

Submissions Report

Pymont Over Station Development

October 2024

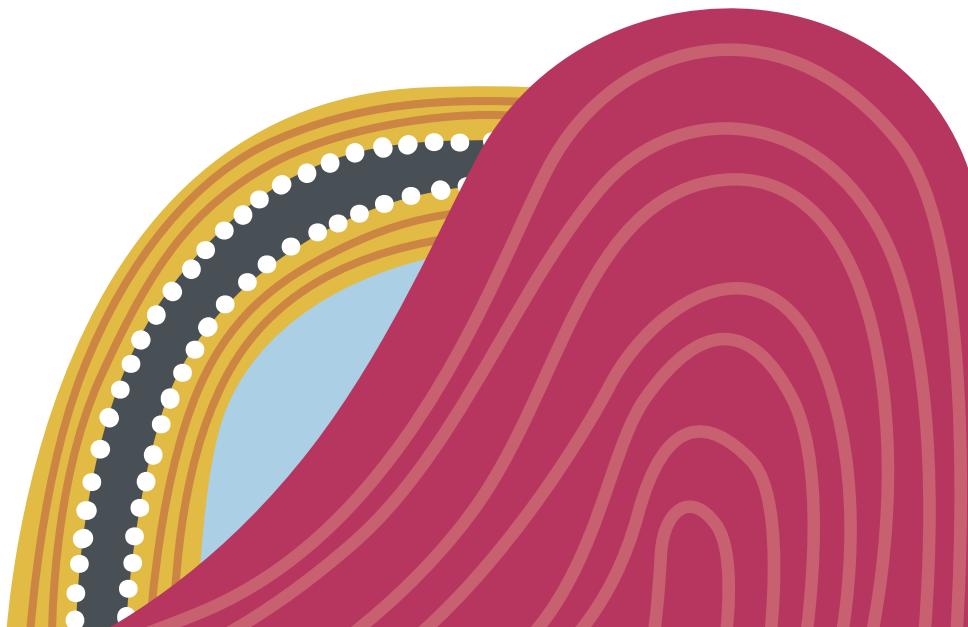
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Concept design only



Acknowledgement of Country

Sydney Metro pays respect to Elders past and present, and recognises and celebrates the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of NSW.



Pymont Over Station Development

Submissions Report

Acknowledgement of Country

Sydney Metro respectfully acknowledges the Traditional Custodians of the Sydney Metro West corridor, the Burramattigal, Wangal and Gadigal clan groups.

Westmead and Parramatta are situated on Buuramattigal Country, which stretches from Rosehill to Prospect. Sydney Olympic Park to the Bays is situated on Wangal Country which stretches across the southern shore of Parramatta River between Burramattigal Country and Gadigal Country. Pyrmont and Sydney CBD are situated on Gadigal Country, which runs from the south side of Port Jackson, extending from South Head to Darling Harbour. We recognise the importance of these places to Aboriginal peoples and their continuing connection to Country and culture. We pay our respects to Elders past and present. Many of the transport routes we use today – from rail lines, to roads, to water crossings – follow the traditional songlines and trade routes and ceremonial paths in Country that our nation’s First peoples followed for tens of thousands of years.

Sydney Metro is committed to honouring Aboriginal peoples cultural and spiritual connections to the land, waters and seas and their rich contribution to society.

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Executive summary

Sydney Metro overview

Sydney is expanding and the NSW Government is working hard to deliver an integrated transport system that meets the needs of customers now and in the future.

Sydney Metro is Australia's biggest public transport program. New fast, easy and reliable metro rail services started in May 2019 in Sydney's North West and will be extended to Sydenham in 2024 as part of the City & Southwest project. Within 12 months this will be extended to Bankstown.

By 2032 Sydney will have a network of four metro lines, spanning 46 stations and 113km of new metro rail. The metro network connects customers in the north west, west, south west and greater west to faster, more reliable and accessible transport.

The metro program is shown in Figure 0-1 includes the operational M1 Line and three projects currently under construction:

- Southwest
- West
- Western Sydney Airport

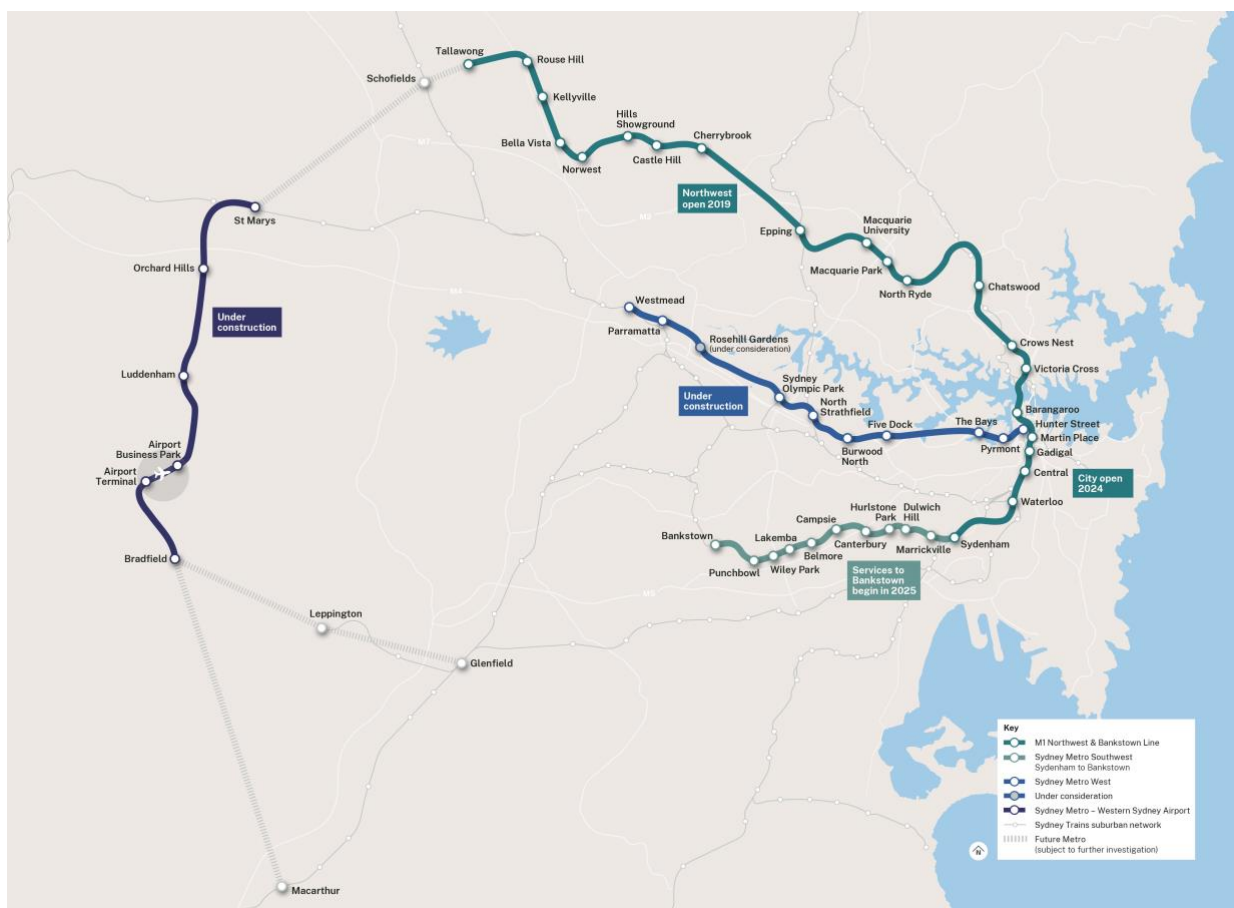


Figure 0-1 Sydney Metro network map

The delivery of Sydney Metro West is critical to keeping Sydney moving, and will:

- comprise a new 24-kilometre metro line with stations confirmed at Westmead, Parramatta, Sydney Olympic Park, North Strathfield, Burwood North, Five Dock, The Bays, Pyrmont and Hunter Street in the Sydney CBD. Two potential station locations are being investigated west of Sydney Olympic Park, including one at Rosehill Gardens which could support a significant increase in housing

- provide fast, reliable turn-up-and-go metro services with fully accessible stations
- link new communities to rail services and support employment growth and housing supply
- relieve the congested T1 Western Line, T9 Northern Line, and T2 Inner West & Leppington Line
- double the rail capacity between Parramatta and the Sydney CBDs
- significantly boost economic opportunities for Greater Parramatta
- support new residential and employment zones along the Greater Parramatta to Sydney CBD corridor, including at Sydney Olympic Park and The Bays – providing improved transport for the additional 420,000 new residents and 300,000 new workers forecast to be located within the corridor over the next 20 years
- allow customers fast and easy transfers with the T1 Western Line at Westmead, T9 Northern Line at North Strathfield, and the Sydney Trains suburban rail network and Sydney Metro in the Sydney CBD
- allow for transfers with the future Parramatta Light Rail Stage 1 at Westmead and Parramatta, as well as the planned Parramatta Light Rail Stage 2 at Sydney Olympic Park
- create an anticipated 10,000 direct and 70,000 indirect jobs during construction.

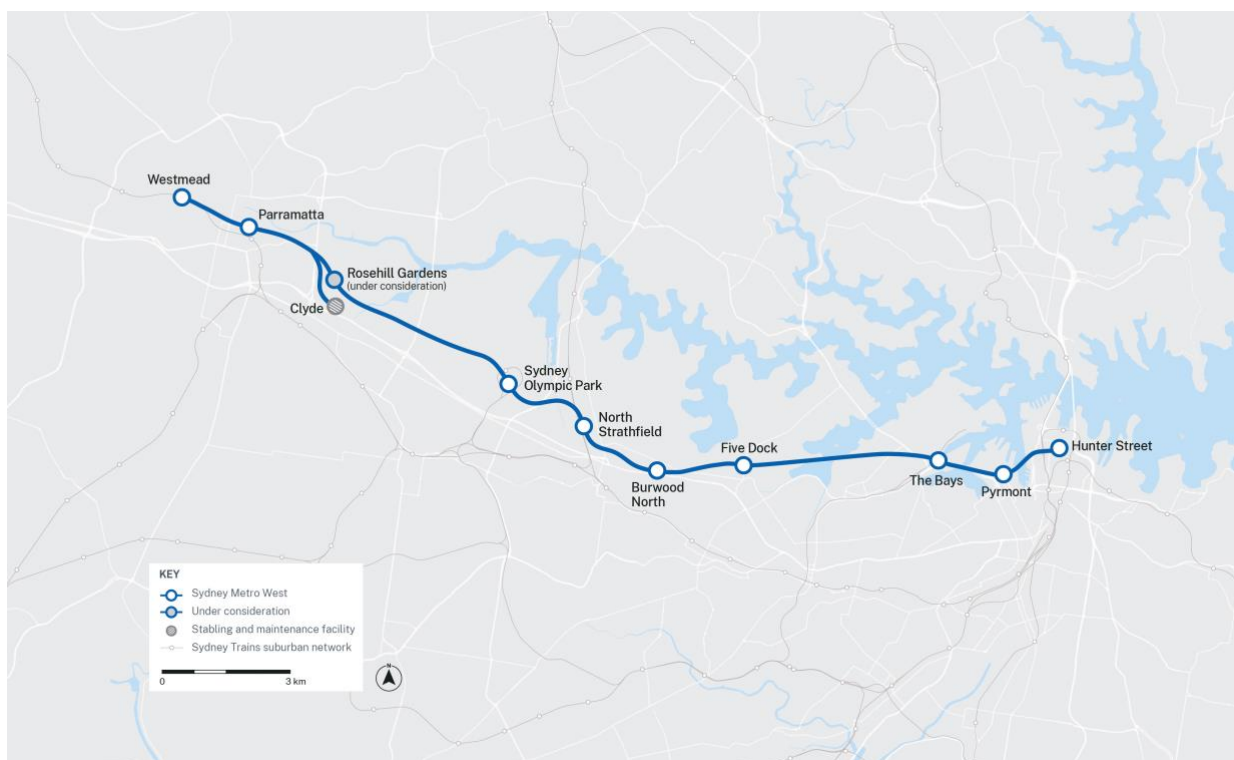


Figure 0-2 Sydney Metro West alignment map

Sydney Metro West has been approved as staged critical State Significant Infrastructure (CSSI) under section 5.20 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and comprises the following:

- The application for the concept and major civil construction work for Sydney Metro West between Westmead and The Bays, including station excavation and tunnelling, associated with the Sydney Metro West railway line (Concept and Stage 1 CSSI Approval) was approved on 11 March 2021.
- The application for all major civil construction and enabling works between The Bays and the Sydney CBD, including demolition, tunnelling, and station excavation for new metro stations associated with the Sydney Metro West railway line (Stage 2 CSSI Approval) was approved on 24 August 2022.

- The application for rail infrastructure, including fit-out of tunnels, construction, fit-out, and operation of metro stations and surrounding precincts and operation of the Sydney Metro West line (Stage 3 CSSI Approval) was approved on 26 January 2023.

Integrated station and precinct development

The Stage 1 and Stage 3 CSSI approvals for the Sydney Metro West project included provisions for future integrated station and precinct development that could provide a range of uses. Integrating a mix of uses and development into the station precinct would contribute to the success of places by:

- encouraging precinct activation and use of Sydney Metro West across different times of the day and week
- creating opportunities to provide facilities which meet customer and community needs, attracting people to stations
- allowing stations to successfully integrate into their urban context and to contribute positively to the character of places at the stations

Sydney Metro is making provision for over and/or adjacent station developments at selected stations. Sydney Metro will continue working closely with the local community and stakeholders so that station precincts become welcoming hubs that build on the local character.

Planning approval approach

An Environmental Impact Statement (EIS) was prepared to accompany a Concept State Significant Development application (Concept SSDA) for over station development (OSD) at Pyrmont Station. This EIS was prepared by Sydney Metro and submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) pursuant to Part 4 of the EP&A Act.

The development is within the Sydney Metro West railway corridor, is associated with railway infrastructure, and is for commercial premises and residential accommodation with a Capital Investment Value (CIV) that exceeds \$30 million. Therefore, the project is declared State Significant Development (SSD) pursuant to Schedule 1, 19(2)(a) of State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP).

The Concept SSDA seeks consent for a concept proposal, within the meaning of section 4.22 of the EP&A Act for a new mixed-use building above Pyrmont Station.

The Concept SSDA seeks consent for the following:

- maximum building envelope and built form parameters, including building setbacks
- maximum building height of RL 120m
- use of areas within the podium for commercial and retail premises and spaces ancillary to residential accommodation
- maximum gross floor area (GFA) of approximately 23,463m²
- maximum 55 car parking spaces

The future detailed approval(s) will be required to be consistent with any Concept SSDA approval.

Purpose this report

DPHI issued a letter to Sydney Metro (dated 10 April 2024) requesting a response to the issues raised during the public exhibition of the Concept SSDA for OSD at the Pyrmont Station (the site). This Submissions Report responds to the issues raised by government agencies, the City of Sydney Council, community organisations, and public submissions received during the public exhibition of the SSDA.

The following specific matters were identified by DPHI in their Request for Additional Information dated 19 April 2024 to be further addressed in the Submissions Report:

- spatial layout of proposed car parking spaces
- impacts to the proposed Harwood Street view corridor from the building alignment

- solar access and overshadowing impacts to the Elizabeth Healey Reserve
- scope, program, and status of the Active Transport and Public Domain study required under the Pyrmont Peninsula Design Guidelines
- consider and identify relevance of Pyrmont Peninsular Infrastructure Delivery Plan
- update acoustic assessment to re-assess 50 Murray Street as an additional sensitive receiver
- additional justification for the Estimated Cost of Development Report.

This Submissions Report responds to all concerns raised within the submissions received and provides a response to the Request for Additional Information issued by DPHI.

Overview of submissions

The Concept SSDA was on public exhibition between 12 March 2024 until Monday 8 April 2024.

A submission was received from the City of Sydney raising issues relating to scope of the application, Planning Secretary's concurrence, maximum gross floor area, solar access, street views, wind, wintergardens, City's Design Advisory Panel, podium, traffic, car parking, vehicle access and loading, waste management, public domain, flooding, stormwater management, contributions, and Design Excellence Strategy.

In addition, 26 submissions were received from the community and community groups and six submissions were received from organisations including GoGet, Urban Taskforce Australia, AFIAA Australia, APVC Ltd, Aerotropolis Group Pty Ltd, and Owners Corporation SP 57970. The key issues raised in the submissions can be broadly grouped into the following categories:

- concern regarding the proposed building height
- scale and size of the building envelope
- consideration of the local character and surrounding sites
- provision of commercial floor space in podium
- impacts to residential amenity
- BDAR waiver
- provision of shared amenities
- impacts to local traffic and car parking availability
- public safety issues
- perceived lack of community consultation
- provision of affordable housing

No submissions were received from government agencies or authorities on the Concept SSDA.

The Submissions Report provides a response to all submissions within Section 4.

Actions taken during and since exhibition

Since lodgement of the Concept SSDA, Sydney Metro has undertaken further consultation with key stakeholders. Sydney Metro has undertaken community information sessions, virtual community engagement, and provided additional resources and information to the community during the exhibition of the Concept SSDA. Sydney Metro has also undertaken further consultation with the City of Sydney.

Sydney Metro has prepared additional information in response to submissions received during the exhibition of the Concept SSDA and in response to the Request for Additional Information from DPHI. This Submissions Report is accompanied by additional information as follows:

- Submissions register (Appendix A)
- Updated mitigation measures (Appendix B)
- Solar analysis sketchbook (Appendix C)

- Addendum to the Pedestrian Wind Assessment (Appendix D)
- Updated Noise and Vibration Report (Appendix E)

Project refinement

No changes to the concept proposal are required or proposed by Sydney Metro in response to the submissions and stakeholder consultation. Additional clarifications in relation to the requirements for future application(s) for the proposed development in response to the submissions and stakeholder consultation are provided within the updated mitigation measures at Response to Submissions (RTS) Appendix B.

Updated project justification

Any clarifications made in response to key issues raised within submissions are consistent with the limits set by the project description. The clarifications do not change the scope of the application for which consent is sought, and therefore an amendment to the proposed development is not required.

The building envelope reflects the future desired character of Pyrmont as guided by the Pyrmont Peninsular Place Strategy and responds to its context through carefully considered setbacks and appropriate street wall heights. The planning envelope protects solar access to key public places and neighbouring buildings and ensures acceptable pedestrian amenity conditions.

Beyond the impacts assessed within the EIS, there will be no additional impacts as a result of the clarifications to the proposed development.

Conclusion

This Submissions Report has been prepared to satisfy the provisions of clause 59 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation). Each of the submissions received during the public exhibition period have been collated, analysed, and addressed in this Submissions Report.

No additional adverse environmental, social or economic impacts have been identified in this Submissions Report. Potential environmental impacts will be managed through the mitigation measures (Appendix B) for the design, construction and operational phases. As such, the proposed development is considered to be justified for the following reasons:

- The site is zoned MU1 Mixed Use under the Sydney Local Environmental Plan (SLEP) 2012 within which commercial premises (including business premises, office premises, and retail premises) and residential accommodation are permitted with consent. The proposed development is consistent with the zone objectives in that it will provide a mix of compatible land uses, integrate commercial and residential uses in an accessible location that maximises public transport patronage and encourages walking and cycling, and supports the viability of Pyrmont.
- It is consistent with the strategic planning objectives for the site and supports the NSW Government's investment in public transport infrastructure and the delivery of well-connected place focused communities.
- It facilitates economic growth and housing diversity and creates a great place-based outcome for the Pyrmont Peninsula that successfully integrates transport infrastructure, open space, ground plane retail, commercial, and residential land uses. It will attract businesses and residents in a well-connected location reducing reliance on private transport modes.
- It supports the '30-minute city' concept of the Eastern Harbour City. The aim of the 30-minute city concept is that residents of Sydney can reach one of three regional centres in less than a half-hour by walking, biking, or public transport.
- The proposed building envelope positively responds to the site conditions and surrounding context and is consistent with the SLEP 2012 and other relevant statutory planning instruments.
- The proposed building envelope is designed to enable flexibility for the future Detailed SSDA to facilitate a high-quality mixed-use development.

- The proposed building envelope does not result in any additional overshadowing to the Elizabeth Healey Reserve between 9am and 2pm on 21 June.
- The design achieves the Apartment Design Guide (ADG) objective to minimise overshadowing to nearby residential properties at mid-winter.
- Where an adjoining property does not currently receive the required hours of solar access prescribed in the ADG, the proposed development ensures solar access to neighbouring properties is not reduced by more than 20 per cent. Overshadowing impacts on surrounding residential properties comply with relevant design objectives, criteria, and design guidelines of the ADG.
- Subject to the updated mitigation measures in Appendix B, traffic, acoustic, visual, and environmental impacts on adjoining properties and the public domain can be appropriately mitigated.
- The proposed development delivers genuine economic benefits by creating approximately 170 direct annual full time jobs and 229 indirect annual jobs during construction. The development is expected to sustain 345 direct ongoing jobs and 404 indirect jobs during its ongoing operation.
- It is capable of achieving Design Excellence, in accordance with the Sydney Metro West Design Excellence Strategy (as endorsed by NSW Government Architect).
- The site is suitable for the proposed development.
- The proposed development is in the public interest.

1 Introduction

An Environmental Impact Statement (EIS) was prepared by Sydney Metro (the applicant for SSD-49620481) in support of a Concept SSDA for over station development (OSD) at Pyrmont Station east site (the site). The Concept SSDA was lodged with the NSW Department of Planning, Housing and Infrastructure (DPHI) in March 2024. The Concept SSDA was placed on public exhibition between 12 March 2024 and 8 April 2024.

In total, 33 submissions were received. Of these, 26 submissions were received from the local community and community organisations and six submissions were received from organisations. A submission was also received from the City of Sydney Council (City of Sydney).

No submissions were received from Government agencies or authorities.

DPHI subsequently issued a letter to the Sydney Metro requesting a response to the matters raised in submissions received during the exhibition period. The letter is dated 10 April 2024.

This Submissions Report has been prepared to respond to issues raised in submissions received during the public exhibition period. Each of the submissions received have been collated and analysed and the relevant issues have been addressed. This Submissions Report also provides a response to the matters set out in DPHI's Request for Additional Information dated 10 April 2024.

This Submissions Report has been prepared in accordance with the DPHI *State Significant Development Guidelines – Preparing a Submissions Report (Appendix C)* (October 2022).

1.1 Sydney Metro West

Sydney Metro West has been approved as a staged critical State Significant Infrastructure (CSSI) application under section 5.20 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and comprises the following:

- The application for the concept and major civil construction work for Sydney Metro West between Westmead and The Bays, including station excavation and tunnelling, associated with the Sydney Metro West railway line (Concept and Stage 1 CSSI Approval) was approved on 11 March 2021.
- The application for all major civil construction and enabling works between The Bays and the Sydney CBD, including demolition, tunnelling, and station excavation for new metro stations associated with the Sydney Metro West railway line (Stage 2 CSSI Approval) was approved on 24 August 2022.
- The application for rail infrastructure, including fit-out of tunnels, construction, fit-out, and operation of metro stations and surrounding precincts and operation of the Sydney Metro West line (Stage 3 CSSI Approval) was approved on 26 January 2023.

This Submissions Report includes references to matters which will be addressed as part of the Stage 3 CSSI Approval, rather than as part of the Concept SSDA or Detailed SSDA for the OSD. As outlined above, the Stage 3 CSSI Approval includes the construction of the station boxes that include physical provisions to enable the future OSD. The podium built form up to the transfer slab level, site access, and public domain works are not part of this Concept SSDA or future Detailed SSDA(s) as the podium built form will be constructed under the Stage 3 CSSI Approval.

1.2 Exhibited project

The Concept SSDA seeks consent for a building envelope above the Pyrmont Station. The Concept SSDA, as exhibited in the EIS, seeks consent, pursuant to section 4.22 and 4.38 of the EP&A Act, for the following:

- maximum building envelope and built form parameters, including building setbacks
- maximum building height of RL120m
- use of areas within the podium for commercial and retail premises and spaces ancillary to residential accommodation
- a maximum GFA (excluding station GFA) of 23,463m² comprising:

- use of part of the podium to be constructed under the Stage 3 CSSI Approval for areas associated with commercial premises and spaces ancillary to the residential accomodation
- use of the tower envelope for residential accommodation
- a maximum 55 car parking spaces (including two car share spaces) and bicycle parking spaces

This Concept SSDA seeks consent for the maximum intended GFA for the site (excluding station GFA) of 23,463m². The indicative reference scheme demonstrates how a building could be established within the proposed building envelope while maintaining reasonable environmental amenity outcomes. The indicative reference scheme has a total GFA of 22,765m². The EIS and accompanying technical reports assess the impacts of the proposed development based on the maximum GFA sought by this Concept SSDA.

1.3 Supporting documentation

The structure and content of this Submissions Report is as follows:

- Chapter 1 – Introduction (this chapter)
- Chapter 2 – Analysis of submissions
- Chapter 3 – Actions taken during and since exhibition
- Chapter 4 – Response to submissions
- Chapter 5 – Additional assessment
- Chapter 6 – Updated project justification

This Submissions Report is supported by technical reports and documentation as outlined in Table 1-1.

Table 1-1 Supporting documentation

Appendix	Report
Appendix A	Updated submissions register
Appendix B	Updated mitigation measures
Appendix C	Solar analysis sketchbook
Appendix D	Addendum to Pedestrian Wind Assessment
Appendix E	Updated Noise and Vibration Report

2 Analysis of submissions

2.1 Breakdown of submissions

In total, 33 submissions were received. Of these, 32 submissions were received from the community, local community groups and organisations. A further submission was received by the City of Sydney.

A response to each of the issues raised in the submissions has been prepared. This section summarises the submissions and outlines the process undertaken to ensure submissions have been accurately responded to.

2.1.1 Government agency advice

No government agency or authority has lodged a submission to the proposed development.

2.1.2 Council submission

The City of Sydney made a submission commenting on the proposed development. Details of the issues raised in Council's submission, along with Sydney Metro's response, are set out in Section 4.

2.1.3 Organisation submissions

Six submissions were received from organisations, comprising the following:

- GoGet
- Urban Taskforce Australia
- AFIAA Australia
- APVC Ltd
- Aerotropolis Group Pty Ltd
- Owners Corporation SP 57970

Details of matters raised in these submissions and Sydney Metro's response are set out in Section 4. Of these six submissions, one was an objection, three were in support, and two provided comments.

2.1.4 Community submissions

26 submissions were received from the community and community groups. Of the community submissions, 15 objected, eight were in support and three provided comments. Details of the matters raised in community submissions, along with Sydney Metro's response, are set out in Section 4.

2.2 Categorising key issues

In accordance with DPHI *State Significant Development Guidelines*, issues raised in the submissions are summarised in Table 2-1 below. A response to submissions is provided in Section 4 of this report.

Table 2-1 Categorising key issues

Category of issue	Summary of issues raised	Issue raised
Scope of application	<p>The City of Sydney requests clarification as to the planning pathway and delivery of the podium structure and the OSD proposal.</p> <p>The City of Sydney requests refinement to the podium structure to resolve potential impacts resulting from the podium envelope.</p>	Council submission

Category of issue	Summary of issues raised	Issue raised
Secretary's concurrence	<p>The City of Sydney questions whether the concurrence of the Planning Secretary has been obtained to satisfy Clause 6.62 of the SLEP 2012 (relating to consideration of the Pymont Peninsula Infrastructure Delivery Plan).</p> <p>The City of Sydney requests clarification as to how the proposal improves the pedestrian environment to surrounding streets.</p>	Council submission
Building height	<p>The public submissions raise concern regarding impacts resulting from the proposed height of the tower, including overshadowing to existing buildings and the public domain and blocking views from existing buildings.</p> <p>A public submission raises concern that the proposed building will exceed the height of the Casino and overshadow Union Square.</p>	<p>Community submissions</p> <p>Organisation submissions (APVC Ltd and Owners Corporation of SP 57970)</p>
Building envelope	<p>The public and organisation submissions question the building setbacks given the scale and size of the proposed development.</p> <p>The City of Sydney question whether the reference scheme can be achieved within the proposed building envelope.</p>	<p>Community submissions</p> <p>Council submission</p> <p>Organisation submission (APVC Ltd)</p>
Inconsistency with SEARs	<p>A public submission requests that the design of the proposal should consider the future character of the locality and surrounding sites.</p>	<p>Community submission</p> <p>Organisation submission (AFIAA)</p>
Commercial floor space	<p>The public submissions question the quantum of commercial floor space proposed within the podium given the limited demand for office space in Pymont and the wider CBD.</p>	Community submissions
Impacts to residential amenity	<p>Concern is raised regarding potential impacts of the proposed development to the amenity of occupants and residents of adjoining buildings, including a loss of privacy, reflections, outlook, and overshadowing.</p> <p>The City of Sydney raises concern that the proposed reference scheme does not achieve the solar access design criteria of the ADG.</p>	<p>Community submissions</p> <p>Council submission</p> <p>Organisation submissions (APVC Ltd and AFIAA)</p>
Solar access to public open spaces	<p>The City of Sydney questions whether the proposed development achieves adequate solar access to Elizabeth Healey Reserve.</p>	Council submission
Maximum GFA	<p>The City of Sydney questions whether the proposed maximum gross floor area is achievable within the proposed envelope.</p> <p>The City of Sydney is concerned that the residential tower form would require an unachievably high floor plate efficiency to achieve the maximum residential GFA and that the GFA proposed would result in undue impacts on the amenity of the surroundings.</p>	Council submission

Category of issue	Summary of issues raised	Issue raised
Podium	The City of Sydney supports commercial uses within the podium and advocates for community / cultural spaces in the podium.	Council submission
BDAR Waiver	Concern is raised regarding the BDAR Waiver request and requests that a BDAR should be completed to assess local biodiversity values.	Community submission
Shared amenities	The public submissions recommend that the proposal includes end-of-trip facilities and sheltered bicycle parking spaces.	Community submissions
Wintergardens	The City of Sydney questions the rationale for wintergardens for the south and southeast facing apartments. If wintergardens are proposed to address acoustic or wind issues, further assessment should be undertaken.	Council submission
Wind impacts	The City of Sydney requests an assessment of wind conditions and amenity of the above podium external terrace areas, apartments, and rooftop communal open space.	Council submission
Street views	The City of Sydney recommends that the existing tree-lined view corridor along Harwood Street should be retained.	Council submission
Glazing	The City of Sydney raises concern with the extent of unshaded glazing. Heat loading will need to be addressed in the Detailed SSDA.	Council submission
Traffic and access	Concern is raised that the proposal would have negative impacts on the existing road network and car parking availability. The City of Sydney requests that an assessment of the proposed development includes traffic impacts from the existing and proposed future surrounding road network. The City of Sydney requests the Traffic and Access Report is amended with revised trip generation and vehicle growth assumptions.	Community submissions Council submission
Car parking	The community and organisation submissions question the proposed quantum of car parking spaces and recommend increased car parking provision. The City of Sydney questions the need to provide residential car parking given that the tower is directly above a Metro station. The City requests that servicing and loading areas should be sleeved by active uses (with the removal of unnecessary onsite car parking). An organisation submission (GoGet) recommends that the Concept SSDA approval should include provision of car share spaces.	Community submissions Council submission Organisation submission (APVC Ltd)
Vehicle access and loading	The City of Sydney raises concern with the proposed vehicle access arrangements which would result in vehicles queuing across the	Council submission

Category of issue	Summary of issues raised	Issue raised
	<p>footpath and into Edward Street and disrupting pedestrian and vehicle movement.</p> <p>The City requests that a reference scheme be provided that demonstrates how vehicles access can be safely and efficiently managed.</p> <p>The City requests that loading is prioritised over private car parking and is to be provided in accordance with the relevant requirements.</p>	
Waste management	<p>The City of Sydney requests that the reference scheme be revised to demonstrate that adequate waste management, storage, and collection arrangements can be accommodated on site to support the scale and density of the proposed development.</p> <p>The City cannot support private car parking if it inhibits adequate and effective waste management and servicing arrangements.</p>	Council submission
Security	<p>The public submissions raise concern with public safety issues and anti-social behaviour and recommend measures to ensure the safety and security of residents, workers, and visitors (including 24/7 police presence).</p>	Community submission
Trees and landscaping	<p>The City of Sydney requests clarification as to whether the existing street trees will be retained and protected as part of the proposed podium envelope and future detailed design (including awnings).</p> <p>The City requests that a future Detailed SSDA is to achieve the tree canopy target of 70 per cent for Regional Roads and 80 per cent for Local Streets as per the <i>Urban Forest Strategy 2023</i>.</p>	Council submission
Public domain	<p>The City of Sydney requests that the Detailed SSDA coordinate internal levels and connections to the public domain and ensure any flood levels are resolved within the site boundary without impeding the public domain.</p>	Council submission
Flooding and stormwater management	<p>The City of Sydney requests that the Concept SSDA should establish relevant flood planning levels and parameters for flood mitigation.</p> <p>A detailed Flood Assessment Report and Stormwater Management Plan will need to be submitted with the future Detailed SSDA.</p>	Council submission
Community consultation	<p>A public submission raises concern with the lack of community engagement in the planning of the development.</p>	Community submission
Affordable housing	<p>The public submissions are concerned that the proposal does not include affordable housing (in particular for key workers).</p>	Community submissions

3 Actions taken during and since exhibition

This section summarises the stakeholder and community engagement that has been undertaken during and following the exhibition period. It also outlines the additional assessment undertaken to respond to DPHI's Request for Additional Information.

3.1 Stakeholder and community engagement

Since the lodgement of the Concept SSDA, the following engagement with stakeholders and the community has been undertaken.

3.1.1 Community

The EIS and accompanying technical reports and plans were placed on public exhibition from 12 March 2024 to 8 April 2024. This provided stakeholders and the community with an opportunity to review the information, have their questions answered by Sydney Metro and, if they chose, prepare and make a submission to DPHI.

The EIS was made publicly available on DPHI's Major Projects website and on Sydney Metro's online interactive portal (www.sydneymetro.info/metrowest).

3.1.2 Consultation activities

Sydney Metro carried out the following consultation activities to support public exhibition of the EIS:

- Emails to interested parties to over 1,253 people
- Sydney Metro Connect App message to over 12,000 people
- Sydney Metro website updates
- Letterbox drops to 1,963 properties
- Place Manager outreach including meetings, phone calls, and emails to nearby stakeholders

3.1.3 Community information sessions

Sydney Metro hosted two community information sessions where displays and information about the EIS were available. These sessions were both held on 19 March 2024 at the Novotel Sydney, 100 Murray Street, Darling Harbour.

Members of the community were invited to attend these sessions, to meet expert members of the Sydney Metro West team and have any questions answered. Visitors were not required to make a booking and were able to drop in anytime within the advertised periods. There was a total of 20 visitors at the two community information sessions. At the information sessions, copies of the EIS and summary handout, and information boards were available for visitors to view.

Several information boards were presented around the room, such as an overview of Sydney Metro West and an overview of the Pyrmont Metro OSD.

3.1.4 Virtual community engagement

Sydney Metro launched an interactive portal to provide an informative and accessible way for the community to view and access the EIS and all other relevant project information. Community members were able to explore interactive maps and learn what to expect from the project. The portal displays information from the EIS and outlines of the proposed building envelope at the station. There were 8,871 visits to the interactive portal during the exhibition period. The interactive portal was also made available at community information sessions. An image of the interactive portal is provided at Figure 3-1.

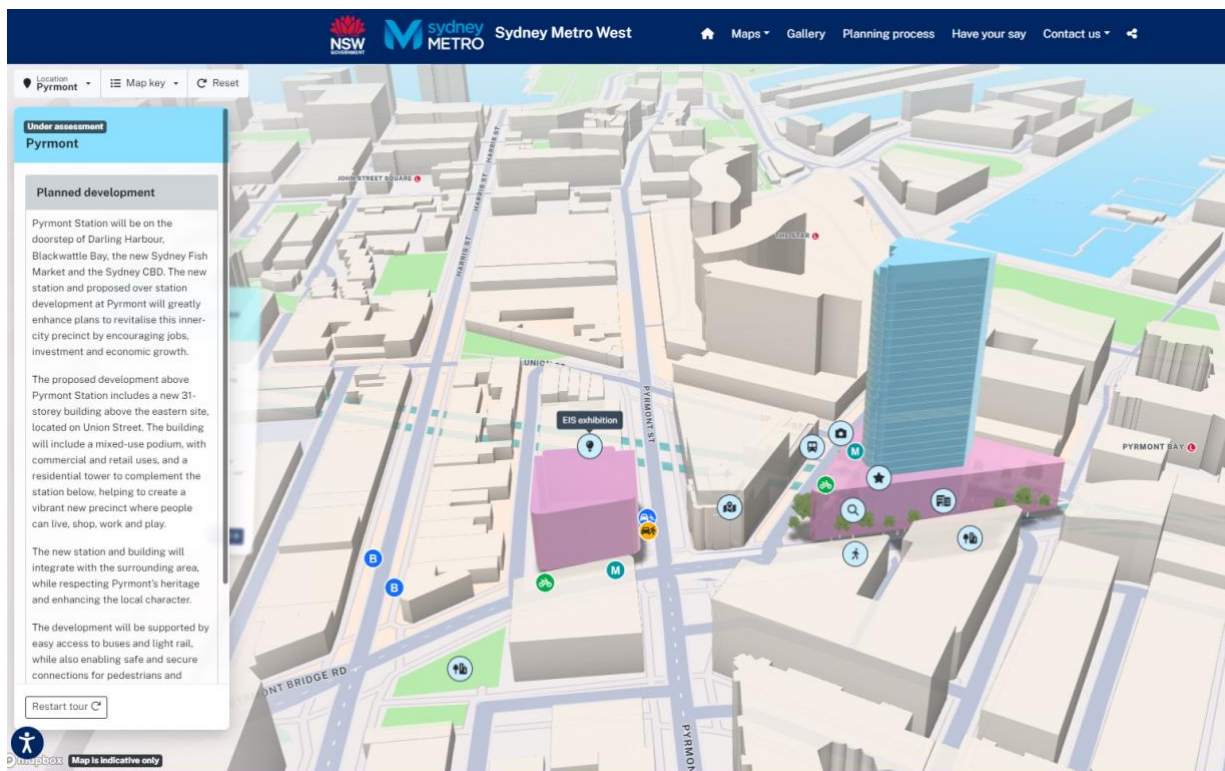


Figure 3-1 Extract of Interactive Portal

3.1.5 EIS Overview document

An overview of the EIS was prepared to support the community information session. This included:

- Information on Sydney Metro West and the Pyrmont Concept SSDA.
- A summary of the EIS assessment.
- An overview of the planning process.

3.1.6 Council

Sydney Metro provided an overview of the EIS and engagement strategy to the City of Sydney on 4 March 2024.

3.1.7 Government agencies

Further consultation has been undertaken with government agencies following lodgement of the Concept SSDA. This has included:

- Regular fortnightly meetings between Sydney Metro and DPHI, plus briefings to present a summary of the responses to submissions and the DPHI Request for Additional Information.
- Stakeholder Meetings with City of Sydney, Transport for NSW (Transport) and DPHI in April, May and July 2024 for preparation of the Active Transport Public Domain Study (ATPDS) required under Section 4.1.1 of the Pyrmont Peninsula Design Guidelines (PPDG).

3.2 Additional assessment

Since the exhibition of the Concept SSDA and the receipt of submissions and a request for additional information from DPHI, Sydney Metro has undertaken further assessment of the impacts of the project. The additional assessment is outlined in detail in Section 5.

4 Response to submissions

4.1 Local council submission

Table 4-1 includes a response to the City of Sydney Council submission. The full text of each submission is provided in the left-hand column, accompanied by the corresponding response in the right-hand column.

Table 4-1 Response to agency advice

Issued raised	Sydney Metro response
City of Sydney Council	
1. Scope of the application	
<p>The City acknowledges that the CSSI approval deals with the building envelope for the podium structure however does not deal with the use of the podium. It has not yet been confirmed whether delivery of the podium structure is intended to be made under the CSSI approval or whether this would be incorporated into a future detailed application.</p> <p>The requirement for the subject application to grant consent to the use of the podium demonstrates the need to also consider the proposed built form of the podium structure. The varying proposed uses within the proposed development, and the intensity of those uses, would likely dictate the eventual form of the podium structure. This submission also outlines various instances where refinement to the podium structure is considered necessary to resolve the likely impacts resulting should the podium envelope be developed to its maximum extent.</p> <p>Further, treatment of the podium and the tower forms separately may have undue impact where effectively one form has more work to do to mitigate the impacts caused by the other.</p> <p>The applicant should be required to outline the intended planning pathway more clearly for the delivery of the over station development.</p>	<p>The Concept SSSA seeks consent for a maximum building envelope above the Pymont Station. The building envelope comprises a three-dimensional tower volume established by a maximum building height and tower building setbacks.</p> <p>The podium structure has been established by a separate planning approval pathway, being the Stage 3 CSSI Approval. The podium structure parameters are established by street wall heights and building setbacks to adjoining streets. The Stage 3 CSSI Approval makes provision for over station development that could be built above the station (such as that sought by the subject Concept SSSA).</p> <p>The podium structure approved by the Stage 3 CSSI Approval responds appropriately to adjoining development, makes a significant contribution to the experience of place, and adds uniformity of character to Pymont streetscapes.</p> <p>Whilst the podium structure, including associated structural elements, utilities, and services for non-station uses, will be delivered under the Stage 3 CSSI Approval, consent for the use and internal layout of non-station spaces within the podium which are related to the proposed development is sought under this Concept SSSA.</p> <p>Although there are two planning pathways, as an integrated station development, the design of the podium and tower will be resolved concurrently. The interface between the metro station, the podium structure, and the proposed development presented in this Concept SSSA will be resolved through detailed design</p>

Issued raised	Sydney Metro response
<p>It is evident that the podium form should be subject to further consideration as part of the overall over station development.</p>	<p>refinement, with the final detailed design for the tower subject to to a future Detailed SSDA.</p> <p>This approach is consistent with the approvals for other Sydney Metro OSDs within the City of Sydney including Hunter Street Station (east and west) and Gadigal Station (north and south). Detailed design of the interface between the approved podium and the proposed OSD design will be considered by Sydney Metro West Design Review Panels (Design Excellence Evaluation Panel during procurement and Design Review Panel during detailed design) as set out in the Sydney Metro West Design Excellence Strategy.</p>
<p>2. Secretary's Concurrence</p>	
<p>Clause 6.62 requires the concurrence of the Planning Secretary to be obtained prior to consent being granted under the division. In deciding whether to grant concurrence the Planning Secretary must consider the Pymont Peninsula Infrastructure Delivery Plan.</p> <p>The City wishes to understand whether concurrence has been obtained at this stage and how the Peninsula Infrastructure Delivery Plan was considered.</p>	<p>Under clause 6.62 (1) of the SLEP 2012, development consent must not be granted unless the consent authority has obtained concurrence of the Planning Secretary. The <i>Summary of concurrence and referral changes</i> (DPHI) identifies that where a statutory requirement for a concurrence is triggered under a local environmental plan, the consent authority refers the development to the relevant concurrence authority.</p> <p>However, section 4.13(2A) of the EP&A Act switches off concurrence provisions in Environmental Planning Instruments (EPIs) with respect to State Significant Development (SSD) unless the EPI provision specifically provides that it applies to SSD. Clause 6.62 of the SLEP 2012 does not provide that it applies to SSD; accordingly there is no requirement for concurrence.</p> <p>The Pymont Peninsula Infrastructure Delivery Plan (IDP) has been prepared to identify infrastructure priorities needed to support the implementation of the Pymont Peninsula Place Strategy. The IDP provides information on what infrastructure is needed (local and state infrastructure priorities and opportunities), when it is needed (staging and priorities), how it can be delivered (funding and delivery mechanisms), and who could deliver it (developers, state agencies, local authorities etc).</p> <p>Appendix A of the IDP contains a detailed draft infrastructure delivery schedule with additional information for each infrastructure item. Where the infrastructure item is proposed to be delivered by a state agency, details of the specific agency responsible for delivery is included. Item T23 of Appendix A states that Sydney Metro is the sole authority responsible for delivery of Pymont Station.</p>

Issued raised	Sydney Metro response
	<p>The IDP identifies next steps for Sydney Metro to include continued planning for the delivery of the Pyrmont Station and supporting infrastructure including pedestrian connections and public domain upgrades. The metro station including the podium built form and public domain works will be delivered under the Stage 3 CSSI Approval and not as part of the Concept SSDA or a future Detailed SSDA.</p> <p>The IDP acknowledges that much of the infrastructure identified as being needed to support the implementation of the Pyrmont Peninsula Place Strategy is local infrastructure that the City of Sydney is responsible for delivering and / or owning and managing. The primary delivery mechanism available to councils to fund and deliver local infrastructure in NSW is local infrastructure contributions.</p> <p>Local contributions required as part of a future Detailed SSDA would be subject to the City of Sydney Development Contributions Plan 2015. A condition of consent will be applied to levy for increased local services and infrastructure, based on the calculated increase in net population (residents, workers and overnight visitors). The population increase will then be multiplied by the indexed contribution rate (per resident, worker, or visitor). The rate will also be indexed at the time of payment using the Consumer Price Index (CPI) for Sydney, in accordance with section 2.2 of the City of Sydney Development Contributions Plan 2015.</p> <p>A future Detailed SSDA will also be subject to the contribution requirements for affordable housing under section 7.32 of the EP&A Act and clause 7.13 of SLEP 2012. Pursuant to clause 7.13(2A) of the SLEP 2012 the affordable housing levy for a proposed development on the site would be calculated based on three per cent of the total floor area of the development intended to be used for residential purposes, and one per cent of the total floor area of the development intended to be used for non-residential purposes.</p>
<p>Sections 4.1.1 and 5.1.1 of the Pyrmont Peninsula Design Guidelines require Transport for NSW to undertake an active transport routes and public domain improvement study. Given that all streets that front the site are City streets, the study should be undertaken in collaboration with the City.</p>	<p>The Active Transport and Public Domain Study (ATPDS) has been prepared by Sydney Metro in consultation with the City of Sydney Council, Transport, DPHI, and Government Architect NSW. The ATPDS has been developed in accordance with the Pyrmont Peninsula Design Guidelines.</p>

Issued raised	Sydney Metro response
<p>An objective of the Pymont Peninsula Design Guidelines relevant to each Pymont Metro site is to improve (and potentially widen) the pedestrian environment on surrounding streets, as supported by an active transport routes and public domain improvement study. It is unclear how this is intended to be achieved at this stage.</p> <p>The reference scheme appears to contemplate this by including a slight set back to the Pymont Bridge Road site boundary, potentially to accommodate footpath widening and tree planting however without the preparation of the study this nominal setback is considered premature.</p> <p>Further, the concern outline above regarding the construction of the podium under a separate application (CSSI) would limit the implementation of the findings of the study.</p>	<p>The built form of the podium and associated public domain works are not part of the Concept SSDA or a future Detailed SSDA. Any public domain upgrades associated with the operation of the Pymont Station will be delivered under the Stage 3 CSSI Approval.</p> <p>The ATPDS explores public domain scenarios defined in the Pymont Peninsula Design Guideline for the wider Pymont Station precinct. The ATPDS demonstrates that the future Pymont Station design can interface with all scenarios. The ATPDS does not determine responsibility or delivery pathways for public domain improvements. Any public domain improvements associated with wider precinct enhancements will be led by the City of Sydney Council and funded through relevant infrastructure contributions/ levies.</p>
<p>3. Maximum Gross Floor Area</p>	
<p>The submitted reference scheme does not adequately demonstrate that the proposed development, as described in the Stage 1 concept application, can be reasonably achieved within the proposed envelope, whilst having regard to the Pymont Peninsula Design Guidelines and the Apartment Design Guide.</p>	<p>The concept proposal delivers an envelope which will allow for a high-quality design of a future building form. The building envelope massing responds to the future desired character of Pymont and the urban grain and scale of adjoining buildings, heritage items, and heritage conservation areas. The EIS demonstrates that a future detailed proposal could comply with the relevant planning framework including Chapter 4 of the Housing SEPP, the Pymont Peninsula Design Guidelines, and Apartment Design Guide.</p> <p>The building envelope of the tower is consistent with the development standards in the SLEP 2012 and the design and massing parameters set out in the Pymont Peninsula Design Guidelines. Specifically, the building envelope has a maximum building height of RL120 and is setback eight metres to Union Street, eight metres to Edward Street, and six metres to Pymont Bridge Road.</p> <p>The Built Form and Urban Design Report (EIS Appendix E) and indicative reference scheme (EIS Appendix H) demonstrate a potential development outcome which may be achieved in the building envelope above the metro station.</p> <p>The Housing SEPP Assessment Report (EIS Appendix J) demonstrates the compliance of the indicative reference scheme with the Apartment Design Guide.</p>

Issued raised	Sydney Metro response
<p>The proposed maximum gross floor area (GFA) appears unachievable within the proposed building envelope. It is more difficult to quantify within the podium, but the residential tower form would require an unachievably high floor plate efficiency to achieve the maximum residential GFA sought under this application.</p> <p>The provision of such a high allocation of floor space, whilst albeit set as a maximum, would invite the future developer into an unreasonable sense of entitlement. The result potentially being a bloated building form that attempts to exceed approved controls, absent of any appropriate articulation or modulation, and causing undue impacts on the amenity of the surrounding area.</p> <p>It is recommended that the maximum GFA approved under this application be proportionally reduced to reflect a development that could reasonably be achieved within the proposed building envelope, having regard to the proposed use and amenity of the building and the resulting amenity impacts on the surrounding development and public domain.</p>	<p>The proposed development provides a maximum GFA of 23,463m² (excluding any Stage 3 CSSI GFA). Based on a site area of 2,607m², the maximum GFA is compliant with the maximum FSR for the site (9:1), excluding floor space used for the purposes of rail infrastructure facilities, under clause 6.65 of the SLEP 2012.</p> <p>The indicative reference scheme (EIS Appendix H) presents a potential future development form which could be delivered within the building envelope proposed by the Concept SSDA. The intent of the indicative reference scheme is to demonstrate how a building could be established within the proposed building envelope while maintaining reasonable environmental amenity outcomes, achieving a functional floor plate, and enabling integration with the structural and servicing requirements of the metro station. No approval is sought for the indicative reference scheme.</p> <p>The indicative residential floor plates contained in the Built Form and Urban Design Report (EIS Appendix E) illustrate how the proposed building envelope could accommodate high quality residential apartments within the tower.</p> <p>The ultimate GFA for the commercial, retail, and residential uses will be subject to detailed design development, including consideration of floor plate efficiency.</p>
4. Solar Access	
<p>Residential tower</p> <p>The proposed reference scheme struggles to achieve design criteria 4A-1 1. of the Apartment Design Guide requiring living rooms and private open space of at least 70 per cent of apartments in a building to receive a minimum of 2 hours of direct sunlight between 9am and 3pm in mid-winter.</p> <p>The orientation of the residential tower form, rotated slightly to the east, reflective of the street layout, makes it difficult for the east facing apartments to achieve a minimum of 2 hours solar access to living areas. The glass line in the reference scheme sits behind the private open space and therefore the living area is shielded by the balconies and the facade.</p>	<p>The indicative reference scheme demonstrates that a potential development outcome within the building envelope is capable of achieving a minimum of two hours sunlight to living areas and private open spaces of 70 per cent of dwellings. The indicative reference scheme also demonstrates that a potential development outcome allows all apartments to receive the minimum required direct sunlight.</p> <p>The Built Form and Urban Design Report (EIS Appendix E), indicative reference scheme (EIS Appendix H), and Housing SEPP Assessment Report (EIS Appendix J) demonstrates the compliance of the indicative reference scheme with the ADG.</p> <p>The Concept SSDA does not seek consent for the indicative reference scheme.</p> <p>The future Detailed SSDA will need to demonstrate compliance with the relevant planning framework including Chapter 4 of the Housing SEPP and the ADG.</p>

Issued raised	Sydney Metro response
<p>The Solar Access Report (Appendix M) does not identify or test the Solar Access Plane (SAP) to Elizabeth Healey Reserve to the south-west of the site. The Pymont Peninsula Place Strategy – Urban Design Report identifies the SAP requiring developments to ensure that there would be no additional overshadowing between 10am and 2pm in mid-winter.</p> <p>This is given weight under this application as Section 4.2.2.2.c of the Pymont Peninsula Design Guidelines requires:</p> <p><i>“Maximum street wall and buildings heights are to respond to adjacent and surrounding development, and:</i></p> <p>...</p> <p><i>c. ensure no additional overshadowing to Elizabeth Healy Reserve”</i></p> <p>A 3D electronic model has been requested to enable testing to be undertaken to confirm the SAP is not broken by the proposed building envelope. A section provided through the building appears to exceed the SAP as shown in figure 1 below.</p>	<p>The project architect has prepared a 3D CAD model to demonstrate the extent of overshadowing to Elizabeth Healey Reserve (RTS Appendix C). The 3D model confirms that the proposed development does not result in any additional overshadowing to Elizabeth Healey Reserve at the relevant times. Whilst there is an exceedance of the sun access plane, this does not result in any additional overshadowing to the Reserve due to that part of the Reserve already being overshadowed at that time by the existing Woolshed Building (137 Pymont Street).</p> <p>The additional shadow diagrams provided in Appendix C identify overshadowing impacts to the Elizabeth Healey Reserve including a portion of the adjoining road reserve (Gipps Street) which may be used for future expansion of the Reserve.</p> <p>Specifically, the additional shadow diagrams identify:</p> <ul style="list-style-type: none"> • the proposal’s overshadowing at 5-minute intervals at mid-winter between 10am and 10:20am • the boundaries of the Elizabeth Healey Reserve (including the portion of the adjoining road reserve (Gipps Street) which may be used for future expansion of the Reserve) • sun’s eye views with the boundaries of the Reserve. <p>The additional shadow diagrams confirm that the proposed development does not result in any additional overshadowing to the Elizabeth Healey Reserve within the prescribed periods, including to the portion of the adjoining road reserve (Gipps Street).</p>

Issued raised	Sydney Metro response
<p>Minimising over shadowing to neighbouring properties</p> <p>Section 4.2.2.2 of the Design Guidelines requires:</p> <p><i>“Maximum street wall and buildings heights are to respond to adjacent and surrounding development, and:</i></p> <p>...</p> <p><i>b. ensure adequate solar access is provided to existing residential dwellings, in accordance with the Apartment Design Guide (Department of Planning and Environment 2015)”</i></p> <p>Relevantly, Objective 3D-1 of the Apartment Design Guide relates to overshadowing of neighbouring residential properties and states:</p> <p><i>“Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%.”</i></p> <p>The Solar Access Report (Appendix M) incorrectly establishes the parameters to assess overshadowing to neighbouring residential flat buildings.</p> <p>The Solar Access Report states that the number of dwellings receiving compliant solar access would not be reduced by more than 20 per cent regardless of whether the buildings currently comply with the design criteria in Objective 4A. However, the ADG intends to protect solar access to apartments within adjoining developments by ensuring that the existing amount, expressed as time, of solar access is not reduced by more than 20 per cent.</p> <p>The Solar Access Report should be revised in accordance with the City’s draft Minimising overshadowing of neighbouring apartments guidelines. Additionally, the associated data table should be populated and provided.</p> <p>Should the revised assessment demonstrate that the proposed development does not reasonably minimise overshadowing to neighbouring apartments, then it is recommended that further refinement to the bulk and massing of the podium and tower would be</p>	<p>The Solar Access Study prepared by Walsh Architects (EIS Appendix M) provides a detailed overshadowing assessment to six surrounding residential properties. The Study has been undertaken in accordance with solar access and overshadowing modelling parameters established by industry practice, relevant case law, and the objectives, design criteria, and design guidance of the ADG.</p> <p>The ADG provides that consideration must be given to the function and hierarchy of the objectives, design criteria, and design guidance. Relevantly, the ADG (at page 11) states that the topic areas of Parts 3 and 4 are structured to provide:</p> <ul style="list-style-type: none"> • objectives that describe the desired design outcomes • design criteria that provide measurable requirements for how an objective can be achieved • design guidance that provides advice on how the objectives and design criteria can be achieved through appropriate design responses, or in cases where design criteria cannot be met <p>Further, the ADG (at page 11) includes the following guidance:</p> <p><i>“The key to working with Parts 3 and 4 is that a development needs to demonstrate how it meets the objective and design criteria. The design criteria set a clear measurable benchmark for how the objective can be practically achieved. If it is not possible to satisfy the design criteria, applications must demonstrate what other design responses are used to achieve the objective and the design guidance can be used to assist.”</i></p> <p>In short, the ADG provides a clear assessment direction that a development needs to demonstrate how it satisfies relevant objectives and design criteria. The purpose of the design guidance is to assist in demonstrating how an objective <u>may</u> be achieved through a particular design approach.</p> <p>Recent case law has considered the interpretation and hierarchy of these ADG aspects, with relevant findings as follows:</p> <ul style="list-style-type: none"> • In <i>Huajun Investments Pty Ltd v City of Canada Bay Council (No 3) [2019] NSWLEC 42 at [297]</i> – “the ADG guidelines do not have the status of development standards and strict compliance is not, in any fashion, mandated”

Issued raised	Sydney Metro response
<p>required. The proposed building envelope should be robustly tested to ensure that the future detailed development can comply with this requirement.</p>	<ul style="list-style-type: none"> • In <i>Construction Development Management Services Pty Ltd v City of Sydney [2023] NSWLEC 1620</i> at [52] – “the [design] criteria is not, of itself, a development standard but one means of achieving the objective of ... the ADG” <p>These findings in recent case law underline that strict compliance with the design criteria and design guidance of the ADG is not mandatory to demonstrate that an objective is achieved. Satisfying a particular design criteria or design guidance is only one way to demonstrate that a development achieves the objective.</p> <p>Further, it must also be noted that the Housing SEPP (being the environmental planning instrument under which the ADG operates) further defines the function of design criteria in the ADG. Specifically, Clause 147 only requires a consent authority to consider the ADG, with Clause 147(1) stating:</p> <p style="padding-left: 40px;"><i>“(3) To avoid doubt, [this clause] ... does not require a consent authority to require compliance with design criteria specified in the Apartment Design Guide.”</i></p> <p>In the instance of the proposed development:</p> <ul style="list-style-type: none"> • The Solar Access Analysis demonstrates that the development achieves the Objective of 3B-2 to minimise overshadowing to neighbouring properties. • There are no design criteria for how Objective 3B-2 can be achieved. • The Solar Access Analysis demonstrates consistency with relevant design guidance to Objective 3B-2, specifically that “Living areas, private open space and communal open space should receive solar access in accordance with sections 3D Communal and public open space and 4A Solar and daylight access”. This is summarised as follows: <ul style="list-style-type: none"> ○ Objective 3D-1 includes design criteria that development is to achieve a minimum of 50 per cent direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter). [Whilst the ADG does not provide guidance as to the level of shadow impact that is suitable onto neighbouring communal open space, it is considered that if this threshold is met then suitable communal open space solar amenity is maintained]. The Solar Access Analysis demonstrates that at a minimum 4 hours solar access is

Issued raised	Sydney Metro response
	<p>achieved to at least 50 per cent of communal open rooftop spaces to nearby residential apartment buildings.</p> <ul style="list-style-type: none"> ○ Objective 4A-1 includes a design criterion which provides that “living rooms and private open spaces of at least 70 per cent of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter”. The requirement to address Objective 4A-1 is called up by design guidance to Objective 3B-2. Where solar access is reduced, another design guidance to Objective 3B-2 states that “Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20 per cent”. It is noted that this design guidance does not state that the amount of solar access is ‘expressed as time’. This design guidance to Objective 3B-2 must also frame the level of compliance with the design criterion to Objective 4A-1. <p>The Solar Access Analysis demonstrates that the development does not reduce the number of units within nearby properties which receive 2 hours of solar access by more than 20 per cent. Four residential buildings experience a reduction in the number of units which receive 2 hours of solar access to their living room between 9am-3pm. These reductions are 16.5 per cent (1-5 Harwood Street), 10.8 per cent (17-21 Pyrmont Bridge Road), 9.1 per cent (32-34 Bunn Street), and 8.9 per cent (1-9 Pyrmont Bridge Road). The development is compliant with this design criteria in that the solar access to adjoining residential properties is not reduced by more than 20 per cent.</p> <ul style="list-style-type: none"> ○ Objective 4A-1 includes a design criterion which provides that a maximum of 15 per cent of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter. Two residential buildings experience a reduction in the number of units which receive no direct sunlight. The resultant number of apartments receiving no direct sunlight at 1-5 Harwood Street is 14 per cent, and at 32-34 Bunn Street is 4.5 per cent. The development is compliant with the design criteria of Objective 4A-1 in that the number of apartments in a building which receive no direct sunlight between 9 am and 3 pm at mid-winter does not exceed 15 per cent.

Issued raised	Sydney Metro response
	<p>The Study demonstrates that the proposed development satisfies Objective 3B-2 and is consistent with relevant design criteria and design guidance in the ADG.</p> <p>As a final consideration, it is noted that the City of Sydney’s <i>Minimising overshadowing of neighbouring apartments guidelines</i> is a draft guidance note prepared in December 2019. The document is in draft form and has not been reported to or formally adopted by the City of Sydney as policy. The document is also not referred to in or called up by any relevant environmental planning instrument (EPI), including the SLEP 2012 or the Housing SEPP. Accordingly, the draft <i>Minimising overshadowing of neighbouring apartments guidelines</i> have no statutory planning policy weight in the assessment of the subject Concept SSDA.</p>
5. Street Views	
<p>The existing tree-lined view corridor along Harwood Street looking towards the north towards the water should be retained. The eastern corner of the podium should be pulled back behind the prevailing building line along the western side of Harwood Street. Objective 4.1 g) of the Pymont Peninsular Design Guidelines.</p> <p>It should be noted that other development controls are proposed as part of the Pymont Peninsula Place Strategy which would support the retention of the view corridor further to the north.</p>	<p>The Harwood Street View Corridor was introduced in a planning proposal (PP-2024-376) submitted by the City of Sydney to amend the SLEP 2012 for land in Ultimo and Pymont. The planning proposal seeks to facilitate development consistent with the Pymont Peninsula Place Strategy, including 1,150 new homes and 6,000 new jobs. The planning proposal was submitted to DPHI in December 2023 and received Gateway determination on 17 July 2024.</p> <p>The Harwood Street View Corridor is referenced in the draft Development Control Plan which supports the planning proposal. The stated intent of the view corridor is to protect and enhance an identified public view corridor from Bunn Street to Pirrama Road and the Harbour beyond. The planning proposal acknowledges that the approved built form for the Pymont Station site partially obstructs this view corridor, as the point on the corner of Union Street and Pymont Bridge Road extends into the view corridor when viewed from Harwood Street on the other side of Pymont Bridge Road.</p> <p>The portion of the Pymont Station which partially obstructs the Harwood Street View Corridor relates to the podium. The podium built form is not part of the Concept SSDA or a future Detailed SSDA as it has been designed and will be constructed under the Stage 3 CSSI Approval. The street wall and heights of the podium established by the Stage 3 CSSI Approval are designed to ensure that the built form responds appropriately to adjoining development, makes a significant contribution to the experience of place, and adds uniformity of character to</p>

Issued raised	Sydney Metro response
	<p>Pymont streetscapes. This Concept SSDA does not seek to amend or reduce the podium extent as established by the Stage 3 CSSI Approval.</p> <p>Sydney Metro will continue to investigate the design and built form of the podium in accordance with the place specific design guidance in the Sydney Metro West Station and Precinct Design Guidelines. Condition E56 of the Stage 3 CSSI Approval requires that metro station precincts be designed in consultation with Council. Outcomes of detailed design and consideration of the Station and Precinct Design Guidelines will be documented in the Station Design and Precinct Plans as required under Condition E71 and E72 of the Stage 3 CSSI Approval.</p> <p>Condition E51 of the Stage 3 CSSI Approval requires that the CSSI element (including the built form of the podium) is designed with consideration of relevant land use changes, masterplans and initiatives, where this information is known and / or available. This information would be submitted to the Sydney Metro West Design Review Panel during detailed design, to assist its review.</p> <p>Notwithstanding the above, objective 4.1 (g) of the Pymont Peninsula Design Guidelines seeks to maintain generous view corridors between buildings and minimise adverse visual impacts from the water and surrounding public domain. The proposed development is compliant with the applicable statutory planning controls and built form parameters, with regards to tower building heights and setbacks. As assessed in the Visual Impact Assessment (EIS Appendix P), the proposed development maintains generous view corridors between buildings and minimises adverse visual impacts.</p>
6. Wind	
<p>The <i>Pymont Peninsula Design Guidelines</i> establishes the wind comfort level to be achieved within the public domain based on the intended use of outdoor spaces surrounding the building. The Pedestrian Wind Assessment (Appendix O) identifies multiple points where the wind speed would exceed the relevant comfort levels and therefore precludes locations being used for outdoor dining or building entries etc. The location of building entries should be considered having regard to the likely wind comfort levels. No assessment was provided for the indicative through-sitelink.</p>	<p>As discussed in section 4.3.1 of the Pedestrian Wind Assessment (EIS Appendix O), due to the location of the proposed development, a walking criterion has been assigned for the region around the building. This criterion has been assigned as there are no indicated areas where a pedestrian is expected to linger for long periods of time, either standing or sitting. If this is to be changed (for instance if an outdoor café seating area is delivered around the base of the development), the walking criterion will need to be updated to reflect this design change. Further assessment will be undertaken as part of a future Detailed SSDA(s).</p> <p>The design and alignment of the through-site link is indicative only and subject to detailed design. Further investigation of the wind conditions for the ground level,</p>

Issued raised	Sydney Metro response
	<p>including a through-site link and building entries for OSD related spaces within the podium, will be undertaken part of the future Detailed SSDA(s), once the wind mitigation measures are established under the Stage 3 CSSI Approval, as documented through the Station Design and Precinct Plans (SDPPs) required under the Conditions of Approval. A future Detailed SSDA(s) will include updated wind modelling and mitigation measures for the final building design.</p>
<p>The Assessment outlines various mitigation measures to improve the pedestrian wind comfort levels. The use of any physical screens or the like mounted within or projecting into the public domain would be objected to by the City.</p>	<p>Mitigation measures and treatments for wind impacts at the podium and associated public domain would be developed and delivered under the Stage 3 CSSI Approval. The Sydney Metro West Station and Pyrmont Precinct Design Guidelines discuss principles and design requirements relating to the wind impacts and mitigation. For example, the Guidelines require that wind mitigation devices such as impermeable canopies, awnings, pergolas and trees are to be incorporated where there is potential for significant wind downwash from buildings and where required to achieve the relevant wind comfort and/or safety criteria. The Guidelines also provide guidance for the design of wind mitigation devices, such as solar access, and compatibility with the context.</p> <p>Mitigation measures and treatments for wind impacts will be designed in consultation with City of Sydney and documented through the SDPP as part of Stage 3 CSSI Approval. The Detailed SSDA(s) will consider these wind and weather protection measures provided under the Stage 3 CSSI Approval to ensure the design of weather and wind protection measures and site entrances are considered holistically and are integrated.</p> <p>The Detailed SSDA will identify wind mitigation measures for the external terraces above podium, residential apartments, and rooftop communal open spaces.</p>
<p>The Assessment is also limited to the pedestrian environment and no assessment has been provided with respect to the wind conditions and amenity of the above podium external terrace areas, apartments, or rooftop communal open space.</p>	<p>An Addendum to the Pedestrian Wind Assessment (RTS Appendix D) has been prepared to include additional assessment of wind comfort levels and conditions to the above podium external terrace areas and rooftop communal open space. Additional assessment of apartments and associated balconies is not required at the Concept SSDA stage, as these design features will form part of the detailed design in a future Detailed SSDA.</p> <p>The Detailed SSDA will identify wind mitigation measures for the above podium external terrace areas, apartments, and rooftop communal open space.</p>

Issued raised	Sydney Metro response
<p>The proposed building envelope is likely to influence the wind environment and therefore should be understood as part of the assessment of this concept application. The proposed building envelope may need to be modified to address the predicted wind conditions. The use of winter-gardens to mitigate adverse wind impacts should be as a last resort only.</p>	<p>A wind tunnel study was conducted as part of the Pedestrian Wind Assessment (EIS Appendix O) to assess wind conditions at the site and nearby surrounding environment. Wind speeds around the development have been assessed against the Pyrmont Peninsula Design Guidelines and Sydney Development Control Plan wind criteria to ensure compliance with local requirements.</p> <p>The Assessment found that nine of the tested locations are likely to exceed the specified criteria and therefore further mitigation measures will be required. However, it was found that five of these locations already exceeded the walking criterion for the baseline investigations and therefore there are only four new exceedances. It is important to note that the proposed development also reduces the expected wind speed at several locations which means that five locations that were exceeding the proposed criterion no longer pose a comfort wind risk. In addition, there are no expected safety wind speed exceedances.</p> <p>A specific wind design response for the building as a whole will be coordinated between a future Detailed SSDA and the SDPP. Any reference to wintergardens within the indicative reference scheme is for indicative purposes only. The Concept SSDA does not seek consent for the indicative reference scheme.</p>
<p>Awnings should be provided for weather protection to all frontages.</p>	<p>The Detailed SSDA(s) will consider the wind and weather protection of entries to the OSD and reflect the detail of the awnings to be provided under the Stage 3 CSSI Approval to ensure awnings are considered holistically and are integrated.</p>
<p>7. Wintergardens</p>	
<p>The reference scheme includes winter gardens for the south and southeast facing apartments although does not provide any rationale as to why these have been included or are required.</p> <p>Should this be due to potential road noise impacts, an acoustic report should be provided to establish the parameters for acoustic comfort that are required to be achieved for the proposed apartments within the development.</p>	<p>The indicative reference scheme (EIS Appendix H) includes indicative floor plates to illustrate one potential design option for residential apartments and associated private open space within the tower. Any reference to wintergardens within the indicative reference scheme is for indicative purposes only. The Concept SSDA does not seek consent for the indicative reference scheme.</p> <p>The size and configuration of private open spaces (including any wintergardens) will be determined through the detailed design process in the Detailed SSDA.</p>

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<p>Alternatively, should these balconies be considered wind-affected, then this should be demonstrated and considered with respect to the proposed maximum GFA noting the potential exclusion outlined in Clause 4.5A in SLEP 2012.</p>	<p>The total GFA of the proposed development under a future Detailed SSDA will be calculated in accordance with the relevant statutory planning definition of 'gross floor area' in the SLEP 2012, including Clause 4.5A.</p>
8. City's Design Advisory Panel	
<p>The application was referred to the City's Design Advisory Panel for consideration. A summary of issues raised by the Panel is provided below:</p> <ul style="list-style-type: none"> • Overshadowing to adjoining residential properties is a significant community issue and the Panel agreed that solar access should be calculated in comparison to existing solar access. 	<p>The Solar Access Analysis Study (EIS Appendix M) provides a detailed assessment of the overshadowing impacts of the proposed development on six surrounding residential properties. The Study was prepared in accordance with relevant statutory planning policy, recent case law, and established industry practice. The Analysis demonstrates that the proposed development satisfies and is consistent with the relevant objectives, design criteria, and design guidance of the ADG in relation to solar access to neighbouring properties.</p>
<ul style="list-style-type: none"> • The Panel did not support wind impacts that exceed the relevant wind comfort levels around the station entry. 	<p>Mitigation measures to address pedestrian wind comfort levels within the public domain (including the station entry) will be coordinated through detailed design and documented in the SDPPs as part of the Stage 3 CSSI Approval and do not form part of this Concept SSDA.</p>
<ul style="list-style-type: none"> • There appears to be too much podium inactivity on too many facades. The Panel recommended that the design competition brief highlight the need for façade activation. 	<p>The podium built form has been established by the Stage 3 CSSI Approval and not this Concept SSDA. It has been designed to support a range of future commercial uses (such as office, business, and retail premises) that will cater for the needs of the future community, ensure activation throughout the day and evening, and contribute vibrancy to the Pyrmont centre and create lively and safe spaces for pedestrians. The podium form is consistent with the Pyrmont Peninsula Design Guidelines.</p> <p>The podium has been designed to integrate with the public domain vision for the precinct to create active street frontages to Pyrmont Bridge Road and Union Street at the human scale. The ground level retail tenancies provide an active frontage to Union Street and target east-west foot traffic. The form of the podium prioritises activation to the Pyrmont Bridge Road and Union Street frontages. Edward Street is a service frontage which prioritises loading and car parking.</p> <p>Ongoing design development for the integrated station development at Pyrmont Station will address the requirement to provide active frontages and façades within</p>

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	the podium. The final design of the podium and station elements would be detailed in the SDPP for Pyrmont Station (as required to satisfy Condition E70 of the Stage 3 CSSI Approval) and considered in future Detailed SSDA(s).
<ul style="list-style-type: none"> • The car lifts are likely to create queueing on the street. The Panel supported the City’s ongoing advocacy for removing private car parking in this development and recommended that the SW corner of the podium is further refined for improved functionality of loading and servicing. 	<p>The intent of the indicative reference scheme is to demonstrate how a building could be established within the proposed envelope while maintaining reasonable environmental amenity outcomes. The indicative reference scheme (EIS Appendix H) includes an indicative car lift scenario for the proposed development. Notwithstanding, as detailed in the Traffic and Access Report (EIS Appendix R), two vertical transport solutions (a car lift and car stacker system) are being investigated. These will require further design and resolution within a future Detailed SSDA to determine the preferred system. Access to / from both systems would be via Edward Street, through a separate entrance to the north of the loading dock driveway.</p> <p>The functionality of loading and servicing arrangements within the podium will be subject to detailed design consideration in the future Detailed SSDA.</p>
<ul style="list-style-type: none"> • The through-site link should connect to a station entry in some way. At a minimum it should address pedestrian desire lines that connect the station to the broader precinct. 	<p>The design and alignment of a through-site link is indicative only. The internal design and configuration of the through-site link will be subject to detailed design consideration in the future Detailed SSDA. The detailed design will seek to leverage the existing built environment to channel natural pedestrian movement into desired areas of the precinct and the tower footprint.</p>
<ul style="list-style-type: none"> • Footpath widening should provide sufficient space for street tree planting and deep soil, as well as accommodate future pedestrian volumes. 	<p>The landscape design and public domain of the metro station precinct will be delivered under the Stage 3 CSSI Approval. This includes any refinements to the footpaths around the metro station site frontages to accommodate street tree planting, deep soil planting, and future pedestrian activity. The final landscape design of the public domain would be detailed in the SDPP (as required to satisfy Condition E70 of the Stage 3 CSSI Approval).</p>
<ul style="list-style-type: none"> • Acoustic measures for apartments facing Pyrmont Bridge Road in accordance with an acoustic report should be resolved prior to the design competition. 	<p>The Noise and Vibration Report (EIS Appendix T) identifies acoustic mitigation measures to ensure operation noise and vibration requirements and criteria are satisfied. External noise intrusion to the residential apartments will be controlled by the acoustic performance of the façade. The Noise and Vibration Report provides external glazing recommendations which are assessed as achievable.</p>

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	<p>The recommended mitigation measures provided in the Noise and Vibration Report would be reviewed and refined as part of the Detailed SSDA to ensure that operational noise and vibration requirements and criteria are satisfied.</p>
<ul style="list-style-type: none"> • There is an opportunity to create a landmark at this site. Form and siting of the development should consider the local context, history, and connections to the broader precinct. 	<p>The building envelope proposed by the Concept SSDA has been designed to satisfy the design excellence provisions of clause 6.21C of the SLEP 2012. Notwithstanding, the detailed design of the proposed development will be the subject of a future Detailed SSDA. As part of the future Detailed SSDA, the detailed design, built form, and siting of the development will take into consideration the local context, history, and connections to the wider Pyrmont Peninsula.</p> <p>A future Detailed SSDA will be undertaken in accordance with the Sydney Metro West Design Excellence Strategy to ensure design integrity and 'design excellence' has been achieved under clause 6.21C of the SLEP 2012.</p>
<ul style="list-style-type: none"> • The Panel recommended that any competition brief must be reviewed by the City, and if possible, be brought back to the Panel for review. 	<p>The Sydney Metro West Design Excellence Strategy (DEX Strategy) (EIS Appendix K) outlines the Design Excellence approach for the future Detailed SSDA. The DEX Strategy provides a consistent framework for delivering design excellence across the Sydney Metro West project and will guide the detailed design of the proposed development. The DEX Strategy was endorsed by the NSW Government Architect on 19 August 2022 and builds on Sydney Metro's existing design development and review processes and has been developed in consultation with the NSW Government Architect.</p> <p>The DEX Strategy is structured around the operation of independent design review panels that support the design development process for the architectural, urban design and infrastructure elements of each precinct throughout three phases of the project:</p> <ul style="list-style-type: none"> • Phase 1: Defining expectations • Phase 2: Reference design and competitive selection • Phase 3: Design integrity. <p>The DEX Strategy includes the establishment of three independent design review panels chaired by the NSW Government Architect.</p>

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	<ul style="list-style-type: none"> • Design Advisory Panel (DAP) covers Phase 1 and applies to all station precincts. The DAP guide concept design of stations, precincts, and development. It is during Phase 1 that CSSI Approval and Concept SSD applications are developed, and approvals sought • Design Excellence Evaluation Panel (DEEP) covers Phase 2 and applies during the competitive selection process for the OSD applications • Design Review Panel (DRP) covers Phases 2 and 3 – detailed design and design integrity. <p>City of Sydney Council is invited to nominate a member on the DEEP (a subset of the Design Review Panel) during the procurement phase.</p> <p>The adoption of Sydney Metro West DEX Strategy and the competitive design review process is consistent with precedents established for other major infrastructure projects including the Sydney Metro City & Southwest Project.</p>
9. Podium	
<p>Commercial Uses</p> <p>The City supports the provision of commercial uses within the podium, in particular a separate allocation of the commercial GFA for retail GFA. As outlined above regarding the proposed maximum GFA, it appears that an excessive quantum of GFA is allocated and is unlikely to be achieved given the typical floorplate efficiencies, and the extent of the podium dedicated to station infrastructure, mechanical plant, servicing and loading and car parking.</p> <p>The consent should specify a minimum retail GFA should be considered to ensure that an appropriate level of retail is provided to activate the ground plane and potentially the upper levels for restaurants or bars and the like.</p> <p>Additionally, consideration should be given to requiring retail to be provided within smaller tenancies, by specifying a maximum GFA for each tenancy, to provide a fine grain building façade at street level with shopfronts activating the public domain.</p>	<p>The Concept SSDA seeks development consent for a maximum GFA of 23,463m² (excluding any floor space used for the purposes of rail infrastructure facilities).</p> <p>The maximum GFA sought by the Concept SSDA comprises:</p> <ul style="list-style-type: none"> • use of the Stage 3 CSSI Approval podium for commercial and retail land uses (7,265m²); and • use of the Stage 3 CSSI Approval podium for ancillary residential land uses and use of the tower envelope for residential land uses (16,198m²). <p>The indicative reference scheme presents a potential future development form which could be delivered within the building. The intent of the indicative reference scheme is to demonstrate how a building could be established within the proposed envelope, with functional and efficient floor plates, servicing and loading areas, mechanical plant, and integration with structural and servicing requirements of the metro station. No approval is sought for the indicative reference scheme.</p> <p>It is noted that there are no applicable statutory planning controls in relevant environmental planning instruments which specify a minimum quantum of commercial or retail GFA for the subject site or a future development proposal.</p>

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	<p>The ultimate GFA for the commercial and retail land uses will be subject to detailed design development, including consideration of floor plate efficiency as part of future Detailed SSDA(s).</p>
<p>Social Uses</p> <p>The Social Impact Assessment (Appendix AA) indicates that community or cultural spaces are not considered as part of the development. The City has recommended that consideration be given to allocating some GFA for community or cultural space.</p> <p>The City strongly advocated for this as part of the consultation process for the Pymont Peninsula Place Strategy. The strategy identifies the priorities for the Darling Island sub-precinct, in which the subject site is located. Priorities 1, 2 and 7 seeks create jobs and activate the area by including creative, community and cultural spaces. The proposed development is considered a significant opportunity to incorporate some of these uses. The Pymont Peninsula, and more specifically the Darling Island sub-precinct have been identified for its contribution to culture, creativity, and innovation. The provision of community or cultural spaces would support this.</p> <p>The Pymont Infrastructure Delivery Plan should be developed based on the final Pymont Peninsula Social Infrastructure Assessment undertaken in collaboration with the City.</p>	<p>The Concept SSDA seeks consent for a maximum GFA of 23,463m² (excluding floor space used for the purposes of rail infrastructure facilities). The proposed development includes 7,265m² GFA of the podium for commercial and retail land uses.</p> <p>The ultimate design, configuration, and floor area of commercial and retail land uses within the podium will be determined as part of a future Detailed SSDA. The commercial and retail land uses will be permissible with consent in the MU1 Mixed Use zone.</p> <p>The intention for the commercial and retail land uses within the podium is to achieve the objectives of the Pymont Peninsula Place Strategy and priorities for the Darling Island sub-precinct to contribute culture, creativity, and innovation outcomes.</p> <p>It is anticipated that the commercial and retail land uses will be consistent with relevant zone objectives which seek to generate employment opportunities, provide diverse and active street frontages, contribute to vibrant, diverse, and functional streets and public spaces, minimise conflict between land uses, and support the viability of nearby centres. The integration of commercial and retail uses will seek to maximise public transport patronage and encourage walking and cycling.</p>
<p>Building Entries</p> <p>With respect to the reference scheme, the proposed building entries are largely internalised off the through-site-link. It is difficult to understand how the envelope provided by the CSSI is proposed to be developed having regard to the nature of the uses sought consent under this application. The utilisation of the spaces created within the podium should respond to the site context, particularly noting the changes in topography along the three road frontages and the desire to site building entries in appropriate locations aligning with pedestrian movements.</p>	<p>The indicative concept reference scheme (EIS Appendix H) includes indicative locations for entries to OSD related spaces within the podium. The Concept SSDA does not seek consent for the indicative reference scheme. Further investigation of a through-site link and location of building entries for OSD related spaces within the podium will be undertaken during design development and as part of the Detailed SSDA(s).</p> <p>The design, location, and configuration of the proposed station entries including floor space used for the purposes of rail infrastructure facilities will be detailed in the SDPP(s) under the Stage 3 CSSI Approval and in accordance with the Sydney Metro West Station and Precinct Design Guidelines.</p>

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<p>All hostile vehicle mitigation measures are to be contained within the site boundaries. The City would object to any measures/structures for the building being imposed on the public domain.</p>	<p>Measures for protection against hostile vehicles would be determined as part of detailed design of the station and incorporated in the SDPP. The Sydney Metro West Station and Precinct Design Guidelines submitted with the Stage 3 CSSI Approval includes guidance to contain security and pedestrian management devices within the station development site, where possible, and for bollards not to impede safe pedestrian movement.</p> <p>The concept proposal for the Pymont OSD does not adversely interfere with the delivery of hostile vehicle mitigation measures on the site.</p>
<p>Glazing</p> <p>With respect to the reference scheme, the proposed development incorporates significant expanses of unshaded glazing. The detailed application will need to ensure heat loading is appropriately managed.</p>	<p>The future Detailed SSDA will explore mitigative strategies to address potential impacts of heat loading, including minimising the use of reflective glazing.</p>
<p>10. Traffic and access</p>	
<p>The Traffic and Access Report (Appendix R) submitted with the application is inadequate. The assessment of the proposed development and the associated traffic impacts should be undertaken considering both the existing and proposed future surrounding road network given Section 4.1.1 of the Pymont Peninsula Design Guidelines outlines future public domain improvements which will inevitably affect the road network.</p>	<p>The Traffic and Access Report (EIS Appendix R) was prepared in accordance with the SEARs. Developments or credible proposals which may have a cumulative impact on the transport network in the vicinity of the proposed development are provided in Table 3.3 of the Traffic and Access Report. Developments such as these, are assumed to be factored into the Public Transport Project Model (PTPM) strategic transport model growth rates used in the Traffic and Access Report.</p> <p>Sydney Metro will continue to monitor for 'future projects' within the vicinity of the site, however it is noted that a detailed cumulative impact assessment of the proximal developments will be addressed as part of a future Detailed SSDA.</p> <p>The Active Transport Public Domain Study (ATPDS) prepared under Section 4.1.1 of the Pymont Peninsula Design Guidelines identifies options for improvements to public domain and surrounding street network. The ATPDS does not determine responsibility or delivery pathways for public domain improvements.</p>
<p>The current road network does not reflect the future Pymont Peninsula Place Strategy road network, and while impacts to the existing road network may be considered acceptable, this development will have broader implications. The Report should be revised to assess all traffic</p>	<p>The Traffic and Access Report (EIS Appendix R) was prepared in accordance with the SEARs. Traffic and transport impacts of the proposed development, including consideration of the road network, public transport, active transport, and adjacent properties are detailed in Section 6 of the Traffic and Access Report.</p>

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<p>modes, having consideration for the road sections shown in Section 4.2.4 of the Guidelines, at a minimum.</p> <p>This further supports the need to proactively undertake the active transport routes and public domain improvement study and strengthen the Pyrmont Ultimo Transport Plan. Additionally, the City has previously raised concerns regarding the proposed Western Distributor Improvements.</p>	<p>Developments or credible proposals which may have a cumulative impact on the transport network in the vicinity of the development site are provided in Table 3.3 of the Traffic and Access Report. A detailed cumulative impact assessment of the proximal developments will be addressed in a future Detailed SSDA.</p> <p>The road sections set out in Section 4.2.4 of the Pyrmont Peninsula Design Guidelines provide guidance on how the streets surrounding the development site may be designed. They have no known funding or commitment for delivery.</p> <p>Public domain improvements will be delivered under the Stage 3 CSSI Approval and are not part of the subject Concept SSDA or a future Detailed SSDA(s).</p> <p>The Active Transport Public Domain Study (ATPDS) prepared under Section 4.1.1 of the Pyrmont Peninsula Design Guidelines identifies scenarios for improvements to public domain and surrounding street network. The ATPDS does not determine responsibility or delivery pathways for public domain improvements.</p>
<p>The assumptions underwriting the Report appears to overestimate the number of vehicle trips and underestimates the amount of space for pedestrians and cyclists. Any assumptions about vehicle growth should be revised and align with the City's experience in the CBD where traffic volumes are unrelated to the number of vehicle parking spaces provided.</p>	<p>The Traffic and Access Report (EIS Appendix R) was prepared in accordance with the SEARs. As discussed in Section 3.5 of Traffic and Access Report, traffic growth factors were derived from Public Transport Project Model strategic transport model outputs, provided by Transport, for key Pyrmont precinct links. The forecasting methods for estimating cumulative traffic and pedestrian growth rates are consistent with the CSSI Stage 3 Approval.</p> <p>The pedestrian forecast demands are considered 'high' as they have not considered long-term impacts of COVID-19 such as reduced population growth and increased working from home. The amount of space for pedestrians forecast in 2036 is shown in Figure 6.2 in the Traffic and Access Report. The Figure shows that there is sufficient walking space across the Pyrmont precinct to accommodate the pedestrian trips associated with the proposed development.</p> <p>The ATPDS prepared under Section 4.1.1 of the Pyrmont Peninsula Design Guidelines identifies options for improvements to public domain and also considers active transport routes to / from the site. The ATPDS does not determine responsibility or delivery pathways for public domain improvements.</p>

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11. Car parking	
<p>The need to provide any residential parking within the development is seriously questioned given the location of the site within Pyrmont, heralded as an extension of the CBD, and being directly above a new Metro Station. Section 4.2.2 6. of the Pyrmont Peninsula Design Guidelines explicitly prioritises the podium for the necessary services and station infrastructure and at subsection 6. c. seeks to maximise the extent of the podium to be utilised for commercial uses. The sum of these provisions is to minimise of any on site parking.</p> <p>Given the below ground station infrastructure, parking is forced into the podium inevitably resulting in a poor urban design outcome.</p>	<p>The proposed development includes a maximum of 55 car parking spaces (including two car share spaces). The maximum number of car parking spaces proposed (55 spaces) is less than half of the maximum permissible spaces (198) permitted for the proposed land use yields under the car parking requirements prescribed in the SLEP 2012. All car parking is anticipated to be provided within the podium. The final number of car parking numbers will be determined in a future Detailed SSDA.</p> <p>Given the proximity of the site to a range of public transport links, the number of spaces is considered appropriate. Sydney Metro has sought to reduce the maximum number of proposed car parking spaces, to discourage the use of private vehicles, catalysing a shift to sustainable transport modes and reducing impacts on the broader road network.</p> <p>Future Detailed SSDA(s) will consider the car parking objectives under the Pyrmont Peninsula Design Guidelines.</p>
<p>The application seeks consent for up to 55 parking spaces, although the reference scheme only includes a handful of parking spaces. The reference scheme demonstrates the impact incorporating parking above ground within the podium has on the utilisation, activation and presentation of the podium to the public domain. Provision of all 55 spaces would have substantial negative impacts.</p>	<p>The proposed development includes a maximum of 55 car parking spaces, to be provided at ground level to Level 04 (subject to detailed design to be addressed in a future Detailed SSDA). This provision comprises a maximum 53 off-street car parking spaces plus two (2) car sharing spaces.</p> <p>As assessed in the Transport and Access Report (EIS Appendix R), the number of car parking spaces proposed (55 spaces) is less than half of the maximum permissible spaces (198) permitted for the proposed land use yields under the car parking requirements prescribed in the SLEP 2012, specifically the applicable Land Use and Transport Integration and Public Transport Accessibility Level provisions.</p> <p>The future quantum, configuration, and access mechanisms for the car parking will be subject to a future Detailed SSDA. Vehicle parking arrangements may include a car lift or car stacker. Ongoing collaboration between Sydney Metro, the City of Sydney, and Transport on the design and operation requirements will ensure that car park design matters can be resolved as part of a future Detailed SSDA.</p>

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<p>The above ground location within the podium reduces the extent of the external facade which will be activated, requiring large portions of key podium elevations to comprise blind window forms. Where possible the servicing and loading area should be sleeved by active uses, this is more easily achieved through the removal of unnecessary onsite parking.</p>	<p>The podium established by the Stage 3 CSSI Approval has been designed to support a range of future commercial and retail uses that will cater for the needs of the future community, ensure activation throughout the day and evening, contribute vibrancy to the Pymont centre, and create lively and safe spaces for pedestrians. The podium is consistent with the Pymont Peninsula Design Guidelines.</p> <p>Ongoing design development for the integrated station development at Pymont Station will address the requirement to provide active frontages and façades within the podium. The final design of the podium and station elements would be detailed in the SDPP for Pymont Station (as required to satisfy Condition E70 of the Stage 3 CSSI Approval) and the future Detailed SSDA, particularly with regards car parking provision and servicing and loading area.</p>
12. Vehicle access and loading	
<p>The car parking shown in the reference scheme is accessed by two car lifts, with the entry being set within the external elevation of the podium along Edward Street. The proposed arrangement would result in vehicles queuing across the footpath and into Edward Street disrupting pedestrian and vehicle movement. The proposal suggests the queuing could be accommodated with a newly created verge area following the narrowing and pedestrianisation of Edward Street. This approach is problematic and not be accepted in the City's public domain for the following reasons:</p> <ul style="list-style-type: none"> • the public domain should not be burdened by vehicle queuing for private development. • as outlined above, the active transport routes and public domain improvement study has not been undertaken to inform the public domain design. • there does not appear to be sufficient capacity within the road reserve to accommodate the landscaped verge wide enough to ensure the queued vehicle does not impede the footpath or traffic lane. 	<p>The maximum car space allocation of 55 spaces is based on a car stacker scenario; however, the indicative reference scheme details a car lift scenario. The intent of the indicative reference scheme is to demonstrate how a building could be established within the proposed envelope while maintaining reasonable environmental amenity outcomes. However, as discussed in the Traffic and Access Report (EIS Appendix R), two vertical transport solutions (a car lift and car stacker system) are being investigated. These will require further consideration in a future Detailed SSDA to determine the preferred system. Access to / from both systems would be via Edward Street, through a separate entrance to the north of the loading dock driveway. The layout, design, and configuration of car parking spaces will be subject to detailed design as part of a future Detailed SSDA.</p> <p>As identified in Section 5.2.1 of the Traffic and Access Report, a wide existing footpath on Edward Street provides pedestrian safety across the loading dock and car lift / stacker system. Landscaping or a retaining wall will be provided to guide pedestrians onto the western side of the footpath away from the loading dock and car lift / stacker entries, improving sight distances between exiting vehicles and pedestrians. This will guide pedestrians around any vehicles waiting for a lift to arrive, or away from exiting vehicles, providing them with sufficient space to wait to cross the footpath and enter the roadway.</p>

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<ul style="list-style-type: none"> pedestrians should have priority, particularly given the proximity to the Metro Station entry, and should not be relegated to the other side of the road to accommodate on street vehicle queuing. <p>Should onsite parking be maintained as part of the application, a reference scheme should be provided that demonstrates how vehicles access can be safely and efficiently managed.</p>	
<p>Loading is to be prioritised over private car parking within the development and must be provided in accordance with the relevant requirements of the future uses before the City would support any private parking provision. The removal of residential parking spaces would reduce this impact.</p>	<p>The indicative reference scheme accommodates a loading dock accessed via a driveway from Edward Street. The loading dock includes a turntable to enable large service vehicles to turnaround within the dock. The Transport and Access Report assesses that the current limitations of the loading dock restrict a maximum level of service to 79 per cent. This performance is determined to be acceptable with the implementation of a loading dock management plan.</p> <p>Opportunities for additional loading dock spaces and improvements to service level performance will be explored in detail as part of a future Detailed SSDA(s).</p>
<p>13. Waste management</p>	
<p>The waste management and servicing arrangements are to meet the City's <i>Guidelines for Waste Management in new developments</i>. All waste is to be stored and collected from within the building. Residential waste is to be collected through the City's waste service.</p> <p>The Traffic and Access Report specifies that the waste collection area has been designed for a MRV measuring up to 8.8m and not the City's contractor's waste vehicles, measuring 9.25m.</p> <p>The Report also specifies that residential waste collection is to occur up to five times per week. This is not a service that the City is able to offer and indicates that inadequate provision has been made to manage waste on site.</p>	<p>As discussed in section 7.1 of the Traffic and Access Report (EIS Appendix R) the proposed loading dock contains spaces for three x B99 (5.2 m), one x SRV (6.4 m) and one x MRV (8.8 m), all for the use of the proposed development. Two of the B99 spaces will be in a tandem configuration which can be used alternatively to accommodate an MRV or the City's contractor's waste vehicles (9.25 m), providing the OSD dock master with flexibility to manage deliveries.</p> <p>It is noted that while the current limitations of the loading dock restrict maximum level of service to 79 per cent, this performance is determined to be acceptable with the implementation of a loading dock management plan. The loading area and access points for the collection areas will be further reviewed by a traffic consultant as part of a future Detailed SSDA. This is necessary to ensure that height and manoeuvring clearances for collection vehicles is suitable to service the building.</p> <p>Design requirements outlined in the City of Sydney's <i>Guidelines for Management in New Developments 2018</i> will be considered. This includes vehicle dimensions</p>

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	<p>and access and turning requirements for a typical rear-end loading collection vehicle (9.25m).</p> <p>Collections per week are indicative only and may be subject to further development as part of future Detailed SSDAs. As a minimum, one-day waste storage capacity has been designed into the central waste rooms to allow for missed or delayed collections.</p>
<p>It is recommended that the reference scheme be revised to demonstrate that adequate waste management and servicing arrangements can be accommodated on site to support the scale and density of the proposed development.</p>	<p>The indicative reference scheme (EIS Appendix H) presents a potential future development form which could be delivered within the building envelope proposed by the Concept SSDA. The intent of the indicative reference scheme is to demonstrate how a building could be established within the proposed building envelope while maintaining reasonable environmental amenity outcomes. No approval is sought for the indicative reference scheme. The area and spaces allocated for operational waste storage and collection for the Concept proposal are appropriate based on the expected waste generation from the proposed development. Areas and spaces have been nominally indicated on floor plans and will be subject to further design development as part of future Detailed SSDA.</p>
<p>A separate commercial waste agreement would need to be entered into prior to the occupation of any commercial component of the building. Smaller trucks may be utilised for trade waste collection.</p>	<p>It is acknowledged that a separate commercial waste agreement will need to be entered into prior to the occupation of any commercial component of the building.</p>
<p>The City is unable to support the provision of any private car parking if it inhibits the provisions of adequate and effective waste management and servicing arrangements on site.</p>	<p>It is noted that the interface design of the loading dock and private car parking will be undertaken as part of the Detailed SSDA. Suitability of waste management and servicing arrangements can be reviewed in detail at that time.</p>
<p>14. Trees and landscaping</p>	
<p>The EIS indicates that trees and landscaping matters are to be deferred to the CSSI approval, rather than the subject application or the future detailed design SSD. The timing of the CSSI approval in relation to this Concept SSDA is unknown and must be clarified.</p>	<p>Sydney Metro seeks to retain flexibility in the timing and staging of the proposed OSD so that its delivery by a future developer can appropriately respond to property market conditions.</p> <p>In terms of the relationship to the Stage 3 CSSI Approval, two possible staging scenarios have been identified for delivery of the proposed development.</p>

Issued raised	Sydney Metro response
	<ul style="list-style-type: none"> • Scenario 1: Continuity of construction works from station to proposed development. Station work complete and station operational targeted for 2032. Proposed development start in 2027. • Scenario 2: Gap between completion of station (with full de-mobilisation) and commencement of proposed development works at a later stage. Station work complete and station operational targeted for 2032. Proposed development start after 2032. <p>It is expected that staging will be resolved during a subsequent Detailed SSDA process. The developer awarded the development rights will determine the timeframe for construction of the proposed development.</p> <p>The indicative timings for the two anticipated staging scenarios are as follows:</p> <ul style="list-style-type: none"> • Pyrmont Station excavation and tunnelling works - 2023-2026 • Pyrmont Station box construction and fit out works: 2027 onwards • Proposed OSD works: To be determined by a future developer(s) • Public domain works: Prior to 2032 • Sydney Metro West targeted opening for passenger services: 2032
<p>It is unclear if existing street trees will be retained and protected as part of the proposed podium envelope and future detailed design (including awnings). It is therefore difficult to provide an assessment to confirm if proposed landscape on structure will be feasible, contribute adequate greening of the site, amenity for workers and visitors and comply with the City's Landscape Code.</p>	<p>Public domain works, including the retention of existing trees, and landscape design elements around the site are addressed in the Stage 3 CSSI Approval and SDPPs. Opportunities for retention and protection of existing street trees would be identified during detailed construction planning under the Stage 3 CSSI Approval.</p> <p>The Pyrmont Peninsula Design Guidelines include objectives and guidance to ensure the OSD landscape design will be of high quality and complement and integrate with the development. The indicative reference scheme includes a terrace serving the residential tower at the rooftop at Level 30. This rooftop terrace provides opportunities to deliver generous landscaping and create visual interest.</p> <p>A future Detailed SSDA will include an integrated landscape design that delivers opportunities for greening of the site and providing amenity for workers and visitors consistent with the City's Landscape Code and other relevant policies.</p>

Issued raised	Sydney Metro response
<p>As part of the CSSI site establishment work 13 of the 19 existing street trees within the vicinity of the site have been removed.</p> <p>Any approval should impose a condition requiring the detailed application to contribute to achieving the tree canopy target of 70% for Regional Roads and 80% for Local Streets specified in the City's Urban Forest Strategy 2023.</p> <p>It is recommended that conditions be imposed regarding the retention of existing trees, provision of replacement plantings already lost to the site establishment works, and design criteria requiring the future built form (including awnings) to accommodate street tree plantings.</p>	<p>The removal, retention, and protection of existing trees are provided in the Stage 3 CSSI Approval and will be addressed in the SDPP.</p> <p>Sydney Metro is committed to ongoing engagement with the City of Sydney as part of detailed design of the station under the Stage 3 CSSI Approval in order to achieve a high quality public domain and appropriate tree canopy coverage.</p>
15. Public domain	
<p>The proposed over station development will require connections to the adjoining public domain through various pedestrian and vehicle entrances. The detailed design will be required to coordinate internal levels and connections to the public domain, whether that be to the existing or proposed upgraded public domain. The detailed design will need to ensure any flood levels are resolved within the property boundary without impeding the design of the public domain achieving the City's gradients and levels requirements. Concern is raised with the intention to construct the podium under the CSSI approval.</p>	<p>The proposed development has been designed to integrate with Pyrmont Station to ensure a cohesive station and precinct development. To allow for this integration, the podium built form up to the transfer level (including the station and public domain works) is designed and delivered under the Stage 3 CSSI Approval.</p> <p>These works are required to respond to the place and design principles outlined in the Sydney Metro West Station and Precinct Design Guidelines, including to "deliver highly efficient interchanges between metro and other public transport modes, with capacity to support high volumes of pedestrians above ground and underground, while delivering a high-quality customer experience".</p> <p>The detailed design resolution of the station elements, including public domain works and pedestrian and vehicle entrances, will be addressed in the SDPP and Interchange Access Plan. These plans are required by Conditions E70 and E124 respectively of the Stage 3 CSSI Approval. The detailed design resolution of these elements will be coordinated to ensure any flood levels are resolved within the property boundary without impeding the design of the public domain achieving the City's gradients and levels requirements.</p> <p>The final design for the OSD will be subject to a future Detailed SSDA where its integration with the station will be designed and demonstrated.</p>

Issued raised	Sydney Metro response
<p>Flooding</p> <p>A detailed Flood Assessment Report will need to be submitted with the detailed application. The concept approval should establish the relevant flood planning levels and establish the parameters to deal with flood mitigation. In particular, the reference scheme includes a flood gate to protect the through site link. Flood gates are prohibited with the City given the high maintenance requirements and propensity to fail. It should be noted that the any detailed design is not to include flood gates.</p>	<p>The Concept SSDA is supported by a Flooding Report (EIS Appendix V) which identifies the existing flooding conditions of the site and details the upgrades, infrastructure, and protection measures which will be required to satisfy the relevant flooding standards. The Report concludes that on-site flood risk, design solutions, and operational flood emergency response plans to mitigate flood risk for specific functions will be addressed in the detailed design of the development.</p> <p>A detailed Flood Assessment Report will need to be submitted with a future Detailed SSDA. This detailed Flood Assessment Report will identify appropriate mitigation measures to ensure that flooding performance outcomes are achieved, and that flood protection is provided for the station and entry threshold levels. As the scope of the OSD includes the use of the podium for non-station elements, such commercial land uses, building entrances, and vehicular access, flood mitigation for these uses and elements will be assessed within the Detailed SSDA.</p> <p>It is noted that Condition E2 of the Stage 3 CSSI Approval requires that the station must be designed and constructed so as to not worsen flooding characteristics within and in the vicinity of the station. Mitigation measures which will be required to be implemented to ensure flood characteristics are not worsened must be incorporated into the detailed design and be reviewed and endorsed by a suitably qualified and experienced person, who is independent of the projects' design and construction, in consultation with any directly affected landowners, DPHI Water, DPI Fisheries, State Emergency Services, and the City of Sydney.</p>
<p>Stormwater Management</p> <p>A Stormwater Management Plan detailing the proposed connections to the City's stormwater infrastructure is to be included with the detailed application. The plan is to include stormwater quality assessment (MUSIC Link report) and any required On Site Detention systems.</p>	<p>It is noted that a future Detailed SSDA will need to be supported by a Stormwater Management Plan detailing the proposed connections to the City's stormwater infrastructure. The Stormwater Management Plan will include stormwater quality assessment (MUSIC Link report) and any required on-site detention systems.</p>
16. Contributions	
<p>A condition should be imposed requiring any future detailed development application to be accompanied by the following information for the purposes of calculating relevant contributions:</p>	<p>It is noted that a future Detailed SSDA will be accompanied by Gross Floor Area diagrams and schedules to enable an accurate calculation of contributions to be levied under Section 7.11 of the EP&A Act and clause 7.13 of the SLEP 2012.</p>

Issued raised	Sydney Metro response
<ul style="list-style-type: none"> • <i>Gross Floor Area</i> diagrams and schedules for any non-residential uses for the purposes of calculating the applicable Section 7.11 of the Act contribution. • <i>Total Floor Area</i>, as defined in Section 7.13(6) in SLEP 2012, diagrams and schedules for the building for the purposes of calculating the application Section 7.13 Contribution for purpose of affordable housing. 	<p>A future detailed development will be subject to the contribution requirements for affordable housing under Section 7.32 of the EP&A Act and clause 7.13 of the SLEP. Pursuant to clause 7.13(2A) of the SLEP, the affordable housing levy for the site would be calculated based on include 3 per cent of the total floor area of the development that is intended to be used for residential purposes, and 1 per cent of the total floor area of the development that is intended to be used for non-residential purposes.</p>
17. Design Excellence Strategy	
<p>The resolution of issues to be dealt with at the detailed design stage for the OSD, will rely on the advice and input of the City’s representative on the Design Review Panel (DRP) and the City’s Design Advisory Panel if possible.</p>	<p>The Sydney Metro West Design Excellence Strategy (DEX Strategy) (EIS Appendix K) outlines the Design Excellence approach for future Detailed SSDA. The DEX Strategy provides a consistent framework for delivering design excellence across the Sydney Metro West project and will guide the detailed design of the proposed development. The DEX Strategy was endorsed by the NSW Government Architect on 19 August 2022.</p> <p>City of Sydney is invited to have a member on the DEEP (a subset of the Design Review Panel) during the procurement phase.</p>

4.2 Community and organisation submissions

Table 4-2 provides a response to the issues raised in submissions from the community and organisations and references where these issues have been addressed in the detailed documentation as relevant.

Table 4-2 Response to public and organisation submissions

Issue raised	Sydney Metro response
Organisation submissions	
GoGet	
<p>Recommend replace the word “Maximum” with “Minimum” in Table 5.3 Maximum car share space requirements in Section 5.2.4 ‘Car sharing’ in the Pymont Over Station Development Transport and Access Report.</p> <p>Recommend 1 carshare vehicle per 40 bedrooms without parking spaces.</p>	<p>The Transport and Access Report (EIS Appendix R) assesses the provision of 55 car parking spaces (including two car share spaces) against maximum car parking rates prescribed in the SLEP 2012, specifically Land Use and Transport Integration and Public Transport Accessibility Level provisions.</p> <p>The provision of two car share spaces is compliant with the relevant requirements in the SLEP 2012.</p>
<p>Recommend sufficient cellular connectivity is available to the carshare spaces.</p>	<p>The cellular connectivity to the car share spaces can be addressed in the future Detailed SSDA.</p>
Urban Task Force	
<p>RL120 building height appears an arbitrary limit that does not relate to the characteristics and merit of any future development. The height allowance will stifle the potential for the area as the worthy extension of the CBD.</p> <p>Recommend that the height of RL120 is removed and use of the Harbourside development is used as a precedent for the height limit of the proposal (RL169.35).</p> <p>Maximising residential opportunities should be realised with additional height.</p> <p>This would set an important precedent for development of other sites on the peninsular.</p>	<p>The maximum height of the tower building envelope at RL120 is consistent with clause 6.65 of the SLEP 2012 which allows for a maximum building height of RL120 on Lot 1 DP 620352 and Lot 1 DP657429.</p>

Issue raised	Sydney Metro response
<p>Recommend solar access overshadowing limitations should not be assumed a priority for all residential dwellings, public domain and open spaces. The longer term goals for Pymont must drive decisions on landmark developments like the Pymont OSD.</p>	<p>The comments raised in this submission are noted.</p>
<p>AFIAA [owner of 60 Union Street, Pymont]</p>	
<p>SEARs item no. 3 is not considered to be addressed. This SEARs item requires that the future character of the locality surrounding the site be considered in the design of the development. The changes proposed by the Pymont Ultimo Planning Proposal are key in determining the future character of the locality. However, the EIS fails to include any discussion of this planning proposal, or the controls contained within this planning proposal, including any future uplift proposed to be accommodated on surrounding sites.</p> <p>The EIS concludes that the future residential dwellings within the building will achieve more than 2 hours solar access to more than 70% of the dwellings. The EIS is said to fail to take into account the future development potential afforded to 60 Union Street under the Pymont Ultimo Planning Proposal. Given 60 Union Street is located to the north-east of the Pymont OSD, should the planning proposal be successful, a development that realises the full potential afforded under the proposed controls will significantly alter the proposal's ability to meet residential solar access requirements as per the Apartment Design Guide.</p> <p>Should the Pymont OSD be approved in its current form, the future controls anticipated for 60 Union Street may not be able to be achieved, with height directly capped by solar access to any apartments to the south, including those that may be accommodated in the Pymont OSD. As a result, this will significantly reduce the development potential of 60</p>	<p>The planning proposal for Ultimo Pymont (PP-2024-376) was submitted to DPHI in December 2023. The planning proposal seeks to facilitate development in Ultimo and Pymont consistent with the Pymont Peninsula Place Strategy, including 1,150 new homes and 6,000 new jobs. The planning proposal received Gateway determination on 17 July 2024. The planning proposal has yet to commence public exhibition and the amended instrument has not been approved or gazetted. Until the planning proposal is placed on public exhibition, Metro is unable to undertake an assessment of the impact of the Concept SSDA on the future development potential of 60 Union Street.</p> <p>The Concept SSDA seeks consent for a building envelope above the Pymont Station. The building envelope comprises a tower above the podium established by the Stage 3 CSSI Approval including a maximum building height for the tower and tower setbacks. The tower element has a maximum building height of RL120 and is setback 8 metres to Union Street, 8 metres to Edward Street, and 6 metres to Pymont Bridge Road. The built form parameters of the building envelope are consistent with the development standards of the relevant environmental planning instrument (being the SLEP 2012) and the Pymont Peninsula Design Guidelines.</p> <p>The Built Form and Urban Design Report (EIS Appendix E) details the evolution of the tower design and response to the planning controls and site context to mitigate potential environmental impacts to surrounding streetscapes and properties. Key components of the form and design of the tower are:</p> <ul style="list-style-type: none"> • containing the tower envelope within the maximum tower height of RL120 • location of services and amenities (including services, plant, and amenity areas) • provision of rooftop and top of podium amenities (both indoor and outdoor)

Issue raised	Sydney Metro response
<p>Union Street, by restricting the amount of height and floor space anticipated under the planning proposal.</p> <p>Therefore, it is requested that further design analysis is undertaken by Sydney Metro to better understand the residential amenity implications of any future development on 60 Union Street in line with the controls under the Pyrmont Ultimo Planning Proposal.</p>	<ul style="list-style-type: none"> • articulation and expression of tower massing in two forms, in order to achieve rational apartment planning and maximise apartment views and solar access • creation of a vertical residential neighbourhood within the tower, through breaking up bulk and scale to reflect its fine grain context • articulation of façades to enhance vertical neighbourhood expression • integration of environmental responses (including vertical shading and green wall opportunities), noting that these are to be located within the building envelope
<p>Accor Vacation Club [owner of Sebel Darling Harbour 104 Pyrmont Street]</p>	
<p>Building height</p> <p>The building height at 31 stories appears excessive for the site and surrounding areas of Darling Harbour / Pyrmont area. The particular concern with regard to height is the possible shading on the Sebel Darling Harbour, which would have a serious detrimental effect on the Club members holiday experience at this location.</p>	<p>The maximum height of the tower building envelope at RL120 is consistent with clause 6.65 of the SLEP 2012 which allows for a maximum building height of RL120 on Lot 1 DP 620352 and Lot 1 DP657429.</p>
<p>Setbacks</p> <p>Question if the setbacks have been given enough consideration given the scale and size of the proposed building.</p>	<p>The tower element is setback 8 metres to Union Street, 8 metres to Edward Street, and 6 metres to Pyrmont Bridge Road. These setbacks are consistent with the Pyrmont Peninsula Design Guidelines.</p> <p>The building setbacks have been defined through a careful analysis of the urban context including:</p> <ul style="list-style-type: none"> • ground plane amenity • street wall alignment and building heights • Metro station constraints • sun access and daylight access to the public domain • sun access and daylight access to surrounding residential properties • wind conditions in the public domain

Issue raised	Sydney Metro response
	The tower setbacks consider the surrounding existing context and prevailing street alignments and seek to minimise overshadowing to surrounding residential properties and the public domain.
<p>Lack of car parking</p> <p>The lack of car parking for the Proposal is a concern. The traffic and lack of available carparking in the Darling Harbour / Pyrmont area is already at a significant level and for the Proposal to only plan for 55 car spaces and up to 160 apartments we question the imbalance and planning.</p>	<p>The proposed development includes a maximum of 55 car parking spaces, to be provided at ground level to Level 04 (subject to detailed design to be addressed in a future Detailed SSDA). This provision comprises a maximum 53 off-street car parking spaces plus two (2) car share spaces.</p> <p>The proposed quantum of car parking is consistent with the City of Sydney’s objective to reduce reliance on private vehicles, particularly in areas of high public transport accessibility and to ensure pedestrian safety and the success of existing and planned public domain upgrades.</p>
Pyrmont Action Group	
<p>Building envelope</p> <p>Oppose the height of the development as it is contrary to the architectural form of the rest of Pyrmont, especially in the Union Street precinct in which it sits. Concern that any tower imposed on the existing low- to mid-rise character will set a height precedent across the Peninsula and turn Pyrmont into an extension of the CBD.</p>	<p>The maximum tower height is consistent with clause 6.65 of the SLEP 2012 and the Pyrmont Peninsula Design Guidelines. The tower plays a significant contributory role to the emerging skyline of Pyrmont.</p> <p>The statutory planning controls which apply to the development site under the SLEP 2012 have been informed by and are consistent with the broader strategy for a Pyrmont Peninsula which has identified future development uplift potential and building envelope parameters for key sites (including the Pyrmont Metro station site). The Pyrmont Peninsula Place Strategy was subject to a comprehensive planning and urban design review and undertaken in consultation with the City of Sydney, DPHI, and key stakeholders. The Pyrmont Peninsula Place Strategy informs the evolution and place character of the Pyrmont Peninsula. Accordingly, the Concept SSDA, which is consistent with relevant statutory planning controls, will not establish a ‘precedent’ beyond that envisaged in the Place Strategy.</p> <p>The Built Form and Urban Design Report (EIS Appendix E) details the evolution of the tower design and response to mitigate potential environmental impacts to surrounding streetscapes and properties.</p>
<p>Podium</p> <p>Do not support commercial land uses within the podium as there is no demand for office space either in Pyrmont or the CBD, with a number of key buildings for lease, some for</p>	<p>The Concept SSDA seeks development consent for a maximum GFA of 23,463m² (excluding any floor space used for the purposes of rail infrastructure facilities). The maximum GFA comprises:</p>

Issue raised	Sydney Metro response
<p>many years. It is unlikely that there will be a significant change in the new work-from-home arrangements introduced during the COVID lock-downs. Station entry is seen as a waste of space.</p>	<ul style="list-style-type: none"> • use of the Stage 3 CSSI Approval podium for commercial and retail land uses (7,265 m²); • use of the Stage 3 CSSI Approval podium for ancillary residential land uses and use of the tower envelope for residential land uses (16,198 m²). <p>The indicative reference scheme presents a potential future development form which could be delivered within the building. The intent of the indicative reference scheme is to demonstrate how a building could be established within the proposed envelope, with functional and efficient floor plates, servicing and loading areas, mechanical plant, and integration with structural and servicing requirements of the metro station. No approval is sought for the indicative reference scheme.</p> <p>The ultimate GFA for the commercial and retail land uses will be subject to detailed design development, including consideration of floor plate efficiency.</p>
<p>Parking</p> <p>Request that further consideration be given to providing one level of parking immediately below the podium, with its entry from Edward Street.</p>	<p>The indicative reference scheme includes a potential design option for the car parking spatial layout and configuration.</p> <p>The future configuration and mechanism for accessing the car parking spaces will be subject to a future Detailed SSDA. Vehicle parking arrangements may include a car lift or car stacker.</p>
<p>Affordable housing</p> <p>No reference to provision of affordable housing in the development of this Key Site. It has been assumed that apartments in the tower will be unaffordable for modestly-paid key workers.</p>	<p>A future Detailed SSDA would be subject to the contribution requirements for affordable housing under section 7.32 of the EP&A Act and clause 7.13 of the SLEP 2012. Pursuant to clause 7.13(2A) of the SLEP 2012, the affordable housing levy for the site would be calculated based on three per cent of the total floor area of the development that is intended to be used for residential purposes, and one per cent of the total floor area of the development that is intended to be used for non-residential purposes.</p> <p>It must be noted that a determination of this Concept SSDA will not trigger an affordable housing contribution under clause 7.13 of the SLEP 2012 as the determination will not authorise the carrying out of development without further consent. The value of the affordable housing contribution would be determined as part of the future Detailed SSDA once exact quantum of floor space is confirmed.</p>
<p>Community safety and security</p> <p>Concern for the safety of Pyrmont and anti social behaviour including hooning, public urination, drug-taking with</p>	<p>The Concept SSDA is supported by a Crime Prevention Through Environmental Design (CPTED) Report (EIS Appendix L) to assess the indicative concept proposal against the key principles of CPTED. These are: natural surveillance, natural access control, territorial reinforcement, image and management / maintenance, activity support, and site / target</p>

Issue raised	Sydney Metro response
<p>occasional violence. PAG requests Department of Planning to work with both the West Metro organization and the Police Department to plan for a 24/7 police presence at street level, within the podium building.</p>	<p>hardening. The CPTED Report relates to the Concept SSDA only which does not include built form interface with public space. The public space interface forms part of the podium built form and public domain design under the CSSI Stage 3 Approval.</p> <p>The CPTED Report concludes that the Concept SSDA provides adequate opportunities for the implementation of further CPTED principles in a detailed design under a future Detailed SSDA.</p>
<p>Overshadowing</p> <p>Whilst the degree of overshadowing of nearby residences may “satisfy ADG design criteria” it is our view that achieving “more than 2 hours of solar access in mid-winter” is not a particularly high bar and it can be expected that the overshadowing will have a detrimental impact on residents’ amenity.</p>	<p>The Concept SSDA is supported by a detailed Solar Access Analysis (EIS Appendix M.). The Analysis has been prepared in accordance with relevant statutory planning policy, recent case law, and established industry practice. The Analysis demonstrates that the proposed development satisfies the ADG design criteria and design guidance in relation to overshadowing and solar access.</p>
<p>Visual impacts</p> <p>The views from Barangao Reserve, Pymont Bridge, Guardian Square, Metcalfe Park, Glebe / Blackwattle Bay, Peacock Point, Union Square, and Pymont Bridge Road / Harris Street are unequivocally intrusive and incompatible with the medium to low-rise developments nearby.</p>	<p>The Concept SSDA is supported by a Visual Impact Assessment (VIA) (EIS Appendix P) to assess visual impacts of the development from private and public viewpoints and cumulative visual impacts.</p> <p>The VIA demonstrates that the proposal does not block views to scenic or highly valued compositions from public domain viewpoints in the surrounding streetscapes or public recreation open spaces. While the proposal has a wide visual catchment, when viewed from a distance, the tower is viewed in a wide visual catchment (often with similar tower forms visible) which reduces visibility and visual impacts. Close views to the proposal are restricted to the immediately surrounding streetscapes including Pymont Bridge Road, Union Street, and Edward Street.</p> <p>The proposal is viewed against a backdrop of existing tower forms in the Sydney CBD when viewed from the west and introduces visual change (not visual impact) through a visually like-for-like change of similar built forms. The VIA concludes that the proposal is supportable in terms of visual impacts.</p>
<p>Possible planning scenario</p> <p>Put forward alternative building envelope:</p> <ul style="list-style-type: none"> • Increase the height of the podium to 8 storeys, similar to the height of the building to the east of the 	<p>The Concept SSDA is consistent with the relevant development standards and site-specific provisions which apply under the relevant environmental planning instruments (including the SLEP 2012) and the objectives and design guidance of the Pymont Peninsula Design Guidelines in relation to land use, built form, historical heritage, public domain, and design excellence.</p>

Issue raised	Sydney Metro response
<p>site in Pyrmont Bridge Road and compatible with the Darling Hotel to the NW.</p> <ul style="list-style-type: none"> • Reduce the dimensions of the station entry. • Locate car parking beneath the podium. • Provide 3-storeys of public and / or affordable housing within the podium. • Reduce the setback of the tower and step it up or taper it to a maximum height of 16-storeys, including the 8-storey podium. • Any residential amenities eg a swimming pool and/or meeting room could be accommodated in the first floor of the tower and should be accessible by public / affordable housing tenants. 	<p>In developing the Concept SSDA proposal, alternative designs were explored through a series of building envelope and massing studies, as detailed in the EIS and Building Form and Urban Design Report (EIS Appendix E). These studies explored alternative building heights, gross floor areas, land uses, building envelopes, and floor plate configurations. The alternative options have not been pursued for reasons including inefficient floor plates, typology unfeasibility, and incompatibility with the site.</p>
<p>Aerotropolis Group Pty Ltd</p>	
<p>Explore the possibility to have access to the Pyrmont Station from the new Blackwattle Bay Precinct (new Sydney Fish Market and Mixed Use development is located).</p>	<p>Noted. The ATPDS prepared under Section 4.1.1 of the Pyrmont Peninsula Design Guidelines identifies options for improvements to public domain to enable travel to and from the station entrances and further afield to Blackwattle Bay Precinct. The ATPDS does not determine responsibility or delivery pathways for public domain improvements.</p>
<p>Community submissions</p>	
<p>Inconsistency with SEARs</p> <p>The design of the proposal should consider the future character of the locality and surrounding sites.</p>	<p>The EIS and supporting documentation to the Concept SSDA responds to the SEARs requirement to demonstrate how the proposed built form addresses and responds to the context, site characteristics, streetscapes, heritage items adjacent to the site, and existing and future character of the locality.</p> <p>The proposed development is capable of creating a successful place-based outcome that integrates transport infrastructure, podium commercial land uses, and residential land uses. Subject to detailed design refinement as part of a future Detailed SSDA, the proposed development has the capacity to provide a fine-grain retail and commercial offering within the podium, active frontages along Union Street, Edward Street, and Pyrmont Bridge Road, and a</p>

Issue raised	Sydney Metro response
	tower design which will create a distinctive skyline that responds to the evolving height, scale, and character of the Pymont Peninsula.
<p>Height of building</p> <p>Concern regarding impacts resulting from the proposed height of the tower, including overshadowing to existing buildings and the public domain and blocking views from existing buildings.</p> <p>Concern that the proposed building will exceed the height of the Casino and overshadow Union Square.</p>	<p>The maximum height of the tower is consistent with clause 6.65 of the SLEP 2012 and Pymont Peninsula Design Guidelines. The tower plays a significant contributory role to the emerging skyline of Pymont.</p> <p>The Built Form and Urban Design Report (EIS Appendix E) details the evolution of the tower design and response to mitigate potential environmental impacts to surrounding streetscapes and properties. The form and design of the tower have been informed by the Visual Impact Assessment(VIA) (EIS Appendix P) and Solar Access Report (EIS Appendix M).</p> <p>The design for the indicative reference scheme responds to the site's local context. The design draws from the rich and historical urban fabric of the Pymont Peninsula and responds to its local context by referencing the surrounding heritage buildings in both fine grain architectural expression and materiality. The design aesthetic expresses the Pymont urban fabric in its form and materiality.</p> <p>The VIA (EIS Appendix P) assesses the potential visual impacts of the proposed development. The VIA concludes that the proposed development has low-moderate compatibility with the existing visual character of the immediate visual context. The visual character surrounding the subject site is characterised by built forms that are of a smaller height to that which is proposed. However, the area is comprised of a variety of built forms as opposed to a homogeneity of built form styles which allows for a degree of built form variation.</p>
<p>Building envelope</p> <p>Question the building setbacks given the scale and size of the proposed development.</p>	<p>The tower element is setback 8 metres to Union Street, 8 metres to Edward Street, and 6 metres to Pymont Bridge Road. These setbacks are consistent with the Pymont Peninsula Design Guidelines.</p> <p>The building setbacks have been defined through a careful analysis of the urban context including:</p> <ul style="list-style-type: none"> • ground plane amenity • street wall alignment and building heights • Metro station constraints • sun access and daylight access to the public domain

Issue raised	Sydney Metro response
	<ul style="list-style-type: none"> • sun access and daylight access to surrounding residential properties • wind conditions in the public domain <p>The tower setbacks consider the surrounding existing context and prevailing street alignments and seek to minimise overshadowing to surrounding residential properties and the public domain.</p>
<p>Commercial floor space</p> <p>Question the quantum of commercial floor space proposed within the podium given the limited demand for office space in Pyrmont and the wider CBD</p>	<p>The ultimate GFA for the commercial and retail land uses will be subject to detailed design development, including consideration of floor plate efficiency as part of a future Detailed SSDA.</p>
<p>Overshadowing and solar access</p> <p>Concern is raised regarding impacts of the proposal to the amenity of occupants and residents of adjoining buildings in terms of solar access and overshadowing.</p>	<p>The Solar Access Analysis (EIS Appendix M) demonstrates that the proposed development satisfies relevant design criteria and design guidance in the ADG in relation to overshadowing and solar access.</p>
<p>Privacy</p> <p>Concern is raised regarding privacy impacts of the proposal to the amenity of occupants and residents of adjoining buildings.</p>	<p>The ADG requires separation between adjacent windows and balconies to ensure visual privacy is achieved between buildings. The ADG prescribes the minimum required separation distances from buildings to the side and rear boundaries as follows:</p> <ul style="list-style-type: none"> • 24 m between habitable rooms / balconies • 18 m between habitable and non-habitable rooms • 12 m between non-habitable rooms <p>The indicative reference scheme within the proposed envelope demonstrates how a future building can achieve compliance with ADG requirements as all neighbouring sites are more than 24 m away.</p>
<p>Car parking</p> <p>Concern is raised regarding the quantum of car parking spaces and it is recommended that car parking provision is increased.</p>	<p>The proposed quantum of car parking is consistent with the City of Sydney's objective to reduce reliance on private vehicles, particularly in areas of high public transport accessibility and to ensure pedestrian safety and the success of existing and planned public domain upgrades.</p>

Issue raised	Sydney Metro response
<p>Security</p> <p>Concerns are raised with regards public safety issues and anti-social behaviour and recommend measures to ensure the safety and security of residents, workers, and visitors (including 24/7 police presence).</p>	<p>The CPTED Report (EIS Appendix L) assesses the proposed development against the CPTED principles, being: natural surveillance, natural access control, territorial reinforcement, image and management / maintenance, activity support, and site / target hardening. It concludes that there are sufficient opportunities to implement CPTED principles in a detailed design scheme in order to address public safety issues and ensure the safety and security of residents, workers, and visitors.</p>
<p>BDAR waiver</p> <p>Concern is raised regarding the BDAR Waiver request. It is requested that a BDAR is completed as part of the Concept SSDA to assess local biodiversity values.</p>	<p>Clause 7.9 of the Biodiversity Conservation Act 2016 requires an SSDA to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the proposal is not likely to have any significant impact on biodiversity values. DPHI have determined that the development would not be likely to have any significant impacts on biodiversity and therefore a BDAR is not required. The BDAR Waiver (EIS Appendix S) confirms that the development is not likely to have any significant biodiversity value impacts.</p>
<p>Shared amenities</p> <p>It is recommended that the proposal includes end-of-trip facilities and sheltered bicycle parking spaces.</p>	<p>The proposed development envisages the provision of bicycle parking and end of trip facilities. The final design and location of these amenities would be determined in the Detailed SSDA. This would assist in reducing reliance on private vehicles and increase the use of active and public transport.</p>
<p>Traffic and access</p> <p>Concern is raised that the proposal will have negative impacts on the existing road network and car parking availability.</p>	<p>The proposed development seeks concept approval for a reduced number of parking spaces across the site than otherwise would be permitted by the maximum car parking rates under the relevant provisions of the SLEP 2012. The reduced parking provision will encourage residents and workers to adopt sustainable transport modes and reduce traffic and parking impacts on the broader road network.</p>
<p>Community consultation</p> <p>Concern is raised with regards to the lack of community consultation and engagement in the planning of the development.</p>	<p>Chapter 5 of the EIS provides a detailed summary of consultation and engagement activities which have been carried out and how this engagement has influenced the proposal. It identifies who has been consulted, how the consultation was carried out, the issues raised, and the project response.</p> <p>Sydney Metro has advised stakeholders and the community of public exhibition of the Concept SSDA through print and digital communication channels including a newsletter delivered to properties, emails to registered parties, information provided on the Sydney Metro website and interactive portal, as well as in-person community drop-in sessions. Section 3 summarises the stakeholder and community engagement that Metro has undertaken during and following the exhibition period.</p>

Issue raised	Sydney Metro response
	<p>Future engagement and consultation regarding the proposal will be guided by Sydney Metro's Overarching Community Communications Strategy (OCCS) and relevant statutory requirements.</p> <p>Sydney Metro has committed to undertaking ongoing consultation and engagement with the community and relevant stakeholders throughout the detailed design and construction phases.</p> <p>Consultation activities have met the relevant statutory requirements.</p>
<p>Affordable housing</p> <p>Concern is raised that the proposal does not provide any affordable housing (in particular for key workers).</p>	<p>A future Detailed SSDA will be subject to the contribution requirements for affordable housing under section 7.32 of the EP&A Act and clause 7.13 of the SLEP. Pursuant to clause 7.13(2A) of the SLEP, the affordable housing levy for the site would be calculated based on 3 per cent of the total floor area of the development that is intended to be used for residential purposes, and 1 per cent of the total floor area of the development that is intended to be used for non-residential purposes.</p> <p>It must be noted that a determination of this Concept SSDA will not trigger an affordable housing contribution under clause 7.13 of the SLEP as the determination will not authorise the carrying out of development without further consent. The value of the affordable housing contribution would be determined as part of the future Detailed SSDA once exact quantum of floor space is confirmed.</p>

5 Additional assessment

This section provides additional assessment of the proposal in response to the DPHI Request for Information. In summary, DPHI identified the following specific matters in their Request for Additional Information, dated 19 April 2024, to be further addressed in the Submissions Report:

- Spatial layout of proposed car parking spaces
- Impacts to the proposed Harwood Street view corridor from the building alignment
- Solar access and overshadowing impacts to the Elizabeth Healey Reserve
- Scope, program and status of the Active Transport and Public Domain Study required under the Pyrmont Peninsula Design Guidelines
- Consider and identify relevance of Pyrmont Peninsular Infrastructure Delivery Plan to the proposed development
- Updated acoustic assessment for re-assessment of 50 Murray Street as an additional sensitive receiver
- Additional justification for the Estimated Cost of Development Report.

5.1 Car parking and access

DPHI requests that the proposed car parking provision is reviewed and revised, with consideration to:

- minimising private car use at this highly accessible location.
- prioritising the podium for land uses to deliver place, movement and amenity outcomes as required by the Design Guidelines, particularly active street frontage at ground level.
- illustrating the spatial layout of the maximum number of proposed car spaces demonstrating the feasibility and impacts of the proposed car parking provisions.
- any implications on overall Gross Floor Area.

5.1.1 Car parking

To help deliver on the City of Sydney's objective to reduce reliance on private vehicles, particularly in areas of high public transport accessibility and to ensure pedestrian safety and the success of existing and planned public domain upgrades, future Detailed SSDA(s) will consider the car parking objectives under the Pyrmont Peninsula Design Guidelines.

The proposed development proposes a maximum of 55 car parking spaces, to be provided at ground level to Level 04 (subject to detailed design to be addressed in a future Detailed SSDA). This provision comprises a maximum 53 off-street car parking spaces plus two (2) car sharing spaces.

As assessed in the Transport and Access Report (EIS Appendix R), the number of car parking spaces proposed (55 spaces) is less than half of the maximum permissible spaces (198) permitted for the proposed land use yields under the car parking requirements prescribed in the SLEP 2012, specifically the applicable Land Use and Transport Integration and Public Transport Accessibility Level provisions.

The future quantum, configuration, and access mechanisms for the car parking will be subject to a future Detailed SSDA. Vehicle parking arrangements may include a car lift or car stacker.

Ongoing collaboration between Sydney Metro, the City of Sydney and Transport on the design and operation requirements will ensure this can be resolved as part of a future Detailed SSDA.

5.1.2 Prioritising the podium

The podium built form has been established by the Stage 3 CSSI Approval and supports a range of future commercial uses (such as office, business, and retail premises) that will cater for the needs of the future community and ensure activation throughout the day and evening. The podium will contribute vibrancy to the Pyrmont centre and create lively and safe spaces for pedestrians. The podium built form

responds appropriately to adjoining development, makes a significant contribution to the experience of place, and adds uniformity of character to the Pyrmont streetscape.

The podium is consistent with the Pyrmont Peninsula Design Guidelines in that it integrates with the public domain and creates active street frontages to Pyrmont Bridge Road and Union Street at the human scale. In particular, ground level retail tenancies provide frontage onto Union Street and target east-west foot traffic. Ground level tenancies address the street level, offering level access between individual units and the external pavement. Glazed shopfronts offer permeability at street level and provide opportunity for uses to spill to external spaces. The podium prioritises activation to Pyrmont Bridge Road and Union Street, with Edward Street acting as a secondary service frontage for loading and car parking. The above-ground location and spatial arrangements of the car parking levels within the podium optimise the ground plane for active uses and permeability. The detailed design resolution of the car parking areas, including sleeve design, will be established in the future Detailed SSDA(s).

5.1.3 Spatial layout of car parking provision

The indicative reference scheme (EIS Appendix H) includes a potential design option for the car parking spatial layout and configuration. The maximum car space allocation of 55 car parking spaces is based on a car stacker scenario; however, the indicative reference scheme details a car lift scenario. The maximum car parking spaces proposed in the Concept SSDA seeks to allow for flexibility and innovation in detailed design.

The configuration and mechanism for accessing car parking spaces will be refined in a Detailed SSDA.

5.1.4 Implications on overall gross floor area

The proposed car parking provision will not have any implications on overall gross floor area (GFA). As detailed in Section 5.1.1, the proposed car parking provision (55 spaces) is less than half of the maximum permissible spaces (198) permitted for the proposed land use yields under the car parking requirements prescribed in the SLEP 2012. As per the definition of 'gross floor area' in the SLEP 2012, the proposed car parking area (including access to the car parking) is excluded from the calculation of GFA.

5.2 Harwood Street view corridor / building alignment

DPHI request further consideration of the proposal's impacts to the Harwood Street View Corridor and opportunity for improvements having regard to:

- the alignment of the north-south view corridor at the eastern corner of the site and the former footprint of the previous building.
- potential to reduce the podium footprint containing OSD-related land uses only.

The Harwood Street View Corridor has been introduced in a planning proposal (PP-2024-376) submitted by the City of Sydney to amend the SLEP 2012 planning controls for land in Ultimo and Pyrmont. The planning proposal seeks to facilitate development in Ultimo and Pyrmont consistent with the Pyrmont Peninsula Place Strategy, including 1,150 new homes and 6,000 new jobs. The planning proposal was submitted to DPHI in December 2023 and received Gateway determination on 17 July 2024. The planning proposal has yet to commence public exhibition and the amended instrument has not been approved or gazetted.

The Harwood Street View Corridor is referenced in the draft Development Control Plan which supports the planning proposal. The stated intent of the view corridor is to protect and enhance an identified public view corridor from Bunn Street to Pirrama Road and the Harbour beyond. The planning proposal acknowledges that the approved podium built form for the Pyrmont Station site partially obstructs this view corridor, as the point on the corner of Union Street and Pyrmont Bridge Road extends into the view corridor when viewed from Harwood Street on the other side of Pyrmont Bridge Road.

The portion of the Pyrmont Station site which partially obstructs this view corridor relates to the podium built form. The podium built form is not part of the Concept SSDA or a future Detailed SSDA as it has been designed and will be constructed under the Stage 3 CSSI Approval. The street wall and heights of the podium established by the Stage 3 CSSI Approval are designed to ensure that the built form responds appropriately to adjoining development, makes a significant contribution to the experience of

place, and adds uniformity of character to Pyrmont streetscapes. The subject Concept SSDA does not seek to amend or reduce the podium footprint as established by the Stage 3 CSSI Approval.

Sydney Metro will continue to investigate the design and built form of the podium in accordance with the place specific design guidance in the Sydney Metro West Station and Precinct Design Guidelines. Condition E56 of the Stage 3 CSSI Approval requires that the metro station precincts be designed in consultation with Council. Further, outcomes of detailed design and consideration of the Station and Precinct Design Guidelines would be documented through the Station Design and Precinct Plans as required under Condition E71 and E72 of the Stage 3 CSSI Approval.

Condition E51 of the Stage 3 CSSI Approval requires that the CSSI element (including the built form of the podium) is designed with consideration of relevant land use changes, masterplans and initiatives, where this information is known and / or available. This information would be submitted to the Sydney Metro West Design Review Panel during detailed design, to assist its review.

Notwithstanding the above, objective 4.1 (g) of the Pyrmont Peninsula Design Guidelines seeks to maintain generous view corridors between buildings and minimise adverse visual impacts from the water and surrounding public domain. The proposed development is compliant with the applicable statutory planning controls and built form parameters, with regards to tower building heights and setbacks. As assessed in the Visual Impact Assessment (EIS Appendix P), the proposed development maintains generous view corridors between buildings and minimises adverse visual impacts.

5.3 Elizabeth Healey Reserve

DPHI requested further modelling and architectural diagrams to illustrate solar access impacts of the proposed development to Elizabeth Healey Reserve. DPHI requested the applicant to submit:

- A 3D cad model of the Elizabeth Healey Sun Access Plane and the proposal in consultation with Council to confirm compliance with the Sun Access Plane control.
- Additional diagrams and sections illustrating the Sun Access Plane and its interaction with the proposal and existing buildings between the site and the Reserve, particularly 137 Pyrmont Street.
- Additional shadow diagrams showing the full extent of Elizabeth Healey Reserve and illustrating:
 - the proposal's overshadowing impacts at 5-minute intervals at mid-winter between 10am and 10:20am
 - the boundaries of the Reserve
 - sun's eye views with the boundaries of the Reserve

5.3.1 Cad model of Elizabeth Healey Reserve sun access plane

The project architect has prepared a 3D electronic CAD model to demonstrate the extent of overshadowing to Elizabeth Healey Reserve in accordance with Section 4.2.2.2.c of the Pyrmont Peninsula Design Guidelines (RTS Appendix C). The 3D electronic model demonstrates that the proposed development does not result in any additional overshadowing to the Reserve at the relevant times. Whilst there is an exceedance of the sun access plane, this does not result in any additional overshadowing to the Reserve due to that part of the Reserve already being overshadowed at that time by the existing Woolshed Building (137 Pyrmont Street).

Sydney Metro has also provided the City of Sydney Council with this 3D cad model for use in their sun access plane model.

5.3.2 Interaction with existing buildings between the site and the Reserve

The project architect has prepared additional diagrams to illustrate the sun access plane to Elizabeth Healey Reserve and its interaction with the proposed development (RTS Appendix C). The diagrams, prepared at 5-minute intervals during the winter solstice between 10am and 10.20am, demonstrate the impact of the building envelope on the solar access to the Reserve, having regard to existing intermediary buildings including 137 Pyrmont Street.

The diagrams demonstrate that the proposed development does not create any additional overshadowing to the Reserve at the relevant times, as shown in Figure 5-1 and Figure 5-2. Whilst there is an exceedance of the sun access plane, this does not result in any additional overshadowing to the Reserve, as the resultant shadow falls within an existing shadow to the Reserve at that time, cast by the existing Woolshed Building (137 Pymont Street). The overshadowing diagrams (RTS Appendix C [pgs. 6 – 10]) illustrate that the building envelope does not cast any additional shadows onto the Elizabeth Healey Reserve in accordance with Section 4.2.2.2.c of the Pymont Peninsula Design Guidelines.

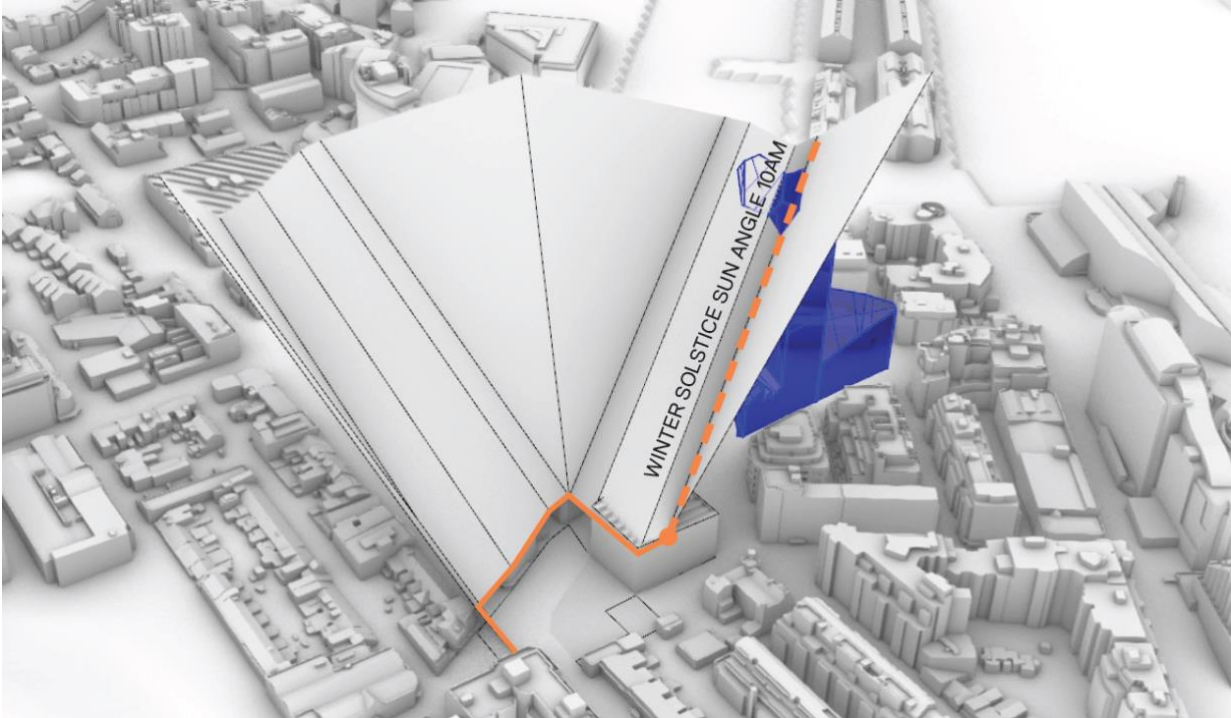


Figure 5-1 Elizabeth Healey Reserve sun access plane and proposed building envelope in blue

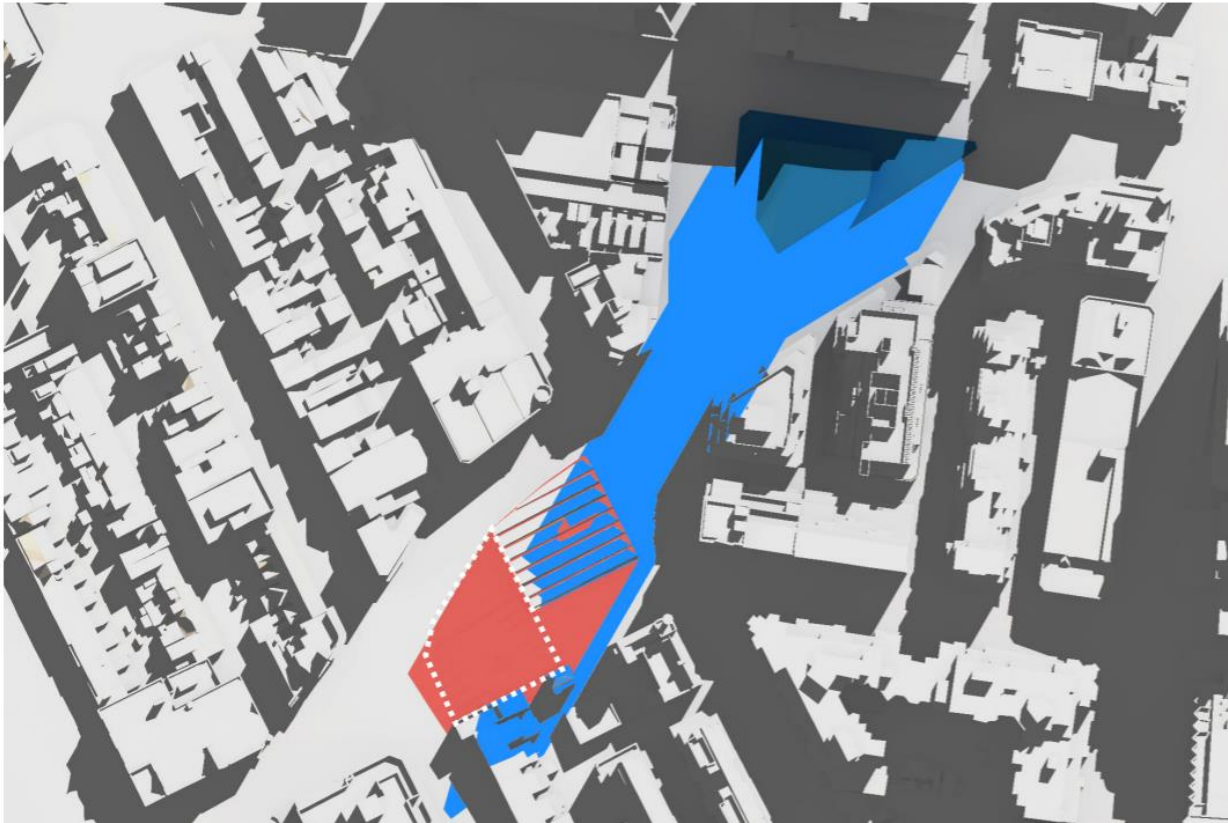


Figure 5-2 Elizabeth Healey Reserve Shadow Diagram – Winter Solstice 10:00 am

5.3.3 Additional shadow diagrams to Elizabeth Healey Reserve

The additional overshadowing diagrams (RTS Appendix C) identify the impacts of the proposed development on the Elizabeth Healey Reserve.

The diagrams illustrate:

- the proposal’s overshadowing at 5-minute intervals at mid-winter between 10am and 10:20am
- the boundaries of the Reserve
- sun’s eye views with the boundaries of the Reserve.

The boundaries of the Elizabeth Healey Reserve are provided in Figure 5-3 and comprise Lot 1 in DP 173041 and Lot 1 in DP 1010011 and a portion of the adjoining road reserve (Gipps Street). This consolidated parcel of land is consistent with the Proposed Sun Access Plane diagram in the Pyrmont Peninsula Place Strategy Urban Design Report Volume 3 (sub-precinct master planning). The inclusion of a portion of the adjoining road reserve (Gipps Street) in the sun access plane modelling is to ensure adequate solar access can be achieved for a possible future expansion of the Reserve.

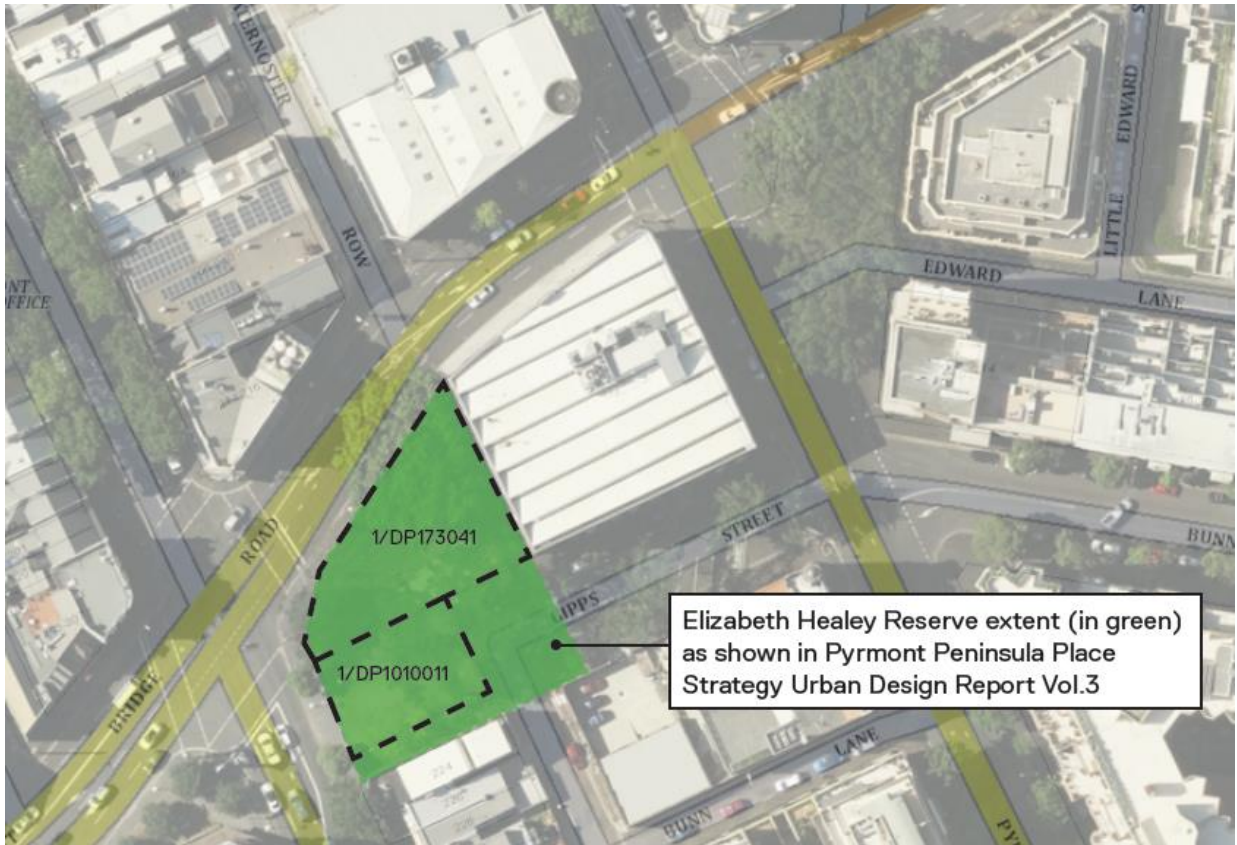


Figure 5-3 Elizabeth Healey Reserve Extent

Detailed shadow diagrams of the proposed development at 5-minute intervals during the winter solstice between 10am and 10:20am are provided in RTS Appendix C [pgs. 6 – 10]. The additional shadow diagrams confirm that the proposed development does not result in any additional overshadowing to the Reserve (including to the portion of the adjoining road reserve (Gipps Street) identified for a potential future expansion of the Reserve).

The sun's eye view from the proposed development to the above described footprint of the Elizabeth Healey Reserve during the winter solstice between 10am and 10:20am is also provided in RTS Appendix C [pgs. 6 – 10]. As noted, the building envelope does not impact the Reserve due to the existing shadows casted by the Woolshed building (137 Pymont Street) (refer to Figure 5-4).

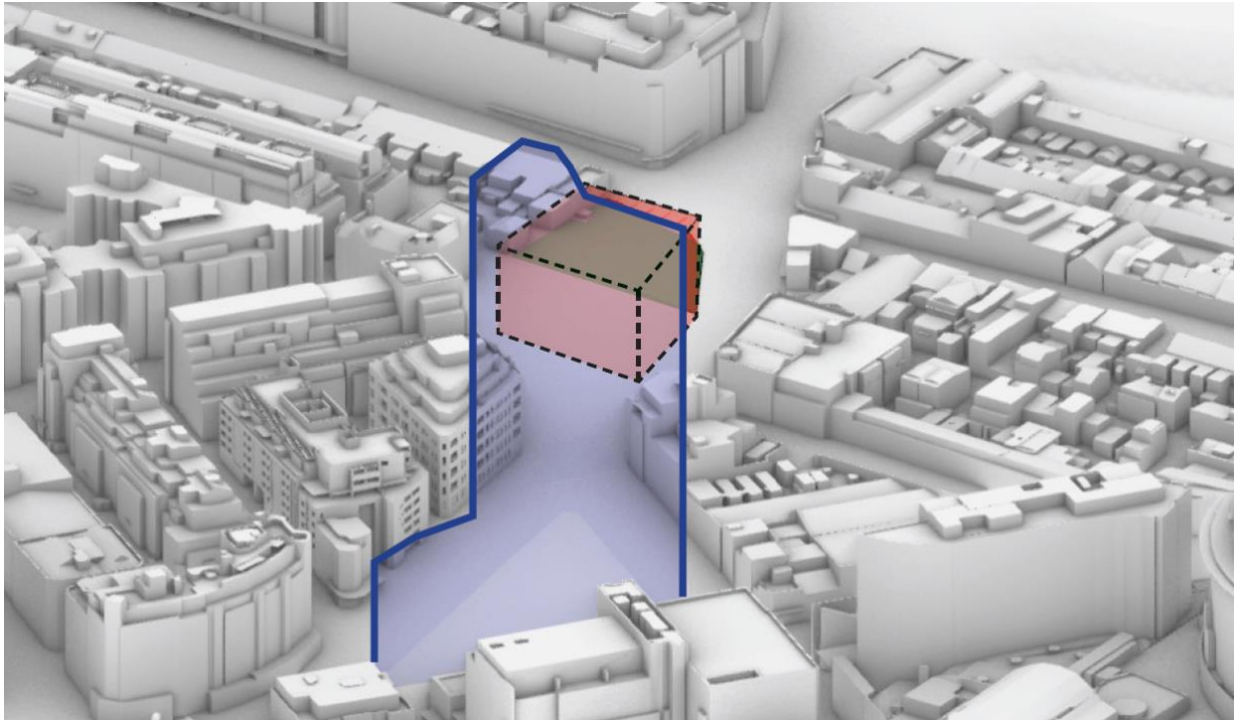


Figure 5-4 View from Sun - Winter Solstice - 10:00 am

5.4 Active Transport and Public Domain Study

DPHI requests the applicant to provide additional information with regards to the study referenced in Clause 4.1.1 (Public Benefits) of the Pyrmont Peninsula Design Guidelines which seeks to identify active transport routes and public domain improvements. Specifically, DPHI request the applicant to:

- Outline the scope, program and status of the Active Transport and Public Domain Study referenced in Clause 4.1.1 of the Pyrmont Peninsula Design Guidelines; and
- Identify the outcomes of the Study that are relevant to the site and / or would be delivered in conjunction with the Sydney Metro station or the over station development.

Clause 4.1.1 of the Pyrmont Peninsula Design Guidelines provides as follows:

“Public Benefits

It is proposed as part of the uplift available to the sites that the preparation of a study identifying active transport routes and public domain improvements to enable passengers to travel to and from the station entrances and further afield to the Sydney CBD and Blackwattle Bay will be required. This study will be led by Transport for NSW.”

Sydney Metro has prepared an Active Transport and Public Domain Study as per the requirements of Section 4.1.1 of the Pyrmont Peninsula Design Guidelines. The ATPDS explores public domain scenarios defined in the Pyrmont Peninsula Design Guidelines for the wider Pyrmont Station precinct.

The ATPDS is a collaboration between government agencies and bodies including Sydney Metro, Transport, DPHI, and City of Sydney. The ATPDS explores public domain scenarios as outlined in the Pyrmont Peninsula Design Guideline, beyond the scope of Sydney Metro, to enable consideration of broader precinct outcomes to align with the strategic growth planned for Pyrmont through the Pyrmont Peninsula Place Strategy. The ATPDS does not form a commitment to extend the public domain scope to be delivered under the Stage 3 CSSI Approval.

The ATPDS presents a vision for the precinct as outlined in the Pyrmont Peninsula Design Guidelines and tests these scenarios against the operation and early design of the Pyrmont Station. It responds to the Pyrmont Peninsula Design Guidelines while balancing objectives outlined in a range of plans and policy guidance documents.

The purpose of the ATPDS is to:

- test and validate public domain scenarios
- contribute to the public domain vision surrounding the Metro station
- identify scenarios for improvements to the public domain to better serve those walking and cycling
- consider integration with Metro station entrances.

The ATPDS does not:

- provide detailed public domain designs / drawings
- seek additional funding or contribute to a future business case
- determine responsibility for public domain improvements
- commit to deliver public domain outside the scope defined by the Stage 3 CSSI Approval.

An overview of the program for preparation of the ATPDS is provided in Table 5-1.

Table 3-1 Program for preparation of ATPDS

Project Phase	Date
Kick off	March 2024
Consultation and optioneering	March- August 2024
Report development	April -July 2024
Draft Report and finalisation	August – September 2024

The ATPDS has tested and validated various public domain options for the wider Pymont Station precinct as guided by the PPPS Design Guidelines. It identifies options for improvements to, and increase in the provision of, the public domain to better serve those walking and cycling. The ATPDS also considers integration with Pymont Station entrances. It does not determine responsibility or delivery pathways for public domain improvements.

Whilst the ATPDS has been prepared, there are no additional public domain works required to be provided, or proposed to be provided, as part of the Concept SSSA scope.

5.5 Pymont Peninsula Infrastructure Delivery Plan

DPHI request the applicant to consider the Pymont Peninsula Infrastructure Delivery Plan and identify the infrastructure delivery as relevant to the proposal, including infrastructure being delivered to benefit the proposal and infrastructure required or to be delivered in conjunction with the proposal.

The requirement for the DPHI to consider the Pymont Peninsula Infrastructure Delivery Plan is a provision of clause 6.62 (2) of the SLEP 2012. The Clause provides as follows:

“(2) In deciding whether to grant concurrence, the Planning Secretary must consider the Pymont Peninsula Infrastructure Delivery Plan published by the Department on 29 July 2022 and available on the NSW planning portal.”

Under clause 6.62 (2), in deciding whether to grant concurrence, the Planning Secretary must consider the Pymont Peninsula Infrastructure Delivery Plan (IDP) published by DPHI on 29 July 2022 and available on the NSW planning portal. The IDP has been prepared to identify infrastructure priorities needed to support the implementation of the Pymont Peninsula Place Strategy. The IDP provides information on what infrastructure is needed (local and state infrastructure priorities and opportunities), when it is needed (staging and priorities), how it can be delivered (funding and delivery mechanisms), and who could deliver it (developers, state agencies, local authorities etc).

Appendix A of the IDP contains a detailed draft infrastructure delivery schedule with additional information for each infrastructure item. Where the infrastructure item is proposed to be delivered by a state agency, details of the specific agency responsible for delivery is included. Item T23 of Appendix A

comprises delivery of the Pymont Station, which is to be delivered by Sydney Metro. No other infrastructure is required to be delivered by Sydney Metro.

The IDP identifies that next steps for Sydney Metro include continued planning for the delivery of the Pymont Station and supporting infrastructure including pedestrian connections and public domain upgrades. The Pymont Station including the podium built form and public domain works will be delivered under the Stage 3 CSSI Approval and not as part of the Concept SSDA or a future Detailed SSDA. Sydney Metro will continue to consult with the Council and other relevant government stakeholders to ensure Pymont Station supports the Place Strategy vision.

The IDP acknowledges that much of the infrastructure identified as being needed to support the implementation of the Pymont Peninsula Place Strategy is local infrastructure that the City of Sydney is responsible for delivering and / or owning and managing. The primary delivery mechanism available to councils to fund and deliver local infrastructure in NSW is local infrastructure contributions.

A future Detailed SSDA would be subject to local contributions calculated in accordance with the City of Sydney Development Contributions Plan 2015. A condition of consent will be applied to levy for increased local services and infrastructure, based on the calculated increase in net population (residents, workers and overnight visitors). The population increase will then be multiplied by the indexed contribution rate (per resident, worker or visitor). The rate will also be indexed at the time of payment using the Consumer Price Index for Sydney, in accordance with section 2.2 of the City of Sydney Development Contributions Plan 2015.

A future Detailed SSDA will also be subject to the contribution requirements for affordable housing under section 7.32 of the EP&A Act and clause 7.13 of the SLEP 2012. Pursuant to clause 7.13(2A) of the SLEP 2012 the affordable housing levy for a proposed development on the site would be calculated on the basis of 3 per cent of the total floor area of the development intended to be used for residential purposes, and 1 per cent of the total floor area of the development intended to be used for non-residential purposes.

A determination of this Concept SSDA will not trigger a contribution for affordable housing under clause 7.13 of the SLEP as the determination will not authorise the carrying out of development without further consent. The value of the affordable housing contribution would be determined as part of the future Detailed SSDA. At that stage, the precise floor space and specific project details would be known.

5.6 Acoustic assessment

DPHI request the applicant to prepare an updated acoustic assessment, to address the following:

- Correct reference and re-assessment of 50 Murray Street as an additional sensitive receiver as the building is also used for residential in addition to partial hotel use
- Consider impacts and any mitigating measures to the residential levels of the building at 50 Murray Street (above the height of 1-9 Pymont Bridge, approximately Level 8 and above)

The Noise and Vibration Impact Assessment (RTS Appendix E) has been updated to include One Darling Harbour (50 Murray Street) as a sensitive receiver. There is no predicted exceedance of the noise management level (NML) for the sensitive receiver during standard construction hours.

The assessment of acoustic impacts to this property and its classification as a sensitive receiver does not alter the original assessment, findings, or recommended mitigation measures of the Noise and Vibration Impact Assessment (EIS Appendix T) as submitted.

5.7 Estimated Cost of Development Report

DPHI requests that the Estimated Cost of Development Report is updated to address the following:

- justification for the exclusion of uncertainty (contingency and escalation) to the date of construction
- demonstrate the Report has been prepared by a chartered quantity surveyor with RICS or AIQS certification.

The request for justification for the exclusion of costs associated with uncertainty (contingency and escalation) reflects recent amendments made to the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and the replacement of the term “cost of development” or “capital

investment value” with “estimated development cost” (EDC). The EDC reform commenced on 4 March 2024 and applies to SSDAs submitted on or after this date. The Concept SSDA EIS for Pymont OSD was submitted on 1 March 2024 and as such is captured under the savings and transitional arrangements of the EDC reform. The request for additional justification for uncertainty costs for the Pymont OSD Cost Estimate Report to reflect the EDC reform under the EP&A Regulation does not apply to this Concept SSDA.

The Pymont OSD Cost Estimate Report has been reviewed and signed by a chartered quantity surveyor and provided to DPHI as part of the Response to Submissions.

6 Updated proposal justification

Sydney Metro lodged with DPHI a Concept SSDA for OSD at Pyrmont Station east site in March 2024. The Concept SSDA was placed on public exhibition between 12 March 2024 and 8 April 2024. In total, 32 submissions were received from the community, local community groups and organisations. A submission was also received from the City of Sydney Council. No submissions were received from Government agencies or authorities.

DPHI issued a letter dated 10 April 2024 requesting a response to the submissions received from the community, organisations and City of Sydney Council during the exhibition of the Environmental Impact Statement. DPHI issued a further letter dated 19 April 2024 requesting additional information in relation to the Concept SSDA.

This Submissions Report has been prepared to satisfy the provisions of clause 59 of the EP&A Regulations. Each submission received during the public exhibition period has been collated, analysed, and addressed in this Submissions Report. No changes to the concept proposal are required or proposed by Sydney Metro in response to the submissions and stakeholder consultation. Additional clarifications in relation to the requirements for future application(s) for the project in response to the submissions and stakeholder consultation are provided within the updated mitigation measures at Appendix B.

No further adverse environmental, social or economic impacts have been identified as a result of the proposed development. Potential environmental impacts will be managed through the updated mitigation measures (Appendix B) for the design, construction and operational phases.

As such, the proposed development is considered to be justified for the following reasons:

- The site is zoned MU1 Mixed Use under the SLEP 2012, where residential, commercial, and retail uses are permitted with consent. The Concept SSDA is consistent with the zone objectives and will ensure Pyrmont becomes an active and vibrant town centre in an accessible location, maximising public transport patronage and encouraging walking and cycling.
- The proposed development is consistent with the strategic planning objectives for the site and supports the Government's investment in public transport infrastructure and the delivery of well-connected place focused communities.
- The proposed development would support the growth of Pyrmont as a key planned employment and housing growth centre on the western side of the harbour.
- The proposed development would create a vibrant precinct that is well connected to transport and provides opportunities for place-based design and transit-orientated development.
- The proposed building envelopes positively respond to the site conditions and surrounding local context and are consistent with the Pyrmont Peninsula sub-precinct master plans and the Pyrmont Peninsula Design Guidelines.
- The proposed building envelope has been developed to enable flexibility for the future Detailed SSDA to facilitate a high-quality development.
- The proposed development would deliver economic benefits particularly in creating full time jobs during construction and will sustain direct and indirect jobs during its ongoing operation.
- During construction, it is expected that approximately 170 direct annual construction jobs and 229 indirect annual jobs would be generated over eight years. In addition, it is expected that approximately 345 direct and a further 404 indirect jobs would be created during the operation of the development.
- The site is suitable for the proposed development in that it does not contain contamination or hazards that would present a risk to future site residents or occupants.
- The proposed development is in the public interest. The proposal would contribute to the provision of a 30-minute Eastern Harbour City, co-locating housing and employment at a site which directly benefits from very good access to services, employment and transport.
- Subject to the various mitigation measures recommended by the specialist consultants, the approval would not have any unreasonable impacts on adjoining properties or public domain in terms of traffic, acoustic and environmental impacts.

Contact us

If you have any questions or would like more information please contact our project team:

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