

Attachment A - Summary of Submissions

	Issues Raised	Proponent's Response
City of Sydney	<p>The City of Sydney generally supports the proposal subject to conditions. The following recommendations should be captured in appropriate approval conditions at the Concept Plan stage:</p>	<p>The general support of the City of Sydney is noted.</p>
	<p>1. The development is limited in height to match the height of the existing building structure. This excludes the building structure that extends over Council's current road reserve which must comply with the height limit with in Sydney LEP 2005.</p>	<p>Noted. The proposed envelope is limited in height to that of the existing building and the LEP height limit for that portion over the road reserve.</p>
	<p>2. Permanent residential land use should be sufficiently separated from the public domain by being limited to floor levels above 9 storeys, with serviced apartments and commercial uses allocated from ground level to the 9th floor inclusive.</p>	<p>The Concept Plan does not specifically nominate uses for particular floors to allow the future detailed design to flexible respond to market conditions. Furthermore, the detailed design will take into account amenity issues as appropriate t ensure all uses are not unduly impacted on by the public domain.</p>
	<p>3. The new colonnade must match the height and width of the established colonnade to the north. At the new termination point of the colonnade, a public artwork or visually permeable screen should be design and built to the approval of Council.</p>	<p>Noted. The detailed design of the colonnade will be the subject of a future Development Application.</p>
	<p>4. The public space within the colonnade extension is to be held as a stratum in favour of the City of Sydney, consistent with the existing colonnade at the buildings to the north along East Circular Quay.</p>	<p>Noted.</p>
	<p>5. A through-site link (in the form of a staircase) between the colonnade and Macquarie Street is to be incorporated in any consent between the landowner and the consent authority.</p>	<p>Noted. The detailed design of the through-site link will be the subject of a future Development Application.</p>

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6. The public space of the through-site link referred to in 4 and 5 is to be held as a stratum in favour of the City of Sydney, consistent with the colonnade extension.	Noted.
7. The soffit above the through-site link is to be designed to retain the full height as proposed at Macquarie Street to ensure an unobstructed open view for pedestrians looking up to Macquarie Street from East Circular Quay.	Noted. The detailed design of the colonnade will be the subject of a future Development Application.
8. Given the site's proximity to all forms of public transport including Circular Quay railway station, ferry wharves, buses, and a future light rail link and also given the negative impacts of traffic congestion on Central Sydney, car parking must not exceed the City's current controls prescribed in the Sydney LEP 2005.	Refer to detailed discussion in Section 2.1 of this Response to Submissions.
9. The proponent must provide documentation that demonstrates why the proposed basement entry point is preferred over an entry point that is accessed from underneath the Cahill Expressway, behind (to the east of) the rail viaduct abutment structure.	<p>Locating the basement entry underneath the railway viaduct abutment was considered during the early stages of the development of the Concept Plan, however it was discarded due to the physical constraint of insufficient clearance under the railway viaduct. (The height of the railway viaduct reduces in this location as it enters the tunnel). In order to achieve sufficient clearance under the railway viaduct, a lowered road carriageway would have to be provided, and this would block access to the Royal Automobile Club and Quay Apartments.</p> <p>It should also be noted that the land to the south of the viaduct abutment is not owned by either the Proponent or the City of Sydney.</p> <p>Should the railway and Cahill Expressway be removed in the future (as envisaged in masterplan studies by Council and SHFA), the basement entry location could potentially be reorientated.</p>
10. The City requests that Section 61 contributions, under	Noted. The Statement of Commitment at Section 3.12 relates to

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	the City of Sydney Act 1988, are made payable as part of any subsequent Project Approval or DA approval.	future Planning Agreements and contributions.
	<p>11. Adjustments to the adjoining public domain will be required to accommodate changes in usage levels and movement patterns associated with the redevelopment of the site. The City will require a series of public domain improvements by the Proponent to be linked with any future redevelopment application for the site. Public improvement works to be provided include:</p> <ul style="list-style-type: none"> ▪ Removal of existing glass awning and replacement with a new glass awning; ▪ Removal of existing kiosk and replacement in a new location; ▪ Provision of new water feature or public artwork; ▪ Retention of existing trees, with relocation where required; and ▪ Ancillary upgrades to paving, signage, lighting, screening etc. 	Noted. The detailed design of the public domain will be the subject of a future Development Application.
	12. A design competition consistent with City of Sydney requirements is required prior to the lodgement of a Project Application or DA.	A design competition will be held prior to the lodgement of the future Development Application to ensure design excellence is achieved.
Sydney Water	<p>Water</p> <p>The drinking water main available for connection is the 150 mm main on the northern side of Circular Quay East.</p>	Noted. Servicing will be detailed as part of a future Development Application.
	Wastewater	Noted. Servicing will be detailed as part of a future Development

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<p>A wastewater extension is required to service the proposed development. The extension of the wastewater system will be required from the 300 mm main in Circular Quay East and must provide a point of connection at least one metre inside all the proposed lot boundaries.</p>	<p>Application.</p>
<p>Stormwater</p> <p><i>Building Over the Stormwater Channel</i></p> <p>The proposed development appears to be either over or very close to Sydney Water's locally heritage listed Bennelong Point Oviform Stormwater Channel SWC 29. There should not be any new buildings or permanent structures over the stormwater channel or within one metre from the outside wall of the stormwater channel. The information provided is not sufficient to establish the exact location of the stormwater channel or proximity to the proposed development in relation to the stormwater channel. More information clarifying this is required.</p> <p><i>Proposed additional leased basement land</i></p> <p>The proposed 'basement land lease arrangement' should not be over Sydney Water's stormwater channels or within one metre from the outside wall of the stormwater channel located along the Macquarie Street footpath and Macquarie Street road carriage way. No buildings or permanent structures should be proposed over the stormwater channel or within one metre from the stormwater channel.</p>	<p>Refer to Sections 2.3 and 3.5 of this Response to Submissions for discussion of the Drain and an appropriate Statement of Commitment.</p>
<p>Heritage</p> <p>Recommendation that no new openings are made in these early brick built, oviform shaped, stormwater channels. Any new piping should use the existing openings into the channel. If the existing channel needs to be removed or have new openings, Sydney Water must be advised and drawings will</p>	<p>Noted. Servicing will be detailed as part of a future Development Application.</p>

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	need to be submitted for an official heritage approval by Sydney Water to be granted.	
	<p>Sydney Water Servicing</p> <p>Sydney Water will further assess the impact of the development when the proponent applies for a Section 73 Certificate. The proponent must fund any adjustments needed to Sydney Water infrastructure as a result of any development.</p>	Noted.
	<p>Building Plan Approval</p> <p>Approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater or water main, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.</p>	Noted.
Sydney Harbour Foreshore Authority	<p>Support</p> <p>SHFA supports the overall effect of the proposed changes to the public domain. The changes will provide for an effective separation of pedestrians and vehicles and improve the amenity at the southern end of the East Circular Quay promenade.</p>	Noted.
	<p>Water feature</p> <p>The design of the water feature across the front of the development should be carefully considered to not create a barrier to east-west pedestrian circulation.</p>	Noted. The detailed design of the public domain will be the subject of a future Development Application.
RailCorp	<p>Consultation</p> <p>No evidence of any consultation with RailCorp given the close proximity of the proposed development to the rail corridor.</p>	Ongoing consultation with RailCorp will be undertaken through the development of the detailed design, prior to the submission of a future Development Application.
	RailCorp specific Director General Requirements	Noted.

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<p>Addressed these Director-General Requirements with the submittal of information based on preliminary or desktop information (i.e. geotechnical report). Therefore the following conditions should be imposed.</p>	
<p>Property & Title Search and Survey</p> <p>The applicant should accurately define and locate the property boundaries between the development and RailCorp's facilities, and define the location of the proposed works/development in relation to RailCorp's facilities. A full Property and Title search and physical surveys should be undertaken. The following condition should be included in any approval:</p> <ul style="list-style-type: none"> ▪ <i>Prior to the lodgement of any future Project Application or Development Application the Proponent/Applicant shall provide an accurate survey locating the development with respect to the rail boundary, easements and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of RailCorp's representative.</i> <p><i>This survey is to also identify any existing or proposed encroachments into RailCorp land or easements. The Proponent/Applicant is to liaise with RailCorp regarding the removal or retention of any existing encroachment, and RailCorp 's consent for any future encroachments.</i></p> <p><i>The Proponent/Applicant is to submit written evidence from RailCorp that this condition has been met with any future Project Application or Development Application.</i></p>	<p>Noted. Section 3.4 of this Response to Submissions provides an appropriate Statement of Commitment.</p>
<p>Services Searches</p> <p>The Applicant should identify the existence of any existing</p>	<p>Noted. Section 3.4 of this Response to Submissions provides an appropriate Statement of Commitment.</p>

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<p>RailCorp services (such as pipes and cables) and structures within their development area by initiating the appropriate service searches. There services exist within the development site, an agreement with RailCorp accommodating the accommodation of these services should be reached. The following condition should be included in any approval:</p> <ul style="list-style-type: none"> ▪ <i>Prior to the lodgement of any future Project Application or Development Application the Proponent/Applicant shall undertake a services search to establish the existence and location of any rail services. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the subject development site the Applicant must discuss with the RailCorp as to whether these services are to be relocated or incorporated within the development site.</i> <p><i>The Proponent/Applicant is to submit written evidence from RailCorp that this condition has been met with any future Project Application or Development Application</i></p>	
<p>Noise and Vibration</p> <p>The future occupants of the development may encounter rail-related noise and vibration from the adjacent rail corridor. The following condition should be included in any approval:</p> <ul style="list-style-type: none"> ▪ <i>The Proponent/Applicant is to provide an acoustic assessment with any future Project Application or Development Application demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads – Interim Guidelines".</i> 	<p>Noted. Section 3.4 of this Response to Submissions provides an appropriate Statement of Commitment.</p>
<p>Stray Currents and Electrolysis from Rail Operations</p>	<p>Noted. Section 3.4 of this Response to Submissions provides an</p>

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<p>The applicant should consider this possible impact of stray currents, and engage an expert consultant when designing its buildings. The following condition should be included in any approval:</p> <ul style="list-style-type: none"> ▪ <i>The Proponent/Applicant is to provide an Electrolysis Report with any future Project Application or Development Application. The Report is to assess the electrolysis risk to the development from stray currents and provide mitigation strategies.</i> 	<p>appropriate Statement of Commitment.</p>
<p>Geotechnical and Structural Stability and Integrity</p> <p>The development should have no adverse effects on the geotechnical and structural stability and integrity of RailCorp's Facilities. The following condition should be included in any approval:</p> <ul style="list-style-type: none"> ▪ <i>Prior to the lodgement of any future Project Application or Development Application that will involve excavation or other ground penetration (piles/footings) of greater than 2m in depth and within 25m of the rail corridor the proponent is to prepare the following items for endorsement by RailCorp:</i> <ul style="list-style-type: none"> - <i>a Geotechnical and Structural Report, and Demolition, Excavation and Construction methodology that meets RailCorp's requirements. The Geotechnical Report is to be based on actual borehole data/surveys.</i> - <i>Detailed cross sectional drawings showing ground surface, rail tracks, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the Rail Corridor. All distances from the rail corridor and infrastructure are to be confirmed as accurate by a Registered Surveyor.</i> 	<p>Noted. Section 3.4 of this Response to Submissions provides an appropriate Statement of Commitment.</p>

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<p>Building, Balconies and Window Design</p> <p>New Development should allow continued access for maintenance of RailCorp's facilities.</p> <p>Balconies and windows in the proposed development must be designed to prevent objects being thrown onto RailCorp's facilities. Balconies and windows must also meet the relevant BCA standards, and the RailCorp Electrical Standards. The following condition should be included in any approval:</p> <ul style="list-style-type: none"> ▪ <i>Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows and other external features (e.g. roof terraces and external fire escapes) that face the rail corridor, the final design of the building is to contain measures (e.g. awning windows, louvres, enclosed balconies etc) which prevent the throwing of objects onto the rail corridor.</i> 	<p>Noted. The detailed design of the building will be the subject of a future Development Application.</p>
<p>Derailment Protection of Structures</p> <p>The following condition should be included in any approval:</p> <ul style="list-style-type: none"> ▪ <i>The proposed development must be designed and constructed so that supporting elements comply with the redundancy requirements or the minimum collision loads specified in Australian Standard AS5100.</i> 	<p>Noted. Section 3.7 of this Response to Submissions provides an appropriate Statement of Commitment.</p>
<p>Maintenance of Development</p> <p>Maintenance activities must not impact adversely on RailCorp's facilities or operations. The following condition should be included in any approval:</p> <ul style="list-style-type: none"> ▪ <i>The Proponent/Applicant is to provide a plan of how future maintenance of the development facing the rail corridor is to be undertaken with any future Project Application or Development. This plan is to be to the satisfaction of RailCorp.</i> 	<p>Noted. Section 3.4 of this Response to Submissions provides an appropriate Statement of Commitment.</p>

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<p>Requirement for the Proponent/Applicant to enter into a Deed with RailCorp</p> <p>The proposed development has the potential to impact the safety, integrity and operation of RailCorp's network. The following condition should be included in any approval:</p> <ul style="list-style-type: none"> <i>The Proponent/Applicant is required to enter into an agreement with RailCorp defining the controls to be implemented in managing the access required and/or the potential impacts of the development on RailCorp, and the involvement of RailCorp staff in ensuring appropriate the appropriate safety and technical standards are complied with throughout the development.</i> 	Noted.
<p>Dilapidation Surveys</p> <p>Construction and installation activities should not affect RailCorp's facilities. Full-time monitoring is required. The following condition should be included in any approval:</p> <ul style="list-style-type: none"> <i>Prior to the commencement of works, during the works, prior to the issue of the Occupation Certificate, and following occupation, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from RailCorp and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during and after construction to be observed. The timing of the surveys is to be agreed with RailCorp. The submission of a detailed dilapidation report will be required unless otherwise notified by RailCorp.</i> 	Noted. This would be addressed by a condition of consent relating to the future Development Application.
<p>Demolition, Excavation and Construction Impacts</p> <p>During demolition, excavation and construction, there is a need to ensure that there will be no adverse impact on the</p>	Noted. This would be addressed by a condition of consent relating to the future Development Application.

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<p>integrity of RailCorp's facilities, or the operation of the network. The following conditions should be included in any approval:</p> <ul style="list-style-type: none"> ▪ <i>Prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to RailCorp for review and comment on the impacts on rail corridor. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.</i> ▪ <i>No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.</i> 	
<p>Crane and Other Aerial Operations</p> <p>If required, the developer must demonstrate to the satisfaction of RailCorp that all crane and other overhead operations are properly managed, and enter into an agreement with RailCorp for such operation. The following condition should be included in any approval:</p> <ul style="list-style-type: none"> ▪ <i>Prior to the issuing of a Construction Certificate the Applicant is to submit to RailCorp a plan showing all craneage and other aerial operations for the development and must comply with all RailCorp requirements. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp</i> 	<p>Noted. This would be addressed by a condition of consent relating to the future Development Application.</p>

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	<i>confirming that this condition has been satisfied.</i>
<p>Fencing</p> <p>Unauthorised entry into the rail corridor is prevented. The following condition should be included in any approval:</p> <ul style="list-style-type: none"> ▪ <i>Prior to the commencement of works appropriate fencing shall be installed along the rail corridor to prevent unauthorised access to the rail corridor. Details of the type of fencing and the method of erection are to be to RailCorp 's satisfaction prior to the fencing work being undertaken. RailCorp may provide supervision, at the developer's cost, for the erection of the new fencing.</i> 	<p>Noted. This would be addressed by a condition of consent relating to the future Development Application.</p>
<p>Physical Access to RailCorp's Facilities</p> <p>If any access to or works within the rail corridor are required, that this is done in a safe and controlled manner. The following condition should be included in any approval:</p> <ul style="list-style-type: none"> ▪ <i>No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an Agreement has been entered into with RailCorp.</i> <p><i>Where the Applicant proposes to enter the rail corridor, the Principal Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from RailCorp confirming that its approval has been granted.</i></p>	<p>Noted. This would be addressed by a condition of consent relating to the future Development Application.</p>
<p>General Access to RailCorp's Facilities for Maintenance and Work Purposes (e.g. road closures, access clearances)</p> <p>The ongoing ability to access the rail corridor for maintenance and emergency situations is critical to the safety, integrity and operation of RailCorp's network. The following condition</p>	<p>Noted. This would be addressed by a condition of consent relating to the future Development Application.</p>

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	<p>should be included in any approval:</p> <ul style="list-style-type: none"> <i>The Proponent/Applicant shall make provision for easy and ongoing access by rail vehicles, plant and equipment to support maintenance and emergency activities during construction.</i>
Office of Environment and Heritage (now Environment Protection Agency)	No comment on the application and no further interest in the matter.
Heritage Council of New South Wales	<p>Earlier Sandstone Warehouses</p> <p>Before any approval is granted for this Concept Plan, the applicant should be asked to confirm that the proposed development would still be viable if these sandstone walls were required to be retained.</p> <p>Opera House Buffer Zone</p> <p>The proposed non-compliance with the height limit on this site has a potential to have a detrimental impact on the setting of the Sydney Opera House and is contrary to the objectives of the Buffer Zone for Sydney Opera House.</p> <p>Height Offsets</p> <p>The proposal includes additional footprint to the east of the existing building (with several floors above) and parking levels located below Macquarie Street. These additional benefits may be able to offset the loss of existing floors above the LEP height limit on that site.</p> <p>Positive Opportunity</p> <p>Opportunity to mitigate a long standing adverse visual impact on the setting of not only the Sydney Opera House but also the Circular Quay itself.</p>
Noted.	
Refer to Section 2.3 of this Response to Submissions for discussion. The remains of the sandstone walls (if not already demolished) would not likely need to be retained in-situ.	
Refer to Section 2.3 of this Response to Submissions. The Concept Plan (and future building) would not reduce the visual prominence, or have any adverse impacts on the significance or setting of the Sydney Opera House.	
Refer to Section 2.2 of this Response to Submissions and Sections 3.1 and 5.4 of the Environmental Assessment Report for discussion on the retention of the height of the existing building.	
As noted above, the Concept Plan has been demonstrated to not have an adverse visual impact on the Opera House. The Heritage Council has not provided any detail to support the assertion that the existing building has an adverse visual impact on Circular	

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	Quay. In any case, the proposed envelope seeks to maintain the height of the existing building.
It is recommended that the following conditions are included if an approval is granted:	-
<p>1. <i>The overall height of the proposed development be limited to the permissible height limit or the height of the adjoining Quay Grand whichever is greater.</i></p>	The proposed heights are extensively discussed in the Environmental Assessment Report and this Response to Submissions. It should be noted that there is considerable support from other public authorities, particularly the City of Sydney and the Sydney Harbour Foreshore Authority.
<p>2. <i>A Heritage Impact Statement be submitted with detailed assessment of the visual impact of the proposed development on the setting of Sydney Opera House within its buffer zone.</i></p>	<p>A Review of Potential Impacts on the Sydney Opera House Buffer Zone has been prepared (refer Attachment D) that concludes that:</p> <p><i>The proposed development would retain views to and from the Sydney Opera House, consistent with the requirements for development within the buffer zone, as set out in Section 58B of the SREP . It would not reduce the visual prominence, or have any adverse impacts on the significance or setting of the Sydney Opera House. It would protect the World Heritage values of the item.</i></p>
<p>3. <i>The Applicant must undertake archaeological testing in the areas identified in the Concept Plan documentation as potentially containing archaeological remains. In the event that the testing reveals that remains of significant archaeology are located within the site, and those remains will be negatively impacted by the future works, adequate mitigation strategies, including the potential for in situ retention must be addressed and provided for comment to the Heritage Branch, Office of Environment and Heritage.</i></p>	Further archaeological investigations have been carried out by Godden Mackay Logan (refer to Section 2.3 of this Response to Submissions), and furthermore Section 3.4 of this Response to Submissions provides an appropriate Statement of Commitment.
<p>4. <i>This approval is without prejudice to any limitations that might be placed on the subject development as a</i></p>	Noted.

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	<i>result of a requirement to retain any significant archaeological relics in situ.</i>	
Mr Peter Bulluss and Mrs Amanda Bulluss	<p>Access, transport and traffic</p> <ul style="list-style-type: none"> ▪ Vehicles generally entering and even parking on east Circular Quay pedestrian way. ▪ Any additional traffic is again hazardous ▪ Result in traffic increases in Albert Lane, Alfred Street, Phillip Street and Albert Street. This needs to be taken into consideration when viewing the traffic concerns of this proposed development. ▪ Reversing trucks will make noise. ▪ Garbage trucks, delivery trucks and removalist trucks with associated noise and reverse disturbance will disturb sleep of residents of The Quay Apartments. This would be minimised with the proposed development having appropriate turning circles and parking bays for serviced vehicles. ▪ Buses occupy most of the parking and driving space in the northern end of Phillip Street and surrounding streets. ▪ Large utility and delivery trucks will not be able to fit into the Proposed Development car park. ▪ Traffic flow in the next 5 years needs to be planned carefully. 	<p>These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).</p>
	<p>Visual Privacy</p> <ul style="list-style-type: none"> ▪ Apartments on the south and south-west side of the building will have their apartments 20 metres close to our apartments invading privacy. 	<p>The detailed design of the building will be the subject of a future Development Application, which will resolve specific amenity issues (refer to Statement of Commitment at Section 3.10 of this Response to Submissions and also to Section 5.4 of the</p>

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	<p>Environmental Assessment Report).</p> <p>The separation between the proposed building envelope and the existing residential component of the Quay Apartments building at its closest point is 37 meters. This separation is considered sufficient to mitigate any overlooking and privacy issues.</p> <p>Because of the splayed southern corner of the proposed low level building extension, no additional building envelope is any closer to the Quay Apartments than the existing Amatil building.</p> <p>It should also be noted that it is the intention that all habitable residential spaces will have their primary orientation to the north-east and north-west towards the Harbour and not towards the Quay Apartments.</p>
<p>View sharing and visual impact</p> <ul style="list-style-type: none"> ▪ View will be impacted with further utility buildings on the roof of the Proposed Development. ▪ Height of the Proposed Development is not compliant with the height control. ▪ Western side of the Proposed Development will extend as indicated and will impact on the residents of the northern side of The Quay Apartments, with impacts such as noise. 	<p>The Concept Plan seeks to significantly tidy the roof area, with utility and plant rooms consolidated into a single area. The height of this plant area is no higher than that of the existing building.</p> <p>The view analysis within the Environmental Assessment Report (Section 5.4.4) took into account the proposed roof plant and determined that there would be no view impacts to the mid and upper levels of the Quay Apartments.</p> <p>Extensive discussion on the height of the Concept Plan is provided within the Environmental Assessment Report and this Response to Submissions.</p> <p>Acoustic impacts from residential development from the western extension to the existing building envelope will not be significant in the context of the site, with the Cahill Expressway located between the buildings. In any case, acoustic impacts will be considered as part of the detailed Development Application (refer Statement of Commitment at Section 3.4)</p>
<p>Safety and Security</p>	<p>The amenity and security impacts of retail and other commercial uses will be addressed and assessed as part of the applicable</p>

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<ul style="list-style-type: none"> ▪ Retail areas need to be thoroughly considered. ▪ Rats and scavenging birds are issues from current food outlets. ▪ Night clubs, bars, small bars, small or large restaurants will impact on the safety of the surrounding residents. 	<p>future detailed Development Applications for these uses.</p>
<p>Noise and Vibration</p> <ul style="list-style-type: none"> ▪ Any bar or restaurant will increase the noise in the living, dining and bedroom areas of residents in The Quay Apartments. ▪ Noise pollution is at serious level now with traffic, delivery vehicles, and competing buskers on the western side. This will be increased. ▪ An increased pedestrian area will need busker laws to be revised and have no increase in buskers. ▪ Vibration of buses and trucks is now of huge significance. 	<p>The amenity and security impacts of retail and other commercial uses will be addressed and assessed as part of the applicable future detailed Development Applications for these uses.</p> <p>Busking and vibration from existing traffic are not matters to be considered by this Concept Plan.</p>
<p>Reflectivity</p> <ul style="list-style-type: none"> ▪ The building will reflect negatively into The Quay Apartments with the extended western area of the Proposed Development. ▪ The sun will reflect onto The Quay Apartments increasing need for air conditioning which is a threatened commodity. 	<p>As the Concept Plan envelope is aligned with the neighbouring Quay Grand building, there will be no opportunity for reflections to the existing Quay Grand apartments. Therefore, there will not be an increased heat load to Quay Grand apartments.</p>
<p>Services and Utilities</p> <ul style="list-style-type: none"> ▪ Noise problems as detailed above. 	<p>Acoustic measures to ameliorate potential noise impacts will be detailed within the future Development Application.</p>
<p>Social Impact on the locality</p>	<p>Potential security impacts and crime prevention through environmental design matters will be addressed and assessed as</p>

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<ul style="list-style-type: none"> ▪ Safety concerns as detailed above. 	part of the future detailed Development Application.
<p>Demolition and Construction Impact</p> <ul style="list-style-type: none"> ▪ Effects on other buildings will need to be assessed. ▪ Construction hours will need to reflect local business times being 9 am to 5 pm. 	Demolition and construction impacts will be assessed via the future Development Application, with appropriate conditions of consent imposed by Council to mitigate against potential negative impacts.
<p>Opportunity</p> <p>The tremendous opportunity of the redevelopment site has been overlooked in the EAR.</p>	<p>As described in the Environmental Assessment Report, the redevelopment of the site will provide the opportunity to:</p> <ul style="list-style-type: none"> - complete the redevelopment of East Circular Quay, one of Sydney's most significant locations; - create a new pedestrian link connecting two of Sydney's most important areas of public domain, being Circular Quay and the Royal Botanic Gardens; - enable the completion of the East Circular Quay colonnade; - enhance the quality of the public domain through retail activation and public domain improvements; - remove vehicular traffic from Circular Quay; and - provide the city with a new 5 star residential and serviced apartment complex.
<p>Design Strategy</p> <p>The strategy is unacceptable and the applicant should use first principles which include:</p> <ul style="list-style-type: none"> ▪ Design the most appropriate building envelope consistent with the planning controls and founded on design excellence worthy of this nationally significant location. ▪ Incorporate floor space gained over council land to 	<p>The Design Report included with the Environmental Assessment Report (Appendix P) details the development of the design of the Concept Plan envelope.</p> <p>The Concept Plan seeks approval for significant public domain improvements, including the completion of the colonnade and the creation of a through-site link in a strategic location.</p> <p>Appropriate contributions will be provided in accordance with any future voluntary planning agreement, as confirmed by the</p>

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	<p>enable compliance with the height control and to include public uses.</p> <ul style="list-style-type: none"> ▪ Pay a financial contribution to compensate for the new demands made on public infrastructure by the development. 	Statement of Commitment at Section 3.12.
	<p>Historic Planning</p> <p>The Concept Plan does not acknowledge or consider the enormous and significant work that went into the establishment of the East Circular Quay planning controls over the past 50 years (1962 - 2012).</p>	<p>As discussed in Section 2.2 of this Response to Submissions, a summary of the historical height controls and previous development schemes applying to East Circular Quay has been prepared (refer Attachment C).</p> <p>This summary concludes that the previous studies and approvals did not relate to the 71-79 Macquarie Street site.</p>
<p>Mitchell Town Planning on behalf of the Owners Corporation of Quay Apartments</p>	<p>Non-Compliance with Maximum Height Limit</p> <p>The maximum height permitted by Sydney LEP 2005 is RL46.7 and this height cannot be varied. If it was able to be varied it would only be by 10%.</p>	Extensive discussion on the height of the Concept Plan is provided within the Environmental Assessment Report and this Response to Submissions.
	<p>Insufficient Justification for Exceedance in Height</p> <p>There has been insufficient information provided for the deviation in the height control.</p>	The proposed heights are extensively discussed in the Environmental Assessment Report and this Response to Submissions. It should be noted that there is considerable support from public authorities, particularly the City of Sydney and the Sydney Harbour Foreshore Authority.
	<p>Feasibility</p> <ul style="list-style-type: none"> ▪ An applicant to demand a financial return in contrary to the way the NSW planning system works. ▪ It is incorrect to state that the reduction in height would result in a reduction in floor space. ▪ Excavation is an enormous percentage of development costs and a reduction in excavation is more likely to increase the viability of the project. 	<p>If proponents were not to expect a viable financial return from development projects, then such development would cease and projects such as this would not deliver public domain benefits.</p> <p>With the proposed envelope extending to the site boundaries up to the height of the neighbouring Quay Grand, a reduction in height can only result in a reduction in floor space.</p> <p>The feasibility of a high quality mixed use residential development in such an iconic location is far more complicated than reducing excavation to increase viability. For example,</p>

Issues Raised	Proponent's Response
	reduced excavation may result in reduced basement plant (requiring more roof plant to compensate), potential undesirable impacts on the access arrangements to Quay Grand, and fewer car parking spaces (required for high-end apartments).
<p>Strategic planning outcomes cannot be achieved</p> <p>It is false to state that a building envelope contained within the maximum height controls will not meet strategic planning objectives. No objectives for this area have been prescribed.</p>	<p>As described in Section 5.1 of the Environmental Assessment Report, the Concept Plan is consistent with the strategic objectives contained in the following:</p> <ul style="list-style-type: none"> - the NSW State Plan 2010; - the Sydney Metropolitan Plan; and - the Draft Sydney City Subregional Strategy.
<p>Transition in height is required</p> <ul style="list-style-type: none"> ▪ The background work for the area has been ignored in the prescribed height of the building. ▪ A transition in height is not required and is inappropriate. ▪ It is unreasonable and unacceptable to apply for a built form that is entirely contradictory to the principles developed for East Circular Quay that have been set down with no uncertain authority. 	<p>As discussed in Section 2.2 of this Response to Submissions, a summary of the historical height controls and previous development schemes applying to East Circular Quay has been prepared. This summary concludes that the previous studies and approvals did not relate to the 71-79 Macquarie Street site.</p> <p>The Environmental Assessment Report and this response to Submissions demonstrate that a transition in built form from the lower buildings to the north to the significantly taller buildings to the south (including, it must be noted, the Quay Apartments) is appropriate.</p>
<p>Wall development not tower development</p> <ul style="list-style-type: none"> ▪ A unified and consistent wall of development is important in this location so as to maintain the visual importance of the Opera House. ▪ A tower development would detract from and compete with this landmark. ▪ A tower development does not comply with Clause 2.2.1 of Central Sydney DCP 1996 which provides for a maximum 20 - 45m street frontage height for new buildings. 	<p>Section 2.3 of this Response to Submissions details the assessment undertaken with regard to the Concept Plan's potential impact on the visual catchment of the Sydney Opera House (refer to Attachment D). The assessment concludes that there is no adverse visual impact, and the existing tower form (which is proposed to be maintained) does not detract from the significance of the Opera House.</p> <p>In terms of street frontage height, it should be noted that the western portion of the Concept Plan envelope is consistent with the neighbouring Quay Grand street frontage height to East</p>

Issues Raised	Proponent's Response
<p>Sydney Cove and the Royal Botanic Gardens must be enclosed</p> <p>Continuous structures of similar height must be maintained on all three sides with no tall buildings located north of the Cahill Expressway.</p>	<p>Circular Quay.</p> <p>The proposed envelope will result in the enclosure of Sydney Cove and the Royal Botanic Gardens. It is noted that significantly taller buildings than that proposed are located around Sydney Cove, including Quay Apartments.</p>
<p>New development must enhance the character of Macquarie Street</p> <ul style="list-style-type: none"> ▪ The development is out of character as there are no towers north of the Cahill Expressway. The development will retain the overbearing tower element which has been earmarked for removal. ▪ The existing building is overbearing on the streetscape so too will be the proposed building. ▪ A compliant scheme with the existing built form would have the following benefits: <ul style="list-style-type: none"> - a consistent wall development does not detract from the built form of the Opera House; - it opens up views of the Royal Botanic Gardens and the former Government House; - when viewed from the Sydney Cove and the Opera House the building marks the end of the Circular Quay Precinct; - it provides a clear distinction between East Circular Quay and the CBD; - it is in keeping with the Special Character of Macquarie Street; and - it is a more appropriate built form adjoining 	<p>As demonstrated in Section 2.2 and Attachment C of this Response to Submissions, the existing tower has not been 'earmarked for removal'.</p> <p>It cannot be argued that the height of the proposed envelope is not consistent with the existing character, as it is consistent with the height of the existing building in the site.</p> <p>As detailed above, the concept Plan does not visually detract from the Sydney Opera House. Reducing the height of the envelope to that of the neighbouring Quay Grand would not open up views to the Royal Botanic Gardens or Government House from Circular Quay or other significant areas of the public domain. The site's context and location calls for an appropriate transition from the lower northern buildings to the much taller southern buildings. Providing a clear distinction between East Circular Quay and the CBD does not accord with the City of Sydney's vision to demolish the Cahill Expressway to improve integration and connectivity. The Special Character of Macquarie Street is described as follows: <i>'the western built edge consists of medium scale buildings, stepping up to the city high rise beyond, creating a prominent city skyline when viewed from the Botanic Gardens'</i>. The Concept Plan is absolutely consistent with this character. Sydney's CBD is characterised by tall buildings adjacent to heritage items, as evidenced by the Quay Apartment's location adjacent to the RACA Building.</p>

Issues Raised	Proponent's Response
<p>the Heritage listed RACA Building.</p> <ul style="list-style-type: none"> the Director-General should require the Concept Plan to be amended to provide a consistent wall development along East Circular Quay as enshrined in the planning controls that protect the unique and iconic significance of the Opera House, Sydney Cove, the Royal Botanic Gardens and Macquarie Street . 	
<p>Obligation to consider</p> <p>The Director-General should give full weight to the height controls provided in Sydney LEP 2005 and Central Sydney DCP 1996 (and to the Sydney LEP & DCP 2011 as it gives renewed effect to the existing controls) and that the Concept Plan should be amended to comply with the maximum height of RL46.7.</p>	<p>The Director-General, under the relevant provisions of Part 3A, is not obliged to give full weight to the LEP and DCP height controls. To this end, it should be noted that the City of Sydney itself supports the proposed envelope.</p>
<p>Impact on Views</p> <ul style="list-style-type: none"> The View Impact Analysis contained within the Design Report is insufficient and does not address the requirements in full. Views gained from all over Sydney will not be enhanced as desired by the planning controls as a result of the proposed height and the size and location of the through-site link. 	<p>The location and number of views contained within the view impact analysis was as requested within the Director General's Requirements. Furthermore, additional views to those requested were also analysed.</p> <p>The through-site link will provide an important pedestrian connection as well as a visual connection between the Royal Botanic Gardens and East Circular Quay.</p>
<p>Impact on Overshadowing</p> <p>The best must be demanded and an improvement to the overshadowing of public spaces must be achieved.</p>	<p>The proposed envelope does not create any additional overshadowing, whilst at the same time facilitating a development that will deliver significant public domain benefits.</p>
<p>Adequacy of the pedestrian through site link</p> <ul style="list-style-type: none"> The through-site link should be large, highly visible, include a public life and accessible 24 hours. The current proposed through-site link presents some problems to achieve the desired outcome. 	<p>The detailed design of the through-site link will undertaken in consultation with relevant stakeholders such as the City of Sydney and the Sydney Harbour Foreshore Authority.</p> <p>It will be integrated with the future restaurant/retail uses as appropriate to provide activation.</p>

Issues Raised	Proponent's Response
<ul style="list-style-type: none"> ▪ If the through-site link is located on the southern side of the building adjoining the railway line, it will not be visible from the Circular Quay promenade or other public vantage points. ▪ Pedestrians will be delivered to the edge of the Cahill Expressway which would result in an underwhelming sense of arrival and direction. ▪ If the through-site link is located on the southern end of the building adjoining the vehicle access and loading zone it would result in either a blank termination of view in the north-south colonnade or an unsightly view of the vehicle entry. ▪ Locating the link in the centre of the building would have the following benefits: <ul style="list-style-type: none"> - much improved visibility, way finding and utility of the through site link for pedestrians; - greater connectivity to the surrounding pedestrian network; - open up more expansive views of parks to the east and Sydney Cove to the west more in keeping with the view objectives of the planning controls; - high amenity; - greater level of safety due to visibility and amenity; - greater potential for adjoining uses along the through-site link; and - the ability to provide retail space on the ground floor at the termination of the north south colonnade. 	<p>If it was located further to north, it would still not be particularly visible from East Circular Quay, but it would no longer be visible from Circular Quay in the vicinity of the Ferry Terminal. Furthermore, It has been purposely located at the termination of the colonnade.</p> <p>Detailed design will ensure that the vehicle driveway is not visually prominent. An indicative scheme has been developed that demonstrates that this is possible.</p> <p>It is not considered that a relocated though-site link would provide significant public benefit over the proposed location. Furthermore, providing a through-site link through the centre of a building creates a sense of privatisation not present when a link is on a boundary and open on one side.</p>

Issues Raised	Proponent's Response
<p>Location of Public Domain Works</p> <p>The public domain works required have not been made clear and works in this area are unnecessary. More detail on these works is required, in particular on the following locations:</p> <ul style="list-style-type: none"> - the west colonnade link; - upgrade of Alfred Lane; and - public domain works that improve the amenity, utility and safety of the Cahill Expressway undercroft. 	<p>As previously described, the detailed design of the public domain works will be developed in consultation with the appropriate public authority stakeholders.</p>
<p>Traffic and Access Impacts</p> <p>There are a number of issues which have not be dealt with and require additional information. These issues include:</p> <ul style="list-style-type: none"> ▪ Quay Apartments do not have any serviced apartments in the building contrary to the statement made in the Traffic Assessment and is therefore not a suitable subject site. ▪ The Owners Corporation of the Quay Apartments wishes to review a copy of the traffic survey. ▪ How many service vehicle spaces can be accommodated in the loading area? There appears to be insufficient space adjoining the shared driveway to accommodate all of the deliveries that would be required for the building and the retail spaces being accommodated. It would seem appropriate that a second loading dock is provided on Macquarie Street to accommodate the smaller delivery vehicles servicing the apartments. We note that access from Macquarie Street is permitted under the planning controls. ▪ Insufficient information has been provided to describe how Alfred Lane will perform with the increased 	<p>These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).</p>

	Issues Raised	Proponent's Response
	<p>demand from the subject site adding to the already busy activities for the Quay Apartments, RACA Building and Quay Grand. This small and complex Lane currently experiences many difficulties including:</p> <ul style="list-style-type: none"> - congestion from illegally parked vehicles and delivery vehicles - access issues from reduced clearance height which results invariably in large vehicles having to make complex manoeuvres; - conflicts with pedestrians and vehicles; - lighting and security; and - antisocial behaviour. <ul style="list-style-type: none"> ▪ More information is required on the pedestrian features of the loop road. ▪ The surveys were insufficient as they were carried out in school holidays and then not for a number of working days. ▪ A Construction Traffic Management Plan should be provided as a condition of consent. 	
<p>Leonie Bell – Owner of an Investment property on the southern side of Quay Grand</p>	<p>Traffic</p> <p>Access to Quay Grand is difficult and the increase in car and truck traffic will make it worse. The access to Quay Grand must be by a two lane roadway of a minimum of 8.5 metre width.</p>	<p>These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).</p>
	<p>Building interface with Quay Grand</p> <p>The extension of the building envelope on the western side may restrict the amount of light and affect the privacy of apartments and the pool area.</p>	<p>The detailed design of the building will be the subject of a future Development Application, which will resolve specific amenity issues (refer to Statement of Commitment at Section 3.10 of this Response to Submissions and also to Section 5.4 of the Environmental Assessment Report).</p>

Issues Raised		Proponent's Response
	<p>Height</p> <p>The additional height may contribute to traffic.</p>	Traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).
	<p>Construction</p> <p>Detailed construction management plans should be submitted to ensure access to Quay Grand remains uninhibited for the duration of the construction period.</p>	Detailed construction management plans will be developed and assessed as part of the future Development Application.
Carmel Holmes - Owner Unit 416 Quay Grand	<p>Traffic</p> <p>Bad traffic issues presently exist and these will be made unacceptable.</p>	These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).
	<p>Amenity of Quay Grand</p> <p>The building interface will negatively affect the amenity of the Quay Grand residents.</p>	The detailed design of the building will be the subject of a future Development Application, which will resolve specific amenity issues (refer to Statement of Commitment at Section 3.10 of this Response to Submissions and also to Section 5.4 of the Environmental Assessment Report).
	<p>Height</p> <p>The proposed height is above that specified in the LEP. This will increase traffic movements.</p>	The height of the proposed envelope is discussed in the Environmental Assessment Report (refer Section 5.4) and this response to Submissions (refer Section 2.2) Traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).
	<p>Access</p> <p>Quay Grand residents and guests will not be able to access their property during construction of the proposed development.</p>	Detailed construction management plans will be developed and assessed as part of the future Development Application. Access to surrounding properties will be maintained.
	<p>Proposed public access way</p> <p>This will be a threat at evenings for residents.</p>	Potential security impacts and crime prevention through environmental design matters will be addressed and assessed as part of the future detailed Development Application.

	Issues Raised	Proponent's Response
Ian Walters (The Quay Apartments)	<p>The maximum height for development in East Circular Quay was established after a deal between the government and the developers. The maximum height for new developments in East Circular Quay south of the Moore Stairs is RL 46.7 metres with a possible increment of 10% under certain circumstances. The height of the new development be restrained so that no part of it is higher than the adjoining Quay Grand building.</p>	<p>As discussed in Section 2.2 of this Response to Submissions, a summary of the historical height controls and previous development schemes applying to East Circular Quay has been prepared (refer Attachment C). The previous deed entered into by previous Government's did not relate to the 71-79 Macquarie Street site.</p> <p>The height of the proposed envelope and the implications of clause 10 of the Sydney LEP 2005 are provided in Section 2.2 of this Response to Submissions.</p>
	<p>When viewed from the Rocks area or from the Royal Botanic Gardens the new building should represent as closely as possible the height and form and lines of the Quay Grand and thus provide a pleasing and harmonious continuity. The built environment should represent a fenestrated wall.</p>	<p>The Macquarie Street Special Areas character statement provided in the Sydney LEP 2005 states the "<i>western built edge consists of medium scale buildings, stepping up to the city high rise beyond, creating a prominent city skyline when viewed from the Botanic Gardens</i>" and does not seek to create a single height across East Circular Quay.</p>
Pat Wilde (Owners of Apartments 1505 and 1506 Quay Grand)	<p>Principles have established height limits in the area. Redevelopment of the Amatil building was expected to be in line with the heights contemplated for the adjoining buildings. The new Building will not only be to the existing height of the present Amatil Building, but will take part of the public road area to the West of the building. We consider this to be an over development of the site.</p>	<p>As discussed in Section 2.2 of this Response to Submissions, a summary of the historical height controls and previous development schemes applying to East Circular Quay has been prepared (refer Attachment C). The previous deed entered into by previous Government's did not relate to the 71-79 Macquarie Street site.</p> <p>It should be noted that the City of Sydney supports the Concept Plan, including the portion of the envelope to be located over the</p>

Issues Raised	Proponent's Response
<p>Traffic</p> <ul style="list-style-type: none"> ▪ The specific proposal will further compromise an already difficult traffic situation within the Quay Grand Building. ▪ The traffic proposals for the new building are totally inadequate. No adequate arrangements are proposed for removalist vans, garbage trucks, large maintenance vehicles and the like. 	<p>public road formerly controlled by Council.</p> <p>These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).</p>
<p>Building Interface</p> <p>The interface proposed between the new building and the existing building is unsatisfactory and will significantly impact on the amenity of the Quay Grand residents and hotel guests.</p>	<p>The detailed design of the building will be the subject of a future Development Application, which will resolve specific amenity issues (refer to Statement of Commitment at Section 3.10 of this Response to Submissions and also to Section 5.4 of the Environmental Assessment Report).</p>
<p>Safety and Security</p> <p>The proposal to add a public access way to the South of the development is unnecessary. This will create a security risk encouraging crime, drug use, drunkenness and prostitution.</p>	<p>Potential security impacts and crime prevention through environmental design matters will be addressed and assessed as part of the future detailed Development Application.</p>
<p>Construction Management</p> <p>Construction management issues will not be addressed properly and traffic will be a nightmare.</p>	<p>Detailed construction management plans, including construction traffic management plans, will be developed and assessed as part of the future Development Application. Access to surrounding properties will be maintained.</p>
<p>Adequacy of the proposal</p> <p>The proposal is very vague in matters concerning neighbours.</p>	<p>The Environmental Assessment Report and this Response to Submissions include discussion relating to the potential impact on the amenity of the neighbouring Quay Grand apartments (refer Sections 5.4 and 2.2 respectively).</p>
<p>Prof Suzanne Llewellyn-Jones (Resident apartment)</p> <p>Traffic</p> <ul style="list-style-type: none"> ▪ The new proposed car park must include 2 way traffic, including one way wide enough to allow for a 	<p>These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).</p>

	Issues Raised	Proponent's Response
1206 Quay Grand)	truck. <ul style="list-style-type: none"> ▪ Objection to one way access and egress. ▪ Objection to signalling lights. ▪ Traffic is already difficult with service vehicles. 	
	Northern Building interface <ul style="list-style-type: none"> ▪ Object to no light being able to penetrate the southern side of the Quay Grand building which it currently does. ▪ Loss of view to the south. 	<p>The detailed design of the building will be the subject of a future Development Application, which will resolve specific amenity issues (refer to Statement of Commitment at Section 3.10 of this Response to Submissions and also to Section 5.4 of the Environmental Assessment Report).</p> <p>Potential view impacts were discussed in detail in Section 5.4.4 of the Environmental Assessment Report. Due to the relationship between the existing building and Concept Plan envelope, the impact on views from living areas within Quay Grand would be negligible at the most. There may be some very minor impacts on views to the south from balconies, however there will be no impact on main City or Harbour views.</p>
	Construction Impacts Concern over access to the Quay Grand during construction	Detailed construction management plans will be developed and assessed as part of the future Development Application. Access to surrounding properties will be maintained.
	Safety and Security The public access way at the south of the site will not improve anyone's security.	Potential security impacts and crime prevention through environmental design matters will be addressed and assessed as part of the future detailed Development Application.
Anonymous (Owner and resident in Quay Grand)	Traffic <ul style="list-style-type: none"> ▪ The proposal does not cater adequately for the increased volume of traffic in the already tight area under the railway overpass entry to the buildings, especially garbage and delivery trucks to 2 hotels, bars, restaurants and over 200 residences. ▪ Poor access will be provided to the Quay Grand. 	These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).

	Issues Raised	Proponent's Response
	<p>Building Interface</p> <p>The gym and pool area will be detrimentally affected by the development.</p> <p>The façade should be broken up or set back where it abuts the Quay Grand.</p>	<p>This response to Submissions includes specific discussion on potential amenity impacts to the Quay Grand communal facilities. Refer to Section 2.2.</p>
<p>Simone Hood (The Quay Apartments)</p>	<p>Height</p> <p>Height should not exceed that which has been built, keeping in line with the Harbour Foreshore.</p>	<p>The proposed heights are extensively discussed in the Environmental Assessment Report and this Response to Submissions. It should be noted that there is considerable support from public authorities, particularly the City of Sydney and the Sydney Harbour Foreshore Authority.</p>
	<p>Privacy</p> <p>Building separation is unacceptable and the privacy of residents of the Quay is affected.</p>	<p>The detailed design of the building will be the subject of a future Development Application, which will resolve specific privacy issues.</p>
	<p>Traffic</p> <ul style="list-style-type: none"> ▪ Entrance/exit driveways to the proposed development in Albert Lane is extremely small. This will cause increased chaos to traffic around the surrounding buildings. ▪ Macquarie Street is already at full capacity and unable to cope with state transit busses, tourist busses, taxis all servicing the Opera House. ▪ The entrance/exit for the proposed development, will mean traffic increases in Albert Lane, Alfred Street, Phillip Street and Albert Street, this is currently a complete traffic hazard. ▪ The increased noise of delivery trucks, garbage trucks, removalist trucks, will cause residence of the Quay Apartments serious concern. 	<p>These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).</p>

	Issues Raised	Proponent's Response
	<p>Aesthetics</p> <p>Same issue as height.</p>	<p>The detailed design of the building will be the subject of a future Development Application, which will define the aesthetics of the building</p>
	<p>Views</p> <p>Views will be compromised.</p>	<p>Potential view impacts were discussed in detail in Section 5.4.4 of the Environmental Assessment Report. Due to the relationship between the Quay Apartments, the proposed concept does not impact on any views from the mid and upper levels of the Quay Apartments.</p>
	<p>Security</p> <p>Increase of patrons to the area from the development will cause security issues.</p>	<p>Potential security impacts and crime prevention through environmental design matters will be addressed and assessed as part of the future detailed Development Application.</p>
John Parker (resident in Quay Grand)	<p>Traffic</p> <p>Concern over the increased traffic flows. Vehicles entering the Quay Grand building are served by a narrow two-lane entrance road with a difficult internal gradient and an inadequate space for the parking and turning of the many commercial vehicles unloading at the dock.</p> <p>There are constant road blockages and delays.</p> <p>The proposed arrangements will be dangerous and will cause delays with double the vehicles.</p>	<p>These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).</p>
	<p>Amenity</p> <p>The building reaching onto council land will reduce the effectiveness of the Quay Grand pool and recreation area, and the natural light into some of our residential apartments.</p>	<p>The detailed design of the building will be the subject of a future Development Application, which will resolve specific amenity issues (refer to Statement of Commitment at Section 3.10 of this Response to Submissions and also to Section 5.4 of the Environmental Assessment Report).</p> <p>Potential view impacts were discussed in detail in Section 5.4.4 of the Environmental Assessment Report. Due to the relationship between the existing building and Concept Plan envelope, the impact on views from living areas within Quay Grand would be negligible at the most. There may be some very minor impacts</p>

Issues Raised	Proponent's Response
	<p>on views to the south from balconies, however there will be no impact on main City or Harbour views.</p> <hr/> <p>Public access way</p> <p>Through access is already provided in the form of the historic stairs and this new access way will only be for the homeless.</p> <p>The proposed through site link is located to provide a visual and logical connection from Circular Quay to the Royal Botanic Gardens.</p> <p>Potential security impacts and crime prevention through environmental design matters will be addressed and assessed as part of the future detailed Development Application.</p>
<p>CBP Lawyers (on behalf of the Quay Grand)</p>	<p>Traffic movement and vehicle access</p> <p>The proposed access arrangements are unacceptable for the following reasons:</p> <ul style="list-style-type: none"> ▪ the proposed roadway from the Cahill Expressway undercroft to the vehicle entry point of the proposed development is narrow (approximately 5m in width) and will not enable vehicles to pass. That will result in traffic congestion at peak periods. The width of this section of road should be a minimum of 6.5m and include a vehicle passing lane of suitable length (to deal with larger trucks and delivery vans) entering the proposed development. ▪ The vehicle entrance way and the curved entrance ramp to the proposed development will not enable vehicles to pass. The width of the ramp (approximately 5m) will force vehicles to wait until approaching vehicles have passed. ▪ Trucks and delivery vans manoeuvring within basement level 1 of the proposed development utilising the dedicated vehicle turning area - will intrude into the aisle and effectively interrupt the flow of vehicle movements. ▪ The traffic survey results in the Concept Plan differ <p>These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).</p>

Issues Raised	Proponent's Response
<p>from an independent traffic assessment commissioned by the objector.</p> <ul style="list-style-type: none"> ▪ The preservation of retail has been the reason for not creating a wider internal roadway. 	
<p>Building interface between the Quay Grand and the proposed development</p> <ul style="list-style-type: none"> ▪ The EAR has not focused on this issue enough. ▪ The concept nature is accepted but more detail on the interface will need to be provided prior to any concept plan approval due to the issue being significant. 	<p>The detailed design of the building will be the subject of a future Development Application, which will resolve specific amenity issues (refer to Statement of Commitment at Section 3.10 of this Response to Submissions and also to Section 5.4 of the Environmental Assessment Report).</p> <p>Potential view impacts were discussed in detail in Section 5.4.4 of the Environmental Assessment Report. Due to the relationship between the existing building and Concept Plan envelope, the impact on views from living areas within Quay Grand would be negligible at the most. There may be some very minor impacts on views to the south from balconies, however there will be no impact on main City or Harbour views.</p>
<p>Public access way between Macquarie Street and the waterside promenade</p> <ul style="list-style-type: none"> ▪ Oppose the construction of a new public access way joining Macquarie Street and the waterside promenade. ▪ There is no justification for this feature, with the four current access points to the foreshore being adequate. ▪ There will be crime and safety concerns with this public access way. 	<p>The public benefits of the through-site link are further described in this Response to Submissions (refer Section 2.2). It should be noted that the proposed public domain scheme, including the through-site link, has considerable support from public authorities, particularly the City of Sydney and the Sydney Harbour Foreshore Authority.</p> <p>Potential security impacts and crime prevention through environmental design matters will be addressed and assessed as part of the future detailed Development Application.</p>
<p>Height of the proposed development</p> <p>The proposed height is not objected to but it is noted that the proposed height exceeds the current and draft LEP heights. The height should respond to the surrounding built form in regards to amenity and aesthetics.</p>	<p>The proposed heights are extensively discussed in the Environmental Assessment Report and this Response to Submissions. It should be noted that there is considerable support from public authorities, particularly the City of Sydney and the Sydney Harbour Foreshore Authority</p>

Issues Raised	Proponent's Response
<p>Consultation with the Owners of Quay Grand</p> <p>The process was deficient and did not address the key concerns raised with the Proponent by the owners of the Quay Grand. The concerns of these owners should be addressed prior to any concept plan approval.</p>	<p>Consultation with the residents and owners of Quay Grand is important to the proponents and will continue throughout the project. A specific Statement of Commitment has been provided (refer Section 3.10) to address the amenity of the Quay Grand apartments.</p>
<p>Statement of Commitments</p> <p>Statements of commitment under the EPA Act comprises little more than a commitment to make further detailed commitments upon the lodgement of any future development application. The promises or commitments must be sufficiently descriptive and sufficiently capable of compliance.</p>	<p>Noted. The Statements of Commitment provided (refer Section 3.0) will ensure appropriate investigation, analysis, design and assessment is undertaken for the future Development Application.</p>
<p>Construction Issues</p> <ul style="list-style-type: none"> ▪ Alternative vehicle access and parking arrangements for the owners and occupants of the Quay Grand during the demolition, excavation and construction works. ▪ Dilapidation reports. ▪ Management and monitoring of the works associated with the breakthrough deeds. 	<p>Detailed construction management plans will be developed and assessed as part of the future Development Application. Appropriate conditions will be imposed on any future Development Consent.</p>
<p>Access Ramifications</p> <ul style="list-style-type: none"> ▪ Full and unfettered access to the parking basements within the Quay Grand should be available to the owners and occupiers of the Quay Grand at all times. ▪ This should be achieved through the granting of an access easement benefiting the Quay Grand. ▪ Vehicle access to the parking basements of the Quay Grand may during construction phase require access over Council owned land. The proponent will need to receive the appropriate Council approvals. 	<p>Noted. Detailed construction management plans will be developed and assessed as part of the future Development Application. Access to surrounding properties will be maintained.</p>

Issues Raised	Proponent's Response
<p>Milestone (on behalf of the owners corporation of the Quay Grand)</p>	<p>Concern with the Concept Plan</p> <p>The Concept Plan Application contains some broad statement, to the effect that further measures and details will be developed in future to address a number of the critical concerns raised by the Quay Grand.</p> <p>The certainly and transparency necessary for these matters requires more detail on both the Concept Plan development drawings and within the supporting reports to ensure the matters are effectively resolved.</p>
<p>Concern with Community Consultation</p>	<p>Despite a number of meetings with the proponent and genuine amenity concerns being raised by residents of the Quay Grand in relation to building design issues and building interface, vehicle access and car park circulation, privacy, solar access, views and security, the proponent did not actually engage with the Quay Grand residents to develop a design solution or tangible commitment to resolve the amenity issues.</p>
<p>Impacts to Vehicle Access</p> <ul style="list-style-type: none"> ▪ There are substantial traffic issues with the proposed entry Layout to both the Quay Grand and the proposed development, that the plans submitted by the proponent do not achieve compliance with the relevant Australian Standards and that there are incorrect assumptions and data contained within them Halcrow Report. ▪ The proposed access arrangements are inadequate and will result in a significant disturbance and inconvenience to the Quay Grand residents entering and leaving the existing Quay Grand basement car parking area. 	<p>As per the above, specific amenity issues will be resolved as part of the detailed design of the building (see Statement of Commitment at Section 3.10 of this Response to Submissions). Consultation with Quay Grand residents will be ongoing throughout this design process.</p> <p>These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).</p>

Issues Raised	Proponent's Response
<p>Traffic and Transport Impacts</p> <p>The proposal exceeds the City of Sydney's maximum car parking controls by 26 car parking spaces and is inconsistent with the underlying objectives of these parking controls.</p>	<p>These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).</p>
<p>Building Interface and Setback</p> <ul style="list-style-type: none"> ▪ No consideration to the amenity currently afforded to the swimming pool area in relation to the outlook/views as well as solar access. ▪ Request that the proponent provide further design options for comment prior to the determination of the Concept Plan Application to provide some certainty that the outlook/views, solar access and interface with the pedestrian level below will be preserved. ▪ The proposed development provides little or no certainty that some degree of solar access will be maintained to the existing seven obscured windows at the upper levels located on the southern elevation of the Quay Grand. The affected windows relate to units which have their primary outlook/view to the west. 	<p>Refer to Section 2.2 of this Response to Submissions for specific discussion in relation to this issue.</p>
<p>Privacy Impacts</p> <ul style="list-style-type: none"> ▪ Section Drawings of the proposed building have not been provided with the Concept Plan Application. ▪ There is potential for significant adverse environmental impacts in relation to visual privacy and further information relating to this matter must be provided for comment prior to the determination of the Concept Plan Application. 	<p>An indicative section of a potential future building consistent with the proposed Concept Plan was provided within the Design Report (Appendix P) submitted with the Environmental Assessment Report.</p> <p>The detailed design of the building will be the subject of a future Development Application, which will resolve specific privacy issues (refer to Statement of Commitment at Section 3.10 of this Response to Submissions and also to Section 5.4 of the Environmental Assessment Report).</p>
<p>View Loss</p> <p>The proposal will also result in view loss for some of the</p>	<p>Potential view impacts were discussed in detail in Section 5.4.4 of the Environmental Assessment Report.</p>

Issues Raised	Proponent's Response
residential units in the Quay Grand, in particular views south from living areas and from balconies.	Due to the relationship between the existing building and Concept Plan envelope, the impact on views from living areas within Quay Grand would be negligible at the most. There may be some very minor impacts on views to the south from balconies, however there will be no impact on main City or Harbour views.
<p>Public Domain: Through Site Link</p> <ul style="list-style-type: none"> ▪ It is unclear what the proposed hours of access to the link will be and whether there will be visibility through to where the connection leads. Due to the lack of this and other important design or operational details on the link, we do not consider the link will improve the quality and amenity of the public domain nor serve the public interest and should therefore be deleted from the Concept Plan Application. ▪ There is currently insufficient information to determine whether the proposed 'ideas' for the link will be appropriate or viable for the subject site and also the potential impact on surrounding properties and the public domain in relation to security and safety outcomes. 	<p>The detailed design of the public domain, including the through-site link, will be undertaken in consultation with the City of Sydney and the Sydney harbour Foreshore Authority prior to the submission of a future Development Application.</p> <p>Furthermore, potential security impacts and crime prevention through environmental design matters will be addressed and assessed as part of the future detailed Development Application.</p>
<p>Varga Traffic Planning (on behalf of the owners corporation of the Quay Grand)</p> <p>Service Vehicles</p> <ul style="list-style-type: none"> ▪ The Halcrow report only surveyed the service vehicles that were parked in the 2 loading bays, and that they did not survey service vehicles parked anywhere else on the road which is proposed to be closed. ▪ There is a substantial need for on-street parking of service vehicles in the vicinity of the road to be closed, and that an alternative location will need to be found for those service vehicles if the proposed road closure proceeds. 	<p>These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).</p>

Issues Raised	Proponent's Response
<p>Compliance</p> <ul style="list-style-type: none"> ▪ compliance with the truck gradients specified in Table 3.2 of AS2890.2 – 2012 could not be verified because none of the plans show any RLs or gradients. ▪ Compliance with the recommended minimum widths of circulation roadway (kerb to kerb) as specified in Table 3.1 of AS2890.2 – 2012 could not be verified because the plans are not dimensioned and the scale nominated in the title block appears to be incorrect. 	<p>These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).</p>
<p>Traffic Assessment</p> <ul style="list-style-type: none"> ▪ Under the proposed arrangements, the ability for drivers travelling in opposite directions to see each other before entering the narrow one-lane section beneath the Cahill Expressway would not be possible. ▪ It is acknowledged that the existing one-lane roadway located in the Cahill Expressway undercroft area cannot be widened, it is considered that the remainder of the access (i.e. the new access roadway proposed inside the former Amatil building), should replicate the existing two-way passing area. ▪ New access arrangements should provide for a truck and a car to be able to pass each other. 	<p>These traffic issues are addressed in detail in GTA Consultants' Response to Traffic and Parking Related Submissions (refer Attachment B).</p>