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Amy Watson
Team Leader, Metropolitan Projects
NSW Planning and Environment
22-33 Bridge Street
SYDNEY NSW 2000

Attention: Matthew Rosel, Senior Planner
matthew.rosel@planning.nsw.gov.au

Dear Matthew,

RE: SSD 6626 – Darling Harbour Live North East Plot

I refer to Planning & Infrastructure's recent exhibition of an Environmental Impact Statement (EIS) for a Stage 2 SSDA seeking approval for the construction of the "North East Plot" within the Darling Harbour Live Development.

This submission comprises the City of Sydney's (the City's) comments on the proposed public domain, transport and built form issues associated with the DA.

The City is supportive of the overall concept for the North East Plot. However, the following key issues require resolution:

- (i) Deletion of the existing coach parking bay along Harbour Street as this is no longer required, is excessively wide and creates insufficient and inconsistent footpath areas;
- (ii) Upgrade of the full width of the western Harbour Street footway is required. The proposed scope of upgrade only includes half the footpath;
- (iii) Car parking should be based on Sydney LEP 2012 rates, as noted within the City's submissions to the Stage 1 Concept DA and other Darling Harbour Live Stage 2 DAs. The proposed car parking provision is excessive and out-of-step with car parking rates for a site that is so accessible to public transport and services and exceeds the rates being applied in the surrounding area; and
- (iv) Transition between the podium and towers should be reviewed and made more prominent.

The following issues are raised for the Agency's and Applicant's consideration. Recommendations on draft conditions would be made following the Applicant's response to submissions.

Public Domain

Interface with Surrounding Streets

Further to the City's comments on the Haymarket Precinct Stage 1 Concept DA (the Stage 1 DA), the City would continue to recommend that Darling Harbour Live representatives meet with Council Officers during development of the plots to discuss the integration of public domain. The issues raised below in relation to Harbour Street may already have been resolved had the parties discussed the scope of works proposed by this SSD prior to lodgement.

The Applicant's Response to Submissions lodged in connection with the Stage 1 Concept DA gave an undertaking that the City would be consulted to ensure that the interfaces with areas external to the (Darling Harbour Live) site are seamless. The current proposal highlights that the interface issues have not been discussed in sufficient detail.

Layby on Harbour Street

The applicant proposes to retain the existing layby on Harbour Street, subject to minor changes comprising the creation of a new access point at the southern end and partially building out the footpath.

The City contends that the existing layby is only justified in connection with the existing Entertainment Centre and is not required for the proposed development.

The proposed building footprint extends well beyond that currently existing – essentially reducing the footpath to 2.7m wide along the Harbour Street frontage which is highly inadequate.

The layby should be removed altogether and replaced by a widened footpath.

In the event that the layby is retained, but reduced in length as proposed, the City would require the width of the lane to be reduced from the current 3.2m (for coaches) to 2.2m (for cars and light vehicles). This would allow the footpath to be built out an additional 1m and the inadequate width to be slightly improved. As it stands, cars currently parking in the layby are oddly angled and parked excessively away from the kerb. Furthermore, the geometry of the layby kerb alignment must be amended to suit indented on-street car parking rather than coach layby. Use of the proposed on-street parking for taxi set down/pick up should be explored.

Harbour Street Upgrade

The proposed scope of upgrade works along Harbour Street is in alignment with the back of the existing parking bay, rather than the kerb alignment. This is not acceptable as any change of treatment or upgrade of finish would be separated in half of the footway along the length of the site.

The proposed development is inconsistent with the Applicant's undertaking within their Response to Submissions with the Stage 1 DA. The Response to Submissions provided that Harbour Street works would include the upgrade of the western pavement of Harbour Street to the kerb line.

The full width of the Harbour Street western footway must be included.

There is also a redundant driveway crossing with three bollards just north of the pedestrian crossing at Little Hay Street that needs to be removed.

Darling Square

Darling Square has not formed part of any Stage 2 DA to date. Given the North East Plot presents the largest frontage to the Square, and is the first building directly adjacent to the Square, it would be desirable for the DA to indicate the detailed design intent for the Square at this stage. As it stands, the current proposal would “lock in” access, levels and active retail frontage along the Square frontage and will drive the design of the Square and its functions accordingly, potentially having later issues with the full range of activities and uses planned for the Square. The Applicant should provide an update on the status of the Square and designs as they currently stand.

Flooding

As was noted when the Stage 1 DA was being considered, the City does not accept floor levels below flood planning levels and the use of flood protection devices such as the flood barriers proposed. However, NSW Planning and Environment approved the Stage 1 DA on that basis. Despite this, the Applicant remains encouraged to remove floor levels below flood planning levels.

Documentation and Approvals

A public domain plan and alignment level submission will need to be lodged with Council for approval for the proposed upgrade works to Harbour Street.

Traffic and Access Issues

Car Parking Provision

Parking rates are excessive given the location of the development. The applicant has not provided adequate justification for the proposed high car parking rates.

Whilst it is noted that the rates have been endorsed in principle as part of the Stage 1 DA, the total number of parking spaces has increased by a further 95 spaces from the initial number approved as part of the concept proposal.

Based on Council's LUTI and PTAL scales embedded as a policy basis for maximum car parking rates in the Sydney LEP 2012, the site would have ratings of A and D respectively. This would generate parking maximums of 312 residential spaces (all resident) and 4 retail spaces. A total of 445 spaces are proposed (all resident) – 43% above LEP 2012 parking rates. This is an unacceptable outcome for such a highly accessible site.

Adaptable Car Parking

A total of 9 accessible parking spaces are proposed. This is well below the Sydney DCP 2012 requirement of one accessible space for every adaptable unit. One accessible parking space must be provided for each adaptable apartment.

Car Share

Car share provisions are not detailed within the documentation. Sydney DCP 2012 requires 1 car share space per 50 residential parking spaces to be provided – equivalent to 9 car share spaces for the development if 445 spaces are proposed (6 if Sydney LEP 2012 numbers are adopted as recommended). The provision of car share on site would help alleviate any perceived issues tied to a reduction in private parking allocations.

Loading and Unloading

The vehicle access point is proposed to be 7.9m wide which is considered excessive. Sydney DCP 2012 supports minimal driveway crossover widths in favour of improving pedestrian amenity. Narrowing the entry would mean that a B99 vehicle could not enter/exit at the same time as a larger truck, however this is already the case as shown by the swept paths.

Sightlines to the north appear to be blocked for exiting vehicles and a splay should be provided.

The vehicle crossover should be reduced to be a maximum of 6.0m wide and appropriate splays should be provided.

Two service vehicle bays are provided at ground floor level, catering for refuse collection and MRV heavy vehicles. The traffic report states that other vehicles – such as small delivery vans – can be accommodated in the layby on Harbour Street. However, the layby is proposed to have its capacity reduced as part of the development, from 12 to 6 vehicles.

Sydney DCP 2012 requires a minimum of 12 service spaces to be provided – 6 for the residential component and 6 for the retail component (based on floor space figures in the EIS). The Applicant's traffic report only addresses the requirements for the retail component of the development.

All servicing requirements should be able to be accommodated within the site after the recommended removal of the Harbour Street layby. Given there is no visitor parking located on site that can cater for couriers and the like, a minimum of two smaller service vehicle bays should be provided at ground floor level. This remains well below the DCP requirements, however given the larger service bays provided is considered acceptable.

A minimum of 2 courier spaces should be provided within the ground floor car parking area.

Bicycle Parking

The Stage 1 DA conditions of approval require future DA's to include an appropriate amount of bicycle parking for residents and visitors, including visible public bicycle parking in the public domain for visitors and appropriate end of trip facilities within non-residential accommodation.

The following bicycle parking arrangements are proposed (according to the traffic report):

- A storage cage for each apartment equivalent to a class 1 bicycle locker;
- 60 bicycle parking spaces for retail use; and
- 10 bicycle parking spaces for visitors.

The provision of 1 bicycle parking space per apartment is supported. However by providing these parking spaces in storage cages, the bike parking is located throughout the seven floors of car parking. This is a poor outcome for cyclists. A combination of class 1 and class 2 facilities should be provided, with the class 2 facilities provided at ground floor level.

Sydney DCP 2012 requires 1 space per 10 apartments for residential visitors – equating to 58 visitor bike parking spaces. For retail visitors 21 spaces are required. A total of 79 visitor spaces are required. As per the existing Stage 1 condition, public bicycle parking needs to be visible and located in the public domain. The plans indicate that these spaces are provided in the car parking area at ground level. This is a poor location and these spaces are unlikely to be used. Approximately 40 visitor spaces are recommended to be provided at ground floor level in a highly accessible area within the public domain and within close proximity to building entrances. Given that each plot will be required to provide bike parking in the public domain, a 50% reduction for on-site provision is considered appropriate.

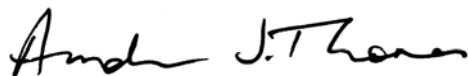
Built Form

Noting that the dimensions of the building envelopes were subject to the Stage 1 DA, the architect's resolution of the bulk, scale and materials of the proposal is generally supported. In particular, the materials of the development, reflecting the masonry elements in the locality and achieving successful blending between masonry and rendered concrete elements, is supported. The finish responds well to the setting.

The City questions whether the transition between the podium and the towers is clear. There is a limited height horizontal re-entrant between the podium and towers. There is also a change in material on the external skin in the way balcony balustrades transition from brickwork to glass above the podium. However, the City contends that the podium should be more clearly defined from the towers. One approach, although there are likely to be several, may be to reduce the appearance of the white coloured vertical fin walls within the podium to have the podium appear more horizontal generally. Another approach may be to increase the height of the re-entrant.

Should you wish to speak with a Council officer about the above, please contact Russell Hand, Senior Planner, on 9265 9333 or at rhand@cityofsydney.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Thomas'.

Andrew Thomas
Acting Director
City Planning | Development | Transport