

Attachment E

Outstanding Responses to the City of Sydney issues raised in response to the exhibition of the redevelopment of the IMAX Theatre and surrounding public domain (SSD 7388)

#	Issue	Applicants Revised Response	Reference Document(s)	City's contention
1	Section 3.8 of the EIS, states that a future development application will be lodged for the strata subdivision of the development. The effect of strata subdivision of the serviced apartments will be to render them as defacto residential apartments, which is contrary to the conditions of lease and the public intentions for the site since it was first created.	Please see attached revised Plan of Management that confirms that permanent residential accomodation is not permitted.	Management Plan for Ribbon Hotel	The City's previous experience has shown that even with plans of management in place, private ownership of serviced apartments presents management challenges due to expectations of private owners over their perceived rights to use property they own as they wish. Further, notwithstanding whether the proposed serviced apartments can be appropriately managed, the City maintains its objection to the subdivision of public land for private ownership.
2	Previous experience has shown that when serviced apartments are individually owned, the management of these premises for short-term leases becomes increasingly difficult to police and long-term residential occupation occurs.			
3	The occupation of the serviced apartments by long-term residents is undesirable from an amenity perspective, as the apartments are not capable of complying with State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development SEPP 65 and the Apartment Design Guideline.			
4	In addition to the above management and occupation concerns, the City objects to any subdivision that allows the private ownership of public land even under leasehold arrangements.	While the footprint and lease boundary proposed for the Ribbon building is larger than the existing IMAX Building, the leasehold arrangement proposed for the site is not essentially different from the one that currently exists.		
12	The proposal will result in a significant encroachment of the building into the public domain to the north and west of the building, beyond what is currently experienced. This concern was raised in the City's submission to SSD 5397 and is maintained for the current proposal.	The foot print of the building and it's impact on the public domain is very similar to that of the approved commercial scheme proposal.		As per original response.
17	Concerns are raised regarding pedestrian safety and conflict between pedestrians and vehicles crossing the vehicle entry point and around the porte cochere area. No information is provided as to how pedestrian safety will be managed. The design should include a continuous footpath across the driveway crossover to emphasise pedestrian priority and improve awareness of pedestrians and thus safety. Driveway crossing widths should narrowed as much as possible (preferably to 6m or less).	A clear pedestrian path has been provided along the eastern boundary which will not cross the porte cochere at any point;. The only point where pedestrians cross a vehicular path is located at the entrance of the loading bay/carpark. This will be clearly indicated and will not exceed 6 metres in width. - Refer to Attachment #17. The directness of the pedestrian route is largely unaffected by the development and, given the low share of pedestrian traffic accessing Cockle Bay and Darling Harbour, the development could not be expected to have a detrimental effect on the surrounding pedestrian network.	Attachment #17	The core issue of pedestrian amenity has not been addressed. The analysis provided merely examines if the pedestrian space can accommodate the pedestrian volumes in a flow rate which is acceptable. If pedestrian footpaths are reduced while accommodating increased pedestrian traffic, this will result in reduced pedestrian amenity. Further, the analysis does not look at the other issues which make up amenity (ie. directness, line of sight, lighting, use of the space for queuing /pick-up and drop- off, conflict with heavy vehicles, valet staff). Pedestrian priority should be provided across the vehicle entry to the loading dock including continuous footpath treatment. The proposed development is likely to have a detrimental effect on the surrounding pedestrian network.
18	The provision of upgraded wayfinding signage from/to both Druitt Street and Bathurst Street are required to improve pedestrian amenity from the Town Hall area.	We propose that a comprehensive Wayfinding Strategy be prepared and issued as a consent condition precedent to commencement of above-ground building works on site. This strategy will include the provision of signage to assist pedestrians entering and leaving the site via the Druitt Street and Bathurst Street foot bridge and will involve consultation with various stakeholders including the City of Sydney		No additional information provided.
26	The current playground is popular, including the water play area. The provision of a range of segmented play types in the new playground is encouraged. The incorporation of activities for older children and young adults, including the proposed skating, scooter riding facilities is supported.	Acknowledged		N/A

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27a	The provision of the following is recommended: a) seating in the area between each play station so that parents and carers of multiple children (of different ages/ interests) can watch children playing in two areas;	We commit to providing appropriate seating areas to ensure parents and carers have surveillance opportunities of the play space. We proposed that this requirement be a consent condition.		As per original response.
27b	b) public amenities include parent rooms with toilets, 'junior' toilets and nappy change facilities.	These amenities have been provided in the current version of the SHFA building plans. Please refer to attached floor plans of the SHFA Building. (Attachment #27)	Attachment #27b	
28	The Crime Prevention Through Environmental Design aspects that are incorporated within the Landscape Report are fairly generic. The City supports the meaningful incorporation of the CPTED principles and reinforces the importance of clear sightlines and appropriate lighting levels. It is recommended that the applicant consults with the NSW Police through Sydney City Local Area Command in this regard.	We support the City's position and commit to consulting with the NSW Police through Sydney City Local Area Command as part of design development.		As per original response.
29	Sydney DCP 2012 outlines requirements for stormwater quality assessment and sets targets for reductions in pollutants. It is recommended that the stormwater system be designed to comply with these requirements.	The Ribbon project will incorporate Water Sensitive Urban Design measures to ensure that water quality leaving the site meets Sydney City Council targets. Best practice principles, including rainwater harvesting and reuse, will be incorporated in an Integrated Water Cycle Management Plan which we proposed be provided as a consent condition precedent to the commencement of works on site		As per original response.
30	The Statement of Heritage Impact limits its discussion to the impact of built heritage within the direct vicinity of the site. The statement fails to assess the importance of views of Darling Harbour in the light of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.	The heritage provisions of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (the Harbour REP) require the consent authority to consider the impact of a proposed development on the heritage significance of heritage items, including views to and from the item. This consideration is to extend to items that potentially have heritage significance but are not formally recognised as such. The Visual Impact Assessment submitted with the DA provided a detailed analysis of the view impacts associated with the proposal, and concluded that the proposal: <ul style="list-style-type: none"> - follows carefully the profile of the existing approval on site - does not block any significant views to iconic landmarks or water from the public domain; - can potentially create a landmark at an important location; - responds to the view corridors, creating a strong planar form to terminate this vista, where existing views are characterised by disorganised taller elements such as those of the Cross City Tunnel Stack, Peak Apartments building and UTS tower and dominated by the Western Distributor; - is generally seen with distant views as a subservient component of the CBD skyline, continuing its gradually descending forms, particularly through its visual relationship with the Darling Park Complex adjacent; - relates well to the SICEEP redevelopment; - has the potential to provide a dramatic view termination that improves the legibility of the public domain; - provides a strong response to the waterway edge as suggested by the Sydney Harbour DCP; and - in the case of the lower level public domain interface, it will enhance the pedestrian experience. This analysis equally applies to the heritage components within the view catchment. The Visual Impact Assessment should be considered in parallel with the Statement of Heritage Impact to provide a complete assessment of the impact of views to and from heritage items at Darling Harbour.		As per original response.

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33	<p>The configuration and operation of the intersection of Harbour Street and the car park basement entry, is unclear, raising concerns regarding the operation and safety of the porte cochere area and basement car park/loading dock. Inadequate information has been submitted to address the following concerns:</p> <p>a) the configuration provides road safety concerns with regard to the issue of priority at the intersection and the southbound right turn lane;</p> <p>b) concern is raised over potential queuing of vehicles onto Harbour Street. It appears that the queuing analysis provided assumes double parking within the proposed porte cochere area;</p> <p>c) concerns regarding the potential vehicle entry speeds to the proposed porte cochere area given vehicle speeds and volumes on Harbour Street.</p>	<p>The proposed forecourt makes be use of the available space, while catering for several user groups, as is common in the Sydney CBD environment. Further design development and design verification will occur as part of detailed design and the RMS WAD process, with a focus on legibility and wayfinding.</p> <p>It is noted that most service vehicle activity including waste vehicles occur outside of road network and hotel peak hours. The cumulative traffic generation has been assessed through the identification of appropriate rates and first principles analysis.</p> <p>Car stacker operation has been assessed in detail to obtain the service rates discussed in the traffic report, with further confirmation provided in the TfNSW reponse. This includes anticipated queues and available gaps in vehicle processing where loading dock activity could occur in the event that this was required during peak times. There are two lanes available within the basement, allowing separate stacker and loading dock operation under active management, noting that all parking activity will be handled by valet drivers.</p> <p>Traffic generation and operation has been assessed independently of the number of parking spaces. As such, the parking supply and its adequacy does not affect the traffic analysis.</p> <p>Other operational details (including valet drivers) would be addressed through the identified management plan. It is common practice for this plan to be a condition of consent, with all issues identified by Council considered to be manageable with the appropriate strategies.</p>		<p>The City maintains its original concern that there is not adequate vehicle capacity to address all the vehicle access space requirements for the site. Concerns remain that the left turn lane length is inadequate to cater for traffic volumes (made worse by the confusing nature of the intersection). Insufficient analysis has been provided with regard to the cumulative traffic generation and impact of the site, including waste collection, servicing, pick-up/drop-off, taxis, coaches, mechanical car lift access etc.</p> <p>There is inadequate commentary on delays and waiting time requirements due to the interaction between the different functions (listed above) and vehicles generated. For example, it is noted that there is no turn around area provided within the loading dock if vehicles enter by mistake. There is also no waiting/queuing area provided in the loading dock.</p> <p>Inadequate information has been provided with regard to the number of valet drivers required to service the site, or the safety of the valet drivers or other users that can access the loading dock area. If inadequate numbers of valets are able to service the site, this will result in vehicles waiting for longer periods of time than expected, leading to queuing concerns.</p> <p>Given the nature of the site, concerns are raised as to whether all loading and unloading will be able to be scheduled outside of peak time (noting that this area has longer peaks due to its functioning as an entertainment precinct).</p> <p>Significant concerns are raised regarding the safety and functioning of the turn lanes in and out of the porte cochere and loading dock/stacker. It is not clear how the access driveway into the loading dock and car stacker will be able to restrict access to service and valet drivers only. It is noted that a Safety Audit is currently being undertaken and should be assessed at the earliest availability.</p> <p>It is not clear how vehicles from the loading dock and car stacker can exit the site except through the porte cochere.</p> <p>There are concerns that the 2 lifts will not be sufficient to avoid conflict with the loading dock or avoid</p>
34	<p>It is unclear what Appendix A, sheets 2 and 3 of the Traffic Impact Assessment are trying to demonstrate. Council does not support heavy rigid vehicles such as semi-trailers entering the pedestrian footway area adjacent to the water front (if that is what is proposed). This area is highly pedestrianised and would not be suitable as a shared zone.</p>	<p>Noted. This is not expected to be a regular requirement, nor is it related to nor a consequence of the development.</p>		<p>It is understood that the 19m semi-trailer access via the waterfront area may be a SHFA requirement. The provision of 19m semi-trailer access via the waterfront area is not supported by Council.</p>
35	<p>A Loading Management Plan should be provided to demonstrate how the dock will be managed. The on-site loading area is to be available to all tenancies of the particular building (i.e. hotel, lounge bar, restaurant, service apartments, shopping, retail, function centre, cinema etc). This shall be managed either by a schedule showing all tenants when they can use the area, or by a register managed on site to allow tenants and residents to reserve a time period for their deliveries.</p>	<p>Acknowledged - The planning and operational protocols will be further developed and refined as part of design development with input from the hotel and retail operators and we therefore propose that a Loading Management Plan be provided as a development consent condition precedent to the commencement of above ground works. This plan will address the access and loading needs of all tenants within the building and address any potential conflict between loading vehicles and car stacker queued vehicles. Loading, unloading and waste collection will generally be undertaken outside of peak hours when there is limited demand for the car stacker. Service vehicles will be able to travel adjacent to any queued vehicles in order to access the loading area. Vehicle manoeuvring in the basement area would be managed by an attendant or security personnel and will be coordinated with valet operations.</p> <p>The vehicle positons shown within the porte cochere vehicle bays are indicative only. These are not parking spaces, but are shown to indicate the capacity of the driveway loop to accommodate vehicles as they are being managed by the valets.</p> <p>The bus swept path is a worst case situation (14.5m long rigid bus which are not used by the Sydney Explorer service and would only be occasional and pre-arranged coaches for the hotel). The swept path analysis shows there is adequate spare width within the porte cochere area for a 14.5m long rigid bus to pass parked vehicles, however the resultant vehicle positioning at the bus stop would be considered further during detailed design to deliver an optimised outcome for all users.</p>		<p>As noted above, concerns are raised that there is not the vehicle capacity to address all the vehicle access needs of the site.</p> <p>A loading management should be provided up front so a proper assessment of the feasibility of the plan can be determined.</p> <p>As discussed previously, the management plan must address the cumulative impact and management of the porte cochere, car stacker and loading area and address any potential conflict between uses such as conflicts between queuing loading vehicles and car stacker vehicles. In this regard, the queuing of vehicles waiting to use the mechanical stacker is not supported within a loading dock area. Alternatively, the queuing of service vehicles within the loading dock is also no supported.</p> <p>Swept path movements are required to show how vehicles could manoeuvre around queued cars/trucks.</p>

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36	The amount of parking proposed for the hotel and serviced apartment uses is considered excessive. It is recommended that parking supply be constrained to encourage sustainable transport such as public transport and active transport. See further comments under point 39 below.	The proposed parking supply is less than the parking cap imposed by the City of Sydney's LEP 2012. Sustainable transport options will be encouraged irrespective of parking provision, noting that parking would not be for staff. The majority of vehicle movements will be taxis and other drop off activities.. It is anticipated that the full capacity of the car stacker would only be fully utilised during major events within the hotel.		As per original response.
37	Section 3.9 of the EIS states that the stacked car park is to be fully serviced by valet. This arrangement is to be carefully managed as the use of mechanical parking is not appropriate for visitors to the site who are unfamiliar operating such facilities and in turn, adds significant dwell time and queuing.	We reconfirm that 100% of the Car-Stacker capacity will be managed by the valet service.		
41	A reduction in the quantity of visitor bicycle parking should only be considered if there is an increase in the overall quality of parking facilities. Council supports the provision of innovative bicycle parking solutions in new development. The City would welcome investigations into the opportunity to provide first class staff and visitor bicycle facilities.	Bicycle parking and end of trip facilities have been provided for visitors and staff. Provision has been calculated according to Green Star Design & As Built v1.1 Guidelines which are more onerous than the current statutory documents. The facilities will comply with all statutory requirements (including CoS CDP and AS2890.3:2015 / AS2890.3:2015) and are accessible at-grade. No reduction in the quantity of visitor bicycle parking is proposed.		As per original response.
42	The proposal should include an analysis of the projected public transport modal splits and how these will be achieved. Specifically, the proposal should encourage sustainable transport in a manner which aligns with the targets and objectives set out in Sustainable Sydney 2030 such as: a) Target 6 – 80% of City workers commuting on public transport – 80% of work trips by City residents in non-private vehicles; b) Target 7 – By 2030, at least 10% of City trips will be made by bicycle and 50% by pedestrian movement; c) Objective 3.1 – Support and plan for enhanced access by public transport from the Sydney Region to the City of Sydney; d) Objective 3.3 – Reduce the impact of transport on public space in the City Centre and Activity Hubs; e) Objective 3.4 – Manage regional roads to support increased public transport use and reduce car traffic in City streets; f) Objective 4.1 - Develop a network of safe, linked pedestrian and cycle paths integrated with green spaces throughout both the City and Inner Sydney; g) Objective 4.2 - Give greater priority to cycle and pedestrian movements and amenity in the City Centre; h) Objective 4.3 – Promote green travel for major workplaces and venues in the city.	Sustainable transport objectives would be addressed through a Green Travel Plan for the development. In particular, we commit to fully aligning this plan and other operational protocols with the targets and objectives set out in Sustainable Sydney 2030. We propose that the Green Travel Plan be submitted as a condition of consent prior to commencement of above ground works on site.		As per original response.
43	Consideration should be made to catering for east-west cyclist desire lines to provide upgraded connections to existing bicycle routes at Liverpool Street and Kent and Druiett Street.	The access from east to west across the public domain that currently exists for cyclists will remain in the proposed scheme. The connections to existing cycle routes in the CBD fall outside of our site.		As per original response.

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44	<p>Insufficient information has been provided in relation to operational waste management collection and traffic arrangements for this collection. A waste management plan is to be submitted that addresses the following:</p> <p>a) plans and drawings of the proposed development that show location and space allocated to the waste management facilities;</p> <p>b) nomination of the waste collection point for the site;</p> <p>c) identification of the path of access for use collection vehicles;</p> <p>d) details of the ongoing management of the storage and collection of waste, including responsibility for cleaning, transfer of bins between storage areas and collection points, maintenance of signage and security of storage areas;</p> <p>e) the nominated waste and recycling storage area must be constructed to meet the relevant conditions within the City's Policy for Waste Minimisation in New Developments (2005);</p> <p>f) waste and recycling receptacles must be stored on property at all times;</p> <p>g) arrangements for the collection of waste in accordance with the City's Waste Policy - Local Approvals Policy for Managing Waste in Public Places (2013).</p>	<p>Please see attached revised plan of the Ground Floor with enlarged waste handling facilities including separate waste storage for retail and hotel waste. Indicative paths of access to these spaces is explained and illustrated in the attached sketch of the area. This will be further developed and refined as part of design development and with input from the hotel operator and we therefore propose that the comprehensive Waste Handling Plan be provided as a development consent condition. This was the case in the approval of the commercial scheme for the site (Consent Condition B24).</p>	Attachment #44	As per original response.
46	<p>No operational details or plans of management have been provided for the hotel and associated uses including the hotel bar and function centre. Plans of Management should be submitted for the hotel, hotel bar and function centre.</p>	<p>The operational requirements will be further developed and refined as part of design development and with input from the hotel operator and we therefore propose that the Plans of Management be provided as part of a development consent condition precedent to the commencement of above ground construction works.</p>		As per original response.
48	<p>Table 7 of the Noise Impact Assessment states the location of background noise level measurements as Riley Street. Clarification of the location of these measurements is required.</p>	<p>The reference to Riley Street was a typographical error. The monitoring devices were placed on the top of the existing IMAX building. Please refer to revised report attached.</p>	Attachment #48	As per original response.