

PARK HYATT SYDNEY

Application for Variation to the Sydney Cove Redevelopment Authority Scheme

7 Hickson Road, THE ROCKS
MP09_0044

urbis

DISCLAIMER

This report is prepared on the instructions of the party to whom or which it is addressed and is thus not suitable for use other than by that party. As the report involves future forecasts, it can be affected by a number of unforeseen variables. It represents for the party to whom or which it is addressed the best estimates of Urbis Pty Ltd, but no assurance is able to be given by Urbis Pty Ltd that the forecasts will be achieved.

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Tim Blythe
Consultant	Matthew Paduch
Job Code	SA3964
Report Number	Application for Variation to SCRA- 23 07 10 v1

Copyright © Urbis Pty Ltd
ABN 50 105 256 228

All Rights Reserved. No material may be reproduced without prior permission. While we have tried to ensure the accuracy of the information in this publication, the Publisher accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication.

URBIS

Australia Asia Middle East
www.urbis.com.au

1	Introduction.....	1
1.1	Background	1
1.2	Proposed Development.....	1
1.3	Proposed Variations to SCRA Scheme.....	1
1.4	Statutory Context.....	1
1.5	Subject Site	2
2	Applicable Building Site Control Drawings	3
2.1.1	The “Developer’s Brief” and the Original 1987 Development Application.....	3
2.1.2	The 2004 Proposal	5
3	Variation to Sydney Cove Redevelopment Authority Scheme	7
3.1	Introduction.....	7
3.2	Application for Variation to Approved Scheme.....	7
3.3	Clause 9(2) Assessment	7
4	Conclusion	12

FIGURES:

Figure 1 – Aerial Photo and Locality Plan.....	2
Figure 2 – Sydney Cove Redevelopment Authority- Building Site Control Drawing XXV-A(1)- 2 June 1998.....	3
Figure 3 – Sydney Cove Redevelopment Authority- Building Site Control Drawing XXV-B- 2 June 1998.....	4
Figure 4 – Sydney Cove Redevelopment Authority- Building Site Control Drawing XXV-B(1)- 2 June 1998.....	5
Figure 5 – Sydney Cove Redevelopment Authority Building Site Control Drawing XXV-B(3)- 14 November 2005.	6

1 Introduction

1.1 Background

This Report has been prepared by Urbis on behalf of Daisho Developments Sydney to accompany an Environmental Assessment that seeks approval of a Project Application for the Park Hyatt Sydney, located at 7 Hickson Road, The Rocks.

On the 9th March 2009, the Director General, as delegate for the Minister for Planning declared the proposal to be a Major Project and that Part 3A of the Environmental Planning and Assessment Act 1979 applies. The project was identified as **MP 09_0044**.

This report seeks a formal variation to the Sydney Cove Redevelopment Authority (SCRA) Scheme to facilitate the proposed works.

1.2 Proposed Development

The proposed works involve alterations and additions to, and the refurbishment of the existing Park Hyatt Sydney to improve amenity, and the overall function and operation of the hotel.

The works focus on modifications to the approved roof top level in providing a more streamlined roof form; provision of an upgraded and reconfigured rooftop pool terrace area; upgrades to the external façade of the hotel, as well as the complete refurbishment of all internal spaces within the hotel including guest rooms, lobby, restaurant and function spaces. Please refer to the Environmental Assessment Report for a detailed description of the proposed works.

A key aim of the proposed works is to reaffirm the Sydney Park Hyatt as a hotel of international standing and an important component to Sydney, NSW and Australian tourism and business. The proposed works also seek to enhance and refurbish the décor and facilities of the hotel to a standard consistent with Sydney's premier hotel.

1.3 Proposed Variations to SCRA Scheme

The proposal includes some works that extend beyond the approved building envelope for the site. The proposed encroachments include:

- Pool terrace including pool, jacuzzi and deck areas. The proposed maximum variation to the SCRA plan will be approximately 3.2m (in height), inclusive of an allowance for a balustrade.
- Roof design for approved roof top extension. The proposed maximum variation to the SCRA plan will be approximately 0.7m in height at the southern end, but compensated by a reduction in height of 0.6m from the SCRA plan at the northern end of the roof top extension.
- New stair access onto public boardwalk. The proposed maximum variation to the SCRA plan will be approximately 3.3m (in width).

As the proposed works do not comply with the SCRA plan, the Regulations require a formal variation to the plan prior to the approval of an application.

1.4 Statutory Context

This application is made under Clause 4 of the Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999. It is submitted concurrently with the Environmental Assessment which seeks consent from the Minister for Planning under Part 3A of the Environmental Planning and Assessment Act 1979.

Clause 9(2) of the Sydney Cove Savings and Transitional Regulations sets out the matters for consideration for any draft variation to the SCRA Scheme. An assessment of the proposed variation against Clause 9(2) has been undertaken as part of this report.

1.5 Subject Site

The Park Hyatt Sydney is located at 7 Hickson Road, The Rocks, as illustrated in the aerial photo and locality plan at Figure 1. The subject site is legally described as Lot 2 in DP 804776. It is an irregular shaped allotment with a frontage to Hickson Road of 174 metres and a total site area of 4,592 square metres. The curvilinear configuration of the site has dictated the serpentine building footprint of the existing hotel which follows the northern curvature of Campbells Cove.

Figure 1 – Aerial Photo and Locality Plan



The development of the site was the result of a competition for architectural design and for land tenure in 1986, and culminated in a 4 storey international hotel with 158 rooms (Figure 2). The hotel includes restaurants, bars, recreational facilities, parking and service facilities.

The site is owned by the Sydney Harbour Foreshore Authority (SHFA) with a 99 year leasehold in operation.

The site is relatively isolated from adjacent developments, being bound by Hickson Road and the Sydney Harbour Bridge to the west and Dawes Point Park to the north. The site directly abuts the waterfront promenade that extends along the western edge of Sydney Cove, providing pedestrian access from Dawes Point to Circular Quay.

2 Applicable Building Site Control Drawings

The site was acquired by the Sydney Cove Redevelopment Authority under the provisions of the Sydney Cove Redevelopment Authority Act (SCRA). The development of The Rocks was vested under the control of the SCRA, which formulated a strategic development plan for The Rocks precinct, which included specific controls for the subject site.

2.1.1 The “Developer’s Brief” and the Original 1987 Development Application

The development of the site was the result of a competition for architectural design and for land tenure. Detailed guidelines known as the “Developer’s Brief” were prepared by SCRA to guide the redevelopment of the subject site. These included building envelope controls and a range of qualitative design objectives. The relevant planning controls applicable at the time were contained within Building Site Control Drawings XXV-A and XXV-B and partly, XXVII. These controls generally identified the location, height and size of buildings envisaged for the site (Figures 2 and 3).

The Developer’s Brief also included the provision that a variation to the approved building envelope scheme (at the time establishing a maximum height of RL15.0) would be sought by SCRA, if an outstanding proposal is submitted that does not entirely conform to the building envelope and site boundaries.

Figure 2 – Sydney Cove Redevelopment Authority- Building Site Control Drawing XXV-A(1)- 2 June 1998

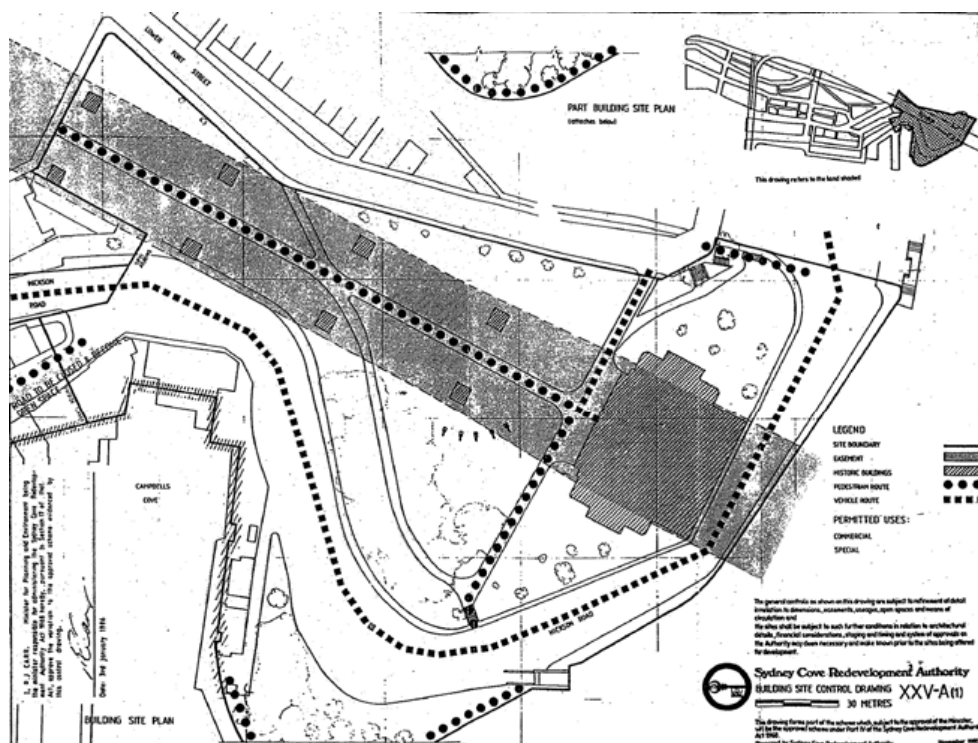
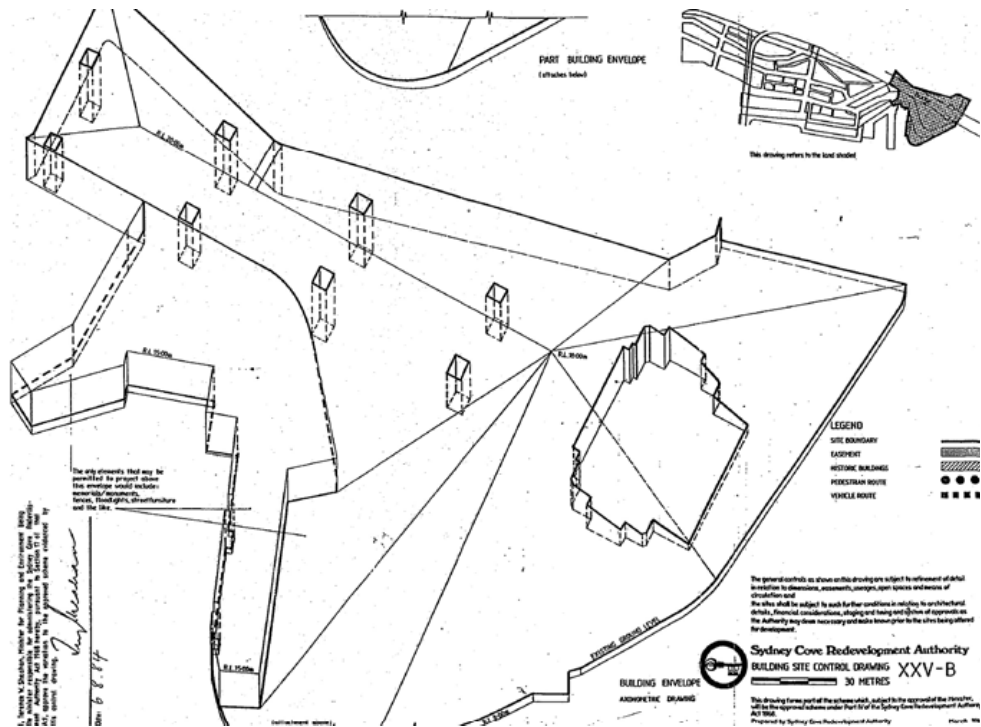
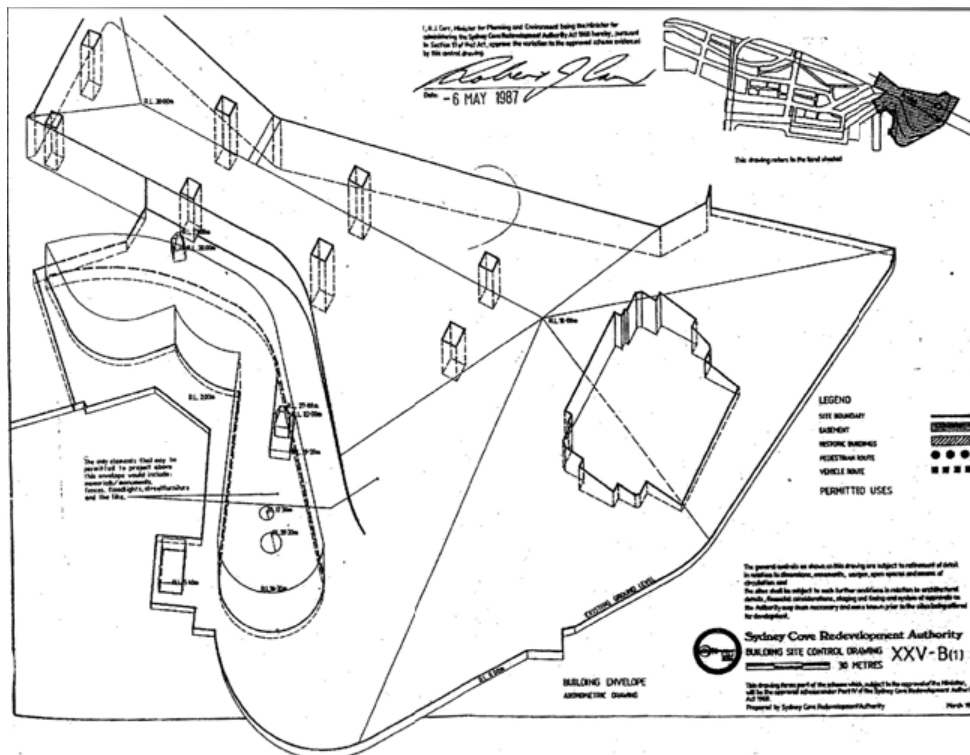


Figure 3 – Sydney Cove Redevelopment Authority- Building Site Control Drawing XXV-B- 2 June 1998



The winning proposal submitted by CRI Australia Pty Limited and design prepared by Ancher Mortlock Woolley (AMW) was considered to be an outstanding design. A variation to the building envelope was therefore sought to permit the proposed height, which was adopted by the Minister of Planning on 6 May 1987 and is reflected in the Building Site Control drawing XXV-B(1) (Figure 4).

Figure 4 – Sydney Cove Redevelopment Authority- Building Site Control Drawing XXV-B(1)- 2 June 1998



Permission for the current use and development of the site was established via Development Approval No.87/DA/14 granted on 7 May 1987. The development involved the construction of a “6-star” hotel of 4 storeys above ground level and basement car parking. The development included the construction of a public promenade around the waterfront.

2.1.2 The 2004 Proposal

In February 2004 discussions were initiated with SHFA as the freehold owners of the subject site in respect to the process of seeking a variation to the SCRA Scheme. A comprehensive submission was then prepared in March 2004 and presented to SHFA in demonstrating the planning merits of the proposed variation and seeking owners consent to lodge a request with the Minister for Planning to vary the building envelope controls.

Following the issuing of owners consent, a Planning Report and Statement of Environmental Effects was prepared and submitted to SHFA in April 2005 for consideration of two matters:

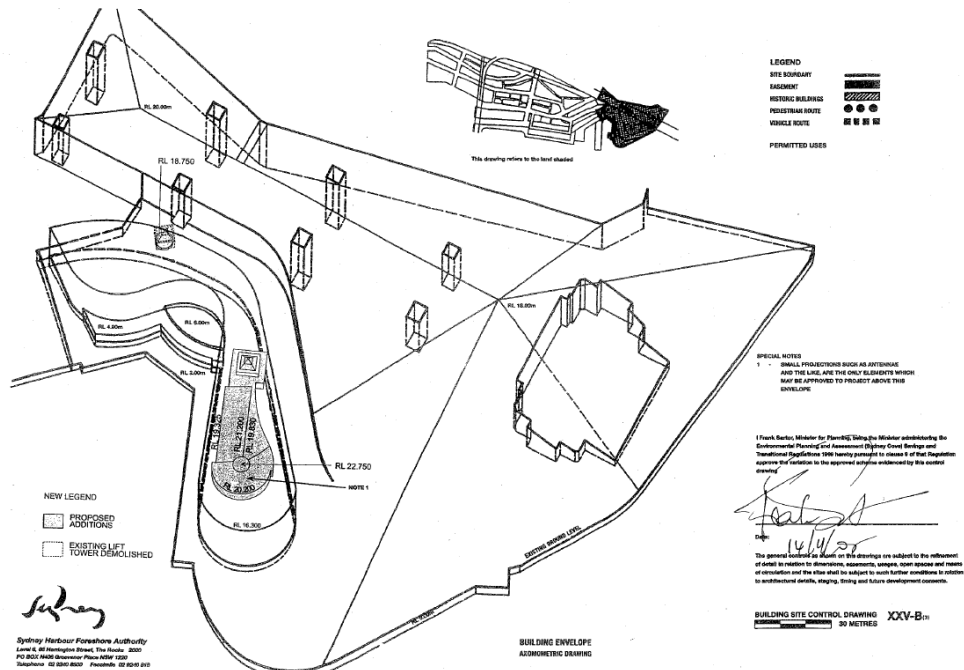
- A request to vary the building envelope controls contained under Building Site Control Drawing XXV-B(2) that apply to the site to facilitate the proposed development.
- A development application for a proposed roof top extension to the hotel, comprising:
 - addition of a presidential suite at the northern end of the building that includes a reception hall, living and dining area, servery, bedroom, dressing room and bathroom;
 - 4 additional suites; and
 - store and servery adjacent to the existing lift core.

The applicable building envelope controls were subsequently amended to permit the proposed development via means of the adoption of a revised building site control drawing. Building Site Control

Drawing XXV-B(3) permitted a building envelope on the subject site that was consistent with the proposed development, thus allowing consent to be granted for the proposed development (Figure 5).

On the 14th November 2005, the Minister for Planning approval DA122-05-05 for the roof top addition.

Figure 5 – Sydney Cove Redevelopment Authority Building Site Control Drawing XXV-B(3)- 14 November 2005.



3 Variation to Sydney Cove Redevelopment Authority Scheme

3.1 Introduction

The applicable Building Site Control Drawings that apply to the subject site are:

- Building Site Control Drawing XXV-B(3)- 14th November 2005.
- Building Site Control Drawing XXXV-A(4)- 2nd June 1998.

The proposed alterations and additions, and refurbishment of the Park Hyatt Sydney involves works that will encroach outside of the sites applicable building envelope, as set by Building Site Control Drawing XXX-B (3)- 14th November 2005.

3.2 Application for Variation to Approved Scheme

The Sydney Cove Savings and Transitional Regulations set out the process to be followed where it is proposed to carry out development on land within the Sydney Cove Redevelopment Area. As some of the proposed works do not comply with the SCRA plan, the Regulations require a formal variation to the plan prior to the approval of an application seeking development consent.

Part 2 Clause 4(1) and (2) of the Environmental Planning and Assessment Act sets out the provisions for which a request may be made to vary the approved SCRA scheme.

(1) if a person proposes to carry out development on land within the Sydney Cove Redevelopment Area and the proposed development does not comply in all respects with the approved scheme, the person may apply to the Minister for a variation to the approved scheme that the person considers necessary to be made to enable development consent to be granted to the proposed development.

(2) The applicant must:

- (a) Describe the respects in which the proposed development does not comply with the approved scheme, and*
- (b) Set out the reasons for the variation to the approved scheme for which the person is applying, and*
- (c) Address the matters referred to in Clause 9(2) in relation to which the Minister must form an opinion before making a variation to the approved scheme.*

Clause 9(2) of the Sydney Cove Savings and Transitional Regulations sets out the matters for consideration for any draft variation to the SCRA Scheme. An assessment of the proposed variation against Clause 9(2) has been undertaken as part of this report.

3.3 Clause 9(2) Assessment

The provisions of Clause 9(2) relate to:

(a) Whether the development will have an adverse affect on:

(i) development on adjoining land

SCRA Variation for Roof Top Works

Whilst the site is highly prominent, it is a relatively isolated landholding with minimal adjoining development or opportunities for development. The proposed changes to the approved roof top level will result in a streamlining and simplification of the roof form. Whilst a variation to the SCRA scheme of

0.7m in height at the southern end of the additional level will be required; this variation is compensated by a proposed reduction in height of 0.6m from the SCRA scheme at the northern end of the approved roof top level. These changes involve minor modifications to an approved roof top level and will not result in an increase in impacts to adjoining development. In particular, a detailed analysis of view impacts has been undertaken from properties along Lower Fort Street to demonstrate that there will be no resulting increase in view loss from these properties as a result of the changes to the roof form.

The proposed raising of the roof top pool terrace area requires a variation to the SCRA scheme of 3.2m, including an allowance for a balustrade. The view impact analysis also models the proposed raised pool terrace from properties along Lower Fort Street. As per that analysis, the raising of the pool terrace will not result in any adverse view impacts from properties along Lower Fort Street.

SCRA Variation for Promenade Access Stairs

The minor encroachment of the approved building envelope required to facilitate the reconfigured access stairs will not affect development on adjoining land. Potential impacts on the quality of the public domain, notably the boardwalk, are discussed below.

(ii) the heritage significance of buildings, structures or sites in the locality

SCRA Variation for Roof Top Works

The site is not a heritage listed item; however it is located within the Rocks Conservation Area, which is listed on the Register of the National Estate. An assessment of the proposed works against the Heritage Office's Statement of Heritage Impact guidelines is enclosed as part of the Environmental Assessment.

The photomontages contained within the View Impact Analysis provide an accurate representation of the proposed works. The assessment has shown that the proposed works will not visually dominate or detract from The Rocks heritage precinct or neighbouring heritage items. In particular, the view impact analysis demonstrates that the proposed changes to the approved roof top level (DA122-05-05) will not reduce available views from surrounding heritage listed properties, including those located along Lower Fort Street. Thus, the heritage attributes of these properties, including available views, will not be affected by the proposed works.

There is not anticipated to be any heritage related impacts associated with the non-compliance with the building envelope.

SCRA Variation for Promenade Access Stairs

The reconfigured access stairs onto the promenade are minor works in the context of the overall form of the building and will not affect the heritage significance of structures in the locality. Discussions with the Sydney Harbour Foreshore Authority (SHFA) in July 2010 confirmed in principle support for the access stairs onto the promenade.

(iii) the quality of the public domain in the locality

SCRA Variation for Roof Top Works

The View Impact Analysis submitted as part of the Environmental Assessment Report has undertaken a thorough assessment of potential view impacts from the public domain surrounding the subject site. Notably, this assessment has modelled the proposed works from a number of areas within Dawes Point Park, which affords views across the site to the Opera House and Sydney Harbour. As per that analysis, the proposed lowering of the southern lift shaft, in accordance with DA122-05-05, will remove a large physical obstruction to views and will substantially improve views from Dawes Point Park.

It is acknowledged however that there will be some loss of views towards the Opera House from within a small section of Dawes Point Park. These available views will be obstructed by the proposed raised and extended pool terrace area. These vantage points; the quality of the views afforded; and the level of resulting impacts have been addressed in detail within the Visual Impact Analysis.

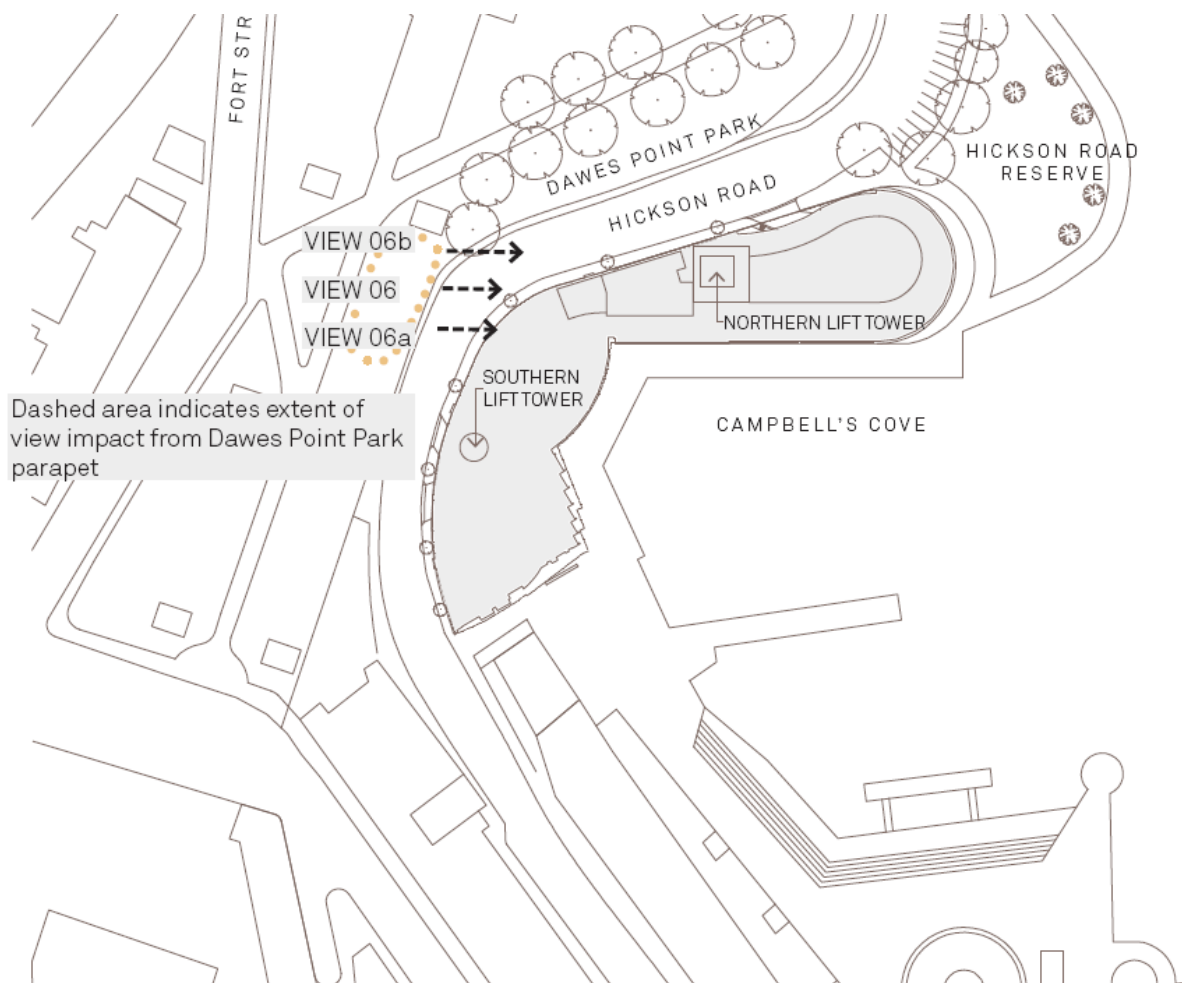
Figure 6 illustrates the extent of Dawes Point Park where views of the Opera House will be obstructed due to the proposed raised and extended pool terrace area. This area represents a small section of Dawes Point Park that is not a highly useable space, but rather is predominantly a thoroughfare for relatively small volumes of pedestrian traffic in providing access between Dawes Point Park and Hickson Road.

The views available from this area are currently partially obstructed by the current northern lift shaft and pool area, and are partially obstructed by the approved roof top level (DA122-05-05). This area is currently not used as a vantage point for taking photos of the Opera House or Harbour, as more substantial views are available further around to the south in Dawes Point Park. The proposed works will not affect the views afforded from areas within Dawes Point Park that are more actively used by the broader public.

We also note that access to this area, and a majority of Dawes Point Park is currently not available due to the works site that has been set up to undertake maintenance to the Harbour Bridge.

Overall, the proposed variation to the SCRA scheme to facilitate the proposed roof top pool terrace area, is deemed acceptable given that on balance, there is a substantial improvement in views provided from the majority of Dawes Point Park resulting from the lowering of the Southern Lift shaft, and thus as a whole, the quality of Dawes Point Park as a public space affording strong harbour views is enhanced.

Figure 6 – Extent of View Loss from Dawes Point Park



The View Impact Analysis has also modelled the proposed works relative to the current approved roof top level (DA122-05-05) and provides a compare and contrast between the approved roof top level and the proposed modifications to that approved form. As per that analysis, the proposed modifications to the approved roof top level will not result in an increase in view loss or impacts from Dawes Point Park.

SCRA Variation for Promenade Access Stairs

The proposed variation to the building envelope involves an encroachment into the public domain via the provision of new stairs onto the promenade. Specifically, the new stairs will reduce the width of the public promenade from approximately 8.28m to 5.6m (a reduction of 3.3m).

The purpose of the encroachment is to provide new stairs that improve access between the hotel lobby and promenade. The variation will not add additional floor space, or increase the bulk or scale of the existing building. The sole purpose of the variation is to improve accessibility.

The reduction in width of the promenade is considered acceptable given that it will only have a slight impact on pedestrian traffic as a considerable width of 5.6m will be retained.

Discussions with the Sydney Harbour Foreshore Authority (SHFA) in July 2010 have confirmed that the encroachment of an access stair onto the promenade was not considered unreasonable subject to the appropriate resolution of materials and finishes for the access stairs; and its relationship to the materiality of the existing boardwalk.

(b) Impact on the natural and built environment

The proposed works and the nature of the proposed variations to the SCRA scheme, notably that no works proposed involve a physical disturbance to the site, will ensure that there will be no detrimental impacts to the natural environment.

The qualities of the built environment, both from the hotel as an individual building and The Rocks as a precinct, will be retained under the proposed works. In particular, the architects have ensured that the proposed works provide a design that is compatible with, and sympathetic to, the qualities and expression of the existing building. This is reinforced through the detailed Architectural Statement enclosed as part of the Environmental Assessment.

The proposed works are considered to provide a social and economic benefit by showcasing the scenic qualities of the harbour and surrounding built landscape through the enhancement of the hotel facilities. Notably, the proposed roof top suites and pool terrace area will enhance the image of The Rocks through the provision of the highest standards of tourist accommodation and facilities.

(c) General planning and design principles for the Sydney Cove Redevelopment Authority Area

The general planning and design principles for the SCRA have been addressed through a review of the relevant sections of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 and the Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005. These policies have been addressed in detail as part of the Environmental Assessment.

The proposed variation generally complies with these requirements and is deemed appropriate given:

- The proposed alterations and additions have been designed to read as an integrated element in the context of the design and overall form of the existing building.
- The materials and finishes proposed ensure that changes to the buildings façade are complimentary to the original design intent of the hotel and thus assist in enhancing the visual qualities of Sydney Harbour.
- The proposed works will have a positive social and economic benefit through the enhancement of the hotels facilities to a standard consistent with Sydney's premier hotel.
- Changes to the approved rooftop level provide a more streamlined roof from that is a more appropriate response to the architectural fabric of the existing hotel building.

- A comprehensive Visual Impact Analysis has been prepared demonstrating the retention of key views from properties along Lower Fort Street and from public spaces such as Dawes Point Park.
- By isolating the proposed works to the approved roof top addition; the internal refurbishment of the hotel; and changes to the buildings external materials and finishes, it has been possible to ensure a complimentary fit when viewed in the context of the existing design of the building and the harbour foreshore.

4 Conclusion

This application is submitted concurrently with the Environmental Assessment for proposed works to the Park Hyatt Sydney.

The proposed variations to the SCRA scheme to facilitate an approval include:

- Pool terrace including pool, jacuzzi and deck areas. The proposed maximum variation to the SCRA plan will be approximately 3.2m (in height), inclusive of an allowance for a balustrade.
- Roof design for approved roof top extension. The proposed maximum variation to the SCRA plan will be approximately 0.7m in height at the southern end, but compensated by a reduction in height of 0.6m from the SCRA plan at the northern end of the roof top extension.
- New stair access onto public boardwalk. The proposed maximum variation to the SCRA plan will be approximately 3.3m (in width).

Overall, given the basis of the planning merits associated with the proposed works and the reasonableness of the variation sought, it is recommended that the Director General prepared a draft variation to the SCRA Scheme in accordance with this application and that, pursuant to Clause 9(2) of the Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999, the Minister make the variation to the SCRA Scheme in accordance with this application.

The proposal variation to the SCRA plan, being Building Site Control Drawing XXXB (4) is enclosed at Appendix I.

Sydney
Level 21, 321 Kent Street
Sydney, NSW 2000
Tel: +612 8233 9900
Fax: +612 8233 9966

Brisbane
Level 12, 120 Edward Street
Brisbane, QLD 4000
Tel: +617 3007 3800
Fax: +617 3007 3811

Dubai
Level 4, Attareen Building,
Saaha Offices, Old Town Island
Downtown Burj Dubai, UAE
Tel: +971 4 4200212
Fax: +971 4 4200209

Melbourne
Level 12, 120 Collins Street
Melbourne, VIC 3000
Tel: +613 8663 4888
Fax: +613 8663 4999

Perth
Ground Floor, 53 Ord Street
West Perth, WA 6005
Tel: +618 9346 0500
Fax: +618 9321 7790

Australia • Asia • Middle East
www.urbis.com.au
info@urbis.com.au