



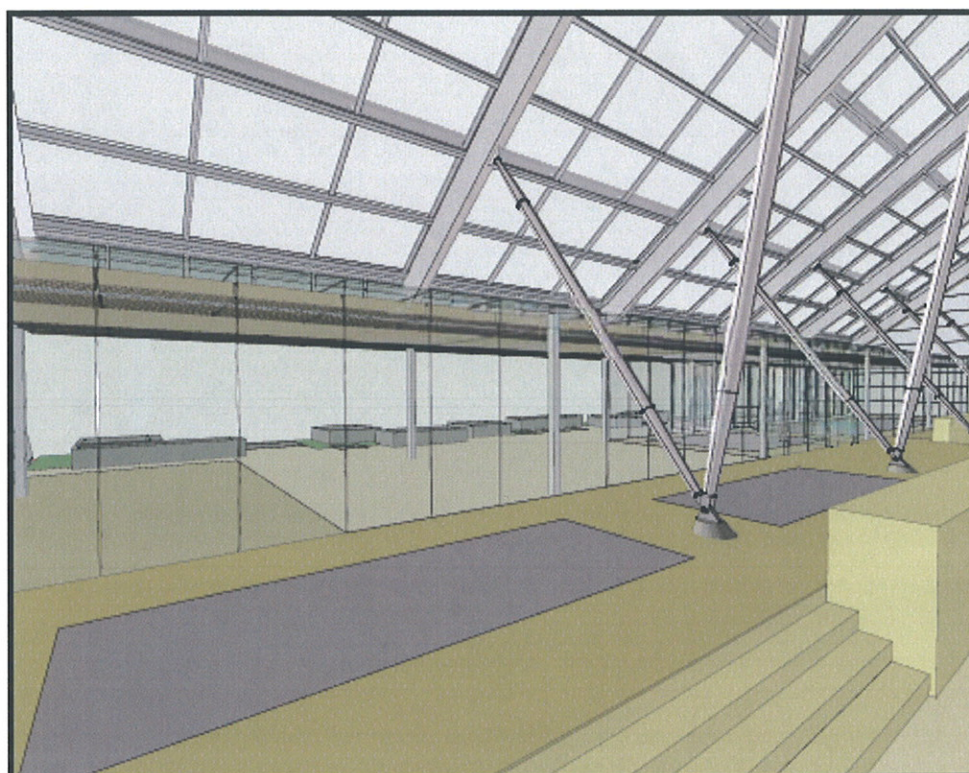
Planning

MAJOR PROJECT ASSESSMENT ***Commercial fit-out of the northern and southern buildings and building signage, Darling Walk***

MP 09_0156

Director General's Environmental Assessment
Report
Section 75I of the *Environmental Planning and
Assessment Act 1979*

June 2010



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EXECUTIVE SUMMARY

This report is an assessment of a project application (MP09_0156), lodged by the Commonwealth Bank of Australia, seeking approval for the commercial fit-out of two commercial buildings (known as the northern and southern buildings) and building signage at Darling Walk, Darling Harbour, pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The project has a capital investment value of approximately **\$79.8 million**, and the Darling Walk commercial buildings would accommodate a total staff population of up to 3,300 full time staff.

On 9 July 2008, the then Minister for Planning approved a Concept Plan (MP06_0054) for Darling Walk, pursuant to section 75(O) of the EP&A Act. The terms of approval for the Concept Plan state that development with a CIV of more than \$5 million, excluding remediation, is subject to Part 3A of the EP&A Act. As such, the proposed works under this project application are subject to Part 3A of the EP&A Act.

The site is unzoned under the Darling Harbour Development Plan No. 1 (DHDP). However, commercial premises are permissible with consent under Schedule 1 of the DHDP.

The proposal was exhibited from 10 March 2010 to 9 April 2010. The Department received one submission from City of Sydney Council and one public submission. Issues raised include signage illumination and construction noise.

Due to the minor nature of the issues raised in submissions, lodgement of a Preferred Project Report was not required. Nevertheless, a response to submissions was submitted on 30 April 2010 that addressed the issues raised in the submissions.

The commercial fit-out of the buildings will be a significant element in the renewal and revitalisation of the southern precinct of Darling Harbour. The development is consistent with the strategic objectives for the area, being consistent with the Sydney Metropolitan Strategy, the draft Sydney City Subregional Strategy and the SEPP (Major Development) 2005, and will complement the existing commercial and economic elements of the nearby Sydney CBD.

The Department considers the site to be suitable for the proposed development and that the project application is in the public interest. Consequently, the Department recommends that the project be approved, subject to conditions.

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1 BACKGROUND

1.1 THE SITE

1.1.1 Site location and description

Darling Walk is located within the Darling Harbour precinct on the western edge of Sydney Central Business District (CBD). The site includes 38 parcels of land and has an area of approximately 32,900m². The site is largely owned by the Sydney Harbour Foreshore Authority (SHFA), with parcels of land adjoining the site on Harbour Street owned by the Roads and Traffic Authority (RTA) and City of Sydney Council (Council).

The site's context is shown at **Figure 1** below. The site is on the western edge of the Sydney CBD, and is located within the City of Sydney LGA. The western distributor is located along the northern boundary of the site, the Chinese Garden is located immediately to the south, Tumbalong Park is to the south-west, and Harbour Street to the east the site.

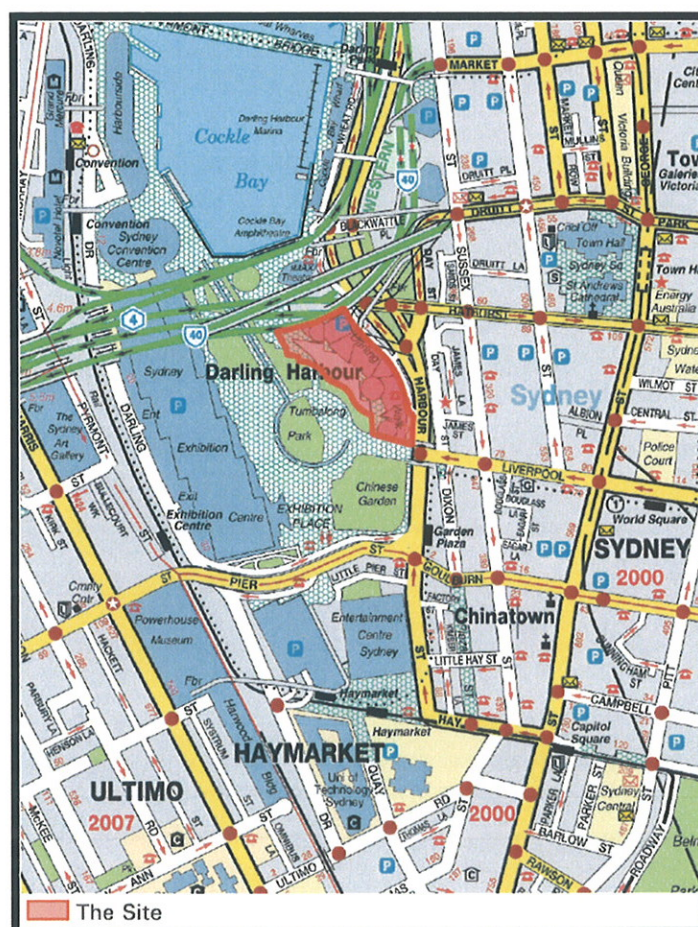


Figure 1: Darling Walk Site Location

1.1.2 Existing site features

Darling Walk is part of the Darling Harbour precinct which contains a range of entertainment, cultural and exhibition venues on the western edge of the CBD. These venues include Sydney Entertainment Centre, Sydney Convention and Exhibition Centre, the IMAX cinema and numerous harbour side bars and restaurants. The Darling Walk site is currently under construction, which includes the construction of the northern and southern buildings and public domain works. These works are nearing completion.

The road frontage of the site is approximately 200 metres long and faces onto Harbour Street between Bathurst Street to the north and Liverpool Street to the south. There are two key pedestrian bridges which link the site with the CBD. At the northern end of the site, the Bathurst Street pedestrian footbridge is the site's main link to the CBD and Town Hall railway

station. A second pedestrian footbridge, extending from Liverpool Street, is at the southern end of the site and is the secondary connection that links Darling Walk and the southern parts of Darling Harbour to the CBD.

1.2 SURROUNDING DEVELOPMENT

Land uses immediately surrounding the Darling Walk site include

- North – Western Distributor, Palm Grove Amphitheatre and IMAX cinema;
- South – The Chinese Garden of Friendship;
- East – Mixed use buildings ranging in height from 4 to 19 storeys; and
- West – Darling Harbour precinct and Sydney Convention and Exhibition Centre.

An indicative diagram and photo of the subject site and surrounding land uses (and types) is shown in **Figures 1 and 2**.

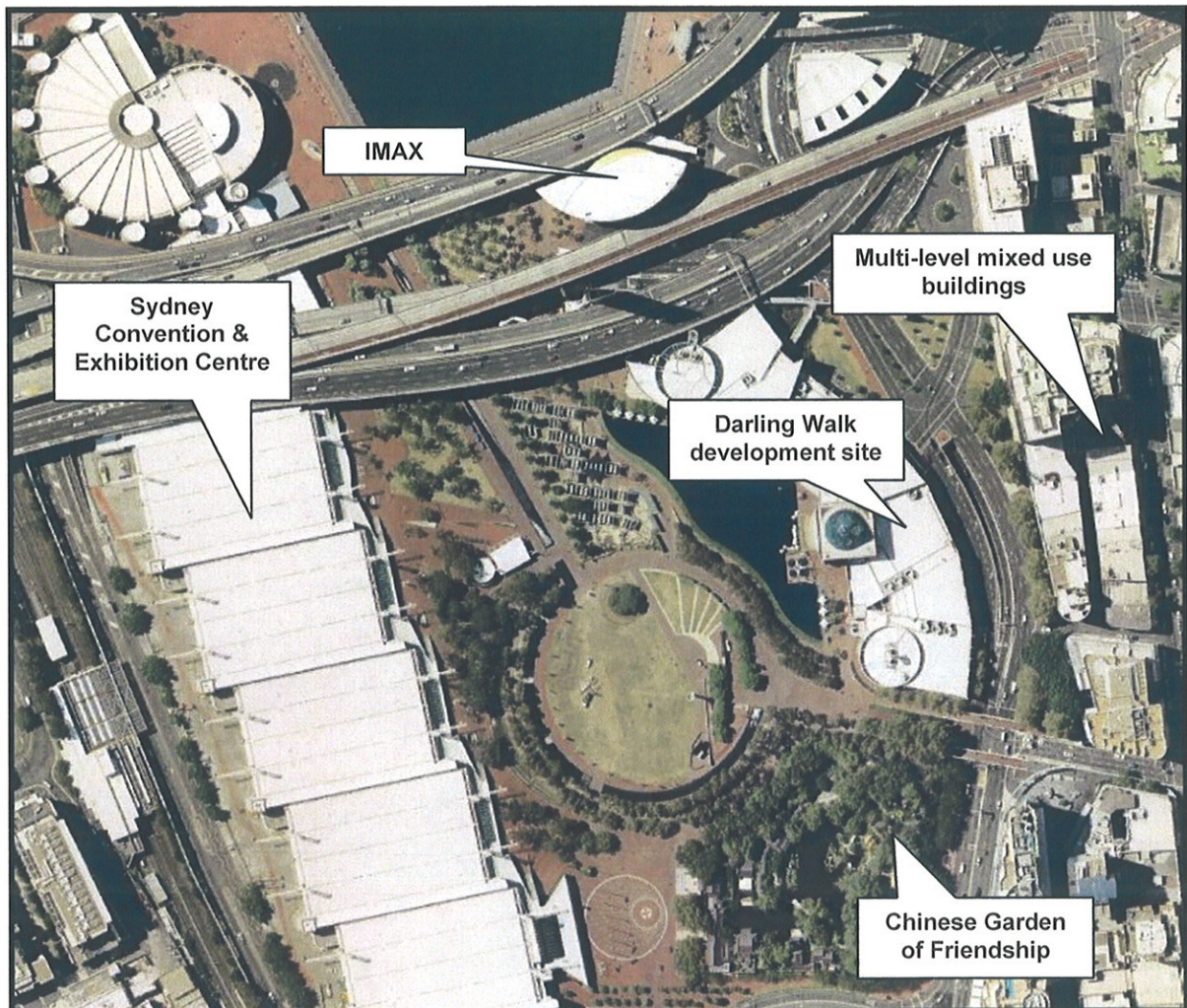


Figure 2: Subject Site and Surrounding Land Uses

1.3 STRATEGIC CONTEXT

1.3.1 NSW State Plan

The proposed commercial fit-out of the buildings is consistent with the objectives of the State Plan in relation to “developing a clean future”. The proposal is aiming to achieve a 5 star NABERS Energy design rating and is targeting a 5 star Green Star Office Interiors (Version 1.1). Therefore, the fit-out will assist the NSW Government’s target of implementing 400GWh of annual electricity consumption savings through NSW energy efficiency programs by 2014.

Further, the proposed use of the buildings is consistent with achieving job targets set by the NSW Government as it supporting the position of 3,300 jobs.

1.3.2 Metropolitan Strategy

The Sydney Metropolitan Strategy places the City of Sydney Council local government area in the Sydney City Subregion. The strategy sets housing and employment targets for the subregion at 55,000 dwellings and 58,000 new jobs by the year 2031, which are further refined in the draft Sydney City Subregional Strategy. The proposal is consistent with the Sydney Metropolitan Strategy as it is contributing to the improvement and upgrade of Darling Harbour and supporting the provision of 3,300 new jobs within the Sydney local government area.

1.3.3 Draft Sydney City Subregional Strategy

The proposal is consistent with the key actions of the draft Sydney City Subregional Strategy as it will reduce greenhouse gases through improved efficiency and use of renewable resources. The Subregional Strategy also targets the provision of an additional 58,000 jobs and 55,000 new residents for the Sydney City by 2031. The proposal would therefore assist in contributing to employment capacity targets for the Sydney LGA.

2 PROPOSED DEVELOPMENT

2.1 THE PROPOSED DEVELOPMENT

The proponent is seeking project approval for the fit-out of the northern and southern buildings, with a total GFA of 64, 235m² at Darling Walk including;

- A mail room, dock masters office and an uninterrupted power supply room on Basement Level 2;
- A security/concierge desk and turn styles to escalators and lift lobby in the southern building on Ground Level;
- A commercial kitchen and servery in the southern building, turnstiles to lift lobby in the northern building and workstations, amenities, meeting conference rooms on Level 1 of both buildings;
- Open plan workstations, staff amenities, meeting rooms, lunchrooms/kitchenettes, main computer room, mixed mode rooms on Level 2 of the northern and southern buildings;
- Open plan workstations, staff amenities, meeting rooms, storage, printing rooms, computer rooms, lunchrooms/kitchenettes, informal meeting spaces on Level 3-5 and 7-8 of the northern and southern buildings;
- An external terrace and BBQ and bar area, open plan workstations, staff amenities, meeting rooms, storage, printing rooms, floor computer rooms, lunchrooms/kitchenettes, informal meeting spaces on Level 6 of the northern and southern buildings (**Figure 3**); and
- 2 x 800mm Satellite dishes which sit under the roof parapet on Level 9 of each building.

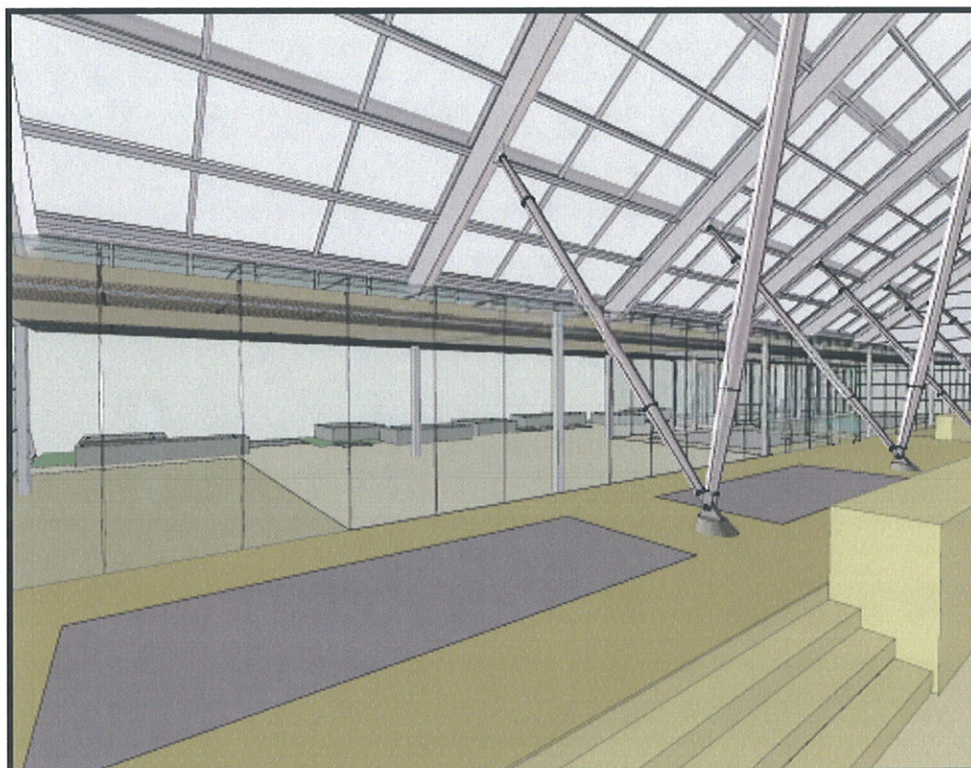


Figure 3: External Terrace and BBQ and Bar Area, Level 6

The proponent is also seeking project approval for signage for the two commercial buildings. Three building identification signs and two under awning business identification signs are proposed. **Table 1** overleaf outlines the proposed signs and explains their form.

Sign	Location	Description	Materials	Intention
1	Southern Façade of Southern Building	Capital Letters – 1,336mm high	Aluminium internally illuminated letters, flex face logo with internal illumination	Building Identification
2	North-East Façade of Southern Building	Lower Case – 900mm high		To be viewed by pedestrians and vehicles from long distances.
3	North-East façade of Northern Building	Diamond Logo – 1,850mm high Total Length of sign – 19,250mm		
4	East Elevation of Northern Building Entrance	Capital Letters – 290mm high Lower Case – 207mm high Diamond Logo – 750mm high Total Length of sign – 4,854mm	Casocryl night and day acrylic faces to illuminate white at night	Business Identification and Entry Identification To be viewed by pedestrians from close range
5	East Elevation of Southern Building Entrance	Height – 1,000mm Length – 3,025mm	Fabricated aluminium sign box with computer cut graphic	Business Identification and Entry Identification To be viewed by pedestrians at close range

Table 1: Proposed Signage to Darling Walk Commercial Buildings

It is proposed to have two high level building identification signs on the southern building, one on the southern façade and one on the north-eastern façade. One high level building identification sign is proposed for the north east façade of the northern building (**Figure 5**). During the day the sign lettering will be black in colour and will be illuminated white at night.

Two under awning signs are also proposed on each of the eastern elevations of the buildings (**Figure 6**).



Figure 5: Example of Building Identification Signs



Figure 6: Example of Business Identification Signs, Ground Level

A copy of the Environmental Assessment is included at **Appendix B**.

2.2 RESPONSE TO SUBMISSIONS

The proponent's response to submissions was submitted on 30 April 2010.

The response addressed key issues raised during the exhibition period, including illumination, building height and construction noise.

The proponent noted that the impact of the proposed signage was addressed as part of the assessment of the project application, and that there would be no adverse impacts on residential properties as a result of the illumination of the signs;

The response also notes that building height was established as part of a separate major project (MP08_0054) which approved the construction of the two commercial buildings, and therefore does not form part of this major project assessment.

In relation to construction noise, the proponent advised the works are mostly internal and would be undertaken in accordance with the approved Construction Management Plan.

Given the minor nature of the works and negligible impacts, no amendments were required.

A copy of the response is at **Appendix C**.

3 STATUTORY CONTEXT

3.1 MAJOR PROJECT DECLARATION

On 19 April 2006, the Director General, as delegate of the Minister for Planning, formed an opinion that the Concept Plan for the Darling Walk redevelopment is a major project under clause 10 of Schedule 2 to the MD SEPP, as it is located within Map 9 – Darling Harbour, and has a CIV of more than \$5 million. The Minister was the approval authority.

On 9 July 2008, the then Minister for Planning approved a Concept Plan (MP06_0054) for Darling Walk, pursuant to section 75(O) of the EP&A Act. The terms of approval for the Concept Plan state that development with a CIV of more than \$5 million, excluding remediation, is subject to Part 3A of the EP&A Act.

In accordance with the Concept Plan's terms of approval, the development is subject to Part 3A of the EP&A Act. The Minister is the approval authority.

3.2 PERMISSIBILITY

The site is unzoned under the Darling Harbour Development Plan No. 1 (DHDP). However, commercial premises are permissible with consent under Schedule 1 of the DHDP.

The proposal is consistent with the objectives of the DHDP as it encourages the development of tourist, educational, recreational, entertainment, cultural and commercial facilities.

3.3 DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRs)

On 27 August 2009, the Executive Director of Major Projects Assessment, as delegate of the Director General, issued DGRs pursuant to section 75F of the EP&A Act. The DGRs required the following key issues to be addressed:

- Environmental amenity;
- Traffic impacts;
- Construction impacts; and
- Ecologically Sustainable Development (ESD).

A copy of the DGRs is at **Appendix A**.

3.4 OBJECTS OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Minister's consideration and determination of a project application under Part 3A must be consistent with the relevant provisions of the EP&A Act, including the objects set out in Section 5 of the Act. The objects of the EP&A Act in section 5 are as follows:

- (a) *to encourage:*
- (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*
 - (v) *the provision and co-ordination of community services and facilities, and*
 - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
 - (vii) *ecologically sustainable development, and*
 - (viii) *the provision and maintenance of affordable housing, and*

- (b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and
- (c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

The Department has considered the Objects of the EP&A Act and considers that the application is consistent with the relevant objects. The assessment of the application in relation to these relevant objects is provided in Section 5.

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD "requires the effective integration of economic and environmental considerations in decision-making processes" and that ESD can be achieved through the implementation of the principles and programs including the precautionary principle, the principle of inter-generational equity, the principle of conservation of biological diversity and ecological integrity, and the principle of improved valuation, pricing and incentive mechanisms. In applying the precautionary principle, public decisions should be guided by careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment and an assessment of the risk-weighted consequences of various options.

The Department has fully considered the objects of the EP&A Act, including the encouragement of ESD, in its assessment of the application. A detailed assessment of ESD issues is contained in Section 5.3. On the basis of this assessment, the Department is satisfied that the proposal encourages ESD, in accordance with the Objects of the EP&A Act.

3.5 SECTION 75I(2) OF THE EP&A ACT

Section 75I(2) of the EP&A Act and clause 8B of the Environmental Planning and Assessment Regulation 2000 (the Regulations) provides that the Director General's Report is to address a number of requirements. These matters and the Department's response are set out as follows:

Section 75I(2) criteria	Response
Copy of the proponent's environmental assessment and any preferred project report	The proponent's EA is located at Appendix B on the assessment file (attached).
Any advice provided by public authorities on the project	All advice provided by public authorities on the project for the Minister's consideration is set out in Section 4 of this report.
Copy of any report of the Planning Assessment Commission in respect of the project	The project was not referred to the Planning Assessment Commission.
Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project	Each relevant SEPP that substantially governs the carrying out of the project is identified in Section 3.6 of this report.
Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division	An assessment of the development relative to the prevailing environmental planning instruments is provided in Section 3.6 of this report.
Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate.	The environmental assessment of the project application is this report in its entirety.
A statement relating to compliance with the environmental assessment requirements under	The Department is satisfied that the environmental assessment requirements have

this Division with respect to the project.	been complied with.
Clause 8B criteria	Response
An assessment of the environmental impact of the project	An assessment of the environmental impact of the proposal is discussed in Section 5 of this report.
Any aspect of the public interest that the Director General deems relevant to the project	The public interest is discussed in Section 6 of this report.
The suitability of the site for the project	The proposed use is permitted in the zone and based on the Department's assessment of key issues, it is considered the site is suitable for the project.
Copies of submissions received by the Director-General in connection with public consultation under section 75H or a summary of the issues raised in those submissions.	A summary of the issues raised in the submissions is provided in Section 4 of this report.

Table 2 : Section 75I(2) requirements

3.6 ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

3.6.1 Application of EPIs to Part 3A projects

To satisfy the requirements of section 75I(2)(d) and (e) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the project application. The primary instruments guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Development) 2005;
- State Environmental Planning Policy No. 55 (Remediation of Land).
- Darling Harbour Development Plan No.1 (DHDP);
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;

As outlined below, the Department has considered the proposed project application against the objectives and aims of these instruments, and is satisfied that the proposed project is consistent with the provisions of all of these instruments.

3.6.2 State Environmental Planning Policy (Major Development) 2005

Consideration of the MD SEPP provisions is provided at Section 3.1.

3.6.3 State Environmental Planning Policy No.55 – Remediation of Land

On 1 December 2008, DA 133-08-2008 was approved by the Minister for Planning for the remediation of contamination at the Darling Walk site, the removal of acid sulphate soils within the area to be excavated and the installation of a piling/shoring system around the perimeter of the proposed in-ground basement to facilitate the remediation works. Based on the approval of DA 133-08-2008, and nature of the subject application i.e. fit-out, it is considered that SEPP 55 is not relevant to the subject proposal.

3.6.4 Darling Harbour Development Plan No. 1 (DHDP)

The proposal is consistent with the objectives for the site as it encourages uses that will provide for tourist, educational, recreational, entertainment, cultural and commercial facilities. Schedule 1 of the DHDP sets out the types of development which can be carried out with 'a permit' (development consent), and this includes commercial premises. The proposal is therefore permissible with consent under the DHDP.

3.6.5 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The proposal is consistent with the principles for the area in that it will regenerate and activate an underused site, provide for increased public access to the foreshore area, enhance the diverse range of uses at Darling Harbour for existing and future generations,

and will achieve a high quality and produce a sustainable development on the site through its energy rating goals. The proposal will provide a vibrant place for employment, enabling the use of an improved public domain environment. The proposed development will not adversely affect the natural assets of Sydney Harbour and is generally consistent with the considerations and objectives of the SREP.

4 CONSULTATION

4.1 PUBLIC EXHIBITION

Under section 75H(3) of the EP&A Act, the Director General is required to make the Environmental Assessment (EA) of a project publicly available for at least 30 days.

After accepting the EA for the project, the Department:

- Made it publicly available from 10 March 2010 to 9 April 2010;
 - on the Department's website; and
 - at the Department's Information Centre, City of Sydney Council offices and library.
- Notified landowners in the vicinity of the site about the exhibition period by letter;
- Notified City of Sydney Council and Sydney Harbour Foreshore Authority by letter; and
- Advertised the exhibition in the Sydney Morning Herald and the Daily Telegraph on 10 March 2010.

4.2 SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT

In response to public exhibition and notification of the application, the Department received a total of two submissions comprising:

- one from City of Sydney Council; and
- one public submission.

A summary of the issues raised in the submissions is provided below. A copy of the submissions are included at **Appendix D**.

A copy of the response to submissions is contained at **Appendix C**. The Department's consideration of key issues raised in submissions is contained in Section 5 of this report.

4.2.1 City of Sydney Council

Council has raised no objections to the project application, however they note that the proposed internally-illuminated signage may impact upon residents living opposite them along Harbour Street at night. Council has provided a recommended condition of approval for 'Sign Illumination'.

Comment:

Noted. Illumination impacts are not considered to result in detrimental light spill and have been discussed in Section 5.1 of this report. Council's proposed condition has also been imposed in the determination.

4.2.2 Community submissions

One public submission was received. Key issues raised include:

- Confusion over the height of the Darling Walk commercial buildings; and
- Construction noise.

Comment:

As the subject major project relates to the fit-out and signage of Darling Walk, the height of the commercial buildings are not relevant to the assessment of this major project. Building height has been previously assessed as part of MP08_0057.

The application only relates to fit-out works not the construction and erection of the buildings, which have already been approved and are under construction. Construction works will be undertaken in accordance with the Construction Management Plan (CMP) prepared by Bovis Lend Lease, dated 23 December 2009

5 ASSESSMENT

The Director General's Requirements and following key issues were considered in the Department's assessment of the EA:

- Illumination impacts;
- Construction impacts; and
- Ecologically Sustainable Development (ESD).

5.1 Illumination Impacts

The proposed business identification signage and building identification signage will be located within an area which is already significantly lit due to its proximity to Darling Harbour and the CBD. The signs are similar in size and scale to business identification signs throughout the area and are not in the direct line of sight for vehicles travelling along Harbour Street and would therefore not pose a risk to driver safety.

It is noted that a number of residences facing west on Harbour Street may have views to the illuminated building identification signs at night. The residences are between 50m and 100m distance from the buildings. To mitigate the issue of illumination, a recommended condition of approval requires the signs to not flash or cause objectionable glare.

The Department considers the impacts of illumination to be minimal and can be addressed by the imposition of Council's recommended conditions of approval.



Figure 6: Proposed business identification and under-awning signs

5.2 Construction Impacts

Construction impacts have been previously assessed by the Department for the construction of the Darling Walk buildings (MP 08_0057). Hours of construction were approved as part of MP 08_0057 MOD 1 (Monday to Friday 7.00 am – 7.00 pm, Saturdays 7.00 am – 5.00 pm and no works on Sundays). This was to align with the construction hours approved under DA 133-08-2008 (remediation) and DA 122-08-2008 (stormwater diversion), maintain consistency with standard construction hours for City of Sydney Central Business District (CBD) hours, assist in minimising traffic disruptions during peak periods, and assist in avoiding prolonging overall construction programme. No change to construction hours are proposed under this project application.

For the proposed works, the proponent has submitted a Construction Management Plan (CMP) prepared by Bovis Lend Lease, dated 23 December 2009 that outlines the manner in which construction of the project will be managed and includes measures to be implemented to mitigate potential impacts on adjoining properties, traffic and pedestrians during the construction phase. Specifically, all materials handling and delivery will be via Harbour Street with a construction zone being temporarily established to allow traffic, pedestrians and construction vehicles to operate safely.

During construction no private vehicular traffic, public transport networks or designated cycle routes will need to be detoured to allow construction traffic access to the site. The Department has assessed traffic impacts for previous major project applications for the Darling Walk redevelopment (MP08_0057 and MP08_0093) which were found to be appropriate and acceptable. The fit-out of the commercial buildings is considered to result in negligible traffic impacts given the relative scale of the works compared with the traffic impacts associated with the construction of the buildings.

The Department is satisfied that the CMP can adequately manage construction impacts particularly as the proposed fit-out works are substantially less intensive than the construction of the two commercial buildings which are nearing completion.

5.3 Ecologically Sustainable Development (ESD)

An ESD Report prepared by Bovis Lend Lease and lodged with the subject application identifies key elements including architectural, mechanical, electrical, hydraulic, materials and ESD strategies to achieve the environmental targets set for the fit-out of the Darling Walk buildings. The Report commits to ESD principles that will deliver a 5 star Green Star Office Interiors (Version 1.1) design rating, achieved via the incorporation of the following measures:

- Integrate the fit-out with the construction of the buildings to reduce unnecessary waste and to streamline resource use and material consumption;
- Install chilled beams resulting in lower energy consumption and improved indoor environmental quality;
- Monitor indoor air quality using CO2 sensors in air return ducts to ensure fresh air supply;
- Minimise the use of PVC products by replacing PVC cabling with non-PVC cabling;
- Regular tuning of fit-out services to ensure systems are performing to their optimum efficiency;
- Select furniture, fittings and finishes which have a reduced environmental impact relative to available alternatives; and
- Incorporate indoor plants to reduce air-borne concentrations of VOC.

The ESD Report has also mentioned ESD principles that will deliver a 5 Star NABERS energy rating. This is to be achieved by:

- Designing lighting levels to 8W/m² with the use of high efficiency T5 luminaries;
- Implementing time-lock switching, daylight sensors and motion sensors will control lighting to reduce lighting load;
- Implementing a 'good control' system on all computer equipment to reduce energy use;
- Installation of electrical sub-metering to enable monitoring of energy consumption; and
- Decreasing the size of lighting zones to allow for greater control over lighting.

The proposed fit-out has been designed to be environmentally, economically and energy efficient. Through the implementation of the measures listed above, Darling Walk aims to achieve a 5 Star Green Star in Office Interiors (Version 1.1) and a 5 Star NABERS Energy Rating. The Department is satisfied the proposed development has appropriate ESD measures and represents a sustainable use of the site.

6 CONCLUSION

The Department has assessed the EA and considered the submissions in response to the proposal. Issues raised in submissions include illumination and construction related impacts.

The Department has determined that the fit-out of Darling Walk would not result in detrimental environmental or amenity impacts, and will have a positive environmental and social impact for both the redevelopment of Darling Walk and the Darling Harbour precinct.

The public benefit of the commercial fit-out at Darling Walk is highly desirable, as it will be leading example in environmentally sustainable office fit-outs, aiming to achieve a 5 Star Green Star rating under Green Star Office Interiors. It will also provide public benefits through the provision of employment opportunities.

The project is consistent with key objectives in the State Plan, Sydney Metropolitan Strategy and draft Sydney City Subregional Strategy and will provide significant public benefits to the broader community.

Accordingly, the Department recommends the project application be approved, subject to conditions.

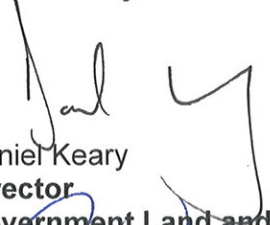
7 RECOMMENDATION


It is recommended that the Deputy Director-General:


- a) **Consider** the findings and recommendations of this report;
- b) **Approve** the project application, subject to conditions, under section 75J(1) of the EP&A Act, having considered all relevant matters in accordance with (a) above; and
- c) **Sign** the attached Instrument of Approval (**TAG A**).

Prepared by Ellie Caldwell, Planner, Government Land and Social Projects

Endorsed by:

 4/6/10
Daniel Keary
Director
Government Land and Social Projects

 8.6.10
Chris Wilson
Executive Director
Major Projects Assessment

 9/6/10
Richard Pearson
Deputy Director General
Development Assessment & Systems Performance

APPENDIX A. DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

Director General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number MP 09_0156

Project Commercial tenancy fit out and erection of building identification signage

Location Darling Walk, Darling Harbour

Proponent JBA Urban Planning Consultants on behalf of Commonwealth Bank of Australia

Date issued

Expiry date If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director General in relation to the preparation of the environmental assessment.

The Environmental Assessment (EA) must address the following key issues:

1. Relevant environmental planning instruments, policies and guidelines to be addressed

Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including:

- Objects of the Environmental Planning and Assessment Act 1979;
- State Environmental Planning Policy (Major Development) 2005;
- State Environmental Planning Policy 64 - Advertising and Signage;
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;
- Darling Harbour Development Plan No. 1;
- Darling Harbour Commercial Signage Policy; and
- Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.

Key issues (Core)

2. Environmental Amenity

Demonstrate a high level of environmental amenity can be achieved including solar access, acoustic privacy, and visual privacy.

3. Traffic Impacts

A Traffic Impact Statement shall be prepared in accordance with the RTA's Guide to Traffic Generating Developments, considering traffic generation, access, loading dock(s), and car parking arrangements during construction and drop off & pick up arrangements for the operation of the child care centre.

4. Construction Impacts

Identify measures to ameliorate potential construction impacts including vehicular / pedestrian access, noise and vibration, air quality, water quality and waste management.

5. Ecologically Sustainable Development (ESD)

Demonstrate how the development will incorporate ESD principles in the design, construction

and ongoing operation phases of the development.

6. Consultation

Undertake an appropriate and justified level of consultation in accordance with the Department's *Major Project Community Consultation Guidelines October 2007*.

7. Staging

Provide details regarding the staging of the development (if proposed).

**Deemed
refusal period** 60 days

APPENDIX B. ENVIRONMENTAL ASSESSMENT

Provided on disk.

APPENDIX C. RESPONSE TO SUBMISSIONS

A response from the proponent to matters raised in submissions is addressed in the response to submissions. Provided on disk.

APPENDIX D. COPIES OF SUBMISSIONS

Provided on disk.