

10 July 2020

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Mr Jim Betts
Secretary
Department of Planning, Industry and Environment
Locked Bag 5022, Parramatta NSW 2124

Attention: Anthony Withderdin (Director, Key Sites Assessments)

Dear Anthony,

**Clarification of Secretary's Environmental Assessment Requirements (SSD-10464)
50-52 Phillip Street New Hotel Stage 1 Concept SSD DA**

We write on behalf of Built Development Group Pty Ltd, the proponent for the proposed redevelopment of a new hotel at 50-52 Phillip Street, Sydney (the site). On 9 June 2020, Secretary's Environmental Assessment Requirements (SEARs) were issued in relation to the proposed Stage 1 Concept State Significant Development (SSD) Development Application (DA) (SSD-10464).

We wish to provide clarification regarding the components of development sought as part of the Stage 1 Concept SSD DA. It is understood that the SEARs have been issued on the understanding that a detailed component of works is being sought as part of the SSD DA, namely site preparation works including demolition. This letter clarifies that development consent is not sought for any detailed component of development, including any site preparation works, and only concept approval is sought.

Based on this clarification, we also highlight in this letter several amendments to the SEARs which account for the development consent sought in the Stage 1 Concept SSD DA.

1.0 Proposed Scope of Stage 1 Concept SSD DA

The subject SSD DA is proposed under section 4.22 of the *Environmental Planning and Assessment Act 1979* (the Act) as a Stage 1 Concept SSD DA. The proposed Stage 1 SSD DA will seek consent for a maximum building envelope, land uses, a maximum total quantity of floor space, pedestrian, vehicle circulation, and drop-off arrangements and associated car parking provision, including the in-principle demolition of the existing commercial building on the site (but not the heritage listed building).

It is clarified and confirmed that development consent is not sought for any detailed component of development, including any demolition or construction works on the site. Consent for the demolition and construction works will be sought in a future and separate detailed Stage 2 SSD DA.

2.0 Requested Amendments to SEARs

Given the above clarification, we request that a number of SEARs be removed or amended. These recommendations are outlined in the table below.

Recommended Change	Rationale
<p>9. Aboriginal Cultural Heritage o Identify and describe the Aboriginal cultural heritage values that exist across the whole area that would be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include a surface survey and test excavation. The identification of cultural heritage values must be conducted in accordance with the Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH 2010), and guided by Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011). ...</p>	<p>As no detailed works are being completed in association with this SSD DA, there will not be any opportunity for surface survey or test excavation.</p>
<p>10. Transport, Traffic, Access and Parking (Construction and Operation) The EIS must include a Traffic and Transport Impact Assessment (TTIA) prepared in accordance with relevant guidelines. The TTIA must, include but not limited to, the following: ... o An assessment and details of proposed vehicle access arrangements, including a Delivery Service Plan detailing loading dock and servicing provision, adequacy and management ensuring all servicing and loading occurs on-site and does not rely on kerbside controls. ... o In relation to construction/demolition traffic: o Details of vehicle routes, peak hour and daily truck movements, hours of operation, access arrangements and traffic control measures for all demolition / construction activities. o An assessment of road safety at key intersections and locations subject to pedestrian / vehicle / bicycle conflicts. o Details of temporary cycling and pedestrian access and end-of-trip facilities during construction. o An assessment on the impacts of the construction activities on the bus operation and bus stops along Phillip Street o An assessment of the likely construction/demolition traffic impacts, such as impacts on general traffic and bus operation, pedestrian and cycle movement taking into account other construction activities within the Precinct. o Preparation of a draft Construction/Demolition 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.</p>	<p>No detailed works are sought as part of the Stage 1 Concept SSD DA.</p>
<p>16. Construction/Demolition Impacts o Address potential impacts of the construction on surrounding areas with respect to noise and vibration, air quality and odour impacts, dust and particle emissions, water quality, stormwater runoff, groundwater seepage and soil pollution. o Detail the management of waste from construction and demolition activities to minimised by avoidance and reduction practices, re-use on site and the recycling of materials. o Assess cumulative impacts associated with constructions. o Prepare a Community Consultation and Engagement Plan.</p>	<p>No detailed works are sought as part of the Stage 1 Concept SSD DA.</p>

In addition to the above clarifications, we also wish to confirm that due to the conceptual nature of this proposal, many of the requirements to be addressed in the EIS and supporting documents will be provided in a manner commensurate to the early stage of the development process. As no detailed works are being sought, and the content of the proposal will be the subject of a future separate competitive design process, many aspects of the management regime associated with the proposal (i.e. loading, access, drop-off, services, utilities, etc.) will be indicative and subject to change as the detailed proposal is developed. Given the clarification of the proposed Stage 1 SSD DA scope, we would be happy for you to make any additional changes to the SEARs which streamline the process and reflect the conceptual nature of the proposal.

We trust that the information detailed in this letter clarifies the scope of the proposed Stage 1 Concept SSD DA and enables amended SEARs to be issued to inform the preparation of the EIS. Should you have any queries about this matter, please do not hesitate to contact the undersigned.

Yours sincerely,



Brendan Hoskins
Principal Planner
0408 458 241
BHoskins@ethosurban.com

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