

Our Ref: AFP.112454



1 March 2012

The Director-General
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001
Attention: Mr Mark Brown

Also by email: mark.brown@planning.nsw.gov.au

Dear Sir

**Major Project Concept Plan Application for 19 Storey Mixed Use Development
at 71-79 Macquarie Street, Sydney
Re Major Project Application No. MP10_0237**

We act for the owners of 61-69 Macquarie Street, Circular Quay, known as the "Quay Grand" building (Strata Plan No.58857) in relation to the above Concept Plan application lodged on behalf of the owners of 71-79 Macquarie Street.

The Quay Grand is, in many respects, the property most directly affected by the proposed re-development of 71-79 Macquarie Street. For that reason, the owners of Quay Grand have been closely monitoring progress of the application, have met with representatives of the Proponent from time to time to discuss various concerns (addressed further below), and have engaged independent consultants to assist them in, firstly, understanding the proposal and the impacts that the proposal will have on the Quay Grand and, secondly, articulating any legitimate concerns they may have for the purpose of submitting those concerns to the Department of Planning and Infrastructure for its consideration.

On behalf of our clients, we attach copies of the following reports, which set out our clients' concerns and objections relating to the proposal:

- Town planning report prepared by Milestone (AUST) Pty Limited, dated 29 February 2012.
- Traffic and parking report prepared by Varga Traffic Planning Pty Ltd, dated 1 March 2012.

Importantly, it should be noted from the outset that the owners of Quay Grand are generally supportive of the re-development of 71-79 Macquarie Street, and the consequential completion of the ground level colonnade structure and the waterside promenade. In short, they wish to see the site re-developed. However, what the owners of Quay Grand require is a development that minimises any adverse impacts on the occupants and visitors of the Quay Grand. The foregoing reports address those specific concerns.

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Summary of Key Concerns and Objections

1. Traffic movement and vehicle access

One of the primary objections of the owners of the Quay Grand is the proposed through-site vehicle link, which is intended to facilitate vehicle access to the basement carparking area of the Quay Grand via the basement of the proposed development.

As the application documentation currently stands, the proposed access arrangements are unacceptable, for the following reasons:

- the proposed roadway from the Cahill Expressway undercroft to the vehicle entry point of the proposed development is unacceptably narrow (approximately 5m in width) and will not readily enable vehicles to pass. That, in turn, will result in considerable waiting periods and traffic congestion at peak periods. The width of this section of road should be a minimum of 6.5m and include, in addition, 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 down to basement level 1 will not readily enable vehicles to pass. The width of the ramp (approximately 5m) will force vehicles to wait until approaching vehicles have passed. The situation will be further exacerbated when trucks and delivery vehicles are attempting to access the basement. Long vehicles, in fact, will require the full width of the curved ramp to enter and exit the basement.
- 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, preventing or restricting through traffic in and out of the basement areas of the Quay Grand.
- the traffic survey results set out in the Concept Plan Transport Assessment Report prepared by Halcrow Pacific Pty Ltd dated 20 December 2011 differ substantially with the traffic survey details produced in the Varga report. It is concerning that, in the context of such a substantial development application, the Proponent's measure of traffic movements is so demonstrably lower than that measured by a different consultant. At the very least, the significant discrepancy requires the engagement of a further independent traffic consultant - engaged by the Department - to properly assess relevant traffic movements, before any further consideration be given to the traffic proposals being introduced in the application documentation.

For the foregoing reasons, the owners of the Quay Grand object to the proposed development. It is not acceptable to say, as the Proponent effectively does, that the traffic details will be sorted out later, following concept plan approval, at the time of lodging any further development applications. The problem with that approach is that any subsequent consent authority (whether the Department or the Council of the City of Sydney) will be constrained in its assessment of those applications by the plans and commitment comprising the concept approval granted under Part 3A of the *Environmental Planning & Assessment Act 1979* (EPA Act). The owners of the Quay Grand do not want any future consent authority constrained by the plans set out in the Halcrow report.

Further, it is not acceptable to assert, as the Halcrow report does, that the width of the new internal roadway cannot be accommodated due to "existing site constraints" (which, we say, is code for the preservation of retail space within the proposed development, which must be an irrelevant consideration). As noted in the Varga report, the 1960s built Amatil building will, if a concept plan is approved for the site, eventually be demolished, effectively leaving the way open for an appropriate and workable traffic and access design response, and that is what the owners of the Quay Grand expect.

2. Building interface between the Quay Grand and the proposed development

A second major objection of the owners of the Quay Grand is how the Proponent addresses (or, more correctly, fails to address) the "interface" between the Quay Grand and the proposed development. The issue is an important one.

The application documentation shows little more than a series of envelopes, which are intended to demonstrate the (maximum) built form massing of the proposal - dealing with height, depth and setbacks. That is supplemented to some extent by a couple of brief references in the documentation addressing the issue. The Environmental Assessment Report prepared by JBA Planning, dated November 2011, provides (at page 46):

*To ensure consistency with the surrounding development, the proposed envelope generally extends to the boundaries of the site. To provide an appropriate architectural expression and to obscure any differences in floor to height, it is anticipated that **architectural consideration (such as a recess or a slot)** will be provided between the Quay Grand and the proposed development at the detailed design stage.*

The obscure glazed windows in the southern facade of Quay Grand (refer Figure 42) will be addressed as part of the detailed design and will ensure an appropriate level of amenity is provided in terms of the relationship between the two buildings (refer to draft Statement of Commitments at Section 6.0).

The statement of commitments, set out in the Environmental Assessment Report, says virtually nothing about the all important interface issue. It provides (at page 60):

Integrate the built form with the massing and design of the adjacent East Circular Quay buildings.

At best, the owners of the Quay Grand have a commitment from the Proponent that "architectural consideration" will be given to the interface issue, which is relatively meaningless. The absence of detail also makes it difficult, if not impossible, to form any view on the appropriateness of the proposed massing adjacent to the Quay Grand. It also provides no assistance to the ultimate consent authority (whether the Department or the Council of the City of Sydney or some other body) about how to deal with the interface issue. The reference to a possible "recess or a slot" does not advance the matter.

The issue is an important one as the design interface ultimately adopted will have a direct impact on a number of issues affecting the Quay Grand; including the amenity of the Quay Grand's internal pool area, sunlight, visual amenity, privacy, safety and security, as elaborated upon in the attached planning report by Milestone (AUST) Pty Limited. The owners of the Quay Grand are also entitled to have addressed, at this point in the assessment process, how the interface will present aesthetically.

In raising this and other related issues, our clients accept the "concept" nature of the assessment and approval regime under the now repealed Part 3A of the EPA Act (but subject to various savings provisions), and further accept that fully detailed design documentation is not typically required for these types of applications. However, given the range of significant impacts that will flow from the interface design ultimately adopted, we consider it entirely appropriate that the Proponent be directed to further detail the interface - as part of the concept approval phase - so that the owners of the Quay Grand can properly consider, and comment upon, the matter prior to any approval of the concept plan. That is also consistent with the Proponent's obligation, set out in the Director General's Requirements (item 5, general), to assess the potential impacts of the project. That assessment has not been carried out in relation to this issue.

3. Public access way between Macquarie Street and the waterside promenade

The owners of the Quay Grand oppose the construction of a new public access way joining Macquarie Street and the waterside promenade, primarily because there is no justification to support one. Currently (other than by boat), there are four primary public access points to the waterside promenade - from the Opera House end, from the stairs between Macquarie Street and the Cahill expressway, from the ferry terminal end (Alfred Street) and from the Moore Stairs, sitting midway along the waterside promenade.

The existence of a fifth - or a substantially increased access way to replace the current access stairs between Macquarie Street and the Cahill Expressway - is unnecessary. It also raises the potential of further security risks and concerns associated with another access way or an expanded access route. These concerns are not - and cannot be - entirely eliminated by the security and surveillance measures contemplated by the Crime Prevention Through Environmental Design Report prepared by Hassell Limited, dated 9 November 2011.

4. Height of the proposed development

The owners of the Quay Grand make no specific submission in relation to the height of the proposed development at this time.

However, we submit that the proposal's substantial exceedence over and above the current and proposed height controls (as set out in the draft LEP) should be taken into account in relation to any built form adjustments required to the west face of the proposal, and having regard to any adjustment that will be required at the interface between the Quay Grand and the proposed development (to mitigate, as discussed above, the impacts that the proposal will have on the Quay Grand's internal pool area, sunlight, visual amenity, privacy, safety and security).

Consultation with the Owners of Quay Grand

The Director-General's Requirements (item 21, key issues) required the Proponent to undertake an appropriate and justified level of consultation in accordance with the Department's Major Project Community Consultation Guidelines dated October 2007.

The Consultation Guidelines provide that the process of community and stakeholder consultation is intended to achieve a range of valuable outcomes, including:

- Ensure that factual information about a proposal is widely available to people with an interest.
- Avoid unnecessary delays by addressing stakeholder concerns prior to lodgement.
- Provide an opportunity for the negotiation of outcomes acceptable to both the proponent and community.

The owners of the Quay Grand acknowledge that consultation occurred with representatives of the Quay Grand. However, in our view and that of the owners of the Quay Grand, the process was deficient and did not address the key concerns raised with the Proponent by the owners of the Quay Grand. Moreover, the process did not achieve any of the outcomes noted above.

Unsurprisingly, the major concerns and objections addressed in this submission - traffic, vehicle accessibility and the building interface issue - were the main concerns raised with the Proponent's representatives during the consultation sessions. The Proponent's representatives, in reply, advised the representatives of the Quay Grand that those concerns would be addressed, if not in detailed design documentation, in suitably worded commitments, which would ultimately be binding upon the Proponent. As it transpired, that did not occur.

There was no negotiation and no agreement.

The owners of the Quay Grand are left with the impression that the consultation process was more a matter of form than substance, was carried out by the Proponent to satisfy the Director General's Requirements (or the appearance thereof) and ultimately achieved little. We emphasise that, throughout the consultation process, the owners of the Quay Grand raised a very short - but very significant - list of concerns, to which it sought a response. They did not otherwise oppose the project.

In our view, whether in terms of further design detail or a specific set of commitments (or, preferably, both) the owners of the Quay Grand are entitled to have those concerns addressed prior to any determination of the concept plan by the Minister or the appointed consent authority.

Statement of Commitments

The rationale underpinning the preparation of a statement of commitments lodged in connection with a concept plan is, firstly, to alert the community and stakeholders as to how the Proponent is going to deal with a range of matters associated with the proposal (in the absence of detailed design documentation). Secondly, and equally importantly, a statement of commitments is intended to form one of the primary documents upon which the Minister, or any subsequent consent authority, is to formulate the conditions of consent, in accordance with section 75P(2)(a1) of the EPA Act. That sub-section provides, in part:

*(a1) any consent granted for the project or that stage of the project under Part 4 is to be subject to such conditions as the Minister directs for the purpose of fulfilling the **obligations in a statement of commitments submitted by the proponent** (in which case those conditions cannot be modified without the approval of the Minister and a person cannot appeal to the Court under this Act in respect of the direction or any such conditions imposed by the consent authority).*

In relation to the significant building interface issue, for example, the statement of commitments says nothing meaningful which would enable the owners of the Quay Grand to properly assess the application. That is symptomatic, we say, of the general approach taken by the Proponent in relation to the issue of commitments. For example, in the opening paragraphs of the Proponent's statement of commitments (at page 60 of the JBA Planning Report dated November 2011), the Proponent states:

*It should be noted that this application relates to a Concept Plan, with further and **more detailed commitments** to be made in relation to the future application for development.*

In short, a statement of commitments under the EPA Act cannot, on any view, comprise little more than a commitment to make further detailed commitments upon the lodgement of any future development application. That, by its own admission, is what the Proponent is purporting to do.

The alternative option open to the Proponent is, of course, to proffer some additional design detail addressing the specific concerns and objections raised by the owners of the Quay Grand. In the current circumstances, the Proponent has elected to do neither.

Again, we accept that the wording contained in a statement of commitments is not intended to rise to the level of detailed contractual discourse. However, the promises or commitments must be sufficiently descriptive and sufficiently capable of compliance. A commitment to later commit does not achieve that end.

Construction Issues

The owners of the Quay Grand also raise with the Department a number of concerns regarding post consent preparation and construction works, to be addressed in detail in the conditions of consent. We refer to the following matters that will, as a minimum, need to be addressed in the conditions consent:

- 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.

The owners of the Quay Grand must be provided with ample opportunity to address the form of conditions to be imposed in connection with the concept approval (should the application otherwise be considered supportable by the Minister).

Access Ramifications

The owners of the Quay Grand will require that full and unfettered access to the parking basements within the Quay Grand be available to the owners and occupiers of the Quay Grand at all times. That, in our view, will require the Proponent to make appropriately worded commitments as part of the current assessment process, which the Department will need to follow up with appropriately worded conditions of consent under section 75P(2)(a1) of the EPA Act. This fundamental requirement must prevail over the terms of the Breakthrough Deed, entered into with Council in August 1996 and novated to the current owners of the Quay Grand in March 1999, to the extent that the terms of the Breakthrough Deed are in any way inconsistent with this fundamental access requirement. Should the concept plan ultimately be approved, the owners of the Quay Grand do not wish to be financially beholden to their new gatekeeper in relation to the issue.

In due course, these commitments relating to vehicle access - and any corresponding conditions of consent - will need to be formally ratified by the creation of access easements (benefitting 61-69 Macquarie Street and burdening 71-79 Macquarie Street), on terms acceptable to the owners of the Quay Grand), and at no cost to the owners of the Quay Grand.

Further, vehicle access to the parking basements of the Quay Grand may, during the demolition, excavation and construction phases, require access over Council owned land. We ask the Department to have regard to this distinct possibility in formulating the conditions of consent, in which we would expect the Proponent to be obliged to make all the necessary arrangements - and obtain all the necessary approvals - with the Council.

Invitation to inspect

Finally, thank you for your time in considering these submissions.

On behalf of our clients, we also invite the Department, as part of the assessment process, to inspect the premises of the Quay Grand, both internally and externally, to better understand the nature of the concerns and objections raised in this submission.

Please contact this office or Mr Michael McCormack of McCormacks Strata Management to arrange for any necessary inspections. Mr McCormack can be contacted on (02) 9299 6722.

If you have any queries in relation to the foregoing matters, please do not hesitate to contact us.

Yours faithfully



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29 February 2012

Mr Alan Bright
Acting Director
Metropolitan Regional Projects – South
NSW Department of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001

Attention: Mr Chris King, Senior Planner

Dear Mr Bright

**MP 10_0237 - CONSTRUCTION OF A MIXED USE DEVELOPMENT
AMATIL BUILDING, 71-79 MACQUARIE STREET, SYDNEY**

We refer to the proposed Concept Plan Application for a mixed use development at the property at 71-79 Macquarie Street, Sydney (the Amatil Building). This submission has been prepared by Milestone (AUST) Pty Limited (Milestone) on behalf of the Owners Corporation of the Quay Grand (Strata Plan No. 58857), which directly abuts the proposed northern site boundary of the subject site.

The proposed mixed use development seeks consent for the redevelopment of the site, which involves the demolition of the existing building and the construction of a new building comprising six levels of basement car parking, ground level retail floor space (including the continuation of the colonnade) and 103 units comprising serviced apartments (within the lower portion) and residential units (within the upper portion). The proposal also seeks to deliver a revised site boundary (increased when compared to the existing Amatil Building site), a through site link from Circular Quay to Macquarie Street (towards the southern end of the site), retention of the existing Amatil building height to parapet of RL 65.37 and revised vehicle access arrangements with connections to the Quay Grand basement car park. A new combined driveway is proposed that would require all traffic (cars and service trucks) from the Quay Grand to be provided through the basement of the proposed development.

This submission provides a summary overview of the Quay Grand building and assesses the potential environmental impacts of the proposed development specifically on the permanent and temporary residential occupants of the Quay Grand.

QUAY GRAND

Development Consent for development application Z94-00280 (for the Quay Grand) was approved by the Central Sydney Planning Committee on 16 September 1994.

The Quay Grand is a mixed use development with 128 units (residential and serviced apartments) over 15 storeys and 151 car parking spaces, two loading bays and two courier spaces in four basement levels. Retail and restaurant uses are located on the ground level colonnade, a second mezzanine level overlooking East Circular Quay and third level with commercial and retail uses fronting Macquarie Street. Lobby areas are also provided along the Macquarie Street frontage.

Vehicle access to the Quay Grand building is provided via East Circular Quay at the southern end. Condition 22 of Development Consent Z94-00280 requires the future connection of basement levels of the Quay Grand with the future redevelopment of the Amatil building through the provision of break-through panels so access can be realigned through the basements of 71-79 Macquarie Street.

There is a gymnasium, swimming pool and spa located in the Quay Grand on Level 2 for use by occupants of both the residential units and serviced apartments. The swimming pool area has a large, curved double height window looking south-west which provides a valuable outlook/views and solar access to this area (refer to **Photos 1 and 2**). This area when viewed from the public domain along the colonnade and walkways provides a point of visual interest and enhanced active street frontage to the podium level of the building (refer to **Photos 3 and 4**).



Photo 1: Curved glass facade in the pool area, view west



Photo 2: Curved glass facade in the pool area, view south



Photo 3: Pool area, view from East Circular Quay Walkway



Photo 4: Pool area, view from Cahill Expressway Walkway

Along the southern elevation of the Quay Grand to the upper seven levels of the building, there are seven obscured and full height glazed windows (almost floor to ceiling height) providing light to the living/dining room which sits adjacent to this window in seven residential units (refer to Photo 5). The majority of these units have the dining room (dining table) adjacent to this window. The natural light from each window negates the need for artificial lighting in the dining rooms during daylight hours. Furthermore, the windows also provide light during the evening or early mornings, from lights from other nearby buildings or from the rising sun as it reflects off other buildings. The subject windows on the southern elevation are setback about 6 metres from the front building facade line of the unit. The overall depth of the entire living/dining area from the front building facade line is about 10 metres.



Photo 5: Balconies and windows on southern elevation of the Quay Grand

At the southern end of the Quay Grand building the facade includes curved full height glass windows on the western elevation connecting to balconies that overlook East Circular Quay as well as views to the south towards the CBD (refer to Photos 6 and 7).

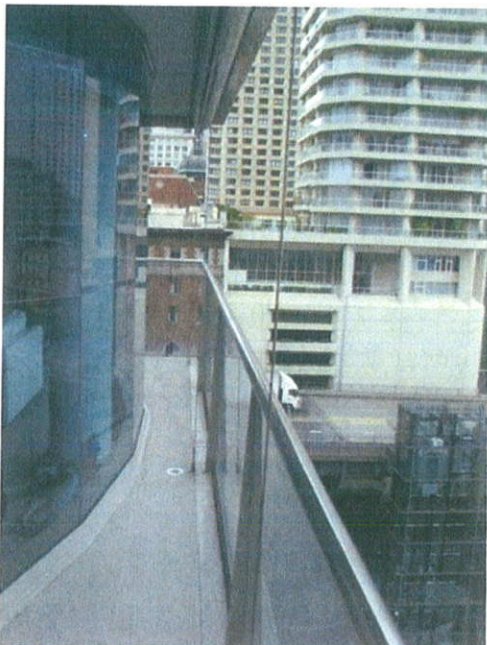


Photo 6: Balconies fronting East Circular Quay following a curved facade

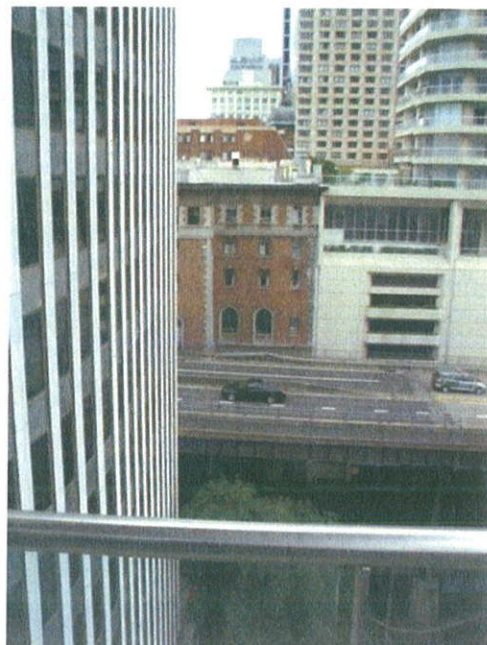


Photo 7: Outlook from southern end of the balcony, view south

To the north of the Quay Grand are the Moore Stairs that provide a building separation setback for the Quay Grand from the adjacent East Circular Quay residential and hotel building located on the other side (north) of the Moore Stairs.

CONCERN WITH CONCEPT PLAN

We are concerned that the proposed Concept Plan will result in reduced meaningful input and safeguards being able to be provided in the assessment process to ensure that reasonable residential amenity is provided to the Quay Grand and to minimise the environmental impacts of the proposal. The Concept Plan leaves so much detail for later in the planning process, which is not considered acceptable for a significant and complex proposal on land fronting East Circular Quay and where there are significant environmental impacts for the Quay Grand.

The *Environmental Assessment (EA)* report prepared by JBA Planning dated November 2011 that accompanies the Concept Plan Application contains some broad statements, 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. Important analysis of the potential environmental impacts appears to be dismissed with these broad statements that further measures would be developed to resolve and minimise any impact. An example of this relates to the Draft Statement of Commitments (Section 6 of the EA report), which states "Integrate the built form with the massing and design of the adjacent East Circular buildings" (Section 6.2), further detailed investigations will be undertaken in relation to "traffic, transport and access" (Section 6.4) and "The detailed design of the project will incorporate appropriate consideration at the north western corner to ensure that amenity of the neighbouring Quay Grand apartments is reasonably preserved" (Section 6.9). Unfortunately, the certainty 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.

CONCERN WITH COMMUNITY CONSULTATION

In summary, 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 that were raised during the scheduled meetings. The proponent essentially only took questions, made some notes and the design of the proposal was never changed. To this end the consultation process was considered flawed.

ADVERSE ENVIRONMENTAL IMPACTS

The key concerns are set out below.

Impacts to Vehicle Access

A report entitled *Review of Traffic and Parking Implications* has been prepared by Varga Traffic Planning Pty Ltd on behalf of the Quay Grand Owners Corporation to review the traffic implications of the proposed development on the current vehicular access arrangement to the Quay Grand and also to review the Traffic Report prepared by Halcrow on behalf of the proponent. The Varga Report concludes that 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 the Halcrow Report.

At present, residents and visitors of the Quay Grand have vehicle access to the existing Quay Grand basement car parking area via two narrow one-way roadways in the Cahill Expressway undercroft area and a two-way public road on either side, both in front of the existing Amatil building and to the south of the Cahill Expressway. Persons in cars travelling in opposite directions can see each other from either side of the one way area and therefore there is negligible traffic conflict. There is also a loading zone on the eastern side of the two-way passing area to the north of Cahill Expressway, which is capable of accommodating two light commercial vehicles or small trucks. There is capacity to accommodate a further two or three light commercial vehicles along the eastern side of the passing area which can be accessed via a gap in the bollards.

The proposal involves the closure of this two-way passing area and loading zone at ground level and its replacement with a new driveway that is in essentially the same location. As previously stated, a condition of development consent for the Quay Grand development was that, upon redevelopment of the Amatil site, access into the Quay Grand basement car parking area would continue to be provided from Alfred and Phillip Streets via a through-site vehicular link over the Amatil site. However, the Varga Report demonstrates conclusively that the proposed access arrangements under the Concept Plan Application are grossly inadequate and will result in significant disturbance and inconvenience to the Quay Grand residents entering and leaving the existing Quay Grand basement car parking area.

Of note, the proposed access driveway is of insufficient width to allow two cars to pass each other, having the effect of almost doubling the narrow one-lane distance that vehicles must currently traverse to access the Quay Grand. Therefore, the Quay Grand residents will now have to wait an unnecessarily onerous length of time to exit from the Quay Grand

basement car parking area, should another vehicle be entering the car parking area. Furthermore, persons in vehicles entering or exiting the Quay Grand via this one-way driveway will no longer be able to see each other prior to entering the single-width driveway section, resulting in potential for traffic conflict within the driveway.

To exacerbate this situation, Varga has also concluded that the proposed vehicle turning area is of insufficient depth to allow its use by a truck whilst at the same time permitting a car to pass into or out of either the Quay Grand car parking area or proposed basement car parking areas on the Amatil site before the truck completes its manoeuvre.

The proposal will impose unnecessarily onerous travel conditions on the Quay Grand residents, who have not only outlaid significant investment in their residencies in this desirable location but who also rely on timely egress out of the Quay Grand basement car parking area for vocational reasons. The present vehicular access conditions impose no such obstacles on ingress and egress to and from the Quay Grand basement car parking area.

The Quay Grand Owners Corporation considers that the sheer inconvenience to residents of queuing to enter their own building is sufficient to conclude that the proposed vehicle access arrangement is insufficient and requires substantial revision, notwithstanding additional potential impacts that may arise as a result of the increased wait time to exit the Quay Grand as identified above. The changes to access to the Quay Grand will result in major adverse impacts to the way the Quay Grand building functions and to the residential amenity of the Quay Grand unit owners.

With respect to service vehicles, it is contended by Varga that the loading zone is more heavily used than is suggested within the Halcrow Report. Therefore the closure of this area will have more significant impacts than anticipated by the proponent and thus an alternative location will need to be found for those service vehicles should the proposed road closure proceed. Furthermore, Varga recommend that the width of the proposed new internal roadway (kerb to kerb) be increased to comply with relevant Australian Standards requirements.

In addition, the Varga Report identifies that the Halcrow Report contains incorrect data and assumptions. In particular, the surveyed AM and PM peak private car movements and all-day service vehicle movements surveyed by Halcrow fall well short of the corresponding survey data captured by Varga. On this basis, we request that a Peer Review of the Halcrow Report be prepared by an independent and suitably qualified consultant to verify the accuracy of the proponent's Traffic Impact Report.

Traffic and Transport Impacts

In the broader context of the likely wider traffic congestion issues of the development in general, the proposal will compound traffic issues within a precinct of Central Sydney that is already congested with people and vehicles. The proposal will result in increased traffic and additional adverse impacts on local traffic as outlined above and for the local road network.

Of concern, the proposal exceeds the City of Sydney's maximum car parking controls (stipulated within Chapter 2, Part 5 of LEP 2005) by 26 car parking spaces and is inconsistent with the underlying objectives of these parking controls, which include encouraging commuting by public transport in order to reduce the number of motor vehicles travelling through and to Central Sydney. An excess of 26 parking spaces is considered unnecessary given the inner-city context of the site, being located within the vicinity of excellent public transport including rail, bus and ferry modes. Therefore, on the basis of a high level of access and proximity to public transport options, there is no sound planning or public interest reason whatsoever for the site to exceed the car parking controls by 26 parking spaces.

Not only is this overprovision of car parking spaces inconsistent with the objectives and controls of LEP 2005 pertaining to the provision of car parking, it is also inconsistent with the City of Sydney's "green, global and connected" objectives and outcomes contained within Council's "Sustainable Sydney 2030" vision released in 2008 with respect to transportation. This policy encourages new development to utilise public transport and reduce car use in the City of Sydney Local Government Area (LGA). Sustainable Sydney 2030 also seeks to reduce traffic congestion and encourage walking and cycling to become the preferred transportation options for residents within the LGA. The proposal will not directly support this objective given the proposed provision of excess and unnecessary car parking spaces well beyond one or two extra spaces.

Building Interface and Setback

Swimming Pool Area

The proposal provides no consideration to the amenity currently afforded to the swimming pool area in relation to the outlook/views as well as solar access. Moreover, there are also the benefits related to visual interest to pedestrians and an active street frontage that is provided when this area (currently visually and physically unobstructed) is viewed from the East Circular Quay walkway and surrounding public domain. The south-west corner of the Quay Grand building above the

colonnade has been carefully designed with high quality finishes and was approved by the Central Sydney Planning Committee knowing that the Amatil site would be redeveloped in the future.

The view from the pool area is considered important because it relates to a community area of the building which can be accessed by occupants of both the serviced apartments and residential units.

We 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. This could be achieved by the north-western corner of the proposed building envelope being chamfered (similar to the south-western corner of the proposed development) or another such design arrangement to provide an appropriate setback or void in this location. Providing a void at the first floor level (over the colonnade) could adequately achieve the retention of both solar access and visibility into the existing swimming pool area and existing visual interest for pedestrians.

We note that in the Consultation Outcomes Report dated 14 December 2011 prepared by Elton Consulting the following has been provided in response to the suggestion made by the Quay Grand residents to include a chamfer to preserve the amenity to the pool area:

"As the site is quite small in area, an additional chamfer may mean the redevelopment is not viable." (Page 6)

This is an unacceptable response to a valid amenity issue. Furthermore, the development plans which accompany the Concept Plan Application do not address this issue or annotate further design development to preserve amenity to the pool area.

Windows on the Southern Elevation

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.

Should the owners of these units wish to reconfigure their unit layout internally, creating a separate room layout following the column line in contrast to the existing open living/dining floor plan, this window will form the only source of light to such a newly created room or part room.

We note that the Development Consent Z94-00280 pertaining to the Quay Grand development did not include any condition of consent requiring a restrictive covenant on the title of the subject seven units that stipulates that the windows on the southern elevation to these seven units are to be blocked out in the event of future redevelopment of the adjoining site to the south, as is the case for many other consent notices issued by the City of Sydney through the imposition of Council's standard condition, as follows:

BOUNDARY WINDOWS COVENANT

All windows adjacent to the [describe boundary] boundary of the site must be sealed, bricked up or otherwise enclosed, prior to the construction of any building abutting, adjoining or adjacent to such windows. Prior to a Construction Certificate being issued, a documentary restrictive covenant is to be registered on the Title of all units/tenancies facing the affected boundary. The covenant is to be created appurtenant to Council and at no cost to Council."

Drawing No A113-Proposed Massing Plan references a possible "recess or a slot" for solar access subject to further detailed design development and technical analysis. Further detailed analysis and plans are requested for comment by the Quay Grand residents prior to the determination of the Concept Plan Application.

Privacy Impacts

Section Drawings of the proposed building have not been provided with the Concept Plan Application. Section Drawings with RLs are required in order to make an assessment of the potential of the proposal to give rise to any unreasonable overlooking implications as follows:

- Overlooking downwards into the living areas of the units and balconies in the Quay Grand (for units fronting Macquarie Street and East Circular Quay);
- Direct overlooking (side by side) into units and balconies on the southern elevation of the Quay Grand (end units fronting Macquarie Street and East Circular Quay); and
- Downward and/or direct overlooking into the pool area.

We note that there are currently see-through balconies (for the end units oriented to the west) along the southern elevation of the Quay Grand (refer to **Photo 5 and 7** above). These balconies wrap around the southern elevation by about 1.2 metres. Similarly, there are also balconies for the Quay Grand units fronting Macquarie Street along the southern elevation.

Proposed typical floor plans with balcony layouts shown are required for the interface of the Quay Grand building with the proposal to understand the privacy issues at this edge. Further details and commitments are also required on the proposed privacy measures that are to be implemented to maintain privacy to the Quay Grand units. We note that the development drawings within Attachment A of the Design Report prepared by Hassell do not contain this information.

In summary, there is potential for significant adverse environmental impacts in relation to visual privacy and further resolution of this matter must be provided for comment prior to the determination of the Concept Plan Application.

View Loss

The significant potential view loss from the pool area of the Quay Grand as a result of the proposal has already been discussed above.

The proposal will also result in view loss for some of the residential units in the Quay Grand, in particular views south from living areas and from balconies (refer to **Photo 6 and 7** above). Of note, this view loss from the Quay Grand units has not really been acknowledged or addressed within the Concept Plan Application submission.

The curved design of the glazing to the living areas of the southernmost units results in existing views out from within the living area through to the south.

A revised building envelope and/or additional chamfer at the north-west corner of the proposal will appropriately address this matter and maintain existing views from units as well as existing views from the pool area.

Public Domain: Through-Site Link

A new pedestrian link is proposed at the southern end of the site on Drawing No A101- Proposed Site Plan. The *CPTED Assessment* report dated 9 November 2011 prepared by Hassell identifies that the link is located beneath the proposed building (page 4). 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.

A report entitled *Consultation Outcomes Report: 71-79 Macquarie Street* prepared by Elton Consulting on behalf of the proponent provides an overview of the key outcomes of main issues raised during the consultation process regarding the proposal for the mixed use residential building with the inclusion of a through-site link. Such issues raised confirm the ongoing concern regarding the through-site link by the residents of the Quay Grand. Without prior knowledge of the further details regarding the design and location of this link, we do not support the through-site link.

Section 6.2 of the EA Report prepared by JBA Planning outlines the importance of the proposed link for providing "an important pedestrian link connecting Circular Quay to Macquarie Street and the Royal Botanic Gardens" (page 61). There has been little consideration to the actual need for the through-site link on the Amafil site and the existing pedestrian links that serve the same purpose and whether pedestrians will desire to use the proposed connection naturally. For example, directly north of the Quay Grand and about 50 metres to the north of the subject site, Moore Stairs provide an iconic link which is naturally lit connecting Circular Quay to Macquarie Street and the Royal Botanic Gardens (refer to **Photo 8** below). In addition, about 10 metres to the south-west of the subject site is another pedestrian link connecting Circular Quay to Macquarie Street, the Royal Botanic Gardens and the Rocks via the lift and shared cycle and pedestrian path along the Cahill Expressway. Both of these existing routes provide a safe and easily accessible route through the East Circular Quay precinct and to Macquarie Street and the Royal Botanic Gardens. There are also further links available within the vicinity.

Also mentioned within Section 6.2 of the *EA Report* prepared by JBA Planning is the following principle in relation to the through-site link:

- "The link (depending on its location) has the potential to become an actively used public and event space and a destination in its own right, with opportunities for cafes, public seating and performance spaces along the stair route with informal platforms and elevated spaces to dwell adding further vibrancy to the public domain" (page 61).

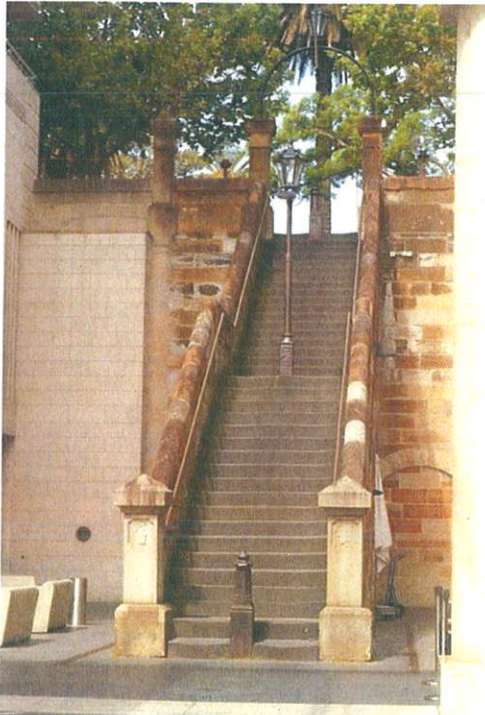


Photo 8: Moore Stairs

Source: Tony Rodd Photography, used with permission.

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. We also note that, in accordance with Clause 3.2 of Central Sydney DCP 1996, the development site is not registered as having either an existing or proposed midblock pedestrian connection. Furthermore, the draft Sydney DCP 2010 does not nominate the site as requiring future midblock pedestrian connections.

On this basis, the proposed through-site link is not supported due to the lack of need as a result of the existing pedestrian routes to the same areas within close proximity to the subject site and the potential for adverse social and security impacts.

LOCAL PLANNING INSTRUMENTS

Sydney Local Environmental Plan 2005 and Draft Local Environmental Plan 2011

The proposed development is not consistent with the statutory maximum building height standard of RL46.7 specified for the site under Sydney Local Environmental Plan 2005 (LEP 2005). The proposed development retains the existing height of the building at RL65.37 (parapet) and RL67.23 (plant room). Under the Draft Local Environmental Plan 2011 (DLEP 2011) the maximum Building Height for the site is RL46.7 consistent with LEP 2005. Again, the proposed development fails to achieve compliance with the draft building height restrictions of DLEP 2011.

With respect to Floor Space Ratio (FSR), the development would seem to achieve compliance with the maximum gross floor area (GFA) available to the site under LEP 2005 of 14:1 (or 15.4:1 subject to Clause 10 of LEP 2005) however a detailed floor space analysis has not been provided for review as approval is sought for the building envelope of the Concept Plan only at this stage.

As detailed above, the proposed car parking provided exceeds parking rates stipulated in LEP 2005 and DLEP 2011 and any car parking provision on the subject site exceeding Council's controls should not be supported.

Building Height

We note that the proposal does not comply with the maximum building height requirement of RL46.7 stipulated for the site under both LEP 2005 and DLEP 2011; the proposal both retains the existing height of the building, with a parapet height of RL65.37, a height to the top of the plant room of RL65.37 and a height to plant room of RL67.23. The proposal also provides an envelope which extends the depth of the building to the west so as to be in line with the Quay Grand.

Retaining the existing height while also extending the building to the west will further increase and amplify the residential and commercial intensity and capacity of the development. This in turn will increase the consequent parking and traffic demands of the proposal and will add to the significant traffic inconveniences to the Quay Grand residents as detailed above.

Should the proposal be allowed to breach the height control of LEP 2005 and DLEP 2011, we see no reason why the north-western corner of the building cannot be chamfered as requested above or another appropriate design solution, so as to ensure the existing amenity to the Quay Grand units and swimming pool area is protected.

Notwithstanding the above, the additional height does visually detract from views and vistas across the water from West Circular Quay over to East Circular Quay, which is not considered to be in the broader public interest. This is of particular concern given that the site is in a significant heritage location. The redevelopment of the site offers an opportunity for views to the Royal Botanic Gardens to be improved from the west of Circular Quay should the height of the building be reduced so as to comply with the LEP 2005 and DLEP 2011 requirement of RL 46.7.

CONCLUSION

For reasons contained in this report the Concept Plan Application does not adequately address the issues raised by the Quay Grand residents and results in significant adverse environmental and social impacts. To ensure that residential amenity is protected for the Quay Grand residents, we request the following further information before the Concept Plan Application is determined:

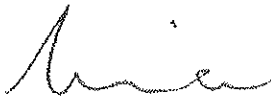
- Revised and additional Concept Plan drawings to address our concerns raised within this submission;
- Additional defined Commitments as detailed within this submission; and
- A Peer Review of the Halcrow Traffic Impact Report undertaken by a suitably qualified consultant.

In particular there are imperative design and planning merits to request minor modification of the proposed building envelope at the north-west corner as well as revise the vehicle access arrangements and car parking provision.

Appropriately addressing the identified environmental impacts will ensure that the amenity of the Quay Grand residents is protected and will ensure that the local community is able to benefit from the value captured in the development which results in a substantial allowance for additional height.

Should you require clarification of this matter, do not hesitate to contact the undersigned.

Yours sincerely
Milestone (AUST) Pty Limited



Lisa Bella Esposito
Director

Proposed Redevelopment of Amatil Building

**71-79 Macquarie Street,
Sydney**

REVIEW OF TRAFFIC AND PARKING IMPLICATIONS

1 March 2012

Ref 11349

VARGA TRAFFIC PLANNING Pty Ltd
Transport, Traffic and Parking Consultants 

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1. INTRODUCTION

This report has been prepared on behalf of the “Quay Grand” Owners Corporation (Strata Plan No. 58857) to review the traffic implications of a predominantly residential development which is proposed on the adjacent Amatil site to the south, at 71-79 Macquarie Street, Sydney.

All vehicular access to the “Quay Grand” building is currently provided via a two-way access road which traverses the Cahill Expressway undercroft area and a public roadway in Circular Quay East, across the western frontage of the Amatil building site.

However, the Development Consent for the “Quay Grand” included a requirement for a “break-through deed” which requires that the vehicular access be relocated through 71-79 Macquarie Street, should that site be redeveloped, to enable extension of the pedestrian colonnade at street level.

A Concept Plan Application has been submitted to the Department of Planning for the redevelopment of the Amatil site. The Concept Plan Application includes the provision of a new through-site vehicular link to provide access to the “Quay Grand” building from the existing roadway in the Cahill Expressway undercroft area. The Concept Plan Application also provides for the closure of the existing public road link that currently provides vehicular access the “Quay Grand” building along the western boundary of the Amatil site.

The purpose of this report is to assess the adequacy and suitability of the new through-site vehicle link which is proposed to provide vehicular access to the “Quay Grand” building. This review is based on the following documents:

- Concept Plan Environmental Assessment Report prepared by *JBA Planning* dated November 2011, and
- Concept Plan Transport Assessment Report prepared by *Halerow Pacific Pty Ltd* dated 20 December 2011, and
- a Powerpoint presentation prepared by *Hussell* (undated).

2. EXISTING CONDITIONS

The “Quay Grand” is a mixed use building comprising 128 residential apartments above a number of shops and a restaurant which are located at street level, fronting Circular Quay.

Off-street carparking in the “Quay Grand” building is provided for 151 vehicles plus a number of delivery/service vehicle bays which are located on the upper basement level.

Vehicular access to the “Quay Grand” building is provided via a public road link from the corner of Alfred Street/Phillip Street. The public road link has 2 components as follows:

- a pair of narrow, one lane roads located in the Cahill Expressway undercroft area. Both of these narrow roadways cater for two-way traffic movements, although neither roadway is wide enough to allow 2 vehicles to pass each other. The undercroft road links have a height limit of 3.9m (north side), and 2.7m (south side) with the latter being suitable for cars and utilities only (ie; no trucks)
- a two-way public road that traverses the western boundary of the Amatil site (which is proposed to be closed under the Concept Plan Application). The two-way public road is primarily used to provide vehicular access to the “Quay Grand” building and has a minimum width of 6.5m, sufficient for 2 small trucks to pass each other. This two-way passing area is approximately 45m long and is used by “Quay Grand” vehicles to pass each other before reaching the one-lane roadways located in the Cahill Expressway undercroft area.

A loading zone is located on the eastern side of the two-way passing area which is capable of accommodating 2 light commercial vehicles or small trucks. In addition, there is the capacity to accommodate a further 2 or 3 light commercial vehicles along the eastern side of the passing area which can be accessed via a gap in the bollards. Some double parking also occurs within the passing area when the abovementioned loading spaces are all occupied.

Significantly, the junction of the passing area and the one-lane undercroft roadways also provides a de facto turning area which allows light commercial vehicles and small trucks that

have entered this area to turn around, so that they can return to Phillip Street travelling in a forward direction.

Traffic and Parking Surveys

In order to gain an accurate appreciation of the traffic and parking activity currently occurring in the two-way passing area located in front of the Amatil building a detailed survey of traffic and parking activity was undertaken between 6am-6pm on Friday, 17 February 2012. The results of the traffic surveys reveal that:

- two-way traffic movements in/out of the “Quay Grand” during the morning peak period were 51 vehicles per hour, comprising 38 cars and 13 light commercial vehicles or small trucks
- two-way traffic movements in/out of the “Quay Grand” during the afternoon peak period were 63 vph, comprising 44 cars and 19 light commercial vehicles or small trucks.

In total, the surveys recorded 448 vehicle movements between 6am-6pm, comprising 301 cars and 147 light commercial vehicles or small trucks.

The traffic survey results contrast markedly with the results of surveys detailed in the *Halcrow* report. A comparison of the survey results (cars only) is set out in the table below:

COMPARISON OF SURVEY RESULTS (CARS ONLY)				
	AM PEAK HOUR		PM PEAK HOUR	
	VTP SURVEY	HALCROW SURVEY	VTP SURVEY	HALCROW SURVEY
IN	13 vph	9 vph	22 vph	18 vph
OUT	25 vph	13 vph	22 vph	9 vph
TOTAL	38 vph	22 vph	44 vph	27 vph

The *Halcrow* report does not provide hourly figures for service vehicle movements in/out of the “Quay Grand”, noting only that their surveys identify “an additional 46 service vehicles per day”. It is not clear from the *Halcrow* report whether these “46 service vehicles” represent the total number of vehicle movements in/out combined, or simply the total number

of service vehicles that visited the site that day (yielding a total of 92 service vehicle movements comprising 46 service vehicles IN and 46 service vehicles OUT).

In summary, the existing traffic generation characteristics of the “Quay Grand” building as detailed in the *Halcrow* report seems to be considerably less than what occurs in practice. *Halcrow* is requested to provide the original raw data of the traffic surveys referred to in their report.

Service Vehicle Parking in the Road to be Closed

In relation to the closure of the public road, the DGRs specifically required that the proponent’s traffic report is to “*demonstrate that the existing public road, over which the colonnade is proposed to be built, is not necessary, as required when considering the closure of a public road*”.

In response, the *Halcrow* report states (at page 10) that:

“The section of the public road proposed to be closed has two formal loading bays and other informal loading areas which are used intermittently – both are located adjacent to the western side boundary. To address the above DGR issue, a survey of the utilisation at the two formal loading bays was conducted”

It is apparent from the *Halcrow* report that they 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. The *Halcrow* report (at page 11) then concluded that:

“Figure 4 shows that:

- *Loading Bay 1 was occupied by only four vehicles over the surveyed day and three of these vehicles significantly exceeded the expected 30 minute use of the loading zone. Consequently, although the loading bays are occupied, they appear to be used as general parking spaces than for loading activities*
- *Loading Bay 2 has been occupied by nine vehicles over the surveyed day and four of these vehicles significantly exceeded the expected 30 minute use of the loading zone. Consequently, although the loading bays are occupied, they appear to be used as general parking spaces than for loading activities.*

As such, the loading bays are not being used for their intended purpose. Therefore, it is considered that the removal of these is unlikely to result in adverse effects on the availability of loading spaces in the area”

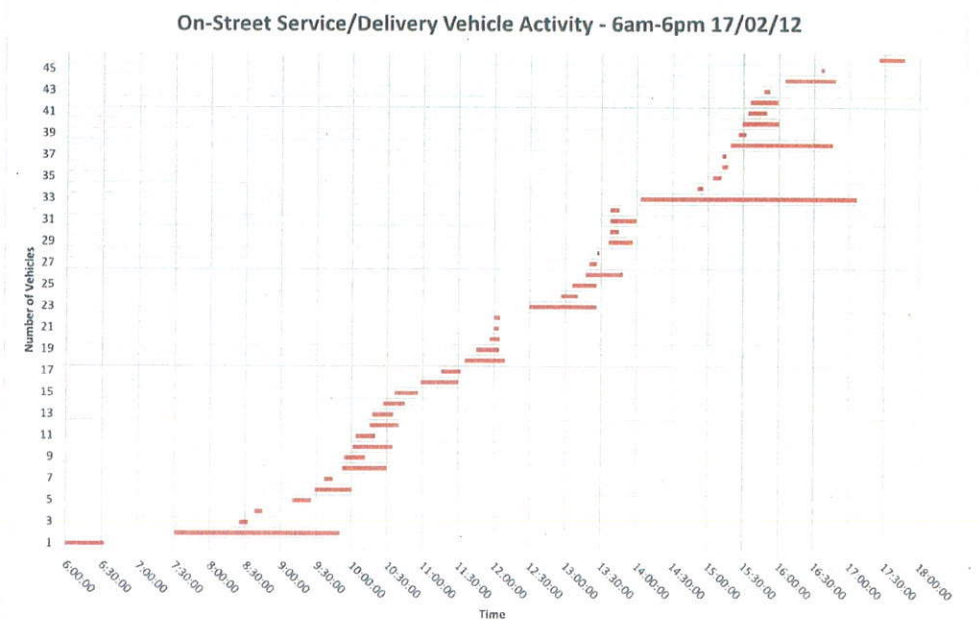
In effect, the *Halcrow* report ignored service vehicle parking that may have occurred elsewhere in the section of public road proposed to be closed.

As part of this assessment, a survey of service vehicle parking *anywhere* within the confines of the road proposed to be closed was undertaken on Friday, 17 February 2012 between 6am-6pm. The results of those surveys are summarised on the graph below and reveal that:

- a total of 46 vehicles parked within the road to be closed between 6am-6pm on the day of the surveys
- while it is acknowledged that 3 of those vehicles stayed for more than 1 hour, 33 of the vehicles stayed for less than 30 minutes.

In summary, it is clear that 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.

In addition, provision must be made for any vehicle with a height of more than 2.7m that has entered this area from Phillip St to *turn around* and return to Phillip Street whilst travelling in a forward direction, using the higher clearance 3.9m roadway in the Cahill Expressway undercroft area.



3. PROPOSED CONDITIONS

The Concept Plan proposal for the redevelopment of the Amatil site envisages the construction of 103 residential apartments with a 100m² retail component at street level, fronting Circular Quay.

Off-street carparking is proposed for approximately 133 parking spaces, in addition to a number of service vehicle bays proposed in the upper basement level. Vehicular access to the basement carparking facilities is to be provided via a driveway located in essentially the same position as the existing driveway which currently provides vehicular access to the site.

As part of the development envisaged by the Concept Plan, the public roadway located in front of the Amatil building (which currently provides vehicular access to the “Quay Grand” building) is to be closed and a new through-site vehicular link is to be provided within the basement of the Amatil site to provide a new vehicular access driveway into the “Quay Grand” building.

The *Halcrow* report states that the new through-site link will be “*designed to comply with Australian Standards AS2890.1 – 2004 and AS2890.2 – 2002*”, and provides a number of swept turning path diagrams in the Appendices of the report showing various truck and car movements.

However, an examination of the plans provided in the *Halcrow* report reveals that:

- compliance with the truck gradients specified in *Table 3.2 of AS2890.2 – 2002* could *NOT* be verified because none of the plans show any RLs or gradients
- compliance with the recommended minimum widths of circulation roadways (kerb to kerb) as specified in *Table 3.1 of AS2890.2 – 2002* could *NOT* be verified because the plans are not dimensioned and the scales nominated in the title block appear to be incorrect (for example, when the plans are enlarged to A3 size the length of the 8.6m refuse vehicle scales at only 8.0m).

Furthermore, the width of the entry driveway as illustrated on Figure 1A of the *Halcrow* report appears to be the same width as the narrow, one-lane roadway located in the Cahill Expressway undercroft area (ie; approximately 5.0m).

If this assumption is correct, the width of the proposed driveway does *NOT* comply with the width requirements specified in *Tables 3.1* and *3.2* of *AS2890.1* for a Category 2 driveway serving 101 to 300 parking spaces (noting that the existing “Quay Grand” and the redeveloped Amatil site will have a combined carparking capacity of 284 spaces).

In summary, accurate scale plans are required to enable compliance with *AS2890.1* and *AS2890.2* to be verified. In particular, the plans must be fully dimensioned and show RLs and gradients, demonstrating compliance with *AS2890.1* and *AS2890.2*.

In addition, electronic copies of the plans should be provided to enable the swept turning path diagrams provided in the *Halcrow* report to be checked.

4. TRAFFIC ASSESSMENT

Under the existing vehicular access arrangements serving the “Quay Grand” building a two-way passing area (ie. the road to be closed) is provided across the frontage of the Amatil building, prior to entering the undercroft area beneath the Cahill Expressway. The passing area is 45m long and has a minimum width of 6.5m, increasing to a width of 9m on the curve (at the southern-end) to accommodate the swept turning path requirements of trucks, thus allowing trucks and cars to pass each other on the curve.

A two-way passing area is also provided near Phillip Street, at the other end of the narrow one-lane section in the Cahill Expressway undercroft area.

Of particular importance, the existing vehicular access arrangements enable drivers travelling in opposite directions to *see each other* before entering the narrow one-lane section in the Cahill Expressway undercroft area, as indicated on Figure 1.

It is apparent from the plans included in the *Halcrow* report that, under the proposed arrangements, this 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.

Under the proposed arrangements, *Figure 1B* in the *Halcrow* report indicates that an 8.6m long refuse vehicle entering the site will require the full width of the curved entry ramp to enter the basement. In addition, the 8.6m long refuse vehicle will then require the full width of the *through-site link* to be able to reverse into the vehicle turning bay. At this point the front of the truck will protrude into the *through-site link*, thus blocking the passage of any other vehicles that may have been following the truck when it entered the building. Furthermore, the truck would not be able to exit the turning area until the following vehicles had passed, because once again, it would require the full width of the curved ramp to exit the site.

A vehicle wishing to exit the “Quay Grand” site would therefore have to wait near the boundary of the two sites as illustrated on Figure 2, clear of the truck manoeuvring area. Beyond this point the vehicular access arrangements are effectively restricted to a *single lane* arrangement, as illustrated on Figure 3.

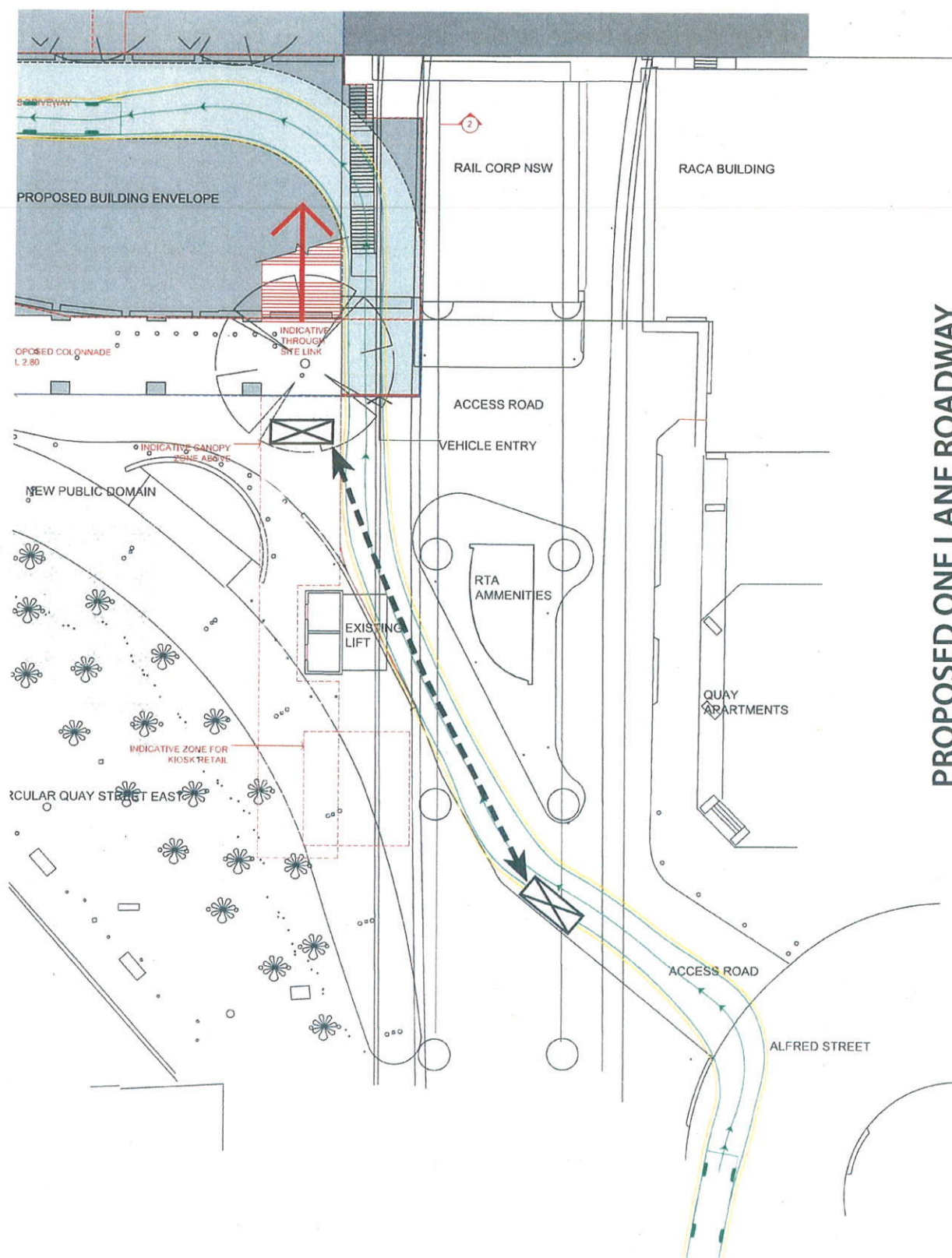
In effect, the length of *single* lane roadway providing access to the “Quay Grand” has been more than doubled with the closure of the existing two-way passing area at street level, in front of the Amatil building.

Whilst 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 (ie. the new access roadway proposed *inside* the former Amatil building), should replicate the existing two-way passing area as follows:

- the proposed access driveway into the new building should be widened to a minimum of 6.5m to cater for a truck and a car passing each other in opposite directions, in accordance with the requirements of *Table 3.1* of *AS2890.2 – 2002*
- the curved section of ramp should be increased in width to a minimum of at least 8.1m as specified in *Table 3.1* of *AS2890.2*. However swept turning path diagrams must also be provided demonstrating that a car and truck travelling in opposite directions can pass each other on the curve
- the internal aisle proposed within the new building (which will provide access to the “Quay Grand” building) should be increased in width to a minimum of 6.5m in accordance with the requirements of *Table 3.1* of *AS2890.1*
- the depth of the truck manoeuvring area should be increased to ensure that a manoeuvring 8.6m long refuse truck *can stand clear of the aisle*, so that any other vehicles following the truck can pass and proceed into either of the basement carparking areas.

The *Halcrow* report states a number of times that the width of the new internal roadway cannot be increased to accommodate vehicles passing in opposite directions “*due to existing site constraints*”. However, this is not correct; demolition of the existing Amatil building will remove *all* of those “*existing site constraints*”, enabling the proposed new vehicular access arrangements to be designed in accordance with the requirements of *AS2890.1* and *AS2890.2*.

In particular, the new access arrangements should provide for a truck and a car to be able to pass each other, in the same manner that currently occurs at street level in front of the existing Amatil building.



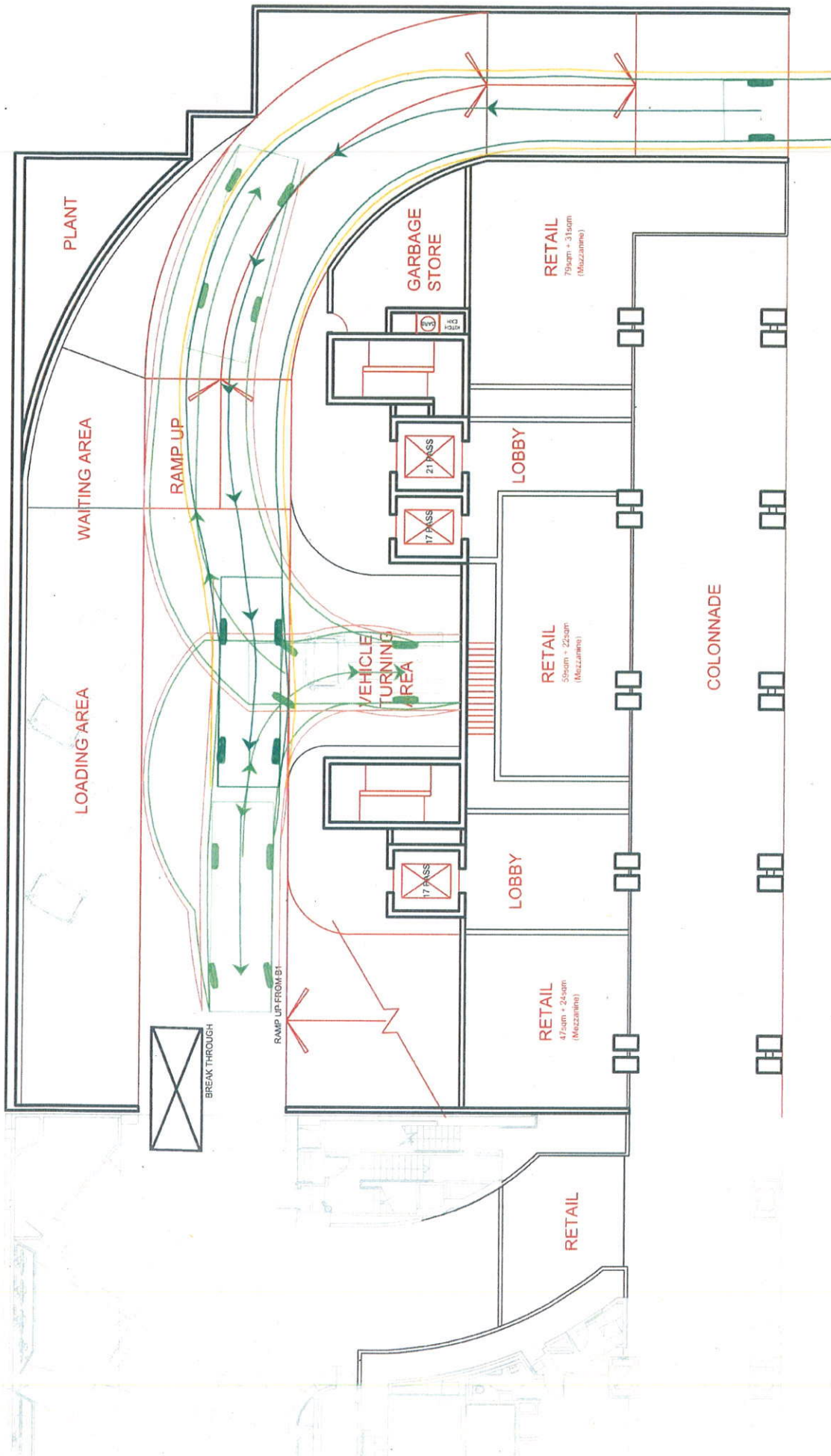
**PROPOSED ONE LANE ROADWAY
DRIVER VISIBILITY
FIGURE 1**

— Existing Site Boundary
- - - Proposed Site Boundary Extension

B - Concept Plan 03-11-2011
C - Adjacent Retail amendment 12-12-2011

Revision: Date: Scale: 1:150@A1 1:500@A3 Client: AMP Capital Investors, Mirvac Project Name: AX003070, 71 Macquarie Street, Concept Plan Drawing: A101-Proposed Site Plan





PROPOSED WAITING/PASSING AREA
FIGURE 2

Project Name
 AX1003070
 71 MACCULLARIE STREET

Client
 MIRVAC

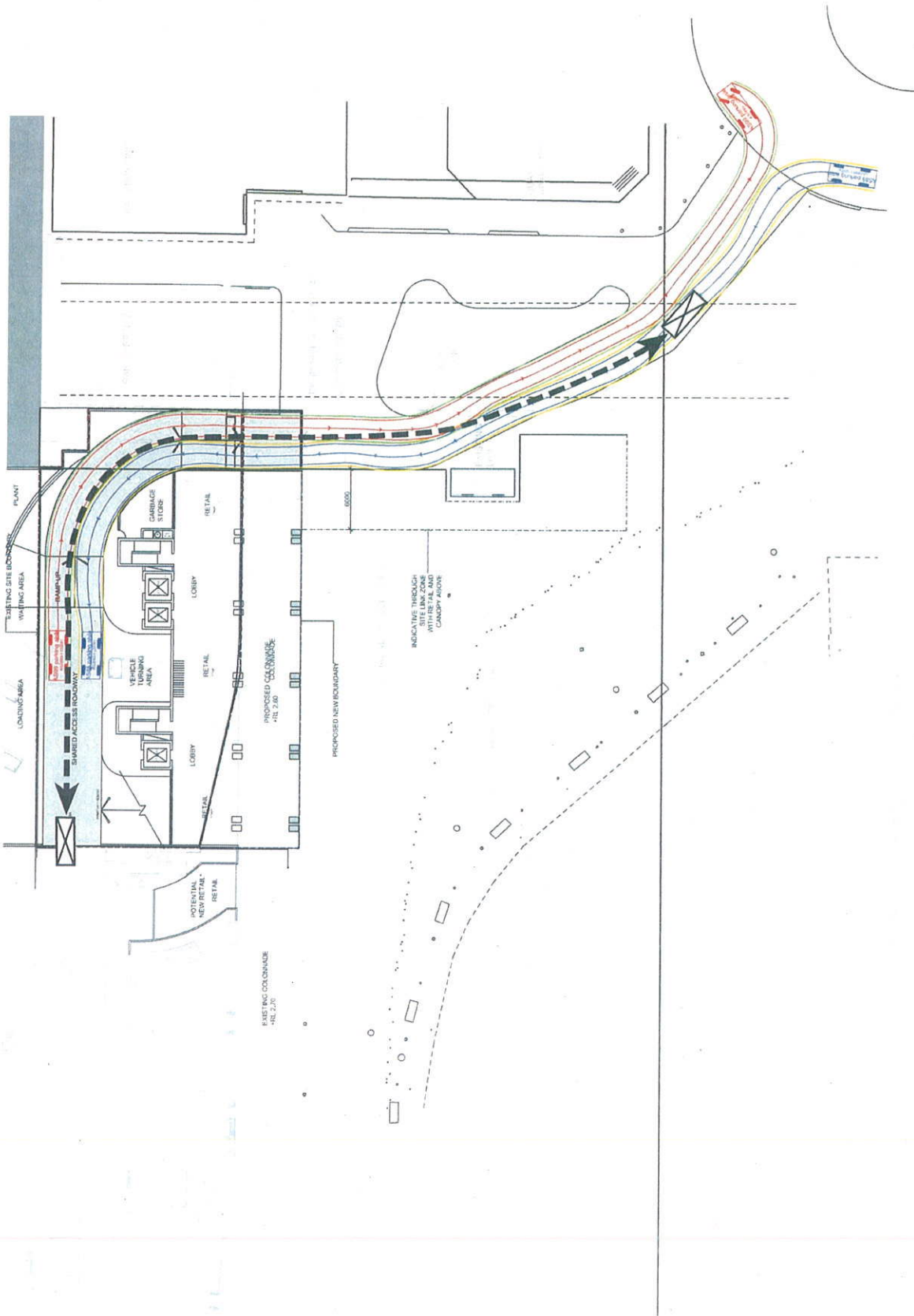
Scale
 1:200@A3

Date

Revision

Drawing
 SK 01
 Level 1 Plan





**PROPOSED ONE LANE ROADWAY
NO DRIVER VISIBILITY**
FIGURE 3

Drawing
A101
Proposed Site Plan

Project Name
A101
71 Marlboro Street
Concept Plan

Client
AMP Capital Investors
Mfvc

Scale
1:200@A1: 1:100@A3

Date
10-05-2011

Revision
REV - 1



5. CONCLUSION

The foregoing assessment has found that under the existing access arrangements, "Quay Grand" residents must negotiate a short narrow one-lane section of roadway that is located beneath the Cahill Expressway, with two-way passing areas located at either end of the narrow section of road. Of particular importance, it must be noted that drivers travelling in opposite directions can *see each other* before entering the narrow one-lane section of roadway.

Under the proposed arrangements, the two-way passing area located at street level, in front of the existing Amatil building, is to be closed. The narrow, one-lane section of roadway is to be extended into the proposed new building on the Amatil site, such that drivers travelling in opposite directions will no longer be able to *see each other* before proceeding into the narrow one-lane section of roadway.

Whilst the *Halcrow* report accompanying the Concept Plan Application suggests that these difficulties can be overcome with a signalling system or passing bays, no indication is provided as to how this can be achieved. In particular, it is doubtful that a signalling system could accommodate the volume of traffic expected to access the two sites, particularly given the extended length of the proposed one-lane roadway.

It is considered that the proposed access arrangements should cater for two-way traffic flows (such that a car and truck can pass each other within the site to be redeveloped), so that drivers travelling in opposite directions can *see each other* before entering the narrow one-lane section of roadway beneath the Cahill Expressway.

Accordingly, it is considered that the new access road proposed within the new building should be modified as follows:

- the gradients of the ramp must comply with the truck gradients as specified in *Table 3.2 of AS2890.2 - 2002*

- the width of the proposed new internal roadway (kerb to kerb) should comply with the requirements specified in *Table 3.1* of *AS2890.2 – 2002*, based on the requirements of an MRV truck (similar to the 8.6m long refuse vehicle that currently accesses the site)
- turning path diagrams must be provided demonstrating that a car and a truck can pass each other on the curved ramps
- the internal truck turning area should be lengthened to enable a manoeuvring truck to stand clear of the internal roadway to enable other vehicles to pass safely before it completes the manoeuvre.

Provision should also be made to retain the existing on-street loading facility located in front of the existing Amatil building, and to enable these service vehicles to turn around and exit and return to Phillip Street whilst travelling in a forward direction, noting that some of these vehicles will not be able to exit this area using the other low clearance (2.7m) roadway.