

Prepared for: Sirius Developments Pty Ltd  
Date: 30 October 2020

Restoration and refurbishment of the Sirius site  
State Significant Development Application – SSD 10384

# 2-60 Cumberland Street, The Rocks Environmental Impact Statement



Architectus acknowledges the Gadigal people of the Eora Nation, the traditional custodians on which this project is located. We pay our respects to ancestors and Elders, past and present.

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This report is considered  
a draft unless signed by a  
Director or Principal

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## Submission of Environmental Impact Statement:

*Prepared under Schedule 2 of the Environmental Planning and Assessment Regulation 2000.*

## Address:

Architectus Group Pty Ltd  
Level 18, MLC Centre, 19 Martin Place  
Sydney NSW 2000

## In respect of:

State Significant Development Application (SSD 10384) for the proposed restoration and refurbishment of the existing Sirius building (as described in Section 4 of this EIS) located at 2–60 Cumberland Street, The Rocks. The site is legally described as Lot 100 in DP264104 and Lot 101 in DP264104.

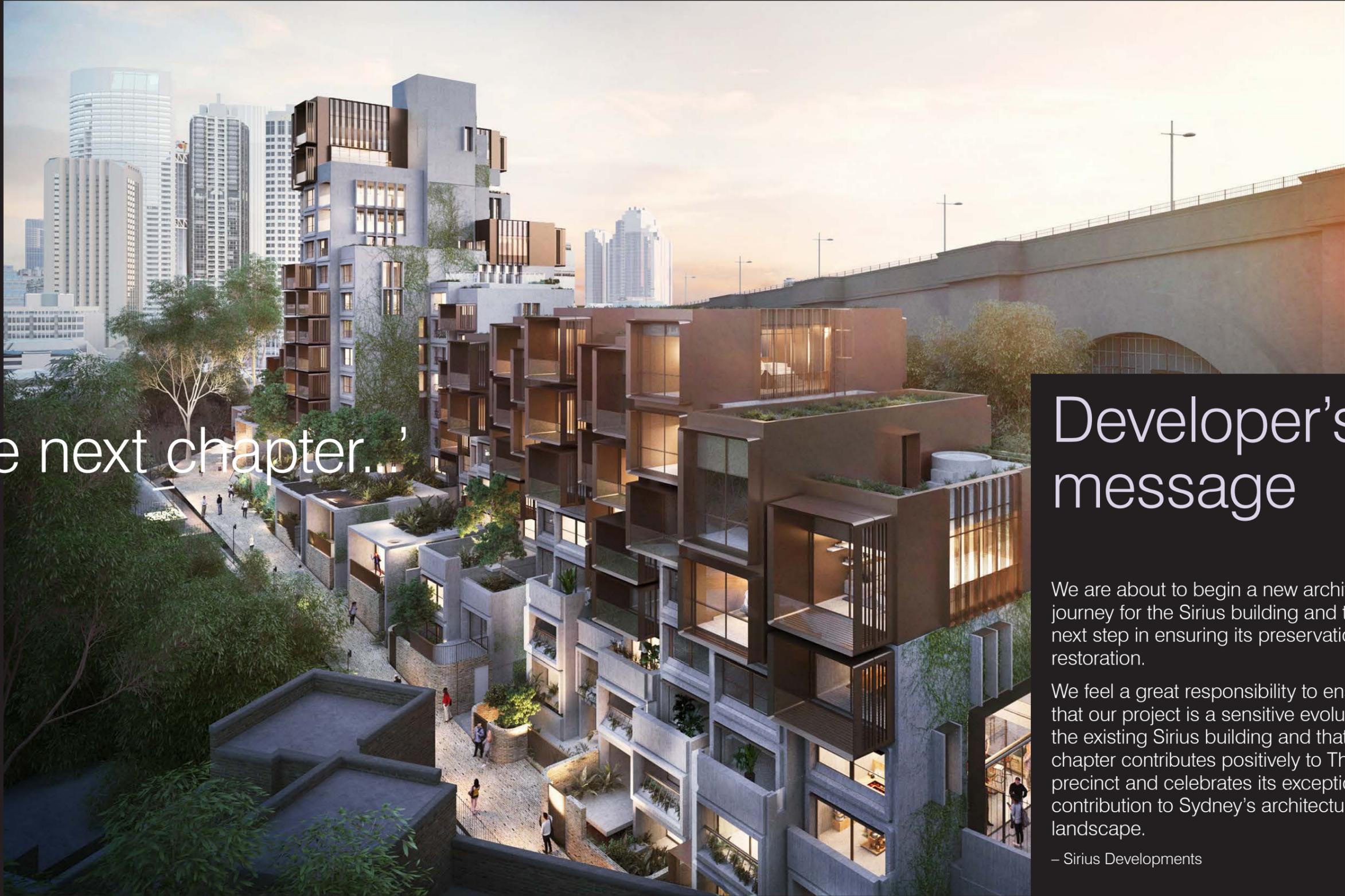
## Applicant:

Sirius Developments Pty Ltd

## Declaration:

It is declared to the best of my knowledge that:

- This Environmental Impact Statement has been prepared in accordance with Schedule 2 of the Environmental Planning and Assessment Regulation 2000;
- This Environmental Impact Statement contains all available information that is relevant to the environmental assessment of the proposed development; and
- The information contained in this report is neither false nor misleading.



‘The next chapter.’

## Developer’s message

We are about to begin a new architectural journey for the Sirius building and the next step in ensuring its preservation and restoration.

We feel a great responsibility to ensure that our project is a sensitive evolution of the existing Sirius building and that its next chapter contributes positively to The Rocks precinct and celebrates its exceptional contribution to Sydney’s architectural landscape.

– Sirius Developments

# Executive summary

This Environmental Impact Assessment (EIS) has been prepared by Architectus on behalf of Sirius Developments Pty Ltd (the Applicant) in support of a State Significant Development (SSD) Application for the restoration and refurbishment of the existing Sirius building at 2–60 Cumberland Street, The Rocks. The working title for the project is ‘Sirius site’.

## Preliminary

The Sirius site is currently occupied by the Sirius building, a residential apartment building and a prominent example of brutalist architecture in Australia. The building was designed in 1978–1979 by Tao Gofers for the Housing Commission of NSW and was used for social housing until 2018. It is owned by the NSW Government. The existing Sirius building comprises 79 apartments and 70 car parking spaces. The building is currently unoccupied.

In 2015, the NSW Government committed to divesting the Sirius site to fund new social housing in Sydney as part of its *Future Directions in Social Housing Strategy*. To support the sale of the Sirius site, the Department of Planning, Industry and Environment (DPIE) (then known as the Department of Planning and Environment) amended the *State Environmental Planning Policy (State Significant Precincts) 2005* (SEPP SSP) to apply site-specific planning controls to the Sirius site. The amendment to SEPP SSP commenced on 3 August 2018.

Following an extended bid process, which commenced in September 2018 and concluded in June 2019, Sirius Developments Pty Ltd was granted the rights to purchase the Sirius site under the terms of a Development Agreement. Sirius Developments Pty Ltd is owned by investment firm JDH Capital.

This application seeks approval for the restoration and refurbishment of the existing Sirius building, including alterations and additions, for the purpose of a mixed-use development.

The proposed development is classified as SSD on the basis that it falls within the requirements of Clause 6 of Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011* (SEPP SRD), being development on land identified within ‘The Rocks Site’ on the *State Significant Development Sites Map* with a Capital

Investment Value (CIV) greater than \$10 million.

The objectives of the proposed development are to:

1	Substantially retain the existing Sirius building;
2	Adapt the existing Sirius building for contemporary uses in a way that respects the integrity of the original design, ensures compatibility with the character and heritage value of The Rocks, and celebrates its exceptional contribution to Sydney’s architectural landscape;
3	Incorporate alterations and additions to the existing Sirius building that achieve the maximum permissible floor space while preserving the characteristic horizontal and vertical articulation of the building;
4	Improve residential amenity and internal access;
5	Improve vehicle access to reduce the extent of driveway interface;
6	Provide a reimagined ground level with active street frontages and an improved public domain that allows for people to interact with the Sirius building in new ways;
7	Improve universal public access across the site; and
8	Improve permeability and connectivity within The Rocks by providing a through-site link from Cumberland Street to Gloucester Walk.



## The site

The Sirius site is located at 2–60 Cumberland Street, The Rocks, Sydney.



The total site area is 3,664.5m<sup>2</sup>. The site has a frontage of approximately 115m to Cumberland Street (west) and approximately 120m to Gloucester Walk (east).

The existing Sirius building rises from the north and south towards a central tower with a maximum height of 34.6m above ground level at Cumberland Street (equivalent to an 11-storey building). The building is comprised of 79 residential apartments (mostly split level), community rooms and rooftop gardens. 70 car parking spaces are provided in an irregular shaped basement with vehicular access from Cumberland street. The existing gross floor area (GFA) is 6,538.0m<sup>2</sup>. The building is currently unoccupied by residents.

### Legal description

The site is legally described as Lot 100 DP264104 and Lot 101 in DP 264104.

## The proposal

The proposed development is for the restoration and refurbishment of the existing Sirius building, including alterations and additions. The existing building is proposed to be substantially retained and restored with integrity. New residential additions are proposed to be added to the existing structure in appropriate locations to maintain the legibility of the original architectural form, and new structures for commercial uses are proposed to be added at the Cumberland Street and Gloucester Walk frontages of the site.

Proposed works include:

- Alterations and additions to the existing building to provide for:
  - Residential accommodation (a total of 76 apartments);
  - Commercial premises, including retail floorspace; and
  - Basement car parking.
- Provision of a through-site link between Cumberland Street and Gloucester Walk.
- Upgrades to Gloucester Walk including landscaping and pedestrian access.
- Improvements to Cumberland Street including landscaping and improved carpark entry.
- Associated works, including:
  - Minor demolition works;
  - Earthworks;
  - Structural upgrades;
  - Services upgrades; and
  - Landscaping works.

## Regulatory framework

### Strategic planning context

The proposal is found to be consistent with the applicable strategic plans and policies, including the NSW State Priorities; Greater Sydney Region Plan and supporting District Plan; Better Placed NSW; Better Placed – Design Guide for Heritage; Draft Government Architect’s Design Excellence Competition Guidelines; Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW; Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW; Aboriginal cultural heritage consultation requirements for proponents; Future Transport Strategy 2056; Guide to Traffic Generating Development; NSW Planning Guidelines for Walking and Cycling; Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development; Development near Rail Corridors and Busy Roads – Interim Guideline; The Rocks Heritage Management Plan 2010; The Rocks Strategic Directions 2015/16; The Rocks Refresh Public Realm Study; The Rocks Place Making Framework; NSW and ACT Government Regional Climate Modelling (NARClIM) climate change projections; Urban Green Cover in NSW Technical Guidelines; Sustainable Sydney 2030; Sydney’s Cycling Future; Sydney’s Walking Future; NSW Noise Policy for Industry; Interim Construction Noise Guideline; and, Assessing Vibration: A Technical Guideline.

### Legislative and regulatory framework

The EIS has taken into consideration, and found that the proposal is consistent with the relevant legislation and regulations applicable to the proposal, including the *State Environmental Planning Policy (State and Regional Development) 2011* (SEPP SDR); *State Environmental Planning Policy (State Significant Precincts) 2005* (SEPP SSP); *State Environmental Planning Policy (Infrastructure) 2007* (SEPP Infrastructure); *State Environmental Planning Policy No 55 – Remediation of Land (and Draft Remediation of Land SEPP)* (SEPP 55); *State Environmental Planning Policy No 64 – Advertising and Signage* (SEPP 64); *State Environmental Planning Policy No 65 – Design Quality of Residential Development* (including the associated

*Apartment Design Guideline*) (SEPP 65 and ADG); *State Environmental Planning Policy (Building Sustainability Index – BASIX) 2004* (SEPP BASIX); *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* (SREP Sydney Harbour); *State Environmental Planning Policy (Coastal Management) 2018* (SEPP Coastal Management); and, *Draft State Environmental Planning Policy (Environment)* (Draft Environment SEPP).

It is noted that while the Sirius site is situated within the Sydney Local Government Area (LGA), it is not subject to the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) or *Sydney Development Control Plan 2012* (Sydney DCP 2012) as it is land identified within ‘The Rocks Site’ on the *State Significant Development Sites Map* under SEPP SRD and is excluded from the SLEP 2012. As such, no local controls apply to the Sirius site. Development controls relevant to the Sirius site are located under Appendix 18 of SEPP SSP.

## Key assessment matters

### Built form, alterations and additions

Consistent with the intent to retain the existing Sirius building with integrity (as described by the Architectural Design Report at Appendix H), the proposed new building mass preserves and enhances the original concept of the building’s modular composition. The positioning of new mass respects and retains the varied roof profile of the existing building, maintains existing view lines through the site, and reduces the scale of the building at the northern end where the building transitions to the lower built form of the surrounding precinct.

The proposal maintains the design excellence principles established as part of the design competition and is consistent with the following Competition Jury comments on the proposal:

The reasons for the Jury’s selection of the BVN submission as Competition winner include:

- The scheme provides an architecturally sensitive approach that allows for a strong reading of the existing built form.
- The selection of materials is compelling – the copper additions create a strong differentiation with the existing concrete building and will enhance the existing building.
- The repetition of the modular expression of the building through the new pod additions is successful.
- The use of prefabricated building modules is admired.
- The reimagined streetscapes of Gloucester Walk and Cumberland Street are considered to be contextually appropriate and a contemporary response to activate the local area.
- The new commercial additions to Gloucester Walk and Cumberland Street are an appropriate scale and positively contribute to The Rocks context.
- Finally, the sustainable ambitions of the scheme, including the target to achieve a carbon neutral building, are valued.

Additionally, it is noted that the Design Integrity Panel (DIP) consider the proposed development to be:

*Substantially equivalent to, or an improvement on the design excellence qualities of the Competition-winning scheme.*

The proposed alterations and additions to the existing Sirius building have been designed to achieve the maximum permissible GFA for the Sirius site. The GFA of the proposed development is 8,419.38m<sup>2</sup> and remains under the maximum GFA.



### Landscaping and urban design

The proposed landscape design aims to achieve an environmentally and socially sustainable development, including Ecologically Sustainable Design (ESD) initiatives and native planting. Landscaping will be included at the ground plane and on rooftop terraces and will complement the architectural alterations and additions to the building to provide a progressive, whole-of-building approach to the urban landscape.

At ground level, landscaping will activate the site, creating a vibrant place for residents and visitors. At the new square fronting Cumberland Street, landscaping will be used to create spaces which encourage social gathering and activation of the streetscape. Paving treatments will be applied to the new through-site link that assist with legibility and wayfinding, and new paving and planting will be provided to the public domain (Gloucester Walk, Cumberland Street and the pocket-park to the north of the site) to enhance pedestrian experiences. The perimeter of the site will be activated by direct residential courtyard frontages and landscaped entries.

Elevated rooftop gardens are proposed to be reinstated and vertical green walls will be included with the intention to provide complete landscape coverage of the site. Rooftop terraces will provide social and recreational opportunities for residents, while contributing to the urban character, visual quality and biodiversity of the area. The rooftop gardens will be viewed by pedestrians on their journey across the Sydney Harbour Bridge, contributing to the interest of their outlook without obscuring the significant view corridors to the Sydney Opera House.

### Environmental amenity

#### View impacts

The proposed alterations and additions to the Sirius building have been designed to ensure view corridors from the Sydney Harbour Bridge pedestrian walkway to the Sydney Opera House are maintained, as well as immediate views within The Rocks heritage area including from Playfair Street and Gloucester Walk.

View testing undertaken by GMU is provided in the Visual Impact Assessment (VIA) attached at Appendix M. The assessment finds the visual impacts associated with the proposed development to be negligible to low. The proposal sits comfortably within the existing pattern of development in The Rocks and is acceptable when viewed against the layered city profile composition. The proposal preserves the scenic quality of views from key vantage points in the surrounding public domain. Additionally, the assessment finds the proposal complies with the established NSW Land and Environmental Court Planning Principles for the assessment of visual impact.

### Overshadowing

The proposed alterations and additions to the existing Sirius building will not result in unreasonable overshadowing of adjoining properties or the public domain when compared to the overshadowing impacts of the existing building. Refer to overshadowing analysis plans prepared by BVN at Appendix G.

### Visual privacy

The existing Sirius building is sited such that equitable separation distances between neighbouring buildings can be achieved. This will be maintained through the proposed development. Appropriate building separation is proposed between residential apartments and the new Cumberland Street building and SoHo apartments along Gloucester Walk. New balconies are provided to apartments which currently have no access to outdoor area or are undersized. Visual privacy between apartments will be maintained through the arrangement of new balconies. Residential dwellings occupying the proposed additions to the top of the existing Sirius building will be high amenity dwellings, with a high degree of visual privacy and excellent opportunities for view outlook. Raised planters integrated within the parapet to roof terraces will provide privacy from the Sydney Harbour Bridge.

### Acoustic impacts

The Noise Impact Assessment prepared by Acoustic Logic (Appendix Y) finds that the proposed development is capable of complying with the relevant acoustic policies and standards subject to the proposed acoustic mitigation measures, including glazed windows and doors (as specified), wall upgrades and provision of mechanical ventilation as required. It is noted that apartment layouts have been designed so that living areas and bedrooms are generally located away from common areas.

Construction noise to surrounding sensitive receivers will be managed in accordance with the recommendations of the Draft Construction Management Plan (Appendix AJ).

### Exterior lighting

New street lighting is proposed in accordance with City of Sydney public domain requirements. Approximately seven (7) new lighting poles will be provided along Cumberland Street. Existing lighting along Gloucester Walk will be retained. Additionally, lighting from the development will be shielded from the Observatory and will not negatively affect its operation. Refer to the concept street lighting layout plan designed by Floth (Appendix AG).

Effective exterior lighting will also be provided to the new through-site link at all times of day and night to support natural surveillance and allow residents, visitors and the general public to safely observe the space around them. Pathway lighting and landscape / feature lighting may also be provided subject to detailed development of the landscape design.

### Heritage

The existing Sirius building represents a unique and important historical phase of development within The Rocks, as a significant departure from the earlier 19th century building stock that dominates the area, and instead reflects the late 20th century approach to the provision of inner city public housing by the government. The retention and adaptation of the existing Sirius building recognises and conserves this significant layer of the history of The Rocks.

The Heritage Impact Statement prepared by Urbis and attached at Appendix O states clearly that the Sirius site is not an individually listed item of environmental heritage under the NSW State Heritage Register, SEPP SSP, SEPP SRD, or SREP Sydney Harbour. The Sydney LEP 2012 does not apply to The Rocks area as it is land identified within 'The Rocks Site' under SEPP SRD and therefore the subject site is not identified as an item of environmental heritage under Schedule 5 of the Sydney LEP 2012. Additionally, the Sirius site is not listed as an individual heritage item on the Place Management NSW (formerly State Harbour Foreshore Authority – SHFA) Section 170 Heritage and Conservation Register, but it is located within The Rocks Conservation Area on the Place Management NSW Section 170 Heritage and Conservation Register.

Although the subject site is not recognised on any statutory heritage list including on the Place Management NSW (formerly SHFA) Section 170 Heritage & Conservation Register, it has been recognised by the Heritage Council of NSW and the National Trust of Australia as a building of some heritage value. The building should be conserved in line with best heritage practice. Attempts have been made to apply best heritage practice principles including relevant statutory heritage guidelines, the Burra Charter with the aim of conserving this component of The Rocks heritage.

### Traffic, access and parking

The proposal includes a new loading bay / garbage area which will allow for on-site refuse collection and bulky goods loading. The loading bay will be accessed via a truck lift from the Cumberland Street frontage of the site. A 10,000kg SWL truck lift (9.7m long x 5.2m wide x 3.3m high) with front and rear opening doors will be provided to convey garbage and furniture trucks from ground level to the loading dock.

Excavation is required to part of the existing basement level to provide a new split-level basement (basement level B2) which will accommodate the proposed truck lift and loading bay. It will also provide for replacement car parking spaces that were displaced by the inclusion of the truck lift. Trucks will enter the truck lift in a forward direction, travel to basement level B2 and utilise a turntable to turn and

reverse into the dedicated loading bay. When egressing, vehicles will access the truck lift in a forward direction, proceed to the ground floor and exit the site in a forward direction via Cumberland Street.

No increase in car parking spaces are proposed as the existing 70 car parking spaces are proposed to be retained. It is noted that these spaces will service marginally fewer dwellings. In terms of parking ratio, there are currently 0.88 car parking spaces per dwelling. The proposed development will result in 0.92 car parking spaces per dwelling. As such, there is no significant change to the car parking ratio. No car parking spaces are proposed for the retail / commercial component of the development and is considered acceptable from a traffic perspective.

A total of 80 bicycle parking spaces are proposed to be provided in the form of bicycle rails at basement level B1, delivering a viable transport option as an alternate to private cars.

### Consultation

The applicant and project team have undertaken consultation key government agencies including Government Architect of NSW (GANSW), Property NSW (PNSW), Place Management NSW (PMNSW), the Department of Planning, Industry and Environment (DPIE), City of Sydney Council (Council), Heritage Council of NSW, NSW National Trust, Transport for NSW (TfNSW), stakeholders and special interest groups prior to the lodgement of this application as required by the Secretary's Environmental Assessment Requirements (SEARs).

The issues discussed and raised during these consultations have been addressed as part of the proposal. Consultation and outcomes have been addressed in detail at Section 7 of this EIS.

## Executive Summary

### Conclusion

This EIS has identified and assessed the potential environmental impacts of the proposed development, both direct and cumulative. The assessment finds the environmental impacts are acceptable and any adverse impact can be appropriately ameliorated through the proposed mitigation measures.

The assessment concludes that the proposed development is consistent with relevant Government legislation, plans and strategies.

The site has been found suitable for the proposed development. It is considered that the environmental impacts are acceptable and where necessary, can be appropriately mitigated through a range of measures that have been identified within the EIS. It is found on balance the development is significantly in the public interest.

**Accordingly, it is recommended that the proposed development be approved by the consent authority.**



# 1 Introduction

The preservation of the Sirius building is an excellent opportunity to retain and represent brutalist buildings in Australia, a period now recognised world-wide.

Our vision is to breathe new life, functionality and excitement into the Sirius site, to ensure it brings joy and shelter to the people of Sydney.

– Sirius Developments



## 1.1 Project overview

This application seeks approval for the restoration and refurbishment of the existing Sirius building at 2–60 Cumberland Street, The Rocks, including alterations and additions, for the purpose of a mixed-use development.

The proposed development is SSD on the basis that it falls within the requirements of Clause 6 of Schedule 2 of SEPP SRD, being development on land identified within 'The Rocks Site' with a CIV greater than \$10 million. The proposed development will have a CIV of approximately \$124,855,376. A CIV Cost Estimate has been prepared by Altus Group and is provided at Appendix N.

The Sirius site is identified under SEPP SSP, which facilitates the development, redevelopment or protection of important sites of economic, environmental or social significance across NSW. Appendix 18 of the SEPP SSP provides site-specific controls to the Sirius site and provides that the consent authority for development on land within the Sirius site is the Minister for Planning and Public Spaces.

This EIS sets out:

- **Section 1:** An overview of the site, relevant background information, the SEARs requirements, and a summary of the Design Excellence Competition undertaken for the site;
- **Section 2:** SEARs requirements are listed at Table 2 with a document reference indicating where the requirement has been addressed.
- **Section 3:** A detailed description of the site and its context;
- **Section 4:** An explanation of the architectural design intent for the restoration and refurbishment of the site and a description of the proposed development;
- **Section 5:** An assessment of the proposed development against relevant legislation, Environmental Planning Instruments (EPIs), planning policies, strategic plans and the issued SEARs;
- **Section 6:** A summary of consultation undertaken;
- **Section 7:** A detailed environmental impact assessment of all relevant matters;
- **Section 8:** A summary of proposed mitigation measures; and
- **Section 9:** A summary and conclusion.

## 1.2 The site

The Sirius site is located at 2–60 Cumberland Street, The Rocks, Sydney. The site is defined by the *Land Application Map* under SEPP SSP. Refer to an extract of the Map at Figure 3.

The site has a frontage of approximately 115m to Cumberland Street (west) and approximately 120m to Gloucester Walk (east).

The existing Sirius building has a varied height profile due to its modular form and due to the fall across the site when observed from Cumberland Street and from Gloucester Walk. The existing building rises from the north and south towards a central tower with a maximum height of 34.6m above ground level at Cumberland Street (equivalent to an 11-storey building). Due to the existing split-level apartments, the building is conveyed as having a greater number of levels (25 different levels).

The existing Sirius building is comprised of 79 residential apartments (mostly split level), community rooms, rooftop garden terraces and 70 car parking spaces in an irregular shaped basement. Vehicular access is provided from Cumberland Street. The building is currently unoccupied by residents.

The existing gross floor area (GFA) is 6,538.0m<sup>2</sup>.

### Site area

The site is an irregular shape with a total area of 3,664.5m<sup>2</sup>.

### Legal description

The site is legally described as Lot 100 DP 264104 and Lot 101 in DP 264104.

The majority of the proposed works will be contained within these two lots. Refer to the relevant Land Titles attached at Appendix C.

### Site ownership

The site is currently owned by Property NSW and will transfer to Sirius Developments Pty Ltd ownership upon the Development Agreement milestones being satisfied. Refer to Section 1.3 below.

### Public domain works

Additional public domain works (off-site works) are proposed to be undertaken as part of SSD 10384 to support the development. These works are proposed to be undertaken on the following seven (7) lots that adjoin the subject site:

- Lot 1 DP 776315;
- Lot 2 DP 776315;
- Lot 3 DP 776315;
- Lot 4 DP 776315;
- Lot 5 DP 776315;
- Lot 6 DP 776315; and
- Lot 7 DP 264080.

The registered proprietor of each of the lots listed above is Sydney Harbour Foreshore Authority. Refer to the relevant Land Titles attached at Appendix C.



Figure 1. Site Context map  
The Sirius site is outlined in red  
Source: *Nearmaps, dated XX 2020*

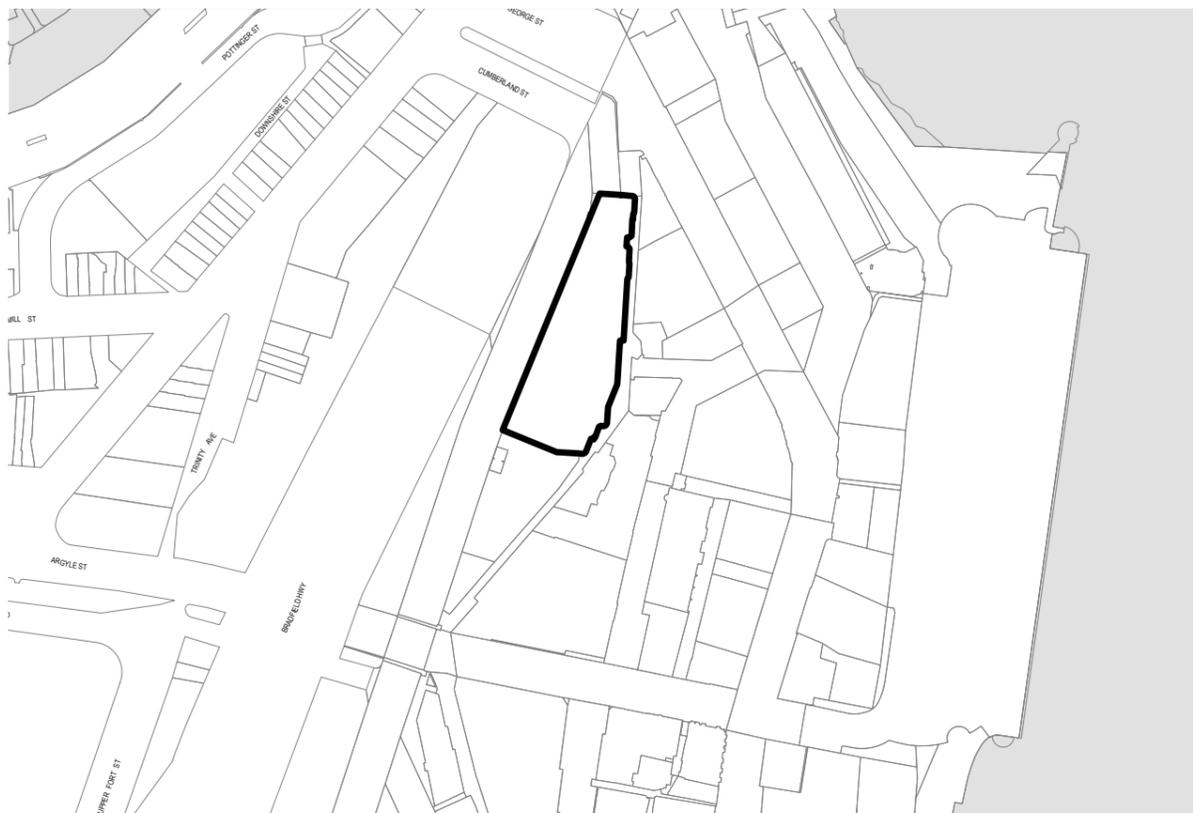


Figure 2. SEPP SSP Land Application Map  
The Sirius site is outlined in black  
Source: *State Environmental Planning Policy (State Significant Precincts) 2005 Sirius Site —Land Application Map - Sheet LAP\_001*

## Introduction

### 1.3 Background

The existing Sirius building is an apartment building in The Rocks that was designed by Tao Gofers between 1978 and 1979 for the Housing Commission of NSW. The building is a prominent example of brutalist architecture (a style that emerged in the 1950s, famously known for its 'blocky' appearance with a rigid geometric style and large scale use of poured concrete) in Australia (or 'Metabolist' architecture, which stems from a Japanese post-war architectural movement that merges ideas about architectural megastructures with ideas of organic biological growth).

In 2015, the NSW Government committed to divesting the Sirius site to fund new social housing in Sydney as part of its Future Directions in Social Housing Strategy. To support the sale of the Sirius site, the Department of Planning, Industry and Environment (DPIE) (then known as the Department of Planning and Environment) amended SEPP SSP to apply site-specific planning controls to the Sirius site. The amendment to SEPP SSP commenced on 3 August 2018.

Following an extended bid process (September 2018 to June 2019), Sirius Developments Pty Ltd was granted the rights to purchase the property under the terms of a Development Agreement. Sirius Developments Pty Ltd is owned by investment firm JDH Capital.

In October 2019, a request for Secretary's Environmental Assessment Requirements (SEARs) was submitted to the DPIE for the restoration and refurbishment of the existing Sirius building, including alterations and additions for the purpose of mixed-use development. SEARs were issued by DPIE on 20 November 2019.

In November to December 2019, a 'Type A' invited single-stage Design Excellence Competition (Competition) was undertaken for the Sirius site in accordance with Clause 7 of Appendix 18 of SEPP SSP, and as set out by the Draft Government Architect's Design Excellence Competition Guidelines 2018 (GANSW Guidelines). The Competition was run over a five (5) week period and concluded with the Jury determination on 16 December 2019 and endorsement of the Design Competition Jury Report on 29 January 2020. The Competition is discussed further at Section 1.10 below.

### 1.4 Project vision

The preservation of the Sirius building is an excellent opportunity to retain one of Sydney's best-known brutalist buildings. The vision for the restoration and refurbishment of the Sirius site is to celebrate its exceptional contribution to Sydney's architectural landscape; breathe new life, functionality and excitement into the Sirius building and surrounding public domain; and ensure the Sirius building and surrounding public domain brings joy to the people of Sydney into the future.

### 1.5 Development objectives

The objectives of the proposed development are to:

- Substantially retain the existing Sirius building;
- Adapt the existing Sirius building for contemporary uses in a way that respects the integrity of the original design, ensures compatibility with the character and heritage value of The Rocks, and celebrates its exceptional contribution to Sydney's architectural landscape;
- Incorporate alterations and additions to the existing Sirius building that achieve the maximum permissible floor space while preserving the characteristic horizontal and vertical articulation of the building;
- Improve residential amenity and internal access;
- Improve vehicle access to reduce the extent of driveway interface;
- Provide a reimagined ground level with active street frontages and an improved public domain that allows for people to interact with the Sirius building in new ways;
- Improve universal public access across the site; and
- Improve permeability and connectivity within The Rocks by providing a through-site link from Cumberland Street to Gloucester Walk.

### 1.6 Proposed development

The proposed development is for the restoration and refurbishment of the existing Sirius building, including alterations and additions. The existing building is proposed to be substantially retained and restored with integrity. New residential additions are proposed to be added to the existing structure in appropriate locations to maintain the legibility of the original architectural form, and new structures for commercial uses are proposed to be added at the Cumberland Street and Gloucester Walk frontages of the site.

Development consent is sought for:

- Site preparation works, including:
  - o Demolition of part of the ground level of the existing building to make way for a new through-site link between Cumberland Street and Gloucester Walk;
  - o Demolition of part of the ground plane to realign vehicle access to the basement level;
  - o Tree removal; and
  - o Excavation and site earthworks for a new split-level basement level to allow for vehicle and truck circulation.

## Introduction

- Alterations and additions to the existing building to provide for:
  - Residential accommodation for a total of 76 apartments, including:
    - Restoration and alterations to the existing interior of the building, including amalgamation of apartments;
    - Addition of new lightweight prefabricated pods to the building, and associated alterations to limited areas of existing precast concrete; and
    - Addition of new SoHo apartments fronting Gloucester Walk.
  - Commercial premises, including:
    - Addition of a new two-storey building fronting Cumberland Street for commercial use (including a café and pool) and incorporating vehicle and truck access to the basement car park; and
    - Addition of new commercial premises including one at the north of the site fronting the existing pocket-park, and one at the east of the site fronting Gloucester Walk and adjacent to the through-site link.
  - Basement car parking that retains the existing 70 car parking spaces, including upgrade to the existing car parking, addition of new vehicle access and new truck lift from Cumberland Street, and new split-level basement level to allow for truck circulation and required plant for services upgrades.
  - Through-site link between Cumberland Street and Gloucester Walk, including a lift for universal access;
- Alteration works to the existing building, including:
  - Restoration of the existing concrete façade of the building;
  - Access improvements, including the addition of new lift lobbies in the existing stair slots in the north and south wings;
  - Structural upgrades; and
  - Diversion, extension and augmentation of physical infrastructure and utilities as required.
- Landscaping and public domain improvements, including:
  - Addition of hard and soft landscaping to the public open space at ground level, private open space terraces, and rooftop including green roof and solar panels;

- Upgrades to Cumberland Street and Gloucester Walk including new paving, landscaping and pedestrian access;
- Removal of 41 existing trees and provision of 67 new trees; and
- Provision of public art.

It is noted that the Request for SEARs prepared by Architectus (dated 15 October 2019) described the proposed development as the 'adaptive reuse' of the existing Sirius building. Since then, it has been noted that the term is not necessarily the correct description of the proposed works. The NSW Heritage Council *Guidelines for the Adaptation of Historic Buildings and Sites, 2008* defines 'adaptive reuse' as "the modification of a heritage place to a new use that conserves its heritage values". Given that the Sirius site is not a heritage place, and the proposed development does not change its existing residential use, it is considered that 'restoration and refurbishment including alterations and additions' is a more appropriate description of the development.

### 1.7 Analysis of feasible alternatives

As outlined in Section 1.3 above, the NSW Government committed to divesting the Sirius site in 2015, and following an extended bid process, Sirius Developments Pty Ltd (the proponent) were granted the rights to purchase the property under the terms of a Development Agreement.

Sirius Developments' bid for the site was supported by a Reference Scheme, which substantially retained the existing building, and included additional residential apartments, retail and commercial floorspace and a through-site link.

During the preparation of the bid, the proponent considered feasible alternatives to the retention of the existing Sirius building. SEPP SSP provides controls for the site which would allow complete demolition of the Sirius building and redevelopment of the site. However, the proponent felt the preservation of the Sirius building was an excellent opportunity to retain and represent an iconic brutalist building and celebrate its exceptional contribution to Sydney's architectural landscape. As such, the development option to demolish the existing Sirius building was ruled out.

Through the Design Excellence Competition undertaken for the Sirius site (refer to Section 1.10 below), three (3) architectural schemes were presented to the Competition Jury. The winning scheme was selected as it demonstrated a superior response to the objectives required by the Competition Brief, capability of achieving design excellence, and realised the functional requirements of the proponent. However, the unsuccessful schemes presented were each of high quality, demonstrated strong design responses to the Competition Brief and were admired for their architectural strategy by the Jury. As such they would have been feasible

## Introduction

alternatives to the Competition-winning scheme.

### 1.8 Estimated Capital Investment Value (CIV)

The proposed development will have a CIV of \$124,855,376.

A CIV Cost Estimate has been prepared by Altus Group and is provided at Attachment N.

The development is classified as SSD by virtue of Clause 6 of Schedule 2 of SEPP SRD, as it comprises development on land identified within 'The Rocks Site' on the State Significant Development Sites Map with a CIV greater than \$10 million.

### 1.9 Applicant and project team

#### Applicant

The applicant for this SSD Application is Sirius Developments Pty Ltd.

#### Project team

The project team is set out in Table 1 below.

Table 1. Project team

Applicant	Sirius Developments Pty Ltd
Development Manager	JDH Capital
Project Manager	Dedico Development Services
Architect	BVN Architecture Pty Ltd
Landscape Architect	360° Landscape Architect
Urban Planner	Architectus
Structural Engineer	SCP Consulting Pty Ltd
Surveyor	LTS Lockley
Quantity Surveyor	Altus Group
Heritage Consultant (Heritage, Archaeology and Aboriginal Cultural Heritage)	Urbis
Social Impact Consultant	Cred Consulting
Traffic Engineer	Traffix Traffic and Transport Planner
Civil Engineer	Northrop Engineers
Building Services Consultant	Floth

Waste Consultant	Foresight Environmental
BCA Consultant	Philip Chun and Associates
Principal Certifier	Philip Chun and Associates
Accessibility Consultant	Morris Goding Accessibility Consulting
Ecologist	Cumberland Ecology
Environmental Consultant	Flux
Arboricultural Consultant	Landscape Matrix
HazMat Consultant	EIAustralia
BASIX / NABERS Consultant	Flux
CPTED Consultant	Architectus
Public Art Consultant	UAP Australia Pty Ltd
Visual Impact Consultant	GM Urban Design & Architecture (GMU)
Acoustic Consultant	Acoustic Logic
Wind Engineer	Windtech
Stormwater	Northrop
Utilities and Services Report	Floth

#### Author of EIS

This EIS has been prepared by Michael Harrison, Strategic Advisor. Quality Assurance has been provided by Michael File, Consultant to Architectus, and Jane Fielding, Senior Associate, Urban Design and Planning.

### 1.10 Design Excellence Competition

The adaptive reuse of the Sirius building was subject to a design excellence process in accordance with Clause 7 of Appendix 18 of SEPP SSP. Under these provisions, a design competition is required to be held where a proposal involves "alterations to the existing building" on the Sirius site.

It is noted that Clause 7(6) of Appendix 18 of SEPP SSP provides conditions under which an architectural design competition is not required, being development that is "a minor external alteration to the existing building". Despite the proposed development under the Reference Scheme being for the substantial retention of the existing Sirius building, it was considered that the extent of proposed works could not be regarded as 'minor' works and were not restricted to 'external alterations'. As such, the proponent undertook a competitive design process.

## Introduction

### 1.10.1 Design Excellence Strategy

A Design Excellence Strategy (the Strategy) was prepared for the site in accordance with the GANSW Guidelines and Clause 7 of Appendix 18 of SEPP SSP.

The Strategy was prepared in consultation with the Government Architect NSW (GANSW), with referral to the City of Sydney Council. It was endorsed by GANSW prior to the commencement of the Competition (October 2019).

Refer to the Strategy at Appendix AL.

### 1.10.2 Design Competition Brief

A Design Competition Brief (the Brief) was prepared for the Competition in accordance with the GANSW Guidelines. The Brief was prepared in consultation with GANSW, with referral to the City of Sydney Council. It was endorsed by GANSW prior to the commencement of the Competition (October 2019).

The Brief was issued to all Competitors at the commencement of the competition (4 November 2019).

Refer to the Brief at Appendix AM.

### 1.10.3 The Competition

A 'Type A' invited single-stage Competition was undertaken for the Sirius site, as set out by the GANSW Guidelines.

#### Competitors

The Competition was comprised of three (3) invited Competitors, including:

- SJB with Andrew Burns Architecture and ASPECT Studios;
- Tzannes; and
- BVN.

Each Competitor chose to partner with relevant consultants to provide technical input.

#### Competition Jury

The Jury comprised:

- Olivia Hyde, GANSW representative and Jury Chair;
- Brian Zulaikha, proponent representative;
- Peter Mould, proponent representative;
- Shaun Carter, City of Sydney Council representative; and
- Margaret Desgrand, City of Sydney Council representative.

#### Competition dates

The Competition was run over a five (5) week period. A chronology of events and key dates for the Competition is set out in the Jury Report at Appendix AN. Key dates are summarized below:

- **4 November 2019: Commencement of the Competition**  
The Brief was issued to all Competitors.
- **5 November 2019: Briefing**  
A briefing session was undertaken with all Competitors.
- **22 November 2019: Progress review session**  
Interim presentations by each Competitor. Presentations were attended by the Competition Advisor and Technical Advisors.
- **6 December 2019: Final submission**  
Lodgment of final submissions by each Competitor to the Competition Adviser (hard copies and electronic copies).
- **16 December 2019: Presentations**  
Technical Adviser's briefing to the Jury, final presentation by each Competitor to the Jury, and deliberation and decision by the Jury.
- **29 January 2020: Endorsement**  
Design Competition Jury Report (Jury Report) endorsed by the Jury.

#### Advisers

Advisers were appointed by the proponent and included the Competition Adviser, Technical Advisers and a Probitry Adviser. Competitors were encouraged to seek advice from the Technical Advisers as required throughout the course of the Competition to achieve the best possible architectural outcome for the project. During the course of the Competition, all communication was via the Competition Adviser.

Refer to the Probitry Adviser's Report prepared by Procure Group Pty Ltd (dated 5 February 2020) at Appendix AO.

Refer to detail regarding the Advisers in the Brief at Appendix AM and the Jury Report at Appendix AN.

#### Competition submissions

Descriptions and photomontages of the Competition submissions are provided in the Jury Report at Appendix AN.

The BVN Competition submission is illustrated at Figure 4 below.

## Introduction



BVN Competition Submission

Figure 3. Extract from BVN Competition submission Visualisations of the proposal, various viewpoints  
Source: BVN, dated December 2019

## Introduction

### 1.10.4 Design Competition Jury Report

A Jury Report was prepared by Architectus on behalf of the Competition Jury and was reviewed by each Jury member. The Jury Report was endorsed by the Jury on 29 January 2020.

The Jury Report sets out:

- An overview of the Competition process;
- A summary of the Competition program and key dates;
- A description of the Competitor's submissions;
- The Jury's deliberations, including the design merits of each entry;
- The Jury's rationale for choice of the preferred design;
- The Jury's selection of the competition winner; and
- The Jury's recommended design amendments to achieve design excellence.

The Jury Report provides that the Competition was conducted in accordance with the Strategy and the Brief prepared for the Competition.

Refer to the Jury Report at Appendix AN and a summary of how the proposed development has resolved the Jury's 'design development recommendations' at Section 4.4 below.

### 1.10.5 Competition winner

BVN's architectural scheme was unanimously selected by the Jury as the winning scheme.

The Jury considered that the BVN's scheme demonstrated a superior response to the design principles and objectives required by the Brief. The Jury provided the following comment to the BVN scheme:

*The scheme is supported because it significantly retains and interprets the existing building; includes well-considered, sensitive additions; and successfully activates the street frontages. Overall, the scheme is seen to have the right balance of new elements integrated with the original.*

The Jury confirmed that the BVN's scheme is capable of achieving design excellence subject to incorporating their 'design development recommendations'.

Refer to the 'design excellence qualities' identified by the Jury in the Jury Report at Appendix AN.

### 1.10.6 Design integrity process

To ensure that the 'design excellence qualities' in the Competition-winning scheme as identified by the Jury are maintained through design development, in construction drawings and into the physical completion of the project, the requirements of the GANSW Guidelines have been implemented in the project:

- As the winning competitor determined by the Jury, BVN was appointed as the Lead Design Architect for the project and has lead design decisions affecting the project;
- The Competition Jury members confirmed their availability and willingness to remain involved in the project as members of the Design Integrity Panel (DIP); and
- Design Integrity Reviews of the proposed scheme were arranged in accordance with the Strategy and the Brief (both endorsed by the GANSW in October 2019) and the Jury Report (endorsed by the Jury on 29 January 2020).

### Design Integrity Reviews

Two (2) Design Integrity Reviews were held for the project, including sessions on:

- **12 June 2020:** first Design Integrity Review; and
- **17 July 2020:** second Design Integrity Review.

Each session was attended by the DIP, the project team and Observers.

Design Integrity Review Reports were prepared by Architectus on behalf of the DIP for each session and were reviewed by each Panel member. The Design Integrity Review Reports were endorsed by the Jury on 6 July 2020 (first Design Integrity Review) and 3 August 2020 (second Design Integrity Review).

Refer to the Design Integrity Review Reports at Appendix AP and AQ.

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### 1.11 Post-Competition design development

Since the conclusion of the Competition, BVN developed their Competition-winning scheme to resolve design issues. Changes to the Competition-winning scheme have resulted from the complexities of adapting an existing building; the objective to achieve the maximum permissible floor space for the building while preserving and enhancing the character of the building; and continued design development to improve residential amenity, building circulation, serviceability, vehicle access and public domain interfaces.

Refer to Figure 5 below that demonstrates the evolution of the proposed architectural scheme.

#### First Design Integrity Review

BVN's presentation to the DIP on 12 June 2020 focused on key design considerations, such as building mass, building height, apartment layouts and the arrangement of the Cumberland Street commercial building.

The DIP provided the following comment to the BVN scheme:

*The DIP consider the proposed design developments thus far to be substantially equivalent to, or an improvement on the design excellence qualities of the Competition-winning scheme, with the exceptions noted above.*

*A subsequent Design Integrity Review session is proposed to review design developments in response to the points above. This will be undertaken prior to lodgement of the SSD Application to DPIE to seek DIP endorsement of the design integrity of the proposal.*

#### Second Design Integrity Review

BVN's presentation to the DIP on 17 July 2020 focused on detailed design considerations, such as the form of the tower parapet; landscaping, public domain interfaces and public spaces within the site; facades, materiality and articulation; and public art.

The DIP provided the following comment to the BVN scheme:

*The DIP consider the proposed design developments thus far to be substantially equivalent to, or an improvement on the design excellence qualities of the Competition-winning scheme.*

*Subject to resolution of the outstanding matters above, no additional DIP sessions are required.*

The matters raised through the DIP comments and documented in the Design Integrity Review Reports at Appendix AP and AQ, are addressed through this EIS.

# Introduction

## Competition-winning scheme



Image of Competition-winning scheme  
View from the south looking north towards the site and Sydney Harbour Bridge and Sydney Opera House  
Source: BVN, June 2020

## Proposed scheme - June 2020



Image of proposed scheme (June 2020)  
View from the south looking north towards the site and Sydney Harbour Bridge and Sydney Opera House  
Source: BVN, June 2020

# Introduction

## Proposed scheme - July 2020



Image of proposed scheme (July 2020)  
View from the south looking north towards the site and Sydney Harbour Bridge and Sydney Opera House  
Source: BVN, July 2020



Image of Competition-winning scheme  
View from Cumberland Street, including the commercial building and vehicle access in the foreground  
Source: BVN, June 2020



Image of proposed scheme (June 2020)  
View from Cumberland Street, including the commercial building and vehicle access in the foreground  
Source: BVN, June 2020



Image of proposed scheme (July 2020)  
View from Cumberland Street, including the commercial building and vehicle access in the foreground  
Source: BVN, July 2020



Image of Competition-winning scheme  
View from Playfair Street looking west towards Atherden Street and the site  
Source: BVN, June 2020



Image of proposed scheme (June 2020)  
View from Playfair Street looking west towards Atherden Street and the site  
Source: BVN, June 2020



Image of proposed scheme (July 2020)  
View from Playfair Street looking west towards Atherden Street and the site  
Source: BVN, July 2020

Figure 4. Evolution of the proposed architectural scheme  
Source: BVN, dated June to July 2020. June 2020 render (middle) does not include proposed changes to Cumberland Street building)

## 2 Secretary's Environmental Assessment requirements

In a city now predominantly the product of late twentieth century urban redevelopment, The Rocks provides an opportunity to experience an environment where buildings and public places of the eighteenth, nineteenth and early twentieth-century still remain.

– Landscape Design Report, 360°  
Landscape Architects

## Secretary's Environmental Assessment requirements

The Secretary's Environmental Assessment Requirements (SEARs) for the project were issued under Schedule 2 of the *Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)* by DPIE on 20 November 2019.

Table 2 below summarises the SEARs requirements for EISs under the EP&A Regulation and provides references to where the various requirements are addressed in the EIS. A full copy of the SEARs is provided at Appendix A to this report

Table 2. Secretary's Environmental Assessment Requirements

SEARs Requirement	Specific SEARs issue	EIS Section	Consultant Report / Plan
<b>General Requirements</b>	<u>Clause 6 of Schedule 2 of the EP&amp;A Regulation</u> An EIS must contain the following:		
	6(a) EIS author	Statement of veracity	–
	6(b) Name and address of the responsible person	Statement of veracity	–
	6(c) The address of the land	Statement of veracity	–
		Section 1.2 Section 3.1	
	6(d) Description of the development	Section 1.6	–
		Section 4.2	
	6(e) Assessment of impact	Section 8	–
	6(f) Author's declaration	Statement of veracity	–
		<u>Clause 7 of Schedule 2 of the EP&amp;A Regulation</u> An EIS must also include:	
7(1)(a) Summary of EIS		Executive summary	–
7(1)(b) EIS objectives		Section 1.5	–
7(1)(c) Analysis of feasible alternatives		Section 1.7	–
7(1)(d) Analysis of development, including:		–	–
7(1)(d)(i) Full description of the development		Section 4	–
7(1)(d)(ii) General description of the environment likely to be affected		Section 8	–
7(1)(d)(iii) Likely impact on the environment		Section 8	–
7(1)(d)(iv) Mitigation measures		Section 9	–
7(1)(d)(v) Approvals required		Section 6.2	–
7(1)(e) A compilation of the measures referred to in (d)(iv)		Section 9	–
7(1)(f) Justification for carrying out the development		Section 8	–

## Secretary's Environmental Assessment requirements

SEARs Requirement	Specific SEARs issue	EIS Section	Consultant Report / Plan
	Environmental Risk Assessment	Section 8	–
	A detailed calculation of the capital investment value (CIV)	Section 1.8	<b>Appendix N</b> (Capital Investment Value Cost Estimate)
	Estimate of job creation	Section 4.23	<b>Appendix N</b> (Capital Investment Value Cost Estimate)
	Certification of accurate information	Statement of veracity	–
<b>Key issues</b>	<b>1. Statutory and Strategic Context</b>		
	Address the statutory provisions applying to the development contained in all relevant environmental planning instruments; and	Section 6.2	–
	Address the relevant planning provisions, goals and strategic planning objectives	Section 6.1	–
	<b>2. Design Excellence</b> The EIS shall:		
	– Include a design excellence strategy prepared in consultation with the Government Architect NSW, including a requirement for an architectural design competition in accordance with the <i>Draft Government Architect's Design Excellence Competition Guidelines, 2018</i> .	Section 1.10.1	<b>Appendix AL</b> (Design Excellence Strategy)
	– Include the design competition brief and jury recommendations report that: – summarises the competition process – outlines the assessment of the design merits of each entry – sets out the rationale for choice of the preferred design – outlines any recommended design amendments to achieve design excellence.	Section 1.10.2 Section 1.10.4	<b>Appendix AM</b> (Design Competition Brief)  <b>Appendix AN</b> (Design Competition Jury Report)

Secretary's Environmental Assessment requirements

SEARs Requirement	Specific SEARs issue	EIS Section	Consultant Report / Plan
	<ul style="list-style-type: none"> <li>Include a design integrity process/strategy, prepared in consultation with the Government Architect, demonstrating how the proposal will achieve design excellence in accordance with the design competition winning scheme.</li> </ul>	Section 1.10.6 Section 1.11 Section 5.5	Appendix AL (Design Excellence Strategy) Appendix AM (Design Competition Brief) Appendix AN (Design Competition Jury Report) Appendix AP (Design Integrity Review Report (First Review)) Appendix AQ (Design Integrity Review Report (Second Review))
	<b>3. Built form and urban design</b> The EIS shall:		
	<ul style="list-style-type: none"> <li>Demonstrate how the alterations and additions to the Sirius building substantially retains the existing building</li> </ul>	Section 4.3	–
	<ul style="list-style-type: none"> <li>Address the height, bulk and scale of the proposed alterations and additions within the context of the locality and its surrounds</li> </ul>	Section 4.8 Section 5	Appendix G (Architectural Plans)
	<ul style="list-style-type: none"> <li>Analyse the extent of any proposed departures from the Development Standards in the SEPP (State Significant Precincts)</li> </ul>	Section 5	–
	<ul style="list-style-type: none"> <li>Include a table identifying the proposed land uses, including a floor by floor breakdown of gross floor area (GFA), total GFA and FSR and site coverage</li> </ul>	Section 4.7 (Table 6)	–
	<ul style="list-style-type: none"> <li>Assess the impact of service upgrades to the building as part of the architectural response.</li> </ul>	Section 4.20 Section 8.16	Appendix AC (Utilities and Services Report)

Secretary's Environmental Assessment requirements

SEARs Requirement	Specific SEARs issue	EIS Section	Consultant Report / Plan
	<b>4. Amenity</b> The EIS shall include:		
	<ul style="list-style-type: none"> <li>A detailed assessment of residential amenity for future occupants of the residential component of the development in accordance with the Apartment Design Guide.</li> </ul>	Section 8.2	Appendix I (ADG / SEPP 65 Assessment Report)
	<ul style="list-style-type: none"> <li>An assessment of the impact of the proposal on wind conditions to outdoor areas of the building and surrounding outdoor spaces, including the public domain.</li> </ul>	Section 8.12	Appendix AE (Wind Impact Assessment)
	<ul style="list-style-type: none"> <li>Assessment of potential overshadowing, noise, reflectivity, visual privacy, daylight and view impacts, including any amenity impacts of the proposal on surrounding development and the public domain.</li> </ul>	Section 8	Appendix G (Architectural Plans) Appendix M (Visual Impact Assessment) Appendix Y (Acoustic Report) Appendix AE (Wind Impact Report)
	<b>5. Public Domain and Landscaping</b> The EIS shall include:		
	<ul style="list-style-type: none"> <li>An integrated landscape design for the proposed development, including consideration of:                             <ul style="list-style-type: none"> <li>any impacts on existing street trees, trees and vegetation to be removed/ retained and the provision of new canopy cover</li> <li>the use of green walls, green roof and/ or cool roofs</li> <li>native vegetation communities and native plant species that occurred in this location and use in site landscaping.</li> </ul> </li> </ul>	Section 4.11 Section 4.12 Section 3.7 Section 4.12 Section 8.3 Section 4.12 Section 4.12	Appendix J (Landscape Plans) Appendix K (Landscape Design Report) Appendix L (Arboriculture Impact Assessment and Tree Retention Plan) Appendix K (Landscape Design Report) Appendix K (Landscape Design Report) Appendix K (Landscape Design Report)

Secretary's Environmental Assessment requirements

SEARs Requirement	Specific SEARs issue	EIS Section	Consultant Report / Plan
	<ul style="list-style-type: none"> <li>Include proposed designs for the public domain surrounding the site, addressing activation (including any private use of the public domain), landscaping, design, application of CPTED principles, accessible access, materials, finishes, levels and pedestrian connectivity, including:                             <ul style="list-style-type: none"> <li>the through site link between Cumberland Street and Gloucester Walk;</li> <li>upgrades to Gloucester Walk, including any garden connections; and</li> <li>improvements to Cumberland Street.</li> </ul> </li> </ul>	Section 4	Appendix H (Architectural Design Report)  Appendix J (Landscape Plans)  Appendix K (Landscape Design Report)  Appendix S (Public Art Strategy)  Appendix Z (Access Impact Statement)  Appendix AF (CPTED Report)
	<p><b>6. Visual and View Impacts</b></p> <p>The EIS shall include provide a Visual Impact Assessment of the proposal, identifying important sight lines and visual connectivity to and through the site.</p> <p>This shall include:</p> <ul style="list-style-type: none"> <li>Views of the proposal from key locations, including the:                             <ul style="list-style-type: none"> <li>Sydney Harbour bridge and bridge approach</li> <li>Sydney Opera House World Heritage Area</li> <li>Rocks Heritage area including Playfair Street and Gloucester Walk.</li> </ul> </li> <li>Consideration of vistas and view corridors from the public domain and residential buildings that may be impacted</li> <li>An assessment of the view impacts and design considerations to mitigate any impacts.</li> </ul>		
	<ul style="list-style-type: none"> <li>Views of the proposal from key locations, including the:                             <ul style="list-style-type: none"> <li>Sydney Harbour bridge and bridge approach</li> <li>Sydney Opera House World Heritage Area</li> <li>Rocks Heritage area including Playfair Street and Gloucester Walk.</li> </ul> </li> </ul>	Section 8.1	Appendix M (Visual Impact Assessment)
	<ul style="list-style-type: none"> <li>Consideration of vistas and view corridors from the public domain and residential buildings that may be impacted</li> </ul>	Section 8.1	Appendix M (Visual Impact Assessment)
	<ul style="list-style-type: none"> <li>An assessment of the view impacts and design considerations to mitigate any impacts.</li> </ul>	Section 5.4 Section 8.1	Appendix M (Visual Impact Assessment)
	<p><b>7. Heritage</b></p> <p>The EIS shall include:</p> <ul style="list-style-type: none"> <li>A Statement of Heritage Impact (SOHI), prepared by a suitably qualified heritage consultant in accordance with the guidelines in the NSW Heritage Manual</li> </ul>		
	<ul style="list-style-type: none"> <li>A Statement of Heritage Impact (SOHI), prepared by a suitably qualified heritage consultant in accordance with the guidelines in the NSW Heritage Manual</li> </ul>	–	Appendix O (Heritage Impact Statement)

Secretary's Environmental Assessment requirements

SEARs Requirement	Specific SEARs issue	EIS Section	Consultant Report / Plan
	<ul style="list-style-type: none"> <li>The SOHI is to identify all heritage items (state and local) and conservation areas, within and near the site including built heritage, landscapes and archaeology, detailed mapping of these items, and an assessment of the proposal's impact on the heritage significance of these items</li> </ul>	Section 3.2	Appendix O (Heritage Impact Statement)
	<ul style="list-style-type: none"> <li>The SOHI is to consider the visual impact of the proposal on views to and from heritage items in the vicinity including the Sydney Opera House and Sydney Harbour Bridge and provide detailed mitigation measures and strategies to avoid and mitigate any adverse impacts on heritage values of the affected sites</li> </ul>	Section 8.1 Section 8.4	Appendix O (Heritage Impact Statement)
	<ul style="list-style-type: none"> <li>If the SOHI identifies impact on potential historical and/or maritime archaeology, a historical and/or maritime archaeological assessment must be undertaken to identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the proposal on this potential archaeological resource.</li> </ul>	Section 8.4 Section 9	Appendix O (Heritage Impact Statement)
	<p><b>8. Aboriginal Cultural Heritage</b></p> <p>The EIS shall:</p> <ul style="list-style-type: none"> <li>Identify and describe Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR)</li> <li>Document consultation with Aboriginal people.</li> </ul>		
	<ul style="list-style-type: none"> <li>Identify and describe Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR)</li> </ul>	Section 8.5	Appendix Q (ACHA)
	<ul style="list-style-type: none"> <li>Document consultation with Aboriginal people.</li> </ul>	Section 8.5	Appendix Q (ACHA)
	<p><b>9. Social</b></p> <p>Prepare a social impact assessment, which:</p> <ul style="list-style-type: none"> <li>Identifies any social impacts that are predicted to flow from changes (i.e., alterations, additions, and other associated works) caused by the project</li> <li>Considers any concerns or aspirations that people may have about the project and how it might affect their surroundings, or their access to and use of infrastructure, services and facilities, including during construction activities</li> <li>Considers the positive and negative social impacts from the points of view of community stakeholders and how they expect to experience the project (using primary research and outcomes of engagement)</li> </ul>		
	<ul style="list-style-type: none"> <li>Identifies any social impacts that are predicted to flow from changes (i.e., alterations, additions, and other associated works) caused by the project</li> </ul>	Section 8.7	Appendix R (Social Impact Assessment)
	<ul style="list-style-type: none"> <li>Considers any concerns or aspirations that people may have about the project and how it might affect their surroundings, or their access to and use of infrastructure, services and facilities, including during construction activities</li> </ul>	Section 8.7	Appendix R (Social Impact Assessment)
	<ul style="list-style-type: none"> <li>Considers the positive and negative social impacts from the points of view of community stakeholders and how they expect to experience the project (using primary research and outcomes of engagement)</li> </ul>	Section 8.7	Appendix R (Social Impact Assessment)

Secretary's Environmental Assessment requirements

SEARs Requirement	Specific SEARs issue	EIS Section	Consultant Report / Plan
	– Investigates the extent to which any group in the community may disproportionately benefit or experience negative impacts from the project	Section 8.7	Appendix R (Social Impact Assessment)
	– Proposes measures to avoid, minimise or mitigate any negative social impacts, and measures to enhance positive social impacts	Section 8.7	Appendix R (Social Impact Assessment)
	– Details a monitoring and adaptive management framework for social impacts.	Section 8.7	Appendix R (Social Impact Assessment)
	<b>10. Traffic, Transport Parking and Access (Construction and Operation)</b> The EIS shall include a Traffic and Transport Impact Assessment that includes the following:		
	– Details of the current and likely estimated future daily and peak hour vehicle (private and commercial), public transport, point to point transport, taxis, pedestrian and bicycle movements to/ from the site	Section 3.6 Section 4.16 Section 8.9	Appendix T (Traffic Impact Assessment)
	– An assessment of the operation of existing and future transport networks and their ability to accommodate the forecast number of trips to and from the development, including identification of upgrades required	Section 4.16	Appendix T (Traffic Impact Assessment)
	– Details of existing and proposed vehicular access, and proposed parking provision against the relevant requirements	Section 3.3 Section 4.16	Appendix T (Traffic Impact Assessment)
	– Details of any road/intersection upgrades required as a result of the development, supported by appropriate modelling and analysis (to the satisfaction of TfNSW and RMS), and any other measures to mitigate impacts of the development	Section 8.9	Appendix T (Traffic Impact Assessment)
	– Proposals to encourage employees, residents and visitors to make sustainable travel choices, such as a green travel plan, walking, cycling, public transport and car sharing and how these will be implemented	Section 4.16	Appendix T (Traffic Impact Assessment)
	– An assessment of pedestrian and cyclist safety	Section 8.9	Appendix T (Traffic Impact Assessment)
	– Details of existing and proposed service vehicle access arrangements, including consideration of loading dock and servicing provision, adequacy and management ensuring all servicing and loading, including waste/ recycling occurs on-site and does not rely on kerbside controls.	Section 3.3 Section 4.16	Appendix T (Traffic Impact Assessment)

Secretary's Environmental Assessment requirements

SEARs Requirement	Specific SEARs issue	EIS Section	Consultant Report / Plan
	<b>In relation to construction traffic:</b> – detail of vehicle routes, peak hour and daily truck movements, hours of operation, access arrangements, works zone location, haulage routes, construction program and traffic control measures for all demolition / construction activities – an assessment of road safety at key intersections and locations subject to pedestrian / vehicle / bicycle conflicts – details of temporary cycling and pedestrian access and end of trip facilities during construction – an assessment of the likely construction traffic impacts, such as required road / lane closures and diversions, impacts on bus and 'point to point' transport, impacts on pedestrian and cycle movement, and taking into account other construction activities – details of proposed mitigation measures should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified – preparation of a draft Construction Pedestrian and Traffic Management Plan to demonstrate the proposed management of impact. This Plan needs to include works zone location, vehicle routes, number of trucks, hours of operation, indicative construction program, access arrangements and traffic control measures for all demolition/construction activities.	Section 8.9 Section 9	Appendix T (Traffic Impact Assessment)
	<b>11. Construction management</b> The EIS shall include a draft construction management plan that includes:		
	– An assessment of potential impacts of the construction on surrounding buildings and the public domain, including noise and vibration, air quality and odour impacts, dust emissions, water quality, stormwater runoff, groundwater seepage, soil pollution and construction waste, and details of measures to mitigate any impact.	Section 6.1 Section 8.18	Appendix AJ (Construction Management Plan)

Secretary's Environmental Assessment requirements

SEARs Requirement	Specific SEARs issue	EIS Section	Consultant Report / Plan
	<b>12. Water, drainage and stormwater</b> The EIS shall include:		
	– Determine the service demands and demonstrate satisfactory arrangements for drinking water, waste water and recycled water (if required) services have been made	Section 8.14	Appendix AD (Stormwater Concept Plan)  Appendix AC (Utilities and Services Report)
	– Detail that the proposed development does not adversely impact on any Sydney Water and Council assets and measures taken to protect existing stormwater assets, minimise or eliminate potential flooding, degradation of water quality and avoid adverse impacts on any heritage items	Section 4.20 Section 8.14	Appendix AC (Utilities and Services Report)
	– Outline any sustainability initiatives to minimise/ reduce the demand for drinking water, including any alternative water supply and end uses of drinking and non-drinking water that may be proposed, demonstrate water sensitive urban design principles are used and any proposed water conservation measures	Section 8.14 Section 8.15	Appendix AD (Stormwater Concept Plan)  Appendix AC (Utilities and Services Report)
	– Address any seepage from basement or underground car parking areas to prevent pollution of waters.	Section 8.14	Appendix AD (Stormwater Concept Plan)
	<b>13. Ecologically Sustainable Development (ESD)</b> The EIS shall:		
	– identify how the development will incorporate ESD principles (as defined in Clause 7(4) of Schedule 2 of the Regulation) in the design, construction and ongoing operation phases of the development, and include innovative and best practice proposals for environmental building performance	Section 4.18 Section 8.15	Appendix AB (ESD Report)
	– include a framework for how the future development will be designed to consider and reflect national best practice sustainable building principles to improve environmental performance and reduce ecological impact. This should be based on a materiality assessment and include waste reduction design measures, future proofing, use of sustainable and low-carbon materials, energy and water efficient design (including water sensitive urban design) and technology and use of renewable energy	Section 4.18 Section 8.15	Appendix AB (ESD Report)

Secretary's Environmental Assessment requirements

SEARs Requirement	Specific SEARs issue	EIS Section	Consultant Report / Plan
	– use the climate change projections developed for the Sydney Metropolitan area to inform the building design and asset life of the project and address impacts including: – increased frequency of extreme heat days – extended heatwave events – more extreme (intense) rainfall events.	Section 4.18 Section 8.15	Appendix AB (ESD Report)
	<b>14. Utilities</b> The EIS shall:		
	– address the existing capacity of the site to service the proposed development and any augmentation requirements for utilities, including arrangements for electrical network requirements, drinking water, wastewater and recycled water	Section 4.20 Section 8.16	Appendix AC
	– identify the existing infrastructure on-site and any possible impacts of the construction and operation of the proposal on this infrastructure.	Section 4.20 Section 8.16	Appendix AC
	<b>15. Biodiversity</b> The EIS shall:		
	– provide an assessment of the proposal's biodiversity impacts in accordance with Section 7.9 of the Biodiversity Conservation Act 2017, the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report where required under the Act	Section 4.19 Section 6.2.1 Section 8.8	Appendix AI (BDAR Waiver)
	– consider the presence and possible value of potential habitat for microbats at the site, identify any habitat and the potential impact of the development (including evidence of a search for microbat roosts using appropriate methods). –	Section 4.19 Section 6.2.1 Section 8.8	Appendix AI (BDAR Waiver)
	<b>16. Contributions and/ or Voluntary Planning Agreement</b> o The EIS shall address the provision of public benefit, services, infrastructure and any relevant contribution requirements.	Section 4.24	–
<b>Plans and Documents</b>	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Regulation. Provide these as part of the EIS rather than as separate documents.  In addition, the EIS must include the following:	Noted	–

## Secretary's Environmental Assessment requirements

SEARs Requirement	Specific SEARs issue	EIS Section	Consultant Report / Plan
	<ul style="list-style-type: none"> <li>High quality files of maps and figures of the subject site and proposal</li> <li>Architectural drawings (to a useable scale at A3) showing key dimensions, RLs, scale bar and north point, plans, sections and elevations of the proposal</li> <li>Illustrated materials schedule including digital samples board</li> <li>Site title diagrams and survey plan, showing existing levels, location and heights of existing and adjacent structures/ building</li> <li>Locality/context plan drawn, including significant local features such as heritage items</li> </ul>	–	Appendix G (Architectural Plans)
	<ul style="list-style-type: none"> <li>Urban design report</li> </ul>	–	Appendix H (Architectural Design Report)  Appendix K (Landscape Design Report)
	<ul style="list-style-type: none"> <li>Apartment Design Guide (ADG) assessment report</li> </ul>	–	Appendix I (ADG / SEPP 65 Assessment Report)
	<ul style="list-style-type: none"> <li>Visual impact assessment, including before and after photomontages and perspectives for each elevation</li> </ul>	–	Appendix M (Visual Impact Assessment)
	<ul style="list-style-type: none"> <li>Solar access analysis report and diagrams</li> </ul>	–	Appendix G (Architectural Plans)
	<ul style="list-style-type: none"> <li>Public domain design statement and plans</li> </ul>	–	Appendix H (Architectural Plans)  Appendix K (Landscape Design Report)
	<ul style="list-style-type: none"> <li>Landscape design report and landscape design package, including details of proposed levels and any earthworks</li> </ul>	–	Appendix J (Landscape Plans)  Appendix K (Landscape Design Report)
	<ul style="list-style-type: none"> <li>Arboriculture impact assessment and tree retention plan</li> </ul>	–	Appendix L (Arboriculture Impact Assessment and Tree Retention Plan)

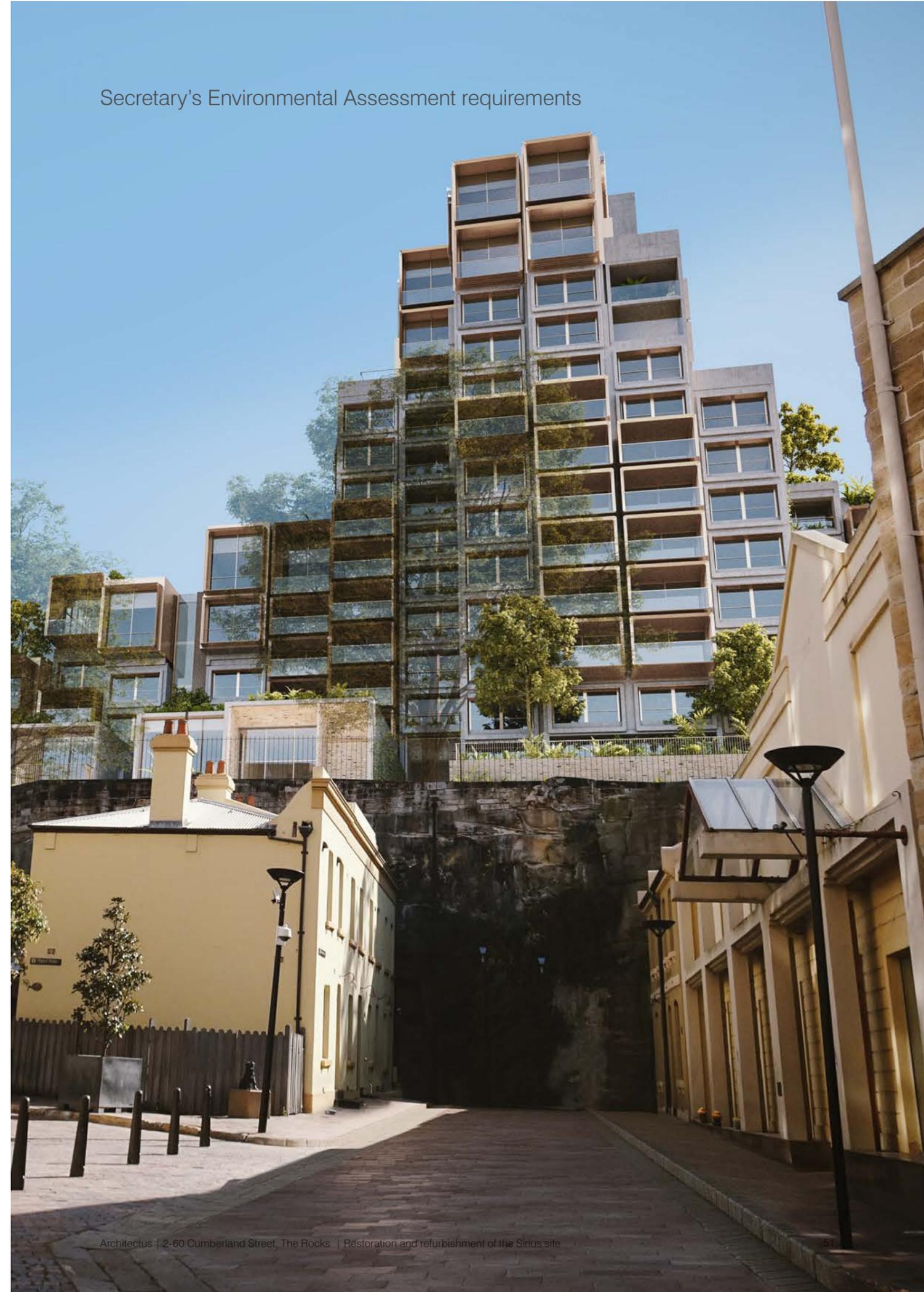
## Secretary's Environmental Assessment requirements

SEARs Requirement	Specific SEARs issue	EIS Section	Consultant Report / Plan
	<ul style="list-style-type: none"> <li>Street lighting plan</li> </ul>	–	Appendix AG (Street Lighting Plan)
	<ul style="list-style-type: none"> <li>Statement of Heritage Impact</li> </ul>	–	Appendix O (Heritage Impact Statement)
	<ul style="list-style-type: none"> <li>Aboriginal and historical archaeological impact assessment</li> </ul>	–	Appendix Q (Aboriginal Cultural Heritage Assessment)
	<ul style="list-style-type: none"> <li>Access impact statement</li> </ul>	–	Appendix Z (Access Impact Statement)
	<ul style="list-style-type: none"> <li>Biodiversity development assessment report (or waiver)</li> </ul>	–	Appendix AI (BDAR Waiver)
	<ul style="list-style-type: none"> <li>ESD statement (incorporating a sustainability framework), BASIX Certificate and NABERS assessment</li> </ul>	–	Appendix AB (ESD Report and BASIX certificates)
	<ul style="list-style-type: none"> <li>Geotechnical report</li> </ul>	–	Appendix W (Geotechnical Report)
	<ul style="list-style-type: none"> <li>Structural report</li> </ul>	–	Appendix U (Structural Report)
	<ul style="list-style-type: none"> <li>Building Code of Australia statement</li> </ul>	–	Appendix AA (Building Code of Australia Certificate Assessment Report)
	<ul style="list-style-type: none"> <li>Noise impact assessment</li> </ul>	–	Appendix Y (Noise Impact Assessment)
	<ul style="list-style-type: none"> <li>Wind impact report</li> </ul>	–	Appendix AE (Pedestrian Wind Environment Statement)
	<ul style="list-style-type: none"> <li>Acoustic report</li> </ul>	–	Refer above
	<ul style="list-style-type: none"> <li>Utilities and services report</li> </ul>	–	Appendix AC (Utilities and Services Report)
	<ul style="list-style-type: none"> <li>Crime Prevention Through Environmental Design report</li> </ul>	–	Appendix AF (CPTED Report)
	<ul style="list-style-type: none"> <li>Stormwater concept plan, including certificate/ report from the MUSIC Link model and electronic copy of the MUSIC model</li> </ul>	–	Appendix AD (Stormwater Concept Plan)
	<ul style="list-style-type: none"> <li>Consultation summary report</li> </ul>	–	Section 7
	<ul style="list-style-type: none"> <li>Public Art Strategy</li> </ul>	–	Appendix S (Public Art Strategy)

## Secretary's Environmental Assessment requirements

SEARs Requirement	Specific SEARs issue	EIS Section	Consultant Report / Plan
	<ul style="list-style-type: none"> <li>– Signage strategy, including commercial signage (if proposed)</li> </ul>	–	N/A
	<ul style="list-style-type: none"> <li>– Traffic and transport impact assessment, including parking, access, loading dock strategy / management plan and a construction traffic management plan</li> </ul>	–	Appendix T (Traffic Impact Assessment)
	<ul style="list-style-type: none"> <li>– Construction impacts and management plan, including a construction noise and vibration management plan, construction waste and recycling management plan and cumulative impact of construction activities on other nearby sites.</li> </ul>	–	Appendix AJ (Construction Management Plan)
<b>Consultation</b>	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> <li>– City of Sydney Council</li> <li>– Government Architect of NSW</li> <li>– Heritage Council of NSW</li> <li>– Place Management NSW</li> <li>– TfNSW</li> <li>– RMS</li> <li>– NSW National Trust</li> <li>– Special interest groups</li> </ul> <p>The EIS must describe the consultation process and the issues raised and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>		
		Section 7	–
		Refer to TfNSW	–
		Section 7	–
		Section 7	–
		Noted	N/A
<b>Further consultation after 2 years</b>	If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.	Noted	N/A

## Secretary's Environmental Assessment requirements



### 3 Site and context

The Rocks is the traditional land of the Gadigal Aboriginal people and has a complex and layered history as a port settlement during Australia's colonial period. The area represents more than two centuries of significant cultural activity, including early contact between Aboriginal people and European people, colonial settlement, maritime activity and struggles for heritage conservation to preserve its history.

– Design Competition Brief



### 3.1 Context

The Sirius site, at 2–60 Cumberland Street, is located in a spectacular position, on a ridge above The Rocks with a magnificent panoramic view over Sydney Harbour, including Circular Quay and the Sydney Opera House to the east, and west towards the Blue Mountains.

The Sirius site is defined by the Land Application Map under SEPP SSP. Refer to an extract of the Map at Appendix D.

#### Site context

The Sirius site is immediately surrounded by:

- Cumberland Street to the west, and adjacent to the southern approaches to the Sydney Harbour Bridge beyond (a State heritage listed item, known as Sydney Harbour Bridge approaches group including pylons, pedestrian stairs and access roads);
- George Street to the north with the National heritage listed Sydney Harbour Bridge beyond;
- Gloucester Walk to the east with Circular Quay beyond; and
- A commercial office building adjacent to the site to the south (86 Cumberland Street, The Rocks).

Refer to the Site Context Plan prepared by BVN at Appendix G.

#### Local context

Circular Quay Wharf is approximately 350m to the south-east of the site, the Sydney Harbour Bridge is approximately 300m to the north of the site, and the Sydney Opera House is approximately 600m to the east with the Royal Botanic Gardens beyond. Walsh Bay (approximately 220m) and Barangaroo Headland Park (approximately 600m) are located to the west of the site. Central Sydney extends to the south, with Martin Place located approximately 1km from the site.

The closest train station to the site is approximately 700m (walking distance) to the south-east at Circular Quay Station.

The new CBD and South East Light Rail travels along George Street with the closest Light Rail stop at Circular Quay. The Metro City & Southwest is currently being constructed with the closest Metro Stop at Barangaroo (approximately 900m walking distance).

Refer to the Local Context Plan prepared by BVN at Appendix G.

### 3.2 The Rocks

The Rocks is situated on a dramatic headland at the narrowest point of Sydney Harbour, and on the northern edge of Sydney's CBD. The sandstone topography, which gives the precinct its name, and the surrounding Sydney Harbour provides The Rocks with a strong sense of place.

#### Indigenous occupation and history

The Rocks is the traditional land of the Gadigal Aboriginal people and has a complex and layered history as a port settlement during Australia's colonial period. The area represents more than two centuries of significant cultural activity, including early contact between Aboriginal people and European people, colonial settlement, maritime activity and struggles for heritage conservation to preserve its history.

The Aboriginal Cultural Heritage Assessment (ACHA) prepared by Urbis and attached at Appendix Q notes that rapid urban development in Sydney had a major impact on the survival of Aboriginal archaeological resources. The assessment confirms there are no Aboriginal sites within or adjacent to the subject area.

#### Historic context

A Heritage Impact Statement (HIS) has been prepared for the site by Urbis and is appended at Appendix O.

The HIS provides that the subject site is not an individually listed item of environmental heritage under the NSW State Heritage Register, SEPP SSP, SEPP SRD, or SEPP Sydney Harbour. The SLEP 2012 does not apply to 'The Rocks Site' and as such the site is not identified as an item of environmental heritage under Schedule 5 of the SLEP 2012. The Sirius site is not listed as an individual heritage item on the Place Management NSW (formerly State Harbour Foreshore Authority – SHFA) Section 170 Heritage and Conservation Register, but it is located within The Rocks Conservation Area on the Place Management NSW Section 170 Heritage and Conservation Register.

The Sirius site is surrounded by significant heritage items, including the National Heritage Sydney Harbour Bridge and the World and National Heritage Sydney Opera House. The site is surrounded by various State heritage items, which are listed in Table 3 and shown in Figure 6 below.

## Site and context

Table 3. Heritage context

Map	Item	Address	Significance
1	Sydney Harbour Bridge, approaches and viaducts (road and rail)	Bradfield Highway and North Shore Railway, Milsons Point/Dawes Point	State
2	Argyle Cut	Argyle Street, The Rocks	State
3	Glenmore Hotel	96-98 Cumberland Street, The Rocks	State
4	Argyle Stores	12-20 Argyle Street, The Rocks	State
5	Cleland Bond Store (part of Argyle Stores)	33 Playfair Street, The Rocks	State
6	Playfair Street Terraces	17-31 Playfair Street, The Rocks	State
7	Argyle Terrace – Caminetto's Restaurant	13-15 Playfair Street, The Rocks	State
8	Playfair's Terrace	1-7 Atherden Street, The Rocks	State
9	Avery Terrace	2-4 Atherden Street, The Rocks	State
10	Sergeant Majors Row (terrace)	33-41 George Street, The Rocks	State
11	Merchants House	43-45 George Street, The Rocks	State
12	Union Bond Store (former), Westpac Bank	47 George Street, The Rocks	State
13	Old Sydney Holiday Inn	53-55 George Street, The Rocks	State
14	Mercantile Hotel	25-27 George Street, The Rocks	State
15	Metcalf Bond Stores	68-84 George Street, The Rocks	State

## Site and context



Figure 5. Surrounding state heritage items  
State heritage items shaded in grey  
Source: Nearmaps with Architectus overlay

## Site and context

The Sirius site is not listed as a heritage item under other Environmental Planning Instruments (EPIs) and as such no heritage constraints apply to the site.

However, the HIS notes that while the subject site is not recognised on any statutory heritage list, it has been recognised by the Heritage Council of NSW and the National Trust of Australia as a building of heritage value.

The HIS acknowledges that the existing Sirius building should be conserved in line with best heritage practice principles, including relevant statutory heritage guidelines and the Burra Charter articles for excellence in heritage management and conservation of the heritage values of The Rocks.

The HIS notes that the existing Sirius building represents a unique and important historical phase of development within The Rocks, as a significant departure from the earlier 19th century building stock that dominates the area. It reflects the late twentieth century approach to the provision of inner-city public housing by the government. The retention, restoration and refurbishment of the existing Sirius building conserves this significant layer of the history of The Rocks, and will continue to contribute to the living community of The Rocks and facilitate the important residential community in the area.

### Timeline summary

The existing Sirius building is architecturally significant in The Rocks and is a prominent example of brutalist buildings in Australia, a period now recognised world-wide. It also has an important social history.

The following timeline provides a history of the Sirius building and its context in The Rocks.

## Site and context

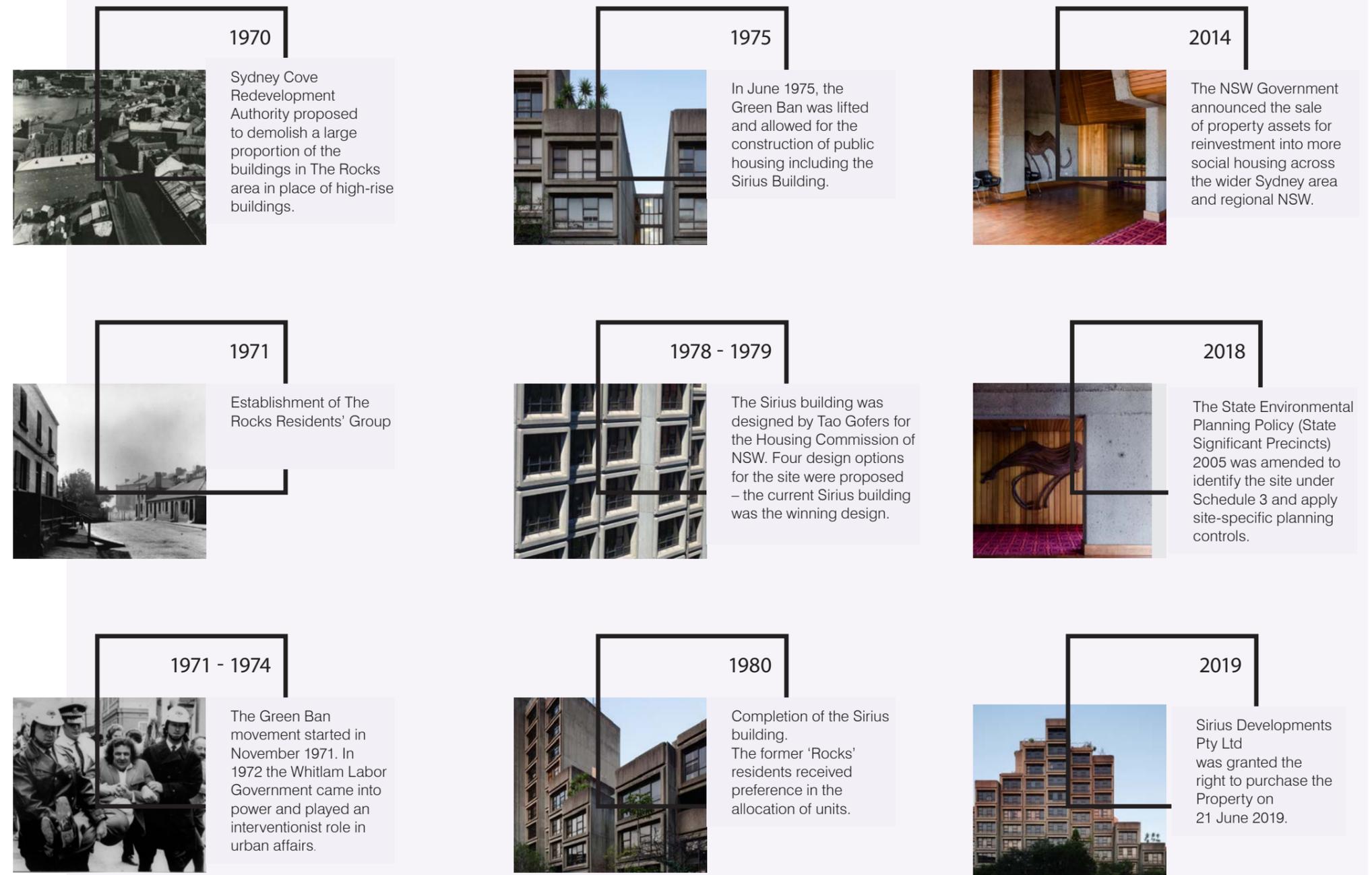


Figure 6. Timeline of the Sirius site

## Site and context

### The Rocks Conservation Area

The Rocks area has a significant and layered history and is a precinct of national cultural significance. The Rocks is identified on the State Heritage Inventory as 'The Rocks Conservation Area'. It is described by the following Statement of Significance:

*The Rocks, with its complex layering of significant fabric, uses and associations, is a precinct of national cultural significance. The Rocks is valued as a place of major social history, reflecting more than two centuries of significant activity; including European invasion, early contact between Aboriginal people and European settlers, and colonial settlement. The drama of cross-cultural encounters reflects The Rocks' focal location as a place linking continental, colonial, city and maritime histories. The Rocks was saved through fierce battles for its conservation, and by government ownership. Despite ongoing incremental change in The Rocks, continuity and authenticity remain major themes, manifest in increasingly rare and fragile relics of original topography and built fabric, remnants of history and a living community.*

### Sydney Harbour Bridge

The Sydney Harbour Bridge is situated to the north of the Sirius site, with the approach ramp and pylons immediately to the west of the site. It forms a significant part of the Sirius site's immediate context. The Sydney Harbour Bridge is identified as an item of National Heritage.

The 'Sydney Harbour Bridge Approaches and Curtilage' in Millers Point is identified as a State heritage item and described by the following Statement of Significance:

*Of technological and architectural significance in bridge innovation and design. An icon for Sydney of international importance and culture significance. Of environmental significance as a landmark feature and a physical gateway for Sydney. The Bridge contributes to providing evidence for social history in the technical achievements and working conditions of the 1930's and for its ongoing importance as a focus for local and national celebration.*

### Sydney Opera House

The Sydney Opera House is situated to east of the site, approximately 550m from the site across Circular Quay. The site enjoys views to the Sydney Opera House from its elevated position in The Rocks.

The 'Sydney Opera House Including Forecourt, Seawall, Platforms and Interiors' is identified as an item of National Heritage and World Heritage. It is described by the following Statement of Significance:

*The Sydney Opera House is a national icon of exceptional significance located on Bennelong Point. It is of historical importance for its successful functioning as a performing arts centre of world renown. It is of significance for the extensive associations of the site with various periods in Australian history, including its association with the Aboriginal identity Bennelong. The building is of exceptional aesthetic significance because of its spectacular quality as a sculpture in the round, both day and night, and the appropriateness of its design in relation to its setting, the picturesque quality of the setting, and the way in which its fabric reflects a contemporary philosophy of building creative forms from machine made parts. It is significant for the quality of finishes used throughout the interiors including service areas. It is of exceptional scientific significance for the development of new European construction and tendering techniques.*

The Sirius site is identified within the 'Sydney Opera House Buffer Zone' under the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP Sydney Harbour) and is subject to its controls. Refer to further discussion at Section 6.2.3.

## 3.3 Existing development

The Sirius site is occupied by the existing Sirius building, a residential apartment building which covers most of the site, along with landscaped forecourts and private walled courtyards. The building is currently unoccupied by residents.

The existing Sirius building is comprised of 79 residential apartments (mostly split level), as well as community rooms, rooftop garden terraces and circulation spaces within atrium stair slots. 70 car parking spaces are located in an irregular shaped basement with vehicular access from Cumberland Street.

The existing Sirius building has a varied height profile due to its modular form and due to the fall across the site when observed from Cumberland Street and from Gloucester Walk. The existing building rises from the north and south towards a central tower with a maximum height of 34.6m above ground level at Cumberland Street (equivalent to an 11-storey building). Due to the existing split-level apartments, the building is conveyed as having a greater number of levels (25 different levels).

Refer to photos of the existing Sirius site and building at Figures 8 to 11.

## Site and context



Figure 7. Existing Sirius building  
View from Cumberland Street  
Source: Architectus, November 2019

Figure 8. Existing Sirius building  
View from Playfair Street  
Source: Architectus, November 2019

Figure 9. Existing Sirius building  
View along Gloucester Walk from the Mercantile Hotel  
Source: Architectus, November 2019

Figure 10. Existing Sirius building  
View from roof terrace towards Sydney Harbour Bridge  
Source: Architectus, November 2019

Figure 11. View to Circular Quay  
View from an existing apartment  
Source: Architectus, November 2019

### 3.4 Site analysis

#### Topography

The site is located on a slope with a moderate change in level of approximately 9.5m. The site falls from the south-west corner (RL 27.7) to the north-east corner (RL 18.2), with the lowest portion of the site being the northern end of Gloucester Walk.

Further detail is provided in the Survey Plans at Appendix B.

#### Views

The Sirius site is located in a spectacular position, on a ridge above The Rocks with magnificent panoramic views. Views from the site extend over Sydney Harbour, including Circular Quay and the Sydney Opera House to the east; the Sydney Harbour Bridge and North Sydney skyline to the north; the Parramatta River and Blue Mountains to the west; and the Sydney CBD skyline to the south.

While the existing Sirius building captures incredible views to the east and west, opportunities for outlook to the north and south are limited by the existing design.

#### Streetscape

The Sirius site has a frontage of approximately 115m to Cumberland Street (west) and approximately 120m to Gloucester Walk (east). The current main entrance to the existing Sirius building is on the western side from Cumberland Street. Vehicle access to the basement car park is also provided from Cumberland Street.

Pedestrian footpaths are located along Cumberland Street and Gloucester Walk. There are currently no publicly accessible pedestrian connections through the Sirius site.

#### Flooding

The Sirius site is not affected by flooding. The lowest part of the Sirius site is located approximately 3.95m above the 1% annual exceedance probability (AEP) flood event.

#### Easements

There are no easements burdening either Lot 100 in DP264104 or Lot 101 in DP264104. Refer to the Land Titles at Appendix C.

### 3.5 Surrounding development

The Sirius site is immediately surrounded by:

- Cumberland Street and the southern approaches to the Sydney Harbour Bridge to the west. The office of ‘Bridge Climb Sydney’ is located in the archway of the Sydney Harbour Bridge pylons;
- George Street to the north including the Mercantile Hotel (discussed further below);
- Gloucester Walk to the east with State heritage listed buildings beyond; and
- A commercial office building adjacent to the site to the south (86 Cumberland Street, The Rocks).

A summary of recent developments in proximity to the Sirius site is provided below.

#### Mercantile Hotel

The Mercantile Hotel (Irish pub) situated to the north-east of the Sirius site at 25 George Street, The Rocks, was the subject of a recent SSD Application (SSD-8665) for refurbishment, alterations and additions. SSD-8665 sought consent for a new rooftop bar, including new external lift, ground floor amenities building, courtyard and service upgrades. SSD-8665 was granted approval by the Minister for Planning and Public Spaces on 4 December 2019.

#### The Rocks Centre Upgrade

The Rocks Centre, at 22-26 Playfair Street, The Rocks, was the subject of a recent SSD Application (SSD-8307) for a new entry structure. SSD-8307 sought to vary the permissible building height development standard applicable to the site under the Sydney Cove Redevelopment Authority (SCRA) Scheme. SSD-8307 was granted approval by the Minister for Planning on 14 February 2018.

#### 75-85 Harrington Street

An SSD Application was submitted for the redevelopment of 75-85 Harrington Street, The Rocks (SSD-7037) in 2016. SSD-7037 sought consent for demolition works and construction of a part seven / part nine storey mixed use building (Building 1) and a six storey mixed use building (Building 2) with basement car parking and adaptive reuse of the ‘Baker’s Terrace’. SSD-7037 was granted approval by the Minister for Planning on 12 January 2018.

#### Harbour Rocks Hotel

An SSD Application was submitted for refurbishment, alterations and additions to the State heritage listed Harbour Rocks Hotel at 34-52 Harrington Street, The Rocks (SSD-8687) in 2017. SSD-8687 was granted approval by the Minister for Planning on 29 June 2018.

#### Park Hyatt Hotel

The Park Hyatt Hotel, at 7 Hickson Road, The Rocks, was the subject of a development application under Part 3A of the EP&A Act (MP09\_0044) submitted in 2010 for major internal and external alterations, including a rooftop addition and works that extended beyond the approved building envelope for the site. MP09\_0044 was granted approval by the Minister for Planning on 3 March 2011.

### 3.6 Traffic, transport, access and parking

#### Road network

The road network in the vicinity of the site includes:

- **George Street:** a local road that traverses north to south between Lower Fort Street in the north and Harris Street in the south. In the vicinity of the site, George Street is a ‘High Pedestrian Activity Area’ and is subject to a 40km/h speed zoning. The northern part of George Street is closed to traffic on Saturdays and Sundays for The Rocks Markets (10am–5pm). Limited on-street parking is permitted along either side of the road.
- **Cumberland Street:** a local road that traverses north to south between Lower Fort Street in the north and Grosvenor Street in the south. In the vicinity of the site, Cumberland Street is a ‘High Pedestrian Activity Area’ and is subject to a 40km/h speed zoning, carrying a single lane of traffic in either direction. On-street parking is permitted along either side of the road, subject to various restrictions.
- **Argyle Street:** a local road that traverses east to west between George Street in the east and Windmill Street in the west. It is subject to a 40km/h speed zoning.

#### Parking

The existing Sirius building comprises 70 car parking spaces located in an irregular shaped basement with vehicular access from Cumberland Street.

#### Loading, unloading and servicing

The existing Sirius building comprises a basement carpark with access from Cumberland Street. Loading, unloading and servicing is undertaken on the site within the basement carpark. However, it is noted that the existing vehicle access ramp to the basement carpark does not meet current standards due to its steepness.

#### Footpaths

Footpaths are located adjacent to the Sirius site to the west along Cumberland Street, and to the east along Gloucester Walk, which is a dedicated pedestrian laneway. There are currently no publicly accessible pedestrian connections through the Sirius site.

#### Active transport

The Sirius site benefits from access to extensive local and regional bicycle networks, including bicycle paths on Cumberland Street, Argyle Street and George Street which connect to Sydney’s CBD. At the time of writing, a ‘pop-up cycleway’ with separated bicycle lanes is located along Pitt Street between Alfred Street at Circular Quay and King Street.

The Sirius site’s proximity to surrounding facilities, services and infrastructure, encourages walking over private vehicle use. The site is located close to scenic walkways such as the Sydney Harbour foreshore walk connecting Barangaroo, the Headland Park, Circular Quay and the Royal Botanic Gardens.

#### Public transport

The Sirius site is situated in central Sydney and in close proximity to bus, train, light rail and ferry services:

- **Bus:** the closest bus stops to the site are located on Argyle Street, Millers Point, and at Alfred Street, Circular Quay (key services include bus routes 311, 324 and 325).
- **Train:** the closest train station to the site is approximately 700m (walking distance) to the south-east at Circular Quay Station (key services include train lines T2 Inner West, T3 Bankstown, T4 Eastern Suburbs and Illawarra and T8 Airport and South).
- **Light rail:** the new CBD and South East Light Rail travels along George Street with the closest Light Rail stop at Circular Quay (services include the L2 Randwick Line and the L3 Kingsford Line).
- **Ferry:** Circular Quay Ferry Wharf is approximately 350m to the south-east of the site, with ferry services throughout Sydney Harbour.

The City & Southwest Metro service is currently being constructed with the closest Metro Stop at Barangaroo (approximately 900m walking distance).

The site is well located to take advantage of the available public transport services.

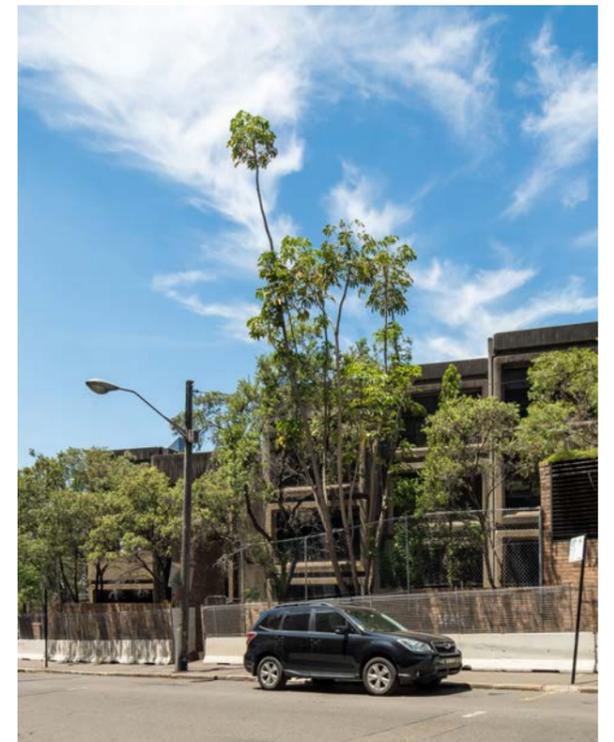
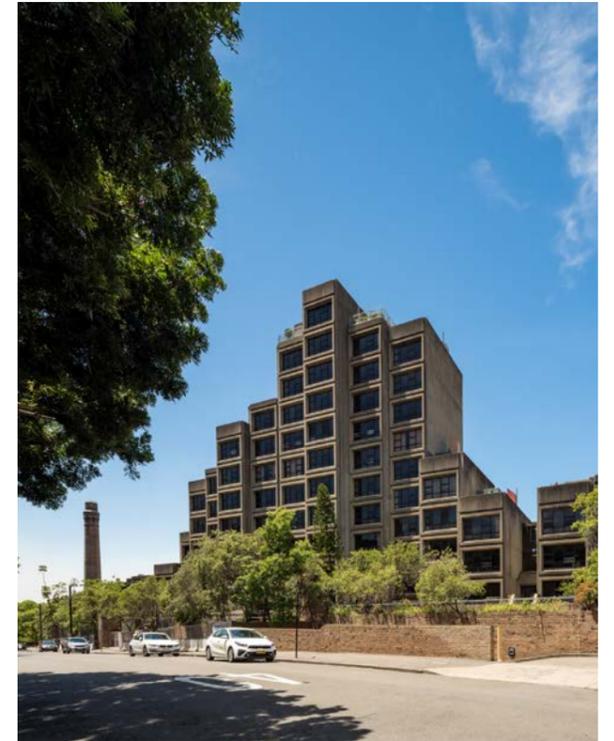
### 3.7 Trees and vegetation

The Arboricultural Impact Report and Tree Retention Plan prepared by Landscape Matrix has identified 52 existing trees in the vicinity of the site, 41 of which are located within the site boundary. The trees identified include endemic and exotic species, such as Plane Trees, Weeping Bottlebrush, Umbrella Trees and White Cedar among others. The trees are generally concentrated to the perimeter of the site.

To facilitate the proposed alterations and additions to the existing Sirius building and surrounding courtyards, all of the 41 existing trees on the site are proposed to be removed. None of these trees are identified as having high landscape significance or are identified as priorities for retention. The two (2) large existing Plane Trees at Gloucester Walk (outside of the site boundary) will be retained and protected during construction works.

None of the trees assessed are listed as a threatened species on the Schedules of the NSW Biodiversity Conservation Act 2016 or the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.

Refer to the Arboricultural Impact Report and Tree Retention Plan at Appendix L.



## 4 Proposed development

The scheme presents a hierarchy of understanding. Viewers can read the existing building and differentiate the new additions. The copper additions create a strong differentiation with the existing concrete building – it is noted that copper is a traditional roof material and the additions create a ‘protective cap’ to the building.

Design Competition Jury

## Proposed development

### 4.1 Design intent

The design proposal for the restoration and refurbishment of the existing Sirius building is consistent with the principle of retaining the existing building with integrity. BVN Architect's proposed alterations and additions to the existing Sirius building acknowledges the site's significant history before the Sirius building was constructed and its recent history where it has been at a pivotal and public crossroads determining its future.

Key to retaining the existing Sirius building with integrity is the design intent to maintain the legibility of the original building designed by Tao Gofers. This includes its materiality, modulating roof line, proportions, construction and modular composition. The design of the proposed additions to the building is both informed by the original and clearly distinguished from it.

The proposal is underpinned by a series of strategies to restore the existing concrete material and structure, integrate new services into the confined floor to floor heights, and conserve important elements of the building.

Refer to the Architectural Design Report prepared by BVN at Appendix H.

#### Objectives

The objectives of the proposed development are to:

- Substantially retain the existing Sirius building;
- Adapt the existing Sirius building for contemporary uses in a way that respects the integrity of the original design, ensures compatibility with the character and heritage value of The Rocks, and celebrates its exceptional contribution to Sydney's architectural landscape;
- Incorporate alterations and additions to the existing Sirius building that achieve the maximum permissible floor space while preserving the characteristic horizontal and vertical articulation of the building;
- Improve residential amenity and internal access;
- Improve vehicle access to reduce the extent of driveway interface;
- Provide a reimagined ground level with active street frontages and an improved public domain that allows for people to interact with the Sirius building in new ways;
- Improve universal public access across the site; and
- Improve permeability and connectivity within The Rocks by providing a through-site link from Cumberland Street to Gloucester Walk.

### 4.2 Proposed development

The proposed development is for the restoration and refurbishment of the existing Sirius building, including alterations and additions. The existing building is proposed to be substantially retained and restored with integrity. New residential additions are proposed to be added to the existing structure in appropriate locations to maintain the legibility of the original architectural form, and new structures for commercial uses are proposed to be added at the Cumberland Street and Gloucester Walk frontages of the site.

The majority of the proposed works will be contained within the Sirius site (Lot 100 DP 264104 and Lot 101 DP 264104). Refer also to the proposed public domain upgrades (off-site works) below.

Development consent is sought for:

- Site preparation works, including:
  - Demolition of part of the ground level of the existing building to make way for a new through-site link between Cumberland Street and Gloucester Walk;
  - Demolition of part of the ground plane to realign vehicle access to the basement level;
  - Tree removal; and
  - Minor excavation and site earthworks
- Alterations and additions to the existing building to provide for:
  - Residential accommodation (a total of 76 apartments), including:
    - Restoration and alterations to the existing interior of the building, including amalgamation of apartments;
    - Addition of new lightweight prefabricated pods to the building, and associated alterations to limited areas of existing precast concrete; and
    - Addition of new SoHo apartments fronting Gloucester Walk.
  - Commercial premises, including:
    - Addition of a new two-storey structure fronting Cumberland Street (street height of RL38.2 with maximum height of cooling tower component of R42.2) for commercial use (including a ground level café and pool above) and incorporating vehicle access and truck lift to the basement car park; and
    - Addition of new café at the north of the site.



- Basement car parking, including upgrade to the existing car parking (retention of existing 70 car parking spaces), addition of a new truck lift accessed from Cumberland Street, and new split-level basement level to allow for vehicle and truck circulation.
- Alteration works to the existing building, including:
  - Restoration of the existing concrete façade of the building and brickwork at the ground plane;
  - Provision of a new through-site link between Cumberland Street and Gloucester Walk, including new lift for universal access;
  - Access improvements, including the addition of new lift lobbies in the existing stair slots in the north and south wings;
  - Structural upgrades; and
  - Diversion, extension and augmentation of physical infrastructure and utilities as required.
- Landscaping and public domain improvements, including:
  - Addition of hard and soft landscaping to (ground level / podium courtyard?), roofs and terraces;
  - Upgrades to Cumberland Street and Gloucester Walk including landscaping and pedestrian access;
  - Relocation of selected trees; and
  - Provision of public art.

The proposal does not constitute staged development and this EIS relates to a single encompassing SSDA for the project in its entirety.

Construction works are expected over a period of 1–2 years between 2021 and 2022, with the development being completed at the end of 2022. As such, the proponent is seeking approval for staged construction certification, as set out in Section 8.19 of this report.

Construction will be appropriately managed to minimise disruption and impacts on nearby residences and the environment.

#### Off-site works

As described above, the majority of the proposed works will be contained the two lots of the subject site (Lot 100 DP 264104 and Lot 101 DP 264104). Refer to the relevant Land Titles attached at Appendix C.

Additional public domain works (off-site works) are proposed to be undertaken as part of SSD 10384 to support the development. These works are proposed to be undertaken on the following seven (7) lots that adjoin the subject site:

- Lot 1 DP 776315;
- Lot 2 DP 776315;
- Lot 3 DP 776315;
- Lot 4 DP 776315;
- Lot 5 DP 776315;
- Lot 6 DP 776315; and
- Lot 7 DP 264080.

The registered proprietor of each of the lots listed above is Sydney Harbour Foreshore Authority. Refer to the relevant Land Titles attached at Appendix C.

The public domain works are proposed to be undertaken and assessed as part of SSD 10384. Clause 8(2) of Part 2 of SEPP SRD provides that development associated with an SSD Application can also be declared to be SSD.

Refer to the letter from Place Management NSW (PMNSW) regarding landowners' consent at Appendix E.

## Proposed development

### 4.3 Substantial retention of the existing Sirius building

The existing Sirius building is proposed to be substantially retained and restored with integrity. The proposed alterations and additions will maintain the legibility of the original building and minimise removal of the existing structure.

The objectives of the proposed development, as set out at Section 1.5 above, include the objective to substantially retain the existing Sirius building and adapt the building for contemporary uses in a way that respects the integrity of the original design, ensures compatibility with the character and heritage value of The Rocks, and celebrates the Sirius building's contribution to Sydney's architectural landscape.

Clause 2 of Appendix 18 of SEPP SSP defines the 'existing building' as below:

*existing building means the building on land within the Sirius site immediately before the commencement of this Appendix.*

The 'Sirius site' amendment to SEPP SSP commenced on 3 August 2018, and changes to SEPP SSP to list the Sirius site controls under Appendix 18 commenced on 1 February 2020. No works to the existing building have occurred since the commencement of this Appendix other than minor site testing.

The existing Sirius building is proposed to be substantially retained, including the following key elements:

- the rise and fall of the existing built form, including a tower element and side wings;
- the iconic modular appearance of the façade and characteristic horizontal and vertical articulation of the building;
- the majority of the concrete façade and walls, thereby retaining the ability to read elements of the existing building from the northern approach over the Sydney Harbour Bridge;
- the vegetated private rooftop terraces (Tao Gofer's 'fifth elevation');
- internal circulation, including the existing stair slots in the north and south wings; and
- use of materials, including concrete and brick at the ground plane.

The proposed alterations and additions to the existing Sirius building will upgrade the building so that it is suitable for contemporary dwellings and achieves the maximum permissible floor space under SEPP SSP. To facilitate the adaptation of the existing building, the following building elements are proposed to be removed:

- two (2) ground level 'bays' for the creation of the through-site link;
- part of the ground plane to the west of the building to allow for the construction of a new vehicle entry and truck lift;
- precast concrete façade elements where new balconies pods are required;
- internal stairs within the existing stair slots in the north and south wings to allow for new lifts and stairs;
- façade glazing to allow for new glazing to current code compliance to be installed;
- internal walls to enable amalgamation of apartments and rearrangement of apartment layouts;
- select floors (where structurally suitable) to allow for the inclusion of voids; and
- brick walls at ground level to provide new public space and improve universal public access across the site.

### 4.4 Design excellence

A 'Type A' invited single-stage Competition was undertaken for the Sirius site, as described in Section 1.10 above.

This section discusses how the proposed development addresses the recommendations of the Jury Report (endorsed by the Jury on 29 January 2020).

#### Resolution of Jury comments

The proposal will achieve design excellence in accordance with the 'design excellence qualities' in the Competition-winning scheme as identified by the Jury. These qualities have been maintained through design development and will be included in construction drawings and the physical completion of the project. Refer to the design excellence qualities in the Jury Report at Appendix AN.

The proposed development has addressed the 'design development recommendations' provided by the Jury, as outlined in Table 4 below. Therefore, the consent authority can be satisfied that the proposed development demonstrates design excellence.



Table 4. Resolution of design development recommendations

Jury comment	Design response
<i>The architectural language of the commercial building fronting Cumberland Street should be considered further – the building should better tie into the narrative of the rest of the scheme through material selection. It is noted that the scale of the building is supported but could be further articulated to have a better relationship to the Sirius building.</i>	<p>Design development of the Cumberland Street commercial building was undertaken by BNV to respond to the Jury's recommendation.</p> <p>The Cumberland Street building was also changed to allow for truck access to the basement, which necessitated the relocation of the pool and a reduction in number of storeys from three to two storeys, without a reduction in the overall height. Increased cooling tower capacity was also added to the roof of the Cumberland Street building (set back from the street). The revised scheme was presented to the DIP during the first Design Integrity Review on 12 June 2020. The DIP responded with the following comment:</p> <p><i>The elegance of the tall form of the Cumberland Street building is somewhat lost with this proposal. The Panel preferred the elegance and verticality of the previous scheme. The design should be further reconsidered.</i></p> <p>The Jury acknowledged the difficulty in providing truck access to the basement for refuse collection and supported the proposed changes for vehicle access. They also supported the change to allow for increased cooling tower capacity.</p> <p>BNV further revised the Cumberland Street building design to reinstate some of the design elements that the Jury supported in the Competition-winning scheme. The revised scheme was presented to the DIP during the second Design Integrity Review on 17 July 2020. The DIP responded with the following comment:</p> <p><i>The Cumberland Street building is significantly improved. It has proposed an architecture that embraces Sydney's climate and environment – a real Sydney architecture. The idea of an inhabited frame that includes planting is supported.</i></p> <p>This is discussed in further detail in the Architectural Design Report prepared by BVN (Appendix H).</p>
<i>Improved and more discreet access should be provided to the pool and gym.</i>	<p>Access to the Cumberland Street building has been rearranged to provide lift access for residents from basement level B1 and B2 to Ground Level and the pool.</p> <p>The gym has been relocated to basement level B1. The upper level of the Cumberland Street building will be occupied by a communal pool for residents.</p>



Jury comment	Design response
<p>The use of the Phillip Room is to be considered further while ensuring public benefit with a use that is readily accessible to the public and facilitates the spatial qualities, finishes and artwork to be protected. The Phillip Room is considered appropriate for a commercial use.</p>	<p>Design development of the Phillip Room was undertaken by BNV to respond to the Jury's recommendation.</p> <p>The existing Phillip Room is proposed to be retained and refurbished to be in keeping with the architectural philosophy of adaptive reuse of the building. The space is proposed to be used as a lobby and common room for residents of the building, and as such the use is not proposed to change from existing. The interior arrangement will be substantially retained, and elements of the room will be restored with integrity, such as the Rosier artworks. The quality of the interiors will be enhanced and reinterpreted to be harmonious with BVN's architectural intent for the building.</p> <p>The proposed use of the Phillip Room was presented to the DIP during the second Design Integrity Review on 17 July 2020. It is noted that the details of the proposed refurbishment and interior design will be subject to future detailed design. Retention of the Phillip Room in current form was supported by the DIP. The DIP responded with the following comment:</p> <p><i>It is a very important space being a rare remaining intact Brutalist interior in Sydney that encapsulates many of the stories associated with the social history and the lives of the inhabitants of the Sirius building.</i></p> <p>Refer to the full DIP comments at the Design Integrity Review Report (Second Review) at Appendix AQ.</p> <p>The DIP's comments about the importance of retaining key elements of the Phillip Room are noted and will be incorporated into the future interior design of the space to ensure the important social history of the building is acknowledged and remembered.</p> <p>The DIP's recommendation that the Phillip Room be opened to the public during events such as Sydney Open is noted and will be considered through the operational plan of management for the Sirius site. It is noted that publicly accessible external spaces within site (including the new through-site link and new landscaped Cumberland Street forecourt) comprise over 15% of the total site area (566.59m<sup>2</sup>) and will be available for public use at all times.</p>

Jury comment	Design response
<p>Development of architectural detailing, including:</p> <ul style="list-style-type: none"> <li>Clarification of the type of brick used at the ground plane (which should not be too dissimilar from the existing brick);</li> <li>Opportunities to take advantage of views to the north and south in the new modular additions; and</li> <li>Opportunities for deep soil.</li> </ul>	<p>Architectural detailing has been developed since the design Competition, as described below.</p> <ul style="list-style-type: none"> <li><b>Ground plane materials:</b> New landscape walls will replace existing walls at the ground plane and will incorporate recycled brick from the existing building and new brickwork of a slightly lighter hue than existing. These walls will be broken up by metal louvred fencing to increase transparency and visual surveillance.</li> </ul> <p>The existing red brick paving at Gloucester Walk is inconsistent with the historic palette of The Rocks and is in disrepair with broken and uneven sections pushed up by tree roots. It is proposed to be replaced with new brick paving as part of the upgrades to Gloucester Walk. New paving will be sympathetic with the context of The Rocks Precinct and brick selection will be subject to further consultation with Place Management NSW.</p> <ul style="list-style-type: none"> <li><b>Views:</b> The existing dual aspect apartments have exceptional opportunities for views. Amendments to apartment layouts are proposed that will maximise views while maintaining the exterior reading of the existing Sirius building's façade. Limited new north and south facing windows are proposed to be included to take advantage of views to the Sydney Harbour Bridge (north) and CBD skyline (south). New window openings will be designed with perforated metal operable panels and concrete blades to provide privacy and solar protection while maintaining the brutalist language of the building.</li> <li><b>Deep soil</b> Opportunities for deep soil are limited due to the almost complete site coverage of the existing building and expansive basement floor plate. Innovative spatial responses have been developed to compensate for existing site constraints by transferring typical deep soil landscape and filtration process to podium soil profiles. Environmentally, the diversity of landscape expressions and significant plant coverage will help overcome the limited deep soil planting opportunities by providing substantial stormwater absorption, reduction in ambient air temperature, building insulation and habitat value.</li> </ul>

## Proposed development

### 4.5 Summary of proposed uses

The proposed development is for the purpose of a mixed-use building including residential accommodation with basement car parking and commercial premises. The proposed land uses are summarised below.

Refer to the floor-by-floor breakdown of proposed land uses, gross floor area (GFA), total GFA and floor space ratio (FSR) and site coverage in the architectural plans prepared by BVN at Appendix G.

The total GFA of the proposed development is 8,419.38m<sup>2</sup>.

While SEPP SSP does not provide development controls for FSR, and the proposed development is not required to comply with a maximum FSR control, for reference the proposed development achieves an FSR of 2.3:1.

#### Residential

The total residential GFA of the proposed development is 8,108.52m<sup>2</sup>, which represents 96% of the total GFA.

The proposed apartment mix is shown in Table 5. It is noted that all apartments exceed the minimum internal area requirements set out under Objective 4D-1 of the Apartment Design Guide (ADG). Refer to Table 5 below and the ADG Report prepared by BVN at Appendix I.

Table 5. Residential Apartment Mix and Sizes

Apartment type	Internal size	Number	Percentage
Studio	38.97m – 44.95m	11	14%
1 Bedroom	57.52m – 59.5m	5	6%
2 Bedroom	72.89m – 92.94m	42	55%
3 Bedroom	118.51m – 182.86m	14	18%
4 Bedroom	167.57m – 295.54m	5	7%
<b>TOTAL</b>		<b>76</b>	<b>100%</b>

#### Retail

Retail uses comprise the following:

- Café / retail shop at Level B1 fronting Gloucester Walk (22.09m<sup>2</sup>);
- Café / retail shop at Level 1 fronting the landscaped pocket-park to the north of the site (36.71m<sup>2</sup>); and
- Café at Level 3 fronting the landscaped forecourt and Cumberland Street (98.07m<sup>2</sup>).

The total retail GFA of the propose development is 156.87m<sup>2</sup>, which represents 1.8% of the total GFA.

#### Commercial

Commercial uses comprise SoHo apartments ("Small Office, Home Office" hybrid apartments for residential and commercial purposes) facing Gloucester Walk at Level 2 (125.24m<sup>2</sup>) and Level 3 (28.74m<sup>2</sup>).

The total commercial GFA of the propose development is 153.98m<sup>2</sup>, which represents 1.8% of the total GFA.

#### Open space

- Publicly accessible open space at ground level: 566.6m<sup>2</sup> (15.5% of site area);
- Communal open space: 884.2m<sup>2</sup>; and
- Private open space (balconies, rooftop terraces and courtyards): 1,920.2m<sup>2</sup>.

### 4.6 Schedule of drawings for approval

Approval is sought for the Architectural Drawings prepared by BVN and the Landscape Plans prepared by 360° Landscape Architects.

The full list of drawings proposed for approval is listed at Appendix G to this report.

## Proposed development

### 4.7 Numerical overview

A numerical overview of the site and proposed expansion is provided in Table XX below.

Table 6. Numerical overview

Site area	3,664.5m <sup>2</sup>
Existing site coverage (building footprint)	1,462.8m <sup>2</sup> (39.91% of site area)
Proposed site coverage (building footprint)	2,126.5m <sup>2</sup> (58.03% of site area)
Existing building GFA	6,538m <sup>2</sup>
Proposed building GFA	8,419.38m <sup>2</sup>
Proposed GFA by use:	
Residential GFA	8,108.52m <sup>2</sup>
Retail GFA	156.87m <sup>2</sup>
Commercial GFA	153.98m <sup>2</sup>
Proposed GFA by floor:	
Basement Level B2b	61.64m <sup>2</sup>
Basement Level B2a	104.43m <sup>2</sup>
Basement Level B1b	112.63m <sup>2</sup>
Basement Level B1a	330.44m <sup>2</sup>
Level 1	133.86m <sup>2</sup>
Level 2	401.10m <sup>2</sup>
Level 3	636.45m <sup>2</sup>
Level 4	383.04m <sup>2</sup>
Level 5	584.09m <sup>2</sup>
Level 6	397.62m <sup>2</sup>
Level 7	718.61m <sup>2</sup>
Level 8	467.45m <sup>2</sup>
Level 9	659.36m <sup>2</sup>
Level 10	378.20m <sup>2</sup>
Level 11	531.41m <sup>2</sup>
Level 12	233.81m <sup>2</sup>
Level 13	355.23m <sup>2</sup>
Level 14	162.69m <sup>2</sup>
Level 15	353.75m <sup>2</sup>
Level 16	36.02m <sup>2</sup>
Level 17	315.09m <sup>2</sup>
Level 18	36.88m <sup>2</sup>
Level 19	265.00m <sup>2</sup>

Level 20	36.51m <sup>2</sup>
Level 21	185.40m <sup>2</sup>
Level 22	36.54m <sup>2</sup>
Level 23	183.99m <sup>2</sup>
Level 24*	0m <sup>2</sup>
Level 25	169.81m <sup>2</sup>
Level 26	148.28m <sup>2</sup>
Existing FSR	1.784:1
Proposed FSR	2.298:1
Existing number of apartments	79 apartments
Proposed number of apartments	76 apartments
Existing number of car parking spaces	70 car parking spaces
Proposed number of car parking spaces	70 car parking spaces
Landscaped area (ground level)	403m <sup>2</sup>
Landscaped area (roof and terraces)	773m <sup>2</sup>
Total publicly accessible external spaces within site (including through-site link)	566.59m <sup>2</sup> (15.46% of site area)
Existing maximum building height	62.0 RL
Proposed maximum building height	67.4 RL
Estimated Cost of Works	\$124,855,376
Estimated operational job generation	20 FTE
Estimated construction job generation	Average 200 FTE

#### Notes on Table 6:

**Gross Floor Area (GFA)** is based on Sydney LEP 2012 definition of GFA.

**Site area** is based on Sydney LEP 2012 definition of site area. The 'Sirius site' includes the area defined by the SEPP SSP *Sirius Land Application Map*.

**Building height (or height of building)** is defined by SEPP SSP in relation to RL as "the vertical distance from the Australian Height Datum to the highest point of the building" (including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like). The 'Sirius site' maximum building height is defined by the SEPP SSP *Sirius Height of Buildings Map*.

Level 24 does not include internal GFA area. This level is occupied by an outdoor terrace and pool to the penthouse level.

## Proposed development

### 4.8 Height, bulk and scale

#### Built form and scale

The Sirius site's context is one of diverse scales. The site is situated between the macro-scale of the Sydney Harbour Bridge pylons and approach ramp and the fine grain pedestrian micro-scale of The Rocks to the east. The proposed alterations and additions to the existing Sirius building will maintain a balance between these two scales. The proposed modular additions to the existing Sirius building will match the height of the adjacent Sydney Harbour Bridge infrastructure, while also complimenting the scale of The Rocks through its stepping forms and articulated pods. Consistent with SEPP SSP, the proposal will better integrate Sirius within its context of The Rocks by increasing activation to its public edges and providing connections through the site.

#### Bulk and massing

The proposed new building mass preserves and enhances the original concept of the building's modular composition. The positioning of new mass respects and retains the varied roof profile of the existing building, maintains existing view lines through the site, and reduces the scale of the building at the northern end where the building transitions to the lower built form of the surrounding precinct.

New mass added to the central tower component of the building is intended to reflect the existing one-room plant room form on the top of the tower. It is noted that the DIP considered the existing one-room plant room form on top of the tower as a defining feature of the existing building that should be reflected in the proposed refurbishment design. The new building element will house building services required for compliance and upgrades to the building.

The one-room plant room form on the top of the tower assists with the building stepping in both north-south and east-west orientations to create a pyramidal tapering of the building. Viewed from the lower levels of The Rocks, this massing strengthens the reading of the building's scale and verticality.

#### Setbacks

There are no specific setback controls for the site under SEPP SSP, and as such the ADG separation controls have been applied and the Sydney DCP 2012 is used as a guide (despite not strictly applying to the site as it is located in The Rocks and is an SSD Application).

The existing Sirius building is sited such that equitable separation distances between existing neighbouring buildings are provided. This has been maintained through the proposed development.

The Cumberland Street building has a 0m setback to the adjacent commercial building. Both buildings are for non-residential uses. The Sydney DCP 2012 controls allow for 0m setback up to street wall height (4-storeys in the case of the subject site). There are no easements on the subject site protecting access to light and air for the site at 86-88 Cumberland Street, The Rocks.

#### Materiality

The balance of concrete to copper is carefully considered in the proposed alterations and additions to the building. While similar in their modular form, the majority of the new mass is expressed in a new copper finish that identifies the contemporary additions.

The new tower apex is proposed to be provided in new concrete that matches the colour of the existing concrete but is demarcated from the existing concrete through finish and texture.

#### Height

The proposed additions to the building will result in an overall building height of RL 67.4, or 40.9m above ground level at Cumberland Street. This represents an increase of 5.4m above the existing maximum building height. On the Cumberland Street side of the site, the building presents as thirteen (13) levels at the highest occupied level. When observed from Gloucester Walk, and due to the fall across the site, the building presents as fourteen (14) occupied levels.

Refer to a detailed discussion of the proposed building height at Section 5 below.

The proposed new two (2) storey Cumberland Street building will have a roof height of RL 38.2, or 11m above ground level at Cumberland Street. The plant room above will extend a further 4.04m to RL 42.2 and will be set back from the street frontage.

### 4.9 Demolition

As described in Section 4.3 above, minor demolition works are required to facilitate the adaptation of the existing building, while substantially retaining the existing Sirius building to ensure the legibility of the original building is maintained. Demolition of the existing structure has been minimised as much as possible.

Internal demolition works largely involves the removal of select internal walls to enable the amalgamation of apartments and rearrangement of apartment layouts and select internal floors (where structurally suitable) to allow for amalgamation and the inclusion of voids. Internal stairs within the existing stair slots in the north and south wings are proposed to be demolished to allow for the construction of new lifts and stairs.

## Proposed development

External demolition works include removal of existing façade glazing to allow for new glazing to be installed (to current code compliance) and removal of precast concrete façade elements where new balconies pods are proposed to be added.

External demolition works at the ground plane are proposed to facilitate public domain upgrades and improved vehicle access. Two (2) ground level 'bays' will be demolished adjacent to the Phillip Room for the creation of the through-site link. Brick walls at ground level will be demolished to provide for the proposed publicly accessible Cumberland Street square and improved universal public access across the site. Additionally, part of the ground plane to the south-west of the existing building is proposed to be demolished to allow for the construction of a new vehicle entry to the basement carpark and truck lift, which will be housed within the proposed new Cumberland Street building.

All demolition works are to be undertaken in accordance with the Australian Standard AS2601 – The Demolition of Structures. Demolition of concrete slabs, pavement and floor slabs will be undertaken in accordance with the recommendations of the Geotechnical Report at Appendix W.

Demolition plans have been prepared as part of the Architectural Drawings and are provided at Appendix G.

### 4.10 Excavation

Excavation works are proposed within the existing basement car park to provide for a new split-level basement (basement level B2). The total volume of proposed excavation is 5,954m<sup>3</sup> of cut material.

The new area of basement is required to accommodate the proposed new truck lift (which will allow for on-site refuse collection and bulky goods loading), loading bay and car parking spaces to replace displaced car parking spaces. No increase to the existing 70 car parking spaces is proposed. Refer to further description of the proposed new area of basement at Section 4.16.

Excavation works are limited to part of the existing basement and are entirely within the site boundary. The proposed excavation works will not have a physical impact on any of the surrounding heritage items.

Excavation works are to be undertaken in accordance the recommendations of the Geotechnical Report at Appendix W and the Construction Management Plan at Appendix AJ. Refer also to the mitigation measures at Section 9. A Bulk Earthworks Plan is provided as part of the Architectural Drawings and attached at Appendix G.

### 4.11 Public domain and streetscape

The proposed development will enhance the public domain across the site through a series of new publicly accessible landscaped spaces and a new through-site link.

The public domain in and around the site will be improved by the following aspects of the proposed development:

- **Cumberland Street forecourt:** improvements to the ground level landscape include the creation of a generous public forecourt which will activate Cumberland Street. The forecourt will be adjacent to the proposed new cafe within the Cumberland Street building, new through-site link and residential entry to the site. The plaza forecourt space will become an active and engaging public amenity. It will include integrated public art.
- **Through-site link:** the proposed publicly accessible through-site link connecting Cumberland Street, the Sirius building residential lobby and Gloucester Walk will extend the existing pedestrian network in The Rocks precinct and improve public activation and occupation of the site's public spaces. The through-site link will be supported by integrated public art.
- **Northern pocket-park:** the northern end of Cumberland Street presents an opportunity to activate the street frontage and rejuvenate the currently neglected public space through delivery of a distinct pocket-park. The proposed upgrades to the pocket-park will provide pedestrians and visitors with a quiet space of respite, elevated from the street with unique views of the Sydney Harbour Bridge and historic Mining Museum building. The pocket-park will provide seating opportunities including a wide street facing stair and integrated cliff edge seat beneath an arbour and two new shade trees. The proposed new retail / cafe space adjoining the park could utilise part of the upgraded terrace area for outdoor seating (subject to a separate outdoor seating permit), thereby further activating the park and adding a new public offering to The Rocks.

A Landscape Design Report has been prepared by 360° Landscape Architects. Refer to the report at Appendix K.

The publicly accessible spaces within the site and surrounding the site have been designed with consideration of public safety and include measures to mitigate opportunities for crime and antisocial behaviour. A Crime Prevention Through Environmental Design (CPTED) assessment has been prepared by Architectus and is attached at Appendix AF. The CPTED assessment considers issues such as surveillance, activation, accessibility, wayfinding and impacts on local amenity. Recommendations of the CPTED assessment have been integrated into the proposed architectural and landscape design.

## Proposed development

### 4.12 Landscaping

The proposed landscape design aims to achieve an environmentally and socially sustainable development, including Ecologically Sustainable Design (ESD) initiatives and native planting requirements. It will be both elevated and vertical and will complement the architectural alterations and additions to the building to provide a progressive, whole-of-building approach to the urban landscape.

At ground level, landscaping will activate the site, creating a vibrant place for residents and visitors. At the new Cumberland Street square, landscaping will be used to create spaces which encourage social gathering and activation of the streetscape. Paving treatments will be applied to the new through-site link that assist with legibility and wayfinding, and new paving and planting will be provided to the public domain (Gloucester Walk, Cumberland Street and the pocket-park to the north of the site) to enhance pedestrian experiences. The perimeter of the site will be activated by direct residential courtyard frontages and landscaped entries.

Elevated rooftop gardens are proposed to be reinstated and vertical green walls will be included with the intention to provide complete landscape coverage of the site. Rooftop terraces will provide social and recreational opportunities for residents, while contributing to the urban character, visual quality and biodiversity of the area. The rooftop gardens will be viewed by pedestrians on their journey across the Sydney Harbour Bridge, contributing to the interest of their outlook without obscuring the significant view corridors to the Sydney Opera House.

A Landscape Design Report has been prepared by 360° Landscape Architects. Refer to the report at Appendix K.

#### Trees

The Arboricultural Impact Report and Tree Retention Plan prepared by Landscape Matrix (Appendix L) identified 52 existing trees in the vicinity of the site, 41 of which are located within the site boundary. The trees identified include endemic and exotic species. To facilitate the proposed alterations and additions to the existing Sirius building and surrounding courtyards, all of the 41 existing trees on the site are proposed to be removed. None of these trees are identified as having high landscape significance or are identified as priorities for retention. The two (2) large existing Plane Trees at Gloucester Walk (outside of the site boundary) will be retained and protected during construction works.

The proposed landscaping works will provide for a total of 67 new trees on the site, including 43 new trees at ground level and within courtyards, and 24 new trees on roof terraces. This represents a significant increase of trees on the site – 26 additional trees compared to existing, or an increase of 61%. The proposed new trees will be more appropriate to the site, with selected plant species being suited to the microclimatic conditions of the site with local native and indigenous species used where possible.

### 4.13 Public art

The proposed development provides for significant and exciting opportunities to contribute public art to The Rocks area. A Public Art Strategy has been prepared by UAP and is attached at Appendix S. The Strategy outlines the public art vision for the site, the historical site-specific context and thematic framework, opportunity sites, reference artworks, budget and implementation strategy.

The sites identified for public art opportunities include:

- the Cumberland Street public forecourt; and
- the through-site link.

Gloucester Walk has also been identified as a possible future opportunity in consultation with Place Management NSW.

A budget of \$1 million has been allocated to the procurement of public art on the site, inclusive of artist commissioning fees, concept design support, technical design, project management, fabrication and installation.

The artist(s) will be procured through either a competition process or through direct engagement resulting in the commissioning of one or more artists. This process will be managed by a selection panel that will guide the nomination and selection of artworks. It is noted that the Director of the Museum of Contemporary Art has provided preliminary agreement to be included in the selection panel.

### 4.14 External materials and finishes

The existing Sirius building is valued as an example of brutalist architecture. A key aspect of the building's integrity is its pure expression of raw concrete and composition of stacked modular forms. To maintain the building with integrity requires the retention of the legibility of this expression. The building's concrete structure will be maintained, repaired and stabilised.

## Proposed development

The proposed new pod additions to the top of the building will be clad in copper to create a strong differentiation in materiality that identifies the contemporary additions, while reflecting the modular form of the original building. The balance of concrete to copper is carefully considered in the proposal.

Areas of new concrete at the tower apex will be demarcated from the existing concrete through finish and texture, rather than colour. The colour of the new concrete will match the existing (cleaned) concrete.

With respect to the proposed external materials and finishes, the DIP commented (17 July 2020):

*The tower achieves a good balance of copper and concrete. The new balconies add balance. The distribution of concrete is improved. The proposed treatment of the new concrete is supported by the Panel.*

The DIP also noted:

*The use of a green wall to shroud the older concrete will help to avoid any mismatch between old and new concrete.*

Given the above, it is considered that the proposed external materials and finishes achieve the development objective to adapt the existing Sirius building for contemporary uses in a way that respects the integrity of the original design, ensures compatibility with the character and heritage value of The Rocks, and celebrates its exceptional contribution to Sydney's architectural landscape.

### 4.15 Signage

Consent is not sought for signage as part of this SSD Application.

The possible future design and installation of commercial signage (if any) and wayfinding signage at the Sirius site and surrounds will be undertaken as part of a separate application in accordance with SEPP 64 as well as *The Rocks Signage Policy, 2013* and *The Rocks Signage Technical Manual, 2013*. Signage will be designed to reinforce the heritage values of The Rocks and positioned to enhance visitor experiences.

### 4.16 Traffic, access and parking

#### Access

The existing Sirius building currently provides vehicle access to the basement carpark via a crossing to Cumberland Street at the south-western corner of the site. The vehicular access location is not proposed to change as a result of the proposed alterations and additions to the building, however the existing car ramp from Cumberland Street is no longer a compliant grading for access for waste trucks and loading / removalist vehicles. The proposed development provides a new reconfigured access ramp for cars and a new truck lift for larger vehicles, thereby simplifying and separating vehicle entry.

The proposed truck lift will comprise a 10,000kg SWL truck lift (9.7m long x 5.2m wide x 3.3m high) with front and rear opening doors to convey garbage and furniture trucks from ground level to the loading dock (basement level B2). Trucks will enter the truck lift in a forward direction, travel to basement level B2 and utilise a turntable to turn and reverse into the dedicated loading bay. When egressing, vehicles will access the truck lift in a forward direction, proceed to the ground floor and exit the site in a forward direction via Cumberland Street.

The new two storey Cumberland Street building is proposed to conceal the carpark and truck lift entry and minimise the public domain interface with the vehicular access to the basement.

#### Parking

The proposed development is not seeking to change the existing residential use of the building and therefore is not required to seek approval for the existing land use. The existing basement and existing 70 car parking spaces within are proposed to be retained, they will however service marginally fewer dwellings. The overall number of apartments in the building will be reduced from 79 apartments (existing) to 76 apartments (proposed).

In terms of parking ratio, there are currently 0.88 car parking spaces per dwelling. The proposed development will result in 0.92 car parking spaces per dwelling. As such, there will be no significant difference in car parking spaces per dwelling. There will still be a relatively low provision of onsite parking.

Given the nature of the development, and the significant expense involved in the refurbishment and retention of the existing Sirius building, retention of existing parking is crucial to the viability of the project and will result in no additional traffic impacts, as described below.

## Proposed development

### Traffic

The Traffic Impact Assessment prepared by Traffix (Appendix T) demonstrates that the reduction in the total number of dwellings within the development results in a no net change in trip generation in both the morning and evening peak periods and as such, the proposed development will be in the public interest from a traffic impact perspective.

Traffix states that the proposed development is supportable on traffic grounds and notes that no external improvements are required to the road network. As such, retention of the existing 70 car parking spaces is considered acceptable from a traffic perspective.

The site is located in central Sydney, within walking distance of the CBD and active transport and public transport services.

### 4.17 Accessibility

Providing equitable access is a key component of adapting the existing Sirius building. An Access Impact Statement has been prepared for the Sirius site by Morris Goding Access Consulting and is attached at Appendix Z. The report seeks to ensure universal design (UD) principles are included in the design and compliance with statutory requirements is achieved.

The existing Sirius building provides only 47 of 79 apartments with barrier free access (59% of units). The proposed design (which includes multiple lift additions and improved access on street level) provides 55 of 76 apartments with barrier free access (71% of units). This is a significant improvement and a positive result given the access challenges of the site.

Upgrades are proposed to ensure compliance with relevant accessibility standards for entry doors, circulation areas, passenger lifts, stairs and ramps.

Two (2) adaptable units are proposed to be provided. It is noted there are no mandatory minimum quantity requirements for adaptable units at the subject site. Notwithstanding, 2 adaptable units are proposed which represents 2.6% of the total number of units (a total of 76 units is proposed) and is comparable to other SSD Applications for residential projects in central Sydney.

### 4.18 Ecologically Sustainable Development (ESD)

An ESD Report has been prepared by Flux (October 2020) and is attached at Appendix AB. The report demonstrates that the proposal includes innovative and best practice building performance design to minimise waste, reduce energy consumption and improve efficient water use. The report notes the substantial retention of the existing building promotes a better environment by delivering a reduction in embodied energy of over 8,000 tonnes of CO<sub>2</sub>e emissions. It will also reduce community disruption by reducing the impacts of demolition works and traffic impacts caused by trucks removing spoil and delivering new materials.

The existing Sirius building is not considered susceptible to future climate impacts. Systems and utilities, such as rainwater systems, have been designed to future climate projections. 200sqm of solar panels are proposed to the roofs and integrated with the landscape. The panels will produce 53, 143KWh per annum equivalent to 50t CHG savings. In addition, Gas microturbines will also be provided to reduce dependency on the grid and provide low carbon electricity. These microturbines will provide additional energy capacity during peak load events. Any residual risks will be identified in our climate risk review prior to construction. However, any residual risks will be identified in a climate change risk review prior to construction.

The ESD Report provides that the proposal is capable of complying with BASIX requirements. Refer also to the BASIX certificates attached at Appendix AB and further discussion at Section 8.15.

### 4.19 Biodiversity

An application to waive the requirement to prepare a Biodiversity Development Assessment Report (BDAR) was submitted to DPIE on 3 April 2020 on the grounds that the development is unlikely to have a significant impact on biodiversity values in accordance with Clause 1.5 and Clause 7.3 of the Biodiversity Conservation Act 2016 and Clause 1.4 of the Biodiversity Conservation Regulation 2017. The application was accompanied by an assessment of the presence of microbats (and possible microbat habitat) on the site. The assessment was undertaken by Cumberland Ecology in January 2020. No microbats were recorded during the survey, and no evidence of a breeding population of bats were identified, through visual, audio, or echolocation recording methods.

A BDAR waiver was issued by DPIE on 2 June 2020 as delegate of the Secretary. Refer to the BDAR waiver at Appendix AI and further discussion at Section 8.8.

## Proposed development

### 4.20 Utilities and services infrastructure

A Building Services Statement has been prepared by Floth (dated 20 August 2020). The Statement provides that the following upgrades are proposed as part of the alterations and additions to the existing Sirius building:

- **Electrical services:** electrical systems will be upgraded throughout the site. Power supply to the site will be provided from the Ausgrid network in Cumberland Street and energy generated by the solar photovoltaic (PV) system will be connected to the services switchboards to reduce energy imported from the grid during daylight hours. Moreover, Ausgrid have assessed the projects demand requirements and require a high voltage pillar to be provided by the developer to meet the projected demand requirements. No on-site substation is required.
- **Telecommunications:** pathways for the future installation of a fibre optic distribution system in accordance with NBN Co. requirements will be provided.
- **Hydraulic services:** hydraulic systems will be upgraded throughout the site, including sanitary plumbing, rainwater plumbing, stormwater drainage, condensate plumbing, potable cold water systems, hot water systems and fire sprinkler services.
- **Cooling / heating:** Each apartment will be cooled / heated by systems connected to a central multifunction chiller located in an acoustically treated plantroom on the roof of the Cumberland Street building. The gym, residential lift lobbies and SoHo apartments are to be air-conditioned. The retail spaces are shell only with provision for the tenant/owner to connect to a separate system as required.
- **Ventilation:** ventilation systems are to be provided for each apartment and common areas as required.
- **Vertical transportation:** lift services will include six (6) lifts serving the residential apartments; one (1) internal penthouse lift serving level 25 and 26; one (1) passenger lift serving the gym and pool deck (Cumberland Street building); Gloucester Walk lift serving the through-site link and providing accessibility to Gloucester Walk. A 10,000kg truck lift with front and rear opening doors will be provided to convey garbage and furniture trucks from the Cumberland street carpark entry to the loading dock/garbage area.

All work will be undertaken in accordance with current relevant Standards, Codes and Regulations.

Refer to the Building Services Statement at Appendix AC.

### 4.21 Lighting

New street lighting is proposed in accordance with City of Sydney public domain requirements. A concept street lighting layout plan has been designed by Floth and is attached at Appendix AG. Approximately seven (7) new lighting polls will be provided along Cumberland Street in accordance with the specifications on the layout plan. Existing lighting along Gloucester Walk will be retained.

It is noted that the final arrangement of street lighting is subject to consultation with the City of Sydney Council and Place Management NSW.

Effective lighting will be provided to the new through-site link at all times of day and night to ensure that sight-lines are not obscured and to support natural surveillance and allows residents of the building, visitors and the general public to safely observe the space around them.

Moreover, lighting from the development will incorporate appropriate direction and shielding to ensure no effect on the operations of the Observatory.

Pathway lighting and landscape / feature lighting may also be provided subject to detailed development of the landscape design.

### 4.22 Operation and management

The site will be regularly cleaned and maintained, including rapid removal of vandalism and graffiti. Landscaping will also be regularly maintained. The site will be monitored by security personnel as required (in addition to security cameras).

Refer to the Waste Management Plan prepared by Foresight Environmental (Appendix AK) which details the proposed management procedures for waste generated during the operation of the development.

The following hours of operation are proposed for the various uses throughout the development:

- Residential: Accessible to residents at all times. A concierge may be present in the residential lobby during certain hours.
- Commercial: Assessible to tenants at all times.
- Retail: Open during regular retail trading hours.

## Proposed development

### 4.23 Job creation

#### Construction

The Preliminary Construction Management Plan provides the number of construction workers on site will average at 200 people per day.

On completion, The Sirius building will have 20 Full Time Equivalent (FTE) staff members.

### 4.24 Development contributions

No contributions scheme currently applies to the site and as a reduction in residential dwellings in proposed there would not normally be a requirement to pay a develop contribution under section 7.11 of the Act.

Notwithstanding the reduction in dwelling density, in addition to the restoration of the Sirius building and surrounds the Developer is finalising an agreement with Place Management NSW to fund a publicly accessible lift in the Cleland Bond Store on Playfair Street, The Rocks, which is in close proximity to the Sirius site and the proposed through site link.

## Proposed development



## 5 Exceptions to development standards

The scheme is supported because it significantly retains and interprets the existing building, includes well-considered, sensitive additions, and successfully activates the street frontages. Overall, the scheme is seen to have the right balance of new elements integrated with the original.

Design Competition Jury

## 5.1 Proposed exceptions

This EIS seeks approval for the restoration and refurbishment of the existing Sirius building, including alterations and additions, for the purpose of a mixed-use development.

The site-specific planning controls under Appendix 18 of SEPP SSP allows for two different development scenarios for the Sirius site – a new build (demolition of the existing Sirius building) or reuse (retention of the existing Sirius building). For the new build scenario, Appendix 18 allows for a maximum GFA of 8,420m<sup>2</sup> and a strict height limit that precludes any exceptions or variances. To incentivise the retention of the existing Sirius building, and to provide flexibility for reuse, Part 3 of Appendix 18 allows for the existing GFA to be varied up to the same maximum 8,420m<sup>2</sup> and introduces Clause 14 'exceptions to development standards'.

The stated objectives of Clause 14 are:

- a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
- b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

It should be particularly noted that Part 3 of Appendix 18 allows for a wide degree of flexibility in all aspects of the development except for maximum GFA. It also should be noted that a substantial portion of the existing Sirius building exceeds the proposed maximum building height limit for the new build option, largely invalidating this control for the reuse option (almost 30% of the existing GFA is wholly above the maximum building height line).

As described in Section 4 above, the proposed alterations and additions to the existing Sirius building include new building mass on top of the building, including on the north and south wings and on top of the existing central tower form. The proposed additions result in an exceedance of the maximum permissible building height and an exceedance of the maximum GFA of 7,010m<sup>2</sup> but compliance with the maximum possible variation under Clause 14(7)(c) of 8,420m<sup>2</sup>, equal to the possible GFA under the new build scenario meaning the development is not penalised for retention of the existing character building. This is discussed further in the following sections.

The proposed restoration and refurbishment of the existing Sirius building will preserve and give a new economic life to the building. The proposed alterations and additions have arisen from an extensive Design Excellence

Competition with the aim of achieving better outcomes for the development. The Competition was chaired by GANSW and the winning scheme designed by BVN has received the endorsement of the nominated Competition Jury.

This written request seeks consent to vary development standards under Appendix 18 of SEPP SSP for maximum height of buildings (Clause 9) and maximum GFA (Clause 13).

The request demonstrates that compliance with the development standards identified is unreasonable and unnecessary in the circumstances of this case and the exceptions allow for a better outcome for and from the development.

## 5.2 Exceptions to development standards

Part 3 of Appendix 18 provides 'additional development standards if existing building not demolished'. Under Part 3, Clause 12 provides:

*This Part applies if the existing building is not completely demolished.*

Given that the existing Sirius building will be substantially retained, Part 3 of Appendix 18 applies to the proposed development.

Under Part 3, Clause 14 provides 'exceptions to development standards', which permits the consent authority to grant development consent for a development on the Sirius site even where the development contravenes a development standard. Clause 14(2) provides:

*Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*

### Building height

Clause 14 allows a variation to the maximum height development standard in the case that the existing Sirius building is retained. Therefore, variation to Clause 9 is permissible where the requirements of Clause 14(3) and (4) can be satisfied.

### Gross floor area

Clause 14(7)(c) expressly excludes variation to the maximum gross floor area "that would result in a gross

floor area of more than 8,420m<sup>2</sup>". Given that the proposed development seeks to achieve a GFA less than 8,420m<sup>2</sup> (proposed maximum GFA is 8,419.38m<sup>2</sup>) variation to Clause 13 is permissible where the requirements of Clause 14(3) and (4) can be satisfied.

## 5.3 Extent of variation

The extent of the proposed variation to development standards for maximum height of buildings (Clause 9) and maximum GFA (Clause 13) is set out below.

### Building height

The existing Sirius building significantly exceeds the maximum building height development standard under Clause 9 and as set out under the Height of Buildings Map. Almost 30% of the existing GFA of the Sirius building is wholly above the SEPP SSP maximum building height line. As such, the development standard is almost irrelevant and unnecessary for the reuse development option as it bears no relationship to the intent of the development standard. For this reason, an exception to the height of

buildings development standard is seen as appropriate and any change to the existing building height should be considered on the basis of design quality and level of environmental impact.

Notwithstanding, consideration of the building height development standard and the extent of variance is provided below.

Clause 9 of Appendix 18 provides:

*The height of any new building, or any alterations to the existing building, on land within the Sirius site is not to exceed the maximum height shown for the land on the Height of Buildings Map.*

The Height of Buildings Map identifies that the Sirius site has a maximum building height of 38.2m, 39.8m and 41.4m. Refer to an extract of the map at Figure 12.

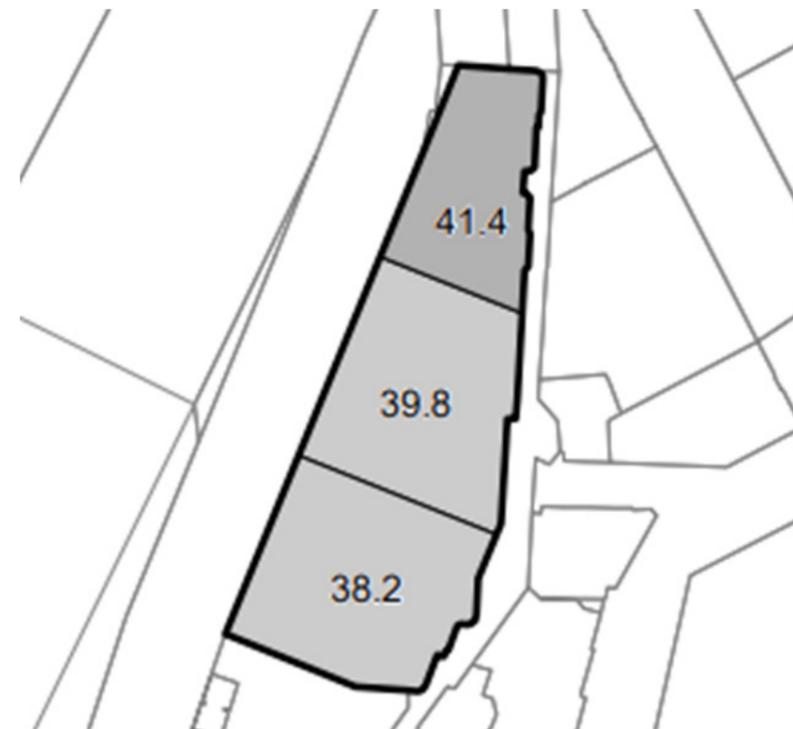


Figure 12. Extract of SEPP SSP Height of Buildings Map. Sirius site shaded in grey. Heights shown on map in RL (m). Source: SPP SSP Sirius Site – Height of Buildings Map, Sheet HOB\_001

## Exceptions to development standards

The SEPP SSP maximum building heights are compared against the height of the existing Sirius building and the proposed maximum building height at Table 7 below.

Table 7. Extent of variation to the building height development standard

Area of the Sirius building (three areas defined by the Height of Buildings Map)	SEPP SSP maximum building height (Height of Buildings Map)	Existing maximum building height	Proposed maximum building height
Southern area	RL 38.2	RL 30.8 – RL 57.1	RL 36.8 – RL 57.1
Central area	RL 39.8	RL 35.0 – RL 62.0	RL 40.1 – RL 67.4
Northern area	RL 41.4	RL 32.2 – RL 36.3	RL 37.5 – RL 43.5

The summary above provides the proposed overall maximum building height is RL 67.4, which represents an increase of just 5.4m above the existing maximum building height.

Refer to the proposed east and west elevations of the building at Appendix G, which illustrates the height of each stepping element of the proposed development.

The arrangement of existing GFA and proposed GFA is compared against the SEPP SSP maximum building height line at Table 8 below.

Table 8. Arrangement of GFA

Area of GFA	Existing Sirius building	Proposed development
Total building GFA	6,538.00m <sup>2</sup>	8,419.38m <sup>2</sup>
GFA wholly above SEPP SSP maximum building height line	1,953.95m <sup>2</sup> (29.8%)	2,496.33m <sup>2</sup> (29.64%)
GFA intersected by SEPP SSP maximum building height line	520.14m <sup>2</sup> (8.0%)	758.56m <sup>2</sup> (9.01%)

GFA wholly below SEPP SSP maximum building height line	4,063.91m <sup>2</sup> (62.2%)	5,164.47m <sup>2</sup> (61.34%)
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The summary above demonstrates that the arrangement of overall GFA is comparable to the existing arrangement of GFA with respect to the SEPP SSP maximum building height line in percentage terms. Notably, the amount of GFA above the SEPP SSP maximum building height line is slightly less in percentage terms.

### Gross floor area

Clause 13 of Appendix 18 provides:

*The maximum gross floor area of a building on land within the Sirius site is 7,010m<sup>2</sup>.*

The extent of variation above the maximum permissible GFA is compared at Table 9 below.

Table 9. Extent of variation to the GFA development standard

SEPP SSP maximum GFA under Clause 9 (if existing building not demolished)	SEPP SSP maximum GFA under Clause 14 (exceptions to development standards)	Existing GFA	Proposed GFA
7,010m <sup>2</sup>	8,420m <sup>2</sup>	6,538m <sup>2</sup>	8,419.38m <sup>2</sup>

As provided above, the maximum proposed GFA remains below the maximum permissible GFA under Clause 14.

## 5.4 Assessment

### 5.4.1 Clause 14(3)

Clause 14(3) of Appendix 18 provides:

*Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating that—*

- compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- there are sufficient environmental planning grounds to justify contravening the development standard.*

## Exceptions to development standards

This document constitutes a written request to the Minister for Planning and Public Spaces (the consent authority for development on land within the Sirius site) to vary development standards under Appendix 18 of SEPP SSP for maximum height of buildings (Clause 9) and maximum GFA (Clause 13).

Compliance with the two development standards identified is unreasonable and unnecessary in the circumstances of this particular case because the existing building which is proposed to be retained is already almost one third above the height standard and the proposed variation allows for a better outcome that is appropriate to the site's context and validated by the competitive design excellence process and Jury endorsement.

The commonly practiced way of establishing that compliance with a standard is unreasonable or unnecessary is to establish that the objectives of the relevant development standard can be met even though the standard is not complied with. In this instance however, the development standards under Appendix 18 do not include objectives for building height or GFA. Notwithstanding, the proposed development achieves the objectives for development in Zone B8 Metropolitan Centre under Clause 6(1) of Appendix 18. The proposed development provides for:

- an intensity of land use commensurate with Sydney's global status in a central location that is well serviced by transport networks and close to local services;
- mixed use development including residential, retail and commercial uses that will serve the workforce and wider community;
- activate street frontages with retail and commercial uses at ground level on Cumberland Street and Gloucester Walk; and
- development in a central Sydney location that is well connected to cycling and walking pathways thereby facilitating active transport as alternatives to private motor vehicle use.

### Building height

The site is located within The Rocks where building heights step down from taller buildings to the west (adjacent to the Sydney Harbour Bridge approach ramp) to lower scale development at the harbour waterfront to the east. The proposed maximum building height of the Sirius building of RL 67.4 (an overall increase of only 5.4m) is appropriate in the context of The Rocks.

It is noted that the proposed overall building height will remain significantly below the height of surrounding

structures, including the Sydney Harbour Bridge southern pylons and the chimney stack above the former Mining Museum at 36-64 George Street, The Rocks.

As provided above, an exception to the height of buildings development standard is considered to be appropriate and any change to the existing building height should be considered on the basis of design quality and level of environmental impact.

As the existing Sirius building already exceeds the maximum building height development standard (almost 30% of the existing GFA is wholly above the SEPP SSP maximum building height line) the proposed increases will not cause unreasonable environmental impacts, as described below:

- **Design quality:** the proposed restoration and refurbishment of the existing Sirius building provides an excellent opportunity to retain one of Sydney's best-known brutalist buildings and breathe new life, functionality and excitement into the Sirius building and surrounding public domain. The proposed alterations and additions have arisen from an extensive Design Excellence Competition with the aim of achieving better outcomes for the development. The proposed development designed by BVN has received the endorsement of the nominated Competition Jury and is supported by the DIP.
- **Visual impact:** the proposed alterations and additions to the Sirius building have been designed to ensure view corridors from the Sydney Harbour Bridge pedestrian walkway to the Sydney Opera House are maintained. View testing undertaken by GMU is provided in the Visual Impact Assessment (VIA) attached at Appendix M. The assessment finds the visual impacts associated with the proposed alterations and additions to the existing Sirius building to be negligible to low, and that the proposal sits comfortably within the existing pattern of development in The Rocks. Additionally, the assessment finds the proposal complies with the established Planning Principles for the assessment of visual impact.
- **Overshadowing:** the proposed alterations and additions to the existing Sirius building will not result in unreasonable overshadowing of adjoining properties or the public domain. Overshadowing diagrams for the winter solstice and spring equinox are provided in the architectural plans (Appendix G) which demonstrate that despite the non-compliance with the maximum building height development standard, overshadowing impacts are minimal. Limited additional overshadowing is caused to the roadway of Cumberland Street at 9am, no additional overshadowing is caused at midday, and

## Exceptions to development standards

limited additional overshadowing is caused to rooftops and a small section of Playfair Street at 3pm.

- **Amenity:** the residential dwellings occupying the proposed additions to the top of the existing Sirius building will be high amenity dwellings, with a high degree of acoustic privacy, visual privacy and excellent opportunities for view outlook.

For these reasons, compliance with the height of buildings development standard is unreasonable and unnecessary in the circumstances of the case.

### Gross floor area

The proposed additions to the existing Sirius building will achieve a GFA up to a maximum of 8,420m<sup>2</sup>, which is the maximum GFA permissible under Clause 14 'exceptions to development standards'.

Clause 13 of Appendix 18 provides the maximum GFA permissible on the site is 7,010m<sup>2</sup> where the "existing building is not demolished". However, if the existing Sirius building were proposed to be demolished (a new build scenario) Clause 11 of Appendix 18 would apply to the site.

Clause 11 of Appendix 18 provides:

1. *This clause applies if the existing building is completely demolished.*
2. *The maximum gross floor area of a building on any land within the Sirius site is 8,420m<sup>2</sup>.*

Given the above, Clause 14 'exceptions to development standards' provides provisions that permit a variation to Clause 13 to achieve the same GFA for a development that substantially retains the existing Sirius building as a development where it is "completely demolished".

Clause 14 expressly provides for a variation of up to 8,420m<sup>2</sup>, which is in parity with the new build development option. The incentivisation and resultant retention of the existing Sirius building is directly consistent with the intent of the exceptions to development standards clause and therefore compliance with the base maximum GFA under Clause 13 is unreasonable, unnecessary and not in the public interest.

Exceeding the maximum GFA development standard will not cause unreasonable environmental impacts for the reasons relating to the building height exceedance outlined above.

### 5.4.2 Clause 14(4)

Clause 14(4) of Appendix provides:

*Development consent must not be granted for development that contravenes a development standard unless the consent authority is satisfied that—*

- a. *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
- b. *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.*

This written request seeks consent to vary development standards under Appendix 18 of SEPP SSP for maximum height of buildings (Clause 9) and maximum GFA (Clause 13).

The proposed development will be in the public interest because it allows for a better outcome for and from the development, does not cause unreasonable environmental impacts and is appropriate in the context of The Rocks.

As noted above, the development standards applicable to the Sirius site under SEPP SSP do not include objectives for building height or GFA. Notwithstanding, the proposed development achieves the objectives for development in Zone B8 Metropolitan Centre under Clause 6(1) of Appendix 18 of SEP SSP.

Given that the existing building substantially contravenes the maximum building height control, and the maximum GFA variance clause is in parity with the incentive available for a new build, there is no public benefit in maintaining the height of buildings and GFA development standards under the circumstances.

The proposal will provide for a future development which exhibits design excellence and responds to the site and context of The Rocks. Allowing flexibility to the building height and GFA development standards under Clause 14 is considered to be reasonable in this case and will achieve a better outcome for and from development.

Accordingly, this SSD Application can be approved as proposed in accordance with Clause 14 of SEPP SSP.

## Exceptions to development standards

### 5.5 Design integrity

The DIP provided commentary regarding the proposed building height and GFA in both Design Integrity Review sessions. The following comments were provided by the DIP during the second Design Integrity Review on 17 July 2020.

Regarding the overall building height, the DIP responded:

*The Panel has no objections to the proposed building height from a design point of view. The Panel believes the gross floor area (GFA) proposed above the SEPP SSP height control should be scheduled for planning assessment.*

Refer to the schedule of the GFA proposed above the SEPP SSP height control in Section 5.3 above.

Regarding the tower apex, the DIP responded:

*The Panel is generally supportive of the composition of the tower apex. It is noted that the built form has evolved as a response to the Panel's comments.*

Additionally, it is noted that the DIP consider the proposed development to be:

*Substantially equivalent to, or an improvement on the design excellence qualities of the Competition-winning scheme.*

Refer to the second Design Integrity Review Report at Appendix AQ.

## 6 Statutory and strategic policy context

The scheme is supported because it significantly retains and interprets the existing building; includes well-considered, sensitive additions; and successfully activates the street frontages. Overall, the scheme is seen to have the right balance of new elements integrated with the original.

Design Competition Jury

## 6.1 Strategic planning context

*The proposed development is consistent with strategies and policies at State, regional and local levels.*

<p><b>NSW State Priorities</b></p>	<p>The NSW State Priorities primarily relate to education, social policy, and governance and as such are not strongly related to the proposed development.</p> <p>However, the proposed development will contribute to the priority to 'green our city' by increasing tree canopy and green cover. The proposed development will provide 43 new trees at ground level and within courtyards, and a landscaped green roof that will incorporate 24 new trees as well as shrubs and native planting.</p> <p>Additionally, the project will have a positive impact on jobs in NSW by stimulating the construction industry in Sydney. Construction works are expected to take a period of 1–2 years between 2021 and 2022.</p>
<p><b>Greater Sydney Region Plan and supporting District Plan</b></p>	<p><u>Greater Sydney Region Plan – A Metropolis of Three Cities</u></p> <p><i>The Greater Sydney Region Plan</i> (Region Plan) was adopted by the Greater Sydney Commission in March 2018. The Region Plan is the overarching strategy for growing and shaping the Greater Sydney Area and establishes social, economic and environmental aspirations for the region over the next 40 years. The Region Plan positions Sydney as a 'metropolis of three cities' – the Western Parkland City, Central River City and the Eastern Harbour City. The Region Plan establishes 10 directions supported by 40 objectives that inform District Plans. The Sirius site is situated in the Eastern Harbour City.</p> <p>The proposed development is consistent with the policy directions and objectives under the Region Plan, which</p> <p>govern growth and development in Sydney. This is summarised below. An assessment of the proposed development against the <i>Eastern City District Plan</i> is provided below.</p>
	<p>1. <b>A city supported by infrastructure</b>                  The proposed development will deliver housing and jobs in proximity to transport infrastructure, including Circular Quay train and ferry services, and the new CBD and South East Light Rail. The proposed development aligns land use planning with infrastructure planning and allows for access to jobs in the heart of the CBD thereby increasing opportunities for '30-minute access to a metropolitan centre'. The proposed development will also encourage sustainable travel by including bicycle parking infrastructure.</p>
	<p>2. <b>A collaborative city</b>                  The project has been the subject of consultation with government agencies, the local community and key stakeholders, as well as the subject of a Design Excellence Competition, to ensure that an acceptable local outcome is achieved for the Sirius site. Refer to further discussion at Section 7.</p>

	<p>3. <b>A city for people</b>                  The restoration and refurbishment of the Sirius site has been designed to improve the public domain surrounding the site, including provision of a new public forecourt spaces and new through-site link to improve connectivity and walkability through The Rocks precinct. Gloucester Walk will also be upgraded as part of the proposed development. The proposal incorporates universal design and accessibility through the site to improve community integration.</p> <p>Significant public art commissions will be incorporated into the publicly accessible open spaces within the site that celebrate the arts and support creative industries and innovation in Sydney. Refer to the Public Art Strategy prepared by UAP at Appendix S.</p>
	<p><b>Housing the city</b>                  The proposed development will provide housing in the heart of The Rocks in central Sydney, which will help to meet demand for housing close to the metropolitan centre of Sydney. Future residents of the Sirius building will experience high levels of residential amenity, with the design for the restoration and refurbishment of the building significantly improving current compliance with the NSW Apartment Design Guide (ADG). Refer to the ADG Report prepared by BVN at Appendix I.</p>
	<p>4. <b>A city of great places</b>                  The proposed development will exhibit design excellence and create a great new place in The Rocks for residents of the Sirius building and the people of Sydney to enjoy. The proposed upgrades to the public domain and inclusion of a new through-site link will provide a permeable fine grain ground plane and will activate the street frontages of the site by providing retail and commercial uses, and vibrant new public art. The new publicly accessible forecourt will connect people and foster a sense of place at the Sirius site.</p> <p>The proposed development will provide contemporary housing in central Sydney. This will ensure future residents are in immediate proximity to services and social infrastructure, including jobs, shops, public transport, health, open space and leisure facilities.</p>
	<p>5. <b>A well-connected city</b>                  The proposed development will provide residential, retail and commercial land uses in close proximity to the Sydney CBD and major transport infrastructure, including Circular Quay train and ferry services, and the new CBD and South East Light Rail. The proposed development will take advantage of the substantial investment in public transport infrastructure to support a '30-minute city'.</p>
	<p>6. <b>Jobs and skills for the city</b>                  The retail and commercial components of the proposed development will provide jobs in The Rocks precinct.</p> <p>The project will have a positive impact on jobs in NSW by stimulating the construction industry in Sydney. Construction works are expected to take a period of 1–2 years between 2021 and 2022.</p>
	<p>7. <b>A city in its landscape</b>                  The proposed alterations and additions to the existing Sirius building have been design to sensitively integrate into the heritage context of The Rocks and protect the scenic and cultural landscape of the area, including view corridors from the Sydney Harbour Bridge pedestrian walkway to the Sydney Opera House.</p> <p>The development incorporates high quality landscaping across the ground plane and on the rooftop terraces of the building, as detailed in the Landscape Plan prepared by 360° Landscape Architects (Appendix J).</p> <p>As recognised by the BDAR Waiver (Appendix AI) granted by DPIE, the proposed development does not affect protected biodiversity or significant vegetation.</p>

	<p>8. <b>An efficient city</b></p> <p>The proposed development will achieve high sustainability targets, including:</p> <ul style="list-style-type: none"> <li>– retaining the existing building, which reduces embodied energy;</li> <li>– retaining the building’s tower form and shallow footprint, which provides excellent access to solar amenity, views and cross ventilation;</li> <li>– maximising environmental performance through the addition of shading balconies and new glazing;</li> <li>– improving operational efficiency through upgrades to building services;</li> <li>– landscaping that reduces heat island effects; and</li> <li>– proximity to active transport networks and public transport will help to reduce transport related greenhouse gas emissions.</li> </ul> <p>Refer also to the sustainability initiatives identified in the ESD Report prepared by Flux (Appendix AB).</p>
	<p>9. <b>A resilient city</b></p> <p>The sustainability initiatives implemented through the proposed development will contribute to improved environmental outcomes to mitigate impacts related to climate change. Refer to the ESD Report prepared by Flux at Appendix AB.</p> <p><b>Eastern City District Plan</b>  <i>The Eastern City District Plan</i> (District Plan) is a 20-year plan to manage growth in the Eastern City District in the context of economic, social and environmental matters. It was adopted by the Greater Sydney Commission in March 2018. The District Plan is a bridge between regional and local planning and provides ‘Planning Priorities’ that are linked to the Regional Plan.</p> <p>The proposal is consistent with a number of these priorities, as follows:</p> <p><b><u>Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District’s heritage</u></b></p> <p>The proposed alterations and additions will provide a reimagined ground level with active street frontages and an improved public domain that allows for people to interact with the Sirius building in new ways. The retention and adaptation of the existing Sirius building recognises and conserves a significant layer of the history of The Rocks.</p> <p><b><u>Planning Priority E10 – Delivering integrated land use and transport planning and a 30-minute city</u></b></p> <p>The proposed development aligns land use planning with infrastructure planning and allows for access to jobs in the heart of the CBD thereby increasing opportunities for 30-minute access to a metropolitan centre. The proposed development will also encourage sustainable travel by including bicycle parking infrastructure.</p> <p><b><u>Planning Priority E7 – Growing a stronger and more competitive Harbour CBD</u></b></p> <p>The proposed development will provide for a mix of residential, retail and commercial uses in a central location that is well serviced by transport networks and close to local services. The quality of the architectural design is commensurate with Sydney’s global status.</p> <p>The retention of the residential use of the building will contribute to the living community of The Rocks and facilitate the important residential community in the area, thereby strengthening the Harbour CBD.</p>

<p><b>Better Placed – an integrated design policy for the built environment of NSW</b></p>	<p><i>Better Placed</i> was released by the NSW Government Architect in 2017 with an aim of “enhancing the design quality of our built environment, raising expectations and raising standards, about working better and creating better environments”.</p> <p>An assessment of the relevant objectives of <i>Better Placed</i> has been undertaken by BVN and is included in the Architectural Design Report (Appendix H). The assessment demonstrates the proposed alterations and additions are consistent with the objectives of <i>Better Placed</i> – the proposal is contextual, local and of its place; will maximise sustainability outcomes; will improve the quality and connectivity of the public domain; will improve the building’s safety, comfort and liveability; and will increase the building’s functionality and efficiency.</p>
<p><b>Better Placed – Design Guide for Heritage</b></p>	<p><i>Better Placed – Design Guide for Heritage</i> was released by the NSW Government Architect in 2019 with the aim to establish “NSW Government expectations in regard to good design and effective processes across all built environment projects in NSW”.</p> <p>The existing Sirius building is not identified as a heritage item, however it is surrounded by several State heritage items. The proposed development has been designed to be compatible with the character of surrounding heritage items and the heritage value of The Rocks.</p> <p>The architectural significance of the existing Sirius building, and its contribution to the brutalist style of architecture in Australia, has been celebrated through the proposed architectural response of retention and representation.</p>
<p><b>Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (Code of Practice) (OEH, 2010)</b></p>	<p>The Code of Practice sets out requirements applying to all archaeological investigations in NSW.</p> <p>A Historic Archaeological Assessment (HAA) has been undertaken for the site by Urbis. The HAA was prepared in accordance with the guidelines of the Code of Practice.</p> <p>Refer to the HAA at Appendix P.</p>
<p><b>Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)</b></p>	<p>The Guide provides guidance on the process for investigating and assessing Aboriginal cultural heritage in NSW and establishes the Office of Environment and Heritage NSW’s (OEH) requirements for an Aboriginal cultural heritage assessment report.</p> <p>An Aboriginal Cultural Heritage Assessment (ACHA) has been prepared by Urbis in accordance with the Guide and in consultation with representatives of the local Aboriginal community.</p> <p>Refer to the ACHA at Appendix Q.</p>
<p><b>Aboriginal cultural heritage consultation requirements for proponents (DECCW, 2010)</b></p>	<p>This policy establishes the requirements for consultation with the registered Aboriginal parties as part of the heritage assessment process to determine potential impacts of proposed activities on Aboriginal objects and places.</p> <p>An Aboriginal Cultural Heritage Assessment (ACHA) has been prepared by Urbis in accordance with the consultation requirements and in consultation with representatives of the local Aboriginal community.</p> <p>Refer to the ACHA at Appendix Q.</p>

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<p><b>Future Transport Strategy 2056 and supporting plans</b></p>	<p><i>Future Transport Strategy 2056</i> was endorsed by Transport for NSW in March 2018 and is an overarching strategy to achieve a 40-year vision for the NSW transport system.</p> <p>The proposal is consistent with the objectives of the Strategy to encourage active and sustainable transport options and optimise existing transport infrastructure. It will deliver housing and jobs in proximity to transport infrastructure, including Circular Quay train and ferry services, and the new CBD and South East Light Rail. The proposed development aligns land use planning with infrastructure planning and allows for access to jobs in the heart of the CBD. The proposed development will also encourage sustainable travel by including bicycle parking infrastructure.</p> <p>Refer also to the Traffic Impact Assessment prepared by Traffix at Appendix T.</p>
<p><b>Guide to Traffic Generating Development (RMS)</b></p>	<p>This Guide was published in 2002 by the Roads and Traffic Authority (RTA), now known as Roads and Maritime Services (RMS). It outlines traffic generation considerations relating to developments and provides background into the likely impacts of traffic from various types of developments.</p> <p>The existing Sirius building currently accommodates 70 car parking spaces with vehicular access provided via a crossing to Cumberland Street at the southwestern corner of the site. This arrangement is not proposed to change as a result of the proposed alterations and additions to the building and therefore the proposal will not generate additional traffic.</p> <p>Refer to the Traffic Impact Assessment at Appendix T and the discussion of SEPP Infrastructure at Section 6.2.3 below.</p>
<p><b>NSW Planning Guidelines for Walking and Cycling</b></p>	<p>The walking and cycling guidelines were endorsed by RMS in October 2018 with the objective to make walking and cycling a more convenient, safe and enjoyable transport option.</p> <p>The proposal is consistent with the objectives of the Guidelines to encourage active and sustainable transport options and optimise existing transport infrastructure. The inclusion of the proposed new through-site link will improve the permeability of the ground plane and connectivity of The Rocks precinct, which will contribute to the existing active transport networks in the area.</p>
<p><b>Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development</b></p>	<p><i>The Austroads Guide to Traffic Management</i> has 13 Parts and provides a comprehensive coverage of traffic management guidance for practitioners involved in traffic engineering, road design, town planning and road safety. Part 12 is concerned with identifying and managing the impacts on the road system arising from land use developments.</p> <p>Given that no increase to the existing 70 car parking spaces is proposed, there are not anticipated to be additional traffic impacts as a result of the proposed development. It is noted the existing car parking space will service marginally fewer dwellings.</p> <p>Refer to the Traffic Impact Assessment prepared by Traffix at Appendix T.</p>
<p><b>Development near Rail Corridors and Busy Roads – Interim Guideline</b></p>	<p><i>The Interim Guideline</i> was endorsed by DPIE in 2008 (then known as the Department of Planning) and aims to assist in reducing the health impacts of rail and road noise and adverse air quality on sensitive adjacent development.</p> <p>The restoration and refurbishment of the existing Sirius building will incorporate significant building upgrades, including acoustic, air quality and privacy upgrades to mitigate the impacts from the surrounding road network, particularly the elevated Bradfield Highway adjacent to the site to the west.</p> <p>Refer to the Traffic Impact Assessment at Appendix T and the Acoustic Impact Assessment at Appendix Y. Refer also to the discussion of SEPP Infrastructure at Section 6.2.3 below.</p>

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<p><b>The Rocks Heritage Management Plan 2010, Sydney Harbour Foreshore Authority (SHFA)</b></p>	<p>The Sirius building represents a unique and important historical phase of development within The Rocks, as a significant departure from the earlier 19th century building stock that dominates the area, and instead reflects the late 20th century approach to the provision of inner city public housing by the government. The retention and adaptation of the existing Sirius building recognises and conserves this significant layer of the history of The Rocks.</p> <p>An impact assessment of the relevant provisions of <i>The Rocks Heritage Management Plan: Volume 1</i> (dated April 2010) prepared by the Sydney Harbour Foreshore Authority (now Place Management NSW) has been undertaken by Urbis in the Heritage Impact Statement at Appendix O. The assessment considers the relevant provisions <i>Section 5.4 Heritage Policy for The Rocks</i>. It is noted that not all provisions are addressed as the Sirius site is not a listed heritage item.</p>
<p><b>The Rocks Strategic Directions 2015/16, Property NSW</b></p>	<p><i>The Rocks Strategic Directions 2015/16</i> recognises Property NSW's role as custodians of The Rocks, a 26-hectare precinct which includes some of NSW's most significant heritage buildings and harbour foreshore areas. The strategy identifies that more than 14 million people visit The Rocks each year and the precinct contributes \$400 million per year to the NSW visitor economy.</p> <p>The strategy notes "The Rocks represents a continually evolving history, with each successive layer holding wonderful stories of the past" and that ways to keep buildings relevant include restoration and refurbishment projects which "can transform a single building, or entail major conservation and upgrade works". The proposed restoration and refurbishment of the existing Sirius building is considered appropriate in the heritage context of The Rocks as it will not markedly change the visual and historic setting of The Rocks. Although the subject site is not recognised on any statutory heritage list, it is proposed to be conserved in line with best heritage practice. It will also enable the residential use of the building to be retained, which will contribute to the living community of The Rocks and facilitate the important residential community in the area. Refer also to the Heritage Impact Statement at Appendix O.</p> <p>The Sirius site is located within the 'Top of The Rocks' precinct zone, which is characterised by its "spectacular high-ground views of the harbour from a network of streets, laneways and public spaces" and is the "gateway to Sydney Harbour Bridge for pedestrians and tour groups." Encouraged businesses in the zone include pubs, accommodation, tour businesses and commercial enterprises. The proposed retail uses at ground level is commensurate with the strategy and will help to activate the surrounding street network.</p>
<p><b>The Rocks Refresh Public Realm Study 2014, SHFA</b></p>	<p>The intent of <i>The Rocks Refresh</i> study was to offer a vision for the future public spaces of The Rocks and guidance on the process of transformation. The study was undertaken by Peter Elliot Architecture + Urban Design in 2014 and included a detailed precinct mapping of The Rocks which informed a series of themes and public realm strategies.</p> <p>The restoration and refurbishment of the existing Sirius building will achieve various objectives of the study, including "unlocking the hidden network" of laneways through The Rocks precinct, "establishing a pedestrian focused place", "enlivening The Rocks with public destinations" and "revealing the foundation topography".</p> <p>The proposed development will enhance the character of Cumberland Street through landscaping and the inclusion of the appropriately scaled Cumberland Street building, which was described by the DIP as "architecture that embraces Sydney's climate and environment – a real Sydney architecture". It will also enhance the character of Wynyard Walk, provide new public stairways, public seating, integrated street lighting, wayfinding signage, an upgraded pocket park, street planting, a landscaped publicly accessible forecourt and new public art.</p>

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<p><b>The Rocks Place Making Framework, 2016, SHFA</b></p>	<p>SHFA's placemaking framework sets out a strategic plan for the protection, enhancement and promotion of The Rocks to strengthen its economic success while conserving its heritage values. The Rocks Place-making Framework aims to guide the renewal of The Rocks while retaining it as an authentic place; support increased visitor expenditure and cultural participation; strengthen The Rocks' international competitiveness as Australia's pre-eminent heritage precinct; and take an integrated approach to all aspects of the precinct to boost visitation.</p> <p>The proposed restoration and refurbishment of the Sirius site will contribute to the placemaking aims of the framework by renewing the public domain both within the Sirius site and along its public domain interfaces. The proposed works will improve the visitor experience and appeal of the upper sections of The Rocks (or 'Top of The Rocks' precinct) through delivery of new public spaces that integrate best practice landscape and architectural design, public art, new retail and café offerings and improved connectivity and accessibility. The proposed upgrades will make a positive contribution to the vibrancy and international competitiveness of The Rocks precinct while upholding its authenticity and heritage values.</p>
<p><b>The Rocks Signage Policy, 2013, SHFA</b></p>	<p>While not the subject of this application, the future design and installation of commercial and wayfinding signage at the Sirius site and surrounding the site will be undertaken in accordance with The Rocks Signage Policy and The Rocks Signage Technical Manual. Signage will be well designed and positioned to reinforce the heritage values of The Rocks and enhance visitor experiences.</p>
<p><b>Tree Masterplan – The Rocks and Circular Quay, 2010, SHFA</b></p>	<p>The <i>Tree Masterplan</i> aims to guide the future planning and management of trees in The Rocks and Circular Quay precincts, with the objective to ensure the long term sustainability of tree planting and management, improving community awareness of the value of trees in urban settings, managing safety and encouraging preservation of trees.</p> <p>The proposed development complies with the four key design principles to guide the selection of tree species in The Rocks:</p> <ol style="list-style-type: none"> <li>1. balance tree selection and placement with the built heritage;</li> <li>2. re-think 'the avenue' by redistributing trees to less sensitive locations so heritage buildings can be more legible;</li> <li>3. enhance the aesthetics and amenity of places for public enjoyment; and</li> <li>4. improve the life performance of tree plantings.</li> </ol> <p>The proposed landscaping works will provide for a total of 67 new trees on the site, including 43 trees at ground level and 24 trees on roof terraces. This represents a significant increase of trees on the site (61% more trees compared to existing). The proposed new trees will be more appropriate to the site, with selected plant species being suited to the microclimatic conditions of the site with local native and indigenous species used where possible.</p>
<p><b>NSW and ACT Government Regional Climate Modelling (NARClIM) climate change projections</b></p>	<p>The NARClIM project is a research partnership between the NSW and ACT governments and the Climate Change Research Centre at the University of NSW. The NSW partners include Sydney Water, Sydney Catchment Authority, Hunter Water, NSW Department of Transport, NSW Department of Primary Industry and NSW Office of Water. The NARClIM project began in 2011 in response to the need by regional decision makers and impact assessment researchers for high resolution climate change projections.</p> <p>The proposed restoration and refurbishment of the existing Sirius building has incorporated a broad range of measures which result in a building designed to meet contemporary sustainability standards and that is resilient to potential hazards such as flooding and sea level rise and seeks to mitigate impacts related to climate change.</p> <p>Refer to the ESD Report Appendix AB.</p>

## Statutory and strategic policy context

<p><b>OEH Urban Green Cover in NSW Technical Guidelines (2015)</b></p>	<p>The <i>Technical Guidelines</i> were endorsed by the NSW Office of Environment and Heritage (OEH) in 2015 and describes how increasing urban green cover can provide effective and low-cost resilience to heat impacts while improving community amenity and providing multiple benefits. The Guidelines include information for planning and implementing green cover, in consultation with urban design and engineering professionals, utilities and relevant stakeholders.</p> <p>The proposed development will achieve the objectives of the Guidelines to reduce urban heat impacts by providing increased green cover, including a significant number of new trees (61% more trees compared to existing), reinstating the green roofs of the original design and including green walls.</p> <p>Refer to the Landscape Design Report at Appendix K.</p>
<p><b>Sustainable Sydney 2030</b></p>	<p><b>Sustainable Sydney 2030 sets goals to become more “green, global and connected”.</b></p> <p>The proposed development will contribute to the City of Sydney's vision for Sydney as a significant global city and international gateway. It will contribute to “a globally competitive and innovative city” (Direction 1) and “lively and engaging city centre” (Direction 5); be a “leading environmental performer” (Direction 2) that demonstrates “sustainable development, renewal and design” (Direction 9) by promoting measures which reduce energy, water and waste water demands; and will utilise active and public transport networks (Directions 3 and 4).</p> <p>The proposal is therefore consistent with <i>Sustainable Sydney 2030</i>.</p> <p>Refer also to the Sustainability Report at Appendix AB.</p>
<p><b>Sydney's Cycling Future</b></p>	<p><i>Sydney's Cycling Future 'Connecting people and places'</i> was endorsed by Transport for NSW in December 2013. The objective of the plan is to make cycling a feasible transport option by investing in separated cycleways and providing connected bicycle networks to major centres and transport interchanges.</p> <p>The Sirius site benefits from access to extensive local and regional bicycle networks, including bicycle paths on Cumberland Street, Argyle Street and George Street which connect to Sydney's CBD. At the time of writing, a 'pop-up cycleway' with separated bicycle lanes is located along Pitt Street between Alfred Street at Circular Quay and King Street.</p> <p>80 bicycle parking spaces are proposed to be located within the basement of the Sirius building to encourage cycling over private vehicle use.</p>
<p><b>Sydney's Walking Future</b></p>	<p><i>Sydney's Walking Future 'Connecting people and places'</i> was endorsed by Transport for NSW in December 2013 with the aim to increase opportunities for people to walk longer distances and help reduce congestion. Walking is considered as part of an integrated transport system.</p> <p>The Sirius site's proximity to surrounding facilities, services and infrastructure, encourages walking over private vehicle use.</p> <p>The site is located close to scenic walkways such as the Sydney Harbour foreshore walk connecting Barangaroo, the Headland Park, Circular Quay and the Royal Botanic Gardens.</p>

NSW Noise Policy for Industry 2017 (EPA)	Noise Policy for Industry was endorsed by the NSW Environment Protection Authority (EPA) in 2017.  The Noise Impact Assessment prepared by Acoustic Logic notes that the Noise Policy for Industry sets out acceptable noise levels for various localities and has two criteria that are required to be satisfied – intrusiveness and amenity. The Noise Impact Assessment confirms that the proposed development is capable of satisfying the requirements of the Noise Policy for Industry.  Refer to the Noise Impact Assessment at Appendix Y.
Interim Construction Noise Guideline (DECC)	This Guideline was published in July 2009 by the Department of Environment and Climate Change, now part of DPIE, and aims to manage noise from construction works and minimise impacts to sensitive land users.  Refer to the Noise Impact Assessment at Appendix Y.
Assessing Vibration: A Technical Guideline (2006)	This Guideline was published in February 2006 by the Department of Environment and Conservation, now part of DPIE. It can be used to evaluate and assess the effects on amenity of vibration emissions from industry, transportation and machinery.  Refer to the Noise Impact Assessment at Appendix Y.

## 6.2 Regulatory framework

The statutory planning framework comprising legislation and environmental planning instruments relevant to the proposed development are discussed below.

Table 2 in Section 2 provides a summary of the individual matters listed in the SEARs and identifies where each of these requirements has been addressed in this EIS and the accompanying technical studies.

### 6.2.1 Legislation

#### Environmental Planning and Assessment Act 1979 (EP&A Act)

The EP&A Act establishes an assessment system to consider projects declared to be SSD by a State environmental planning policy (SEPP). The proposed development is identified as SSD under SEPP SRD.

Development under the EP&A Act 1979 must have regard to the objects of the Act. This EIS has considered and assessed all matters affecting, or likely to affect, the environment as a result of the proposed development. A response to the objects of the EP&A Act is provided below:

#### Objects

- a. *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*

The proposed restoration and refurbishment of the existing Sirius building promotes the social and economic welfare of the community. By substantially retaining the existing residential building, the social importance of the building to residents of the area will be preserved and its previous use as social housing will be remembered. The exceptional architectural contribution that the existing Sirius building makes to Sydney's urban landscape will be celebrated through its restoration and refurbishment.

The substantial retention of the existing building promotes a better environment by delivering a reduction in embodied energy of over 8,000 tonnes of CO<sub>2</sub>e emissions. It will also reduce community disruption by reducing the impacts of demolition works and traffic impacts caused by trucks removing spoil and delivering new materials.

- b. *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*

*The ESD Report (Appendix AB) demonstrates that the proposal includes innovative and best practice building performance design to minimise waste, reduce energy consumption and improve efficient water use. The report notes the substantial retention of the existing building promotes a better environment by delivering a reduction in embodied energy of over 8,000 tonnes of CO<sub>2</sub>e emissions.*

*Refer also to the BASIX certificates attached at Appendix AB and further discussion at Section 8.15.*

- c. *to promote the orderly and economic use and development of land,*

The proposed restoration and refurbishment of the existing Sirius building promotes the orderly and economic development of the site in accordance with established planning controls under Appendix 18 of SEPP SSP, facilitating the delivery of a contemporary, high-quality mixed-use development.

- d. *to promote the delivery and maintenance of affordable housing,*

The existing Sirius building was formerly used for social housing. In 2015, the NSW Government committed to divesting the Sirius site to fund new social housing in Sydney as part of its Future Directions in Social Housing Strategy. The Planning Report prepared by DPIE (then known as the Department of Planning and Environment) in December 2017 provides that the "proceeds from the sale of Sirius site is intended to enable NSW Land and Housing Corporation to fund more than 300 additional social housing properties across Sydney".

The proposed development will not impede the delivery and maintenance of affordable housing in Sydney.

- e. *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*

The Sirius site is a modified and disturbed environment and the proposed alterations and additions to the existing Sirius building will not impact on biodiversity values. An application to waive the requirement to prepare a BDAR was submitted to DPIE on 3 April 2020 on the grounds that the development is unlikely to have a significant impact on

biodiversity values. The application was accompanied by an assessment of the presence of microbats (and possible microbat habitat) on the site. No microbats were recorded during the survey. A BDAR waiver issued by DPIE on 2 June 2020 is attached at Appendix AI.

The proposed removal of existing trees on the site (41 trees proposed to be removed) has been compensated for by the provision new trees in excess of the number of trees removed (67 new trees proposed) as well as high quality landscaping, including local native and indigenous species for biodiversity. The proposed rooftop gardens and green walls will help reduce the urban heat island effect.

- f. *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*

The retention and adaptation of the existing Sirius building recognises and conserves this significant layer of the history of The Rocks. It is noted that the Sirius site is not an individually listed item of environmental heritage. Refer to the Heritage Impact Statement at Appendix O.

An ACHA has been prepared in accordance with the consultation requirements and in consultation with representatives of the local Aboriginal community. The ACHA confirms there are no Aboriginal sites within or adjacent to the subject area. Refer to the ACHA at Appendix Q.

- g. *to promote good design and amenity of the built environment,*

The proposed restoration and refurbishment of the existing Sirius building is the result of a Design Excellence Competition undertaken in accordance with the Design Excellence Strategy (Appendix AL) and Design Competition Brief (Appendix AM), both of which were prepared in consultation with GANSW, with referral to the City of Sydney Council and endorsed by GANSW prior to the commencement of the Competition (October 2019).

The proposed development maintains the design excellence qualities of the Competition-winning scheme and incorporates the recommendations of the DIP, as described in Section 5.5.

- h. *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*

In accordance with the development objectives (Section 1.5), the proposed development aims to provide a

contemporary mixed-use development that will improve residential amenity, internal residential access, vehicle access and universal public access across the site, thereby protecting the health and safety of occupants. The proposed alterations and additions will be undertaken in accordance with the highest standards in construction and will be suitably maintained.

- i. *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*

The applicant and project team have undertaken consultation with government agencies, stakeholders and special interest groups prior to the lodgement of this application as required by the SEARs (refer to Section 2).

All agencies, stakeholders and special interest groups will be afforded the opportunity to provide input into the development process during the public exhibition process.

- j. *to provide increased opportunity for community participation in environmental planning and assessment.*

As described above, consultation has been undertaken with government agencies, stakeholders and special interest groups prior to the lodgement of this application as required by the SEARs (refer to Section 2). The issues discussed and raised during these consultations have been addressed as part of the proposal. Consultation and outcomes have been addressed in detail at Section 7 of this EIS.

Further consultation will be undertaken during the public exhibition process and through the design development process.

#### **Biodiversity Conservation Act 2016**

The *Biodiversity Conservation Act 2016* aims to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. It relates to terrestrial environment, i.e. terrestrial threatened species, populations and ecological communities and critical habitat.

In accordance with Clause 7.9 of the *Biodiversity Conservation Act 2016*, an assessment of biodiversity impacts has been undertaken for the Sirius site. An application was lodged on 3 April 2020 requesting that DPIE, in consultation with Environment, Energy & Science

Group, waive the requirement to prepare a Biodiversity Development Assessment Report (BDAR) for the Sirius site on the grounds that the development is unlikely to have a significant impact on biodiversity values in accordance with Clause 1.5 and Clause 7.3 of the *Biodiversity Conservation Act 2016* and Clause 1.4 of the *Biodiversity Conservation Regulation 2017*.

The application to waive the requirement to prepare a BDAR was accompanied by an assessment of the presence of microbats (and possible microbat habitat) on the site. The assessment was undertaken by Cumberland Ecology in January 2020. No microbats were recorded during the survey, and no evidence of a breeding population of bats were identified, through visual, audio, or echolocation recording methods.

A BDAR waiver was issued by DPIE on 2 June 2020 as delegate of the Secretary. Refer to the BDAR waiver at Appendix A1.

#### **6.2.2 Regulations**

##### **Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)**

The EP&A Regulation complements the EP&A Act and provides specific requirements for the preparation of EIS's under Schedule 2. This EIS has been prepared in accordance with these requirements (refer to Table 2 that responds to the SEARs).

To satisfy the requirements of clause 7(1)(f) of Schedule 2 of the EP&A Regulation, the EIS must "have regard to biophysical, economic and social considerations, including the principles of ESD" (set out in clause 7(4) of Schedule 2 of the EP&A Regulation).

These matters are addressed as follows:

- Biophysical matters are addressed at Section 8.8;
- Economic considerations are addressed at Section 1.8 and Section 4.23; and
- Social considerations are addressed at Section 8.7.

The principles of ESD are addressed below:

##### **Precautionary principle**

The proposed development is not considered to result in any serious or significant irreversible environmental damage. Environmental impacts have been informed on the advice of qualified technical consultants. All technical reports provide careful evaluation and have recommended mitigation measures to manage, mitigate and where possible prevent environmental impacts as a result of the proposed development.

The proposed restoration and refurbishment of the existing Sirius building was considered against other options to be the most superior option, including in relation to its environmental impacts. The substantial retention of the existing building promotes a better environment by delivering a reduction in embodied energy of over 8,000 tonnes of CO<sub>2</sub>e emissions.

##### **Inter-generational equity**

This EIS takes into consideration the technical and scientific input of qualified consultants and the mitigation measures made to ensure the proposed development maintains the health, diversity and productivity of the environment for future generations.

The proposed restoration and refurbishment of the existing Sirius building has incorporated a broad range of measures which result in a building designed to meet contemporary sustainability standards, is resilient to potential hazards such as flooding and sea level rise and seeks to mitigate impacts related to climate change to ensure the building can continue to contribute to the wellbeing of future generations.

##### **Conservation of biological diversity and ecological integrity**

It is found that the proposed development will not have a detrimental impact on the biodiversity and ecological integrity of surrounding terrestrial and marine environments. Refer to the BDAR Waiver at Appendix A1 which identifies that the proposed development is unlikely to have a significant impact on biodiversity values.

##### **Provide valuation, pricing and incentive mechanisms**

The proposed development will include mitigation measures for the protection and management of the impacted environment during construction and operation. It has been designed to incorporate ESD features to mitigate or minimise all projected environmental impacts.

The principles of ESD are therefore supported by the proposed restoration and refurbishment of the Sirius site.

Clause 7(1)(d)(v) of Schedule 2 of the EP&A Regulation requires consideration of any legislation that requires approval. Table 9 sets out relevant legislation, including those not required in order for the proposed development to occur.

#### **Environmental Planning Instruments**

##### **State Environmental Planning Policy (State & Regional Development) 2011 (SEPP SRD)**

The proposed development that is the subject of this application is identified as SSD on the basis that it falls within the requirements of Clause 6 of Schedule 2 of SEPP SRD, being development on land identified within 'The Rocks Site' with a CIV greater than \$10 million. The proposed development will have a CIV of approximately \$124,855,376. Refer to the CIV Cost Estimate at Attachment N.

The proposed public domain works, including upgrades to Cumberland Street and Gloucester Walk and landscaping works, are proposed to be undertaken and assessed as part of SSD 10384. Clause 8(2) of Part 2 of SEPP SRD provides that development associated with an SSD Application can also be declared to be SSD.

##### **State Environmental Planning Policy (State Significant Precincts) 2005 (SEPP SSP)**

The Sirius site is identified under SEPP SSP, which facilitates the development, redevelopment or protection of important sites of economic, environmental or social significance across NSW. Appendix 18 of the SEPP SSP provides site-specific controls to the Sirius site and provides that the consent authority for development on land within the Sirius site is the Minister for Planning and Public Spaces.

The proposed development is generally consistent with the provisions of SEPP SSP. Refer also to Section 5 of this report that details the proposed exceptions to development standards under SEPP SSP.

Refer to a full extract of Appendix 18 of the SEPP SSP at Appendix D.

##### **State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure)**

SEPP Infrastructure provides the legislative planning framework for infrastructure and the provision of services across NSW. The relevant provisions of SEPP Infrastructure are detailed below.

Table 10. SEPP Infrastructure

Control	Compliance	Comment
101 Development with frontage to classified road	Refer to comment	The Sirius site does not have street frontage to a classified road. It is however located adjacent to the elevated Bradfield Highway (Western Distributor), a State classified road, which is considered below.
102 Impact of road noise or vibration on non-road development	Yes	While the Sirius site does not have street frontage to a classified road, the adjacent Bradfield Highway (Western Distributor) is a State classified road with an annual average daily traffic volume of “more than 20,000 vehicles” – based on the traffic volume data published on RMS website, the traffic volume of the Sydney Harbour Bridge is over 150,000 vehicles per day. As such, the existing Sirius building (a sensitive residential receiver) is adversely affected by road noise.  Refer to the propose building upgrades and mitigation measure in the Acoustic Report at Appendix Y.
103 Excavation in or immediately adjacent to corridors	Refer to comment	No excavation works are proposed in or immediately adjacent to a road corridor, including the elevated Bradfield Highway (Western Distributor).  Excavation works are proposed within the existing basement car park to provide for a new split-level basement (basement level B2). The total volume of proposed excavation is 5,954m3 of cut material.  Excavation works are to be undertaken in accordance the recommendations of the Geotechnical Report at Appendix W and Bulk Earthworks Plan at Appendix G.
104 Traffic-generating development	Refer to comment	The proposed development is not defined as traffic generating development under Schedule 3 of SEPP Infrastructure. No increase to the existing 70 car parking spaces is proposed.  Notwithstanding, in accordance with the requirements of the SEARs, consultation with Transport for NSW (TfNSW) (which now includes Roads and Maritime Services (RMS)) has been undertaken (refer to Section 7 of this EIS).  TfNSW had no comment at this stage. It is assumed that the Concept SSDA will be referred to TfNSW for further consultation as part of the assessment process.

**State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55) (and Draft Remediation of Land SEPP)**

SEPP 55 requires that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

A Detailed Site Investigation has been undertaken by EI Australia. Refer to Appendix V. The investigation finds that the potential for site contamination is low. The site is deemed suitable for the proposed development (including residential use) in accordance with SEPP 55.

The Draft Remediation of Land SEPP will repeal SEPP 55 and has been prepared to better manage remediation works within NSW by aligning the need for development consent with the scale, complexity and risks associated with any required remediation works. The Explanation of Intended Effect (EIE) for the Draft Remediation of Land SEPP was publicly exhibited during the period 31 January 2018 to 13 April 2018 and therefore constitutes a draft Environmental Planning Instrument (EPI) which must be considered pursuant to s4.15 of the EP&A Act.

As with the assessment against SEPP 55 above, the Detailed Site Investigation (Appendix V) finds the potential for site contamination is low, and therefore the site is deemed suitable for the proposed development.

**State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64)**

SEPP 64 applies to advertising and signage within NSW.

Consent is not sought for signage as part of this SSD Application.

The possible future design and installation of commercial signage (if any) and wayfinding signage at the Sirius site and surrounds will be undertaken as part of a separate application in accordance with SEPP 64 as well as The Rocks Signage Policy, 2013 and The Rocks Signage Technical Manual, 2013. Signage will be designed to reinforce the heritage values of The Rocks and positioned to enhance visitor experiences.

**State Environmental Planning Policy No 65 – Design Quality of Residential Development (including Apartment Design Guideline) (SEPP 65 and ADG)**

SEPP 65 aims to improve the design quality of residential apartment development in NSW.

The proposed restoration and refurbishment of the existing Sirius building is consistent with the nine design principles listed in SEPP 65. A Design Verification Statement and complete assessment of compliance against the relevant provisions of SEPP 65 and the ADG is provided at Appendix I.

A discussion of the relevant residential amenity provisions of the ADG is provided at Section I

**State Environmental Planning Policy (Building Sustainability Index – BASIX) 2004 (SEPP BASIX)**

SEPP BASIX aims to encourage sustainable residential development in NSW

An ESD Report, prepared by Flux, and BASIX Certificates, prepared by Basixmax, have both been provided at Appendix AB. The proposed development will exceed the minimum BASIX targets

**Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP Sydney Harbour)**

SREP Sydney Harbour aims to ensure that the catchment areas, foreshores and waterways of Sydney Harbour are recognized, protected, enhanced and maintained. The site falls within the Sydney Harbour Catchment area, the Foreshores and Waterways area and the Sydney Opera House Buffer Zone.

SREP Sydney Harbour also contains provisions relevant to the proposed development in terms of heritage items, ecology including wetland protection areas, acid sulfate soils.

The relevant provisions of the SREP Sydney Harbour are considered below.

## Statutory and strategic policy context

Table 11. SREP Sydney Harbour

Control	Compliance	Comment
Clause 2 Aims of plan	Yes	The proposed development is not inconsistent with any of the aims of SREP Sydney Harbour and its impact on the land and water controlled by that instrument will be negligible.
Clause 13 Sydney Harbour Catchment	Yes	The Sirius site is identified within the Sydney Harbour catchment boundary on the SREP Sydney Harbour Catchment Map (Amendment 2016). The proposed development is not anticipated to impact the planning principles for land within the Sydney Harbour Catchment. A stormwater management plan and report prepared for the proposed development by Northrop Consulting Engineers (Appendix AD) proposes water quality improvement measures for the site that will benefit the catchment. In addition, an erosion and sediment control report and plan will control sediment runoff to the harbour.
Clause 14 Foreshores and Waterways Area	Yes	The site is wholly situated within the foreshore area on the <i>SREP Sydney Harbour Foreshores and Waterways Area Map</i> (Sheet 3 of 5 (Amendment 2016)). The proposed development is not inconsistent with any of the planning principles for land within the Foreshores and Waterways Area and its impact on the natural assets of Sydney Harbour will be negligible.
Clause 15 Heritage conservation	Yes	The subject site is not an individually listed item of environmental heritage under SREP Sydney Harbour. The site is located close to "Heritage item in the Sydney and Middle Harbour", including "Ferry Wharves" (Item 1), "Man O'War Steps" (Item 2) and "Sydney Harbour Bridge including approaches & viaducts (road & rail)" (Item 67). There are no proposed physical changes to any heritage items in the vicinity. All heritage items will retain their existing settings and curtilages and will not be altered by the subject proposal. No changes are proposed to any of the statutory heritage listings and therefore all heritage items will retain their existing level of heritage protection under the relevant legislation. Refer to further detail in the Heritage Impact Assessment at Appendix O.
Clause 16 Zones indicated on Zoning Map	Refer to comment	The Sirius site is not subject to a zone under the SREP Sydney Harbour.
55 Protection of heritage items	Yes	The Heritage Impact Statement finds the proposed development will not have an impact on any heritage item listed under SREP Sydney Harbour.
57 Development affecting matters of Aboriginal heritage significance	Yes	The ACHA (Appendix Q) provides there are no registered Aboriginal objects and/or archaeological sites within the subject area, or in close proximity within the proposed Public Domain works area. There are no landscape features with potential for Aboriginal objects or archaeological deposits located within the subject area, or in close proximity within the proposed Public Domain works area.

## Statutory and strategic policy context

Control	Compliance	Comment
58 Development affecting matters of non-Aboriginal heritage significance	Yes	The Historic Archaeological Assessment provides that the proposed works are not anticipated to impact on any archaeological materials as the archaeological potential for the site is low.
<i>Division 3A Sydney Opera House</i> Clause 58A Land to which Division applies	Refer to comment	Division 3A applies to the Sydney Opera House buffer zone. The Sirius site is located within the buffer zone as shown on the <i>Sydney Opera House Buffer Zone Map</i> .
58B Protection of world heritage value of Sydney Opera House	Yes	<p>These planning principles are addressed in the following ways: The proposed development complies with the objectives of SREP Sydney Harbour in relation to the Sydney Opera House under Clause 53(2), and as described below.</p> <p>The Sirius building will be substantially retained, and proposed alterations and additions will be sensitive to the character of the existing building. The proposal will have no marked impact on existing views from the Sydney Opera House.</p> <p>The proposal will not obscure or adversely affect significant views to the Sydney Opera House. New additions to the top of the building have been designed with consideration of the existing view corridors from the pedestrian walkway of the Sydney Harbour Bridge to ensure that views to the Sydney Opera House are maintained.</p> <p>The scale, form and design of the additions to the Sirius building will be maintained with only sympathetic alterations in contemporary lightweight material for added floorspace. The outward views from the Sydney Opera House will be retained and conserved, and there are no adverse visual impacts to the Sydney Opera House buffer zone. The proposal has no physical or visual impact on the Sydney Opera House's significant shells form, its setting or its silhouette against the Harbour and city.</p> <p>Refer to further detail in the Heritage Impact Assessment (Appendix O) and Visual Impact Assessment (Appendix M).</p>
Clause 59 Development in vicinity of heritage items	Yes	The Heritage Impact Statement (Appendix O) finds the development will not have an impact on any heritage item listed under the SREP.

## Statutory and strategic policy context

### State Environmental Planning Policy (Coastal Management) 2018 (SEPP Coastal Management)

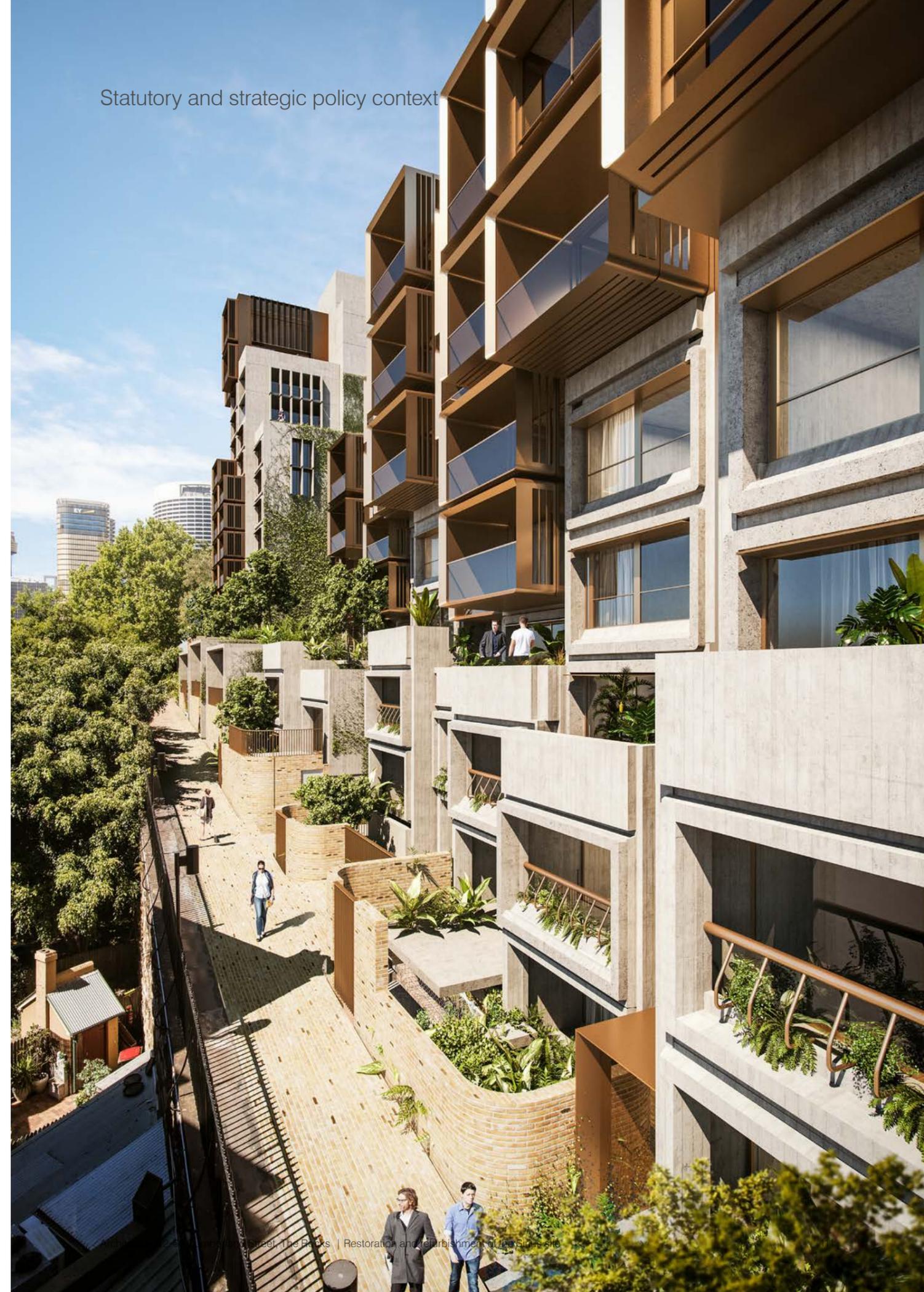
SEPP Coastal Management defines four coastal management areas and specifies assessment criteria for each coastal management area. The Sirius site is identified within the "Coastal Environment Area" and the "Coastal Use Area". Controls for these areas are provided under Clauses 13 and 14 of SEPP Coastal Management. However, Clauses 13(3) and 14(2) note that where land is located in the Foreshores and Waterways Area within the meaning of SREP Sydney Harbour, the clauses do not apply. Given that the site is located wholly within the foreshore area on the SREP Sydney Harbour *Foreshores and Waterways Area Map*, land use controls under Clauses 13 and 14 do not apply.

### Draft State Environmental Planning Policy (Draft Environment SEPP)

The Draft Environment SEPP is a proposed new SEPP that will form part of the broader land use planning framework in NSW. The proposed new SEPP aims to deliver a planning framework that protects the four catchments, maintaining:

- Water quality and flows within watercourses;
- Native plants, animals, habitats and ecosystems;
- Recreational, scenic and environmental amenity.

The proposal aligns with the aims and objectives of the Draft Environment SEPP.



## Statutory and strategic policy context

## 7 Consultation

The restoration and refurbishment of the existing Sirius building for residential use will continue this significant use, and contribute to the living community of The Rocks and the important residential community in the area.

Heritage Impact Assessment, Urbis

## Consultation

### 7.1 Overview

Consultation has been undertaken with key stakeholders and this process has informed the preparation of this EIS. This section of the EIS details the parties with whom consultation was undertaken and the outcomes of that consultation process. Agencies and stakeholders will be given further opportunities to provide comment through the public exhibition of SSD 10384.

Consultation has been undertaken with all agencies required by the SEARs, including:

- City of Sydney Council (Council);
- Government Architect of NSW (AGNSW);
- Heritage Council of NSW;
- Place Management NSW (PMNSW);
- Transport for NSW (TfNSW);
- NSW National Trust; and
- Special interest groups, including Save Our Sirius and Millers Point Residential Group. Consultation has also been undertaken with Tao Gofers, architect of the existing Sirius building.

In addition, consultation has also been undertaken with DPIE.

It is noted that since issue of the SEARs, Roads and Maritime Services (RMS), have been absorbed into TfNSW. As such, separate consultation was not undertaken.

### 7.2 Summary of consultation

#### Government Architect of NSW (GANSW)

The project team initially met with representatives of the NSW Government Architect's Office and DPIE on 20 August 2019 to discuss the proposed development.

The intention of the meeting was to present Sirius Developments' bid-winning reference scheme and to discuss the required planning approval pathway with regard to the design excellence requirements of SEPP SSP. It is noted that Clause 7(6) of Appendix 18 of SEPP SSP provides conditions under which an architectural design competition is not required, being development that is "a minor external alteration to the existing building". Despite the proposed development under the reference scheme being for the substantial retention of the existing Sirius building, it was considered that the extent of proposed works could not be regarded as 'minor' works and were not restricted to 'external alterations'. As such, based on

additional discussions with GANSW and DPIE (and based on legal advice), the proponent undertook a competitive design process.

The project team consulted with representatives of GANSW in preparation for the Design Excellence Competition, including at a briefing meeting on 27 May 2020. GANSW reviewed and commented on the Design Excellence Strategy (Appendix AL) and the Design Competition Brief (Appendix AM) prior to endorsing the documents in October 2019.

Representatives of GANSW attended the Competition briefing session (5 November 2019), site inspection (6 November 2019), progress review session (22 November 2019), and final presentations (16 December 2019). They also attended the first Design Integrity Review (12 June 2020) and second Design Integrity Review (17 July 2020).

Representatives of GANSW will be consulted further in accordance with the ongoing design integrity requirements set out in the Design Competition Jury Report (Appendix AN).

#### Department of Planning, Industry and Environment

As described above, a preliminary meeting was held on 20 August 2019 and was attended by representatives of DPIE, GANSW and the project team to discuss the required planning approval pathway with regard to the design excellence requirements of SEPP SSP.

A Request for SEARs was submitted to DPIE on 15 October 2019. SEARs were provided by DPIE on 20 November 2019.

Representatives of DPIE attended the Competition briefing session (5 November 2019) and final presentations (16 December 2019). They also attended the first Design Integrity Review (12 June 2020) and second Design Integrity Review (17 July 2020).

The project team met with representatives of DPIE for a briefing meeting on 8 April 2020. The intention of the meeting was to discuss the SEARs requirements and brief DPIE on design development matters since the completion of the Competition.

#### Property NSW (PNSW)

As described in Section 1 of this report, the Sirius site is currently owned by PNSW and will transfer to Sirius Developments Pty Ltd ownership upon the Development Agreement milestones being satisfied.

Monthly Project Control Group (PCG) meetings have

## Consultation

been held between representatives of PNSW and the project team since mid-2019. Consultation between the project team and representatives of PNSW will continue until completion of the project, in accordance with the Development Agreement.

Representatives of PNSW attended the Competition briefing session (5 November 2019), progress review session (22 November 2019), and final presentations (16 December 2019). They also attended the first Design Integrity Review (12 June 2020) and second Design Integrity Review (17 July 2020).

#### Place Management NSW (PMNSW)

The project team first met with representatives of PMNSW on 16 July 2020 to present the proposed development. The meeting was Chaired by Mr Peter Hurley of PMNSW and included a presentation of the architectural scheme by BVN and the landscape design and proposed public domain upgrades by 360° Landscape Architect. The presentations were well received and no design amendments were subsequently required. The meeting concluded with a site visit to the Sirius site with PMNSW representatives and members of the project team.

Additional meetings with representatives of PMNSW were undertaken, including a meeting on 17 July 2020, where it was agreed that detail design of the public domain would need to be reviewed by PMNSW before construction works commence; and meetings on 27 August 2020 and 13 October 2020 to discuss upgrades to the existing lift within the Cleland Bond building.

Sirius Developments are currently reviewing opportunities to upgrade the existing lift within the Cleland Bond building to provide improved pedestrian accessibility between Playfair Street and Gloucester Walk, thereby further improving connectivity by the proposed through site link through to The Rocks precinct via Cumberland Street. Subject to further consultation with PMNSW, this off-site public domain improvement is proposed to be provided as a development contribution.

#### City of Sydney Council (Council)

The project team would have briefed the City of Sydney prior to the public exhibition of the proposal.

In addition, Council reviewed and commented on the Design Excellence Strategy (Appendix AL) and the Design Competition Brief (Appendix AM) prior to endorsement of the documents by GANSW in October 2019. It is noted that originally three (3) Competition Jury members were proposed (minimum number in accordance with the GANSW Guidelines), however Council requested five (5)

Competition Jury members participate (maximum number in accordance with the GANSW Guidelines), which was accommodated by the applicant.

Representatives of Council were invited to the final presentations (16 December 2019) and first Design Integrity Review (12 June 2020), however were not able to attend. A Council representative attended the second Design Integrity Review (17 July 2020).

#### Heritage Council of NSW

The project team met with representatives of Heritage NSW on 29 September 2020 to discuss the proposed development. BVN presented the proposed architectural scheme to Heritage NSW.

A letter received from Heritage NSW on 6 October 2020 summarises the comments of the Approvals Committee:

*The Heritage Council Approvals Committee:*

1. *Thank the presenters for their presentation on 2-60 Cumberland Street, The Rocks.*
2. *Note and support the very high-quality nature of this proposal.*
3. *Note:*
  - a. *The clip-on additions proposed to the primary existing elevations of the Sirius Building across the cascading tower complex.*
  - b. *The additional commercial buildings proposed to Cumberland and Gloucester Walk frontage.*
4. *Provide the following comments to the applicant:*
  - a. *The Committee supports a development at the Sirius Building to ensure its long-term adaptive reuse.*
  - b. *It is noted that modular clip-on additions utilise a similar scale and proportion to the characteristic Brutalist narrative of the subject building.*
  - c. *Efforts should be made to preserve and interpret the existing character of the building within the common spaces, including the Phillip Room.*
  - d. *Support inclusion of interpretation in public areas to reflect the social housing history of the site.*
  - e. *Consider how the new material relates to the old in terms of weathering and staining.*
  - f. *The use of high-quality materials for the additions is supported.*

The comments provided by the Heritage Council Approvals Committee are noted and appreciated.

## Consultation

With regard to the Phillip Room, the space is proposed to be retained and refurbished to be in keeping with the architectural philosophy of adapting of the building. The Phillip Room is proposed to be used as a lobby and common room for residents of the building, and as such the use is not proposed to change from existing. The interior arrangement will be substantially retained, and elements of the room will be restored with integrity, such as the Rosier artworks. The quality of the interiors will be enhanced and reinterpreted to be harmonious with BVN's architectural intent for the building.

The Committee's recommendation to include an interpretation of the site's former use as social housing is noted. This will be considered further through the public art commission process and through detailed design of the building's interior upgrades. Additionally, the comments regarding exterior material selection (and the potential for weathering and staining of new materials) is noted and will be considered through detailed design.

### Transport for NSW (TfNSW)

A Letter of Notification was prepared by Traffix Traffic and Transport Planners and issued to TfNSW on 4 September 2020 (TfNSW reference number CD19/08660). The letter outlined the proposed alterations and additions to the existing Sirius building, including proposed car parking arrangement (retention of existing 70 car parking spaces), accessible parking, bicycle parking, motorcycle parking and anticipated trip generation and traffic impacts.

A 'Pre-DA Comments' response letter was received from TfNSW on 23 September 2020. The letter advised that TfNSW had reviewed the Letter of Notification and provide no comments at this stage. It is noted that TfNSW may provide additional comments following formal assessment of SSD 10384.

### NSW National Trust

Notification of the proposed development was prepared by Urbis and issued to NSW National Trust on 25 August 2020. At the time of writing, a response has not been received from the NSW National Trust.

It is anticipated that NSW National Trust may provide comment to the proposal during the public exhibition of SSD 10384.

### Save Our Sirius

The Save Our Sirius Foundation is a community group that was formed soon after the NSW Government announced the sale of the Sirius site. The group actively campaigned

from 2016-2018 to save the existing Sirius building from demolition and advocated for the formal recognition of the building's heritage value.

Sirius Developments and BVN Architects presented the bid-winning reference scheme to Mr Shaun Carter, Chair of Save Our Sirius, on 25 July 2019. Mr Carter commented that the retention and adaptation of the existing Sirius Building was a good outcome and commented that the BVN scheme was a good result. No amendments were raised by Mr Carter at that stage.

It is noted that Mr Carter was nominated as a Jury member during the Design Excellence Competition by the City of Sydney Council, and has continued his involvement in the project through the design integrity process as a member of the DIP.

### Millers Point Resident Action Group

The Millers Point Resident Action Group is a community organisation representing residents of Millers Point, Dawes Point, The Rocks and Walsh Bay. The group supports the retention of the existing Sirius building and notes the building's long association with past and present residents of the Millers Point and The Rocks community. Along with the Friends of Millers Point group, the Resident Action Group supported the Save Our Sirius campaign in 2016-2018.

Sirius Developments and BVN Architects presented the bid-winning reference scheme to Mr John McInerney AM, Chair of the Millers Point Residents Action Group, on 25 July 2019. Mr McInerney commented that the retention and restoration of the existing Sirius Building was a good outcome for the site. No further comments or amendments were raised by Mr McInerney.

### Tao Gofers

Sirius Developments and BVN Architects met with Mr Tao Gofers, original architect of the Sirius building, on 13 January 2020. BVN presented the Competition-winning scheme to Mr Gofers and briefed him on the proposed alterations and additions to the existing building.

Mr Gofers commented that his preference would be that no amendments are made to the existing building, however he understood that this was not realistic and that upgrades to the building are required. Mr Gofers was content with the proposed architectural scheme proposed by BVN. He did note that the proposed balcony additions should be considered carefully.

## Consultation

Through design development, BVN have ensured the new balcony additions are well conceived and appropriately designed to continue the building's Brutalist language. During the second Design Integrity Review (17 July 2020) the DIP commented "the Juliette balconies have been improved. The Panel supports the balcony design without the planter."

## 8 Environmental assessment

The proposal provides for activation of the public realm surrounding the site, with an appropriate balance of both residential and commercial uses. The through-site link and the new square allow for a more positive reading of the existing building and streetscape definition.

Design Competition Jury

## Environmental assessment

### 8.1 Visual and view impacts

A Visual Impact Assessment (VIA) has been prepared by GM Urban Design & Architecture (GMU) and is attached at Appendix M.

The methodology used to prepare the VIA has been developed by GMU based on the relevant Planning Principles for view assessment established by the NSW Land and Environmental Court (NSW LEC), and relevant standards and best practice for photography and preparation of photomontages.

The VIA considers sight lines and visual connectivity to and through the site, as identified by the SEARs, including views of the Sirius site from key locations, including:

- Sydney Harbour Bridge and Bridge approach;
- Sydney Opera House World Heritage Area; and
- The Rocks Heritage area including Playfair Street and Gloucester Walk.

Based on initial analysis of vistas and view corridors, and anticipated visibility and impact, a ten (10) public domain views were selected for detailed photomontage analysis. Views selected include long distance views (from areas west of the Sydney Harbour Bridge and east of Sydney Cove); medium distance views (from the foreshore edge of Circular Quay and Cahill Expressway viewing platform); and immediate views (from within The Rocks).

Overall, GMU find the proposal is acceptable from a visual impact perspective as it results in only minor impact with some mitigation measures proposed. The impacts are considered minor for the following reasons:

- The existing Sirius building is a landmark seen against a layered city profile composition;
- The existing Sirius building is generally seen from distant views as a subservient component of a 'layered' built form scenery where gradually descending forms transition from the CBD skyline towards harbourside areas.
- Key view corridors are maintained and enhanced through careful distribution of additional mass and materiality;
- The distribution of additional fabric enhances the expression of the built form from key vantage points and does not alter the overall scale distribution on the site with the tallest 'tower' component continuing at the existing location;
- The site's visual relationship with the Sydney Harbour Bridge, bridge abutments and bridge deck is continued with the bridge remaining the dominant element when viewed from the east and south-east;

- The proposed alterations and additions do not detract from the status of the existing development as a landmark visible from the Sydney Harbour Bridge; and
- The proposal preserves the scenic quality of views from key vantage points in the surrounding public domain.

Given the above, the proposed development is considered acceptable from a visual impact perspective. GMU note that the skilful design and distribution of the new additions to the building ensures that the built form outcome will not adversely impact the visual setting of the site including that of nearby iconic skyline elements.

It is noted that the view study focuses on views from the public domain only. While it is noted that consideration of residential view impacts is required by the SEARs, this is proposed to be considered post exhibition to ensure that properties who consider they are impacted are considered in detail with the necessary access opportunities.

The site is also visible from mixed use and hotel developments and if required, GMU will also consider these impacts although view impacts would not generally consider non-residential uses.

### 8.2 Amenity

An Apartment Design Guide (ADG) compliance assessment has been prepared by BVN that evaluates the proposed residential amenity for future occupants of the residential component of the development in accordance with SEPP 65 and the ADG.

Overall, significant improvements are proposed to upgrade and adapt the existing Sirius building to align with the requirements of the ADG and provide high-amenity and contemporary dwellings, while respecting the integrity of the original design.

Refer to the assessment at Appendix I.

#### Overshadowing

The proposed alterations and additions to the existing Sirius building have been designed to minimise additional overshadowing and will not result in unreasonable overshadowing of adjoining properties or the public domain. Refer to overshadowing plans at Appendix G.

It is noted that additional detailed overshadowing studies have been prepared by BVN of surrounding heritage buildings. The plans demonstrate that in the majority of instances there is no additional overshadowing impact. In instances where there is an additional impact, this is generally for a maximum of 1 hour. It is noted that these buildings are predominantly for commercial uses. In

## Environmental assessment

the Heritage Impact Statement, Urbis confirms that any additional overshadowing to the significant heritage buildings in the vicinity of the Sirius site is not likely to have any material impact on the fabric of buildings and there is no physical impact from a heritage perspective. Refer to further discussion at Section 8.10 below and the Heritage Impact Statement at Appendix O.

#### Acoustic impacts

A Noise Impact Assessment has been prepared by Acoustic Logic (dated 30 September 2020) which assesses the noise impacts associated with noise intrusion to the project site from the adjacent roadways and noise emissions from the mechanical plant to service the site.

The report finds that the proposed development is capable of complying with the relevant acoustic policies and standards subject to the proposed acoustic mitigation measures, including glazed windows and doors (as specified), wall upgrades and provision of mechanical ventilation as required.

Apartment layouts have been designed so that living areas and bedrooms are generally located away from common areas.

Refer to further discussion at Section 8.11 below and the Noise Impact Assessment at Appendix Y.

#### Natural ventilation

Natural and cross-ventilation to all apartments and common areas is maximised to provide passive air flow and reduce summer heat gains. The proposal exceeds natural ventilation requirements with over 74% of dwellings in the first nine storeys of the building meeting the ADG criteria (Objective 4B-3 requires at least 60% of apartments are naturally cross ventilated in the first nine storeys of the building). All habitable rooms have an unobstructed window opening.

The proposal reconfigures existing internal apartment layouts to maximise their unique dual aspect. Additionally, horizontal amalgamations of existing apartments are proposed which will reduce the number of single-sided 1-bedroom apartments that currently have limited ventilation and high exposure to western sun (especially in the tower form). Apartment depths for single aspect apartments are minimised, and open plan layouts are preferred.

Refer to the accompanying BASIX report and certificates at Appendix AB that demonstrates the proposed development achieves the required levels of thermal comfort for a development of this scale.

#### Visual privacy

The existing Sirius building is sited such that equitable separation distances between neighbouring buildings can be achieved. This will be maintained through the proposed development.

The new Cumberland Street building has a zero setback to the adjacent commercial building. Both are for non-residential uses and is therefore no setback is required (refer to further detail at Section 4.8). On-site separation between the Cumberland Street building and residential apartments within the existing building is approximately 4m and is therefore greater than the separation requirement (3m between habitable rooms and blank wall). It is noted that the rear blank wall of the Cumberland Street building will include vertical landscaping to ensure a high-amenity outlook.

The SoHo apartments along Gloucester Walk are situated more than 6m away from neighbouring habitable rooms.

New balconies are provided to apartments which currently have no access to outdoor area or are undersized. Visual privacy between apartments will be maintained through the arrangement of new balconies.

#### Solar access

The ADG Assessment (Appendix I) provides that 53 out of 76 apartments (or approx. 70%) meet the solar and daylight access requirements. Within the constraints of the existing structure.

The proposal has been designed to maximise sunlight access by designing dual aspect apartments, using extensive full height glazing to new apartment bay windows, and glass balustrading. Additional windows have been added to previously blank north and south concrete walls, increasing the provision of sunlight to apartments even further.

Whilst balconies have been added to provide adequate external amenity, the articulation and detailing has been carefully considered incorporating louvred side walls which gain additional solar access to apartments and external balcony areas.

### 8.3 Landscape impacts

A Landscape Design Report and Landscape Plans have been prepared by 360° Landscape Architects and are attached at Appendix J and K. The landscape plans include details of proposed levels and detail upgrades to the surrounding public domain (off-site works). Refer also to the Bulk Earthworks Plan as part of the architectural set at Appendix G.

The landscape design for the proposed development aims to provide a stimulating environment that is responsive to the scale, function and location of the Sirius site. The plant selection has been made from plant species suited to the microclimatic conditions of the site and include local native and indigenous species. The plant selection has been informed by the City of Sydney Council's weed management policy and the local Indigenous Plant List.

The proposed landscape design will achieve an environmentally and socially sustainable landscape, including Ecologically Sustainable Design (ESD) initiatives and native planting. It will be both elevated and vertical and will complement the architectural alterations and additions to the building to provide a progressive, whole-of-building approach to the urban landscape.

At ground level, landscaping will activate the site, creating a vibrant place for residents and visitors. At the new square fronting Cumberland Street, landscaping will be used to create spaces which encourage social gathering and activation of the streetscape. Paving treatments will be applied to the new through-site link that assist with legibility and wayfinding, and new paving and planting will be provided to the public domain (Gloucester Walk, Cumberland Street and the pocket-park to the north of the site) to enhance pedestrian experiences. The perimeter of the site will be activated by direct residential courtyard frontages and landscaped entries.

Elevated rooftop gardens are proposed to be reinstated and vertical green walls will be included with the intention to provide complete landscape coverage of the site. Rooftop terraces will provide social and recreational opportunities for residents, while contributing to the urban character, visual quality and biodiversity of the area. The rooftop gardens will be viewed by pedestrians on their journey across the Sydney Harbour Bridge, contributing to the interest of their outlook without obscuring the significant view corridors to the Sydney Opera House.

As provided in Table 6 above, the proposed site coverage (building footprint) will be 58.03% of site the area (2,126.5m<sup>2</sup>), which represents an increase from 39.91%

of the site area (1,462.8m<sup>2</sup>). Additionally, opportunities for deep soil are limited due to the almost complete site coverage of the existing building and expansive basement floor plate. As such, the opportunities for landscaping on the site is somewhat constrained. However, innovative spatial responses have been developed to compensate for existing site constraints by transferring typical deep soil landscape and filtration process to podium soil profiles. Environmentally, the diversity of landscape expressions and significant plant coverage will help overcome the limited deep soil planting opportunities by providing substantial stormwater absorption, reduction in ambient air temperature, building insulation and habitat value.

#### Trees

An Arboricultural Impact Report and Tree Retention Plan prepared by Landscape Matrix Pty Ltd (dated 13 August 2020) is provided at Appendix L to this report.

The report identifies 52 existing trees in the vicinity of the site, 41 of which are located within the site boundary. The trees identified include endemic and exotic species.

To facilitate the proposed alterations and additions to the existing Sirius building and surrounding courtyards, 46 trees are proposed to be removed, including all of the 41 existing trees within the site boundary. None of these trees are identified as having high landscape significance or are identified as priorities for retention.

Two (2) large existing Plane Trees at Gloucester Walk (Trees 50 and 51), two (2) Kaffir Plum trees (Trees 48 and 49) and two (2) Hills Weeping Fig trees (Trees 46 and 47), which are all located close to the site but outside of the site boundary, will be retained and protected during construction works.

To mitigate the impacts of the necessary tree removal, the proposed landscaping works will provide for a total of 67 new trees on the site. New trees will include 43 new trees at ground level and within courtyards, and 24 new trees on roof terraces. This represents a significant increase of trees on the site – 26 additional trees compared to existing, or an increase of 61%. The proposed new trees will be more appropriate to the site, with selected plant species being suited to the microclimatic conditions of the site with local native and indigenous species used where possible.

The proposed development will be appropriately constructed, and the site appropriately managed to ensure that the six (6) identified remaining trees on the site are not impacted during construction or ongoing use of the buildings.

### 8.4 Heritage

A Heritage Impact Statement (HIS) has been prepared for the site by Urbis and is attached at Appendix O. The statement has been prepared in accordance with the NSW Heritage Division guidelines 'Assessing Heritage Significance', and 'Statements of Heritage Impact'. The philosophy and process adopted is that guided by the Australia ICOMOS Burra Charter.

As set out in Section 3.2 above, the HIS provides that the subject site is not an individually listed item of environmental heritage under the NSW State Heritage Register, SEPP SSP, SEPP SRD, or SEPP Sydney Harbour. The SLEP 2012 does not apply to 'The Rocks Site' and as such the site is not identified as an item of environmental heritage under Schedule 5 of the SLEP 2012. The Sirius site is not listed as an individual heritage item on the Place Management NSW Section 170 Heritage and Conservation Register, but it is located within The Rocks Conservation Area on the Place Management NSW Section 170 Heritage and Conservation Register. It is surrounded by significant heritage items, including the National Heritage Sydney Harbour Bridge and the World and National Heritage Sydney Opera House, as well as various State heritage items.

While the subject site is not recognised on any statutory heritage list, the HIS notes that the existing Sirius building should be conserved in line with best heritage practice principles. The existing Sirius building represents a unique and important historical phase of development within The Rocks, as a significant departure from the earlier 19th century building stock, it reflects the late twentieth century approach to the provision of inner-city public housing by the government.

The HIS finds the proposed new additions to add floor space and height are finely detailed contemporary additions. The adoption of lighter materials including metal cladding provides a contemporary contrast to the original concrete form and allows for a hierarchy of fabric across the site. The proposal will not markedly change the visual and historic setting of The Rocks Conservation Area or existing views to heritage items in the vicinity. The form and overall design of the existing Sirius building will be retained and interpreted, and therefore no major change will occur to the site which could have an adverse heritage impact on the historical setting and character of The Rocks or alter any existing significant heritage item views. No changes to subdivision patterns or the fine-grained development of The Rocks is proposed.

There are no proposed physical changes to any heritage items in the vicinity. All heritage items will retain their existing settings and curtilages and will not be altered by

the subject proposal. No changes are proposed to any of the statutory heritage listings and therefore all heritage items will retain their existing level of heritage protection under the relevant legislation.

It is noted that detailed overshadowing studies to the significant heritage buildings in the vicinity of the Sirius site have been prepared by BVN and are appended to the HIS. The studies find there is no additional impact caused from a heritage perspective.

Overall the proposal is considered to have no adverse impacts from a heritage perspective. It respects the authenticity of the original Sirius building design and unique modular form. The works will enhance the contribution of the site to The Rocks whilst allowing for critical amenity upgrades.

As such, the proposal is considered acceptable from a heritage perspective.

Refer also to the assessment of views to and from heritage items in the vicinity including the Sydney Opera House and Sydney Harbour Bridge in the VIA attached at Appendix M, and as discussed at Section 8.1 above.

### 8.5 Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Assessment (ACHA) has been prepared by Urbis to support the SSD Application. The ACHA investigates the presence, or absence, of Aboriginal objects and/or places within and in close proximity to the Sirius site, and whether those objects and/or places would be impacted by the proposed development. Refer to the ACHA at Appendix Q.

The ACHA has been prepared in consultation with the Aboriginal community in accordance with *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010); the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011); the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010); and the *Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* (Burra Charter).

The ACHA concludes that:

- there are no registered Aboriginal objects and/or archaeological sites within the subject area, or in close proximity within the proposed Public Domain works area;
- there are no landscape features with potential for Aboriginal objects or archaeological deposits located within the subject area, or in close proximity within the proposed Public Domain works area;

## Environmental assessment

- the subject area has experienced extremely high levels of disturbance as a result of continuous development and redevelopment programs from the late 19th century, with the current building extending below natural sandstone bedrock level.
- no Aboriginal cultural heritage values have been identified by the Registered Aboriginal Parties (RAPs) specific for the subject area.
- the subject area has nil to extremely low archaeological potential, including in the area of proposed public domain works.

Furthermore, it is noted that the proposed additional basement-level excavations are to take place in areas where the existing level exceeds bedrock and therefore earthworks are not anticipated to disturb any soils.

Based on the conclusions of the ACAH, the proposed development can proceed in accordance with the unexpected finds procedures and recommendations of the ACHA.

### 8.6 Archaeology

A Historic Archaeological Assessment (HAA) has been prepared by Urbis to support the SSD Application. Refer to the HAA at Appendix P.

The HAA describes that the existing Sirius building occupies a site that has been subject to continuous development over the past c.100 years, including late 19th century terraces, the resumption periods and the construction of public works offices, and finally the construction of the existing Sirius building. Generally, the high level of disturbance associated with the cutting into sandstone bedrock for the construction of Sirius, along with continuous periods of redevelopment, have likely resulted in the removal of archaeological materials across the subject area.

The HAA concludes that it is considered highly unlikely that any archaeological materials will remain at the site due to the extensive disturbance across the site associated with the construction of the existing Sirius building.

Additionally, the areas proposed for public domain upgrades also have no historic evidence of structures and have low archaeological potential.

Overall, the archaeological potential for the subject site is determined to be low.

Based on the conclusions of the HAA, the proposed development can proceed in accordance with the unexpected finds procedures and 'protection of sandstone walls' recommendations within the HAA.

### 8.7 Social

A Social Impact Assessment (SIA) has been prepared by Cred Consulting and is attached at Appendix R.

The SIA has been prepared in accordance with the SEARs requirements to identify any social impacts that are predicted to flow from the proposed alterations and additions to the existing Sirius building and consider the any concerns that people may have about the project and how it might affect their surroundings, or their access to and use of infrastructure, services and facilities, including during construction.

The SIA describes the community profile of The Rocks and the social significance of the Sirius site. It audits and maps the existing social infrastructure in proximity to the Sirius site (including community facilities, open space and recreation facilities), and considers the needs of future residents.

It is noted that the SIA considers the proposed alterations and additions to the existing Sirius building only and is not required to consider the NSW Government's historical decision to divest the Sirius site, which was previously used for social housing. The NSW Government's divestment of the Sirius site to fund new social housing (as part of its Future Directions in Social Housing Strategy) sought the highest and best price for the Sirius site. Sirius Developments Pty Ltd were the successful bidders and as such are adapting the site to sell as private market housing. No provisions were included in the site-specific planning controls under SEPP SSP that require the delivery of affordable housing at the Sirius site.

The SIA details previously completed community engagement relating to the amendment to the planning controls relating to the site to consider the positive and negative social impacts from the points of view of community stakeholders and how they expect to experience the project. An adaptive management framework is provided to identify, manage and monitor social impacts, both during construction and post-construction, and implementation of proposed mitigation measures.

It is considered that the proposed alterations and additions to the existing Sirius building are acceptable from a social impact perspective and can proceed in accordance with the recommendations of the SIA.

## Environmental assessment

### 8.8 Biodiversity

In accordance with Clause 7.9 of the *Biodiversity Conservation Act 2016*, an assessment of biodiversity impacts must be undertaken as part of any SSD Application, including the provision of a Biodiversity Development Assessment Report (BDAR) where required. An application was lodged on 3 April 2020 requesting that DPIE, in consultation with Environment, Energy & Science Group, waive the requirement to prepare a BDAR for the Sirius site on the grounds that the development is unlikely to have a significant impact on biodiversity values in accordance with Clause 1.5 and Clause 7.3 of the *Biodiversity Conservation Act 2016* and Clause 1.4 of the *Biodiversity Conservation Regulation 2017*.

The application to waive the requirement to prepare a BDAR was accompanied by an assessment of the presence of microbats (and possible microbat habitat) on the site. The assessment was undertaken by Cumberland Ecology in January 2020. No microbats were recorded during the survey, and no evidence of a breeding population of bats were identified, through visual, audio, or echolocation recording methods.

A BDAR waiver was issued by DPIE on 2 June 2020 as delegate of the Secretary. Refer to the BDAR waiver at Appendix AI.

### 8.9 Transport, traffic and car parking

A Traffic Impact Assessment has been prepared by Traffic and Transport Planners (dated 20 October 2020). Refer to the report at Appendix T.

#### Travel demand

The Traffic Impact Assessment provides that changes to future daily and peak hour travel on surrounding road networks as a result of the proposed development are expected to have a negligible impact. The site is located in close proximity to the Sydney central business district which generates a large quantum of movements via various modes of transport. The proposed changes to the development are small in comparison to the existing development and no increase is proposed to the number of car parking spaces on the site. While active transport m=usage may increase slightly, such as bicycle movements to and from the site, there is sufficient existing infrastructure to accommodate such an increase. As such, no change is required to the operation of existing road networks or transport networks to accommodate the forecast number of trips to and from the Sirius site.

#### Access

The Traffic Impact Assessment provides that the existing 70 residential parking spaces are proposed to be maintained in the existing basement car park. Vehicle access is provided from Cumberland Street, a local access road. The vehicle access requirement is a Category 1 driveway under AS2890.1 (2004), being a combined entry and exit width of 3.0 to 5.5 metres. In response, a 7.5 metre access is proposed to service the basement parking and service vehicles.

A swept path analysis of all vehicles entering and exiting the site is provided in the Traffic Impact Assessment at Appendix T. Swept path analysis includes an 8.8m long MRV (largest vehicle on-site) and demonstrates satisfactory operation of the proposed Cumberland Street access.

As noted above, no changes are required to the existing road network to facilitate site access.

#### Car parking

The proposed development is not seeking to change to the existing use of the building and therefore is not required to seek approval for the existing land use. The existing basement and existing 70 car parking spaces within are proposed to be retained, they will however service marginally fewer dwellings (76 apartments rather than 79 apartments).

In terms of parking ratio, there are currently 0.88 car parking spaces per dwelling. The proposed development will result in 0.92 car parking spaces per dwelling. As such, there will still be a relatively low provision of onsite parking and no additional parking impacts.

The traffic assessment demonstrates that the change to the future daily and peak hour travel demand on surrounding road networks is negligible. All intersections surrounding the site are within service parameters and there is no evidence of adverse traffic impacts from the previous use of the building. The site is located in central Sydney, within walking distance of the CBD and various active transport and public transport services. Given the nature of the apartment complex and the significant expense involved in the refurbishment and retention of the existing building retention of existing parking is crucial to the viability of the project.

## Environmental assessment

### Active transport

A comprehensive Green Travel Plan (GTP) is proposed to be provided, as described in the Traffic Impact Assessment at Appendix T. The GTP is intended to encourage employees, residents and visitors to make sustainable travel choices and utilise public transport and alternative modes of transportation, with the primary objectives to:

- promote the use of sustainable transport methods to reduce congestion and pollution in the local area;
- ensure an innovative and environmentally friendly development; and
- provide an active environment by encouraging healthier travel options for residents, such as walking and cycling.

80 new bicycle parking spaces are proposed to be included in the basement, thereby encouraging residents to use alternate modes of transport.

Pedestrian footpaths are situated along street frontages around the site for convenient pedestrian access (with Gloucester Walk being a dedicated pedestrian laneway) and the driveway complies with relevant standards so that no safety issues are expected for cyclists entering the basement.

### Loading

The proposal includes a new loading bay / garbage area which will allow for on-site refuse collection and bulky goods loading. No curbside collection is proposed. The loading bay will be accessed via a truck lift from the Cumberland Street frontage of the site. A 10,000kg SWL truck lift (9.7m long x 5.2m wide x 3.3m high) with front and rear opening doors will be provided to convey garbage and furniture trucks from ground level to the loading dock.

Trucks will enter the truck lift in a forward direction, travel to basement level B2 and utilise a turntable to turn and reverse into the dedicated loading bay. When egressing, vehicles will access the truck lift in a forward direction, proceed to the ground floor and exit the site in a forward direction via Cumberland Street.

### Construction traffic

Construction traffic is addressed in the Traffic Impact Assessment at Appendix T and described in detail at Section 8.18 below.

Construction activities on the site will generate vehicle trips along Cumberland Street. A works zone will be required adjacent to the site to accommodate any construction vehicles.

## 8.10 Safety and security

A CPTED Report has been prepared by Architectus (dated 21 October 2020). Refer to the report at Appendix AF. The report assesses the architectural and landscape design of the proposed development to identify and reduce opportunities for crime or antisocial behaviour at the site and in the surrounding local area. It considers issues such as surveillance, activation, accessibility, wayfinding and impacts on local amenity.

The report includes a detailed assessment of CPTED principles from the *NSW Crime Prevention and the Assessment of Development Applications Guidelines* (CPTED Guidelines) published by the former NSW Department of Urban Affairs and Planning (2001) and the *Safer by Design* guidelines published by the NSW Police Department.

CPTED principles assessed include natural surveillance; access control; territorial reinforcement; and space management.

The following recommendations are provided to mitigate opportunities for crime or antisocial behaviour and should be incorporated in the delivery of development:

- **Lighting:** Provide street lighting, pedestrian lighting and feature lighting that supports natural surveillance and allows residents of the building, visitors and the general public to safely observe the space around them, especially during the evening and night time. Sufficient lighting should be provided to the building entrances, Cumberland Street forecourt, the through-site link and the length of the Sirius building's frontage to Gloucester Walk.
- **Wayfinding:** Provide clear signage at key points that clearly indicates designated pathways through the site for visitors. Use design features (paving, landscaping, public art) to assist with wayfinding and help channel pedestrians through the site, while mitigating against pedestrians unintentionally moving into areas where they cannot be observed.
- **Landscaping:** Improve and embellish public and private spaces using landscaping and trees to encourage activation and community ownership of spaces. Ensure landscaping is maintained and tree canopies are kept several metres above the ground to remove areas where activity cannot be observed.
- **Infrastructure protection:** Provide fixtures, fittings and surfaces that are vandal or graffiti resistant and easy to clean. Ensure regular maintenance of infrastructure and prompt removal of graffiti and vandalism.

## Environmental assessment

## 8.11 Sunlight

### Solar access

The ADG Assessment prepared by BVN provides that 53 out of 76 apartments (or 70.1%) meet the solar and daylight access requirements.

The proposal has been designed to maximise sunlight access by designing dual aspect apartments, using extensive full height glazing to new apartment bay windows, and glass balustrading. Additional windows have been added to previously blank north and south concrete walls, increasing the provision of sunlight to apartments even further.

Whilst balconies have been added to provide adequate external amenity, the articulation and detailing has been carefully considered incorporating louvred side walls which gain additional solar access to apartments and external balcony areas.

Refer to the ADG Assessment at Appendix I.

### Overshadowing impacts

The proposed alterations and additions to the existing Sirius building have been designed to minimise additional overshadowing and will not result in unreasonable overshadowing of adjoining properties or the public domain.

The overshadowing analysis demonstrates the proposed additions to the top of the existing Sirius building will cause only minimal additional overshadowing to heritage items and public open space. When compared to the existing building, impacts caused by the new additions are minimal. In summary:

- Limited additional overshadowing is caused to the roadway of Cumberland Street at 9am.
- Negligible additional overshadowing is caused between 10am and 12pm – mostly to 86 Cumberland Street (not a heritage item).
- Limited additional overshadowing is caused to rooftops at 23-27 Playfair Street at 1pm. Note that these areas are likely to be already affected by existing mature trees not modelled on the plans.
- Limited additional overshadowing is caused to a small section of Playfair Street between 1pm and 2pm.

Refer also to the detailed analysis of minor overshadowing to the limited number of heritage items appended to the Heritage Impact Statement at Appendix O. This analysis finds no additional impact caused from a heritage perspective.

## 8.12 Acoustic impacts

A Noise Impact Assessment has been prepared by Acoustic Logic (dated 30 September 2020) which assesses the noise impacts associated with noise intrusion to the project site from the adjacent roadways and noise emissions from the mechanical plant to service the site.

Site investigations indicate that the major external noise source around the Sirius site is from traffic movements along the Bradfield Highway, the elevated roadway adjacent to the western boundary of the site.

The findings of the Noise Impact Assessment indicate that the proposed development is capable of complying with the relevant acoustic policies and standards subject to the proposed acoustic mitigation measures, including glazed windows and doors (as specified), wall upgrades and provision of mechanical ventilation as required.

The Noise Impact Assessment notes that the detailed mechanical plant selection has not yet occurred. It is recommended that a detailed acoustic review is undertaken at detailed design stage to determine if satisfactory acoustic levels can be achieved through mechanical plant selection and location, or if standard acoustic treatments are required, such as duct lining, acoustic silencers and enclosures.

Refer to the Noise Impact Assessment at Appendix Y.

## 8.13 Wind impacts

A Pedestrian Wind Environment Statement has been prepared by Windtech and is provided at Appendix AE. The report presents the results of a detailed investigation into the wind impact of the proposed development.

The results of the study indicate that the Sirius site is relatively exposed to the three prevailing wind directions (north-east, south and west). As a result the study identifies that there is a possible impact on the wind comfort within certain trafficable / occupant areas. However, it is expected that the majority of the wind effects identified are the same as the existing wind conditions.

Provision of the following proposed elements will reduce wind impacts to outdoor areas of the building and surrounding outdoor spaces, including the public domain:

- densely foliated vegetation along Cumberland Street and Gloucester Walk;
- rooftop gardens;
- impermeable balustrades around balconies;

## Environmental assessment

- impermeable walls at ground level, including to private garden courtyards, the boundary of the northern outdoor terrace / café; and
- impermeable balustrades, screening and operable awnings to the Cumberland Street building.

It is noted that the stepped and uneven façade of the tower and existing rooftop gardens are existing features of the Sirius building that contribute to reduced wind impacts.

The Pedestrian Wind Environment Statement finds that with the inclusion of these treatments, the proposed design is expected to be equivalent or better in occupant comfort performance when compared to the existing Sirius building.

### 8.14 Water, drainage and stormwater

The Building Services Statement prepared by Floth (Appendix AC) provides that hydraulic systems will be upgraded throughout the site, including sanitary plumbing, rainwater plumbing, stormwater drainage, condensate plumbing, potable cold water systems, hot water systems and fire sprinkler services.

Potable cold water will be supplied via a single dedicated mains connection with water meter and backflow prevention. High efficiency, variable speed drive booster pumps will provide the required pressure and flow rate characteristics.

Hot water will be provided to the residential portions of the development by gas fired central plants. Flow and return piping circuits will be designed to minimize heat losses and hot water waiting times, which in turn will assist in minimizing water wastage.

Sanitary fixtures and tapware provided for the development will be of the highest quality and will incorporate AAA rated tapware and shower heads and dual low flush water closets.

The Building Services Statement provides the proposed development is not expected to adversely impact on any Sydney Water and Council assets.

Rainwater plumbing systems will be upgraded and will comprise a system of strategically placed downpipes, collecting rainwater from all roof, balcony and terrace areas in accordance with AS3500 and Council guidelines. Rainwater from strategic roof areas will be collected and conveyed to rainwater collection tank. Rainwater reclamation will be provided to the building to minimize water usage in relation to landscape watering systems. This sustainability initiative will reduce water demand by the site.

The diversity of landscape expressions across the site, and significant site coverage, will provide substantial stormwater absorption to the site and reduce stormwater runoff. The Landscape Design Report (Appendix K) notes that 30 to 50% of rainwater will be filtered and absorbed by the vegetation layer, the substratum and the drainage layer, resulting in a significant reduction of water entering the sewage system. Additionally, as noted above, rainwater will be captured and stored for use as irrigation supply for the landscape.

The Civil Engineering Design Report and civil drawings prepared by Northrop (Appendix AD). The report confirms that Sydney Water is the statutory authority that dictates stormwater discharge requirements for the Sirius site and that Sydney Water has confirmed no on-site detention (OSD) is required for this development. Where possible, the existing stormwater drainage system (i.e. pipes and inlet pits) will be utilised to collect and discharge stormwater runoff. Existing overland flow paths will also be maintained. The piped drainage system and overland flow paths were designed using "DRAINS" hydraulic design software.

The report notes that the proposed stormwater quality treatment system will comply with the City of Sydney's Water Sensitive Urban Design (WSUD) strategy. "MUSIC" water quality modelling software has been used to demonstrate the proposed pollutant removal targets can be achieved.

### 8.15 Ecologically Sustainable Development (ESD)

An ESD Report has been prepared by Flux (October 2020) and is attached at Appendix AB. The report demonstrates that the proposal includes innovative and best practice building performance design to minimise waste, reduce energy consumption and improve efficient water use. An assessment framework of how the building will achieve best practice sustainable building practices is included in the report.

The report notes the substantial retention of the existing building promotes a better environment by delivering a reduction in embodied energy of over 8,000 tonnes of CO<sub>2</sub>e emissions. It will also reduce community disruption by reducing the impacts of demolition works and traffic impacts caused by trucks removing spoil and delivering new materials.

The existing Sirius building is not considered susceptible to future climate impacts. Systems and utilities, such as rainwater systems, have been designed to future climate projections. However, any residual risks will be identified in a climate change risk review prior to construction.

## Environmental assessment

The ESD Report provides that the proposal is capable of complying with BASIX requirements. Refer also to the BASIX certificates attached at Appendix AB

The principles of ESD, including the precautionary principle, inter-generational equity, conservation of biological diversity, and provision of valuation, pricing and incentive mechanisms (as defined in Clause 7(4) of Schedule 2 of the Regulation) are addressed at Section 6.2.2 above. The principles of ESD are supported by the proposed restoration and refurbishment of the Sirius site.

### 8.16 Services and utilities

A Building Services Statement has been prepared by Floth (dated 20 August 2020). Refer to the statement at Appendix AC.

Upgrades are required to the existing building's services which are outdated and provide insufficient capacity to service the site, however no major augmentations are required to existing utility infrastructure as a result of the development.

The following services and utilities are proposed to be upgraded as part of the alterations and additions to the existing Sirius building:

- Electrical services: electrical systems will be upgraded throughout the site. Power supply to the site will be provided from the Ausgrid network in Cumberland Street and energy generated by the solar photovoltaic (PV) system will be connected to the services switchboards to reduce energy imported from the grid during daylight hours.
- Telecommunications: pathways for the future installation of a fibre optic distribution system in accordance with NBN Co. requirements will be provided.
- Hydraulic services: hydraulic systems will be upgraded throughout the site, including sanitary plumbing, rainwater plumbing, stormwater drainage, condensate plumbing, potable cold water systems, hot water systems and fire sprinkler services.
- Cooling / heating: Each apartment will be cooled / heated by systems connected to a central multifunction chiller located in an acoustically treated plantroom on the roof of the Cumberland Street building. The gym, residential lift lobbies and SoHo apartments are to be air-conditioned. The retail spaces are shell only with provision for the tenant/owner to connect to a separate system as required.

– Ventilation: ventilation systems are to be provided for each apartment and common areas as required.

– Vertical transportation: lift services will include six (6) lifts serving the residential apartments; one (1) internal penthouse lift serving level 25 and 26; one (1) passenger lift serving the gym and pool deck (Cumberland Street building); Gloucester Walk lift serving the through-site link and providing accessibility to Gloucester Walk. A 10,000kg truck lift with front and rear opening doors will be provided to convey garbage and furniture trucks from the Cumberland street carpark entry to the loading dock/garbage area.

All work will be undertaken in accordance with current relevant Standards, Codes and Regulations.

Refer to the Building Services Statement at Appendix AB.

### 8.17 Waste management

A Waste Management Plan has been prepared by Foresight Environmental which details the proposed management practices and procedures for waste generated during the operation of the development.

The plan confirms that the waste facilities provided in the proposed design can adequately cater for the projected waste generation rates at the completion of development. Refer to the Waste Management Plan at Appendix AK.

Space will be allocated in each residential dwelling for the temporary storage of waste and recycling material generated. This space will allow residents to segregate their waste effectively within their living area. Waste and recycling will then be transported to dedicated waste and recycling hubs (at Core 1, 2, 3 and 5) or chute room (at Core 4) which will be located on each floor of each residential building. Waste and recycling will be collected from these points by a designated cleaner. The cleaner will use a specialised trolley that keeps the waste and recycling separate and allows for easy transport via the lift. A commercial waste collection contractor will be engaged to collect the waste from basement level B2. Frequency of collection will be based on the estimated waste profile.

Construction waste management measures are to be incorporated as part of the detailed Construction Management Plan (CMP). Recommended measures should be implemented to ensure the appropriate management, reuse and minimisation of construction waste. Refer to the Preliminary Construction Management Plan at Appendix AJ.

## 8.18 Construction management

A construction management plan is appended at Appendix AJ, the plan contains;

- A methodology within which the demolition, excavation and construction activities will be completed in a manner which will not cause environmental or community disturbances above acceptable levels,
- Provides a framework for procedures to be adopted when monitoring the construction performance against agreed criteria, including but not limited to Sydney City Council,
- Guidelines for construction, traffic and pedestrian management and the compliance with any applicable DA conditions for the development, and
- Implements statutory requirements in respect to environmental issues associated with the construction of the work.

### Demolition

Demolition of part of the existing Sirius Building is proposed as part of this SSD Application to facilitate the restoration and refurbishment of the building. Demolition plans prepared by BVN are provided at Appendix G. Demolition works will be undertaken in accordance with the recommendations of the Detailed Site Investigation prepared by EI Australia (Appendix V) and structural advice provided in the Structural Report prepared by SCP Consulting Pty Ltd (Appendix U).

### Hours of Work

Works will be undertaken during standard construction hours.

It is noted that the NSW Government recently set up the Planning Acceleration Program to fast-track planning projects and allow for new construction jobs and construction work to continue where possible. On 31 March 2020 the Minister for Planning and Public Spaces made the following order: Environmental Planning and Assessment (Covid-19 Development Construction Work Days) Order 2020. This means works that ordinarily can be undertaken during the week can also be undertaken on weekends and public holidays to the same weekday hours, except for particularly noisy and vibration causing works.

## 8.19 Construction staging

The proposed development will be staged to manage works on site. Construction works are expected to take a period of 18 months between 2021 and 2022. Stage 1 will be completed within 16 months from commencement, with Stage 2 completed within 18 months from commencement.

The proponent is seeking approval for staged construction certification as follows:

- Construction Certificate No. 1: including but not limited to site establishment, internal strip-out, demolition works and tree removal;
- Construction Certificate No. 2: Structural works (including strengthening of the existing building), excavation works and footings; services installation and services upgrades (including all authority connections), façade works;
- Construction Certificate No. 3: Architecture including internal and external finishes and fitout; and
- Construction Certificate No. 4: External works, landscaping works and public domain upgrades.

Given that sections of the development will be completed at different times, the proponent is also seeking approval for staged occupation of the completed development

## 9 Mitigation measures

By reinstating landscaping to the entire roof, and peeling out pragmatic paths and spaces for use, Sirius provides a green roof that is accessible and functional for residents while making a positive ecological contribution to the local urban environment.

Landscape Design Report, 360°  
Landscape Architects

## Mitigation measures

### 9.1 Mitigation measures

The Environmental Assessment (Section 8) has identified and assessed a range of issues arising from the proposed development in accordance with the applicable legislation and merit assessment. On the basis of the assessment it is concluded that the proposed development will not have a significant impact on the environment, subject to the mitigation measures outlined below.

Table 12. Mitigation measures

Issue	Recommended mitigation measure
Demolition	<p>Demolition of the existing structure will be minimised as much as possible. All demolition works are to be undertaken in accordance with the Australian Standard AS2601 – The Demolition of Structures.</p> <p>Demolition of concrete slabs, pavement and floor slabs will be undertaken in accordance with the recommendations of the Geotechnical Report at Appendix W.</p> <p>Demolition plans have been prepared as part of the Architectural Drawings and are provided at Appendix G.</p>
Public domain and public access	<p>Works within the public domain, such as works to footpaths and the pocket-park to the north of the site, are to be undertaken in accordance with the relevant requirements of the City of Sydney and Place Management NSW. Selection of finish materials is subject to further consultation with Place Management NSW.</p> <p>Temporary closure of footpaths will be managed in accordance with the future detailed Construction Management Plan and detailed Construction Traffic Management Plan.</p>
Construction Management	A Construction Management Plan is appended at Appendix AJ
Construction Traffic Management	<p>Mitigation measures identified in the Preliminary Construction Traffic Management Plan prepared by Traffix (Appendix T) will be adopted to minimise impacts of construction traffic, including managing vehicle access routes, truck sizes and volumes and delivery hours. Vehicle and loading access is to be provided off Cumberland Street only.</p> <p>A detailed Construction Traffic Management Plan will be prepared prior to construction and will be generally in accordance with the principles established in the preliminary Plan.</p>
Heritage, Aboriginal Cultural Heritage and Archaeology	As detailed within the Heritage Impact Statement (Appendix O), Historic Archaeological Assessment (Appendix P) and Aboriginal Cultural Heritage Assessment (Appendix Q) prepared by Urbis, mitigation measures are recommended in order to avoid or reduce the impacts on sensitive building material and protocols for unexpected finds. It is noted that additional mitigation measures may arise through the course of approval processes.
Crime prevention	The detailed design is to take into consideration the crime prevention recommendations outlined in the CPTED Report prepared by Architectus and provided at Appendix AF to this report.
Ecologically Sustainable Development	The development is required to comply with the ESD requirements set out in the ESD Report and BASIX certificates (Appendix AB) prepared by Flux, and achieve the ESD initiatives identified.

## Mitigation measures

Contamination	<p>The Detailed Site Investigation (Appendix V) finds the potential for site contamination is low. The site is deemed suitable for the proposed development (including residential use) in accordance with SEPP 55.</p> <p>Any soils removed from the site should be classified in accordance with the “Waste Classification Guidelines, Part 1: Classifying Waste” NSW EPA (2014).</p>
Reflectivity	All external materials and finishes that are visible from a public road or footpath are to have a spectral reflectivity of less than 20%.
Acoustic	Suggested acoustic mitigation treatments outlined in the Noise Impact Assessment (Appendix Y) should be incorporated through detailed design and construction.
Wind	Suggested wind mitigation treatments outlined in the Pedestrian Wind Environment Statement (Appendix AE) should be incorporated through detailed design and construction.
Wayfinding	Consent is not sought for signage as part of this SSD Application. The future design and installation of commercial signage (if any) and wayfinding signage will be undertaken in accordance with SEPP 64 as well as <i>The Rocks Signage Policy, 2013</i> and <i>The Rocks Signage Technical Manual, 2013</i> .

# 10 Conclusion

The Design Integrity Panel consider the proposed design developments thus far to be substantially equivalent to, or an improvement on the design excellence qualities of the Competition-winning scheme.

Design Integrity Panel

## Conclusion

## Conclusion

This Environmental Impact Statement has been prepared by Architectus on behalf of Sirius Developments Pty Ltd (the Proponent) in relation to the restoration and refurbishment of the Sirius building (SSD-10384). It is submitted to DPIE for assessment and determination in accordance with the relevant provisions for SSD and in response to the SEARs, as issued on 20 November 2019.

This report provides a detailed analysis of the subject site, overview of the proposed development, consideration of the legislation and policies applicable to the development, an assessment of the environmental impacts and proposed mitigation measures to manage and protect the environment from these impacts.

The proposed development is for the restoration and refurbishment of the existing Sirius building, including alterations and additions. The existing building is proposed to be substantially retained and restored with integrity. New residential additions are proposed to be added to the existing structure in appropriate locations to maintain the legibility of the original architectural form, and new structures for commercial uses are proposed to be added at the Cumberland Street and Gloucester Walk frontages of the site.

In summary, this SSD Application seeks approval for:

- Site preparation works, including demolition works, tree removal and minor excavation works;
- Restoration works to the existing building;
- Alterations and additions to the existing building to provide for:
  - Residential accommodation for a total of 76 apartments;
  - Commercial premises;
  - Basement car parking that retains the existing 70 car parking spaces and provides for a new truck lift for on-site servicing; and
  - Through-site link between Cumberland Street and Gloucester Walk.
- Landscaping and public domain improvements, including hard and soft landscaping, upgrades to Cumberland Street and Gloucester Walk, provision of 67 new trees; and provision of public art.

The proposed development is for the restoration and refurbishment of the existing Sirius building will have the following benefits. It will:

- substantially retain the existing Sirius building;
- adapt the existing Sirius building for contemporary uses in a way that respects the integrity of the original design and preserves the characteristic horizontal and vertical articulation of the building;
- improve the residential amenity and internal access;
- improve vehicle access and reduce the extent of driveway interface;
- provide an activated ground level with an improved public domain;
- improve universal public access across the site; and
- improve permeability and connectivity within The Rocks by providing a through-site link from Cumberland Street to Gloucester Walk.

The preservation of the Sirius building is an excellent opportunity to retain one of Sydney's best-known brutalist buildings. The vision for the restoration and refurbishment of the Sirius site is to celebrate its exceptional contribution to Sydney's architectural landscape; breathe new life, functionality and excitement into the Sirius building and surrounding public domain; and ensure the Sirius building and surrounding public domain brings joy to the people of Sydney into the future.

The site has been found suitable for the proposed development. It is considered that the environmental impacts are acceptable and where necessary, can be appropriate mitigated. It is found on balance the development is significantly in the public interest.

**Accordingly, it is recommended that the proposed development be approved by the consent authority.**

**architectus™**