ETHOS URBAN

Our Ref: 15882
Council Ref: D/2020/610

22 December 2020

15882

Mr David Zabell
City of Sydney - Senior Planner
Town Hall House
Level 2, 456 Kent Street
Sydney 2000

Dear David

Response to Submissions
SSD 10362 (D/2020/610)
338 Pitt Street, Sydney

On behalf of China Centre Development Pty Ltd, thank you for the opportunity to consider and respond to the feedback provided in your letter dated 14 September 2020 and in submissions made by State agencies and the public. The application has been amended and the following documents have been submitted under separate cover to address the matters raised by the City of Sydney and others:

- Design Response Report (fjmt)
- Public Domain Civil Works Plans (TTW)
- Traffic and Parking Response (GTA)
- Wind Impacts Memo (CPP)
- Vertical Transportation Memo (Arup)
- Rail Corridor Impact Statement (Arup)
- Construction Management Plan (Arup)
- Easements Report (TSP)
- Remedial Action Plan (JBS&G)
- Aboriginal Cultural Heritage Assessment Report (AMAC Archaeological)

A summary response to the matters raised in the submissions is provided in the tables on the following pages. Final architectural drawings will be provided following confirmation the proposed amendments are satisfactory. Please feel free to contact me on 0420 960 216 or by email if further clarification is required.

Yours sincerely,

Jim Murray
Associate Director
jmurray@ethosurban.com

ETHOS URBAN

Item	Response
City of Sydney	
Urban Design	
1. The twin towers are striking and will be unique in Sydney. However, the City's Design Advisory Panel (DAP) has raised concerns specifically about the width of the sky bridge and its mass, as it visually works against the slim towers' profile by virtue of its overall width. It is recommended that the width of the sky bridge be reduced to no more than the necessary structural support for the towers. This will result in the reduction of floor area in the bridge currently allocated to a restaurant and/or hotel pool and amenities;	The width of the skybridge proposed in the Development Application is consistent with the width in the Architectural Design Competition. The structural design of the skybridge has been reviewed and areas have been identified for potential area reduction. Refer to the Design Response prepared by FJMT.
2. The slender towers have two different facade readings separated vertically by an articulation line. To accentuate the slimness of the towers and achieve better proportions, DAP recommended that the upper curved treatment of both facades, be extended down to at least the level of the sky bridge. This will create a more slender visual appearance for both towers with a more logical articulation in facade treatment;	As detailed in the Design Response prepared by FJMT, the composition of the dual tower forms is based on a classical equal thirds division, expressed through the skybridge, setbacks, and the façade materiality. The tower forms comprise three zones which align with varying scales of development in the Sydney CBD over time: • The top of the skybridge is at approximately 110m, aligning with the general scale of development in the late 20th Century. • The articulation of the tower forms at 180m aligns with taller developments in the late 20th Century and early 21st Century, • The highest portion of the towers aligns with a new generation of super tall buildings at 260m.
3. We appreciate the thinking behind the footpath awning design. However, individual awnings, including design and materiality for each building is preferred by DAP and staff, compared to the wrap around sash or belt design. It should be broken up to individually respond to each building. Technically, the form and height of the awning to Pitt and Liverpool Streets are inconsistent with Section 3.2.4 of the Sydney DCP 2012 and is not compatible with the streetscape. The form should be individualised with breaks but at the same time provide weather protection for pedestrians and relate positively to the built form of the proposal and streetscape;	The design of the awnings has been revised, and each building's awnings will be designed by the architect responsible for the individual building design. The awnings are designed in accordance with the DCP requirements. Refer to the Design Response for further details.

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4. Further information in elevation is to be provided, with a legend to the proposed materials (including glazing type) and their locations;	Refer to the Design Response for summary information. The final architectural plans will detail the proposed materials and their locations.
5. A protection treatment for at least three metres is required to protect the ground and lower level private and public open spaces from falling objects from hotel balconies and residential balconies to the ground below. The treatment is to be robust without adversely limiting daylight to these spaces;	It is proposed to address falling objects at the source. This approach is more effective as objects falling from height are likely to travel more than 3m horizontally before they reach the ground. The Design Response provides further details.
6. Consistent with the recommendations of the Competition Design Panel, the height of the connecting bridges between podium buildings should be reduced so that they read as light weight single level connections between separate buildings;	The podium bridges have been designed to meet the functional requirements of the hotel. Multi-level bridges have been designed as lightweight structures with frameless glass enclosures. They have been designed to read as recessive elements when viewed from the surrounding streets.
7. As this is a significant project, the Design Advisory Panel will be meeting in September to further review the focus on the podium buildings. City staff will contact you and your consultants to discuss any further recommendations of the Panel that relate to the low- rise podium buildings following this meeting. Concern was raised regarding the impact of relocating the partner architects buildings from Castlereagh to Pitt Street; while this has benefitted Pitt Street, the contribution to the Castlereagh Street-scape is diminished. The architects are encouraged to explore how these buildings can have a greater individual character, noting that the fine grain character was a key consideration for the competition panel in selecting the subject scheme. The additional height of the Castlereagh Street podium buildings further encloses the central courtyard. It is recommended that the central podium building fronting Castlereagh Street be lowered by two floors to improve daylight access to the central courtyard and better reflect the scale of the buildings presented in the competition. The floor space can potentially be redistributed to the northern podium building and potentially the FJMT podium building on Pitt Street. While it is appreciated that this may disrupt the connectivity of the roof tops, the public benefit outweighs this imposition. • Individual awnings, consistent with the height and form controls of Section 3.2.3 of the Sydney DCP 2012, should be provided to the Castlereagh Street podium buildings. Please see previous correspondence regarding the awnings to Pitt and Liverpool Streets.	***Castlereagh Street Podium*** The central podium building on Castlereagh Street has been lowered by one storey. The resultant podium height is consistent with the varied nature of the existing built form along Castlereagh Street. Daylight access to the central courtyard is limited by the Telstra Exchange to the north and the existing buildings on the eastern side of Castlereagh Street. Further analysis is provided in the Addendum Design Report. ***Individual Street Awnings*** See previous response above. ***GRC/ Façade Materiality*** The use of GRC is proposed for the horizontal sill and shading elements only. The majority of the façade is proposed to be sandstone. ***Solidity of Podium Buildings*** The composition of the Central and Southern podium buildings has been reconfigured to create a greater sense of solidity at street level.

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• Concern was raised regarding the quality and appropriateness of GRC to relate to the sandstone. The GRC to the George and King building is underwhelming. Alternative materials should be explored. • Expansive glazing should be avoided and greater solidity considered in the podium buildings. This is reflective of the buildings presented to the competition.	
Amenity	
8. The wind report accompanying the application states that the "wind conditions on the sky bridge were… classified as uncomfortable or suitable for business walking only" rendering this space unsuitable for common open space. Further design work is required to attenuate adverse wind conditions to provide a safe and inviting outdoor space for residents, meeting the pedestrian sitting criteria within the report and maintaining solar access during midwinter. City staff recommend glazed wind protection be provided for a portion of the open communal space. It could be partly surrounded by glazed walls being 25% open The 'Sydney balconies' design at the Greenland Tower at 115 Bathurst Street may serve as a useful reference. Where this cannot be achieved, it is recommended that the communal open space be relocated;	The Design Response states that a glass roof will be introduced to the public open space on the skybridge. A Memo has been prepared by CPP wind engineers (submitted separately). It concludes that: *"The extent of the mitigation options will be determined by further wind tunnel testing. It is noted that a Pedestrian Sitting comfort rating is a reasonably stringent requirement for an outdoor terrace in Sydney. Such a comfort rating is likely to be achievable under the enclosed section of the terrace…"*
9. Furthermore, concern is raised regarding wind impacts to the open space at levels 4 and 8, noting the following on page 22 of the wind report: The proposed perimeter landscaping for Level 8 will encourage improved wind amenity for this space. In addition, the following measures may be incorporated during detailed design with a view to achieving conditions suitable for pedestrian sitting: • Horizontal awnings or canopies, particularly near tower bases • Fence-type structure or high balustrade at podium edges • Vertical screening elements around dedicated seating areas, using a mix of solid and porous media • Pavilion-type structures to provide localised calm areas	The Design Response outlines that the landscaped areas on the sky bridge and podium terraces incorporate the following wind amelioration measures: • Horizontal awnings at the base of the towers on level 4 and level 8. • Podium facades extend a nominal 3m above the finished floor levels of level 4 and level 8. • A mix of screening and planting is proposed throughout the terraces. • Pavilion structures on podium levels. The Memo prepared by CPP concludes that: *"Given the context in which the general guidance for amelioration was given and noting the requirement for detailed wind tunnel testing to quantitatively assess pedestrian comfort levels, the proposed changes are considered to provide adequate allowance for wind mitigation at this stage."*

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How these elements are incorporated will depend of the final detailed use of outdoor areas and may be adequately addressed during detailed design stages. 10. At this stage, none of the above appear to be incorporated in the roof top design of the Level 4 and Level 8 spaces. Further work is required to ameliorate wind impacts;	
11. Having regard to the recommendations of the Competition Panel report, there are still concerns regarding the amenity of apartments located below the underside of the tower bridge connection (level 30) and those fronting the communal open space (level 36) if it is retained on the bridge. The excessive bridge width is considered overbearing and will overshadow the affected apartments on level 30, whilst the visual and acoustic privacy of apartments on level 36 will be compromised by their adjacency to the common open space. 12. Dependent upon other design modifications outlined in this letter such as narrowing the bridge and/or reconsidering the communal space, it is suggested that the affected apartments be converted to communal facilities such as music practice rooms or communal kitchens, and with a more compatible function to the adjacent communal space;	In response to the comments from Council, the middle level plant room has been relocated to immediately below the skybridge which ensures that all apartments are at least a full level below the inside of the skybridge. As detailed above, the width of the skybridge has also been reduced. These amendments have improved the amenity of apartments below the skybridge, which will have good access to winter sun and natural light, as well as good outlook. The soffit treatment of the bridge is proposed to be a reflective surface of the landscape below and will enhance the amenity of the apartments. To improve separation, a planting buffer screen is proposed between apartments and adjacent areas of communal open space. The buffer zone includes planting and level changes to enhance privacy and separation. The design and layout of apartments has also sought to minimise the number of balconies that are located adjacent to communal open space. Refer to the Design Response for further details and imagery.
13. In accordance with Objective 4A-3 of the Apartment Design Guide and Section 4.2.3.1 of the Sydney DCP 2012, the design already incorporates good sun shading for north facing apartments. However, east and west facing apartments are inadequately protected from mid-summer sun, and the use of heavily tinted glazing is not supported. Additional, incorporated vertical sun shading is required on these elevations to allow for a lighter glass and meet the objective's design guidance; and	FJMT has further developed the facades of the towers to be more responsive to their orientation. This has involved transitioning between varying systems of sunshade louvres, depending on orientation and function. Refer to the Design Response for further detail.
14. It is felt that the development does not provide adequate vertical transportation with regard to Objective 4F-1 of the Apartment Design Guide with up to 78 apartments served per lift. Further discussion is required to demonstrate how the development meets the objective notwithstanding non-compliance with the design criteria.	Arup have provided a vertical transportation memo (submitted separately). It is our view, and also Arup's that where there are two or more lifts, as is the case for the proposed development, the number of apartments is not capped or restricted. I.e., two lifts are the minimum required for a 10-storey development (if there are 40 apartments or more), rather than one lift per 40 apartments. This is to ensure redundancy of lift service, rather than a level of a performance experienced by passengers. To ensure the proposed development meets Objective 4F-1, Arup has conducted detailed lift performance analysis for the proposed development, using two different methods (calculation and simulation). This sought to confirm that the performance of the proposed development is acceptable in terms of passenger waiting times, lift departure intervals, lift travel times, queue lengths, and lift filling levels. With both types of analysis, the performance is deemed to be acceptable by Arup.

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	Therefore, the design criteria and objectives are met by the development.
Transport and Traffic	
15. The development proposes 470 car spaces on site, including the maximum number of residential spaces, 39 retail car spaces and 10 car spaces for the adjoining Telstra site. This is a significant increase in car parking compared to the existing provision on site and runs counter not only to the City's objectives for car parking in the CBD, but to the first recommendation of the Traffic Report at Section 8.3 to encourage sustainable forms of transport: limiting on-site parking provision. This quantum of parking is rarely used and is expensive in the CBD to build adding to the cost and time of construction. The City will not allow commercial carparking to be operated. A number of hotel and residential towers with parking in the past are looking for alternative uses of the under used space. We recommend that the parking be reduced by half to around 235 spaces.	A green travel plan will be implemented as part of the development to encourage reduced daily travel by private car, and while the comments from Council are noted, it is proposed to retain the full provision of residential car parking permissible under the Sydney LEP 2012. As detailed in the response from GTA Consultants (submitted separately), the car parking rates in the Sydney LEP 2012 are already (suitably) low when compared with other CBD locations across Sydney. The current provision of residential car parking spaces (377 spaces for 592 apartments) equates to 36% of apartments without a car parking space, which is considered appropriate given the type and quality of apartments, as well as the location within the Sydney CBD.
16. Insufficient information has been provided regarding the provision of parking for Telstra within the site. Please provide further information demonstrating how the provision of car parking for a neighbouring use not forming part of the application site meets the controls under Part 7, Division 1 of the Sydney LEP 2012;	An outline of the Telstra parking arrangements has been prepared by Touchstone Partners (submitted separately). In short, an easement currently exists over 338 Pitt Street requiring the applicant to provide eight courier parking bays for Telstra. It is proposed to maintain the loading dock and associated access in the new development and create a new easement and deed of agreement. The proposed loading dock for Telstra is located in Basement 1 and includes three dock spaces. As per Clause 7.2(1) of the Sydney LEP 2012, "a place primarily used for the purpose of loading or unloading of goods" does not fall within the definition of a 'car parking space'. Accordingly, the provision of short-term courier spaces for 320 Pitt Street, Sydney will not result in any non-compliance with the controls under Part 7, Division 1 of the Sydney LEP 2012. Hans
17. The reduction in service parking is considered unjustified with respect to the failure to provide the required number of loading spaces. The development is required to provide between 18 and 21 loading spaces in accordance with Schedule 7 of the Sydney DCP 2012 (there are inconsistencies between the SEE and transport report regarding the gross floor area of certain uses). Consistent with the City's and RMS's objectives, the provision of on-site loading and servicing spaces is a higher priority than that of private car spaces. While the number of car spaces on site is recommended to be reduced, a number of spaces within the basement could be reallocated for loading and servicing;	It is now proposed to include an additional 10 service bays in the lower ground floor car park for use by smaller more regular deliveries by cars, vans and utilities. The response prepared by GTA includes a detailed analysis of the likely loading requirements of the proposed development and concludes that the revised loading arrangements realise a significant increase in on-site loading capacity, with smaller vehicle loading in the lower ground floor car park. However, it is expected that the loading dock itself would be sufficient to accommodate all loading demands generated by the development.

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18. As previously discussed, this large site has the potential to provide a super dock serving surrounding buildings which do not have off street loading and servicing, such as heritage buildings. This should be developed with some thought to an appropriate management plan. A statement and accompanying sections are to be provided demonstrating that the City's waste trucks can access the loading area	The proposal has not been amended to include a super dock. The response prepared by GTA outlines the reasons why, including: • The proposed dock includes 11 dedicated spaces for the use of 320 Pitt Street. • Overall, a minimum of 31 services vehicle bays are provided to serve almost the entire southern portion of the block. • Discussions have been exhausted with the owner of 255 Castlereagh Street which attempted to facilitate immediate or future access to their basement. • Drivers using the basement of 338 Pitt Street would be required to cross public roads carrying / wheeling goods to the surrounding buildings. • There are a number of new developments proposed on the city blocks in the surrounding area. From a safety and equity view, parking for service and deliveries is better located on the block being served. • There is no statutory requirement for the development to provide a super dock.
19. Providing car parking spaces for people with disability in accordance with the City's controls is a high priority. It is recommended that the development is amended to provide 89 accessible car spaces for residents (one car space for every adaptable unit) and accessible visitor spaces in accordance with Schedule 7.8.5 of the Sydney DCP 2012;	As detailed by GTA, the proposed development has been amended to provide 89 accessible car parking spaces for residents in accordance with Schedule 7.8.5 of the Sydney DCP 2012. The site is in the Category A parking area and as per clause 7.5(2) of the SLEP 2012 visitor parking is not required and is not proposed.
20. There is also a concern with the high provision of retail parking on site when considered against Schedule 7.5.1 of the Sydney DCP 2012. The site is highly accessible from alternative, sustainable transport modes, and should actively encourage visitors to use these options, regardless of whether they are 'high-end' customers;	As detailed by GTA Consultants it is proposed to reduce the retail parking provision from 39 to 20 spaces – a reduction of 19 spaces. The provision of 20 retail spaces for approx. 10 to 15 retailers equates to between one to two spaces per tenant would increase the viability of the retail offering without generating unreasonable impacts on the operation of the surrounding road network.
21. The driveway crossover should be reduced in width – its current width will adversely impact the safe and efficient passage of pedestrians on Pitt Street. The crossover is to be reduced in size having regard to Section 3.11.11 of the Sydney DCP 2012;	As noted in the original EIS, the proposed development proposes to consolidate five vehicle access points (along Pitt Street and Castlereagh Street) into a single access point on Pitt Street. This will substantially improve the city block's public domain and pedestrian amenity. The proposed development will substantially improve pedestrian safety and contribute to a high quality ground level relationship between the development and the public domain, consistent with the objectives of Section 3.11 of the Sydney DCP 2012. The proposed driveway crossover has been designed to accommodate both cars and trucks (up to a MRV), with sufficient width to allow simultaneous entering/exit of vehicles. Given that Pitt Street is one-way northbound, all vehicles will also need to turn right on entry and exit. This is shown in the Swept Path Analysis Diagrams prepared by GTA. On this basis, GTA have recommended against reducing the width of the driveway crossover any further.

Item	Response
Remediation	
22. Following the recommendations of the Preliminary Environmental Site Investigation, a Detailed Environmental Site Investigation (DESI) is to be carried out by a suitably qualified and competent environmental consultant and submitted to the City Area Planning Manager for further review in accordance with the NSW Government Office of Environment and Heritage, Guidelines for Consultants Reporting on Contaminated Sites, Contaminated land Management Act 1997 and SEPP 55 Remediation of Land" confirming that the site is suitable (or will be suitable, after remediation) for the proposed use; 23. Where the DESI states that the site requires remediation, a Remediation Action Plan (RAP) is to be prepared by a suitably qualified and competent environmental consultant in accordance with the NSW Government Office of Environment and Heritage, Guidelines for Consultants Reporting on Contaminated Sites and the Contaminated Land Management Act 1997 and submitted to the City Area Planning Manager for approval. Note 1: Where a site is subject to significant contamination or past contaminating activities then we generally require the DESI and any subsequent Remediation Action Plan to be peer reviewed by a Site Auditor. In such cases we would also add the following. Note 2: Where the DESI concludes that the site is suitable for the proposed use it is to be peer reviewed by a NSW EPA Accredited Site Auditor and a Section A Site Audit Statement submitted to the City Area Planning Manager certifying that the site is suitable for the proposed use The DESI and RAP must be peer reviewed by a NSW EPA Accredited Site Auditor and include a section B Site Audit Statement or a letter of Interim advice from the Site Auditor certifying that the RAP is practical, and the site will be suitable after remediation for the proposed use.	Given the current site layout, there is not an opportunity to complete the necessary soil investigations for a Detailed Environmental Site Investigation (DESI). On this basis, it was agreed with Council, following a meeting on 29 October, that at this stage, prior to excavation, a preliminary Remediation Action Plan (preliminary RAP) would be prepared in accordance with the NEPC (2013), EPA (2017), EPA (2020) and the Guidelines of SEPP 55. A preliminary RAP has been prepared by JBS&G (submitted separately). The preliminary RAP provides a framework to assess and manage potential contamination, including unexpected finds, during excavation, following the demolition of existing buildings. It provides detail on sampling requirements to adequately characterise fill material and soils for contaminants of potential concern, as well as the process for managing unexpected finds and materials requiring off-site disposal. This will inform the final remedial requirements, contained within a DESI and final RAP (if required), for redevelopment in accordance with D/2020/610. However, noting that there is a low potential for significant contamination at the site (based on the PSI) and all soil will be removed as part of the excavation of Basement Levels 1-4 (i.e., there will be no contact between future users and existing soil), it is considered that any potential contamination will be relatively isolated and could be appropriately managed through controlled excavation and off-site disposal in accordance with the preliminary and final RAP. Interim advice from a Site Auditor will be provided to the City in early 2021.
Flood Study	
24. The Flood and Stormwater Report by TTW dated 6 April 2020 states that:	TTW has prepared a flood management plan as part of their Civil Public Domain drawings (submitted separately). The flood management plan and cross sections identify the 1% AEP, the PMF and the internal floor levels.

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• The proposed development provides new through site links between Castlereagh, Pitt and Liverpool Streets, which allow existing overland flow entering Dungate Lane to flow through the site towards Pitt Street. • The other two through site links from Castlereagh Street have been designed with a crest (top of steps) above the PMF level that prevent overland flow from entering the site. • The crest of the basement ramp on Pitt Street has been designed to be above the PMF and 1% AEP + 500mm levels. • The proposed development will meet the required flood planning levels in terms of: • All ground floor business and retails floors will be above the 1% AEP flood levels. • All accesses to basement levels will be above the PMF. • All residential floors will be above the ground floor and above the 1% AEP + 500mm level. 25. Further information on the following is required for review: • 1% AEP and PMF Flood levels of the site, especially at critical locations (on street frontage entries and at entries within the site with access from through site link); • Floor levels inside the development (i.e. retail, hotel lobby, residential lobby etc); Please note that condition 14 of the Stage 1 Concept DA (D/2016/1509) required a site-specific flood assessment to be submitted and approved by the Director City Planning Development & Transport prior to the commencement of any competitive design process. Please also provide a copy of this approved report.	In accordance with Condition 14 of D/2016/1509, a site-specific flood assessment was submitted to Council on 4 May 2018. It was approved by Council on 12 June 2018 and is submitted separately.
Stormwater Quality Assessment	
26. It is noted that a stormwater quality assessment has been completed. However, the City requires submission of the MUSIC-link report for assessing Water Sensitive Urban Design (WSUD) compliance for developments. A stormwater quality assessment for the proposed development must comply with the City's specific modelling parameters as adopted in MUSIC-link. A certificate and/or report from MUSIC-link and the electronic copy of the MUSIC Model must be submitted for review and approval with the stormwater quality assessment report.	TTW has completed the stormwater quality assessment using the City's MUSIC-link. The MUSIC-link report was provided to the City prior to the preparation of this submission.

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Levels and Gradients	
27. Public Domain request that the Levels and Gradients are now submitted at DA for full review and approval. Please contact Sarah Horlyck at 9265 9333 for further information.	The Civil Public Domain drawings (submitted separately) include levels and gradients.
Public Domain Works Diagram	
28. A Public Domain Report has been supplied. This report solely addresses works occurring in the courtyard, which is publicly accessible private space. A diagram is to be submitted outlining the area of works proposed within the Public Domain (i.e. outside the property boundary). Works area may include works to roadways, laneways & footways. If more information is required contact the project officer named above.	A public domain diagram has been prepared by FJMT (submitted separately). Works will be completed in accordance with Council's Public Domain Manual.
29. The EIS notes that following: "Access to Dungate Lane from Castlereagh Street will be maintained to provide the necessary rear lane access to 255 Castle Street. Notwithstanding, Dungate Lane is also proposed to provide improved pedestrian amenity as an important east-west connection" Dungate lane is also noted as being the all-ability access from Castlereagh Street. Further information is required on the proposal for Dungate Lane including shared zone installation, and methods to prevent vehicles entering the proposed courtyard.	It is proposed that the final design for Dungate Lane (including shared zone and bollards etc.) is prepared in coordination with the City prior to the relevant construction certificate. It is expected that the final design will be similar to the nearby Central and Wilmot Streets.
Sydney Metro	
Following this review, Sydney Metro advises that additional information outlined below is required to determine if there are any impacts on the Sydney Metro City and Southwest rail corridor. The Applicant must prepare and provide documents compliant with the Sydney Metro Underground Corridor Protection Guideline to demonstrate that there are no adverse impacts on the Sydney Metro infrastructure including, but not limited to: • It is noted that no foundation design and associated engineering assessment are available for review except a "Rail corridor impact statement" prepared by ARUP with recommendations to be carried out to assess the impacts/risks. To enable Sydney Metro to evaluate the risk	The Rail Corridor Impact Statement (submitted separately) has been revised to address the Sydney Metro comments.

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levels/impacts of the proposed development on Sydney Metro tunnels, the developer is required to carry out assessments to ensure that the development meets the requirements of Sydney Metro Underground Corridor Protection Guidelines (available on www.sydneymetro.info). • Inconsistency is noted throughout the proposal package. 5-level basements are referenced in the Environmental Impact Assessment (EIS) (dated 18 June 2020) prepared by Ethos Urban Pty Ltd and architectural drawings prepared by Francis-Jones Morehen Thorp (FJMT) Pty Ltd but 4-level basements are referenced in the Rail Corridor Impact Statement (dated 17 March 2020) prepared by ARUP and the Geotechnical Desktop Report (dated 28 October 2019 and 22 January 2020 respectively) prepared by PSM Consulting Pty Ltd. It is requested that the Applicant clarify the inconsistency and revise all the proposal documents accordingly. Should Sydney Metro assess any unacceptable impacts on Sydney Metro rail infrastructure following additional information received, it is noted that the Applicant will be required to liaise with Sydney Metro for any changes to the proposed foundational layout.	
Transport for NSW	
The submission made by TfNSW is noted. No specific comments or responses are made at this stage.	
Sydney Airport	
The submission made by Sydney Airport is noted. No specific comments or responses are made at this stage.	
Heritage NSW	
The comments made by Heritage NSW regarding the archaeological assessment during excavation are noted. An Aboriginal Cultural Heritage Assessment Report: Research Design and Testing Methodology has been prepared in response to comments regarding Aboriginal cultural heritage and is submitted separately.	
Sydney Water	
Water Servicing • Potable water servicing should be available via 250mm CICL watermains (laid in 1926) in Pitt and Castlereagh Streets. • Amplifications or alterations to the potable water network may be required complying with the Water Services Association of Australia (WSAA) code – Sydney Water edition.	Arup has addressed wastewater and potable water servicing in the Utility Services Report (Appendix J of the EIS). It confirms there is sufficient wastewater and potable water capacity in the existing network. There will be ongoing discussions regarding servicing with Sydney Water.

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Wastewater Servicing • Wastewater servicing should be available via a 300mm VC wastewater main (laid in 1887) in Pitt Street. • Amplifications or alterations to the wastewater network may be required complying with the Water Services Association of Australia (WSAA) code – Sydney Water edition. **Stormwater** • Requirements for Sydney Water's stormwater assets (for certain types of development) may apply to this site. The proponent should ensure that satisfactory steps/measures are taken to protect existing stormwater assets, such as avoiding building over and/or adjacent to stormwater assets and building bridges over stormwater assets. • The proponent should consider taking measures to minimise or eliminate potential flooding and/or degradation of water quality, should avoid adverse impacts on any heritage items, and should create pipeline easements where required.	In regard to stormwater, measures to minimise potential flooding and/or water quality are detailed in the Flood and Stormwater Report prepared by TTW (Appendix BB of the EIS).
Ausgrid	
The submission made by Ausgrid is noted. No specific comments or responses are made at this stage.	

Table 1 Landowner and Public Submissions

Issues	Response
133 Liverpool Street, Sydney	
• The reduction in solar access to the Polding Centre, beyond what was already considered in the assessment of the Concept DA for the Polding Centre (which considered the shadow impacts of the original Concept Envelope for 338 Pitt Street). • Request that alternative design options be explored for 338 Pitt Street, Sydney, such as the chamfering of the South Tower or reconsidering the placement of the North and South Towers.	The solar access assessment submitted with the EIS demonstrates that future development of the Polding Centre remains capable of achieving solar access in accordance with the Apartment Design Guide and the Sydney DCP 2012.
320 Pitt Street, Sydney	
• Impacts of the location and interface of the vehicular entrance on Pitt Street, which directly adjoins the existing through-site link between 338 Pitt Street and 320 Pitt Street. • Changes to the easements and legal property rights applicable to the through-site link from Pitt Street. • Loss of all car parking spaces during construction, which is in breach of Deed Agreements between ARA Group and the Hans Group.	Touchstone Partners have prepared a memo (submitted separately) which addresses the comments made by 320 Pitt Street. The proposal intends to create new easements on 338 Pitt Street for the benefit of 320 Pitt Street that reflect the existing easements. During demolition and construction, the applicant and their building contractor intend to work with 320 Pitt Street to maintain access to suitable loading dock and courier parking facilities where possible. Exact details are yet to be determined.
Misc. Public Submissions	
<u>Design, Height and Scale</u> • The increase in the size (including dwelling numbers, car parking spaces, retail) of the proposed development, comparative to the Concept Proposal. • Comment regarding the height of the proposed development. • Concern regarding the scale of the proposed development, and the absence of justification for the proposed height, belief that it should match current existing buildings.	The scheme submitted with the Stage 1 Concept Proposal was only ever intended to provide an indication of the proposed built form that could be accommodated with within the proposed building envelope proposed in the DA. The detailed design was always to be the subject of an Architectural Design Competition and Stage 2 DA. The proposed development, while different to the scheme submitted with the Stage 1 Concept Proposals, is the result of the Architectural Design Competition, undertaken to select the highest quality architectural, landscape and urban design solution. As detailed in the Architectural Plans and Architectural Design Statement prepared by FJMT (refer to Attachment A and Appendix B of the EIS respectively), the proposed development responds to the height of surrounding buildings in the Sydney CBD and complies with the maximum building height under the Sydney LEP 2012.
<u>Contamination</u>	<u>Contamination</u> As detailed above, to provide a framework to assess and manage potential contaminated soil and groundwater, a preliminary RAP has been prepared by JBS&G (submitted separately). This will inform the

Issues	Response
• Concern regarding the absence of a Detailed Site Investigation, confirming that the soil and groundwater is free from contamination. • Concern that toxic chemicals and contamination (asbestos and firefighting foam) will be uncovered during excavation. • Inadequacy of the Preliminary Acid Sulphate Soils Assessment, failure to meet Condition 39. • Concern that the draft CMP prepared by TP doesn't include details on asbestos air monitoring, given the potential for the land to contain asbestos containing materials.	final remedial requirements, contained within a DESI and final RAP (if required), for redevelopment in accordance with D/2020/610. Acid Sulphate Soils The Preliminary Acid Sulphate Soils (ASS) Assessment found, based on a review of the Acid Sulphate Soil Map from the Australian Soil Resource Information System, that the site is located in an area of low probability of acid sulphate soils, given its geographical and topographical context. Additionally, a review of the Prospect/Parramatta River 1:250,000 Acid Sulphate Soil Risk Map further identified that the site is situated within a location with no known occurrence of ASS, in which ASS are not known or expected to occur. In addition, the Council Planning Certificates provided in JBS&G (2019) indicate the site is not situated within a location that has been mapped as Class 1 or 2 ASS.
Noise • Concern regarding the impact of construction noise on surrounding buildings in the CBD.	A Noise and Vibration Report has been prepared by Arup (Appendix Y of the EIS) which assess the noise and vibration impacts associated with the construction of the proposed development. It found that the proposed development is capable of complying with the relevant acoustic policies and standards, subject to detailed acoustic mitigation measures that will be developed further as the design progresses, following the determination of the DA. These acoustic mitigation measures will ensure that construction noise impacts on surrounding buildings in the Sydney CBD are appropriately managed. They will be developed and implemented through the detailed Construction Environmental Management Plan prepared by the Principal Demolition and Construction Contractor. It is noted that in any event, construction would need to comply with the requirements of the EPA.

Issues	Response
Traffic and Parking • Concern regarding the increase in the number of car parking spaces in the Stage 2 SSD, as opposed to the Stage 1 Concept Proposal. • Concern that the traffic impact on Pitt Street has not been adequately addressed by the Traffic Assessment. • Concern regarding the 'loss' of disabled car parking access on Pitt Street. Requests confirmation as to whether the disabled car parking spots along Pitt Street will be retained. • Query regarding inconsistency between amount of parking (residential, retail, motorcycle, hotel, etc) specified in EIS and the TIA prepared by GTA Consultants. • Concern that the increased bicycle traffic volume in the area has not been assessed in the Traffic Assessment. • EIS references 5,123m2 of retail GFA, while TIA references 4,420 retail GFA. Concern that the different (increase) in retail GFA hasn't been assessed in the assessment of traffic generation associated with the SSD DA. • Confirm the number and location of off-street car parking spaces for people with a disability.	Car Parking As detailed in Table 1 above and in the Transport Impact Assessment (Appendix W of the EIS) the proposed development complies with the car parking rates in the Sydney LEP 2012. The proposed development will also encourage active transport, particularly cycling, through the provision of appropriate infrastructure and a Green Travel Plan. As detailed in the GTA response (submitted separately), the provision of residential car parking spaces (377 spaces for 592 apartments) equates to 36% of apartments without a car parking space, which is considered appropriate given the type and quality of apartments, as well as the location within the Sydney CBD. It is not proposed to alter the provision of disabled car parking along Pitt Street. Bicycle Traffic The local area has a high level of bicycle amenity. There are bicycle lanes on Liverpool Street and lanes are planned for Castlereagh Street. The bike lanes are designed to accommodate large volumes and actual capacity is not an issue. Traffic Generation The traffic generated by retail uses is based on car parking provision, rather than GFA. Accordingly, notwithstanding the discrepancy between the retail GFA stated in the Transport Impact Assessment and the EIS, the traffic generated by the proposed development remains unchanged. Ethos Urban, with input from GTA as required.
Wind • Concern regarding impact of the development on pedestrian wind conditions in the CBD.	Cermak Peterka Petersen (CPP) has prepared a Wind Study (Appendix CC of the EIS), based on wind tunnel testing, to assess wind impacts. It found that the wind conditions in all locations around the ground plane of the proposed development achieve the relevant safety criteria. The conditions on the ground plane were found to be relatively calm and generally suitable for a combination of pedestrian sitting and pedestrian walking activities (from a comfort perspective). The inclusion of distributed landscaping elements, colonnades and under crofts (as proposed) are expected to further improve wind conditions.
Architectural Design Competition • Concern regarding the integrity of the Architectural Design Competition and compliance with the City of Sydney Competitive Design Policy	The Invited Architectural Design Competition completed in mid-2018 was undertaken in accordance with the requirements of the Design Excellence Strategy prepared for the Concept Proposal and the *City of Sydney Competitive Design Policy 2013*. The process was closely supervised by observers from Council to ensure integrity and compliance with the *City of Sydney Competitive Design Policy 2013*. Refer to the Architectural Design Competition Report (Appendix H of the EIS).

Issues	Response
Heritage and Archaeology • Concern that a detailed archaeology study hasn't been prepared to determine if Aboriginal artefacts are present in the subsurface soils. Concern that they will be destroyed if excavation commences without it, as requested by the SEARs.	AMAC has prepared a separate Aboriginal Cultural Heritage Research Design and Excavation Methodology (submitted separately).
Geotechnical • Concern regarding lack of detailed Geotechnical Assessment, potential for ground movements during excavation/construction impacting on neighbouring buildings, including heritage listed buildings. • Concern regarding uncertainty in number of monitoring locations will be established to help monitor and alleviate the risk of structural damage.	PSM has prepared a Geotechnical Desktop Report (Appendix K of the EIS), which provides a preliminary geotechnical model and preliminary geotechnical inputs into design, including advice on ground movements and monitoring (Section 4.5 and 4.12). Further assessment of the potential for ground movements during excavation and construction, as well as the potential impacts on neighbouring buildings, will occur during detailed design development, following the determination of this DA. Measures to minimise ground movement will also be developed and implemented through the detailed Construction Environmental Management Plan prepared by the Principal Demolition and Construction Contractor.
Waste Management • Concern regarding absence of discussion in WMP regarding the potential presence of hazardous waste, including asbestos.	The management of hazardous waste materials, including asbestos, has been addressed in Section 3 the Waste Management Plan prepared by MRA Consulting (Appendix X of the EIS) and Section 7.2 of the Preliminary Construction Management Plan prepared by Touchstone Partners (Appendix Q of the EIS). It will be further addressed prior to the commencement of works in the detailed Construction Environmental Management Plan prepared by the Principal Demolition and Construction Contractor.
Overshadowing & Solar Access • Concern of the impact of the development on light to the street.	As detailed in the Architectural Design Statement prepared by FJMT (Appendix B of the EIS), the slender, dual-tower built form delivers substantially improved performance in terms of shadows, daylight and sky views from the public domain, including surrounding streets.