime Museum. It is recommended that the new paving treatments be of a colour palate that integrates with the existing public domain colour palate to provide a continuity and legibility throughout the whole of the Darling Harbour precinct. If a new colour palate is to be introduced this should be implemented throughout the Darling Harbour precinct.

## 8.0 Conclusion

HDH does not object in principle to the SICEEP project, however specific details of the redevelopment of the convention facilities at the northern part of the site raise a number of concerns that will cause significant impacts to HDH. SH believe that these concerns can be resolved through meaningful consultations with SHFA, Lend Lease and the Darling Harbour Live consortium. A genuine commitment to consult along with some minor design changes will deliver significant improvements to the overall environment, pedestrian amenity and traffic management at the northern end of the precinct.

In summary SH are seeking:

- A. That the assessment and consideration of this overall Development Application is held in abeyance until such time that the cumulative impacts of the ICC Hotel proposal can be understood and assessed in a coordinated manner, including:
  - The provision of a coordinated traffic and pedestrian management plans;
  - A cumulative assessment of car parking demands from all facilities and users within the Darling Harbour Precinct;
  - Integrated design of loading docks and drop off facilities; and
  - A coordinated Construction Management Plan taking into account the construction of both the ICC and the ICC Hotel.
- B. That the design of Harbourside Place:
  - not be approved in its current form;
  - be required to incorporate separate taxi, hire car and coach bays that include at a minimum the replication of the number of spaces and level of amenity of the existing configuration, with all provided and counted spaces being to the east side of Darling Drive and adjacent to the western boundary of HDH;
  - clearly delineate pedestrian and vehicular circulation areas;
  - includes a through link connection from the roundabout on Darling Drive to the proposed Harbourside Place and back to Darling Drive (similar to the existing loop arrangements);
  - Allows for unrestricted emergency vehicle access to the western side of the HDH both during construction and in the final configuration; and
  - Provide adequate setback to accommodate emergency egress from HDH both during construction and upon completion.



C. To mitigate the potential construction impacts on HDH, SH also seek that the following conditions of consent be imposed:

- Noise barriers to be installed at the northern end of the development site near Harbourside Darling Harbour during both demolition and construction works. The noise barriers are to be sited and designed to reduce noise impacts on HDH.
- Respite periods are to be implemented when construction activities generate noise levels at or in excess of 75 dB(A).
- Construction noise levels not to exceed 75dBA after 4.00pm Monday – Friday and after 11am on Saturday.
- A noise logger to be installed and maintained at the northern end of the SICEEP site to monitor noise levels during demolition and construction.
- The hours of construction including delivery of materials and equipment are to be restricted to:
  - Monday to Friday - 7am to 6pm,
  - Saturday 8am to 1pm
  - No work on Sundays or public holidays.
- Construction vehicle access is to be directly off Darling Drive as illustrated on page 18 of the CMP. No vehicular access is provided via the loop road at the northern end of the site.
- Vehicular access is to be maintained for coach and taxi drop-off on the western boundary of HDH for the duration of construction works for the Convention and Exhibition centres.
- Any alternative bus and taxi ranks are to be provided in a workable layout and capacity in the immediate vicinity of HDH (in addition to retaining coach drop off at southern end of HDH adjacent to the western boundary of the centre) during the course of construction.

D. All upgrades to road intersections indicated in the Transport and Traffic Assessment report submitted as part of this Development Application (including Darling Drive/Murray Street/Pyrmont Bridge Road) that will be required to achieve satisfactory functionality of the road network are to be completed prior to the issue of an Occupation Certificate.

Should you have any questions regarding this submission please contact Kirk Osborne or Robert Player on 9980 6933.

Yours faithfully

**DON FOX PLANNING PTY LIMITED**

**KIRK OSBORNE  
PRINCIPAL PLANNER**

kosborne@donfoxplanning.com.au

Reviewed: \_\_\_\_\_



### **Attachments**

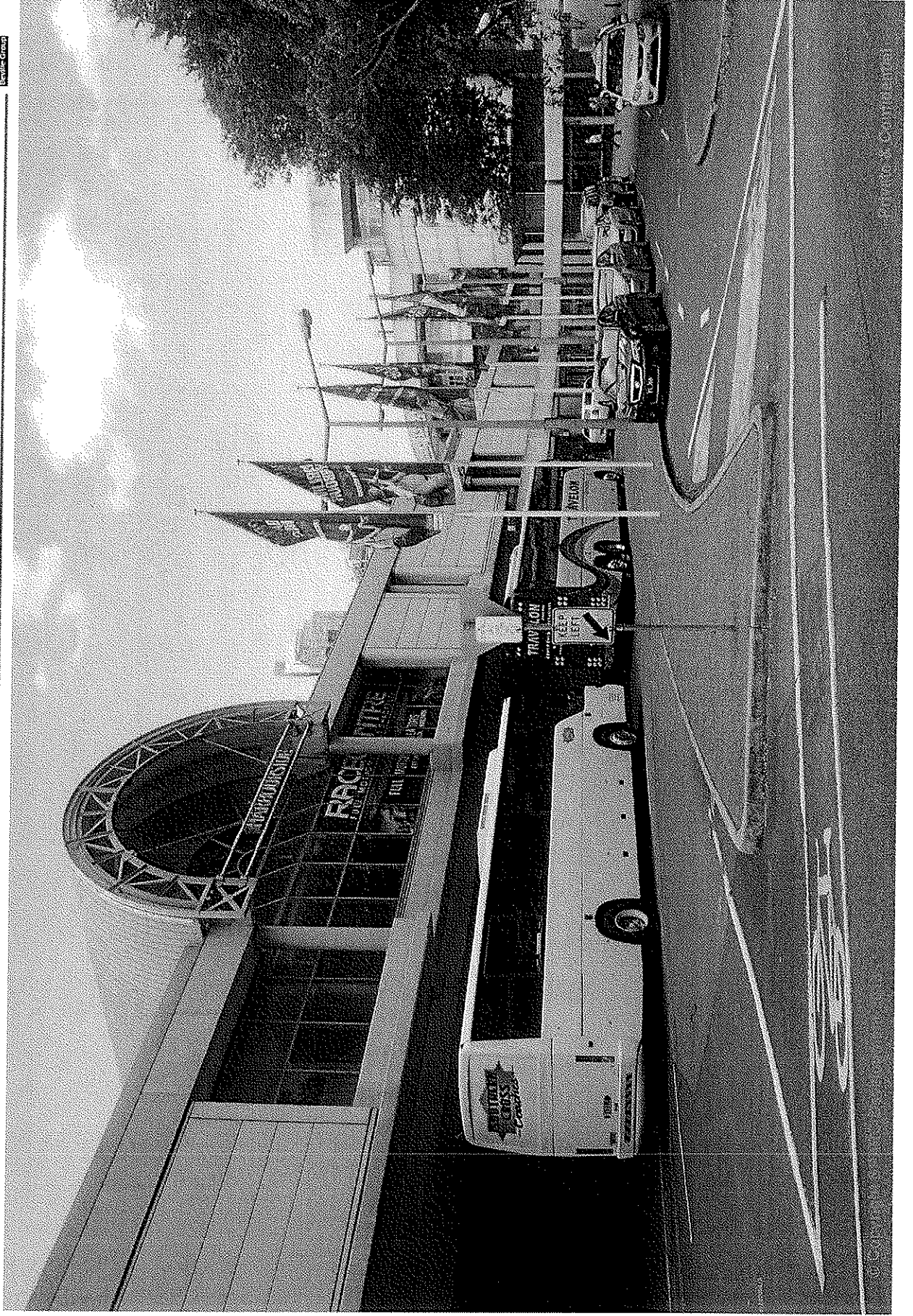
1. Summary of vehicle movements in the HDH loop road.
2. MP9114 – Drawing of HDH Fire Control Room, Sprinkler Room and Fire Truck Parking
3. Illustration of proposed ICC Hotels directly west of HDH.
4. MP9125 – Diagram of DHL Proposal as submitted showing conflict points
5. MP9140 – Diagram showing preferred development principles for Harbourside Place
6. MP9155 – Illustrative design solution for Harbourside Place
7. Letter to SHFA regarding public transport services



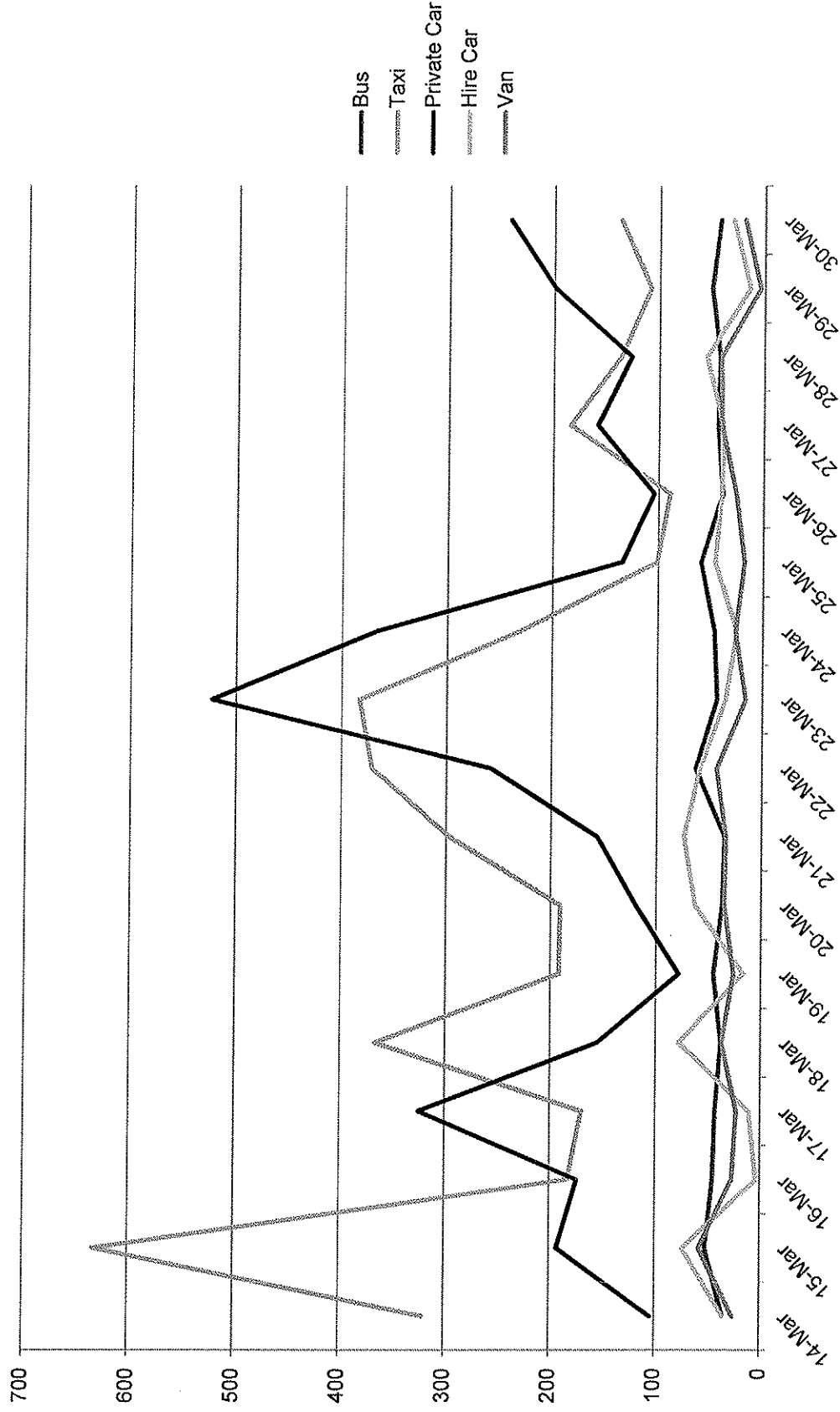
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# ATTACHMENT I

## Harbourside – Loop Road Usage



# HDH – Drop Off Usage Survey



## Harbourside – Loop Road Peak Usage



**Peak Daily Usage    1010 Vehicles (Friday)**

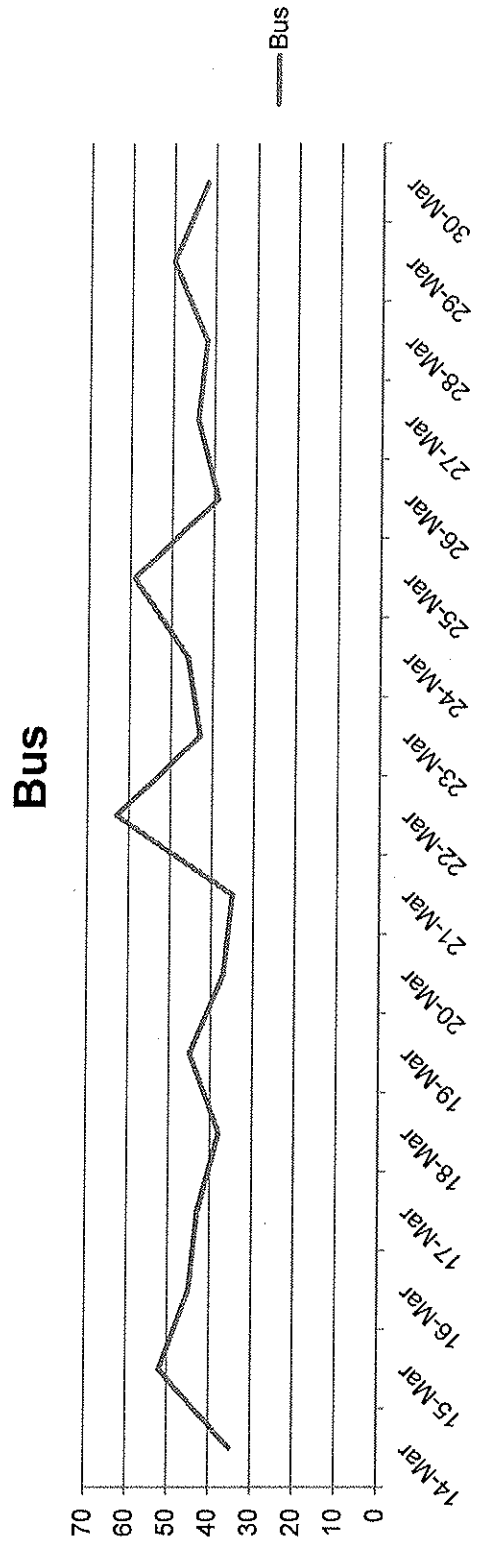
**2<sup>nd</sup> Peak Day            1000 Vehicles (Saturday)**

**3<sup>rd</sup> Peak Day            794 Vehicles (Friday)**

### Peak Daily by Mode

• Bus	63	Busses
• Taxi	633	Taxis
• Private Car	523	Private Cars
• Hire Car	78	Hire Cars
• Vans	58	Vans

# HDH – Drop Off Usage Survey - Bus



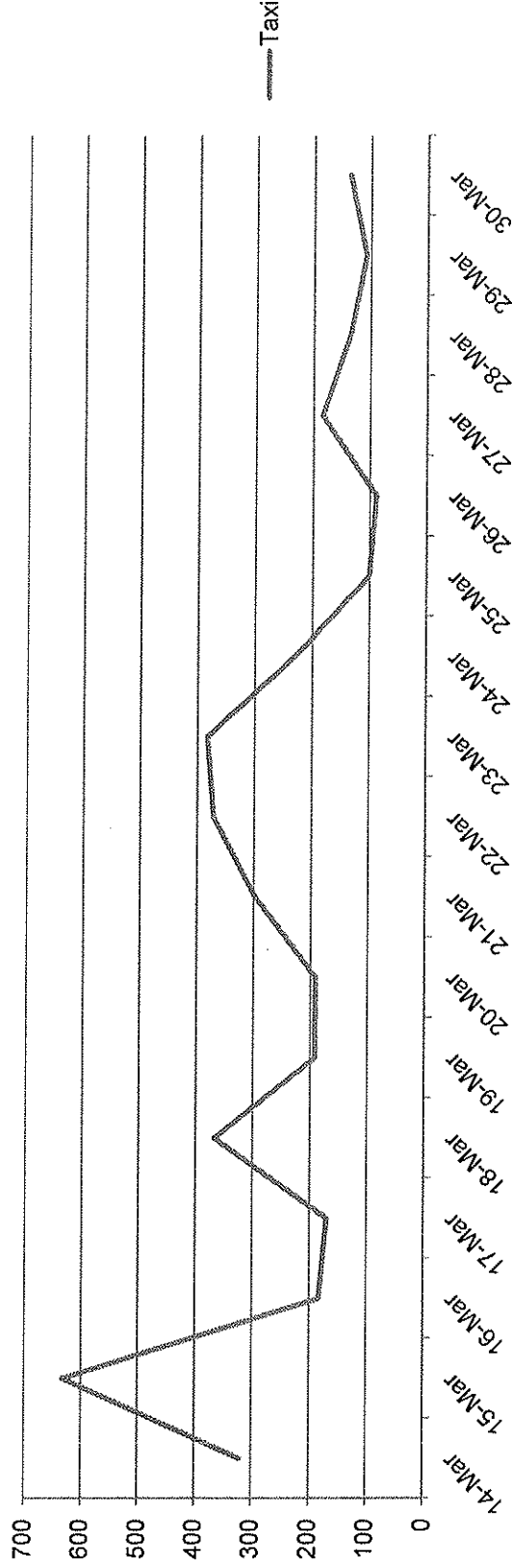
## Key Bus Statistics

- Peak Day 63 Busses
- Average Day 45 Busses
- Peak Hour 11 Busses (6-7PM)
- 2nd Peak Hour 9 Busses (4-5PM)
- 3rd Peak Hour 8 Busses (3-4PM)

# 



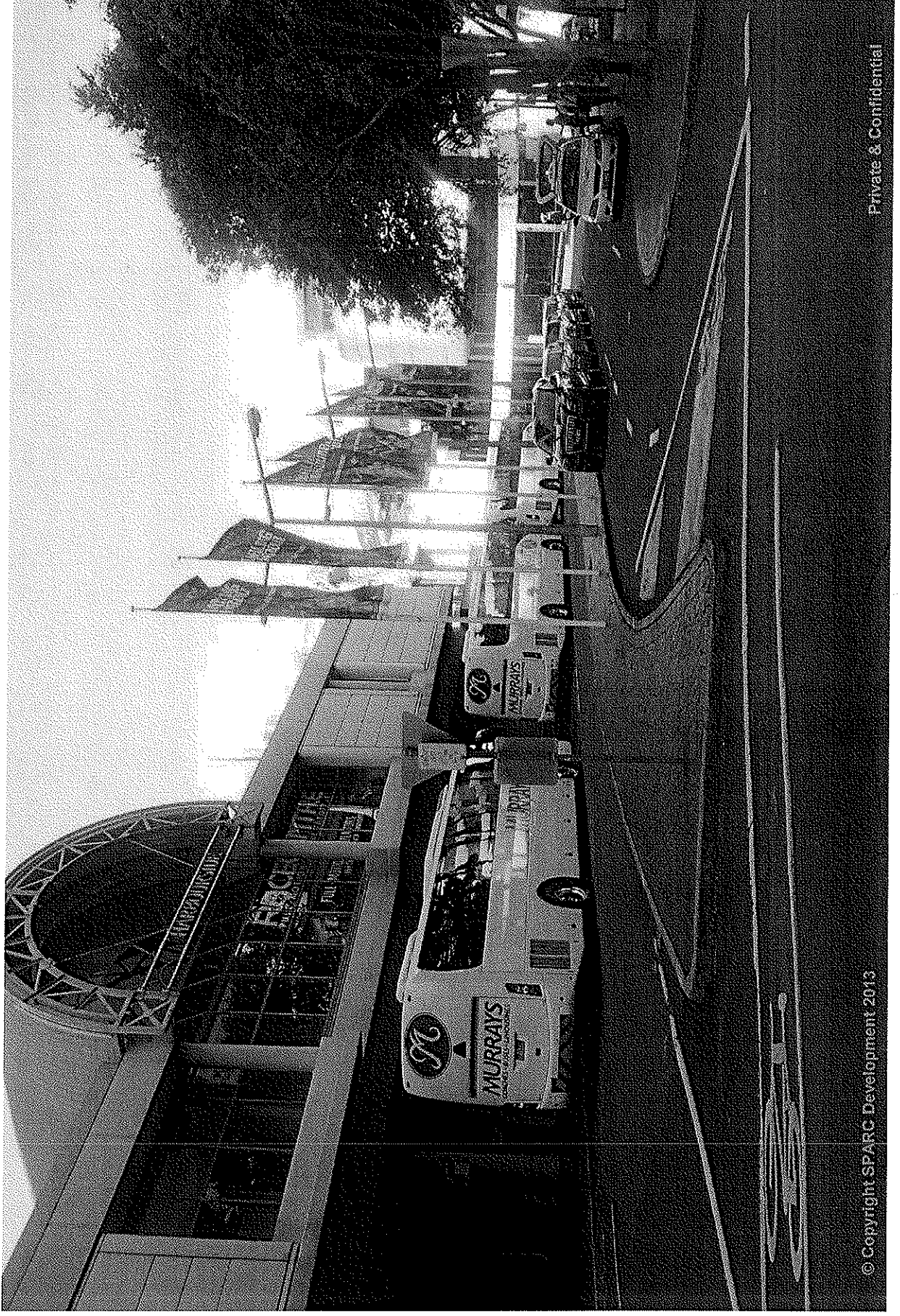
Taxi



## Key Taxi Statistics

- Peak Day 633 Taxis
- Average Day 241 Taxis
- Peak Hour 293 Taxis (12-1PM)
- 2nd Peak Hour 99 Taxis (7-8AM)
- 3rd Peak Hour 85 Taxis (6-7PM)

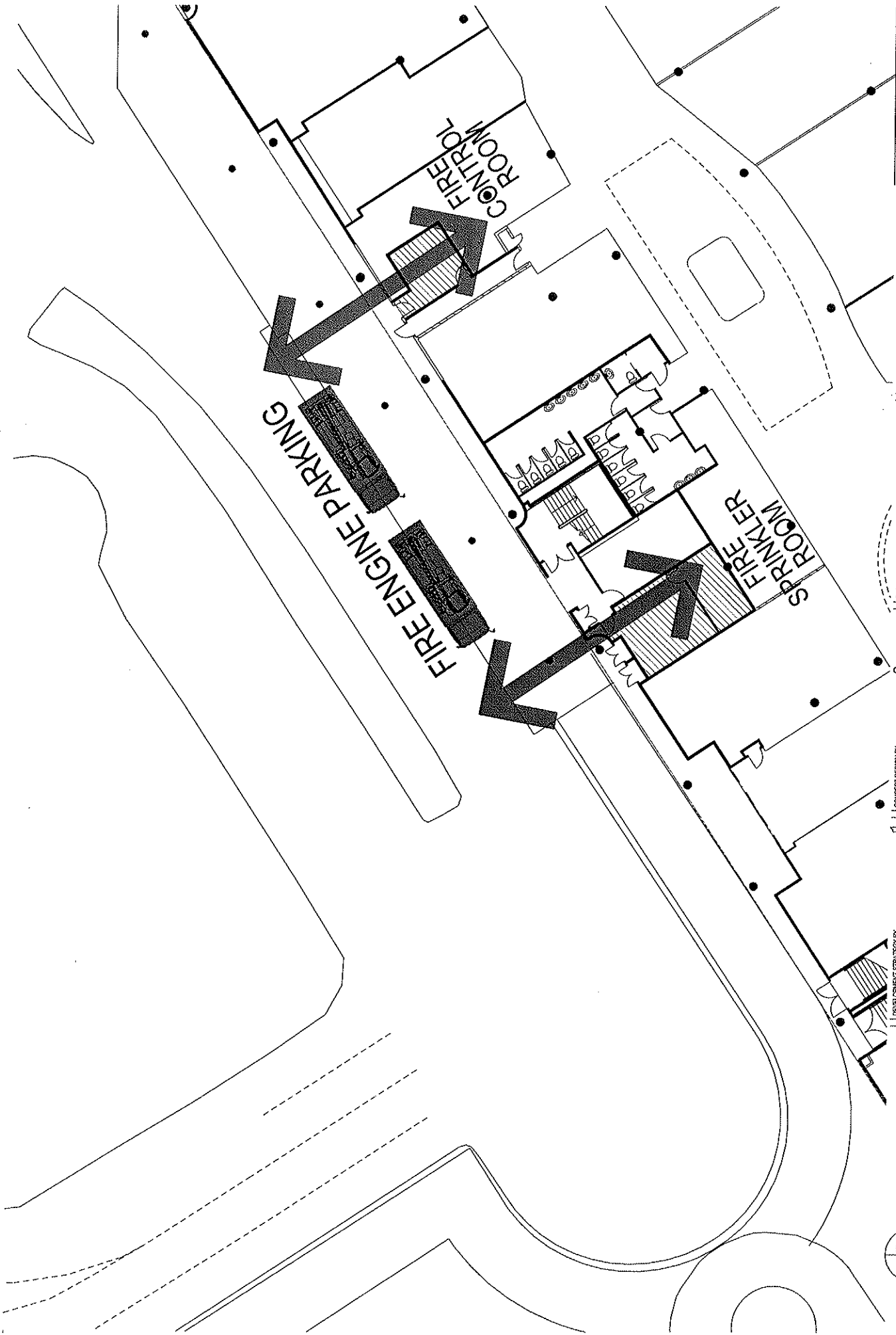
## Harbourside Place Loop Road Usage





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# ATTACHMENT 2



Drawn	Check	Date	Scale	Drawn	Rev
DLD	DLD	22nd April 2013	1:200 @ A3	HDH	MP9104 Rev A

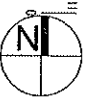
Drawing Title  
**HARBOURSIDE PLACE INTERFACE**  
 FIRE SERVICES ACCESS LOCATIONS



Project  
**HARBOURSIDE**  
 Darling Harbour  
 100 George Street, Sydney, NSW, Australia

CONCEPT DESIGN BY  
**SPARC**  
 SPARC Development Pty Ltd  
 10/110 George Street, Sydney, NSW, Australia  
 E: david.dunn@sparcdevelopment.com.au  
 M: +61 2 923 8822

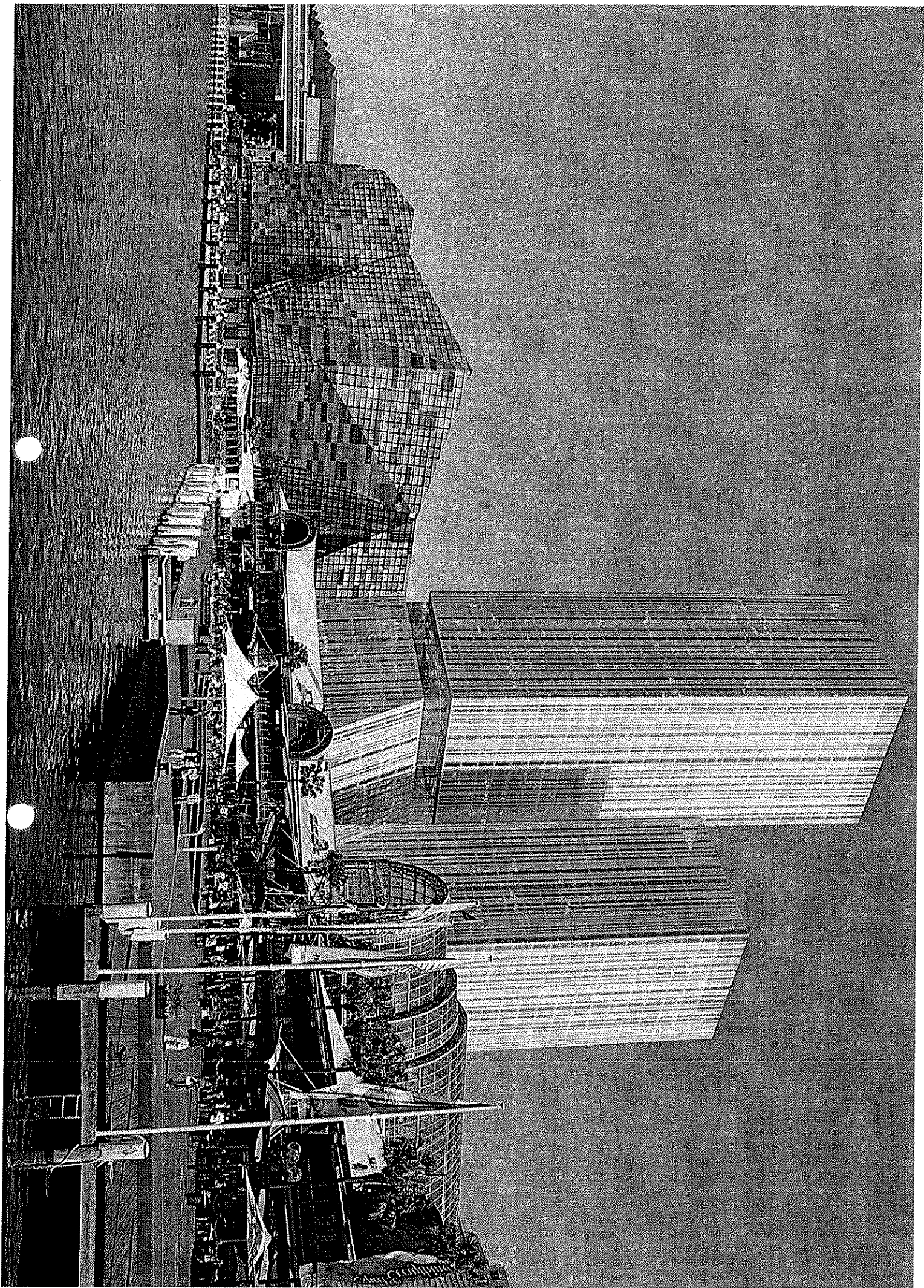
DEVELOPMENT STRATEGY BY  
**Paver**  
 Paver Properties Pty Ltd  
 10/110 George Street, Sydney, NSW, Australia  
 E: david.dunn@paverproperties.com.au  
 M: +61 2 923 8822





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# ATTACHMENT 3





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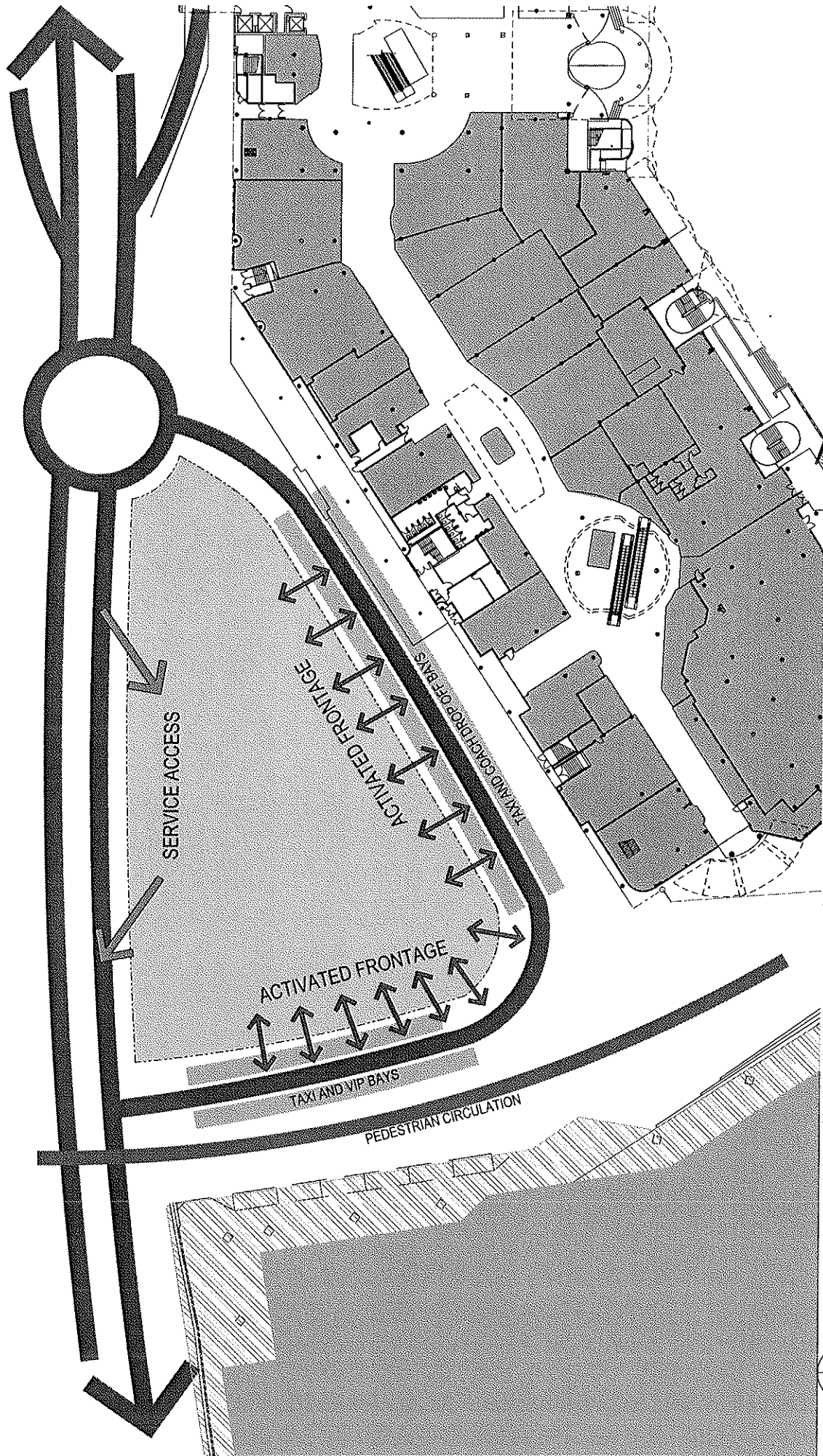
# ATTACHMENT 4





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# ATTACHMENT 5



Date	6th May 2013
Drawn	D.J.D.
Scale	1:500 @ A3
Job No.	HDH
Drawn No.	MP9140
Rev.	B

Drawn Title  
**HARBOURSIDE PLACE AND HOTEL**  
**PROPOSED PRINCIPLE DIAGRAM**

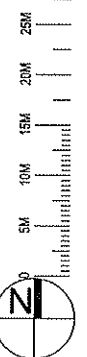


Project  
**HARBOURSIDE**  
 Darling Harbour  
 2nd Floor, 100, Darling Harbour, Sydney, NSW, Australia

CONCEPT DESIGN BY  
**SPARC**  
 SPARC Development Pty Ltd  
 10/100, Darling Harbour, Sydney, NSW, Australia  
 Tel: +61 2 9232 5862  
 E: david@sparcdevelopment.com.au

Prepared BY  
**Paver**  
 Paver Properties Pty Ltd  
 10/100, Darling Harbour, Sydney, NSW, Australia  
 Tel: +61 2 9232 5862  
 E: andrew@paverproperties.com.au

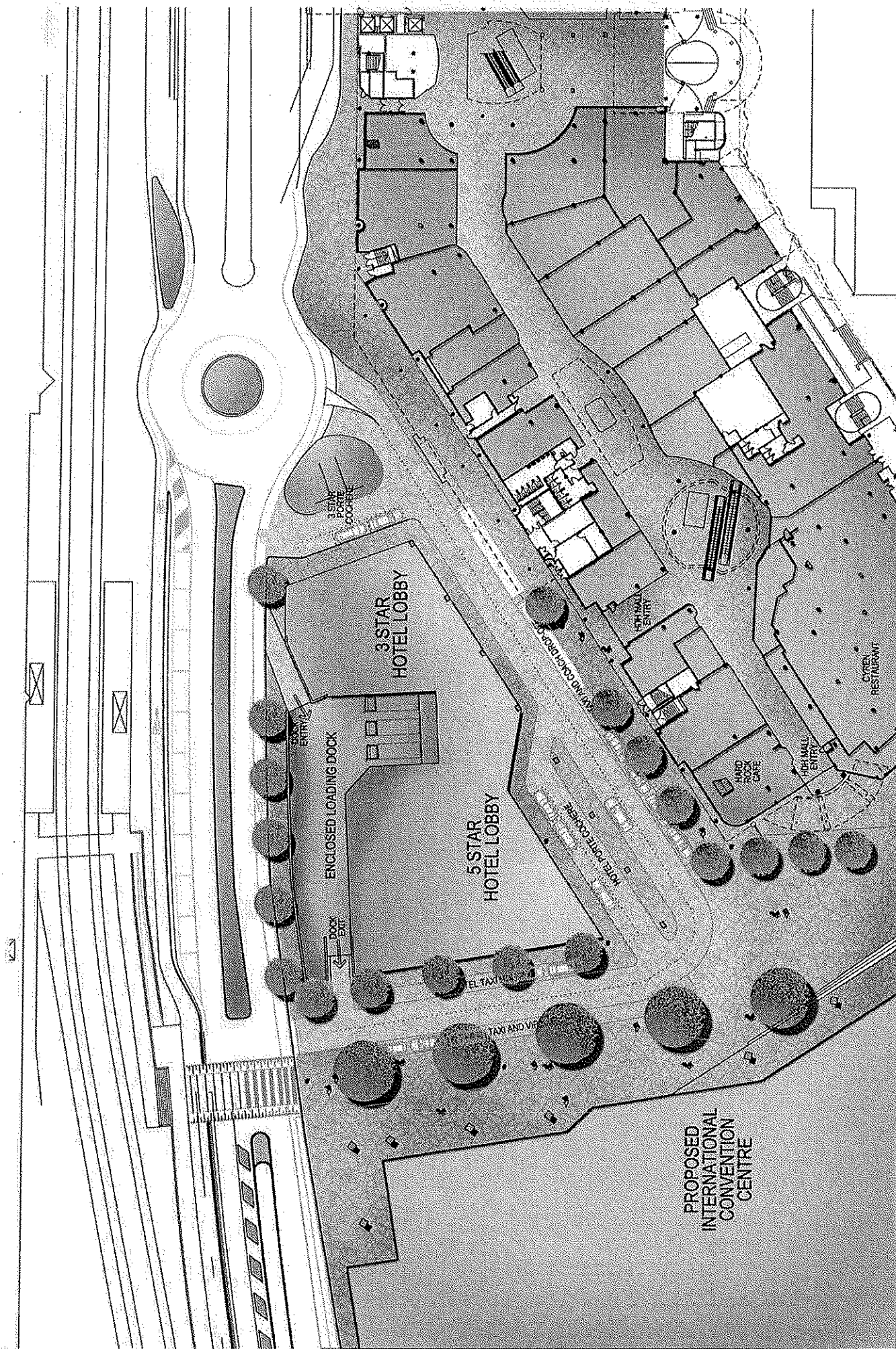
DEVELOPMENT STRATEGY BY  
**Paver Properties Pty Ltd**  
 10/100, Darling Harbour, Sydney, NSW, Australia  
 Tel: +61 2 9232 5862  
 E: andrew@paverproperties.com.au





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# ATTACHMENT 6



**DEVELOPMENT STRATEGY BY**  
**Paver Properties Pty Ltd**  
 45-47 Macquarie Street  
 Parramatta, NSW 2124  
 Tel: +61 2 9615 0222  
 Email: info@paverproperties.com

**CONCEPT DESIGN BY**  
**SPARC Development Pty Ltd**  
 10/11-13/15 Macquarie Street  
 Parramatta, NSW 2124  
 Tel: +61 2 9615 0222  
 Email: info@sparcdevelopment.com

**Project**  
**HARBOURSIDE**  
 Darling Harbour  
 3-15 Macquarie Street, Parramatta, NSW 2124

**Drawing Title**  
**HARBOURSIDE PLACE INTERFACE**  
**PROPOSED ALTERNATE LAYOUT**

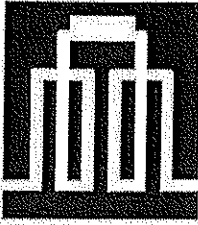
**Date** 8th May 2013  
**Drawn** D.D.  
**Job No.** HDH MP9155 Rev. A

**Scale** 1:500 @ A3  
**Drawn** D.D.  
**Job No.** HDH MP9155 Rev. A



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# ATTACHMENT 7



**Beville Group**

6 May 2013

Ms Catherine Gallagher  
Chief Executive Officer  
Sydney Harbour Foreshore Authority  
PO Box N40b  
Grosvenor Place, NSW, 1220

**Re: Public Transport Provision to Darling Harbour & Harbourside Shopping Centre**

Dear Catherine,

We write in relation to the public transport provision to Darling Harbour generally, and to the West side of Darling Harbour specifically.

You will be aware that we have put our concerns on the removal of the monorail in writing to SHFA several times over the past year, with a potential 1 million visitations to Harbourside being affected by its removal. We are further concerned with the lack of state transit bus services stopping at or in proximity to Harbourside Darling Harbour, and the limited service provided by the Light Rail.

The details provided by the Darling Harbour Live Consortium indicate a significant reduction in car parking for the SICEEP site, from the existing 2,800 spaces to only 1,200 spaces (including 400 in the Haymarket Precinct). It is our understanding that the justification being promoted by Infrastructure NSW and Darling Harbour Live for the reduction in car parking in the SICEEP Development is to encourage visitors to make increased use of public transport. While this argument may sound very positive in principle, the fact remains that public transport provision to Darling Harbour is limited.

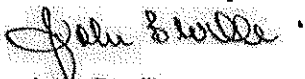
As you will be aware, the SICEEP proposal is planned to reduce car parking by approximately 50% for that site. The traffic reports appended to the SICEEP Development Application indicate that the number of parking spaces proposed within the SICEEP development cannot even cope with the forecast demand of those facilities. This will place additional stress on surrounding car parking.

As the argument for the parking reduction is based on "encouraging people to use public transport", then appropriate public transport needs to be provided. At the current time we believe that there is not a clear plan for how additional patronage of public transport will be achieved, and the plan for additional service provision to facilitate this patronage.

We would request for you to outline in writing the steps being undertaken by SHFA, in accordance to your obligations under the Lease, to encourage and promote increased public transport to Darling Harbour, with specific reference to transport options to the west side of the precinct.

We thank you in advance for your urgent attention to this request.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'John Beville', with a small dot at the end.

John Beville  
Managing Director  
Suntrack Holdings Pty Limited

73

# Political donations disclosure statement



NSW GOVERNMENT  
Department of Planning

Office use only:

Date received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Planning application no. \_\_\_\_\_

This form may be used to make a political donations disclosure under section 147(3) of the *Environmental Planning and Assessment Act 1979* for applications or public submissions to the Minister or the Director-General.

Please read the following information before filling out the Disclosure Statement on pages 3 and 4 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms in *italics* below). Once completed, please attach the completed declaration to your planning application or submission.

## Explanatory information

### Making a planning application or a public submission to the Minister or the Director-General

Under section 147(3) of the Environmental Planning and Assessment Act 1979 ('the Act') a person:

- (a) who makes a *relevant planning application* to the Minister or the Director-General is required to disclose all *reportable political donations* (if any) made within the *relevant period* to anyone by any person with a *financial interest* in the application, or
- (b) who makes a *relevant public submission* to the Minister or the Director-General in relation to the application is required to disclose all *reportable political donations* (if any) made within the *relevant period* to anyone by the person making the submission or any *associate of that person*.

### How and when do you make a disclosure?

The disclosure to the Minister or the Director-General of a *reportable political donation* under section 147 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation is made before the application or submission is made, or
- (b) if the donation is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation is made.

### What information needs to be included in a disclosure?

The information requirements of a disclosure of reportable political donations are outlined in section 147(9) of the Act.

Pages 3 and 4 of this document include a Disclosure Statement Template which outlines the information requirements for disclosures to the Minister or to the Director-General of the Department of Planning.

Note: A separate Disclosure Statement Template is available for disclosures to councils.

**Warning:** A person is guilty of an offence under section 125 of the *Environmental Planning and Assessment Act 1979* in connection with the obligations under section 147 only if the person fails to make a disclosure of a political donation or gift in accordance with section 147 that the person knows, or ought reasonably to know, was made and is required to be disclosed under section 147.

The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Election Funding and Disclosures Act 1981* for making a false statement in a declaration of disclosures lodged under that Part.

Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

## Glossary of terms (under section 147 of the *Environmental Planning and Assessment Act 1979*)

**gift** means a gift within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981*. Note. A gift includes a gift of money or the provision of any other valuable thing or service for no consideration or inadequate consideration.

Note: Under section 84(1) of the *Election Funding and Disclosures Act 1981* gift is defined as follows:

**gift** means any disposition of property made by a person to another person, otherwise than by will, being a disposition made without consideration in money or money's worth or with inadequate consideration, and includes the provision of a service (other than volunteer labour) for no consideration or for inadequate consideration.

**local councillor** means a councillor (including the mayor) of the council of a local government area.

**relevant planning application** means:

- a) a formal request to the Minister, a council or the Director-General to initiate the making of an environmental planning instrument or development control plan in relation to development on a particular site, or
  - b) a formal request to the Minister or the Director-General for development on a particular site to be made State significant development or declared a project to which Part 3A applies, or
  - c) an application for approval of a concept plan or project under Part 3A (or for the modification of a concept plan or of the approval for a project), or
  - d) an application for development consent under Part 4 (or for the modification of a development consent), or
  - e) any other application or request under or for the purposes of this Act that is prescribed by the regulations as a relevant planning application,
- but does not include:
- f) an application for (or for the modification of) a complying development certificate, or
  - g) an application or request made by a public authority on its own behalf or made on behalf of a public authority, or
  - h) any other application or request that is excluded from this definition by the regulations.

**relevant period** is the period commencing 2 years before the application or submission is made and ending when the application is determined.

**relevant public submission** means a written submission made by a person objecting to or supporting a relevant planning application or any development that would be authorised by the granting of the application.

**reportable political donation** means a reportable political donation within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981* that is required to be disclosed under that Part. Note. Reportable political donations include those of or above \$1,000.

Note: Under section 86 of the *Election Funding and Disclosures Act 1981* reportable political donation is defined as follows:

### 86 Meaning of "reportable political donation"

- (1) For the purposes of this Act, a reportable political donation is:
  - (a) in the case of disclosures under this Part by a party, elected member, group or candidate—a political donation of or exceeding \$1,000 made to or for the benefit of the party, elected member, group or candidate, or
  - (b) in the case of disclosures under this Part by a major political donor—a political donation of or exceeding \$1,000:
    - (i) made by the major political donor to or for the benefit of a party, elected member, group or candidate, or
    - (ii) made to the major political donor.
- (2) A political donation of less than an amount specified in subsection (1) made by an entity or other person is to be treated as a reportable political donation if that and other separate political donations made by that entity or other person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1).
- (3) A political donation of less than an amount specified in subsection (1) made by an entity or other person to a party is to be treated as a reportable political donation if that and other separate political donations made by that entity or person to an associated party within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1). This subsection does not apply in connection with disclosures of political donations by parties.
- (4) For the purposes of subsection (3), parties are associated parties if endorsed candidates of both parties were included in the same group in the last periodic Council election or are to be included in the same group in the next periodic Council election.

**a person has a financial interest** in a relevant planning application if:

- a) the person is the applicant or the person on whose behalf the application is made, or
- b) the person is an owner of the site to which the application relates or has entered into an agreement to acquire the site or any part of it, or
- c) the person is associated with a person referred to in paragraph (a) or (b) and is likely to obtain a financial gain if development that would be authorised by the application is authorised or carried out (other than a gain merely as a shareholder in a company listed on a stock exchange), or
- d) the person has any other interest relating to the application, the site or the owner of the site that is prescribed by the regulations.

**persons are associated with each other** if:

- a) they carry on a business together in connection with the relevant planning application (in the case of the making of any such application) or they carry on a business together that may be affected by the granting of the application (in the case of a relevant planning submission); or
- b) they are related bodies corporate under the *Corporations Act 2001* of the Commonwealth; or
- c) one is a director of a corporation and the other is any such related corporation or a director of any such related corporation; or
- d) they have any other relationship prescribed by the regulations.

# Political Donations Disclosure Statement to Minister or the Director-General

If you are required under section 147(3) of the Environmental Planning and Assessment Act 1979 to disclose any political donations (see Page 1 for details), please fill in this form and sign below.

Disclosure statement details		Planning application reference (e.g. DA number, planning application title or reference, property address or other description)		
Name of person making this disclosure <b>Suntrade Holdings Pty LTD</b>		<b>SSD 575Z</b>		
Your interest in the planning application (circle relevant option below)				
You are the APPLICANT		YES <input type="radio"/> NO <input checked="" type="radio"/>		
OR		You are a PERSON MAKING A SUBMISSION IN RELATION TO AN APPLICATION		
YES <input type="radio"/> NO <input checked="" type="radio"/>		YES <input type="radio"/> NO <input checked="" type="radio"/>		
Reportable political donations made by person making this declaration or by other relevant persons				
<p>* State below any reportable political donations you have made over the 'relevant period' (see glossary on page 2). If the donation was made by an entity (and not by you as an individual) include the Australian Business Number (ABN).</p> <p>* If you are the applicant of a relevant planning application state below any reportable political donations that you know, or ought reasonably to know, were made by any persons with a financial interest in the planning application, OR</p> <p>* If you are a person making a submission in relation to an application, state below any reportable political donations that you know, or ought reasonably to know, were made by an associate.</p>				
Name of donor (or ABN if an entity)	Donor's residential address or entity's registered address or other official office of the donor	Name of party or person for whose benefit the donation was made	Date donation made	Amount/ value of donation
N/A				
Please list all reportable political donations—additional space is provided overleaf if required.				
By signing below, I/we hereby declare that all information contained within this statement is accurate at the time of signing.				
Signature(s) and Date <b>9/5/13</b>				
Name(s) <b>John Beville</b>				
<b>Director</b>				

