

17 August 2020

File No: R/2019/16/A
Our Ref: 2020/341796

James Groundwater
Key Sites Assessment
Department of Planning, Industry and Environment
320 Pitt St Sydney 2000

By upload to Major Projects portal:

Dear James

SSD 10375 (Pitt St North) Stage 2 Development Application – Advice on EIS

Thank you for your correspondence dated 16 July 2020 seeking the City of Sydney's (the 'City's') comments on the above detailed design for the Pitt Street North OSD at 175-183 Castlereagh St, Sydney.

The City provides support for the detailed design of the proposal in general. However, prior to consent being issued, the following items need to be addressed. A full suite of the City's conditions will also be recommended on request once the below information can be provided.

Public Domain

Stormwater Quality Assessment

The City has adopted MUSIC-link 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.

Flood Planning Levels and Flood Impact Assessment

The proposed level changes to the public domain footpath are not supported nor approved by the City. The City's *Interim Floodplain Management Policy* (the 'Policy') sets out flood planning level requirements for various types of developments. The flood planning level requirements for commercial development are set out in section 5 of the Policy and must be set at minimum 1% AEP Flood Level (merit-based approach).

The submitted Flood Impact Assessment Report by Aurecon (dated 1 July 2020) has not determined the 1% AEP Flood Levels. It is also to be noted that the floor levels as approved by SSD 8875 have been raised. As advised above, the retail/commercial components of OSD must be set at minimum 1% AEP flood level. The requirements to achieve FPL must be carried out wholly within the development boundary and no portion of the public domain footpath will be allowed to raise as this will result in non-compliant footpath.

A revised flood assessment report with 1% AEP flood levels determined and shown on the plans must be submitted prior to consent approval. This report must also remove reference to changes to footpath levels, as these are not supported.

Vehicle access and queuing arrangements

The application proposes an automated car stacker with 40 car parking spaces for commercial use (including 3 courier/servicing) and 7 loading spaces at ground floor with access via a driveway off Castlereagh Street (right-in and right-out).

The vehicle access and queuing arrangements are unclear. Limited space is provided for vehicle waiting, queuing and manoeuvring. Vehicular access arrangements must be redesigned to reduce the need for vehicles to queue on the street to enter the site or by moving loading and servicing vehicles on street, which would impact on the busy footpath, street and bus lane. In addition, a cycleway along Castlereagh Street is planned adjacent to the site.

The design assumes all vehicles will travel in the same direction, at the same time, which will be difficult to manage. The proposed usage of the lifts, in AM for inbound flow and PM for outbound flow, would not be guaranteed, and is dependent on tenancy types. If vehicles are exiting the lift, the proposed waiting arrangement will not work (see Figure 1 below).

The design proposes that vehicles wait:

1. In front of the vehicle lifts (1 and 2 in Figure 1 below);
2. In front of vehicle parking/loading areas (1, 2 and 3) which impacts on loading; or
3. Immediately inside the driveway (3 and 4) which impacts on vehicles entering and exiting the site.

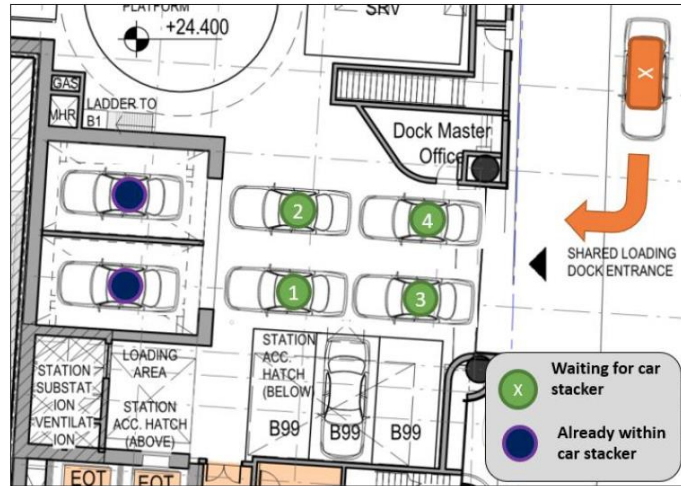


Figure 2-4: North OSD automatic car stacker available queuing space for vehicles (B99)

Figure 1: Snapshot from Appendix V1 Transport Report (Figure2-4)

The queuing analysis for the site should follow the Australian Standards, which requires 98% of the vehicles to queue within the site. It does not appear that the 98% onsite queue requirement has been achieved in the current proposal.

The vehicle queue calculations must take into account all of the mechanical installations – vehicle lift/s, turn table/s, and stacker system.

- If these mechanical parking installations are considered in the system, the specification data sheet (vehicle lift operation speed, vehicle retrieval time from the stacker, turntable operation time etc.) from the manufacturer / written confirmation must be supplied.
- A detailed and appropriate vehicle queue analysis must be submitted and the required number of waiting areas shown clearly on the plan. The required waiting areas should not impact on access to and from the site.

The waiting area for vehicles using the car lift and automatic stacker limits use of both loading areas. The transport report proposes that no loading and servicing access be available during peak time/s, however, it is not clear how access arrangements will be managed during other times or if a loading vehicle enters the site during this time. The Traffic Report states: “Access to the loading dock and the automatic car lift usage are intertwined with two customer types. The first are the commercial tenants who will use the automatic car stacker at an **ad hoc basis**. The second are the loading dock users who can arrive to the loading dock based on a time allocated to them.” (emphasis added). It then states that unscheduled loading and servicing vehicles can be accommodated.

The application proposes the use of a warning system and convex mirrors mounted onto street poles. **Measures that reduce the amenity for pedestrians and the public space on Castlereagh Street, such as audible signalling and flashing lights, are not supported.** The site should be designed so that it is safe. Any safety devices should be onsite.

Loading and servicing

The proposal does not comply with *Schedule 7, 7.8.1 Service Vehicles* of the Sydney DCP 2012. Notionally, 21 servicing and loading bays would be required (excluding the space for the Metro). It is unclear if all 6 loading bays can be used at the same time.

As discussed above, the design of the access to the loading area, driveway, and waiting area for the lifts could potentially lead to conflicts between the vehicles accessing the car lifts, using the driveway, people leaving their vehicle (although this arrangement requires clarification) and the loading dock.

A delivery exclusion period between 7am and 9am is proposed to mitigate this conflict, however, this is the time that deliveries are often at peak which would potentially force delivery and service vehicles into on-street.

Justification for the shortfall as shown in Figure 2 below requires further explanation – for example, how have the deductions in spaces been determined? The SDCP 2012 rates include a mix of courier and other bays therefore it is not clear how converting 3 bays into 3 courier bays equates to a reduction of 5 loading and servicing bays.

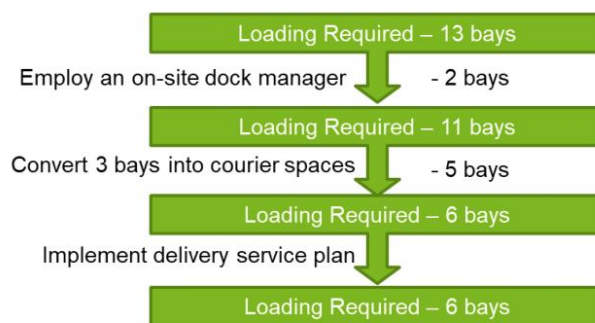


Figure 4-6: Loading bays required with management measures (source: Pitt Street North Dock Activity Assessment – Draft Version 2, 9 April 2018)

Figure 2: Snapshot from Appendix v1 Transport Report (Figure4-6)

We also note that the 3 courier bays are accessed via vehicle lift and automatic stackers, which limits their use as they should not be used by visitors. And, the traffic report mentions different maximum use rates for the loading and servicing areas. These should be consistent.

Additionally, the City further requests clarification on the comment in the Traffic Report ***‘the use of a vehicle in the southern segment of the loading dock does hinder the use of the northern segment of the loading dock’***.

Car parking

Confirmation should be sought if the driver vacates the vehicle at the car lift or at the car parking area/stacker.

Also confirmation as to whether the automatic parking stacker includes the ability for the vehicle to enter and exit the site in a forward motion (i.e. does it include a turntable?). If so, this must be included in the queue analysis.

Bike parking

The total required bike parking should be provided at the initial stage of the development. Figure 4-17 of the Transport Report shows that the automatic car parking stackers will need to be converted to accommodate bike parking to achieve compliance with the SDCP 2012. The provision of the required bike parking spaces should be included in the initial stage of the development to establish and promote the use of cycling, towards the City of Sydney’s 10 per cent mode share target. Further, it is queried how this would not trigger a Section 4.55 modification to be lodged, to convert car spaces to bike parking bays.

Environmentally Sustainable Design (ESD)

The development proposes a NABERS Office Energy Base Building target of 5 stars. In correspondence to DPIE on the concept DA SSD 8875 the City noted that anything less than NABERS Energy 5.5, as the City’s mandatory target (for all commercial development over 1000sqm), does not align with a demonstrable government focus on carbon abatement. A progressive NABERS energy target of 5.5 stars would complement the positive design outcomes the rest of the development achieves.

The submitted *ESD and Sustainability Report* by Cundall appears silent on inclusion of renewables. However the Urban Design Report (pg 111) notes *‘on-site renewables to reduce the carbon footprint of the building’s operation are proposed’*.

The City requests confirmation about the intentions for ‘onsite renewables’ as it is not clear in the submitted documentation and the proposed Building Integrated photovoltaics must be marked up on the Architectural Drawings.

Waste Management

As part of Sustainable Sydney 2030, the City is limiting truck movements to ease road congestion. As such, an increase in collection frequency is not recommended. Truck

movements such as waste collections should be ideally weekly but as a maximum 3 x weekly.

A Demolition and Construction Waste Management Plan is required to be submitted for review.

Urban Ecology

It should be noted that the City's Ecologist has identified the increasing instance of birds striking buildings around the City, particularly owls. Additionally, knowledge of the vulnerable Powerful Owls occupying and breeding at the Royal Botanic Gardens and Centennial Parks, and therefore in close proximity to this site, raises concerns regarding the glazing of the building. On this basis, a localised treatment to the glazed screen should be considered.

The City requests the applicant provide details of a localised translucent glazing treatment that will ensure the glazed screen is visible to birds, particularly any threatened or vulnerable species and species of local conservation significance (refer to the City's Urban Ecology Strategic Action Plan).

Should you wish to speak with a Council officer about the above, please contact Amy-Grace Douglas, Specialist Planner, on 9265 9333 or at adouglas@cityofsydney.nsw.gov.au.

Yours sincerely,



Andrew Rees
Area Planning Manager

Attachment A: Recommended conditions

Recommended Conditions of Consent:**LANDSCAPING****(1) LANDSCAPING OF THE SITE**

- (a) A detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer, must be submitted to and approved by Council prior to the issue of a Construction Certificate for above ground building works. The plan must include:
- (i) Further wind testing is to be provided for Levels 10-11 to confirm the roof terrace design, furniture, fittings and plant species are appropriate for use;
 - (ii) Submit amended plans coordinated with wind recommendations;
 - (iii) Amend Level 10-11 tree planters to provide minimum 1metre soil depth and comply with the *Sydney Landscape Code Volume 2*;
 - (iv) Substitute small with a mix of medium sized tree species and add additional trees to meet the wind report recommendations on both levels;
 - (v) Submit details for climbing frame and planter for green screens to service areas.
 - (vi) Location of existing and proposed structures on the site including, but not limited to, existing and proposed trees, paved areas, planted areas on slab, planted areas in natural ground, lighting and other features;
 - (vii) Details of earthworks and soil depths including mounding and retaining walls and planter boxes (if applicable). The minimum soil depths for planting on slab must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers;
 - (viii) Location, numbers, type and supply of plant species, with reference to NATSPEC (if applicable);
 - (ix) Details of planting procedure and maintenance;
 - (x) Details of drainage, waterproofing and watering systems.
- (b) Prior to the issue of a Construction Certificate, a maintenance plan is to be submitted to and approved by the Accredited Certifier. The maintenance plan is to be complied with during occupation of the property.

- (c) All landscaping in the approved plan is to be completed prior to any Occupation Certificate being issued.

PUBLIC DOMAIN

(2) PUBLIC DOMAIN LEVELS AND GRADIENTS

Prior to the issue of any Construction Certificate, a Public Domain Levels and Gradients submission for the building and site frontages must be submitted to and approved by the City's Public Domain Unit. The submission, must be prepared in accordance with the City's *Public Domain Manual* and submitted with a completed *Application for Public Domain Levels and Gradients*. Information on how to complete the submission can be downloaded from the City's website at <https://www.cityofsydney.nsw.gov.au/>.

Any requirements to comply with Disability Discrimination Act at the entrance to a building or publicly accessible space must be resolved inside the site boundary.

(3) STORMWATER DRAINAGE DESIGN

Prior to issue of any Construction Certificate a detailed stormwater management plan prepared by suitable qualified and experienced professionals demonstrating compliance with the requirements of Section 3.7.2 - *Drainage and Stormwater Management*, Section 3.7.3 – *Stormwater Quality*, 3.7.4 – *Additional provisions for Commercial and Industrial Properties* of the Sydney Development Control Plan 2012 must be submitted to and approved by Council's Public Domain Unit.

The submission must include the following;

- (a) A stormwater infrastructure design certification, stating that the proposed design complies with:
- (i) Council's *Sydney Streets Technical Specifications*, Part A4 *Stormwater Drainage Design*;
 - (ii) Council's *Sydney Streets Technical Specifications*, Standard Drawings;
 - (iii) Council's *Sydney Streets Technical Specifications*, Part B10: *Stormwater Drainage Construction*; and
 - (iv) All relevant Australian Standards.
- (b) Structural certification of the hydraulic and structural design of all elements, excluding standard details from Council's *Sydney Streets Technical Specifications*.

The above certification shall accompany information that address the requirements of *Section 4.5 Data Requirements, Part A4 Stormwater Drainage Design* of Council's *Sydney Streets Technical Specifications*. This information is available for download from the City's website at <https://www.cityofsydney.nsw.gov.au/>.

The requirements of Sydney Water with regard to the on-site detention (OSD) of stormwater must be ascertained and complied with. Evidence of the approval must be submitted to Council prior to any Construction Certificate other than demolition.

- (a) Note: A Deed of Agreement for all proposed connections to the City's drainage system, and a Positive Covenant for all OSD systems may be required prior to issue of any Occupation Certificate.
- (b) Note: The total discharge per site from kerb outlets must not exceed 25Litres/sec. If site discharge is greater, a connection must be made to a Council kerb inlet pit. If no kerb inlet pit exists, an extension of the Council storm water pipe system is required with a minimum 375mm diameter RCP.

(4) FLOOD PLANNING LEVELS

The Flood Impact Assessment report must be amended to determine the flood planning levels (1% AEP & PMF) compliant to City's Interim Floodplain Management Policy requirements and accordingly set the finished floor levels.

Details must be submitted to the Principal Certifier prior to the issue of any Construction Certificate demonstrating that the development will comply with the recommended flood planning levels.

The development must be constructed to comply with the recommended flood planning levels indicated in the amended report.

(5) DRAINAGE CONNECTION

For approval of a connection into the City of Sydney's drainage system an "*Application for Approval of Stormwater Drainage Connections*" must be submitted to the City, together with an application fee in accordance with the City of Sydney's adopted Schedule of Fees and Charges. This must be approved prior to the issue of a Construction Certificate for the public domain.

(6) STORMWATER COMPLETION DEED OF AGREEMENT AND POSITIVE COVENANT

Prior to the issue of any Occupation Certificate:

- (a) The Owner is required to enter into a Deed of Agreement with the City of Sydney and obtain registration of Title of a Positive Covenant for all proposed connections to the City's underground drainage system. The deed and positive covenant will contain terms reasonably required by the City and will be drafted by the City's Legal Services Unit at the cost of the applicant, in accordance with the City's Fees and Charges.
- (b) A Positive Covenant must be registered on the property title for all drainage systems involving On-Site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection. The positive covenant will contain terms reasonably required by the City and will be drafted by the City's solicitor at the cost of the applicant, in accordance with the City's Fees and Charges.

(7) PUBLIC DOMAIN PLAN DETAILED DOCUMENTATION FOR CONSTRUCTION

The submitted public domain concept plans and proposed bollards are not approved. A detailed public domain plan and all relevant documentation must be submitted to and approved by the City's Public Domain Unit prior to the construction of any public domain works. This Plan must document all works required to ensure that the public domain complies with the City of Sydney's *Public Domain Manual*, *Sydney Streets Code*, *Sydney Street Tree Masterplan*, *Sydney Lights Design Code*, *Sydney Streets Technical Specification* and *Sydney's Parks Code*. The plan must consider road pavement, traffic measures, footway pavement, kerb and gutter, drainage, vehicle crossovers, pedestrian ramps, lighting, street trees and landscaping, signage and other public domain elements. The documentation must be *checked, accurate, and comply with specified requirements*. Plans must be based on an accurate survey, to scale and fully coordinated across all disciplines and submissions. The supplied documentation must be to construction standard and will be approved under Section 138 of the Roads Act.

The Public Domain Manual and all other relevant documents are available for download from Council's website at <https://www.cityofsydney.nsw.gov.au/>.

The Public Domain Plan documentation must be submitted with an *Application for Public Domain Plan Assessment* and include the approved Public Domain Levels and Gradients documentation. If the proposed detailed design of the public domain requires changes to any previously approved levels, an *Application for Public Domain Levels and Gradients* must be submitted to and

approved by the Public Domain Unit to reflect these changes prior to an approval being issued for the construction of public domain work.

Note: Stamped plans will be issued for construction and approved under Section 138 of the Roads Act.