

25 October 2021

218112

Ms. Kiersten Fishburn
Planning Secretary
Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street PARRAMATTA NSW 2150

Attn: Ms Minoshi Weerasinghe

Dear Ms Fishburn

REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS SHELBOURNE HOTEL- 200-202 SUSSEX STREET, SYDNEY

We are writing on behalf of Towncorp Pty Ltd, the leasehold owner and proponent for the proposed redevelopment of the Shelbourne Hotel, located at 200-202 Sussex Street, Sydney.

The Shelbourne Hotel was built in 1902 and at the time was a key landmark adjacent to Pyrmont Bridge at the western gateway to the city. Overtime, the Hotel and the surrounding area's legibility, connectivity to public domain and the Pyrmont Bridge has diminished. There is a significant opportunity to re-establish the Hotel's connection to the public domain; retain and celebrate the heritage character of the Hotel; and create a slender tower addition that will contribute to the architectural diversity within the CBD skyline. Redevelopment will bring new life to an aged asset.

The purpose of this letter is to request the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the proposed development. To support the request for the SEARs this letter provides an overview of the proposed development, sets out the statutory context, and identifies the key environmental and planning issues associated with the proposal. This letter is accompanied by preliminary conceptual drawings prepared by Turner (**Attachment A**).

Details of the form, massing, and mix of uses of the final built design are subject to agreement with Place Management NSW as landowner of the primary land parcel forming the site.

Landowners consent from Place Management NSW will be obtained prior to the lodgement of this SSD.

1.0 The Site

The site is located at 200-202 Sussex Street, Sydney within the Sydney CBD on the eastern edge of the Darling Harbour precinct. The site is legally defined as Lot 1 of DP 739093 and is located adjacent to the Pyrmont Bridge footbridge ramp at the corner of Sussex Street and Market Street.

The surrounding area – the Darling Harbour precinct (SICEEP, Darling Square, Cockle Bay, Harbourside), Barangaroo, and the western corridor of the CBD has undergone significant renewal over the last five years which has improved the urban realm, built form and public transport / pedestrian context within the area. The urban condition will continue to change as development continues. The site is located within the City of Sydney local government area. The principal planning instrument for the site is the Darling Harbour Development Plan No. 1. A locational map and a site plan are provided at **Figure 1** and **Figure 2** below.

The site includes easements for access and services benefitting the neighbouring property at 1 Market Street. The easements will be maintained.



Figure 1 Site Plan

Source: Nearmaps, Ethos Urban

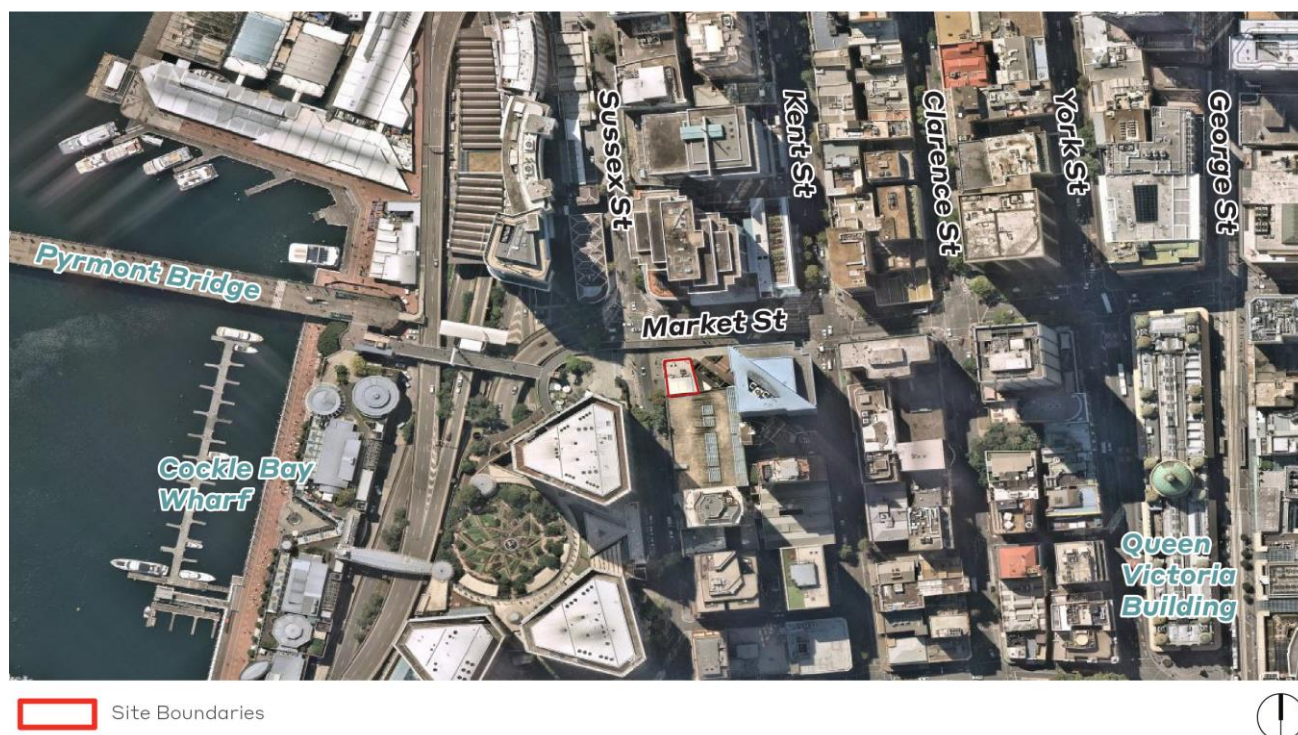


Figure 2 Location Map

Source: Ethos Urban

1.1 Existing Development

The four-storey Shelbourne Hotel has been operating on the site since 1902. As further discussed in **Section 4.3**, the hotel was subject to alterations and additions in 1999-2000 renovations (excluding the upper portion of the northern and western elevation).



Figure 3 Existing Development (corner of Sussex St and Market St)

Source: Turner

2.0 Description of proposed development

The SSD application proposes the following concept:

- Retention of the hotel's heritage facades.
- Internal reconfiguration of the existing hotel (non-heritage elements) to accommodate commercial and retail uses.
- Tower envelope to a maximum height of RL152 (including architectural roof feature) above the existing building to accommodate either residential apartments or serviced apartments subject to further detailed applications.
- An indicative maximum gross floor area of approximately 6,530m² (approx. 5,700m² residential; approx. 830m² non-residential).

The indicative development envelope is provided at **Figure 4**.

The redevelopment has the potential to re-establish the Hotel's relationship and connections with the street and wider public domain and reactivate the immediate area in a manner that compliments the future Cockle Bay redevelopment, celebrates the site's heritage and creates a slender gateway tower at the corner of Sussex Street and Market Street. Indicative and conceptual montages prepared by are provided in **Figure 5** and **Figure 6** and preliminary and indicative floor plans are provided as **Attachment A**.

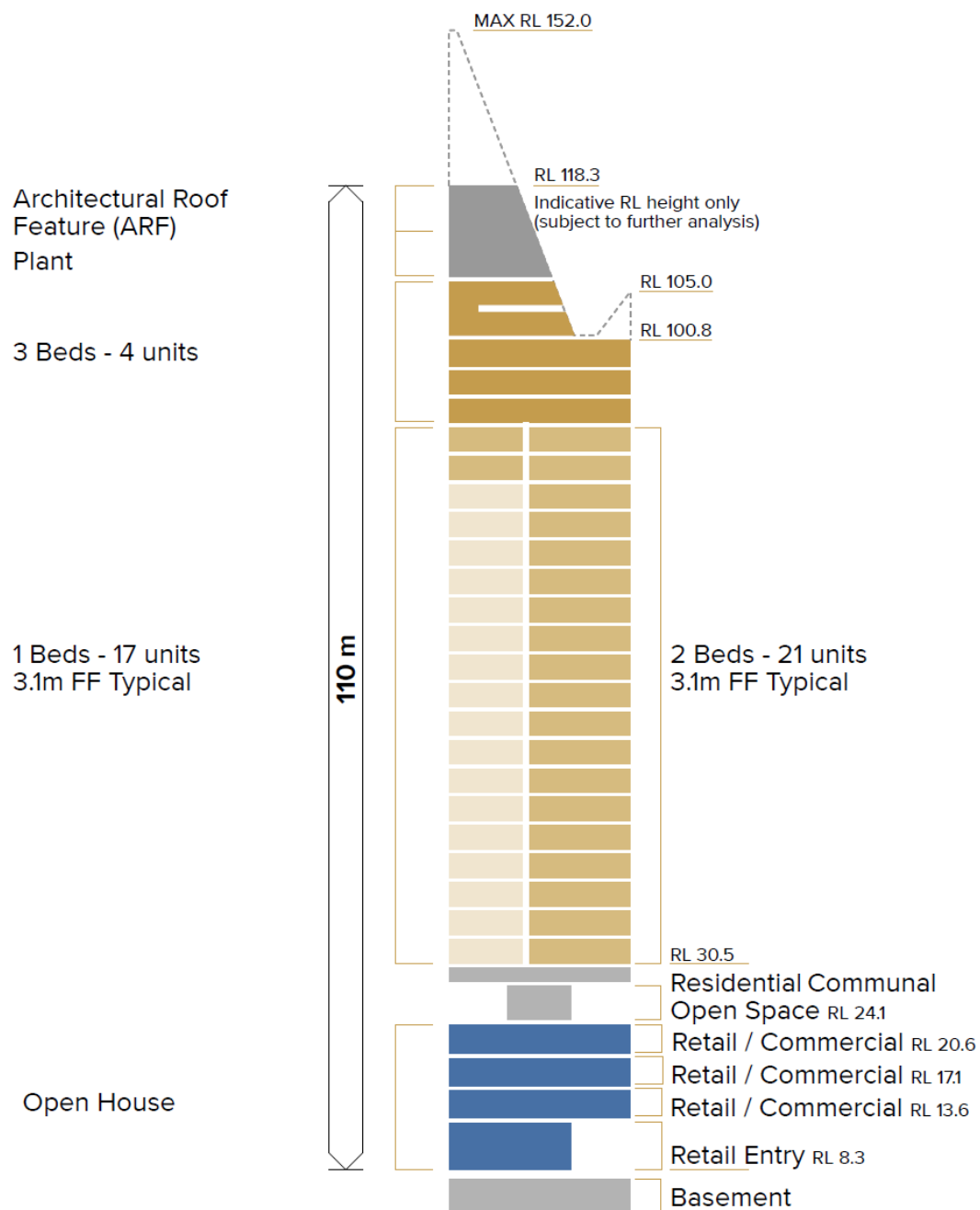


Figure 4 Indicative Development Envelope and Land Uses

Source: Turner



Figure 5 Indicative Concept looking east from Sussex Street

Source: Turner



Figure 6 Indicative Concept looking east from Darling Harbour

Source: Turner

3.0 Planning context

The following are the key relevant legislation and environmental planning instruments that will apply to the proposed development:

- Environmental Planning and Assessment Act 1979;
- State Environmental Planning Policy (State & Regional Development) 2011;
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Harbour REP); and
- Darling Harbour Development Plan No. 1 (DHDP).

3.1 Environmental Planning and Assessment Act 1979

The EP&A Act establishes the assessment framework for SSD. Under Section 4.38 of the Act the Minister for Planning is the consent authority for SSD. Section 4.12(8) requires that a development application for SSD is to be accompanied by an Environmental Impact Statement (EIS) in the form prescribed by the Regulations.

3.2 State Environmental Planning Policy (State and Regional Development) 2011

The Site is located within the Darling Harbour precinct, which is identified as a State Significant Site in Schedule 2 of State Environmental Planning Policy (State and Regional Development) 2011 (State and Regional SEPP). As the proposed development will have a capital investment exceeding \$10 million, it is declared to be State Significant Development (SSD) for the purposes of the EP&A Act. Accordingly, it also qualifies as SSD for the purposes of section 4.36 of the *Environmental Planning & Assessment Act 1979*.

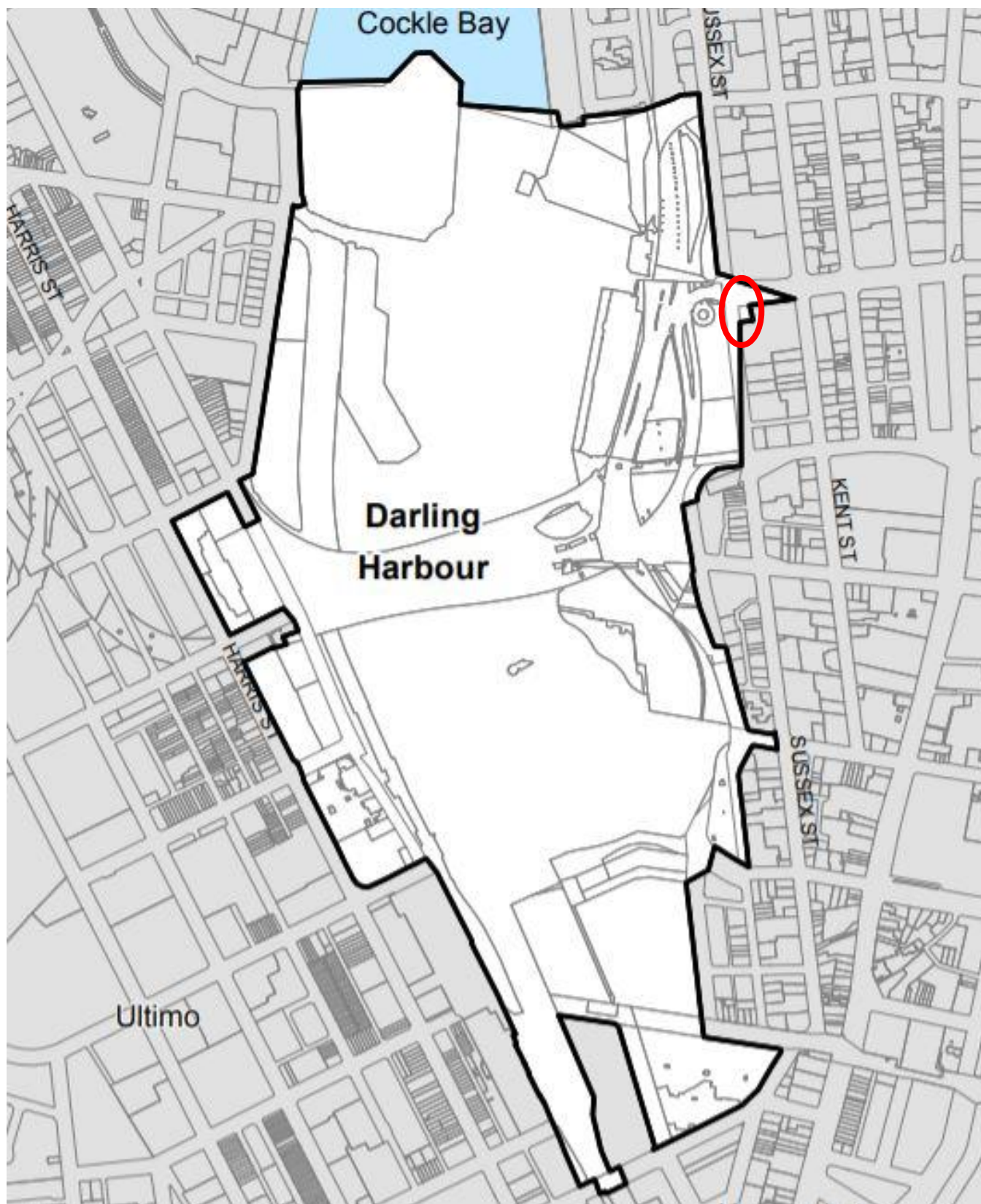


Figure 7 Site Location

Source: Darling Harbour State Significant Development Site Map (State and Regional SEPP 2011)

3.3 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The SREP 2005 applies to the site. The site is not zoned under the SREP, however is located within the City Foreshores Area, Strategic Foreshore Site and is also within the Foreshores and Waterways area. The consent authority is required to take into consideration a number of matters when assessing any development application for this area. These matters are generally as follows:

- Biodiversity, ecology and environmental protection;
- Public access to, and use of, foreshores and waterways;
- Maintenance of a working harbour;
- Interrelationship of waterway and foreshore uses;
- Foreshore and waterway scenic quality; and
- Maintenance protection and enhancement of views.

3.4 Darling Harbour Development Plan No. 1

The principal environmental planning instrument applicable to the Site is the Darling Harbour Development Plan No. 1 (DHDP). Clause 6 in conjunction with Schedule 1 of the DHDP specifies land use permissibility, which includes development for the purposes of serviced apartments, residential, retail and commercial buildings. The proposal is permissible with consent. There is no height, FSR or other development controls contained within the DHDP.

3.5 Other planning policies

In addition to the above, the following strategic and statutory plans and policies apply to the site and will need to be considered as part of the EIS:

- NSW State Priorities
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No.55 – Remediation of Land
- SEPP 64 Advertising and Signage
- SEPP 65 and Apartment Design Guides
- Greater Sydney Region Plan: A Metropolis of Three Cities
- Eastern Sydney District Plan
- Better Placed – an integrated design policy for the built environment of NSW
- Better Placed – Design Guide for Heritage
- Future Transport Strategy 2056 and supporting plans
- EIS Guidelines – Road and Related Facilities (DoPI)
- NSW Planning Guidelines for Walking and Cycling
- Applicable City of Sydney guidelines and policies

4.0 Overview of Likely Environmental and Planning Issues

Based on our preliminary environmental assessment, the following are the key environmental assessment issues that will need to be considered as part of the future development application:

- Compliance with strategic and statutory plans
- Urban design, built form and design excellence
- Heritage
- Overshadowing
- Wind
- Visual and view impact
- Proximity to CBD rail tunnel
- Ecologically sustainable development
- Transport and accessibility
- Flooding and stormwater
- Construction management
- Social and economic impacts

4.1 Built Form and Design Excellence

The proposed development will establish a slender new built form element within the western CBD and the Darling Harbour entertainment and cultural precinct. The height, bulk, and scale of the development with respect to surrounding context will therefore be a key issue to be addressed. The EIS will provide an urban design analysis which will address the design quality of the development and its spatial and visual relationship with the surrounding built environment and public domain.

The EIS will include a design excellence strategy outlining how design excellence and high quality architectural and urban design will be delivered through the future detailed design and development of the proposal.

4.2 Land Use

The SSD will seek approval for a commercial and retail podium with serviced apartments or residential apartments to be accommodated in the tower. It is not proposed that both uses will operate on different floors within the tower at the same time. Concept plans for both serviced apartments and residential apartments will be included with the EIS.

4.3 Heritage

The site is listed as a heritage item by Property NSW (formerly Sydney Harbour Foreshore Authority) on their Section 170 register under the provisions of the *Heritage Act 1977*.

The upper portion of the northern and western elevation of the Shelbourne Hotel are the only remaining elements associated with the original 1902 building. The ground floor external elevation has been altered significantly since the 1930s, with the veranda removed and openings infilled.

The interior of the hotel was completely reconstructed during the 1999-2000 renovations, as such it is considered to have no integrity remaining.

The redevelopment proposal will retain the significant heritage façade and form. The tower envelope has been designed to be clearly distinguishable and visually separated from the Hotel and will be read within a CBD context

that includes other tall contemporary towers. The Hotel's original masonry façade will remain the dominant element in the streetscape.

A heritage impact statement will be provided with the EIS.

4.4 Overshadowing

The site is not subject to the provisions of the City of Sydney planning controls. Notwithstanding, analysis has been undertaken to determine the shadow impact of the redevelopment on public places identified in the City of Sydney's draft Central Sydney Planning Strategy to ensure the envelope will not result in any additional overshadowing to important existing and future public places. **Figure 8** demonstrates that proposed envelope sits below the City of Sydney sun access planes. A detailed analysis will be included in the EIS. The EIS will also include an analysis of overshadowing to nearby residential apartment buildings including the Astoria Tower at 222 Sussex Street.

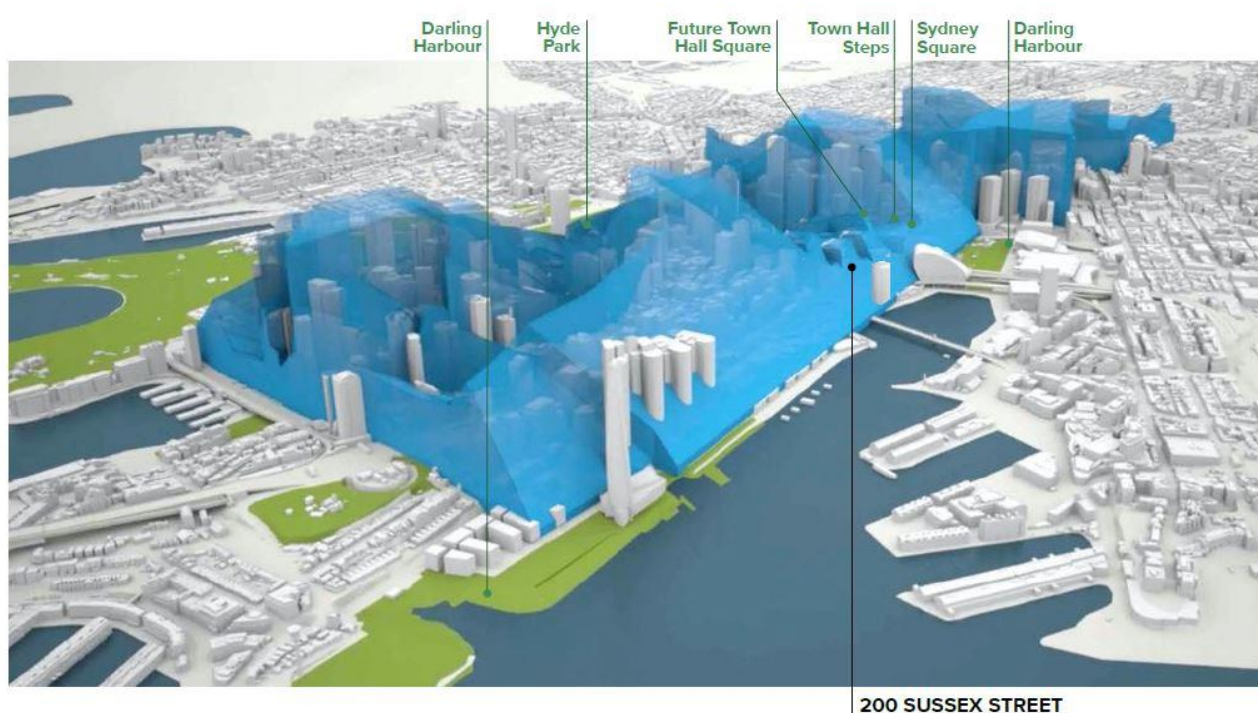


Figure 8 Solar Access Planes

Source: Turner

4.5 Wind

The proposal will introduce a new tower form adjacent to the Market Street and Sussex Street public domain. The concept also contemplates communal open space on the future podium (existing hotel roof). A wind impact analysis that identifies the likely wind conditions and any recommended mitigation measures will be included with the EIS.

4.6 Visual and view impacts

The site is prominent at the corner of Market Street and Sussex Street and the future development will introduce a new tower into the western CBD skyline. The proposal will form part of the major public view of the CBD obtained from the public domain in Darling Harbour and the Pyrmont Bridge. The proposal will also introduce a new tower into the Market Street view corridor looking west towards Darling Harbour and Pyrmont Bridge. A visual impact analysis which considers the proposed envelope's impact on the public domain when viewed from valued public areas will be included in the EIS.

The proposed envelope sits to the north of the Astoria Tower. The EIS will include a view impact analysis of the proposed envelope on existing views obtained from the apartments within the Astoria.

4.7 Residential Amenity

The EIS will include an assessment of the residential apartment building concept design's performance against the Apartment Design Guide's objectives and design criteria.

4.8 Proximity to CBD Rail Tunnel

Preliminary analysis indicates that the site sits outside the interim CBD rail tunnel and corridor. Notwithstanding, the EIS will include further analysis and any implications for future development resulting from the site's proximity to the rail tunnel and corridor.

4.9 Ecological Sustainable Development

An ESD report will be provided with the EIS, which will consider the principles of ESD and how they relate to the project, as well as detailing the project's sustainability strategy and the design measures to be incorporated into the project.

4.10 Transport and Accessibility

There is no on-site parking proposed as part of the development. The EIS will include an assessment of the concept's loading, waste, and bike parking requirements. The EIS will also include consideration of the construction traffic impacts of the proposal.

4.11 Infrastructure and Services

The EIS will outline what services currently exist on the site and how these will be upgraded if required. It is expected that some existing services on the site may need to be augmented to accommodate the new development.

4.12 Construction Management

A preliminary construction management plan will be prepared with the EIS. The plan will indicate construction access and staging as well as the management of any construction related environmental impacts such as dust and sediment, noise, traffic and the like.

4.13 Flooding and Stormwater

The EIS will identify and address the potential flood risk from groundwater, stormwater, acid sulfate soil and sea level rise on the site; and identify any mitigation measures.

4.14 Social and Economic Impacts

The EIS will demonstrate how the proposed development will provide social and economic benefits. There are expected to be positive social impacts through the provision of a reactivated public domain interface on Market Street and Sussex Street and additional residential or serviced apartment in a highly accessible area. Additionally, it is expected that the proposed development will provide a positive economic impact through the growth of employment generating activities within the proposed retail and commercial elements of the development.

It is requested that social impacts be considered within the main EIS document and a complete, separate Social Impact Assessment not be required for the development. In accordance with DPIE's Social Impact Assessment Guideline, 'the SIA should be targeted and proportionate to the nature and scale of the project's social impacts, and to its locality'. As such, a short, targeted social impact statement will be provided with the EIS.

5.0 Consultation

Informal consultation has already begun with the Department of Planning, Industry and Environment and the City of Sydney. It is expected that consultation will continue to occur with the DPIE and the City as well as the following:

- Heritage NSW
- Place Management NSW
- Infrastructure NSW
- Transport for NSW
- Surrounding landowners, businesses, and the community.

6.0 Conclusion

The purpose of this letter is to request the SEARs for the preparation of an EIS for a concept proposal at 200-202 Sussex Street, Sydney. The concept will facilitate the future delivery of a slender tower at the western gateway to the Sydney CBD. The proposal is permissible with consent under the Darling Development Control Plan 1 and the EIS will ensure that the appropriate consultation and environmental assessment is undertaken.

We trust that the information detailed in this letter is sufficient to enable the Secretary to issue the SEARs for the preparation of the EIS. Should you have any queries about this matter, please do not hesitate to contact the undersigned.

Yours sincerely,



Ben Porges
Urbanist
0403 380 379
bporges@ethosurban.com



Jim Murray
Associate Director
0420 960 216
jmurray@ethosurban.com