

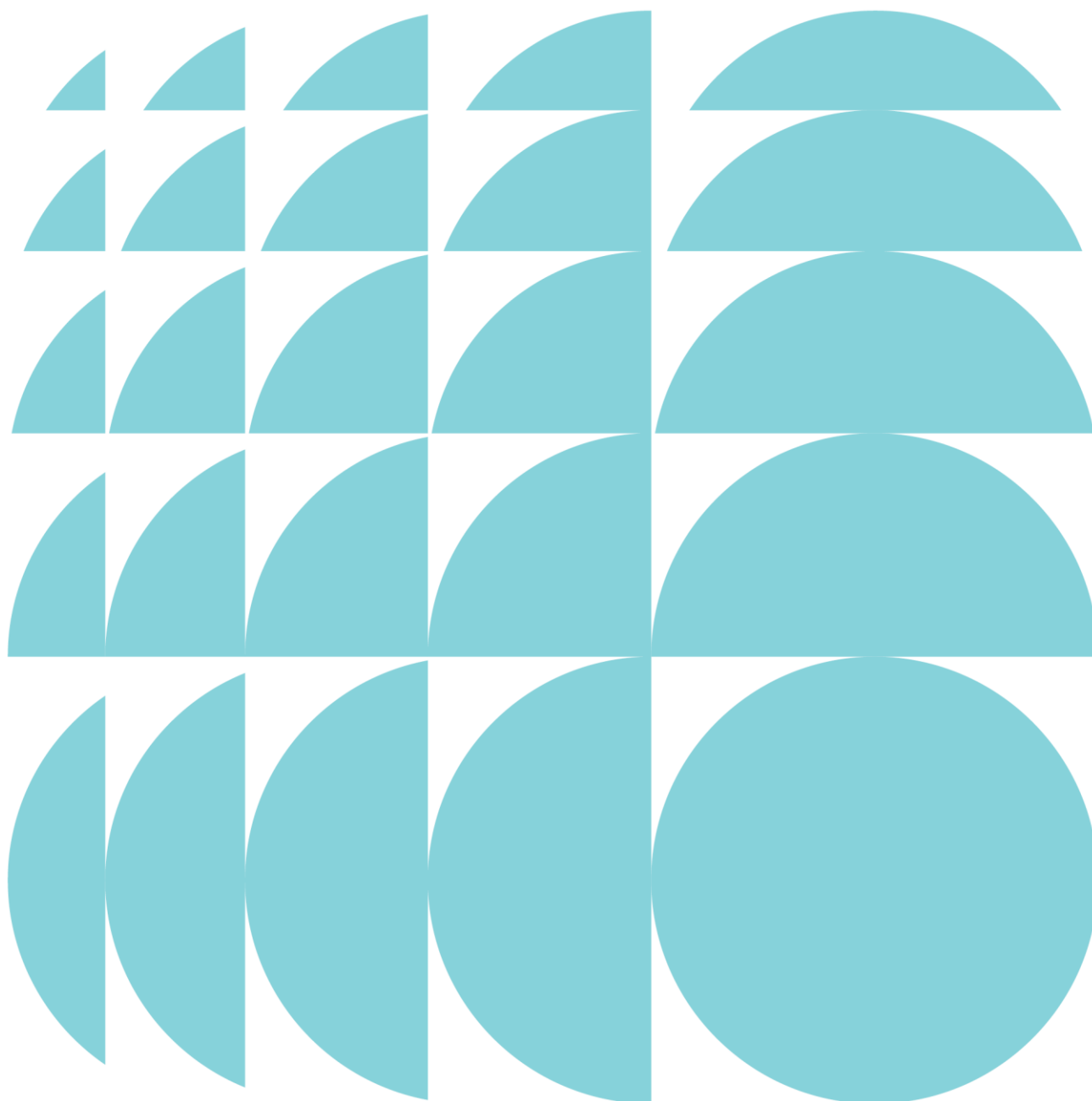
Environmental Impact Statement

50-52 Phillip Street, Sydney
Hotel and Residential Stage 1 Concept Proposal

Submitted to the Department of Planning, Industry
and Environment

On behalf of Built Development (Phillip St) Pty Ltd

25 March 2021 | 2200462



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Statement of Validity

Development Application Details

Applicant name	Built Development (Phillip St) Pty Ltd
Applicant address	7/343 George Street, Sydney NSW 2000
Land to be developed	Lots 31 and 32 in DP984186 and Lot 33 in DP1141812 (50 Phillip Street) and Lot 1 in DP448584 (52 Phillip Street)
Proposed concept development	Concept redevelopment of a new part-hotel and part-branded residential building at 50-52 Phillip Street, Sydney as described in Section 3.0 of this Environmental Impact Statement

Prepared by

Name	Brendan Hoskins
Qualifications	BPlan (Hons), GradDipEnvMgt, MPIA
Address	173 Sussex Street, Sydney
In respect of	State Significant Development - Development Application

Certification

I certify that I have prepared the content of this EIS and to the best of my knowledge:

it is in accordance with Schedule 2 of the Environmental Planning and Assessment Regulation 2000;

all available information that is relevant to the environmental assessment of the development to which the statement relates; and

the information contained in the statement is neither false nor misleading.

Signature



Name Brendan Hoskins

Date 25/03/2021

Executive Summary

Purpose of this Report

This submission to the Department of Planning, Industry and Environment (the Department) comprises an Environmental Impact Statement (EIS) for a Development Application under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It relates to the proposed concept development of a new part-hotel and part-branded residential building at 50-52 Phillip Street, Sydney.

The proposed redevelopment at 50-52 Phillip Street is classified as State Significant Development (SSD) as per Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). Development of a tourist related purpose, which includes a hotel with a capital investment value of more than \$100 million is SSD for the purposes of the EP&A Act. As the proposed concept development contains a hotel and will have a capital investment value of \$294,106,470, it is classified as SSD.

A request for the issue of Secretary's Environmental Assessment Requirements (SEARs) was sought on 13 March 2020. Accordingly, the SEARs were issued on 9 June 2020. Following a clarification of the Concept Proposal, amended SEARs were issued on 29 July 2020.

Due to feedback from potential investors on the project, a decision was made to seek an amended Concept Proposal that provides greater flexibility in the delivery of a mixed-use model as seen in other high-end hotels, where a hotel and branded-residential apartments are integrated into one building. As such, modified SEARs were sought on in January 2020. A copy of the modified SEARs was issued on 23 March 2021, and these SEARs are included at **Appendix A**.

This submission is made in accordance with the Department's guidelines for SSD applications lodged under Part 4 of the EP&A Act, and addresses the issues raised in the SEARs.

Overview of the Project

The SSD Development Application (DA) seeks approval for the staged delivery of a new landmark mixed-use luxury hotel and branded residential building in Sydney's Central Business District (CBD). The proposal will deliver approximately 246 new hotel rooms and 23 branded residential rooms, increasing Sydney's global competitiveness and contributing to overcoming the critical shortage which has been identified in hotel accommodation.

Specifically, the SSD DA seeks consent for:

- In-principle demolition of the existing commercial building at 52 Phillip Street.
- In-principle retention of the existing heritage listed building at 50 Phillip Street and refurbishment as a hotel.
- Concept approval for a new 48 storey mixed use hotel and branded residential building, with three basement levels.
- Establishment of a planning envelope with a maximum height of RL 207.22m and a maximum gross floor area (GFA) of 25,374.5m² comprising approximately 82% hotel floor space and 18% residential floorspace.
- In-principle use of Phillip Lane as a pick-up and drop-off zone, as well as access into the proposed basement levels.

The proposed building envelope is illustrated in the Concept Architectural Drawings prepared by FJMT at **Appendix B**, and Indicative Design Drawings and a Design Report prepared by FJMT are also included at **Appendix B**.

A photomontage of the indicative design is provided in **Figure 1** below.



Figure 1 Photomontage

Source: FJMT

The Site

The site is located at 50-52 Phillip Street, Sydney and has a total area of 1,681.1m², with frontages to Phillip Street and Phillip Lane. Two commercial buildings sharing a built-to-boundary condition currently occupy the site. The heritage-listed sandstone building in the northern portion of the site is six generous storeys in height and contains commercial office space. The building located on the southern portion of the site is 12 storeys in height, and contains a ground level café/bar use, with commercial office space above.

Planning Context

Section 5.0 of the EIS considers all applicable legislation in detail, including the relevant State Environmental Planning Policies (SEPPs) and the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012). The development is partly prohibited by the Sydney LEP 2012 due to non-compliance with Sun Access Planes, but is able to be approved by way of its state significance pursuant to clause 3.83(3) of the EP&A Act. Otherwise, the proposal is generally consistent with all other requirements of the relevant SEPPs and the Sydney LEP 2012. Importantly, it is permissible with consent in the B8 Metropolitan Centre zone, and meets the zone's objectives.

This Stage 1 Concept SSD DA is a staged DA made pursuant to Section 4.22 of the EP&A Act, and it will in turn satisfy the requirements of clause 7.20 of the Sydney LEP 2012 for a site-specific development control plan. The Stage 1 Concept SSD DA sets the development principles for the site, including land uses and a building envelope.

A future separate Stage 2 Detailed SSD DA will be lodged for the physical works the subject of the Concept Proposal, including demolition of 52 Phillip Street, the detailed design of the final building, and construction of the new building. Prior to the lodgement of a Stage 2 Detailed SSD DA, a competitive design process will be held in accordance with the *Government Architect NSW (GA NSW) Design Excellence Guidelines (Draft, May 2018)* and the *City of Sydney Competitive Design Policy 2013*.

Environmental Impacts and Mitigation Measures

This EIS provides an assessment of the environmental impacts of the project in accordance with the SEARs and sets out the undertakings made by the proponent to manage and minimise potential impacts arising from the development. The key environmental assessment issues include:

- Compliance with strategic and statutory plans
- Height, sun access planes and overshadowing
- Gross floor area and maximum floor space ratio
- Design Excellence
- Built form and urban design
- Streetscape and public domain
- Heritage
- Archaeology
- Visual impact
- Residential amenity
- Environmental amenity
- Acoustic impact
- Wind impact
- Aboriginal cultural heritage
- Traffic, transport, access and parking
- Contamination
- Flooding and stormwater
- Water and soils
- Waste management
- Utilities
- Construction and demolition impacts
- Ecologically sustainable development
- Crime Prevention through Environmental Design

The above matters are addressed in **Section 5.0** of this EIS, while an environmental risk assessment is provided in **Section 6.0** of the EIS. Mitigation measures, as required, are set out in **Section 7.0** of the EIS, acknowledging that a number of potential impacts will be resolved and managed as part of the competitive design process and Stage 2 Detailed SSD DA.

Conclusion and Justification

The EIS addresses the SEARs, and the proposal provides for the redevelopment of a new mixed use hotel and branded residential development at 50-52 Phillip Street, Sydney. The potential impacts of the development are acceptable and are able to be managed, while the proposal itself will deliver significant benefits. Given the planning merits of the proposal, the proposed concept development warrants approval.

1.0 Introduction

This Environmental Impact Statement (EIS) is submitted to the Department of Planning, Industry and Environment (the Department) pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in support of a Development Application (DA) for a State Significant Development (SSD) at 50-52 Phillip Street, Sydney (the site).

This SSD DA is proposed under section 4.22 of the EP&A Act as a Stage 1 Concept SSD DA. The Stage 1 SSD DA seeks consent for a maximum building envelope, land uses, a maximum total floor space, pedestrian and vehicle circulation, drop-off arrangements and associated car parking provision, including the in-principle demolition of the existing commercial building (but not the heritage listed building). No physical works are proposed in this SSD DA.

Development for a tourist related purpose with a capital investment value (CIV) of more than \$100 million is SSD for the purposes of the EP&A Act as prescribed by item 13(2) of Schedule 1 of the *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). The proposed concept development includes tourist and visitor accommodation with a CIV of \$294,106,470 and therefore the proposal is declared SSD. In accordance with clause 8(2) of the SRD SEPP, all parts of a single development application are also declared SSD for the purposes of EP&A Act. Accordingly, all aspects of this application, including the proposed residential uses, are also declared SSD.

The report has been prepared by Ethos Urban on behalf of Built Development (Phillip St) Pty Ltd (herein referred to as "Built"), and is based on the Concept Architectural Drawings provided by FJMT (refer to **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This EIS has been prepared in accordance with the requirements of Part 4 of the EP&A Act, Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), and the SEARs for the preparation of the EIS, which are included at **Appendix A**. This EIS should be read in conjunction with the supporting information and plans appended to and accompanying this report.

1.1 Proposal Overview

The Stage 1 SSD DA seeks consent for a Concept Proposal on the site, which will comprise:

- In-principle demolition of the existing commercial building at 52 Phillip Street.
- In-principal retention of the existing heritage listed building at 50 Phillip Street and refurbishment as a hotel.
- Concept approval for a new 48 storey mixed use hotel and branded residential building, with three basement levels.
- Establishment of a planning envelope with a maximum height of RL 207.22m and a maximum gross floor area (GFA) of 25,374.5m² comprising approximately 82% hotel floor space and 18% residential floorspace.
- In-principle use of Phillip Lane as a pick-up and drop-off zone, as well as access into the proposed basement levels.

1.2 Background

On 15 October 2019, the NSW Government published details of the Built Unsolicited Proposal for the leasehold purchase of 50 Phillip Street, Sydney to allow for the proposed hotel redevelopment. The Built proposal has progressed to Stage 2 of the Unsolicited Proposal process, and has been deemed unique as Built owns the adjacent property (52 Phillip Street, Sydney) to the Government owned 50 Phillip Street, Sydney. As there are no other privately owned properties immediately contiguous to 50 Phillip Street, it has been determined that Built possesses unique property ownership that enables it to amalgamate 50 and 52 Phillip Street, and take full advantage of the unused developable air space.

As such, Built is in a unique position to deliver the proposal and better value for money outcomes for the NSW Government.

In mid-2020, due to feedback from investors on the requirements for delivering and managing a new 6-star hotel, an alternative development model has been considered and is now being pursued. This alternative model includes the integrated delivery of a 6-star hotel and a small proportion of branded apartments.

The proposed redevelopment project will combine both private and Government land, breathing new life into an underutilised heritage-listed NSW Government owned building and Built's aging privately-held commercial office building.

The vision for the redevelopment is to revitalise the lower end of Sydney's financial services district by delivering a new luxury mixed use hotel. The proposal will provide an important and much needed asset to the people of NSW and visitors. Sydney will have, as part of the amalgamation of the properties, its finest integrated luxury hotel with associated retail areas providing ground floor public activation accessible to the general public and hotel guests alike.

Built is well recognised for work in the refurbishment and restoration of iconic heritage properties across Australia. As such, a foremost principle of the project is to ensure that the integrity of the heritage listed Government building is not compromised. Rather, the heritage qualities of the building will be celebrated and revitalised for the people of NSW. The Chief Secretary's Building which fronts Bridge Street will not be leased as part of this redevelopment project, and it is intended to remain in Government ownership and control.

1.3 Objectives of the Development

The objectives of the proposed hotel and branded residential building at 50-52 Phillip Street, Sydney are to:

- Create jobs and benefits for the tourism industry from construction and operation of a new 6-star hotel.
- Contribute to the NSW State economy's activity and Gross State Product, including the generation of construction phase revenue for the Government in the form of payroll tax, stamp duty and GST payments.
- Rejuvenate and adaptively reuse a Government owned heritage building.
- Expand the diversity of land uses in the lower end of Sydney's financial district through the feasible delivery a mixed use hotel and residential development.
- Regenerate, enhance and activate the surrounding public domain, particularly upgrades to Phillip Lane.
- Create a heritage-tourism precinct with a new hotel as the centrepiece.
- Deliver a capital return to Government to fund future Government investment in services and infrastructure.

1.4 Analysis of Alternatives

1.4.1 Strategic need for the proposal

The site is in need of refurbishment and is currently underutilised with low scale buildings not reflecting the highly urbanised and dense Sydney CBD context. In order to continue to grow a stronger and more competitive Central Sydney, underutilised sites with unlocked development potential should be redeveloped to expand the amount of employment generating floorspace in Central Sydney. Through the provision of new accommodation in an optimal location within Central Sydney, the proposal will contribute to a mix of uses which complements and adds to the global qualities of Central Sydney and expands employment-generating floorspace.

Specifically, the City of Sydney Council's Local Strategic Planning Statement, *City Plan 2036*, emphasises the need to support tourism by providing a diversity of accommodation opportunities that respond to the different levels of demand in the market, and to allow the unlocking of new sites for future hotel accommodation. The proposal will directly support and implement this approach by providing a new hotel servicing the tourism industry on one of the most accessible and well-located sites in Central Sydney. The provision of a mixed use hotel and residential building ensures a viable project can be delivered that will add to Sydney's global competitiveness and attractiveness, in turn contributing to a mix of land uses that promote the vitality and vibrancy of Central Sydney.

Sydney is recognised in *City Plan 2036*, as Australia's primary international gateway and most visited city, with close to 45 per cent of all international visitors, and containing close to 20 per cent of the hotel room supply across all major cities in Australia. Tourism contributes more than \$7 billion to the local area and economy and contributes to 11 per cent of Sydney's workforce. In the next 25 years, Sydney is anticipated to receive an increasing number of international and domestic visitors, and demand for hotels is expected to grow. Thus, the proposal will increase luxury hotel supply to meet this expected growth in hotel demand.

1.4.2 Alternative Options

Four alternative concept design options have been investigated by Built and their expert project team in responding to the identified need for continued growth of Central Sydney. The four options that have been explored include:

- Do nothing.
- Option A: Building Envelope compliant with Sun Access Planes (SAPs).
- Option B: Building Envelope outside of Royal Botanic Gardens SAP.
- Option C: The Concept Proposal.

Do Nothing

The existing State Government-owned heritage building has been generally vacant, used sparingly in recent years, and is awaiting refurbishment and adaptive re-use. The commercial building at 52 Phillip Street is also becoming increasingly dated and less able to meet the needs of current office workers.

As Built owns 52 Phillip Street which adjoins the heritage listed 50 Phillip Street, it has been determined in the USP Process that Built possesses unique property ownership that enables it to amalgamate 50 and 52 Phillip Street, and take advantage of delivering much-needed employment generating floorspace in a prime location.

Given the opportunities that redevelopment of the site offers, and the unique property ownership that Built possesses, the 'Do Nothing' option was not considered appropriate and would result in a continued inefficient use of the site over time.

Option 1: Central Sydney Planning Proposal 2020 Building Envelope Sun Access Plane Compliant

The Central Sydney Planning Proposal 2020 proposes to amend the Sydney LEP 2012, including a slight adjustment of both the Royal Botanic Gardens and The Domain Sun Access Planes (SAPs). The Option A massing has considered these amended SAPs, and is located under both the amended Domain SAP and amended Royal Botanic Gardens SAP. On analysis of this option, it has been determined that it would result in a larger massing above the heritage listed building on the site for lower portion of the tower beneath the Royal Botanic Gardens SAP (refer to **Figure 2**). As such, even though Option A would be fully compliant with the future SAPs, it was not advanced as an appropriate option given it produced an undesirable building form and unacceptable visual impact on the heritage building and surrounding heritage items.

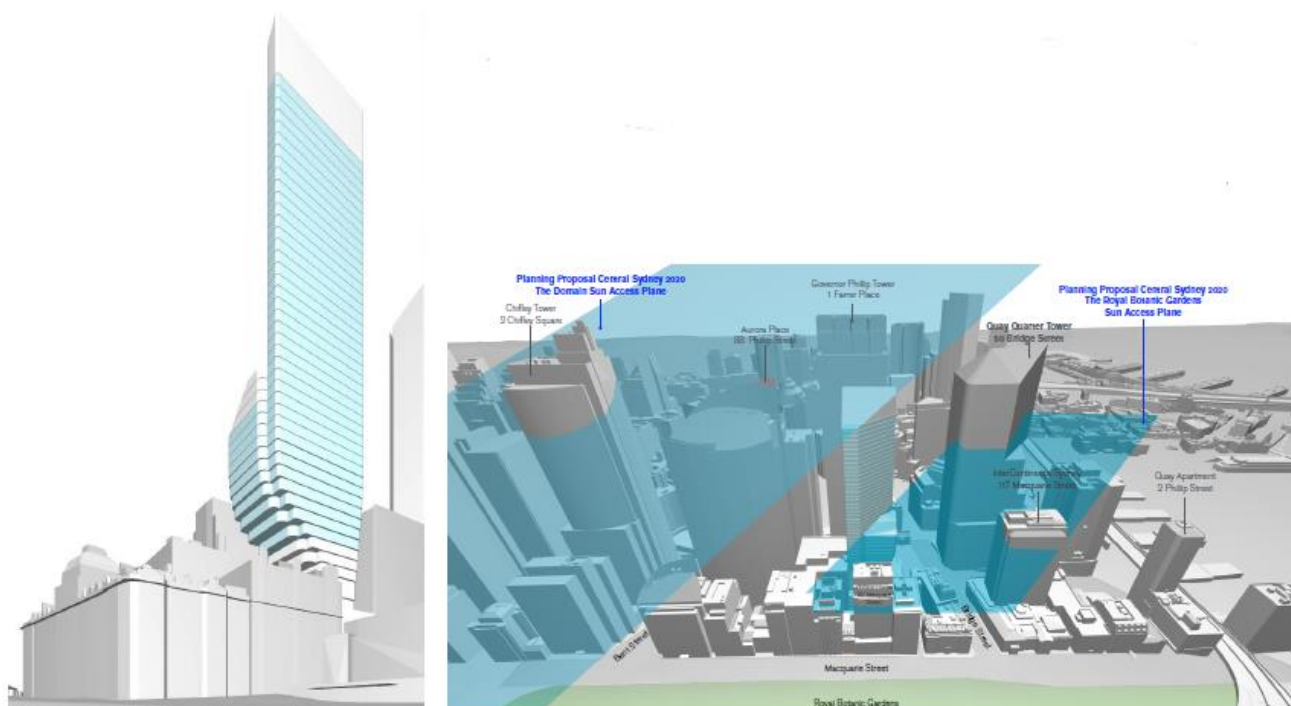


Figure 2 Option A indicative massing and SAP compliance

Source: FJMT

Option 2: Additional Shadow on Hospital Road

A building envelope that began to consider the heritage significance of the site, but challenge the SAPs was then considered. Option B comprised a building form below the Domain SAP, but in order to provide a better relationship to the heritage listed building, it was proposed to exceed the Royal Botanic Gardens SAP at the lower portion of the tower. This option would result in additional overshadowing to a slither of Hospital Road, but avoid any additional overshadowing on the grass surface of the Domain and Royal Botanic Gardens. Due to these key moves, Option B would achieve the desired slender tower form that reduces visual impact on the heritage building, as shown in **Figure 3**.

Despite the benefits of this envelope, Option B was ultimately discounted based on stakeholder feedback, particularly feedback from the City of Sydney Council staff that no net additional overshadowing would be accepted.

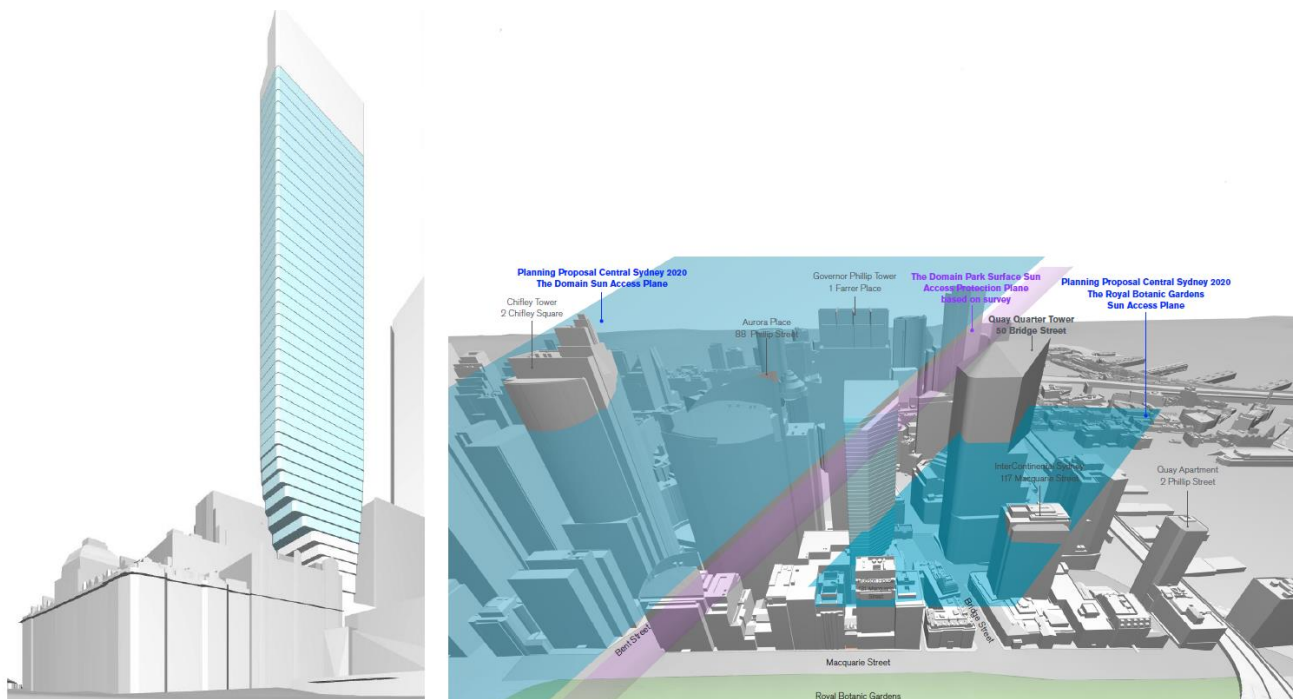


Figure 3 Option B indicative massing and SAP compliance

Source: FJMT

Option C: The Proposal – Within Existing Quay Quarter Tower Overshadowing

Following the discounting of the above two options, Option C was prepared using the same principles of respecting the heritage listed building on the site, but not creating new overshadowing. The proposed building envelope within Option C is located under the Domain SAP but exceeds the Royal Botanic Gardens SAP at the lower portion of the tower. However, this lower portion was modelled to sit within the existing shadow case by the Quay Quarter Tower as shown in **Figure 4**. In effect, Option C avoids any additional overshadowing of the protected areas under the Sydney LEP 2012, and all shadow falls within existing shadows cast in protected areas.

The building envelope also achieves the desired slender tower form that reduces visual impact on the heritage building. Due to the slender tower form and size, the proposal has in turn lent itself to uses such as hotel and residential suites. These uses will contribute to the diversity of land uses at this central location in the Sydney CBD.

Ultimately, Option C was selected as the preferred option as it forms a viable building envelope that respects the heritage qualities of the site, does not result in additional overshadowing, and is suitable for a mixed use hotel and branded residential development.

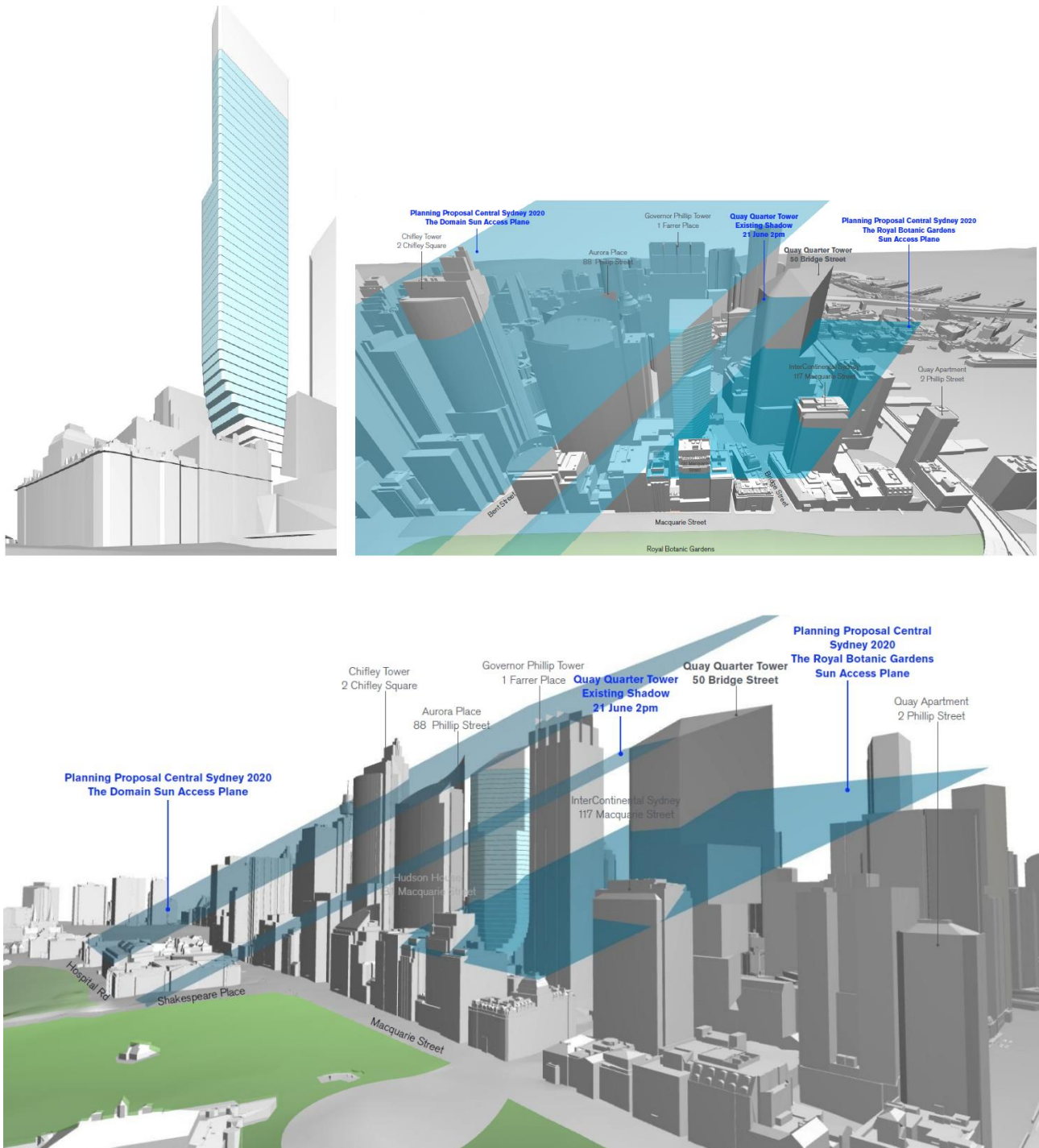


Figure 4 The Proposal – Option C indicative massing, SAPs and Quay Quarter Shadow

Source: FJMT

1.5 Secretary's Requirements

In accordance with section 4.39 of the EP&A Act, the Secretary of the Department issued the requirements for the preparation of the EIS on 9 June 2020. Modified SEARs were issued in January 2021 due to a change in the proposal. A copy of the Modified Secretary's Environmental Assessment Requirements (SEARs) is included at **Appendix A**.

Table 1 provides a detailed summary of the individual matters listed in the SEARs and identifies where each of these requirements has been addressed in this report and the accompanying technical studies.

Table 1 Secretary's Requirements

Requirement	Location in Environmental Assessment	
General		
The Environmental Impact Statement (EIS) must address the <i>Environmental Planning and Assessment Act 1979</i> and meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 the Environmental Planning and Assessment Regulation 2000.	Environmental Impact Statement	
Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development. Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include: <ul style="list-style-type: none"> adequate baseline data consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed) measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment. 	Section 6.0	
The EIS must also be accompanied by a report from a qualified quantity surveyor providing: <ul style="list-style-type: none"> a detailed calculation of the Capital Investment Value (CIV) (as defined in clause 3 of the Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate applicable GST component of the CIV an estimate of jobs that will be created during the construction and operational phases of the proposed concept development certification that the information provided is accurate at the date of preparation. 	Under separate cover	Under separate cover
		Environmental Impact Statement
Key Issues	EIS	Technical Study
Statutory and Strategic Context <ul style="list-style-type: none"> Address all relevant Environmental Planning Instruments, plans, policies and guidelines, including (but not limited to those) outlined at Appendix A. The permissibility of the proposal, detailing the nature and extent of any prohibitions that apply to the development Identify compliance with the development standards applying to the site and provide a detailed justification for any non-compliances. 	Sections 5.1; 5.2 Section 5.2.3; 5.2.4 Sections 5.2.3; 5.2; 5.4	
Use <ul style="list-style-type: none"> Provide a table identifying the proposed land uses including a floor-by-floor breakdown of gross floor area (GFA) and floor space ratio (FSR). Provide details of the proposed use for each component of the development, and the relationship between the different uses within the building and how this will be managed. 	Section 4.7.1 Section 4.7.1	Appendix B

Requirement	Location in Environmental Assessment	
<p>Design Excellence</p> <ul style="list-style-type: none"> • Prepare a Design Excellence Strategy for the proposal and demonstrate that it exhibits design excellence, in consultation with the Government Architect NSW. • Provide a Design Excellence Strategy for the future stages of the development to demonstrate how the proposal exhibits design excellence, in consultation with the Government Architect NSW. The Strategy should set out: <ul style="list-style-type: none"> – The process of achieving design excellence at each stage of the planning and construction stage – The type of competitive design process – The scope of the competitive design process – The number of competitors – The composition of the jury – Design principles to guide the competitive design process – If a height or floor space bonus is sought as a result of the competitive design process – ESD benchmark targets. 	Section 5.5	Appendix H
<p>Built Form and Urban Design</p> <ul style="list-style-type: none"> • Address the height bulk and scale of the proposal including consideration of the proposed setbacks, massing and articulation. This must include an assessment of the proposal's compliance with height and floor space ratio controls that apply to the site. • Provide a massing study that considers the various massing options and demonstrate that the preferred option is the best possible solution for the site. The study must also consider the relevant sun access planes. • Provide detailed consideration of the proposed setbacks to all street frontages, neighbouring buildings as well as the height and extent of the cantilever over the heritage building. • Address the design quality of the proposal including consideration of building articulation, street activation and interface with the public domain, including both Phillip Street and Phillip Lane. • Assess environmental amenity including access to natural daylight and ventilation, acoustic separation access to landscape and outdoor spaces and future flexibility, for both occupants of the building and occupants of neighbouring developments. • Demonstrate how the future development potential of adjoining properties would not be compromised by the proposal. • Assess impacts on the existing heritage building and surrounding context. • Identify any change to the use and or layout of the existing building(s) and associated impacts on circulation movements, access and linkages. • Address integration of any signage. • Address integration of services including waste management, loading zones, and mechanical plant. • Identify impacts on the relevant special character areas. • Outline potential design considerations aimed at mitigating any impacts identified. • Address Crime Prevention Through Environmental Design Principles (CPTED) • Consider opportunities for public art in areas visible from the streets and lanes or accessible to the public. 	<p>Sections 5.3; 5.4; 5.6</p> <p>Section 1.4.2</p> <p>Section 5.6</p> <p>Sections 5.6; 5.7</p> <p>Sections 5.11 and 5.12</p> <p>Section 5.6</p> <p>Section 5.8</p> <p>Sections 4.7; 4.7.2 ; 5.7 ; 5.16</p> <p>N/A</p> <p>Sections 4.7; 5.16; 5.20; 5.21</p> <p>Section 5.2.4</p> <p>Sections 5.6; 5.8</p> <p>Section 5.23</p> <p>Section 5.7</p>	<p>Appendix B</p> <p>Appendix B</p> <p>Appendix B</p> <p>Appendix B</p> <p>Appendix B</p> <p>Appendix B</p> <p>Appendix I</p> <p>Appendix B</p> <p>Appendix B; G; L; S</p> <p>Appendix B; I</p> <p>Appendix B; I</p> <p>Appendix B</p>
<p>Visual Impacts</p> <ul style="list-style-type: none"> • Prepare a Visual Impact Assessment and view analysis of the proposal to/from key vantage points, including existing photographs, photomontages and perspectives of each elevation and three-dimensional images of the proposal, addressing: <ul style="list-style-type: none"> – key elements and views of the development from key locations, including close views showing the relationship of the heritage buildings with the proposed tower as well as Phillip Lane. – key views, vistas and view corridors from the public domain and residential buildings that may be impacted as determined by the view analysis. – planning principles for impacts on private and public domain views. 	Section 5.10	Appendix J

Requirement	Location in Environmental Assessment	
<p>Public Domain and Public Access</p> <ul style="list-style-type: none"> • Include the scope of public domain improvements, street activation, key pedestrian linkages with and between other public domain spaces, existing and proposed buildings and surrounding areas. • Identify works within the public domain that will be intended to be dedicated to Council. 	Section 5.7	Appendix B
<p>Environmental amenity The EIS must demonstrate how a high level of environmental amenity would be achieved by:</p> <ul style="list-style-type: none"> • assessing impacts associated with view loss, lighting, reflectivity and wind. • assessing overshadowing impacts of the proposed development within the site, on surrounding buildings and public spaces (during winter and summer solstice and spring and autumn equinox) at hourly intervals between 9am and 3pm, when compared to the existing situation and a compliant development. • where applicable, providing an assessment of the proposed development against State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development and the associated guidelines.. 	<p>Sections 5.3; 5.11; 5.12; 5.13; 5.14; 5.16; 5.20</p> <p>Section 5.3</p> <p>Sections 5.3; 5.11; 5.12</p>	<p>Appendix B; G; L; M; Q; S</p> <p>Appendix B; Q</p> <p>Appendix B</p>
<p>Heritage</p> <ul style="list-style-type: none"> • Provide a Statement of Heritage Impact (SOHI) prepared by a suitably qualified heritage consultant in accordance with the guidelines in the NSW Heritage Manual. The SOHI is to address the impacts of the proposal on the heritage significance of the site and adjacent areas and is to identify the following: <ul style="list-style-type: none"> - Provide documentary evidence from a Structural Engineer, with experience in heritage buildings, confirming that the proposal would not have any adverse impacts on the structural integrity of the Chief Secretary's building and its extension. This must include an investigation of the structure and footing conditions of the existing heritage building - All heritage items (state and local) within the vicinity of the site including built heritage, landscapes and archaeology, detailed mapping of these items, and assessment of why the items and site(s) are of heritage significance, including the National Listing of the Governors Domain and Civic Precinct - Provide justification for any non-compliances with any setback controls for heritage buildings as prescribed under Sydney DCP 2012 - Compliance with the policies and management guidelines contained in the current endorsed Conservation Management Plan (CMP). If an updated CMP is proposed to be submitted with the application, it must be endorsed by the Heritage Council prior to the finalisation of the proposal and submission of the EIS - The impacts of the proposal on heritage item(s) including a visual impact assessment and photomontages - Demonstrate attempts to avoid and/or mitigate the impact on the heritage significance or cultural heritage values of the site and the surrounding heritage items and heritage conservation areas and provide an evaluation of the effectiveness of the proposed mitigation measures - Provide justification for any changes that may have a major impact of the heritage significance of the heritage items including any options analysis. - Demonstrate the integration of the interpretation of the site's heritage significance, archaeology and historical association within the development proposal - Outline pedestrian and circulation impacts on the heritage building and how the design addresses and mitigates any adverse impacts. 	<p>Section 5.8</p> <p>Section 5.8</p> <p>Section 5.8</p> <p>Sections 5.2.4; 5.6</p> <p>Section 5.8.2</p> <p>Section 5.10</p> <p>Section 5.8</p> <p>Section 5.8</p> <p>Section 5.8</p>	<p>Appendix I</p> <p>Appendix F; O</p> <p>Appendix I</p> <p>Appendix B; I</p> <p>Appendix K</p> <p>Appendix J</p> <p>Appendix I</p> <p>Appendix I</p> <p>Appendix I</p>

Requirement	Location in Environmental Assessment	
<ul style="list-style-type: none"> - If the SOHI identifies impact on potential historical archaeology, an historical archaeological assessment should be prepared by a suitably qualified archaeologist in accordance with the guidelines, Archaeological Assessment (1996) and Assessing Significance for Historical Archaeological Sites and Relics (2009). This assessment should 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. Where harm is likely to occur, it is recommended that the significance of the relics be considered in determining an appropriate mitigation strategy. If harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations or salvage program - Provide documentary evidence from a Structural Engineer, with experience in heritage buildings, confirming that the proposal would not have any adverse impacts on the structural integrity of the Chief Secretary's building and its extension. This must include an investigation of the structure and footing conditions of the existing heritage building 	Section 5.9	Appendix P
<p>Aboriginal Cultural Heritage</p> <ul style="list-style-type: none"> • 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). 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). • Consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal Cultural heritage Consultation Requirements for Proponents 2010 (DECCW). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR • Impacts on Aboriginal cultural heritage values are to be assessed and documented in the ACHAR. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH 	Section 5.15.1	Appendix R
	Section 5.15.1	Appendix R
	Sections 5.15.1; 5.15.2	Appendix R
<p>Transport, Traffic, Access and Parking (Construction and Operation)</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> - Details of the current and likely daily and peak hour vehicle, public transport, point to point transport, coaches, pedestrian and bicycle movements from the site, together with cumulative impacts of existing, proposed and approved developments in the area and any transport/ traffic upgrades. - Daily and peak traffic movements generated by the project for all modes (driving, walking, cycling, public transport, bus/coach, taxi/point to point transport, other as appropriate for the site). - The safety and performance of the surrounding road network, including a detailed assessment of the existing and future performance of key intersections providing access to the site, supported by appropriate modelling and analysis to the satisfaction of TfNSW. - Proposed car parking provision for residents, staff and visitors, including consideration of the availability of public transport and the requirements of the relevant parking codes. - Proposed locations for hotel pick-ups and drop-offs via 'kiss and drop', point-to-point services, bus and coach without adverse traffic impacts on general traffic and public transport operation within the CBD - Detailed pedestrian route assessment of key routes between public transport nodes (existing and future) and the proposed concept development site. 	Section 5.16 Section 5.16.1 Section 5.16.1 Section 5.16.2 Section 5.16.3 Sections 4.7.2; 5.16.1; 5.16.4 Section 5.16.4	Appendix G

Requirement	Location in Environmental Assessment	
<ul style="list-style-type: none"> - Measures to be implemented to encourage users of the development to make sustainable travel choices, including walking, cycling, public transport and car sharing, such as provision of adequate bicycle parking and end-of-trip facilities in accordance with the City of Sydney DCP 2012. - Any proposed temporary or permanent changes to transport and access on surrounding streets. - An assessment and details of proposed vehicle access arrangements, including a loading dock and servicing provision, adequacy and management ensuring all servicing and loading occurs on-site and does not rely on kerbside controls. - Mitigation measures for the impacts identified in the TTIA, including management practices proposed for loading, drop-off and pick-up, walking access, cycling access, vehicle access and parking, bus/coach parking, and any other transport management and access issues as appropriate to the site. 	Section 5.16.4	
	Section 5.16.1	
	Section 5.16.6	
<p>Contamination</p> <ul style="list-style-type: none"> • Prepare a contamination assessment for the site, by a qualified environmental consultant and demonstrate that the site is suitable for the proposed concept development, in accordance with the requirements of SEPP 55. 	Section 5.17	Appendix D
<p>Flooding and stormwater</p> <ul style="list-style-type: none"> • Assess flooding impacts in accordance with the Floodplain Development Manual (2005), identify minimum floor levels for the building and recommend flood management and/or an evacuation plan. • Include a stormwater management strategy which considers the relevant Council stormwater management policy and Water Sensitive Urban Design Principles. 	Section 5.18.1	Appendix S
	Section 5.18.2	Appendix S
<p>Water and soils</p> <p>The EIS shall map the following features relevant to soils and water including:</p> <ul style="list-style-type: none"> • Acid sulphate soils, and if present, consider whether an Acid Sulphate Soils Management Plan is required under Clause 7.14 of Sydney LEP 2012. • Rivers, streams, wetlands, estuaries. • Groundwater. • Groundwater dependent ecosystems. • Proposed intake and discharge locations. • Describe the background conditions for any water resource likely to be affected by the development and assess the impacts of the development on water quality and hydrology. • Outline any sustainability initiatives that will minimise the demand for drinking water, including any alternative water supply and end uses of drinking and non-drinking water that may be proposed, and demonstrate water sensitive urban design principles. • Identify any potential impact of the development on groundwater dependent ecosystems, groundwater levels, flow paths and quality. • Identify any water licensing requirements or other approvals required under the Water Act 1912 or Water Management Act 2000. • Assess any geotechnical impacts. 	Section 5.19.1	Appendix D
	Section 5.19.3	Appendix D
	Section 5.22	Appendix N
	Section 5.19.3	Appendix D
	Section 5.19.2	Appendix D
<p>Servicing and waste</p> <ul style="list-style-type: none"> • Identify appropriate servicing arrangements (including but not limited to, waste management, loading zones and mechanical plant) for the site. • Identify the path of access for users and collection vehicles. • Identify indicative waste generation rates and demonstrate how the principles of Circular Economy will be incorporated in the design, construction and operation of the development. 	Sections 4.7.2; 5.20	Appendix G; L
	Section 4.7.2	Appendix G
	Section 5.20	Appendix L
<p>Utilities</p> <p>Assess the following, in consultation with relevant agencies:</p> <ul style="list-style-type: none"> • The capacity of existing services and utilities and identify any upgrades required to facilitate the development, including arrangements for drinking water, wastewater and recycled water 	Section 5.21	Appendix S

Requirement	Location in Environmental Assessment	
<ul style="list-style-type: none"> The impacts of the proposal on existing utility infrastructure and service provider assets and describe how any potential impacts would be managed. 	Section 5.21	Appendix S
<p>Social and Economic Impacts</p> <ul style="list-style-type: none"> The EIS must include an assessment of the social and economic impacts of the development, including consideration of any increase in demand for community infrastructure and services 	Section 8.1	
<p>Ecologically Sustainable Development</p> <ul style="list-style-type: none"> Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Environmental Planning and Assessment Regulation 2000) will be incorporated in the design, construction and ongoing operation phases of the development. Include a framework for how the proposed concept development will reflect leading national and international best practice sustainable building principles to improve environmental performance include energy and water efficient design and technology and use of renewable energy. Demonstrate a NABERS performance target and energy efficiency commitment for the development. 	Sections 5.22; 8.3	Appendix N
<ul style="list-style-type: none"> Include a framework for how the proposed concept development will reflect leading national and international best practice sustainable building principles to improve environmental performance include energy and water efficient design and technology and use of renewable energy. 	Section 5.22	Appendix N
<p>Biodiversity</p> <ul style="list-style-type: none"> Assess any biodiversity impacts associated with the proposal in accordance with the requirements of the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report where required. Consider use of more appropriate local data when considering the biodiversity impacts, particularly flight movements of avian species. Consider impacts to priority species listed in the City of Sydney Urban Ecology Strategic Action Plan, particularly avian species. Consider the impacts of the development on threatened or vulnerable species, such as the Powerful Owl, including abundance and occurrence, movement including consideration of any non-natural features, non-native vegetation and human built structures and building materials as well as flight movements. 	N/A BDAR Waiver granted	Appendix T
<p>Staging</p> <ul style="list-style-type: none"> Provide details regarding the staging of the proposed concept development 	Section 4.6	
<p>Developer contributions</p> <ul style="list-style-type: none"> Outline the proposed contributions to be delivered as a part of the proposal, in consultation with Council 	Section 5.24	
<p>Land ownership and tenure</p> <ul style="list-style-type: none"> Detail the current land ownership and proposed management of future ownership. Detail any proposed modifications to the existing Right of Ways, including the written agreement of all affected property/s owners that benefit from these rights. 	Section 1.2	
<p>Plans and Documents</p> <p>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.</p> <p>In addition, the EIS must include the following:</p> <ul style="list-style-type: none"> High quality files of maps and figures of the subject site and proposal Survey plan extending to the middle of each surrounding road (A3) Site context plan (A3) Overall site plan (A3) Architectural drawings, including floor plans, elevations and sections (A3) Detailed architectural drawings of the existing heritage building (A3) Materials schedule and photomontages 3D building height plane diagram (A3) Detailed overshadowing diagrams (A3) Public domain plans (A3) A table identifying the proposed land uses including a breakdown of GFA, total GFA and site coverage Physical and 3D digital model (in accordance with City of Council requirements) Quantity surveyor report. 	Report N/A	Technical Study Appendix B; U

Requirement	Location in Environmental Assessment	
Consultation		
<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"> • Commonwealth Department of Water, Agriculture and the Environment • City of Sydney Council • NSW Government Architect's Office • Heritage NSW • Heritage Council of NSW • Australian Heritage Council • Royal Botanical Gardens & Domain Trust • Sydney Coordination Office within Transport for NSW • Environment Protection Authority • Environment, Energy and Science Group of the Department of Planning, Industry and Environment • Ausgrid • Sydney Living Museums • Sydney Water • Sydney Trains • Fire & Rescue NSW • NSW Police • Liquor and Gaming NSW • Surrounding residents, businesses and local community groups <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 3.0	Appendix E

2.0 Site Analysis

2.1 Site Location and Context

The site is located at 50-52 Phillip Street, Sydney within the City of Sydney Local Government Area (LGA).

More specifically, the site is within Central Sydney, along the eastern edge of Sydney's CBD. The Sydney CBD is an economic powerhouse of the Australian economy, being a key attractor for investment, talent, tourism and economic productivity. Central to Australia's global success is the thriving global cities it boasts, none of which is as significant as Sydney which is anchored by the Sydney CBD, a recognised economic conduit between Australia and the rest of the world. The site's locational context is shown at **Figure 5**.



Figure 5 Site Location

Source: FJMT

The immediate surrounds of the site in the eastern edge of the Sydney CBD present a mix of commercial, residential, and tourism uses. The prevailing built form in the vicinity of the site includes a range of building typologies and heights, as well as several significant state-listed heritage buildings, such as the Chief Secretary's Building immediately to the north of the site. The site is at the intersection of three key precincts, shown in **Figure 6**:

- Circular Quay Precinct – A vibrant, waterfront destination that includes the financial business core as well as world renowned tourist icons such as the Sydney Harbour Bridge, Opera House and Circular Quay Ferry Wharves.
- Bridge Street Precinct – A historic sandstone building precinct including the state heritage listed Chief Secretary's, Lands and Education Buildings (currently being renewed) and the Museum of Sydney.
- Macquarie Street East Precinct - Home to many of Sydney's most important public buildings and iconic open spaces including the Sydney Botanic Gardens, the Domain, NSW State Library and Parliament buildings.

The site is also partially located within the Bridge Street Special Character Area as identified within the Sydney Development Control Plan 2012.



Figure 6 The site is at the intersection of three key precincts

Source: FJMT

2.2 Site Description

The formal address of the site is 50-52 Phillip Street, Sydney, and it is legally described as Lots 31 and 32 in DP984186 and Lot 33 in DP1141812 (50 Phillip Street) and Lot 1 in DP448584 (52 Phillip Street). The site is rectangular in shape with a total area of 1,681.1m². The separate lots within the site are under different ownership, with 50 Phillip Street owned by the NSW Government and 52 Phillip Street owned by Built.

The site has frontages to Phillip Street and Phillip Lane of approximately 46 metres. A Survey Plan is located at **Appendix C** illustrating the key dimensions of the site. Across the site, a 2m fall in level is experienced from the south-east corner to the north-west corner of the site. An aerial photograph of the site illustrating the existing buildings and immediate surround context is shown at **Figure 7**.



 Site Boundaries



Figure 7 Aerial Photograph

Source: Nearmap (edits by Ethos Urban)

2.2.1 Existing Development

Two commercial buildings sharing a built-to-boundary condition currently occupy the site. The heritage-listed sandstone building in the northern portion of the site is six generous storeys in height and contains commercial office space. The building located on the southern portion of the site is a contemporary office building which is 12 storeys in height, and contains a ground level café/bar use, with commercial office space above.

The heritage-listed building was adaptively re-used as a courthouse for the Industrial Relations Commission from the 1970's to the late 2000's. The Industrial Relations Commission vacated the heritage-listed building in the late 2000's and the building was sparsely used until alterations to the existing court room and a new office fit out were carried out in 2017 to accommodate the NSW Department of Justice. The heritage-listed building is now vacated and generally disused.

The existing building at 52 Phillip Street is still being used for commercial offices, and a ground level restaurant/bar fronts Phillip Street. A photograph of the existing buildings fronting Phillip Street is provided at **Figure 8**. Additional photographs of the site are provided at **Figure 9**.

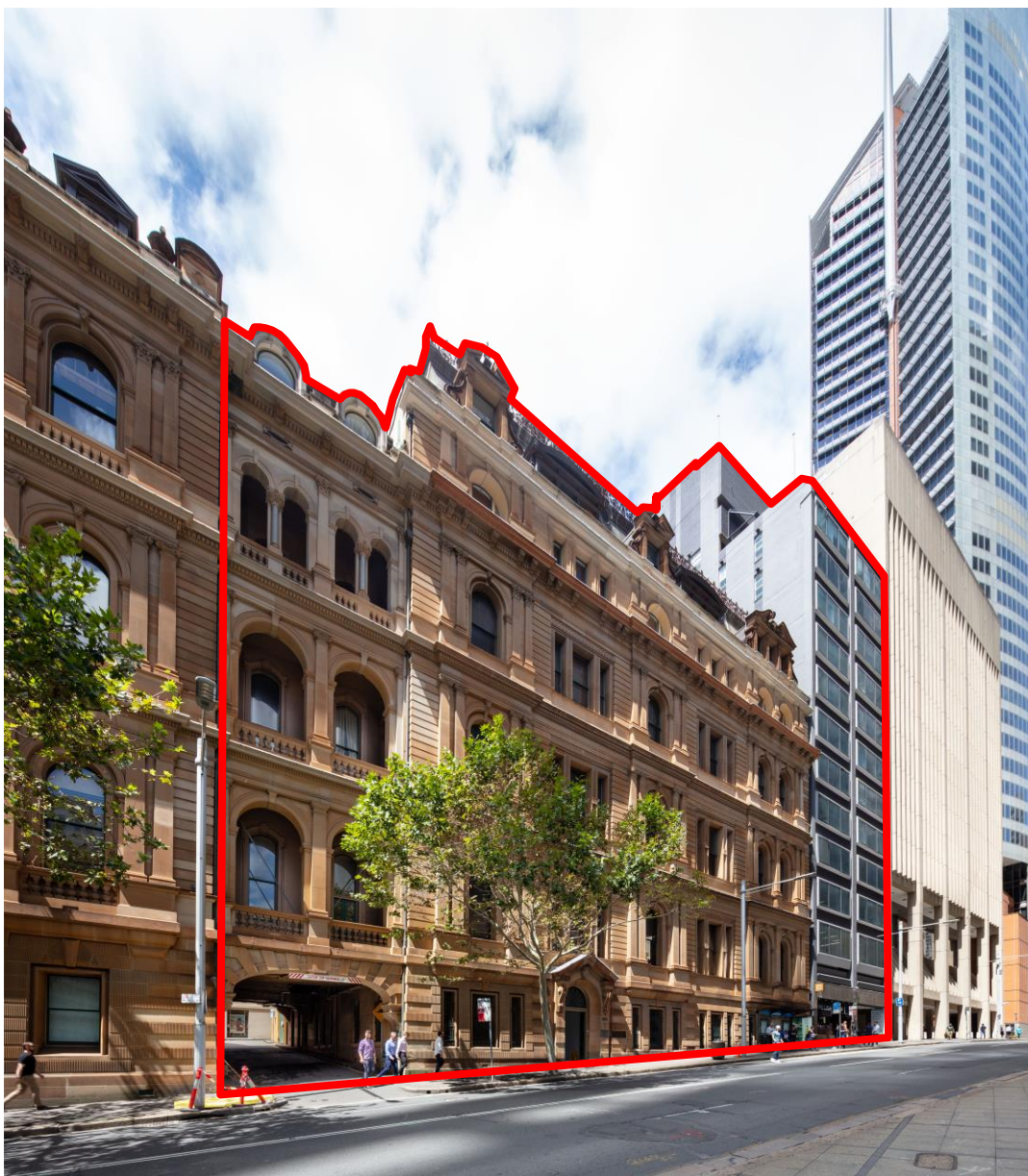
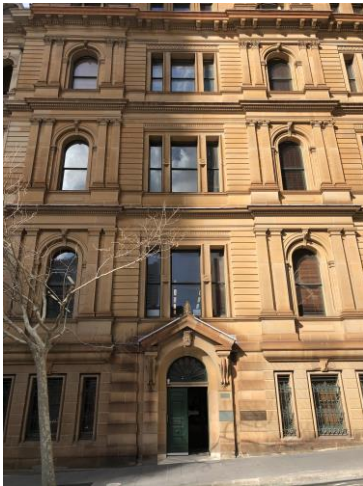


Figure 8 Existing buildings fronting Phillip Street (outlined in red)

Source: Built



Primary entrance to the heritage listed sandstone building on Phillip Street



Contemporary office building, ground level lobby entrance and café/bar use fronting Phillip Street



Rear of the heritage-listed sandstone building fronting Phillip Lane



Rear of the contemporary office building fronting Phillip Lane looking south



Rear of basement parking entrance on Phillip Lane of the contemporary office building looking north



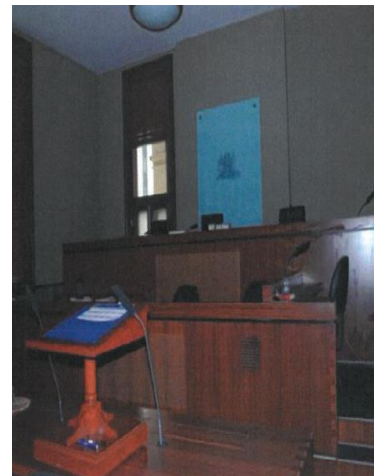
Phillip Lane looking east from Phillip Street



Phillip Lane Lightwell at the northern end of the site looking south



1960's style courtroom fitout on Level 6 within the heritage-listed building



2005 Courtroom fitout to the Vice President's Room on Level 3 of the heritage-listed building

Figure 9 Photographs of the Site

Source: Ethos urban and FJMT

2.2.2 Heritage

As identified in the excerpt of the Sydney LEP 2012 Heritage Map, the northern portion of the site is identified as State heritage item I1872 under the Sydney LEP 2012, titled ‘Former Chief Secretary’s Building including interiors, courtyard and carriageway’. However, the heritage building on the site is specifically known as the *Former Public Works Offices*, while the actual Former Chief Secretary’s Building, principally located at 121 Macquarie Street, adjoins the northern boundary of the site.

Despite sharing a common boundary and having historic internal connections between both heritage buildings, the Former Public Works Offices on the site now functions as an independent building from the Former Chief Secretary’s Building on 121 Macquarie Street.

As such, the Former Chief’s Secretary’s Building does not form part of this SSD DA.

Phillip Lane is also listed as heritage listed item I905 in the Sydney LEP 2012, and forms a portion of the site (refer to **Figure 10**).

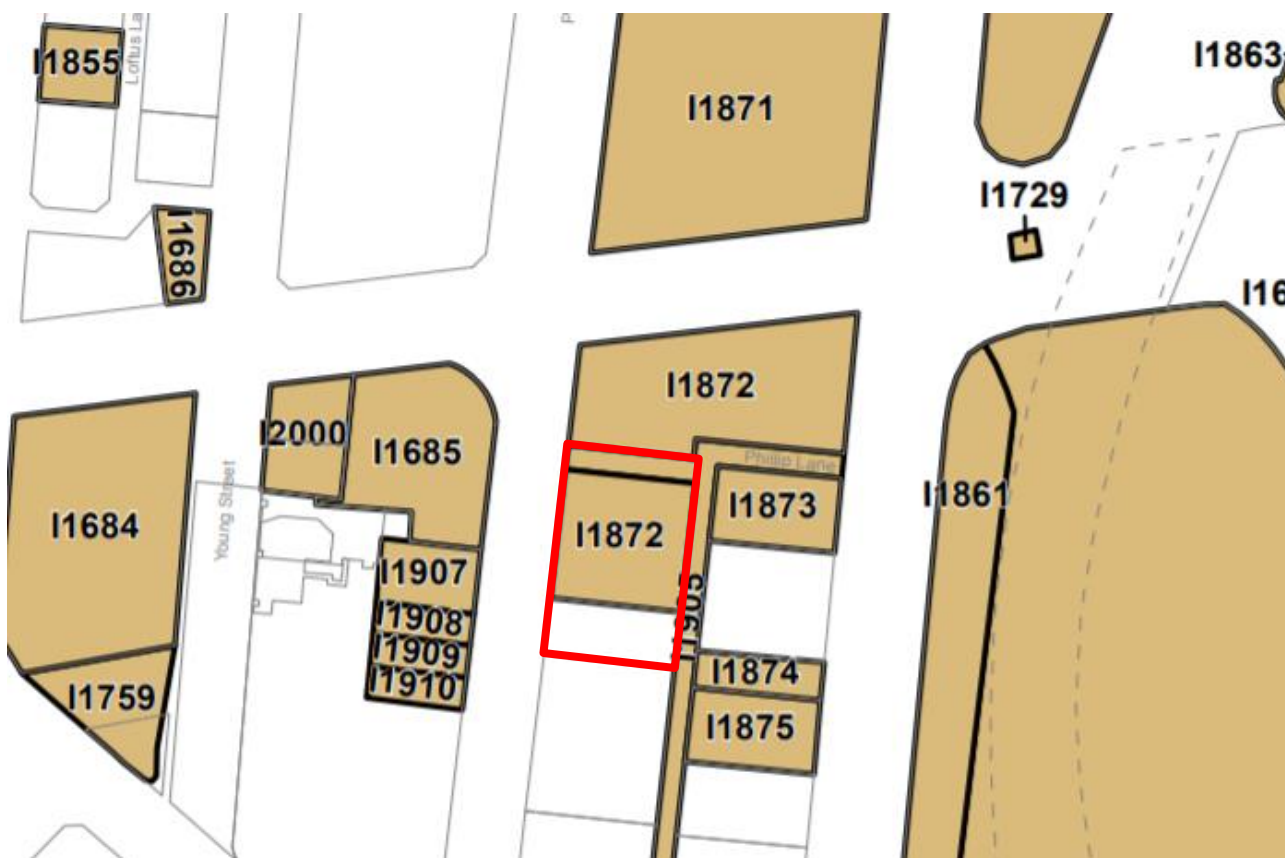


Figure 10 Sydney LEP 2012 Heritage (site outlined in red)

Source: Sydney LEP 2012

On 9 February 2021, the Governors' Domain and Civic Precinct was included in the National Heritage List under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The site is located within the boundaries of the Governors' Domain and Civic Precinct (refer to **Figure 11**). This precinct is recognised to have many features that link to the British penal colony established on the shores of Sydney Cove, and is made up of a combination of historic public buildings, parks, and gardens.

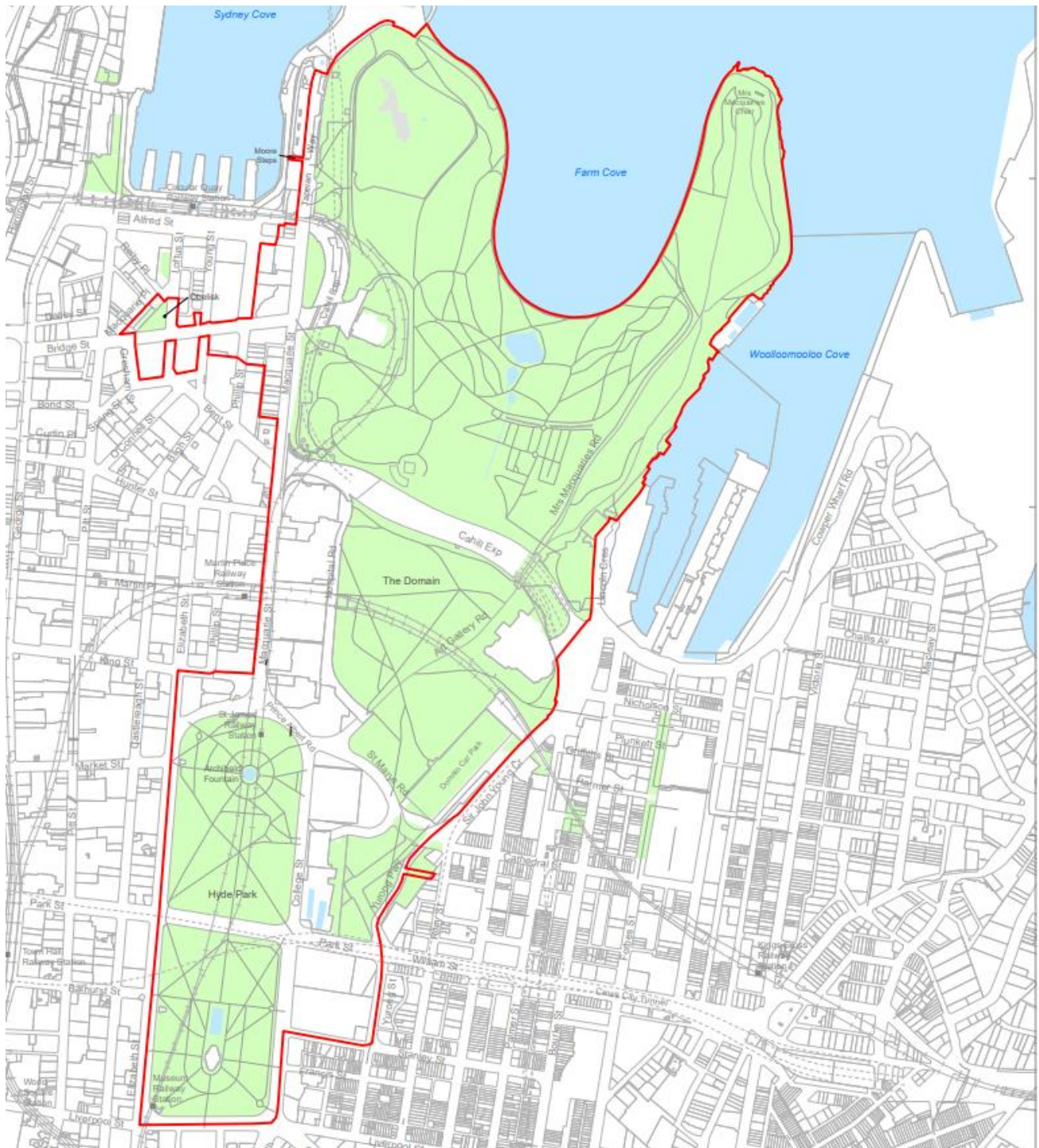


Figure 11 Governors' Domain and Civic Precinct

Source: Commonwealth Department of Agriculture, Water and the Environment

The site is also located in proximity to a number of other local and state heritage items listed in the Sydney LEP 2012 and shown above in **Figure 12**, including:

- Item I2000: Young Street Terraces including interiors (State), 36-42 Young Street
- Item I1685: First Government House site including Museum of Sydney, archaeology and “Edge of the Trees” artwork (State), 41 Bridge Street
- Item I1907: Terrace pair including interior (State), 39-41 Phillip Street
- Item I1908: Terrace house including interior (State), 43 Phillip Street

- Item I1909: Terrace house including interior (State), 45 Phillip Street
- Item I1910: Terrace house including interior (State), 47 Phillip Street
- Item I1871: Former Treasury Building including interiors (State), 115-119 Macquarie Street
- Item I1873: Flat building “The Astor” including interiors (local), 123-125 Macquarie Street
- Item I1874: Terrace house “History House” including interiors (State), 133 Macquarie Street
- Item I1875: Commercial building “BMA House” including interior (State), 135-137 Macquarie Street
- Item I1861: Palm Trees, Macquarie Street (State)
- Item I1652: Royal Botanic Gardens (State)

2.2.3 Easements

Phillip Lane connects through the site from Phillip Street at the northern-most part of the site. This connection creates a stratum of land (Lot 632 in DP1149543) on the northern edge of the site that is an easement that benefits public access from Phillip Street through to the remainder of Phillip Lane. This extent of Phillip Lane forms part of the proposed site and will be maintained in the proposed project.

Further details are provided on the Survey Plan at **Appendix C**.

The proposal seeks consent for retention of the current vehicular access along Phillip Lane.

Photographs of the extent of Phillip Lane within the site are provided in **Figure 12** below.



Figure 12 Photographs of Phillip Lane looking east (left) and looking west (right)

Source: Ethos Urban and FJMT

2.2.4 Existing Site Access Arrangements

Pedestrian access to the existing buildings is provided from Phillip Street, while vehicular access to the basement car park of 50 Phillip Street is provided from Phillip Lane.

2.2.5 Transport Context

The site is well-located near multiple public transport modes, as shown in **Figure 13**.

Circular Quay Train Station is located approximately 300m north-east of the site, or 4 minutes' walk from the site. It provides a direct train connection to the Sydney International and Domestic Airport, as well as Central Station. Martin Place Train Station is located approximately 500m south of the site, or 6 minutes' walk from the site. It provides a direct train connection the Eastern Suburbs and Sutherland Shire.

The key north and south bus routes are located on Macquarie Street and Phillip Street and the east-west buses on Phillip Street. These busses provide access to the Eastern Suburbs, Parramatta and Ryde.

A further public transport option is the CBD Light Rail on George Street. The nearest stop is at Alfred Street located within a 450m walking distance from the site. It provides access to the length of the Sydney CBD, Moore Park and Randwick.

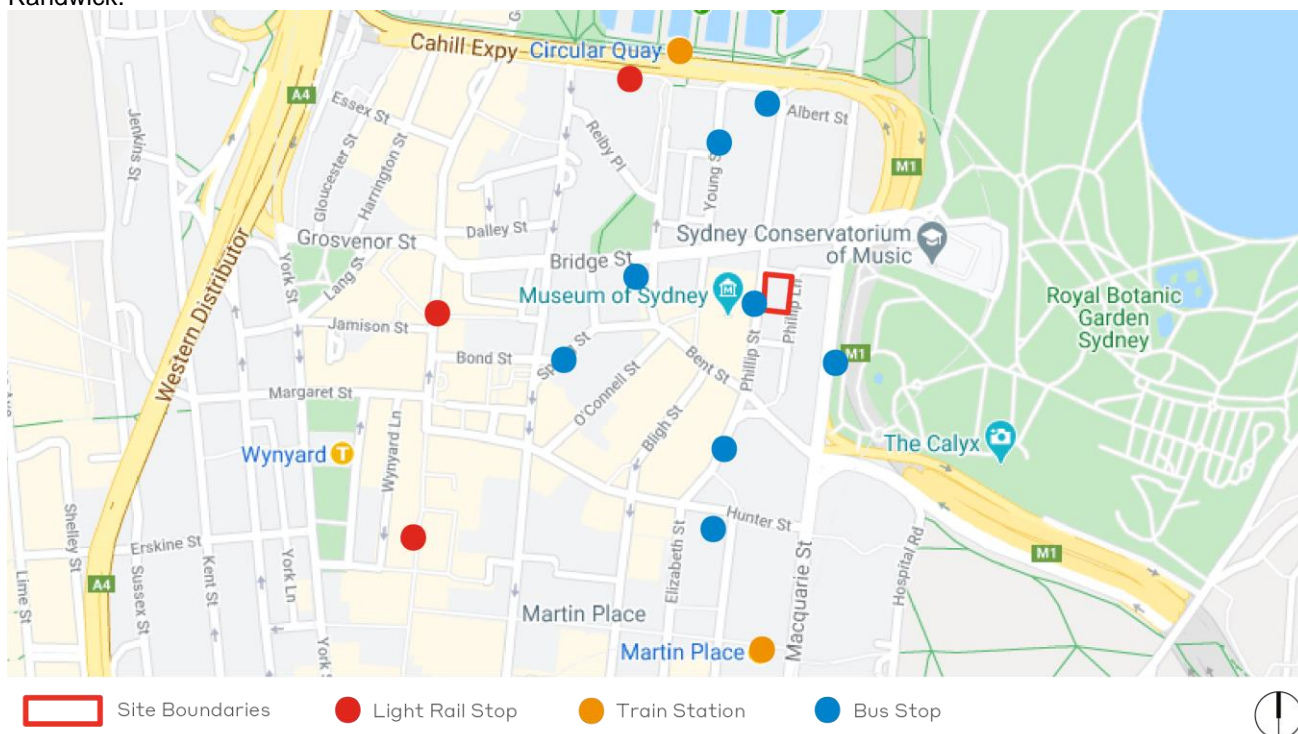


Figure 13 Nearby Public Transport Modes

Source: Ethos Urban

2.2.6 Contamination

A preliminary review conducted of publicly available environmental records for the site by Golder has found no evidence of a potential for significant contamination. Golder determined that contaminated land is not known to be present in the immediate vicinity of the site, and a review of historical business directories did not indicate a high potential for contaminating activities to have been undertaken at the site.

Additional information on contamination is provided in the Geotechnical and Contamination Desktop Review prepared by Golder at **Appendix B**.

2.2.7 Infrastructure and Utilities

Water

The site has the following water connections:

- Three surrounding Sydney Water mains – a DN100 (CO5469) water main located in Phillip Lane and DN250 (WO70017) and DN150 (WO60643) water mains on Phillip Street.
- Two DN300 Sydney Water sewer main connections bordering the site.
- Two stormwater connections bordering the site – 1.017m x 0.711m (OCP140) stormwater channel located within Phillip Street and a 0.330m x .0460 (OCP97) stormwater channel located in Phillip Lane.

Gas

The site has access to a 7kPa Jemena gas distribution line located on Phillip Street and Phillip Lane.

Ausgrid

The site has access to standard Ausgrid infrastructure.

Broadband

The site is connected to the Optus' fibre optic infrastructure along Phillip Street.

2.3 Surrounding Development

The immediate surrounds of the site in the eastern edge of the Sydney CBD present a mix of commercial, residential, and tourism uses. The prevailing built form in the vicinity of the site includes a range of building typologies and heights, which combines a mix of contemporary commercial, residential and hotel high rise developments up to 62 storeys in height with several low rise significant state-listed heritage buildings, such as the Chief Secretary's Building immediately to the north of the site and the First Government House Museum of Sydney site to the west of the site.

North

Immediately north of the site is a four storey state heritage-listed sandstone building known as the Former Chief Secretary's Building. Further to the north of the site, is the state heritage listed two storey Former Treasury Building which has been adaptively repurposed as the Intercontinental Hotel which includes a contemporary 32 storey tower. To the north-west of the site, is the 50 storey Quay Quarter Tower commercial redevelopment of 50 Bridge Street which is currently under construction. Photographs of the surrounding development to the north are provided in **Figure 14**.

South

Immediately to the south of the site, is a 12 storey commercial office building at 56-70 Phillip Street. Further south of the site, is Aurora Place which is a 41 storey residential and commercial office building at the corner of Bent Street and Phillip Street with a curved façade to Phillip Street. Between 56-70 Phillip Street and Aurora Place, there is a one way lane (travel permitted in west direction) that connects Phillip Lane to Phillip Street. Photographs of the surrounding development to the north are provided in **Figure 15**.

East

Immediately east of the site is Phillip Lane. On the eastern side of Phillip Lane, are the rear frontages of a 13 storey residential flat building at 123-125 Macquarie Street known as "The Astor" and 17 storey commercial office building at 127 Macquarie Street. East of the site, Phillip Lane connects to Macquarie Street. Further east of the site are the Royal Botanic Gardens and The Domain. Photographs of the surrounding development to the north are provided in **Figure 16**.

West

To the west of the site are five state-heritage listed terrace houses at 39-47 Phillip Street, the state-heritage listed First Government House Museum of Sydney building, and First Government House Place. Further west of the site is the One Farrer Place commercial office development, which includes the 62 storey Governor Phillip Tower and 41 storey Governor Macquarie Tower. Photographs of the surrounding development to the north are provided in **Figure 17**.



Former Chief Secretary's Building fronting Bridge Street



Rear of Former Chief Secretary's Building fronting Phillip Lane



50 storey Quay Quarter Tower development under construction



Former Treasurer's Building as Intercontinental Hotel Sydney

Figure 14 Surrounding development to the north

Source: Ethos Urban



56-70 Phillip Street (left) and Aurora Place (right) looking north-east



56-70 Phillip Street (left) and Aurora Place (right) looking south-east



Lane between 56-70 Phillip Street and Aurora Place



Rear view of the north-eastern corner of Aurora Place

Figure 15 Surrounding development to the south

Source: Ethos Urban



Rear of 123-125 Macquarie Street, "The Astor"



Rear of 127 Macquarie Street



Phillip Lane looking north



Phillip Lane connection to Macquarie Street looking east

Figure 16 Surrounding development to the east

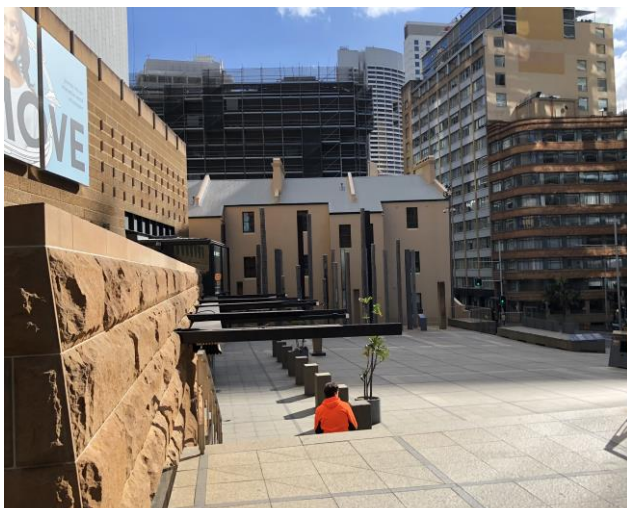
Source: Ethos Urban



State heritage listed terrace houses at 39-47 Phillip Street



First Government House Museum of Sydney Building



First Government Place



Government Macquarie Tower (left) and Governor Phillip Tower (right)

Figure 17 Surrounding development to the west

Source: Ethos Urban

3.0 Consultation

The proponent has undertaken community and stakeholder engagement to inform the preparation of this EIS. A Consultation Outcomes Report has been prepared by Ethos Urban, summarising the community and stakeholder engagement activities and outcomes undertaken in support of the Stage 1 Concept SSD DA (refer to **Appendix E**). This report outlines the key issues raised during consultation, and how these have been addressed in the design or generally throughout the preparation of the EIS, or how the identified issues can be addressed within the Stage 2 Detailed SSD DA.

3.1 Key Stakeholders and Consultation Program

In accordance with the SEARs issued for this project, consultation was undertaken with relevant public authorities, the community and Council.

Letters were sent to the following key stakeholder agencies as identified in the SEARs, providing them with information about the project, an update on the planning process and offering a briefing session and seeking feedback prior to the application being submitted:

- The City of Sydney Council
- NSW Government Architect's Office
- Heritage NSW
- Heritage Council of NSW
- Australian Heritage Council
- Royal Botanical Gardens and Domain Trust
- Sydney Coordination Office within Transport for NSW
- Environmental Protection Authority
- Environment, Energy and Science Group of the Department of Planning, Industry and Environment
- Ausgrid
- Sydney Living Museums
- Sydney Water
- Sydney Trains
- Fire and Rescue
- NSW Police
- Liquor and Gaming NSW

A summary of stakeholder briefings and meetings is provided in **Table 2** below.

Table 2 Summary of stakeholder briefings and meetings

Date	Stakeholder group
26 May 2020	City of Sydney Council
29 June 2020	City of Sydney Council
16 September 2020	City of Sydney Council
21 September	Department of Planning, Industry and Environment
11 August 2020	Heritage NSW and Heritage Council
3 November 2020	Heritage NSW and Heritage Council NSW Approvals Committee
9 November 2020	NSW Government Architect's Office
24 November 2020	Department of Planning, Industry and Environment
3 December 2020	Sydney Coordination Office within Transport for NSW

Date	Stakeholder group
4 December 2020	Heritage NSW and Heritage Council NSW Approvals Committee
3 March 2021	Commonwealth Department of Agriculture, Water and the Environment

In addition, a flyer was delivered to 600 surrounding residents and landowners on 12 November 2020 to provide local residents and landowners with information on the proposed concept development and to invite them to attend a Community Information Webinar.

The Community Information Webinar was held on Tuesday, 24 November via Zoom videoconferencing webinar in the absence of face-to-face engagement due to COVID19. Members of the project team from Built, FJMT (project architects), and Ethos Urban (Planning and Engagement) were present online to discuss the plans and answer any questions.

The webinar included a 30-minute presentation of the project, including key matters such as the proposed design, traffic and parking management, the planning process, construction management, visual impact and the overall proposal. Following this presentation was one hour of question and answer time. At the peak of the webinar, there was participation from a total of 15 attendees.

3.2 Outcomes from Consultation

3.2.1 Community Feedback

Table 3 below provides a summary of the feedback received at the community information session.

Table 3 Summary of community feedback

Theme	Comment	Team response
Heritage	Question about the interface between the hotel use and heritage aspect	The hotel will be a public use, providing greater access to the heritage component of the site, compared to the current situation where there is limited public access. There will be a bar/restaurant and function areas, further enhancing the public use and opportunities for access within the heritage listed building.
	Question on whether the heritage buildings will ever be reunified	The heritage buildings possess different fabric and designs, with no single use, ensuring their continued separate use is appropriate.
Vehicle Access	Question on whether the lane between 50 and 52 Phillip Lane will remain as a vehicular thoroughfare	There will be no change to Phillip Lane, nor is it expected at this stage that there would be construction loading from the lane.
	Question on whether there can be shared loading docks with the Astor	This can be investigated during design development and addressed in the Stage 2 SSD DA.
	Concern Phillip Lane might become congested and cause noise impact from loading.	Traffic Studies will analyse any potential traffic impact. Any noise impact in Phillip Lane will be addressed in future management plans.
Construction	Question on the estimated demolition and construction commencement.	Estimated commencement of demolition and construction is not expected before 2023. The construction process is likely to extend across 2.5 years.
	Question on how decides construction hours	Construction hours will be determined as part of a future development consent.
Light spill	Question on how will light spill be prevented into the Astor Building	The existing window arrangements will be maintained with curtains installed. Above 50 Phillip Street, the tower will not interfere with the Astor Building due to setbacks and the height of the new tower.

Theme	Comment	Team response
Solar Access	Question on solar access impacts on Astor Building	There will be no solar access impact as the proposed building is situated to the south of Astor.
Design	Question on how many floors in the tower	47 floors are indicatively proposed.
	Question on windows on the southern facade	There are currently not intended to be significant windows on the southern façade.
	Question on what is proposed use for level 3 heritage building	A function space is indicatively illustrated in this location, but will be subject to further design resolution as the project proceeds.
	Question on visual impact on Astor	Visibility of the Astor Building roof may occur from hotel rooms due to the neighbouring context of the sites. Mitigating design elements could be provided to enhance visual privacy of this rooftop space, and the proponent is open to collaboration on this matter as the project proceeds.

3.2.2 Stakeholder Briefings and Feedback

This section provides a summary of the issues raised in the key stakeholder briefings held during the preparation of the Stage 1 Concept SSD DA and the design response. A detailed summary of stakeholder feedback and design responses can be found in the Consultation Outcomes Report at **Appendix E**.

City of Sydney Council

A summary of the key issues raised by the City of Sydney across the three meetings held on 26 May 2020 and 21 September 2020 and the design response/reference is provided in **Table 4** below.

Table 4 Summary of Issues Raised by the City of Sydney Council and Response

Key Issue	Response/Reference
Built Form and Urban Design	
<ul style="list-style-type: none"> Consider how the rear façade will be incorporated into the proposal. Later meetings noted that the rear façade is well-proportioned Consider the 'urban room' on Phillip Street and how it is maintained The ground activation is important Tower setbacks are too close Request for shadow animations Recommendation to consider the relationship between the podium of the Astor and proposed podium. Consider how the column will be constructed and its size 	These comments have been addressed in the Design Report at Appendix B , in the built form and urban design assessment at Section 5.6 and the Heritage Structural Construction Methodology Report at Appendix F . The shadow animations were also subsequently provided to City of Sydney staff.
Traffic, Site Access and Loading	
<ul style="list-style-type: none"> Use Phillip Lane as much as feasible Bike and End of Trip facilities are desired Use Phillip Lane as much as feasible Bike and End of Trip facilities are desired 	Refer to description of site access and parking for the indicative design at Section 4.5 , Transport, Traffic, Access and Parking assessment at Section 5.16 , and the Transport Impact Assessment at Appendix G .

Department of Planning, Industry and Environment

Multiple meetings were held with DPIE throughout the preparation of the EIS, including an initial scoping meeting, and several follow up meetings over a matter of months to provide various updates on the progress of the design and EIS preparation.

NSW Government Architect's Office

A meeting was held with the NSW Government Architect's Office on 9 November 2020 to provide a briefing on the proposal, building envelope and Design Excellence Strategy (**Appendix H**). At this briefing, the project team provided an overview of the Concept Proposal and the key parameters of the future competitive design process. Feedback from the NSW Government Architect's Office was limited to noting an understanding of the proposal, and recommendation that efficiencies could be gained in the competitive design process to reflect the desire to simplify competitive processes in the COVID-19 recovery phase. With this in mind, the Design Excellence Strategy proposes a streamlined competitive design process which will ensure the highest quality design solution is achieved while ensuring a robust and comprehensive process is completed.

Heritage NSW and Heritage Council of NSW

A summary of the key issues raised by Heritage NSW and the Heritage Council of NSW across the three meetings held on 11 August 2020, 3 November 2020 and 4 December 2020 and formal written feedback, and the design response/reference is provided in **Table 5** below. A detailed outline of the comments and design responses is provided in the Consultation Outcomes Report at **Appendix E**.

Table 5 Summary of Issues Raised by the Heritage NSW and Heritage Council of NSW and Response

Key Issue	Response/Reference
Structural column and lightwell	
The Committee supports a tower in principle, subject to further examination of cantilevering and alternative locations and configurations for the support column located within the former Public Works building.	The cantilevering strategy with slim column is considered most appropriate as it maximises vertical separation between the tower and heritage building. An alternative location for the column, inside the heritage building, on the west side of the central staircase underwent preliminary investigations, but was discarded in order to protect significant heritage fabric. The column location in the lightwell is appropriate as it would be well separated from the facade of the heritage building facing the lightwell and avoid any intrusive works to the heritage fabric. The proposed column within the light well also provides construction access that can be easily controlled to ensure no damage or adverse impact on the heritage building. Refer to Statement of Heritage Impact at Appendix I and Section 5.8.1 for further assessment.
Further details on the column including its use, construction methodology, site protection strategy, and impacts to the visual and physical fabric of the subject buildings, specifically the external elements of the courtyard.	A Heritage Structural Construction Methodology Report has been prepared by TTW (Appendix F). It describes methodologies that have been developed for the central lightwell column that demonstrate that the risk of damage to the existing building fabric can be controlled. Moreover, since the consultation with Heritage NSW, the central column has decreased in size, allowing for a larger minimum offset of 550mm from any heritage fabric. Refer to Statement of Heritage Impact at Appendix I and Section 5.8.1 for further assessment.
Rear podium addition and interface with heritage building	
Given that a rear addition to 50 Phillip Street is proposed, any amendments to the existing openings or any new elements introduced to facilitate the interface of the historic building and the new development should be outlined, avoided as much as possible, impacts established, and mitigation measures outlined in the proposal documentation	Refer to the Design Report at Appendix B , Statement of Heritage Impact at Appendix I and Section 5.8.1 . On levels 2 and 3 of the heritage building, windows on the eastern facade of the heritage building facing Phillip Lane are proposed to be demolished down to floor level, but not widened, in order to provide connection between the heritage building and the proposed rear addition. The extent of the proposed demolition will not disrupt the overall layout and configuration of the heritage building, while these changes are required to facilitate the adaptive reuse of the building.

Key Issue	Response/Reference
Façade Materiality	
<p>While it is understood that only a concept volume is considered at Stage 1 of the SSD, some thought should be directed to possible materials and finishes including a skin for the tower and podium as they would provide essential characteristics that would directly impact the streetscape and the historic character of the draft national heritage item – Governor’s Domain and Civic Precinct.</p>	<p>The materials as shown in the indicative design utilise materials and detailing that respect and retain the primacy of the historic sandstone facades of the heritage building. The materials of the podium will be contemporary in character, while sympathetic to the significant fabric of the heritage building. Transparent glazing materials will be applied at the Phillip Lane Podium additions. The materials of the tower will be carefully selected to reduce the visual impact of the proposed tower over the heritage building. These will be further refined through the competitive design process and in the Stage 2 Detailed SSD DA.</p> <p>Refer to Statement of Heritage Impact at Appendix I and Section 5.8.1 for further assessment.</p>
Visual impact	
<p>Further details on the visual impact of the transitional volume between the tower and heritage building as viewed from the street should be provided. It was strongly recommended that a sufficient vertical gap be retained between the heritage building and the proposed tower development to mitigate visual impacts.</p>	<p>Refer to the Visual Impact Assessment at Appendix J, Statement of Heritage Impact at Appendix I, Section 5.8.1 and Section 5.10.</p>
Water Shedding	
<p>Impacts of water shedding on to the roof of the former Public Works building needs to be considered</p>	<p>As the Stage 1 Concept SSD DA only seeks consent for a building envelope, watershed will be included as a key design issue in the design excellence brief and addressed in the Stage 2 Detailed SSD DA.</p>

Commonwealth Department of Agriculture, Water and the Environment

A meeting was held with the Commonwealth Department of Agriculture, Water and the Environment (Commonwealth Department) to discuss the proposed concept development and the potential implications of the recent national heritage listing of the Governors’ Domain and Civic Precinct. The purpose of the meeting was to provide the Commonwealth Department with an understanding of the proposal and to identify whether a referral would be required under the EPBC Act to determine if the concept development constitutes a controlled action.

Based on the proposed development, the Commonwealth Department expressed a degree of comfort with the proposed envelope and noted that a full design would be required for a referral under the EPBC Act. As such, it was determined that a referral would not be necessary at this time, but may be required in the future as part of the Stage 2 detailed DA process.

3.3 Ongoing Consultation

The proposed concept development will be placed on public exhibition for 30 days in accordance with clause 83 of the *Environmental Planning and Assessment Regulation 2000*. During the public exhibition period Council, State agencies and the public will have an opportunity to make submissions on the project.

4.0 Description of the Proposed Concept

This chapter of the EIS provides a detailed description of the Concept Proposal. As outlined in the introduction to this EIS, section 4.22 of the EP&A Act relates to concept development applications (concept DA). A concept DA is one that sets out concept proposals for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent development application(s).

The Concept Proposal establishes the vision and planning and development framework which will be the basis for the future redevelopment of the site. The site is intended to be redeveloped for a new luxury mixed use hotel, rejuvenating the site and providing for the long-term protection of the existing heritage listed building on the site. The Concept Proposal articulates the vision and broad parameters for the development of the site, including guidance on required demolition, a building envelope, land uses, a maximum gross floor area, and site access.

The Stage 1 Concept SSD DA seeks approval for the following development:

- In-principle demolition of the existing commercial building at 52 Phillip Street.
- In-principle retention of the existing heritage listed building at 50 Phillip Street and refurbishment as a hotel.
- Concept approval for a new 48 storey mixed use hotel and branded residential building, with three basement levels.
- Establishment of a planning envelope with a maximum height of RL 207.22m and a maximum gross floor area (GFA) of 25,374.5m² comprising approximately 82% hotel floor space and 18% residential floorspace.
- In-principle use of Phillip Lane as a pick-up and drop-off zone, as well as access into the proposed basement levels.

Concept Drawings illustrating the Stage 1 Concept Proposal are included at **Appendix B**. An indicative scheme has also been provided in the Indicative Design Drawings at **Appendix B** that demonstrate that the proposed building envelope is suitable for the proposed land uses. The indicative design is provided for information purposes only and will be subject to change through the design competition process and Stage 2 Detailed SSD DA.

A photomontage of the indicative scheme is presented in **Figure 18**.



Figure 18 Photomontage of the indicative design in the skyline

Source: FJMT

4.1 Development/Urban Design Principles

The Concept Proposal supports the opportunity on the site to sustainably perpetuate the active use of a state heritage listed building for a mixture of uses which will contribute to the revitalisation of the local precinct and deliver much needed hotel accommodation and economic activity in the Central Sydney. **Figure 19** illustrates the indicative design within the Concept Proposal envelope, demonstrating the quality of a building which can be delivered in this envelope.

As part of the visioning process for the project, the design team has prepared the following planning and design principles for the Concept Proposal:

- Revitalise 50 Phillip Street and contribute to the ongoing rejuvenation of the Bridge Street precinct and eastern CBD skyline of the Macquarie Street precinct.
- Achieve a sensitive and appropriate adaptive re-use of the State Heritage listed 50 Phillip Street as a hotel that protects its heritage significance, assures the ongoing maintenance of building fabric and interprets the building's original interior and spatial layout.
- Activate the public domain to provide greater public access and transparency at the ground level from Phillip Street and Phillip Lane.
- Design a podium infill at 52 Phillip Street that reinforces the scale and material quality of surrounding heritage buildings.
- Remove intrusive fabric to Phillip Lane and replace with lightweight transparent modern materials which contrast with the rendered masonry character of the Phillip Lane heritage facades.
- Provide a slender cantilevered tower form, support by a column, that is tapered and setback from Phillip Street to provide visual separation to the 50 Phillip Street heritage building and the Chief Secretary's Building.
- Taper the top of the tower envelope to accord with the Domain and Royal Botanic Gardens SAPs, and the existing shadow of the Quay Quarter Tower, to avoid any additional overshadowing of important protected public domain areas.

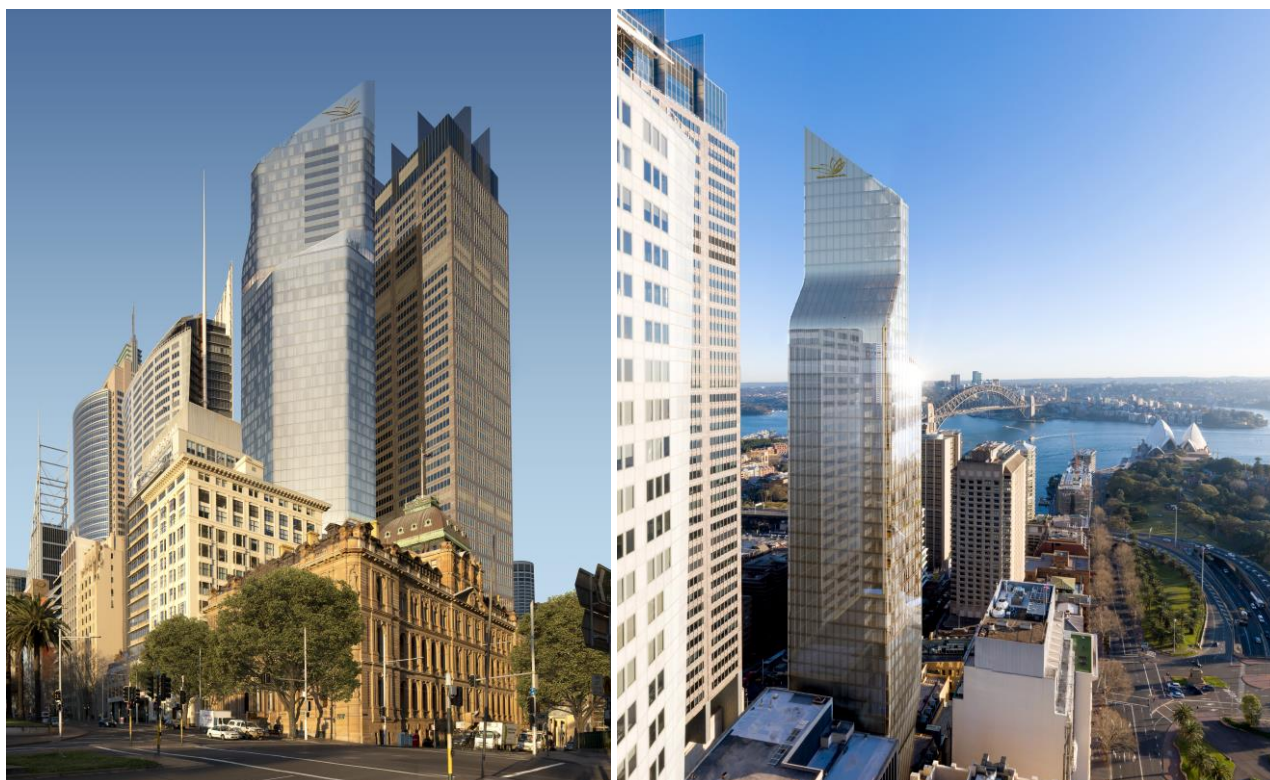


Figure 19 Photomontages of the indicative design

Source: FJMT

4.2 Numerical Overview

4.2.1 Concept Proposal

The key numeric development information for the Concept Proposal is summarised in **Table 6**.

Table 6 Key Concept Proposal development information

Component	Proposal
Site area	1,681.1 m ²
Maximum GFA	25,374.5m ² Indicatively comprising: Hotel GFA: 81.5% Residential GFA: 18.5%
Maximum FSR	15:1
Maximum Height	RL 207.22
Transition/Structure Zone Setbacks <ul style="list-style-type: none"> Level 6 – RL 48.39 RL 56.52 RL 62.03 RL 71.63 	<ul style="list-style-type: none"> East (Front): 8 m West (Rear): 8 m North (Side): 36.1 m South (side): 0 m East (Front): 6 m West (Rear): 8 m East (Front): 4 m West (Rear): 6 m East (Front): 4 m West (Rear): 6 m <p>Average front setback to Phillip Street: 13.3 m Average rear setback to Phillip Lane: 12.8 m</p>
Tower Setbacks	<p>East (Front): 4 m West (Rear): 6 m North (Side): 17.3 m South (Side): 0 m</p> <p>Average front setback to Phillip Street: 8.0 m Average rear setback to Phillip Lane: 9.8 m</p>

4.2.2 Indicative Design

The key numeric development information for the indicative design is summarised in **Table 7**.

Table 7 Key indicative design development information

Component	Proposal
GFA	24,146.6m ²
Hotel:	19,668m ²
Residential:	4,478m ²
Hotel rooms	244
Penthouse suites	23
Car parking spaces	23

4.3 In-principle Demolition

The Stage 1 Concept SSD DA proposes the in-principle demolition of the existing commercial building at 52 Phillip Street, and certain contemporary additions and internal elements of the heritage building at 50 Phillip Street. Given the heritage significance of the listed building at 50 Phillip Street, it is important to identify in the Concept Proposal the intended future demolition which will enable the holistic redevelopment of the site.

Development consent for these demolition works will be sought in a future and separated detailed Stage 2 SSD DA. No physical works, or demolition, are sought as part of this SSD DA.

Figure 20 illustrates the extent of the proposed in-principle demolition.

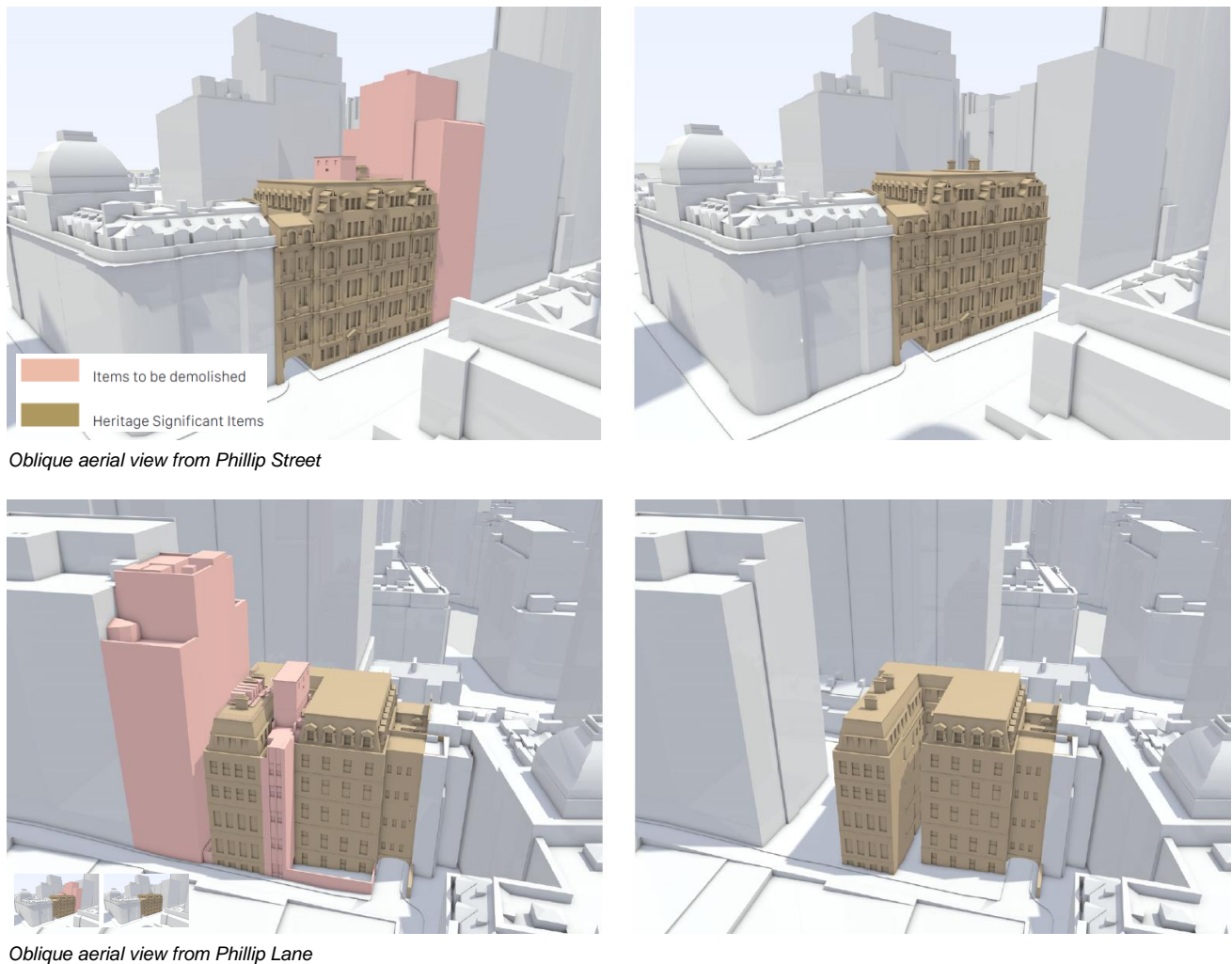


Figure 20 Extent of proposed in-principle demolition

Source: FJMT

4.3.1 Heritage Adaptive Re-Use and Refurbishment

The Concept Proposal also includes the adaptive reuse and refurbishment of the existing heritage listed building at 50 Phillip Street. This is a fundamental element of the Concept Proposal, and will form an important characteristic of the future redevelopment. The adaptive re-use and refurbishment includes the in-principle retention of all facades and interiors where possible.

4.4 Building Envelope

Approval is sought for a proposed building envelope as part of the Concept Proposal. An overview of the proposed envelope is outlined in this section, while the detailed Concept Drawings illustrated the envelope are provided at **Appendix B**.

The proposed building envelope establishes the overall massing and physical parameters within which the future detailed building design will be guided. Overall, a podium and tower components are proposed as part of the building envelope, both shaped by a variety of key environmental parameters such as overshadowing, solar access, view sharing, building separation, and heritage considerations. Given the complex nature of the site and heritage considerations, a transfer and structural zone have also been identified in the envelope, separating the podium and tower elements.

An axonometric view of the proposed building envelope viewed from the south-east is provided at **Figure 21**. A further detailed description of the envelope is provided in the following sections.

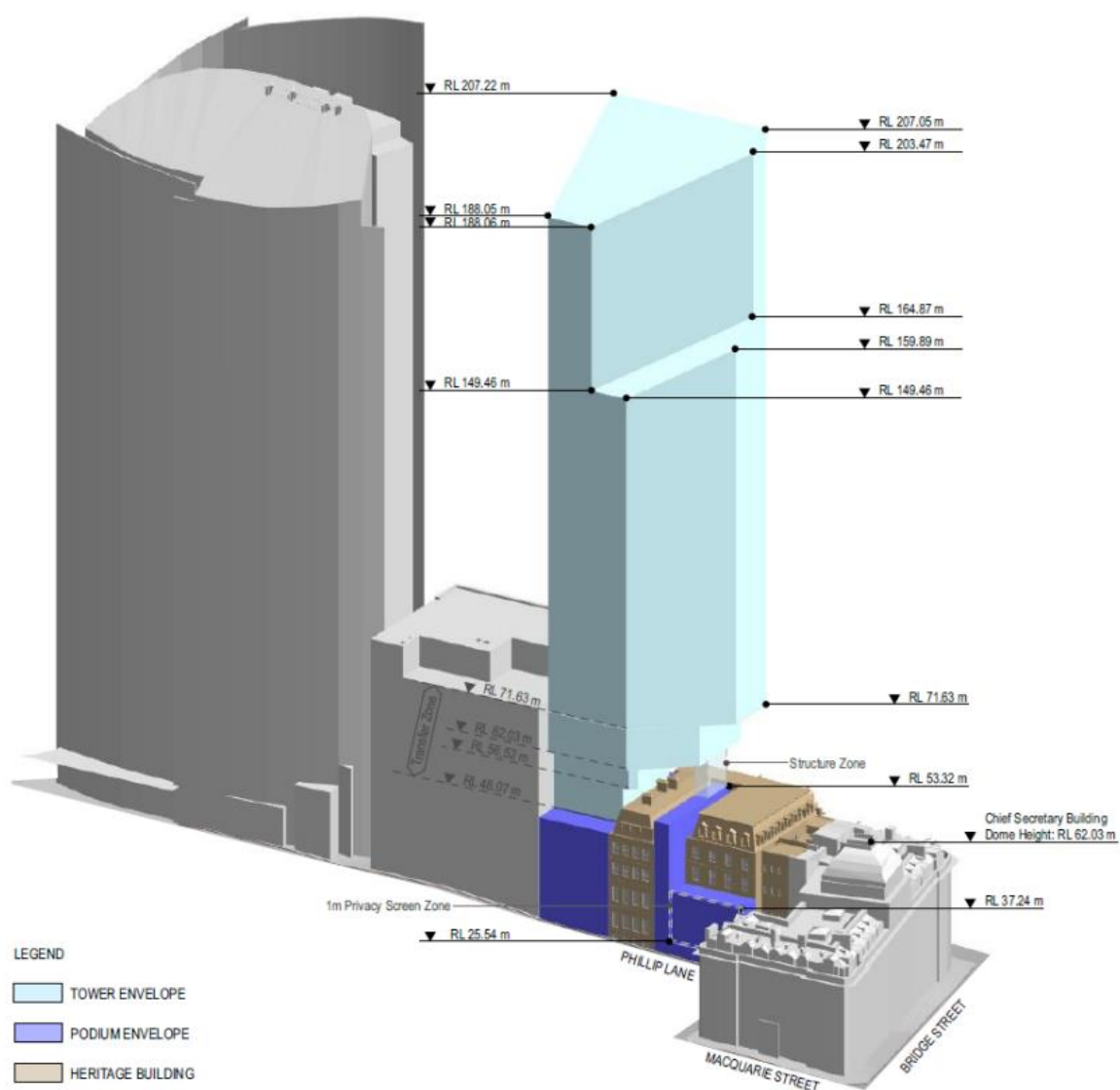


Figure 21 Proposed building envelope (viewed from the north-east)

Source: FJMT

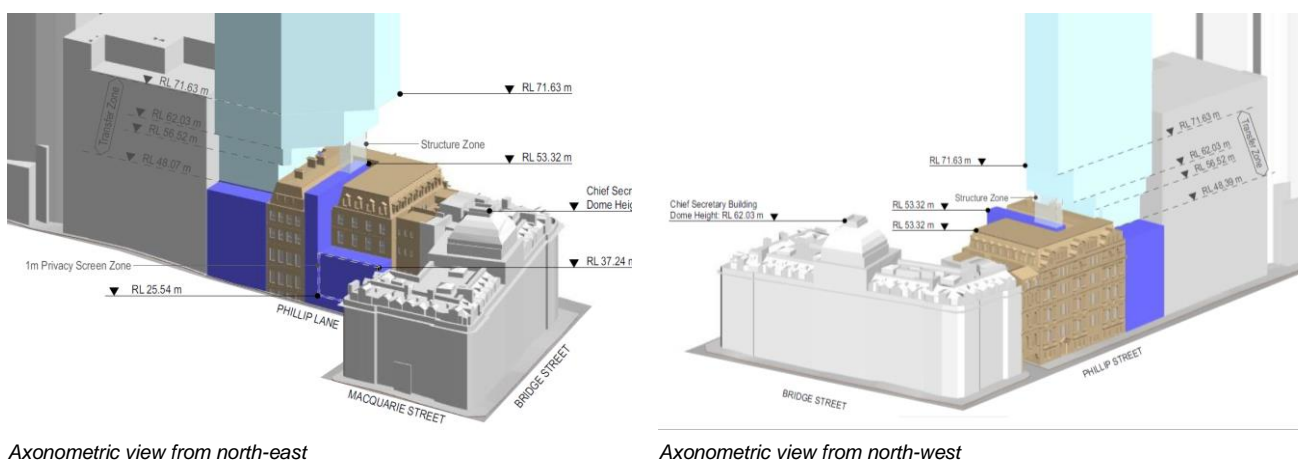
4.4.1 The Podium Envelope

The proposed podium envelope comprises a number of components, including the retention of the heritage listed 50 Phillip Street building, a new volume insertion at 52 Phillip Street, a new insertion in the light well of 50 Phillip Street, and a rear extension on the Phillip Lane frontage of the retained heritage building.

The proposed new volume insertion at 52 Phillip Street will align with the parapet height of the retained heritage listed building at 50 Phillip Street. This insertion will have a maximum height of RL48.39. The proposed 'light well' insertion will have a slightly higher maximum height at RL53.32, aligning to the roof height of the 50 Phillip Street building.

The rear façade extension to 50 Phillip Street will be three storeys in height up to a maximum of RL37.24, and will be supported by an additional one metre articulation zone above the ground level (i.e. on levels 1 and 2).

Figure 22 provides an illustration of the proposed podium envelope at both the Phillip Street and Phillip Lane frontages, while **Figure 23** illustrates the podium envelope in plan view.



Axonometric view from north-east

Axonometric view from north-west

Figure 22 Axonometric view of podium envelope

Source: FJMT



Proposed envelope – Level 1

Proposed envelope – Level 3

Figure 23 Plan view of podium envelope

Source: FJMT

4.4.2 The Transition/Structure Zone

Recognising the need to provide a transition between the podium and heritage listed building, and the tower envelope above, a transition/structure zone in the building envelope is proposed. The transition/structure zone accommodates a variety of setbacks from the site boundaries, changing at different heights to accommodate the future tower form above. Vertical separation of the transition zone is also proposed to the heritage building below, with the transition envelope stepped to align with the dome height of the Chief Secretary’s Building at RL 62.03.

It is anticipated that the transition zone will accommodate building elements such as plant and structure, specifically the structure to support the future tower. The main structural column for the tower is anticipated to be contained within the existing light well of the 50 Phillip Street building, and it is expected that a 550mm exclusion zone will be provided around this column within the light well.

A section of the transition zone is illustrated in **Figure 24**, and various plan views of the transition zone envelope are shown in **Figure 25**.

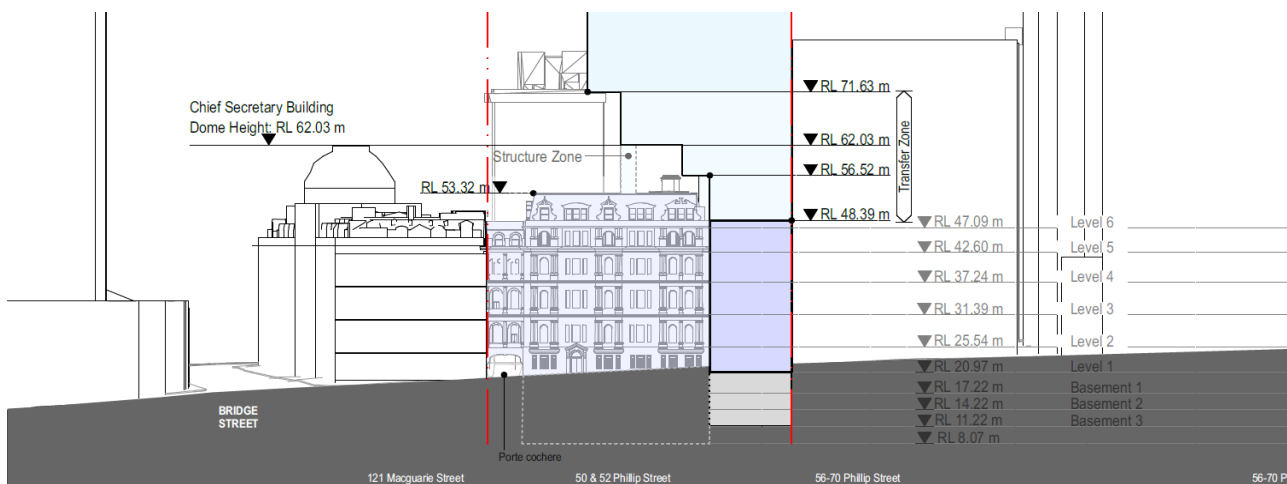


Figure 24 Section of the transition/structure zone

Source: FJMT



Figure 25 Plan view of transition/structure zone

Source: FJMT

4.4.3 The Tower Envelope

The tower envelope is proposed above the podium and transitional/structure zone, commencing at RL 71.63. The overall maximum height of the tower envelope will be RL 207.22, and the envelope is shaped with consideration of the important sun access controls affecting the site.

The tower envelope will first step at a maximum height of approximately RL 164.87, with a setback towards the south-west accommodating solar access controls. This overall form is illustrated in **Figure 26**.

Setbacks of the tower envelope will vary depending on the street context, with a minimum four metre setback to Phillip Street, a six metre setback to the centreline of Phillip Lane, and a 17.2 metre setback to the northern edge of the site. These setbacks are illustrated in the plan view of the proposed tower envelope at **Figure 27**.

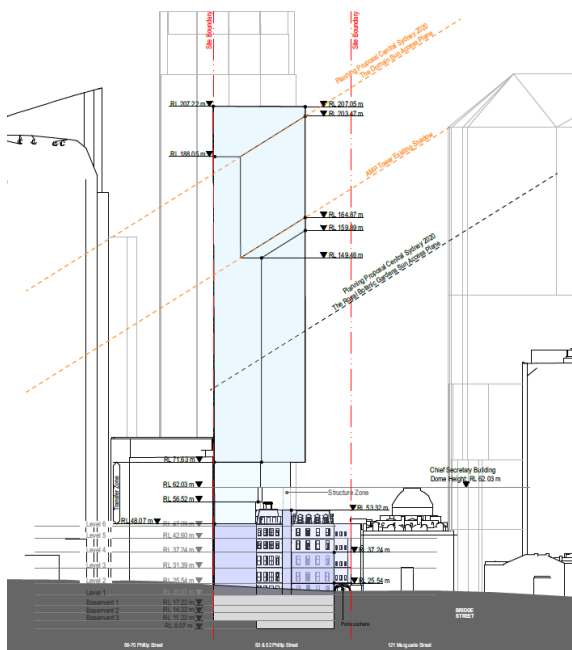


Figure 26 Section of tower envelope

Source: FJMT

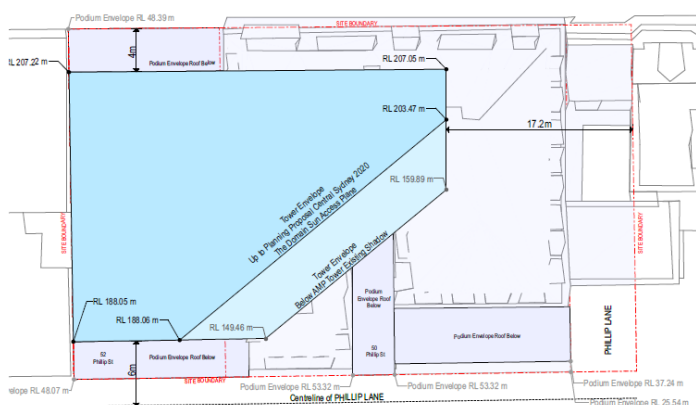


Figure 27 Plan view of tower envelope

Source: FJMT

4.5 Gross Floor Area

A maximum upper limit gross floor area (GFA) of 25,374.5m² is proposed as part of the Concept Proposal. This total GFA equates to a maximum floor space ratio (FSR) of 15:1 on the site.

A condition of consent is sought in the development consent providing reference to this maximum GFA, avoiding any future discrepancy regarding the generation of floor space on the site. The generation of floor space on the site is discussed in further detail at **Section 5.4** of this EIS.

4.6 Development Staging

The redevelopment of the site is intended to be undertaken in a single stage of construction following the completion of the planning process.

Following determination of the Stage 1 Concept SSD DA, a competitive design process will be undertaken in accordance with the proposed Design Excellence Strategy (**Appendix H**). Once a design is selected from the competitive design process, a Stage 2 Detailed SSD DA will be submitted seeking consent for the construction and use of the development as a whole.

Further details on the construction staging will be provided in the future Stage 2 SSD DA.

4.7 Indicative Design

An indicative design is provided that fits within the proposed building envelope. It demonstrates a potential layout of a mixed-use development within the proposed envelope that comprises hotel and residential elements. Ultimately, the final design will be subject to a competitive design process and Stage 2 Detailed SSD DA, and therefore this indicative design represents one potential outcome which is likely to evolve.

The key elements of the indicative design include:

- Three basement levels accessed from Phillip Lane capable of accommodating 23 mechanical residential car parking spaces across five levels, bicycle parking as well as end of journey facilities, waste rooms and services areas.
- Refurbishment of the existing heritage building, and infilling to create a podium, to include lobby, dining, lounge, bar and function areas, a library, back of house facilities and 27 hotel rooms
- A new tower element containing 219 hotel rooms from Level 10 to Level 33, and 23 penthouse suites from Level 36 to Level 47.
- A pick-up and drop-off zone beneath the Phillip Lane bridge, basement car park access from Phillip Lane and loading from Phillip Lane.
- A total GFA of 24,146.6m², comprising
 - Hotel GFA: 19,668m² (81.5%)
 - Residential GFA: 4,478m² (18.5%)

4.7.1 Land Use & Floor Space

A general description of the indicative land uses and floor by floor breakdown of these uses is provided below. For further information, indicative layout plans illustrating the potential layout of the scheme are provided **Appendix B**.

Basement

The indicative scheme includes three basement levels, accommodating the hotel and residential waste rooms, bicycle parking, hotel staff end of journey facilities and plant rooms. Moreover, five levels of mechanical parking, accommodating 23 residential car parking spaces, is provided beneath the rear façade extension to 50 Phillip Street.

Hotel

The indicative scheme includes the delivery of approximately 240-rooms in luxury hotel. This hotel will be contained largely within the podium and in the tower up to Level 35. The hotel would include a ground level lobby, all day dining, function rooms, library, hotel rooms and associated back of house and services facilities in the refurbished heritage building.

A swimming pool and bar area would be provided on Level 35, creating a natural separation between the multiple uses in the mixed-use building.

Penthouse Suites

Above the hotel, a total of 23 branded penthouse suites would be located on Level 36 to Level 47. These levels would be serviced by separate lifts accessed from a separate residential lobby on the ground level. These suites are shown as generously sized and provided with multiple aspects.

In the indicative scheme, it is intended that the penthouse suites would have access to the swimming pool and bar amenities area on Level 35, ensuring the efficient use of area within the building.

Management of land uses

Given the multiple uses proposed in the future building, a number of design considerations and a management regime will be implemented to minimise potential conflicts and ensure the efficient operations of both uses.

While the detailed design of the future building will be the subject of a separate competitive design process, the following considerations will be fundamental to ensuring the efficient management of both uses, and are expected to be included in the future Competitive Design Brief:

- The hotel and branded residential apartments should be accessed by separate lift lobbies.
- The hotel and branded residential apartments should utilise separate lifts, with a separate redundancy lift for the branded residential apartments in the event a lift requires repairs / maintenance.
- A shared loading dock and facilities should be provided to allow for efficiencies, while separate bin storage should be provided to reduce potential conflicts.
- The hotel and branded residential apartments must be located on separate levels with no mixing of uses on any level.
- The ability for separate mechanical systems should be available for the branded residential levels.

In addition to the above, the following operational procedures will be considered in the management regime of the future building:

- A Hotel Management Plan will be implemented and regularly updated in line with best practice procedures.
- Restricted access will be provided to the hotel and branded residential uses, as well as to individual rooms, suites and apartments.
- Both the hotel and branded residential apartments will have electronic controlled access to the shared facilities, including:
 - Access to concierge services.
 - Access to the pool and gym.
 - Option for valet parking.
 - Room service & VIP services (fresh flowers, restock refrigerator, cleaning services, laundry services, etc)
- On-site concierge and security services will be available 24/7 for hotel guests and visitors, and will manage any queries or issues as they arise.

Level by Level Use and GFA

An indicative GFA and land use breakdown of the indicative scheme is summarised in **Table 8** below and detailed in the Area Schedule provided within the Design Report at **Appendix B**.

Table 8 Floor by Floor land uses and GFA breakdown

Level	Land Use	GFA
Basement 3	Hotel Waste Room / Plant / Mechanical Parking	-
Basement 2	Residential Waste Room / Residential & Visitor Bicycle Parking / Plant / Mechanical Parking	-
Basement 1	Hotel Employee & Guest Bicycle Parking / Hotel EOT / Plant / Mechanical Parking	-
Level 1	Hotel Lobby & Reception / Lounge & Bar / Penthouse Suites Lobby	645
Level 2	Lounge / Library / All Day Dining / Back of House / Loading	955
Level 3	Function Rooms / Board Room / Back of House	1,218
Level 4	Hotel – Podium / Back of House	1,115
Level 5	Hotel – Podium / Back of House	1,134
Level 6	Hotel – Podium / Back of House / Plant	617
Level 7	Gap	-
Level 8-9	Plant	-
Level 10	Hotel – Low-rise	538
Level 11	Hotel – Low-rise	562
Level 12	Hotel – Low-rise	566

Level 13-15	Hotel – Low-rise	571
Level 16-25	Hotel – Low-rise typical	571
Level 26-32	Hotel – Mid-rise typical	571
Level 33	Hotel – Presidential Suite	565
Level 34	Plant / Pool Well	-
Level 35	Swimming Pool / Bar	334
Level 36-46	Penthouse Suites	382
Level 47	Penthouse Suites / Plant	205
Level 48	Plant	-
Level 49	Roof	-

Source: FJMT

4.7.2 Site Access, Parking and Loading

Parking and Loading

The indicative design provides for basement vehicle parking and a new loading dock, turning circle and three loading spaces at the rear of the new podium on 52 Phillip Street at level 2. Delivery vehicles and waste collection vehicles would enter the site from Phillip Lane.

Pedestrian Access

The primary pedestrian access to the future building will be from Phillip Street, with a secondary hotel pedestrian access off Phillip Lane associated with a new drop-off and pick-up location.

Vehicular Access

The existing one-way Phillip Lane will be utilised to provide vehicular access to the site. Currently, all traffic will enter via Phillip Street onto Phillip Lane, and all traffic will leave via Macquarie Street. A diagram showing the future vehicular access arrangements for hotel drop-off and pick-up, car park access and loading is provided at **Figure 28** below.

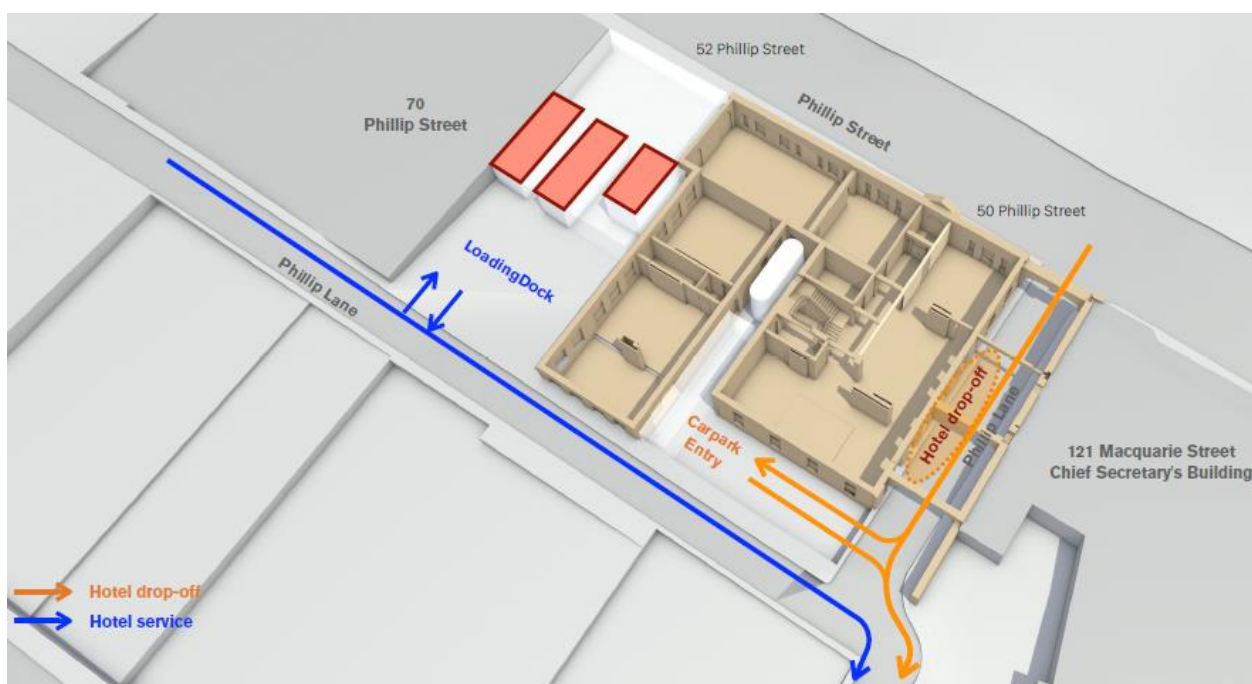


Figure 28 Proposed hotel vehicular access

Source: FJMT

Hotel Drop-off and Pick-up

A hotel drop-off and pick-up location is intended to be provided on Phillip Lane beneath the existing Phillip Lane bridge. To accommodate this drop-off and pick-up facility, existing heritage fabric is required to be removed. The expected hotel drop-off and pick-up arrangement is illustrated in **Figure 29**.

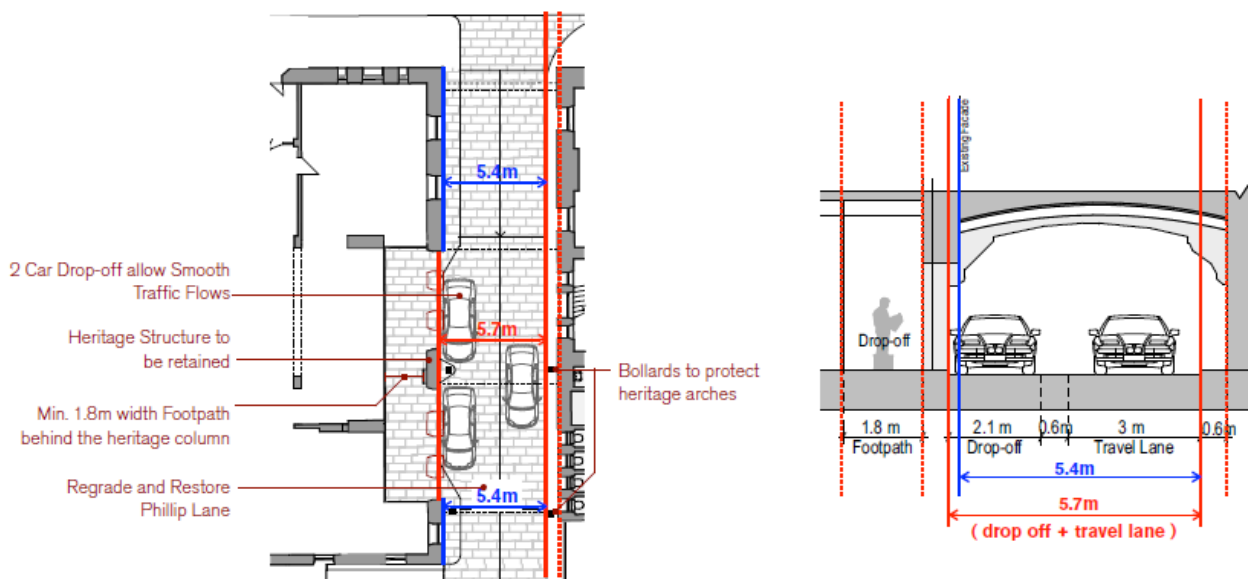


Figure 29 Hotel Pick-up and Drop-off Arrangements on Phillip Lane

4.8 Infrastructure and Utilities

As outlined in **Section 2.2.7**, the site is well-connected to existing water, gas, electricity and broadband utilities. It is not expected that any major upgrades of infrastructure will be required. However, details of any infrastructure and utilities proposed or infrastructure augmentation required will be provided in the Stage 2 Detailed SSD DA.

4.9 Landscaping and Public Domain

Given the dense urban context of the site, a building with full site coverage is proposed. As such, the proposed Stage 1 SSD DA does not seek consent for any public domain or landscaping works, outside of make good works following the future demolition and construction.

Phillip Lane along the northern boundary of the site and through the site under the Phillip Lane bridge is proposed to be retained in the Concept Proposal and will be enhanced to provide for the hotel pick-up and drop-off zone discussed above.

4.10 Public Art

A preliminary Public Art Strategy is provided within the Design Report prepared by FJMT at **Appendix B**. It identifies high-level opportunities for public art around the site which will be further investigated as part of the competitive design process and Stage 2 Detailed SSD DA.

5.0 Environmental Assessment

This section of the EIS assesses and responds to the environmental impacts of the proposed Stage 1 SSD DA. It addresses the matters for consideration set out in the SEARs (refer to **Section 1.5**). The Mitigation Measures at **Section 7.0** complement the findings of this section.

5.1 Compliance with Planning Policies

The relevant strategies, policies and guidelines as set out in the SEARs are addressed in **Table 9**.

Table 9 Summary of consistency with relevant Strategies, EPIs, Policies and Guidelines

Strategy	Comments
City Plan 2036: City of Sydney Local Strategic Planning Statement	<p>The City of Sydney Local Strategic Planning Statement (LSPS) gives effect to the District Plans endorsed by the Department in 2018. The City's LSPS, City Plan 2036, was exhibited in August – October 2019, and sets out a series of actions to achieve the vision and guide future changes to the City's planning controls.</p> <p>The proposed concept development is consistent with the City of Sydney LSPS in that it:</p> <ul style="list-style-type: none"> • Is consistent with Action 1.2 by providing an appropriate mix of hotel and residential land uses in an optimal location to support Central Sydney's role as the metropolitan centre and its visitor and night-time economies. In particular, it will lead to growth in jobs and the visitor economy as tourism contributes more than \$7 billion to the local area and economy and contributes to 11 per cent of Sydney's workforce. • Provides a luxury hotel and penthouse suites that will contribute to a mix of uses which complements and contributes to the global qualities of Central Sydney and its ability to compete on an international scale, and attract global business, investment and talent. • Will increase luxury hotel supply to meet expected growth in hotel demand domestic and international visitors, given Sydney is Australia's primary international gateway and most visited city, with close to 45 per cent of all international visitors, and containing close to 20 per cent of the hotel room supply across all major cities in Australia. • Provides a new luxury hotel servicing the tourism industry on an unlocked site in Central Sydney. • Proposes the refurbishment and redevelopment of a heritage building with a sympathetic built form, scale and fabric that retains the character and identity of the precinct, but continues to create great places which draw people to live, work and study. • Is consistent with Priority L2 Creating Great Places, as the proposed penthouse suites are located within a highly walkable area with a high degree of accessibility to essential services, transport infrastructure and public open space. • Pursues design excellence through a proposed competitive design process to ensure the highest-quality urban design outcomes are achieved, including healthy and amenity outcomes, wind, air quality, sun access and noise intrusion. • Is consistent with Priority L3 New Homes for a Diverse Community by proposing penthouse suites that will provide high-end accommodation that will boost the economic competitiveness of the Sydney CBD.
Central Sydney Planning Strategy	<p>In July 2016, the City of Sydney released the Central Sydney Planning Strategy (the CSPS) to guide development within the Sydney CBD over the next 20 years. The Draft CSPS establishes a strategic direction to position and strengthen Sydney as Australia's leading global city.</p> <p>The CSPS was endorsed by the Central Sydney Planning Committee (CSPC) and Council in July 2016 and a Planning Proposal to advance specific elements of the strategy was forwarded to the Department for Gateway approval to allow formal public exhibition. Since that time, negotiations took place between Council and the State Government, and in May – July 2020 the CSPS and supporting documents were publicly exhibited. On 14 December 2020, Council approved the CSPS.</p> <p>The CSPS notes that tourism is one of the fastest growing economic sectors in the world, and it contributes more than \$30 billion to the state economy every year. The tourism industry is acknowledged for supporting 10,000 businesses, making up 11% of Sydney's workforce and providing a total of 47,000 jobs. The opportunity for Central Sydney to remain as a popular destination for visitors will depend on the ability of it to respond to visitors needs and interest, and in particular the diversity of accommodation in the City.</p>

Strategy	Comments
	<p>Specifically, the Concept Proposal is consistent with the draft CSPS as it:</p> <ul style="list-style-type: none"> • Will accord with the CSPS principles and strategic directions by contributing to the diversity of visitor accommodation in Central Sydney, providing for employment uses which unlocks unrealised floor space and protecting it for future income which will contribute to the NSW and Sydney economy. • Achieves a genuine mixed-use outcome that will contribute to the vibrancy and attractiveness of the Sydney CBD, while retaining over 80% of the proposed GFA as employment generating floorspace. • Prioritises employment growth as it is expected to create 2,500 direct and indirect jobs during construction, and over 1,000 jobs once the hotel is in operation. • Responds to its context, as its design is consistent with the form and scale of buildings in its immediate precinct and within Central Sydney. • Is sympathetic to and enhances the heritage value of the locality, through the adaptive reuse and refurbishment of the heritage building and the cantilever design which is sensitive to the scale of the heritage building. • Seeks to uphold the City's commitment to design excellence through a commitment to conduct a competitive design process.
A Metropolis of Three Cities – Greater Sydney Region Plan	<p>The Greater Sydney Region Plan (GSRP) is the overarching strategic planning document for Greater Sydney. It is built on a vision of three cities where most residents will live within 30 minutes of their jobs, education and health facilities.</p> <p>This DA is consistent with the following objectives of the Strategy:</p> <ul style="list-style-type: none"> • Objective 13 Environmental heritage is identified, conserved and enhanced: Conservation and adaptive reuse of the Former Public Works Building respects its heritage and history whilst combining modern design to achieve an urban environment that demonstrates shared values and contributes to a sense of place and identity. This is important as it conserves the heritage value of the Bridge Street Precinct and contributes to ongoing adaptive reuse of heritage buildings within the precinct. • Objective 14 30-minute cities: the location of the proposed hotel and residential suites is in close proximity to a number of public transport modes, including trains, busses, light rail and future Sydney Metro City, as well as being located in the walkable Sydney CBD. This integration of land use and transport will contribute to creating the 30-minute city. • Objective 18 Harbour CBD is stronger and more competitive: The proposal addresses Sydney's need for additional luxury hotel accommodation which will enhance Sydney as a globally attractor of global businesses, investment and talent, and respond to market opportunities for growth, and delivering high-quality design and protecting the amenity of Sydney's public spaces to contribute to the global qualities of the Harbour CBD. The provision of additional luxury hotel accommodation also strengthens the tourism industry, with Sydney being Australia's gateway for 30 million visitors per year. The proposal will greatly benefit the visitor economy which is a key asset that supports the Harbour CBD's global role and diversity of activities. • Objective 24 Economic sectors are targeted for success: The proposal contributes specifically to the growth of the tourism sector targeted by the GSRP. The provision of additional luxury hotel accommodation will improve the user experience of visitors for businesses and leisure, ensuring that Sydney remains an attractive and competitive global tourism destination. Moreover, it is strategically located to complement the Eastern Harbour City's network of global businesses, iconic landmarks, cultural institutions and conference centres.
Eastern City District Plan	<p>The Eastern City District Plan is the applicable subregional plan, sitting under the Greater Sydney Region Plan. The District covers an area which includes the Harbour CBD, Green Square-Mascot, Randwick, Bondi Junction, Rhodes, Campsie and Kogarah.</p> <p>The proposal is consistent with the Vision for the District in that it will strengthen the international competitiveness of the Harbour CBD in the attracting global business and meeting growing tourism demand.</p> <p>The District Plan draws its planning priorities from the GSRP objectives and utilises the same overall directions. As such, the proposal is consistent with the Eastern City District Plan for the same reasons as explained above. Specifically, the proposal is consistent with the following planning priorities of the District Plan:</p> <ul style="list-style-type: none"> • Planning Priority E5: Providing housing supply, choice and affordability with access to jobs, services and public transport; • Planning Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage;

Strategy	Comments
	<ul style="list-style-type: none"> • Planning Priority E7 Growing a stronger and more competitive Harbour CBD; • Planning Priority E10 Delivering integrated land use and transport planning and a 30-minute city; and • Planning Priority E13 Supporting growth of targeted industry sectors (tourism).
Future Transport 2056	<p>The <i>Future Transport Strategy 2056</i>, and the associated <i>Greater Sydney Services And Infrastructure Plan</i> sets the framework for the NSW Government to deliver an integrated transport system, and identifies the key strategies and foci to support Greater Sydney as it grows and develops over the next 40 years. The proposed concept development is consistent with these documents as the location of the proposal supports the achievement of the 30 minute city goal, as the site is located within the Harbour CBD Metropolitan Centre and is located in close proximity to multiple modes of transport: train, Metro, bus and light rail.</p>
NSW State Infrastructure Strategy 2018-2038	<p>The NSW State Infrastructure Strategy 2018-2038 sets out the government's infrastructure priorities for the next 20 years. The proposal is well-located in the Harbour CBD to capitalise on a number of priorities such as Sydney Metro City & Southwest and the CBD and Southeast Light Rail.</p>
Sustainable Sydney 2030	<p>Sustainable Sydney 2030 is a program for the sustainable environmental, economic, societal and cultural development of the Sydney LGA to 2030 and beyond. The proposal is consistent with the following strategic directions of Sustainable Sydney 2030:</p> <ul style="list-style-type: none"> • 1. A globally competitive and innovative city: Provision of additional luxury hotel accommodation will contribute to creating a globally competitive business and tourism sector in Sydney; • 2. A leading environmental performer: the proposal will addresses all key ESD principles as further explained in Section 8.3; • 5. A lively, engaging city centre: the proposal will bring in additional visitors to the Sydney CBD, resulting in increased visitors engaging in the city centre during the day and night; and • 9. Sustainable development, renewal and design: the proposal adaptive reuses an underutilised heritage building in the CBD, contributing to sustainable renewal that respects the precinct's rich heritage whilst combining with modern design.
Sydney Green Grid	<p>The Sydney green grid promotes the creation of a network of high quality open spaces that supports recreation, biodiversity and waterway health. The green grid will create a network that connects strategic, district and local centres, public transport hubs, and residential areas. The proposal promotes the use of public and active transport given its locational proximity to a network of open spaces, pedestrian links and public transport options. It has also been designed to maintain the high quality open space and public realm of the Domain and Royal Botanic Gardens as there is no material impact on solar access to those spaces.</p>
Sydney City Centre Access Strategy	<p>The Sydney City Centre Access Strategy aims to create an integrated city centre transport network by 2031. The proposal is well-located to capitalise on improved integration of train, ferry, bus and light rail services at Circular Quay. The proposal does not result in adverse traffic or transport impact that affects the aspirations of the Sydney City Centre Access Strategy.</p>
Visitor Economy Industry Action Plan 2030	<p>Tourism is one of NSW's most important industries with the NSW visitor economy expected to more than triple 2009 overnight visitor expenditure to 2030 by aiming to achieve \$55 billion by 2030. The NSW Visitor Economy Industry Action Plan 2030 contains 43 actions to keep NSW as the number one state in the country for overnight visitors and accelerate growth to deliver maximum economic benefits through the visitor economy. The provision of additional luxury hotel accommodation in the Sydney CBD will contribute to the expected growth in tourism expenditure in the state. Specifically, the proposal will contribute to the following actions:</p> <ul style="list-style-type: none"> • New state-wide overnight visitor expenditure targets that aim to more than triple 2009 overnight visitor expenditure by 2030, to \$45 billion by 2025 and \$55 billion by 2030. • Attracting high-yield international tourists who seek luxury accommodation

5.2 Compliance with Environmental Planning Instruments

5.2.1 State Legislation

The relevant State Legislation as set out in the SEARs are addressed in **Table 10**.

Table 10 Summary of consistency with State Legislation

Strategy	Comments
EP&A Act	<p>The proposed concept development is consistent with the objects of the EP&A Act for the following reasons:</p> <ul style="list-style-type: none"> • The proposed concept development promotes the proper management of the environment by conserving cultural built heritage and maintaining solar access to key public open spaces. • The proposed concept development promotes the orderly and economic use of currently under-utilised government-owned land through a USP process and proposed redevelopment that maximises the development potential of the site. • The proposed concept development will pursue ecologically sustainable development targets, to be reinforced and enhanced through a proposed competitive design process. • The proposed concept development proposes in-principle public domain upgrades that will enhance the publicly accessible Phillip Lane. • The proposed concept development includes a residential component that will contribute to the supply and diversity of housing within the Sydney CBD. • The proposed concept development will provide the requires communication and utility services. • The proposed concept development will not affect any threatened species or important biophysical ecosystems. • The proposed concept development is consistent with Division 4.7 of the EP&A Act, particularly for the following reasons: <ul style="list-style-type: none"> • the development has been declared to have state significance; • the development is partly prohibited by an environmental planning instrument, but is able to be approved by the Minister by way of its state significance pursuant to clause 3.83(3) of the EP&A Act; and • the development has been evaluated and assessed against the relevant heads of consideration under section 4.15(1).
EP&A Regulations	<p>The EIS has addressed the specification criteria within clause 6 and clause 7 of Schedule 2 of the EP&A Regulation. Similarly, the EIS has addressed the principles of ecologically sustainable development through the precautionary principle (and other considerations), which assesses the threats of any serious or irreversible environmental damage (see Section 8.3).</p> <p>As stated in clause 7(1)(d)(v) of Schedule 2, additional approvals may be required in order to permit the proposed concept development to occur.</p> <p>While part of the site is a state-heritage-listed item, approval under Part 4 of the Heritage Act is not required as the proposed concept development is declared as state significant, pursuant to clause 4.41(1)(c) of the EP&A Act.</p>
Heritage Act	<p>As stated above, even though part of the site is a State Heritage-listed item, and the proposed concept development includes the in-principle refurbishment and some demolition of intrusive elements and excavation, pursuant to clause 4.41(1)(c) of the EP&A Act, concurrent approval from the Heritage Council of NSW is not required as the proposed concept development is declared as state significant.</p> <p>Notwithstanding, an assessment of potential heritage impacts is provided at Section 5.8, and further detailed in the Design Report prepared by FJMT at Appendix B, Heritage Impact Statement prepared by GBA Heritage at Appendix I, and Updated Conservation Management Plan 2020 prepared by GBA Heritage at Appendix M.</p>

5.2.2 State Environmental Planning Policies

The relevant State Environmental Planning Policies as set out in the SEARs are addressed in **Table 11**.

Table 11 Summary of consistency with State Environmental Planning Policies

Strategy	Comments
SEPP 55 – Remediation of Land	The Geotechnical and Contamination Desktop Review prepared by Golder at Appendix D has found no evidence of a potential for significant contamination. As such, the site is suitable for the proposed concept development.
SEPP (State and Regional Development)	Under Schedule 1 clause 13(2), development for tourist and visitor accommodation with a capital investment value of more than \$100 million is SSD. As the proposed concept development will have a capital investment value of approximately \$294,106,470 (under separate cover) it is declared as SSD. In accordance with clause 8(2) of the SRD SEPP, all parts of a single development application are also declared SSD for the purposes of EP&A Act. Accordingly, all aspects of this application, including residential uses, are also declared SSD.
SEPP 65 – Design Quality of Residential Flat Buildings	The proposed building envelope and indicative layouts are generally consistent with the provisions of SEPP 65 and the NSW Apartment Design Guide (ADG). This is addressed further in Section 5.11 below and in the Design Report at Appendix B .
SEPP (Building Sustainability Index: BASIX)	A BASIX certificate will be submitted for the residential component of the development as part of the Stage 2 SSD DA. An ESD Report has been prepared for the proposed concept development and is included at Appendix O . This report confirms that the proposed residential component of the development will be capable of achieving the water and energy saving targets set out in SEPP (BASIX).

5.2.3 Sydney Local Environmental Plan 2012

The relevant clauses and development standards of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) are addressed in **Table 12**.

Table 12 Summary of consistency with Sydney Local Environmental Plan

Clause	Provision / Standard	Proposal	
Clause 2.3 Zone Objectives and Land Use Table	B8 Metropolitan Centre Zone	Hotel and Residential accommodation	The proposed residential and hotel uses are permissible with development consent in the B8 Metropolitan Centre zone. The Concept Proposal is also consistent with the objectives of the zone in that: <ul style="list-style-type: none"> It will result in an iconic new addition to the Sydney skyline taking into consideration its prominent location in the Bridge Street precinct. It provides an intensity and diversity of land use commensurate with Sydney's global status, providing a high quality hotel and penthouse suites. It provides for the pre-eminent role of tourism in contributing to Sydney's global status and will allow visitors to the area to benefit from additional accommodation options. By providing residential and tourist and visitor accommodation in the Sydney CBD environment, this will promote active transport and public transport usage.
Clause 4.3 – Height of Buildings	Area 3	RL 207.22m	The site is identified as Area 3 on the Height of Buildings Map and no maximum building height applies to the site under this control. However, as set out above, a sun access plane control applies to the site (refer to Section 5.3).
Clause 4.4 – Floor Space Ratio	8:1	8.1 (excluding accommodation floor space)	Refer to Section 5.4
Clause 5.10 – Heritage Conservation	Heritage Assessment	The site contains a state heritage listed item. The Concept Proposal includes the refurbishment of this building and a cantilevered tower above. A Statement of Heritage Impact prepared by GBA Heritage is provided at Appendix I . An updated Conservation Management Plan has also been prepared by GBA Heritage and is submitted with the application for information at Appendix K . Refer to Section 5.8 for additional assessment of heritage impact.	

Clause	Provision / Standard	Proposal	
Clause 6.4 – Accommodation Floor Space	6:1 bonus for hotel accommodation 4.5:1 bonus for residential accommodation	15:1	Refer to Section 5.4
Clause 6.16 – Erection of Tall Buildings in Central Sydney	Development involving the erection of a building with a height greater than 55m must comply with the objectives of the clause	<p>The proposal is consistent with the objectives of this clause in that:</p> <ul style="list-style-type: none"> • The proposal is compatible with its surrounding context and the Bridge Street Special Character Area. • The indicative scheme demonstrates that the building envelope is capable of achieving solar access in accordance with the ADG and providing a high level of residential amenity to residential apartments within the development and surrounding residential uses (see Section 5.11 and Section 5.12 below). • The proposed building envelope will not result in any additional overshadowing to the Royal Botanic Gardens or The Domain during the key control times(see Section 5.3 below). • The proposed building envelope will promote the free movement of air around the tower (see Section 5.14). • The proposed lower level active uses will improve street frontage activation. • The site is greater than 800m² in area. 	
Clause 6.17 – Sun Access Planes	Royal Botanic Gardens 8 SAP The Domain 7 SAP	<p>The north-eastern half of the site is affected by the Royal Botanic Gardens 8 SAP and the south-western half of the site is affected by The Domain 7 SAP. The height of the proposed tower exceeds with The Domain 7 SAP and the Royal Botanic Gardens 8 SAP, and is therefore acknowledged as partly prohibited. Refer to Section 5.3.</p>	
Clause 6.19 – Overshadowing of certain public places	No additional overshadowing on First Government House Place between 12.00-14.00 between 14 April and 31 August	<p>As shown in the overshadowing diagrams in the Design Report at Appendix B, the proposed building envelope will not result in any additional overshadowing on First Government House Place between 12pm and 2pm on 14 April to 31 August in any year.</p>	
Clause 6.21 – Design Excellence	Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed concept development exhibits design excellence.	<p>A design excellence process is required to be held for the future redevelopment of the site. It is proposed that a competitive design alternatives process be held prior to lodgement of the Stage 2 SSD DA. A Design Excellence Strategy has been prepared for the proposal and included at Appendix H. Refer to Section 5.5 for further detail.</p> <p>The proposed maximum FSR accounts for the 10% design excellence FSR bonus.</p>	
Clause 7.14 – Acid Sulfate Soils	Development consent is required for the carrying out of works in Class 5 acid sulfate soils	<p>The site is identified within Class 5 acid sulfate soils. Development consent is required for the carrying out of works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum (AHD) and by which the watertable is likely to be lowered below 1 metre AHD on adjacent Class 1, 2, 3 or 4 land. The site is within 75m of Class 2 land and 347m from Class 1 land. See the Geotechnical and Contamination Desktop Study at Appendix D and Section 5.19 for further assessment.</p>	
Clause 7.19 – Demolition must not result in long term adverse visual impact	Demolition must not result in long term adverse visual impact	<p>No demolition is proposed as part of this Stage 1 SSD DA. Demolition will not commence until the determination of a future Stage 2 SS DA on the site.</p>	
Clause 7.20 – Development requiring preparation of a development control plan	Development consent must not be granted unless a development control plan has been prepared for development in Central Sydney that will result in a building greater than 55 metres in height	<p>As per Section 4.23 of the EP&A Act, this Stage 1 SSD DA satisfies the obligation for the preparation of a development control plan under this provision. The matters prescribed in Clause 7.20(4) have been addressed throughout this EIS.</p>	

5.2.4 Sydney Development Control Plan 2012

It is noted that development control plans are not a matter for consideration in the assessment of SSD DAs by virtue of Clause 11 of SEPP SRD, which states that '*Development control plans...do not apply to...State significant development*'.

Notwithstanding this, a high-level assessment of the Concept Proposal against the relevant provisions of Sydney Development Control Plan 2012 (Sydney DCP 2012) is provided at **Table 13** below.

Table 13 Assessment of Sydney DCP 2012 Controls

Control	Comment	Consistency
5.1.2 Building setbacks	<p>The proposed side setback to the north of a minimum of 17m achieves the minimum side setback of 12m for hotels and residential buildings above 45m</p> <p>The proposed zero side setback to the south is acceptable if no principle windows or balconies are proposed on the southern elevation. Should principle windows or balconies be proposed in the detailed DA, setbacks can be employed within the building envelope.</p> <p>The proposed tower envelope for hotel and residential land uses achieves the required 6m setback to the centre line of Phillip Lane.</p> <p>Refer to Section 5.6 for further discussion of setbacks.</p>	Yes
5.1.3 Street frontage heights and setbacks for Special Character Areas	The site is partially located in the Bridge Street / Macquarie Street / Bulletin Place Special Character Area. A street frontage height of approximately 48m is provided which is consistent with the existing street frontage height of the heritage item. The lower tower setback above the street frontage height is consistent with the 8m requirement. While the upper tower is setback 6m, the weighted average front setback is 8.4m. Refer to Section 5.6 for further discussion of setbacks.	Yes
5.1.5 Building bulk	The proposed building envelope is consistent with this provision. The building envelope above 45m is limited to less than 600m ² of GFA. The 35m horizontal length of the tower envelope parallel to the street frontage is consistent with the 40m maximum of this provision.	Yes
5.1.6 Building exteriors	The materials and design of the future building will take into account the relationship of the future building to surrounding buildings, including heritage items. The future building design will be subject to a competitive design process and a Stage 2 Detailed SSD DA.	Yes
5.1.10 Sun access planes	Refer to Section 5.3 for assessment.	On Merit
4.2.1.2 Floor to ceiling heights and floor to floor heights	The proposed envelope is capable of achieving the recommended floor to ceiling and floor to floor heights for each of the proposed land uses. The future building design will be subject to a competitive design process and a Stage 2 Detailed SSD DA.	Yes
4.2.3 Amenity	The proposed building envelope is capable of achieving direct solar access to 100% of apartments and all apartments are deemed to be naturally cross ventilated as demonstrated in the Design Report at Appendix B . Refer to Section 5.11 for further discussion on residential amenity.	Yes
4.2.3.12 Flexible housing and dwelling mix	The apartment mix as demonstrated in the indicative design is: (a) Studio: 0% (b) 1 bedroom: 0% (c) 2 bedroom: 0% (d) 3+ bedroom: 100%	Yes
4.2.5.1 Tall buildings	The proposed tower envelope is less than 750m ² of GFA and allows for appropriate separation.	Yes
4.2.6 Waste Minimisation	A Waste Management Plan has been prepared for the proposal (refer to Appendix L) which confirms that the Concept Proposal is capable of satisfying the waste management requirements under the DCP.	Yes
2.5.1 Bridge Street / Macquarie Street / Bulletin Place Special Character Area	Refer to assessment below.	Yes

Control	Comment	Consistency
3.1.5/3.3.7 Public Art	A Public Art Strategy is included in the Design Report at Appendix B . The inclusion of public art in the new development will be investigated during the competitive design process and future Stage 2 SSD DA.	Yes
3.2.1 Improving the public domain	The proposed building envelope does not result in an unacceptable visual impact from public places. A Visual Impact Assessment is provided at Appendix J and summarised at Section 5.10 .	Yes
3.2.1.1 Sunlight to publicly accessible spaces	Detailed shadow studies have been prepared and included in the Design Report at Appendix B . The proposal will not result in any additional overshadowing to the Royal Botanic Gardens, The Domain or First Government House Place.	Yes
3.2.2 Addressing the street and public domain	The indicative scheme includes a hotel lobby and residential lobby at street level, combined with the proposed pick-up/drop-off location on Phillip Lane. These uses are considered to result in an active street frontage that ensures the future development positively addresses the public domain.	Yes
3.2.6 Wind Effects	The potential wind effects of the proposed maximum envelope are explored in Section 5.14 of this EIS and in a detailed assessment at Appendix M .	Yes
3.2.7 Reflectivity	Reflectivity will be addressed in the Stage 2 SSDA when materials and finishes are confirmed.	Yes
3.3.8 Site specific development control plans and stage 1 development applications	This EIS, including the Design Excellence Strategy (Appendix H) and Public Art Strategy with the Design Report (Appendix B) satisfy this control.	Yes
3.6 Ecologically sustainable development	The ESD Strategy at Appendix N sets the ESD framework for the future development on the site. This framework includes a target for BASIX assessed development in excess of the State-mandated minimums. A BASIX certificate will be submitted as part of the Stage 2 SSDA. Refer to Section 5.22 for further assessment.	Yes
3.9.1 Heritage Impact Statements	A Statement of Heritage Impact is submitted at Appendix I . Refer to Section 5.8 .	Yes
3.11.1 Managing transport demand	All transport and parking considerations of the proposal are addressed in Section 5.16 below and in the Transport Report at Appendix G .	Yes
3.11.4 Vehicle parking	An indicative basement plan with mechanical car parking via a car stacker is provided in the indicative scheme. The Transport Report (Appendix GI) confirms that the car parking spaces can be designed in accordance with the relevant Australian Standards. The future building design, including vehicle parking and access, will be subject to a competitive design process and a Stage 2 SSD DA.	Yes
3.12 Accessible Design	The future development on the site, that will be the subject of a future Stage 2 Detailed SSD DA, will be capable of achieving compliance with the deemed-to-satisfy provisions of the BCA including the accessibility standards. An accessibility report will be submitted with the future Stage 2 SSD DA.	Yes
3.12.2 Adaptable dwelling mix	The design of the development is capable of satisfying this requirement. An access report confirming compliance will be provided with the Stage 2 SSD DA.	Yes
3.13.1 Crime prevention through environmental design	Refer to Section 5.23 for further assessment.	Yes

Section 2 – Bridge Street / Macquarie Street / Bulletin Place Special Character Area

As stated above, the heritage listed building on the site 50 Phillip Street, is located within the Bridge Street / Macquarie Street / Bulletin Place Special Character Area (SCA), as shown in **Figure 30**.

Accordingly, an assessment against the principles for the Bridge Street / Macquarie Street / Bulletin Place SCA is provided in the following section.

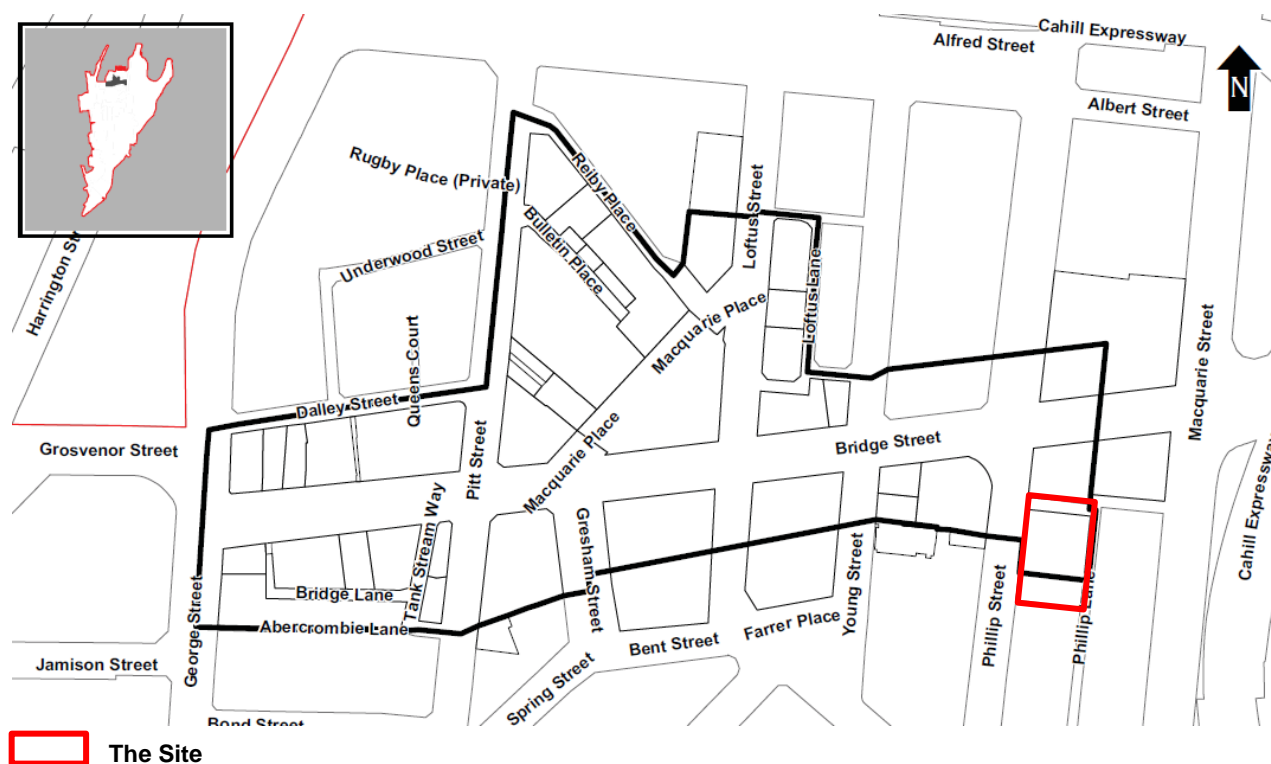


Figure 30 Bridge Street / Macquarie Street / Bulletin Place Special Character Area

Source: Sydney DCP 2012

(a) *Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.*

The Concept Proposal is consistent with the locality statement as the dominant heritage buildings that define the immediate precinct within the Special Character Area are to be retained and respected, while being enlivened by the proposed tourism related adaptive reuse of the heritage building at 50 Phillip Street.

(b) *Recognise and enhance Bridge Street as one of Sydney’s pre-eminent urban spaces and as the locality of heritage items which have housed activities of State and National significance.*

While the site can be viewed from Bridge Street, it is not located directly on Bridge Street. The proposed tower envelope is appropriately setback from the Chief Secretary’s Building and from Phillip Street. The stepped tower form at the lower levels, facilitated through the transition zone, further recognises and protects the heritage significance of the former Public Works Building at 50 Phillip Street. The proposed refurbishment and adaptive reuse of the heritage building will breathe new life into the Special Character Area and reinforce Bridge Street as one of Sydney’s pre-eminent urban spaces.

(c) *Protect and extend morning sun access to Macquarie Place, Bridge Street and First Government House Place*

The proposed tower envelope is setback from the north of the site to protect morning sun access to First Government House Place and Bridge Street.

(d) *Conserve the existing significant laneways in the area and encourage active uses, where compatible with their significance*

The proposal seeks to retain Phillip Lane. Phillip Lane will experience more active uses, particularly under the Phillip Lane bridge which is the proposed pick-up and drop-off zone for the future hotel. This key design move will draw more people into Phillip Lane and celebrate its significance and use in the Special Character Area.

(e) Maintain and reinforce existing important public spaces, intersections and corners, in particular those crowned by significant buildings, such as the Lands Department and the Chief Secretary's Department Building.

The proposed building envelope is set back a minimum of 17m from the southern-most boundary of the Chief Secretary's Building. As such, the significant corner of Bridge Street and Phillip Street is maintained.

(f) Maintain and enhance existing views to the water, and also significant vistas to the Lands Department Building from Loftus Street, Macquarie Place and Bridge Street itself, in addition to the vista along Bridge Street to the Conservatorium of Music.

The proposed building envelope does not affect significant vistas along Bridge Street to the Conservatorium of Music, and it is not located near Loftus Street or Macquarie Place. Moreover, there are no views to the water across the site at the lower levels. Therefore, the surrounding significant vistas and view corridors are maintained.

(g) Maintain and reinforce the cohesive and rare streetscape character of Bridge Street and Macquarie Place by requiring new buildings to be built to the street alignment and with building heights that reinforce the existing predominant street frontage height

The existing street frontage height of the existing heritage listed building on the site is to be maintained. While not located within the Special Character Area, the street frontage height of the new podium infill at 52 Phillip Street is consistent with the existing street frontage height of the heritage building at 50 Phillip Street. The podium will also be built to the street alignment. The 8m setback of the lower tower to Phillip Street reinforces the predominant heritage street frontage height.

(h) Protect vistas that terminate at significant heritage buildings, including nineteenth and twentieth century public and commercial buildings.

The proposed tower envelope does not obscure any vistas that terminate at significant heritage buildings. It is sufficiently setback from the street frontage height to maintain the visual primacy of the existing heritage buildings within, and adjacent, to the site.

5.3 Sun Access Planes and Overshadowing

As outlined in **Section 1.4.2** of this EIS, a number of options were considered for the proposed building envelope. These options were informed by both heritage considerations, as well as the SAPs of the Sydney LEP 2012 which protect sunlight to important public places.

The site is located within 'Area 3' on the Height of Buildings Map under the Sydney LEP 2012, and the maximum height is determined by The Domain and Royal Botanic Gardens SAPs. Clause 6.17 of the Sydney LEP 2012 aims to protect the provision of sunlight to key public spaces and buildings, and this clause is constructed as a prohibition, where no building can protrude above a SAP. There are two exceedances proposed to the existing SAPs, as explored below.

Regardless of these exceedances, as per section 4.38(3) of the EP&A Act, development consent may be granted for SSD despite the development being partly prohibited by an environmental planning instrument. Accordingly, development consent may be granted for the proposed Stage 1 SSD DA as it is permissible with consent, and only contains partly prohibited development.

Broadly, overshadowing from the future building within the proposed envelope can be expected given the scale of the proposal and the close context of Central Sydney. FJMT has prepared shadow diagrams as requested within the SEARs, addressing both the solstice and equinox and illustrating shadows cast at hourly intervals between 9:00am and 3:00pm (refer to **Appendix B**). As evidenced from these shadow diagrams, the proposal will cast a shadow generally within the shadows cast by the existing context of taller buildings in Central Sydney. Where additional shadow is cast, it is generally late in the day, and importantly beyond the important control time which has been specified for the important public spaces of The Domain and Royal Botanic Gardens.

The proposals impact within the control period, as established by the SAPs for The Domain and Royal Botanic Gardens, is discussed further below, noting that no net additional shadow will be cast from the proposal during the identified control period.

5.3.1 Central Sydney Planning Proposal 2020: Amended SAP Co-ordinates

The proposed building envelope technically exceeds The Domain SAP. This technical exceedance is associated with the use of the Central Sydney Planning Proposal 2020 SAP co-ordinates for the building envelope. The Central Sydney Planning Proposal 2020 seeks to modify the existing co-ordinates for The Domain and Royal Botanic Gardens SAPs under the Sydney LEP 2012. The resultant SAPs using Planning these amended co-ordinates compared to the existing SAPs is illustrated in **Figure 31**.

It is appropriate to utilise the proposed new SAP co-ordinates for the building envelope as these reflect updated information on the intended areas for protection. As the Central Sydney Planning Proposal 2020 is yet to amend the Sydney LEP 2012, the building envelope technically exceeds the existing co-ordinates for The Domain SAP, but is further within the existing co-ordinates for the Royal Botanic Gardens SAP.



Figure 31 Amended SAPs under the Central Sydney Planning Proposal 2020

Source: FJMT

5.3.2 Quay Quarter Shadow

The proposed building envelope also exceeds the Royal Botanic Gardens SAP in part, accommodating building form in the existing shadow cast by the Quay Quarter Tower at 50 Bridge Street (refer to **Figure 32**). While another technical variation to a SAP, the building envelope will not result in any additional overshadowing on the Royal Botanic Gardens as required to be protected under the Sydney LEP 2012.

Quay Quarter Tower at 50 Bridge Street is currently under construction, but represents a significant project as part of the wider renewal of the AMP precinct. The building at 50 Bridge Street has long exceeded the Royal Botanic Gardens SAP, casting shadow on the Royal Botanic Gardens beyond the SAP. The Quay Quarter Tower was approved in 2015 on the basis of being a building refurbishment which did not result in any net increase of shadow on important protected spaces, such as the Royal Botanic Gardens. In effect, the existing shadow of the building was retained, but compliance with the Royal Botanic Gardens SAP was not achieved.

Given the recent nature of this approval, and the renewal of the building at 50 Bridge Street which is currently underway, it is reasonable and appropriate to consider the shadow cast by this building beyond the Royal Botanic Gardens SAP. As the proposed building envelope sites comfortably within this existing shadow, it will effectively not create any additional shadow, and therefore achieve the intent and purpose of the Royal Botanic Gardens SAP under the Sydney LEP 2012.



Shadow Study 2pm, 21 June - Option C

Figure 32 Proposed shadow illustrated within the Quay Quarter Tower shadow

Source: FJMT

5.4 Gross Floor Area and Floor Space Ratio

The floor space framework in Central Sydney under the Sydney LEP 2012 prescribes a layered approach to calculating a maximum floor space. An anomaly in the floor space permissions has been identified in relation to the site. This anomaly relates to a portion of the 52 Phillip Street site which is not provided a 'mapped' maximum floor space ratio (FSR) under the Sydney LEP 2012. This anomaly is illustrated in **Figure 33**.



Figure 33 FSR of the Site and Unmapped FSR

Source: Sydney LEP 2012

It is unclear why this land has not been provided a mapped FSR. Ordinarily, public roads are not provided a mapped FSR, as can be seen in **Figure 33**, but the subject land is not classified as a public road, and while used as a lane, it also contains built form at the upper levels (the heritage listed building at 50 Phillip Street). In light of this anomaly, it is recommended a maximum GFA be approved with the Concept Proposal to ensure certainty for the future redevelopment of the site. Clause 4.5(4) of the Sydney LEP 2012 outlines exclusions for certain land from the site area as follows:

- (4) *Exclusions from site area* The following land must be excluded from the site area—
- land on which the proposed concept development is prohibited, whether under this Plan or any other law,
 - community land or a public place (except as provided by subclause (7)).
- (5) *Strata subdivisions* The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.

The subject land is not classified as any of the above exclusions, therefore it constitutes part of the 'site area'.

As outlined above, clause 4.4 of the Sydney LEP 2012 establishes the base FSR in relation to land under the Sydney LEP 2012:

4.4 Floor space ratio

...

- The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

As there is no FSR shown on the FSR Map for the identified subject land, this land is essentially unrestricted in generating floor space. As such, while clauses 6.3, 6.4 and 6.21 of the Sydney LEP 2012 permit additional floor space, the base floor space on this land is not restricted in any way.

Despite this theoretical uncapped potential, it is appropriate to apply the same framework for floor space applying to the remainder of the site, being a maximum FSR of 15:1 based on the proposed land uses. With this in mind, the proposal complies with the relevant clauses under the Sydney LEP 2012 which govern maximum floor space provision on the site.

5.5 Design Excellence

As per clause 6.21(5) of the Sydney LEP 2012, a competitive design process will be carried out on the site following the determination of the Stage 1 SSD DA and prior to the lodgement of a Stage 2 SSD DA.

Accordingly, a Design Excellence Strategy (**Appendix H**) has been prepared by Ethos Urban in accordance with the *Government Architect NSW (GA NSW) Design Excellence Guidelines (Draft, May 2018)* and the *City of Sydney Competitive Design Policy 2013*. Furthermore, the *City of Sydney COVID Competition Protocols (Rev 01 05.05.20)* and the *GA NSW Draft proposed modifications to design excellence processes in response to COVID-19 (dated 14 April 2020)* have been referenced as necessary, reflecting the context of this Strategy in the COVID-19 recovery phase.

The Design Excellence Strategy provides that the applicant will conduct a competitive design alternatives process with a range of local and international architects and the Competition Brief will be prepared by the applicant in consultation with the GA NSW.

The Design Excellence Strategy provided at **Appendix H** sets out that the project will be pursuing up to 10% additional floor space ratio under clause 6.21 of Sydney LEP 2012. This additional floor area will be distributed throughout the development, and has been accommodated with the proposed building envelope as detailed in **Section 4.0** of this EIS. This approach will ensure that the project achieves design excellence in accordance with clause 6.21(4) of the Sydney LEP 2012.

5.6 Built Form and Urban Design

The proposed building envelope has been designed to consider the unique site conditions and the characteristics of the surrounding context, including the prevailing sandstone precinct and important heritage buildings in the vicinity of the site. The podium, transfer/structure zone, and tower envelope have all been shaped to provide flexibility for the future competitive design process, but also have been set acknowledging the key opportunities and constraints of the site. The Design Report, prepared by FJMT, provides a detailed review of the opportunities and constraints which have led to the proposed building envelope. An overview of the key envelope elements is also provided below.

5.6.1 The Podium Envelope

The podium envelope comprises the retention of the existing heritage listed building at 50 Phillip Street, as well as infill features to create a consistent street wall height and alignment for the remainder of the site. A built-to-boundary condition, consistent with the surrounding development, is proposed for the podium infill on 52 Phillip Street, reinforcing the street edge and the existing condition of the building at 50 Phillip Street. The height of this new element is also proposed as an extension of the datum line of the original parapet of the heritage listed 50 Phillip Street. This consistent datum height will allow for an appropriate reading of the heritage building and consistent street frontage height, key principles of the Bridge Street Special Character Area.

The lightwell insertion at the centre of the heritage building also offers a built to boundary condition at the rear, and a maximum height consistent with the mansard roof of the heritage building. This envelope has been designed to provide flexibility, and offers future competitors the opportunity to provide vertical circulation in an interest manner to align with the overall height of the heritage listed building.

At the north-eastern corner of the site, an envelope allowing for three levels of infill adjacent to Phillip Lane is also proposed. This addition is a balanced outcome which will further reinforce the rear Phillip Lane alignment, while allowing for a degree of activation to the lane and the accommodation of a vehicular entry point. Through early engagement with residents of the nearby Astor Apartments, the envelope in this location was reduced in scale and a one metre 'articulation/visual privacy' zone has been introduced to promote the protection of privacy at the lower levels of the building.

While materials and finishes are to be developed and finalised in the Stage 2 SSD DA, it is envisaged that the podium infill along Phillip Street would use masonry materials complementary to the heritage building. The materiality of the lightwell and Phillip Lane infill would be more light-weight, transparent and contemporary compared to the Phillip Street façade, to provide a sympathetic yet distinct contrast allowing for the original heritage building to be visually prominent.

5.6.2 The Transition/structural zone

Important to the future building will be the treatment of the transition zone separating the podium and tower elements. This transition zone has been introduced given the sensitive nature of the tower rising above the heritage listed building on the site, and the need for a structural solution which sits within the lightwell of the heritage listed building at 50 Phillip Street.

The transition zone provides an opportunity for a unique and special solution to be provided which achieves the structural requirements of the project, and also mitigates any potential visual, heritage, and urban design impacts between the new tower form and the heritage listed building.

Within the proposed transition zone envelope, there are a variety of setbacks and a stepped form proposed, providing for a 'loose fit' envelope which enables flexibility in delivering an innovative and optimal solution for the future building. The stepped envelope of the transition zone references the existing key feature of the Dome on the Chief Secretary's Building, providing a strong reference point for the transition and scaling of this envelope. A varying degree of vertical separation is provided again to the underside of the future tower, ensuring the existing heritage building on the site is able to continue to be read as a distinct element in the streetscape. The only element penetrating this vertical separation zone is the single structure column required for the tower above.

The transition zone envelope commences above the podium with a Sydney DCP 2012 consistent setback of 8m to Phillip Street, and setbacks in excess of the minimum DCP recommendations to Phillip Lane and north towards the Chief Secretary's Building.

The transition zone envelope then provides for a reduced street setback to Phillip Street as it steps up in height, reducing to 4m. A setback consistent with the Sydney DCP 2012 is retained to Phillip Lane, and an excessive setback is provided to the north. In the Phillip Street context, the proposal provides enhanced setbacks compared to other nearby buildings, such as Aurora Place which incorporates a built to boundary condition to the street for the curved tower element and the Intercontinental Sydney which provides a 2.6m tower setback to the street. **Figure 34** illustrates the proposed transition zone and tower envelope in the streetscape, demonstrating the proposed setbacks are well in excess of nearby buildings in recognition of the heritage listed building on the site, and the opportunities provided by the prevailing context.

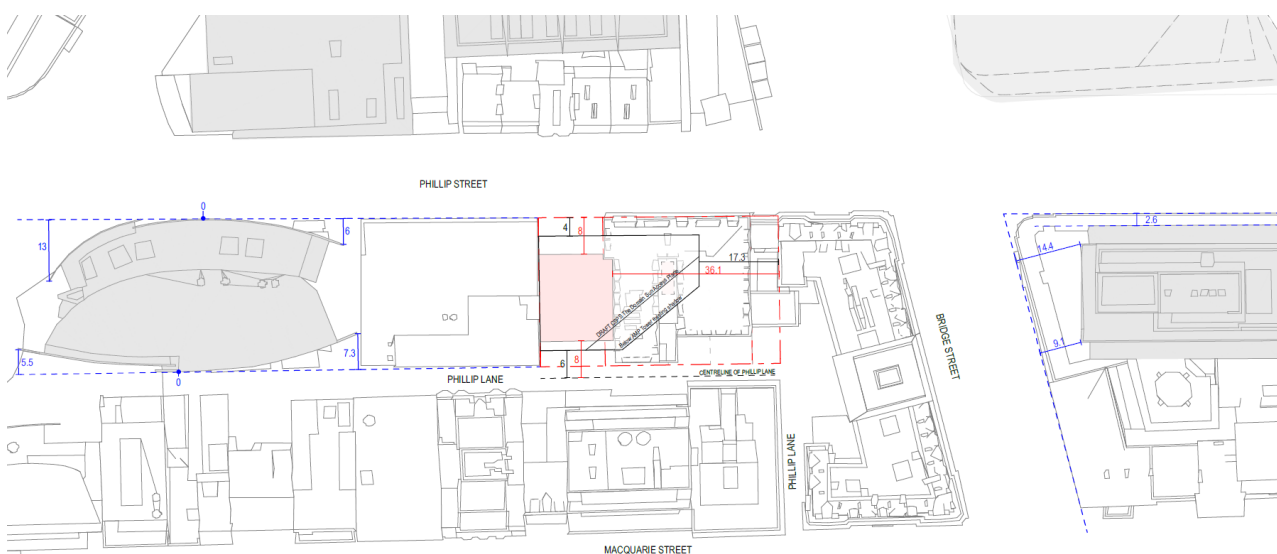


Figure 34 Proposed setbacks in the streetscape

Source: FJMT

On balance, the collective proposed setbacks provide for a much greater setback when considering the unused developable area above the heritage building at 50 Phillip Street. **Figure 35** illustrates the transfer zone envelope, illustrating areas entering the DCP street setback in red, and the unused developable area in blue. On balance, the transfer zone envelope provides for a much more limited developable area compared to a scheme which otherwise built further across the heritage building at 50 Phillip Street

The indicative scheme illustrates one possible solution for treating the transfer zone, presenting a curved and tapered form. This refined and tapered form illustrates that an articulated solution can be provided in the future building design that achieves the structural requirements of the tower and contributes positively to the streetscape in a sensitive manner.

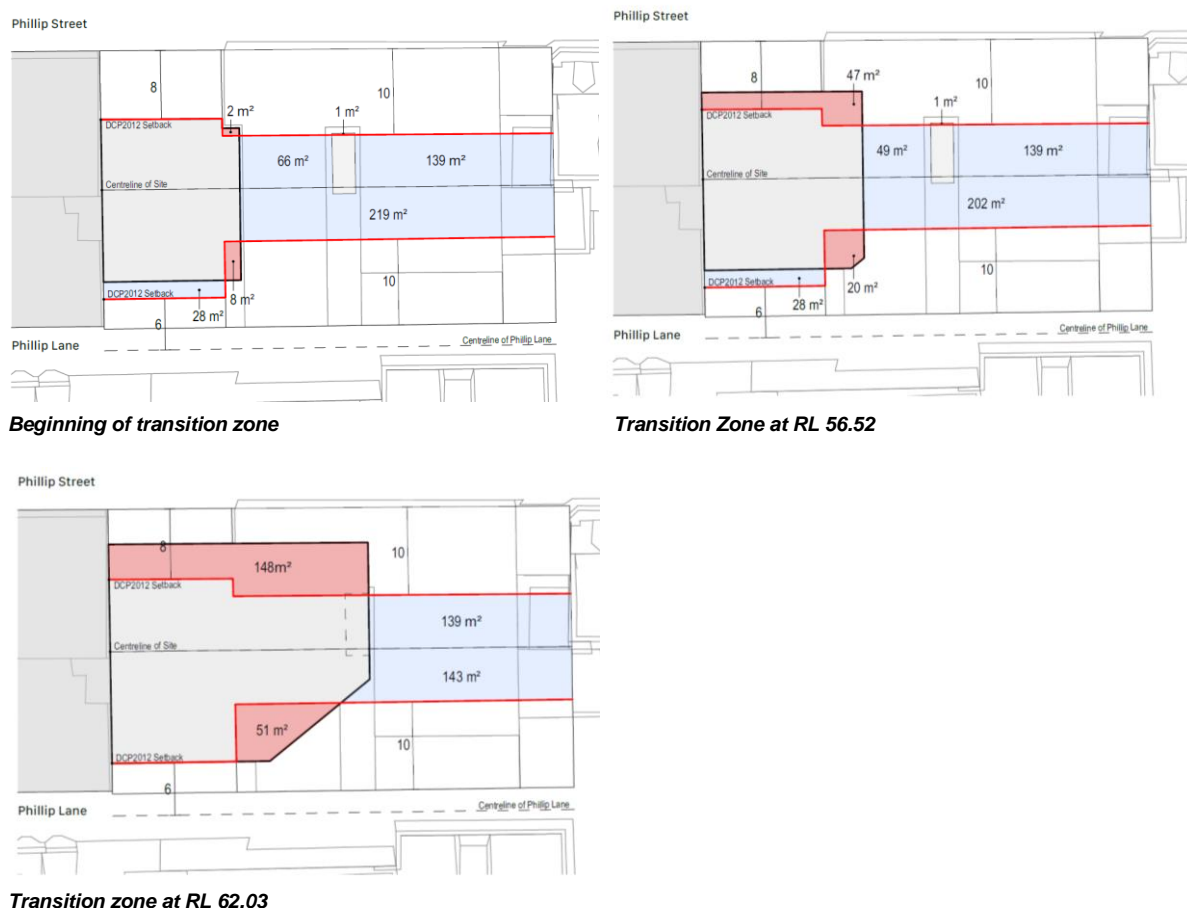


Figure 35 The transfer zone envelope compared against DCP street setbacks

Source: FJMT

5.6.3 The Tower Envelope

Above the transfer/structure zone envelope is the tower envelope which effectively rises in the same form as the uppermost transfer/structure zone envelope. The tower envelope is shaped to consider both the prevailing street setbacks, and also the guiding solar access considerations of the SAPs and the Quay Quarter Building shadow.

As described in **Section 5.3**, the tower envelope has been shaped by a variety of overshadowing controls, and specifically, with the intent of achieving the intent of protecting sunlight to important public spaces. The tower envelope presents an interesting form, which does not result in any additional shadow on those important public areas of the Domain and the Royal Botanical Gardens.

Another consideration of the tower envelope form has been the relationship of the new tower to the heritage listed building at 50 Phillip Street. **Section 1.4.2** of this EIS provided an outline of the various alternatives considered in preparing the building envelope, and noted that while greater massing could be achieved in the lower tower form within the overshadowing controls, it would result in a less optimal outcome for the existing heritage building. To respect the heritage listed building, and create a positive relationship between the existing and new forms, the lower levels of the tower have been restricted in scale to provide a limited cantilever/massing over the heritage building, and provide a generous setback to the north, achieving a high degree of separation to the Chief Secretary's Building at the northern boundary of the site.

In determining the most appropriate tower form, a Sydney DCP 2012 compliant envelope was also considered, accommodating Phillip Street setbacks of 8m over 52 Phillip Street and 10m over 50 Phillip Street. As with the transfer/structure zone envelope, the DCP-consistent tower envelope was found to result in an inefficient and impractical floorplate, with adverse visual impacts to the heritage building, and the likely removal of a significant amount of heritage fabric. While reducing the Phillip Street setbacks in part, the proposed tower envelope provides for an envelope which is more practical and will overall have a more limited developable area, as illustrated in the comparison provided at **Figure 36**.



Figure 36 Tower floor plate comparison

Source: FJMT

The proposed setback to Phillip Street also accords with the surrounding prevailing context, as discussed in Section 5.6.2 above. Furthermore, the tower envelope setbacks will facilitate reasonable and appropriate building separation distances to surrounding buildings, including buildings to the north, east and west. These separation distances are also enhanced by the nature of many of the surrounding buildings which are heritage listed and unlikely to be developed in any significant manner, ensuring the future tower retains a high degree of separation between other nearby towers. The surrounding heritage buildings include the Chief Secretary's Building to the north, the Astor Apartments to the east, and the row of terraces fronting Phillip Street to the west.

Finally, the southern setback of the proposed tower envelope presents a built-to-boundary condition, consistent with the Sydney DCP 2012 which allows for walls to be built-to-boundary where no windows are provided. As outlined in the Design Report at Appendix B, the presentation of this condition will not inhibit the redevelopment of the site to the south of the subject site, with a viable floor plate able to be achieved consistent with the parameters of the Sydney LEP 2012 and Sydney DCP 2012 (as expected to amended at the time of any future redevelopment).

Furthermore, as the proposal represents a Stage 1 Concept Proposal, there is also opportunities for the future building design to provide greater setbacks for the tower form. These setbacks, and the ultimate tower form, will be tested through the future competitive design process, with a further analysis and assessment of the ultimate design provided in the Stage 2 SSD DA.

5.7 Public Domain and Public Art

The proposed Stage 1 SSD DA does not seek consent for any significant public domain or landscaping works, outside of make good works following future demolition and construction. As part of the Concept Proposal, the key pedestrian and vehicular through-site linkage of Phillip Lane under the Phillip Lane bridge is to be retained, and this lane will be improved through slight widening to accommodate a hotel pick-up and drop-off zone.

The construction of the pick-up and drop-off zone will draw more people into Phillip Lane and improve the setting and useability of the lane for both vehicles and pedestrians. The proposed lightweight podium infill on Phillip Lane will also improve the heritage building's presentation and visual interest towards Phillip Lane, with a new and modern addition offering a renewed and reinforced edge to the lane.

The project presents the opportunity for public art installations within the redevelopment of the site. A Public Art Strategy, prepared in accordance with the City of Sydney Interim Guideline for Public Art in Private Developments, is submitted within the Design Report at **Appendix B**. The Public Art Strategy provides an analysis of the precinct, opportunities for public art within the development, and a methodology for selecting and commissioning artists. Further public art details will be submitted as part of the future Stage 2 SSD DA.

5.8 Heritage

A Statement of Heritage Impact (SoHI) has been prepared by GBA Heritage and is included at **Appendix I**. This SoHI includes an assessment of the potential heritage impacts associated with the proposal against the following criteria:

- Previously endorsed Conservation Management Plan (CMP) prepared in 2016.
- Updated CMP prepared by GBA Heritage in 2020 (provided at **Appendix K** for information).
- NSW Heritage Office guidelines *Altering Heritage Assets* and *Statements of Heritage Impact*.
- Sydney LEP 2012 and Sydney DCP 2012.

A summary of the assessment provided in the SoHI in accordance with the SEARs is provided below.

5.8.1 Overall Assessment of Heritage Impacts

Former Department of Public Works Building

The Concept Proposal will conserve and adaptively reuse the Former Department of Public Works building at 50 Phillip Street as a hotel, giving a new and sustainable lease of life to the building which is currently underutilised. The proposed use as a publicly accessible hotel reflects its former use as a public building, and has been acknowledged as a positive direction for the reuse of the building.

Regarding the in-principle refurbishment of the heritage building, no substantial physical changes are to occur to spaces and elements of exceptional significance. In particular, the finely detailed sandstone façade on Phillip Street will be unaffected by the proposed redevelopment. The proposed hotel drop-off and carpark entry, as well as the rear podium infill to the heritage building result in some level of changes to the fabric and elements of high significance on the north and east façade, including the removal of four piers on the northern façade. The installation of transfer steel beams is anticipated to be required to prevent adverse impact to heritage fabric and support the new openings, as recommended in the Heritage Structural Construction Methodology Report (**Appendix F**).

GBA has determined that the proposed changes to these façades retain and respect the original form, architectural integrity and character of the heritage building. Moreover, the heritage building has undergone additions on the east side in the form of installation of fire stairs and lifts, making this side less sensitive to further changes. GBA has also noted that the proposed changes will be reversible if the heritage building outlives the new proposed works or at the end of the lease agreement. Therefore, the future external façade alterations have an acceptable heritage impact on the building.

The internal changes to elements of high significance, shown in the indicative design, are required to meet the hotel operational requirements and assist in the sustainable use of the heritage building in the long term. As the building has undergone several extensive internal alterations over time in form of subdivision or demolition of internal spaces, the building interior is considered less sensitive to further changes. GBA has determined that the proposed adaptive reuse of the heritage building to a modern hotel would respect and retain remnant significant internal spaces and elements by adopting the principle of 'loose fit'. This protects the overall architectural character and integrity of the heritage building, as well as remnant significant heritage interiors. Back-of-house and smaller scale loading operation would be located in spaces of lesser significance within the building.

The indicative design demonstrates how the heritage building refurbishment can interpret the original layout of the heritage building. It references the original design by re-instating the original central corridor and reusing it as a connecting corridor between the heritage building and the new podium on 52 Phillip Street. This has been deemed appropriate by GBA, noting that the original planning of the north-south corridor was intended to allow further extension of the building along Phillip Street.

Structural Considerations for Former Department of Public Works Building (50 Phillip Street)

GBA has identified that the construction of future basement levels under the existing heritage building has the potential to cause localised differential ground settlement. As such, a Heritage Structural Construction Methodology Report prepared by TTW has been provided at **Appendix F**, and assesses the structural limitations of the building and recommends the following design limitations and parameters for ground strain, vibration, and excavation and shoring:

- Limiting deflection ratios to 1/3000 (1.7mm for 5m span of masonry)
- Vibration limits:
 - 1Hz to 10Hz: 3mm/s peak particle velocity (PPV)
 - 10Hz to 50Hz: 3-8mm/s peak particle velocity (PPV)
 - 50Hz to 100Hz: 8-10mm/s peak particle velocity (PPV).
- Up to 7m of retained fill and weathered sandstone should be allowed for prior to reaching Class I/II sandstone.

TTW have also proposed that 50 Phillip Street be assessed to AS3826 from a Seismic compliance perspective in order to conserve the heritage fabric. The proposal to utilise AS3826 would entail diaphragm strengthening of the building to provide minimum life safety requirements for the structure whilst avoiding invasive strengthening of the existing masonry walls.

TTW have also worked closely with the project team to develop methodologies for future works that demonstrate that the risk of damage to the existing building fabric can be controlled. The future works reviewed include approaches for the construction of the central lightwell column, the support and underpinning of the eastern roof and masonry structure and provision for shoring where excavation occurs adjacent to existing walls. These approaches have been outlined in the Heritage Construction Methodology Report (**Appendix F**), and will be developed further during the later stages of the project following the competitive design process and Stage 2 DA.

These structural engineering analyses and recommendations have been confirmed in a Structural Certificate prepared by TTW at **Appendix O**.

Proposed Podium Envelope

GBA has conducted an assessment of the Concept Proposal envelope, including the podium infill on the 52 Phillip Street portion of the site. GBA has noted that the height and massing of the proposed podium envelope responds to the heritage building, and is aligned with the height of the heritage building along both Phillip Lane and Phillip Street.

GBA has also confirmed that the proposed rear podium infill to the eastern façade is also considered appropriate from a heritage perspective. This addition will maintain views from Phillip Lane to the Chief Secretary's Building, the dome structure, and the sky around the dome. The proposed envelope is the most appropriate option compared to no rear podium infill which would inhibit the viable operation of the hotel, and rear additions up to level five with no setback which would obscure views to the Chief Secretary Building. It is envisaged by GBA that the podium infill can be sympathetic to the original architectural character of the heritage building through applying transparent glazing materials, to be considered further during the future competitive design process.

The materials of the future podium will be the subject of a competitive design process, and GBA note that these materials should be carefully selected to reduce the visual impact of the future development on the heritage building. The indicative design demonstrates that the use of contemporary sandstone-like materials and transparent elements in the podium would appropriately respect and retain the primacy of the heritage building's sandstone façade and significant fabric.

Accordingly, the proposed envelope can facilitate a future development that respects and retains the heritage significance of the building and its setting.

Proposed Tower Envelope and Structural Approach

GBA has also completed an assessment of the Concept Proposal tower envelope in light of the heritage listed building on the site and surrounds.

The proposed slender tower envelope above the heritage building has been noted as a positive setback from the significant roofscape of the heritage building, providing a clear separation from the heritage listed building. GBA has determined that this approach ensures that the facades, roofscape, visual prominence, composition and building form of the heritage building remain clearly legible.

Structurally, a future tower within the proposed tower envelope would be an independent structure that does not take any reliance on the heritage building, as it is primarily sited on 52 Phillip Street. The cantilevered form is supported by a new column placed within the existing lightwell of the heritage building. In reaching this approach, GBA note that two options were considered for the location of the column within the footprint of the heritage building, including:

1. Inside the heritage building, on the west side of the central staircase; and
2. Within the existing central lightwell.

The first option described above was not pursued as it would require the demolition of high significance interior to accommodate the tower, resulting in adverse heritage impact.

In contrast, the second option is considered acceptable by GBA as the column would be well separated from the façade of the heritage building within the lightwell, and intrusive works to the heritage fabric would be avoided. It is also considered by GBA that the proposed column within the lightwell provides sufficient construction access that can be controlled to ensure no damage or adverse impact on the heritage building.

The proposed sizing of the column has undergone a series of revisions driven by structural analysis, with a minimum 550mm off-set required for the column. It is envisaged that proposed column may further reduce in size during design development, but this will be subject to further detailed design development in the later stages of the project.

Overall, GBA has determined that the location of the column within the lightwell retains and respects the architectural character of the heritage listed building by avoiding unnecessary impact to heritage fabric. Thus, GBA Heritage have concluded that it has an acceptable heritage impact.

Consideration of Surrounding Heritage Items and the Governors Domain and Civic Precinct

GBA has determined that the proposed building envelope will have no physical impact on the heritage items in the vicinity of the site. The visual setting around the heritage building, and significant views to and from the heritage building will be respected and retained by the Concept Proposal. Although the proposed tower will be visible from the identified key viewpoints, its cantilevered form and setback above the heritage building give it an independent nature and contemporary character that will not challenge the scale or setting of the heritage buildings along Phillip Street and Bridge Street.

Specifically, the proposed building envelope will not result any unacceptable heritage impact to the adjoining Chief Secretary's Building fronting Bridge Street. Importantly, GBA note that the low-rise tower envelope is positioned above the dome height of the Chief Secretary's Building, allowing clear visual separation to the Chief Secretary's Building. The Heritage Construction Methodology Report (**Appendix F**) and Structural Certificate (**Appendix O**) both prepared by TTW, further confirm that the proposal would not have any adverse impacts on the structural integrity of the Chief Secretary's building and its extension.

An assessment of the proposed Concept Proposal potential impact on other heritage items within the site's vicinity is provided below:

- **Intercontinental Hotel former Treasury Building** – Considering the location of the proposed building envelope on the southern end of the site, no significant views from the public domain to either facades of the former Treasury Building will be obscured or affected.
- **First Government House Site** – While a future development within the proposed building envelope would be well visible from the First Government House site, there are already several high-rise buildings facing Phillip Street including Aurora Place and the Hotel School Sydney, which are also visible. Moreover, the tower envelope is well setback from the main facade of the heritage building, respecting and retaining the heritage building's presentation to Phillip Street, and ensuring the sandstone character of the historic buildings in the

precinct can continue to be appreciated. As such, the significant views from the First Government House Site to the heritage building will not be adversely affected.

- **Royal Botanic Gardens and Domain** – The proposed tower envelope sits well back from Macquarie Street, contributing to the cityscape backdrop. Accordingly, no significant views from the public realm to Royal Botanic Gardens and Domain will be obscured.

More broadly, the proposed building envelope will be consistent with the form of the evolved urban landscape of the Sydney CBD and with the Phillip Street streetscape. Specifically, the Concept Proposal is consistent with the juxtaposition of low-scale older buildings with contemporary high-rises characteristic of Sydney's CBD, forming backdrop to the heritage buildings in the vicinity as seen from nearby identified viewing locations.

GBA has also confirmed that the Concept Proposal ensures that the cultural and social values of the Governors Domain and Civic Precinct are protected. This is primarily achieved as the Concept Proposal seeks to retain and conserve the principle sandstone façade of the heritage listed building on the site, and will facilitate the adaptive reuse of the former Department of Public Works building which respects the buildings contribution to the historical values of the Governors Domain and Civic Precinct. The form and positioning of the Concept Proposal also ensures that the Chief Secretary's Building is preserved as an imposing landmark in the area. Furthermore, the adaptive reuse of the heritage building on the site will reflect the growth and change of the Department of Public Works over time, enabling the appreciation and interpretation of the heritage listed building by the general public and contributing to the overall appreciation of the many heritage buildings in the Precinct which are able to tell a national story about Australia.

Overall, GBA have concluded that the Concept Proposal will have an acceptable heritage impact on the historic fabric and heritage significance of the former Department of Public Works, surrounding heritage items and the Governors Domain and Civic Precinct, and the proposal will allow the heritage listed building's ongoing sustainable use and conserve its significance.

5.8.2 Assessment against Conservation Management Plans

The SoHI (**Appendix I**) provides an assessment against the previously endorsed CMP completed in 2016, and the updated CMP prepared by GBA Heritage completed in 2020. While the updated CMP has been submitted for information with this EIS, it is intended to supersede the 2016 CMP once endorsed by Heritage NSW.

The SoHI demonstrates that the Concept Proposal is consistent with the relevant policies of the previously endorsed 2016 CMP, and the SoHI also contains a comprehensive assessment of the proposed concept development against the updated 2020 CMP demonstrating that it is consistent with the relevant policies and principles.

5.8.3 Assessment against NSW Heritage Office Guidelines

The SoHI (**Appendix I**) provides an assessment against the NSW Heritage Office guidelines *Altering Heritage Assets* and is informed by the guideline, *Statements of Heritage Impact*. A summary of the heritage response to these considerations is provided below:

- The location of the column and hotel drop-off zones require the least major partial demolition of heritage fabric necessary and are therefore acceptable from a heritage perspective.
- Minor partial demolitions shown in the Indicative Design Drawings (**Appendix B**) are acceptable as they would be reversible, do not propose to remove any significant remnant heritage fabric and will remove all intrusive fabric. Moreover, as the building interior has undergone extensive changes over time, it is less sensible to further changes.
- The change of use to a hotel will breathe life into an underutilised heritage listed NSW Government building. While there are necessary alterations including the proposed hotel drop-off and pick-up and rear podium infill along Phillip Lane, the proposed changes to these facades retain and respect the original form, architectural integrity and character of the heritage building.
- All proposed additions, including the tower, Phillip Lane infill, and structural column, are sympathetic in scale, form and massing to the heritage building, enabling the ongoing legibility and appreciation of the heritage building by the general public.

- The impact of the proposed tower envelope above the heritage building is minimised by the design of a stepped and cantilevered tower volume which is largely chamfered from the north-western corner and also tapered to land on 52 Phillip Street portion of the site. Sufficient vertical separation is achieved as the proposed tower envelope sits well above the significant roofscape of the heritage building at 50 Phillip Street.

5.8.4 Assessment against the Heritage Objectives of the Sydney LEP 2012

GBA has confirmed that the Concept Proposal is acceptable from a heritage perspective for the reasons discussed above, in the SoHI (**Appendix I**) and the Design Report (**Appendix B**), and is thus consistent with the heritage objectives.

5.8.5 Assessment against Heritage Guidelines of the Sydney DCP 2012

The site is located within the Bridge Street/Macquarie Place/Bulletin Place Special Character Area, and is also on the edge of the Macquarie Street Special Character Area as identified in the Sydney DCP 2012. GBA has confirmed that the Concept Proposal will respect and retain the important contributory role of the heritage building to the Bridge Street/Macquarie Place/Bulletin Place Special Character Area and also to its proximity to the Macquarie Street Special Character Area.

The Concept Proposal is consistent with the special area locality statement as the dominant heritage buildings that define the immediate precinct within the Special Character Area are to be retained and respected, while being enlivened by the proposed tourism related uses. Further assessment of the Concept Proposal's consistency with the Sydney DCP 2012 and Bridge Street/Macquarie Place/Bulletin Place Special Character Area is provided in **Section 5.2.4**.

5.8.6 Mitigation Measures

In light of the assessment undertaken by GBA, the following mitigation measures have been provided from a heritage perspective:

- An archival photographic recording of the former Department of Public Works building at 50 Phillip Street, undertaken in accordance with the NSW Heritage Council publication "*Photographic Recording of Heritage Items Using Film or Digital Capture*", should be made prior to any proposed changes or demolition.
- The deconstruction methodology shall ensure that the works are undertaken in a manner which prevents any potential for damage and that measures are taken as necessary to avoid any physical impact on the adjacent buildings. These should include the use of protective screens, where necessary, to protect the adjacent building facades when using oxy-acetylene kits to cut beams.
- The final work method statements, both general and property specific, must include discussion of the risks associated with, and measures to be undertaken, to prevent collateral damage to adjacent buildings. '.
- Any damage to heritage items should be "made good" under the supervision of an experienced heritage practitioner.

5.9 Archaeology

A Historical Archaeological Assessment of the site was undertaken by Curio Projects and is included at **Appendix P**.

The assessment has determined that there is potential for intact archaeological resources on the site, albeit variable. Curio Projects has identified that the highest potential for archaeological deposits and features relates to the First Government House gardens and terraces from 1861-1918 which may remain intact at the north-west corner of the study area and Phillip Lane. The potential survival of these deposits is noted as low to moderate by Curio Projects. Due to the substantial ground floor and basement modifications to the southern and eastern parts of the site, any deposits in these locations have likely removed the archaeological potential of those areas.

The potential historical archaeological resources have been assessed under the NSW Heritage Significance Criteria, and Curio Projects has determined they may have State and local significance, and if found, are likely to be classed as 'relics'. As such, should these relics be present on the site, the proposed development would disturb and remove them.

Mitigation Measures

As the site has potential for archaeological deposits albeit variable, Curio Projects have recommended the following mitigation measures:

- An Archaeological Research Design (ARD) should be completed. The ARD will contain an excavation methodology, nominate an excavation director, and provide recommendations for post-excavation reporting and management of the archaeological resource exposed by the testing work.
- Additional impacts may require further assessment and any identified impact on potential archaeology should be considered in an updated ARD.

5.10 Visual Impact Assessment

A Visual Impact Assessment (VIA) has been prepared by Ethos Urban and is included at **Appendix J**. The VIA addresses views of the proposal from key vantage points, and considers the relationship of the tower to heritage items. A summary of the assessment and proposed mitigation measures are provided below.

5.10.1 Assessment

The VIA determines that the proposal has a largely localised viewshed, with its boundaries being contained to streets in close range of the site. As such, the proposal will be most visible from Bridge Street east of, and in the vicinity of, its intersection with Young Street and from that part of Conservatorium Road closest to Macquarie Street. Accordingly, five viewpoints have been analysed in the VIA.

A relatively medium – high number of visual receptors will be exposed to views of the proposal. Most will be workers travelling through the viewshed on their way to other places either on foot or in private vehicles. Given this, their level of attention or interest in views or visual amenity is likely to be relatively low. While the proposal has a limited viewshed and most visual receptors will not have a high level of attention or interest in the view, due to its heritage and character designations the sensitivity of views to the nature of change proposed is medium to high. This is reduced by the complexity of the existing visual environment, the general compatibility of the proposal with the tower forms in the area and the robustness of the heritage items.

From most selected viewpoints the proposal will appear as a new element in the visual landscape. In all views, the proposal will either replace views of buildings or sky in the midground or background. The magnitude of the visual impact ranges from noticeable to considerable. The significance of visual impact ranges from moderate to high.

The VIA determines that the Concept Proposal satisfies the intent and key provisions of all relevant plans, policies and strategies. Consistent with much of Central Sydney, and in particular this part of Central Sydney, the existing visual environment does not comprise a single, intact or cohesive built form. Rather, it contains a number of dominant forms, most notably that of the ‘sandstone’ precinct and tall, innovative and contemporary office towers. These two notable forms are usually visible next to each other in views. This creates a visually rich, complex and dynamic visual environment. Therefore, the proposal is consistent with and makes a positive contribution to this visual character. In particular, the cantilever can be considered an innovative and bold measure. In this regard, the proposal aligns with the notable character of other key buildings in the area, including Governor Phillip Tower.

The VIA also considers the Concept Proposal’s visual impact on the Chief Secretary’s Building, determining that the incorporation of the following design measures result in an acceptable visual relationship between the proposal and the Chief Secretary’s Building:

- substantial physical setback to Bridge Street;
- alignment with the existing Phillip Street street wall;
- the amount of vertical separation between the cantilever and the top of the Chief Secretary’s Building; and
- the absence of a physical connection between the cantilever and the Chief Secretary’s Building.

In particular, the substantial physical setback to Bridge Street maintains a high degree of legibility for the Chief Secretary’s Building profile and will ensure no impact on the pavilion dome. When seen from Bridge Street, Phillip Street and Macquarie Street, much of the Chief Secretary’s Buildings elevations will be visible with minimal built form in the background. From viewpoint 5, the Chief Secretary’s Building will continue to be seen together with the former Treasury Building as the ‘book ends’ of the eastern end of Bridge Street.

Of note, from view 5 the proposal will appear to be setback from Bridge Street further than Governor Phillip Tower, and as such appear to be integrated with the overall profile of the eastern edge of Central Sydney.

The proposed tower form will likely be visible from locations in the long range to the east. In this regard, it will have a scale and form that will integrate with the existing prominent eastern tower edge of Central Sydney.

The VIA also assessed the Concept Proposal against the planning framework for visual impact. Its assessment concludes that the proposal satisfies the relevant provisions of the planning framework, and as such has an acceptable visual impact.

5.10.2 Mitigation Measures

As the Concept Proposal has an acceptable level of visual impact, the VIA does not recommend any fundamental or otherwise large-scale amendments to the proposal in its current form to satisfactorily manage visual impact.

However, given the contribution that the Chief Secretary's Building makes to the Bridge Street precinct, consideration of more detailed matters relevant to visual impact such as architectural detail is required as part of the subsequent competitive design process and future Stage 2 SSD DA.

Accordingly, the preparation and implementation of a Design Excellence Strategy is considered to satisfy this requirement, ensuring that visual impact and architectural detail is managed and assessed in the remainder of the planning process.

Moreover, the VIA also recommends that consideration be given to:

- integration of signage;
- integration of services such as waste management, loading zones and mechanical plant;
- avoidance of placing street furniture such as trees, poles, signs and other elements within the Phillip Street reserve; and
- line, shape and form, colour and texture in the expression of the eastern elevation to ensure the Chief Secretary's Building can continue to be readily legible as a separate building.

On this basis and subject to the incorporation of the mitigation measures above, the VIA concludes that the proposal has acceptable visual impact and as such can be supported on visual grounds.

5.11 Residential Amenity

The proposed building envelope and intended location of the penthouse suites within this envelope promotes and supports a high level of internal residential amenity and outlook, particularly appropriate to the site and the dense urban context of the Sydney CBD.

The indicative scheme prepared to support the Concept Proposal demonstrates that the proposed building envelope is capable of achieving the design quality principles of SEPP 65 and can provide an outcome consistent with the objectives of the Apartment Design Guide (ADG). A preliminary assessment of the Concept Proposal against the key design criteria and design guidance of the ADG is set out in **Table 14**.

Table 14 ADG Compliance Table

Design Criteria	Comments
Part 3 Siting the Development	
3D Communal and Public Open Space	
<i>Objective</i> An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping.	✓
<i>Design Criteria</i> Communal open space has a minimum area equal to 25% of the site.	* Communal open space is intended to be shared between the uses within the future building, ensuring an efficient use of land

Design Criteria	Comments												
	<p>and space within the proposed envelope. Under the indicative scheme, a range of facilities are provided on Level 35, including a pool, yoga room, gym, changing facilities, conference room and outdoor deck. These facilities represent circa 25% of the site area, and demonstrate a high level of amenity can be achieved, with access arrangements managed through on-site management and agreements. Further to these on-site facilities, the site also benefits from substantial public open spaces such as the Royal Botanic Gardens and The Domain.</p> <p>Furthermore, it is expected that larger balconies ranging from 13m² to 37m² will be provided to the penthouse suites, well in excess of the recommended 12m² minimum for three bedroom apartments.</p>												
<p>Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter)</p>	✓												
3E Deep Soil Zones													
<p><i>Objective</i> Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.</p>	N/A												
<p><i>Design Criteria</i> Deep soil zones are to meet the following minimum requirements:</p> <table border="1" data-bbox="153 1122 762 1442"> <thead> <tr> <th>Site Area</th> <th>Minimum Dimensions</th> <th>Deep Soil Zones (% of site area)</th> </tr> </thead> <tbody> <tr> <td>Less than 650m²+</td> <td>-</td> <td rowspan="4" style="text-align: center;">7%</td> </tr> <tr> <td>650m² – 1,500m²</td> <td>3m</td> </tr> <tr> <td>Greater than 1,500m²</td> <td>6m</td> </tr> <tr> <td>Greater than 1,500m² with significant existing tree cover</td> <td>6m</td> </tr> </tbody> </table>	Site Area	Minimum Dimensions	Deep Soil Zones (% of site area)	Less than 650m ² +	-	7%	650m ² – 1,500m ²	3m	Greater than 1,500m ²	6m	Greater than 1,500m ² with significant existing tree cover	6m	<p>The subject site is located in Central Sydney, specifically in a highly urbanised area of the CBD with limited existing landscaping. The prevailing character of the area is buildings with built-to-boundary conditions and complete site coverage. The proposal is consistent with this prevailing character. Furthermore, the site also contains an existing heritage building which is to be retained in the overall redevelopment of the site.</p>
Site Area	Minimum Dimensions	Deep Soil Zones (% of site area)											
Less than 650m ² +	-	7%											
650m ² – 1,500m ²	3m												
Greater than 1,500m ²	6m												
Greater than 1,500m ² with significant existing tree cover	6m												
3F Visual Privacy													
<p><i>Objective</i> Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.</p>	✓												
<p><i>Design Criteria</i> Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to site and rear boundaries are as follows:</p> <table border="1" data-bbox="153 1839 762 2058"> <thead> <tr> <th>Building Height</th> <th>Habitable rooms and balconies</th> <th>Non-habitable rooms</th> </tr> </thead> <tbody> <tr> <td>Up to 12m (4 storeys)</td> <td>6m</td> <td>3m</td> </tr> <tr> <td>Up to 25m (5-8 storeys)</td> <td>9m</td> <td>4.5m</td> </tr> <tr> <td>Over 25m (9+ storeys)</td> <td>12m</td> <td>6m</td> </tr> </tbody> </table>	Building Height	Habitable rooms and balconies	Non-habitable rooms	Up to 12m (4 storeys)	6m	3m	Up to 25m (5-8 storeys)	9m	4.5m	Over 25m (9+ storeys)	12m	6m	✓
Building Height	Habitable rooms and balconies	Non-habitable rooms											
Up to 12m (4 storeys)	6m	3m											
Up to 25m (5-8 storeys)	9m	4.5m											
Over 25m (9+ storeys)	12m	6m											

Design Criteria	Comments
3K Bicycle and Car Parking	
<p><i>Objective</i></p> <p>Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas.</p>	✓
<p><i>Design Criteria</i></p> <p>For development in the following locations:</p> <ul style="list-style-type: none"> On sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or On land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre. <p>The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.</p> <p>The car parking needs for a development must be provided off street.</p>	✓
Part 4 Designing the Buildings	
4A Solar and Daylight Access	
<p><i>Objective</i></p> <p>To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.</p>	✓
<p><i>Design Criteria</i></p> <p>Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.</p>	✓
<p>A maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at mid-winter.</p>	✓
4B Natural Ventilation	
<p><i>Objective</i></p> <p>The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents.</p>	✓
<p><i>Design Criteria</i></p> <p>At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.</p>	✓
<p>Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.</p>	✓
4C Ceiling Height	
<p><i>Objective</i></p> <p>Ceiling height achieves sufficient natural ventilation and daylight access.</p>	✓

Design Criteria	Comments										
<p><i>Design Criteria</i></p> <p>Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <table border="1"> <thead> <tr> <th colspan="2">Minimum ceiling height</th> </tr> </thead> <tbody> <tr> <td>Habitable rooms</td> <td>2.7m</td> </tr> <tr> <td>Non-habitable rooms</td> <td>2.4m</td> </tr> <tr> <td>For 2 storey apartments</td> <td>2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area</td> </tr> <tr> <td>Attic spaces</td> <td>1.8m at edge of room with a 30 degree minimum ceiling slope.</td> </tr> </tbody> </table> <p>These minimums do not preclude higher ceilings if desired.</p>	Minimum ceiling height		Habitable rooms	2.7m	Non-habitable rooms	2.4m	For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area	Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope.	✓
Minimum ceiling height											
Habitable rooms	2.7m										
Non-habitable rooms	2.4m										
For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area										
Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope.										
4D Apartment Size and Layout											
<p><i>Objective</i></p> <p>The layout of rooms within the apartment is functional, well organised and provides a high standard of amenity.</p>	✓										
<p><i>Design Criteria</i></p> <p>Apartments are required to have the following minimum internal areas:</p> <table border="1"> <thead> <tr> <th>Apartment Type</th> <th>Minimum internal area</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>35m²+</td> </tr> <tr> <td>1 bedroom</td> <td>50m²</td> </tr> <tr> <td>2 bedroom</td> <td>70m²</td> </tr> <tr> <td>3 bedroom</td> <td>90m²</td> </tr> </tbody> </table> <p>These minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each.</p>	Apartment Type	Minimum internal area	Studio	35m ² +	1 bedroom	50m ²	2 bedroom	70m ²	3 bedroom	90m ²	✓
Apartment Type	Minimum internal area										
Studio	35m ² +										
1 bedroom	50m ²										
2 bedroom	70m ²										
3 bedroom	90m ²										
<p>Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air must not be borrowed from other rooms.</p>	✓										
<p><i>Objective</i></p> <p>Environmental performance of the apartment is maximised.</p>	✓										
<p><i>Design Criteria</i></p> <p>Habitable room depths are limited to a maximum of 2.5 x the ceiling height.</p>	✓										

Design Criteria	Comments															
In open plan layouts (where living, dining and kitchen are combined), the maximum habitable room depth is 8m from a window.	✓															
<i>Objective</i> Apartment layouts are designed to accommodate a variety of household activities and needs.	✓															
<i>Design Criteria</i> Master bedrooms have a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space).	✓															
Bedrooms have a minimum dimension of 3m (excluding wardrobe space).	✓															
Living rooms for or combined living/dining rooms have a minimum with of: <ul style="list-style-type: none"> • 3.6m for studios and 1 bedroom apartments • 4m for 2 and 3 bedroom apartments 	✓															
The width of cross over or cross through apartments are at least 4m internally to avoid dep narrow apartment layouts	✓															
4E Private Open Space and Balconies																
<i>Objectives</i> Apartments provide appropriately sized private open space and balconies to enhance residential amenity.	✓															
<i>Design Criteria</i> All apartments are required to have primary balconies as follows: <table border="1" data-bbox="151 1220 762 1512"> <thead> <tr> <th>Dwelling Type</th> <th>Minimum Area</th> <th>Minimum Depth</th> </tr> </thead> <tbody> <tr> <td>Studio apartment</td> <td>4m²</td> <td>-</td> </tr> <tr> <td>1 bedroom apartment</td> <td>8m²</td> <td>2m²</td> </tr> <tr> <td>2 bedroom apartment</td> <td>10m²</td> <td>2m²</td> </tr> <tr> <td>3+ bedroom apartment</td> <td>12m²</td> <td>2.4m²</td> </tr> </tbody> </table>	Dwelling Type	Minimum Area	Minimum Depth	Studio apartment	4m ²	-	1 bedroom apartment	8m ²	2m ²	2 bedroom apartment	10m ²	2m ²	3+ bedroom apartment	12m ²	2.4m ²	✓
Dwelling Type	Minimum Area	Minimum Depth														
Studio apartment	4m ²	-														
1 bedroom apartment	8m ²	2m ²														
2 bedroom apartment	10m ²	2m ²														
3+ bedroom apartment	12m ²	2.4m ²														
The minimum balcony depth to be counted as contributing to the balcony area is 1m.																
For apartments at ground level or on podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m ² and a minimum depth of 3m.	✓															
4F Common Circulation and Spaces																
<i>Objective</i> Common circulation spaces achieve good amenity and properly service the number of apartments.	✓															
<i>Design Criteria</i> The maximum number of apartments off a circulation core on a single level is eight.	✓															
For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	✓															

Design Criteria	Comments										
4G Storage											
<p><i>Objective</i></p> <p>Adequate, well designed storage is provided in each apartment.</p>	✓										
<p><i>Design criteria</i></p> <p>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p> <table border="1"> <thead> <tr> <th>Dwelling Type</th> <th>Minimum Area</th> </tr> </thead> <tbody> <tr> <td>Studio apartment</td> <td>4m³</td> </tr> <tr> <td>1 bedroom apartment</td> <td>6m³</td> </tr> <tr> <td>2 bedroom apartment</td> <td>8m³</td> </tr> <tr> <td>3+ bedroom apartment</td> <td>10m³</td> </tr> </tbody> </table> <p>At least 50% of the required storage is to be located within the apartment.</p>	Dwelling Type	Minimum Area	Studio apartment	4m ³	1 bedroom apartment	6m ³	2 bedroom apartment	8m ³	3+ bedroom apartment	10m ³	✓
Dwelling Type	Minimum Area										
Studio apartment	4m ³										
1 bedroom apartment	6m ³										
2 bedroom apartment	8m ³										
3+ bedroom apartment	10m ³										
Adaptable and Silver Level Housing Objectives											
<p><i>Objective 4Q-1</i></p> <p>Universal design features are included in apartment design to promote flexible housing for all community members</p>	✓										
<p><i>Objective 4Q-2</i></p> <p>A variety of apartments with adaptable designs are provided</p>	✓										
<p><i>Objective 4Q-3</i></p> <p>Apartment layouts are flexible and accommodate a range of lifestyle needs.</p>	✓										

Source: FJMT

5.12 Surrounding Residential Amenity

This section provides an assessment of the potential environmental and amenity impacts on neighbouring sites associated with the proposal, specifically in relation to the Astor Apartments which are the closest residential receivers in proximity of the site, immediately to the east on Phillip Lane.

5.12.1 Solar Access

The proposed envelope is generally south-west of The Astor Apartments, and as such, the existing solar access to apartments within the Astor building will be unaffected by the Concept Proposal. Shadow diagrams supporting the proposal have been prepared by FJMT and are included in the Design Report at **Appendix B**.

5.12.2 Light Spill

As all hotel rooms in the tower occur at a height above the Astor Apartments, there is no potential for light spill expected from hotel rooms in the tower. The hotel rooms on levels 4-6 in the existing heritage building would also retain the existing sized windows in the heritage façade, with more limited openings and the 11m setback mitigate any potential for significant light spill.

The podium infill on Phillip Lane, which is intended to contain the function room and library as shown in the indicative design, would result in limited light spill as well given the nature of these uses and the introduction of the proposed privacy zone. Additional privacy screening to this podium element would reduce light spill from the hotel and provide visual privacy to Astor residents, as well as users of the hotel.

5.12.3 Visual Privacy

The Astor Apartments present a built-to-boundary condition to Phillip Lane, with windows to apartments located directly on the property boundary adjoining the laneway. As such, the existing Astor Apartments collect both daylight and air from the adjoining laneway.

The Concept Proposal seeks to limit the extent of new building form at the lower levels of the building fronting Phillip Lane. Immediately adjacent to the Astor Apartments is the new infill podium element proposed. This podium infill element has been revised through the pre-lodgement design phase to be reduced in scale to only two habitable levels, and a new one metre articulation zone for privacy has been included to ensure that visual privacy is promoted and protected. It is also proposed that this infill area include hotel areas less frequently used, such as function rooms, a library, etc. as show in the indicative design (refer to **Appendix B**).

The separation between the Astor Apartments building this new infill is proposed at six metres, but this separation will increase to 11 metres at the upper levels. The increased separation is the result of no additional infill envelope proposed on the site, with the infill element reduced during pre-lodgement consultation, and represents to distance between the existing Astor Apartments and the heritage listed building at 50 Phillip Street. **Figure 37** illustrates the relationship between the two buildings at the lower levels.

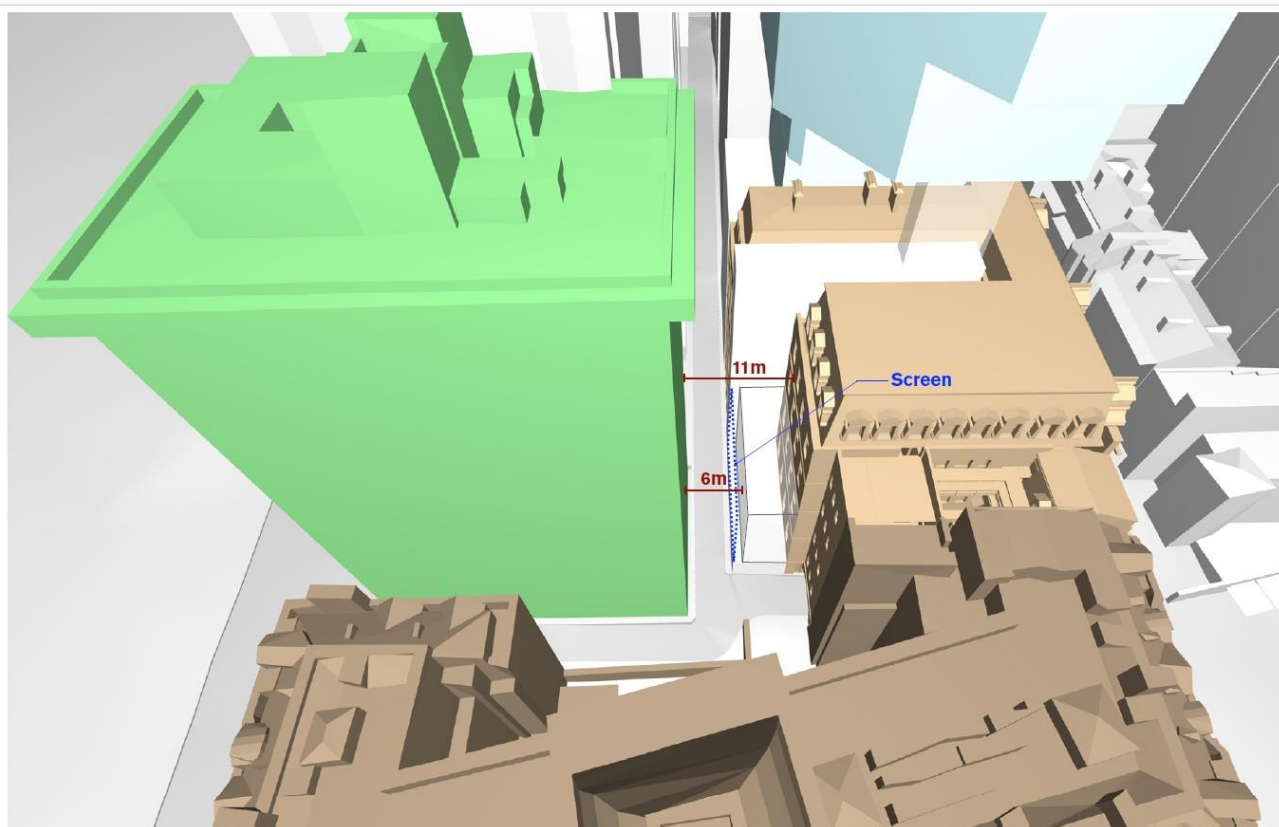


Figure 37 Relationship of the Concept Proposal lower levels to the Astor Apartments

Source: FJMT

The proposed tower envelope is situated above the parapet height of the Astor Apartments, and therefore there are no visual privacy issues associated with direct overlooking between the two buildings. **Figure 38** illustrates this condition, noting the varying height of the Concept Proposal and the Astor Apartments. Furthermore, the proposed tower envelope is offset from the Astor Apartments, creating additional separation and varying lines of sight to minimise any potential visual privacy impacts.

The only element of the Concept Proposal that is aligned to the existing Astor Apartments beyond the existing heritage listed building is the transition/structure zone. This transition zone is not intended to contain any habitable floor space, and therefore it will not result in any visual privacy impacts.

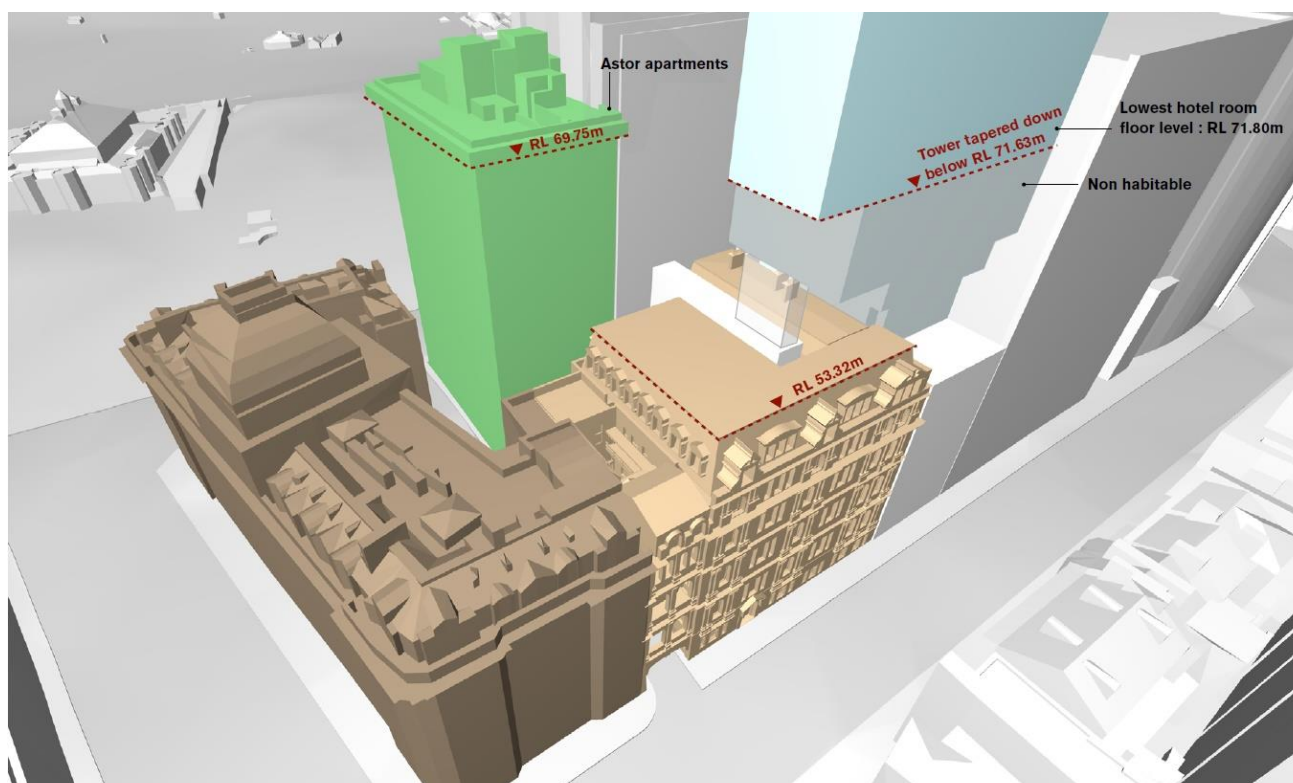


Figure 38 Relationship of the Concept Proposal tower to the Astor Apartments

Source: FJMT

5.13 Acoustic Impact

A Noise and Vibration Impact Assessment has been prepared by Stantec and is included at **Appendix Q**. The Assessment has provided criteria, in-principle treatment and design requirements which aim to achieve the relevant statutory acoustic criteria relevant to the project.

Due to the close proximity of different land uses surrounding the Concept Proposal, Noise Catchment Areas (NCAs) have been established to identify the different receiver types that may be affected by the noise and vibration impacts of the proposed concept development. The appropriate criteria have been applied to the noise catchment areas depending on the receivers located within the NCAs, which are:

- NCA01 – Commercial and hotel receivers
- NCA02 – Commercial receivers
- NCA03 – Commercial, hotel and residential receivers

5.13.1 Noise Intrusion

The Noise and Vibration Impact Assessment outlines the project internal noise limits which will be required to comply with the Sydney DCP 2012 and SEPP Infrastructure. Given the height of the proposed future penthouse suites, there are not expected to be any significant exceedances for the internal noise level criteria.

Mitigation Measures

Detailed noise modelling and investigation of traffic noise emissions and impacts on the future building façade should be completed with the Stage 2 SSD DA. These future investigations will determine whether any acoustically rated glazing is required.

5.13.2 Noise Emissions

In relation to noise emissions from the future proposal, it has been determined by Stantec that the most likely sources of noise would be mechanical plant, traffic noise generation and the Level 36 terrace.

The noise levels at surrounding noise-sensitive receivers from mechanical and electrical plant/equipment are predicted by Stantec to not exceed the project noise trigger levels. This is in light of the ability for the mechanical plant to readily achieve standard noise mitigation measures such as acoustic attenuators, insulation and louvres, and able to sited away from nearby receivers. Should the plant sound power levels exceed those levels, additional noise mitigation measures may be required. These measures will be developed and implemented in the detailed design phase of the project, as is standard practice.

Regarding traffic noise generation, there is predicted to be less than a 1.3dB increase in traffic noise levels as a result of the future redevelopment. Therefore, the proposal is expected comply with the requirements of the NSW Road Noise Policy because the predicted increase is less than 2dB.

An initial assessment of the Level 36 terrace has also been completed using the indicative scheme as a basis for assessment. Subject to the following assumptions, the initial assessment of this terrace by Stantec concluded that noise emissions would comply with the relevant noise criteria, based on:

- People swimming in the pool, splashing and making noise.
- People speaking at an amplified volume (loud).
- No background music has been conducted.
- 1 person / 4sqm in the pool and bar area (total 58 people).
- Anticipating approximately 60-65dB(A) generated by each person within the pool area.

Mitigation Measures

As the design is still in the concept stage, the following mitigation measures have been recommended by Stantec to ensure that mechanical plant and Level 36 terrace noise emissions will continue to comply with the relevant acoustic criteria:

- Noise propagation modelling of building services plant and equipment shall be conducted for the Stage 2 Detailed SSD DA once plant and equipment have been selected to determine compliance with the NSW EPA NPI.
- An in-detail noise emissions model should be conducted for the Level 36 Terrace once the arrangement of the terrace, potential number of occupants and any other shielding structures have been nominated as part of the Stage 2 SSD DA.

5.13.3 Construction Noise Impacts

A preliminary construction noise and vibration assessment has been conducted by Stantec, with in-principle noise and vibration mitigation measures proposed. Initial modelling indicates that any construction noise management level exceedances will be limited to approximately 5dB(A) upon implementation of standard construction noise mitigation measures recommended in the report such as screening and monitoring. Therefore, Stantec have concluded that significant construction noise impacts on the surrounding noise-sensitive receivers is not expected. A detailed construction noise and vibration assessment will be completed with the future Stage 2 SSD DA and should be conducted once the construction methodology has been established for the project.

5.14 Wind

A Wind Assessment has been prepared by MEL Consultants which analyses the existing wind conditions at the site and surrounding test locations (refer to **Appendix M**). The Wind Assessment provides an evaluation of the proposed building envelope on wind flow around the proposal, particularly on the public domain and the nearby rooftop terrace of the Astor apartments.

Wind tunnel testing completed by Mel Consulting found that the wind conditions around the proposed building development are expected to satisfy the standing criterion or better for most test Locations, except for Test Locations 12 and 13 at the north-eastern and south-eastern corners of Phillip Street and Bridge Street that have been shown to satisfy the walking criterion. Some test locations on Phillip Street have shown improved wind conditions due to the shielding effects of the tower.

In summary, MEL Consultants has provided a comparison of wind velocity measurements for the existing and proposed site configurations, illustrating that the proposed building envelope will not result in an exceedance of the safety criteria or change in the comfort levels in the vicinity of the site. Generally, the wind velocity measurements for the proposed configuration have demonstrated a similar or improved wind outcome at most test locations.

In particular, the wind conditions on the rooftop terrace of the Astor apartments has been shown to remain consistent in the proposed case compared to the existing situation. As such, it has been concluded that the proposed concept development would not have a significant impact on existing wind conditions and satisfies the Safety standard.

5.15 Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared by Curio Projects and is included at **Appendix R**. The ACHAR documents the process of investigation, consultation, and assessment with regards to Aboriginal cultural heritage and Aboriginal archaeology for the site. A summary of the assessment and proposed mitigation measures are provided below.

5.15.1 Assessment

Aboriginal Community Consultation

The ACHAR details the process undertaken for Aboriginal community consultation for the project commencing in July 2020 in accordance with the OEH statutory guidelines *Aboriginal cultural heritage consultation requirements for proponents 2010*. Letters were sent to the relevant statutory bodies, whom identified seven identified Registered Aboriginal Parties (RAPs).

These seven RAPs were then provided with written details of the proposed project and the draft proposed Aboriginal cultural heritage assessment methodology for the project. They were also given the opportunity to review and comment on the draft ACHAR. Only one response was received, which was from the Didge Ngunawal Clan who were satisfied with the proposal and ready to proceed to the next stage.

Assessment of Aboriginal Cultural Heritage Values

Curio Projects have undertaken an assessment of the site's cultural heritage value and significance against the five types of cultural heritage value, as presented in *The Burra Charter (2013)*.

While Curio Projects has confirmed it is difficult to determine the Aboriginal cultural heritage value of the site without a detailed physical archaeological study, should the site contain an Aboriginal archaeological deposit, it would have high social, cultural and spiritual value, moderate research potential and scientific significance, and potential aesthetic significance for the technological form of the artefacts. The site would have very social, cultural and spiritual values should an Aboriginal burial deposit be present on the site.

Given the site's location in Central Sydney, Curio Projects has determined that it has a moderate to high historical significance for post-contact connections and interactions between early colonial government and officials, and Sydney's traditional owners. The site may also have aesthetic value to the local Aboriginal community in the context of the wider Sydney Aboriginal landscape it exists within.

Aboriginal Archaeological Potential

There are no registered Aboriginal sites located on the site. Curio Projects have found that due to the level of historical disturbance at the site, the site has a low potential for Aboriginal archaeological deposits to be present. These historical disturbances relating to use of the site since 1788 as First Government House gardens, government and residential lots, the Chief Secretary's Building and Public Works Offices and other surrounding buildings with basements, would likely have impacted or removed the majority of natural soil profiles.

However, Phillip Lane retains potential for pockets of intact natural soil profiles. Therefore, this laneway area retains some Aboriginal archaeological potential in the form of low potential for potential archaeological deposits (PAD) sites to be present either in intact natural soil profiles, or in a disturbed context within historical archaeological strata.

While there is low potential for intact Aboriginal archaeological deposits to remain within the study area, Curio Projects has recommended that should such deposits be found to be present within remnant natural soil profiles, these may have potential for moderate to high social, historical and scientific significance.

Impacts from Proposed Works

Potential impacts to Aboriginal objects, sites and archaeology from future works (subject to a Stage 2 SSD DA) are limited to excavation of the proposed basement. As the excavation would be approximately 9m below current street and lane levels, it is likely that most, if not all potential archaeological remains within the footprint, would be removed. While historical disturbance severely limits the intactness of any potential Aboriginal archaeological resource, until the nature of the potential natural soils (as identified through historical archaeological testing, and geotechnical/environmental testing) can be investigated, the potential for the presence of Aboriginal archaeological deposits within the study area (outside of areas with existing basements), albeit low, must still be acknowledged. As such, the future excavation following further archaeological and geotechnical testing should be mindful of encountering natural soil profiles that may contain archaeological deposits.

The association of the surrounding area with the gardens of First Government House and Aboriginal burials, regardless of whether there are any physical/archaeological remaining within the study area or surrounds, would be of high cultural and social significance to Aboriginal people.

As such, should any burials be present, then any impacts posed towards them would be an unacceptable and detrimental impact to Aboriginal cultural heritage values, and should be avoided.

5.15.2 Mitigation Measures

In response to the potential impacts identified above, Curio Projects have recommended the following mitigation measures:

- Avoid and conserve Aboriginal potential archaeological deposits by completing further geotechnical investigations to identify high risk areas within the proposed impact zone and subsequently guide future designs to avoid those areas. It is recommended that the development design locates impacts towards areas which have already been previously excavated or disturbed, and consider the potential of encountering natural soil profiles.
- Implementation of an archaeological excavation methodology to conduct initial archaeological testing of the proposed impact zone through test pits along Phillip Street, the base of 52 Phillip Street and along Phillip Lane to identify the presence or absence of natural soil profiles that may contain Aboriginal archaeological deposits. Guided by the results of initial testing, salvage excavation should be undertaken within the impacted zone to recover archaeological deposits. Representatives from the RAPs should be present for and participate in any potential archaeological investigations.
- Incorporate Aboriginal heritage interpretation into the future design to conserve and celebrate the social and cultural heritage of the local Darug people and wider local Aboriginal community.

5.16 Transport, Traffic, Access and Parking

A Transport Impact Assessment has been prepared by Arup and is included at **Appendix G**. A summary of the assessment and proposed mitigation measures are provided below.

5.16.1 Traffic Generation

Traffic generation expected for the proposal has been calculated based on the proposed mixture of land uses. A summary of the traffic generation anticipated by Arup is provided below.

Hotel Pick-up and Drop-off

Arup has noted that there can be large variances in traffic generation rates for hotels. As such, traffic generation for hotels is assessed on a case-by-case basis. To establish a profile of daily car activity for the site, Arup has used the drop-off and pick-up trip rates of other recent hotel developments such as Meriton Tower in North Sydney and the Mecure Hotel in Wollli Creek, noting that no hotel parking is proposed. Based on these precedents, it is anticipated by Arup that a total of 16 trips in the AM peak and 14 trips in the PM peak will occur. This equates to a vehicle trip being generated every 3-4 minutes during the AM and PM peak.

Residential

Arup has adopted an average rate of 0.15 trips/space in the AM peak hour and 0.12 trips/space in the PM peak hour for the residential traffic generation analysis. This is based on the assumption that all 23 parking spaces are used by residential users only. Using these rates, it is anticipated by Arup that a total of 3 trips in the AM peak and 3 trips in the PM peak will occur, with a daily volume of 30 trips.

Retail

Due to the small nature of the retail uses, it is not expected the retail uses on the site will generate vehicle traffic.

Loading

Arup has concluded that a worst-case turnover of 20 minutes per bay would result in 18 loading trips during peak hours. It is likely that the loading dock will be heavily managed during operation times between 6am and 6pm, so the upper limit of daily trips are estimated around 200 loading trips on a busy day, with up to 112 daily trips over an average 8-hour day.

Total

The total traffic generation of the proposal is summarised in **Table 15** below. An inbound/outbound proportion of 50/50 for hotel users, commercial users and loading, and 80/20 for residential has been assumed during the AM peak hour. The inverse has been applied for the PM peak hour.

Given these rates, it is anticipated that the future building may generate a total of 29 trips in the AM peak hour and 27 trips in the PM peak hour.

Table 15 Expected total traffic generation

Traffic Generating Use	Traffic Volumes			
	AM in	AM out	PM in	PM out
Residential	0	3	2	1
Hotel Pick-up / Drop-off	8	8	7	7
Loading	9	9	9	9
Existing Traffic	-4	-4	-4	-4
Total	13	16	14	13

Source: Arup

5.16.2 Road Network Impacts

Cumulative Traffic Impact

Arup considers the forecast in peak hour traffic of between 27 and 29 extra vehicles to be minor when distributed onto the wider network, especially when viewed in the context of high background traffic volumes on Phillip Street, Macquarie Street and in the general Sydney CBD. Moreover, it should be noted that car parking provision is being repurposed to a use that generates less traffic in the Concept Proposal. When considering the directional distribution, the volumes equate to less than one vehicle trip approximately every 2 minutes being generated on average during peak periods.

Intersection Performance

As shown in **Table 19** below, the SIDRA Intersection Assessment shows that all surrounding intersections are generally operating satisfactorily at a Level of Service D or better during both Am and PM peak periods. As the expected volumes of 29 AM peak trips and 27 PM peaks trips are minor in nature, Arup has determined that they will have negligible impacts on the operation of key intersections. Accordingly, Arup has concluded that the traffic impacts of the proposal on the road network and key intersections are supportable on traffic planning grounds.

5.16.3 Parking Assessment

For residential uses, the Sydney LEP 2012 has a maximum parking rate of 1 space per 3-bedroom dwelling. As the indicative scheme provides for 23 three bedroom dwellings, the 23 car parking spaces included in the indicative scheme complies with the maximum parking rate.

Bicycle Parking and End of Trip Facilities

The indicative design also demonstrates that the proposed concept development can accommodate the number of bicycle parking spaces and end of trip facilities required in Part 3.11.3 of the Sydney DCP 2012.

Motorcycle Parking

Schedule 7.8.4 of the Sydney DCP 2012 requires 1 motorcycle parking space per 12 car spaces, which results in a minimum requirement of two motorcycle spaces across the site. These motorcycle spaces can be accommodated in the basement car parking levels.

Coach Parking

While the hotel drop-off and pick-up on Phillip Lane cannot accommodate coaches, the site is located within 300m of existing coach parking locations on Bligh Street and Loftus Street. It is anticipated that 2-3 pre-booked coaches would be required per week, arriving around 5:00pm with a 15-minute set-down period. This arrangement is acceptable as it utilises nearby existing coach parking facilities within their existing capacity.

5.16.4 Public and Active Transport Access

As explained in **Section 2.3.5**, the site is well-located near multiple public transport modes including train, bus and light rail. The future Sydney Metro station at Martin Place, to be completed in 2024, will further improve the accessibility of the site. As such, high utilisation of public transport is expected by guests and the majority of hotel staff.

In particular, the introduction of the CBD light rail has improved the pedestrian environment in the city centre. The site is also well-located to take advantage of the City's existing and planned network of high-quality cycleway facilities. The existing cycleway on Alfred Street and Macquarie Street forms one of the main routes through the CBD for cyclists into this area.

In addition to onsite bicycle parking and end of trip facilities, employees, residents and visitors will be encouraged to use sustainable modes of travel through the distribution of a Transport Access Guide (TAG) that will detail:

- Suitable nearby public drop-off/pick-up locations;
- Nearby train stations, Light rail stations and bus stops; and
- Key walking routes between these locations.

A Travel Plan will be prepared in accordance with the Premier's Council for Active Living and City of Sydney objectives following the completion of the future development and identification of building tenants.

5.16.5 Construction Traffic Impacts

While the Stage 1 SSD DA does not propose any construction, an outline construction traffic management plan has been provided in the Transport Impact Assessment (**Appendix G**). Some principles include minimising disruption to all road users, provision of traffic control, use of arterial roads, suitable alternative property access arrangements, and provision of clear signage if redirected pedestrian route are required. A detailed Construction Traffic Management Plan (CPTMP) will be prepared for the works following approval of the Stage 2 SSD DA.

5.16.6 Mitigation Measures

As the expected traffic volumes generated from the proposal are minor in nature and will have negligible impacts on key intersections, Arup has not recommended specific mitigation measures to reduce traffic generation impacts.

In order to manage future construction impacts, a detailed Construction Traffic Management Plan (CPTMP) must be prepared for the works following determination of the Stage 2 SSD DA.

5.17 Contamination

A Geotechnical and Contamination Desktop Study has been prepared by Golder and is included at **Appendix D**. A summary of the assessment provided in the Geotechnical and Contamination Desktop Study and proposed mitigation measures are provided below.

The assessment included a site history assessment which reviewed known contaminated sites notified to the EPA, historical business records, nearby land uses with the potential to cause contamination, EPA License Activities, hydrogeology and groundwater, and ecological constraints.

The contamination desktop review found the following:

- The site is not listed as contaminated with the EPA and no contaminated sites are present in the immediate vicinity of the site.
- No waste management or liquid fuel facilities are present within 1,000m of the site.
- There are no sites within 2,000m of the site that are part of the EPA PFAS Investigation Program, the Defence PFAS Investigation or Management Programs, or the Airservices Australia National PFAS Management Program.
- The site history assessment indicated there were several properties licensed under the *Protection of the Environment Operations (POEO) Act 1997*.
- There are a number of potentially contaminating uses in the vicinity of the site, including several parking garages and two dry cleaning facilities located approximately 200m northwest of the site.
- Porous, extensive aquifers of varying productivity are located in the vicinity of the site. Several registered groundwater bores were identified within the 2,000m buffer zone of the site. All are listed as monitoring bores and are likely associated with contaminated sites.
- The proposed future works, which include the excavation one basement level, are not likely to encounter actual acid sulphate soils or to lower the groundwater table on site or in the vicinity of the site.

Overall, a preliminary review of publicly available environmental records for the site has found no evidence of a potential for significant contamination. Golder has confirmed that contaminated land is not known to be present in the immediate vicinity of the site, and a review of historical business directories did not indicate a high potential for contaminating activities to have been undertaken at the site. As such, based on the lack of evidence for contaminating activities to have taken place on-site or in the general vicinity, Golder has concluded that the land is likely to be considered suitable for the proposed development.

However, Golder note that this conclusion is contingent on the implementation of an excavation management plan following the Stage 2 SSD DA during development works with a well-defined unexpected finds protocol in the event that contamination or any unusual conditions are encountered.

Golder also note that discharge of water pumped from the future excavation may contain concentrations of compounds that could exceed nominated guidelines without being affected by contaminating activities from the site. As such, treatment of groundwater that enters the excavation may be required, and should be considered in further detail in the Stage 2 SSD DA.

5.18 Flooding and Stormwater

An assessment of flooding and stormwater impacts is contained within the Civil Engineering Services Report prepared by Warren Smith & Partners is provided at **Appendix S**. The Civil Engineering Services Report also contains a Flood Study prepared by GRC and correspondence with Sydney Water confirming that on-site detention is not required.

5.18.1 Flooding

A Flood Study prepared by GRC, attached as an appendix to the Civil Engineering Services Report (**Appendix S**), has assessed the flood behaviour of the site based on the City of Sydney's City Area Catchment Floodplain Risk Management Plan and the site-specific characteristic of the impermeable rear courtyard wall to Phillip Lane. The Study has found that the site has a small upstream catchment and depths of flooding are consequently very shallow in Phillip Lane, with a maximum of 0.1-0.2 m depth in the 1% Annual Exceedance Probability (AEP) flood event. Moreover, the rear lane and Phillip Street are not affected by a trapped low point, and so meet the criteria of 'Local Drainage Flooding' as per City of Sydney policy. Warren Smith & Partners have concluded that there are no major flooding issues associated with the proposed concept development, and safe evacuation along Phillip Street is possible in events up to and including the Probable Maximum Flood (PMF) PMF.

Based on the Flood Study, the Civil Engineering Report (**Appendix S**) has outlined the applicable flood planning levels (FPL) for the site. The relevant FPLs are summarised below, with detailed numerical FPLs contained within the report:

- Below-ground car parks – The higher of 1% AEP flood level + 0.5m freeboard, or the PMF flood level.
- Residential – 1% AEP Flood Level + 0.5m for habitable rooms and 1% AEP flood level for non-habitable rooms.
- Industrial or commercial uses – Merits approach that is the minimum of the 1% AEP flood level.

5.18.2 Stormwater Management

The Civil Engineering Report prepared by Warren Smith & Partners has considered various stormwater management measures required for the site.

In terms of stormwater quantity, correspondence with Sydney Water has confirmed that existing Sydney Water stormwater infrastructure can adequately manage stormwater runoff from the site.

In terms of stormwater quality and the achievement of the WSUD requirements in Part 3.7.3 of the Sydney DCP 2012, Warren Smith & Partners do not expect that any major upgrades of infrastructure to the Sydney Water stormwater assets located on Phillip Street and Phillip Lane will be required. However, further testing and analysis will be required as part of the future Stage 2 SSD DA.

5.19 Water and Soils

A Geotechnical and Contamination Desktop Review has been prepared by Golder and is included at **Appendix D**. A summary of the assessment and proposed mitigation measures are provided below.

5.19.1 Acid Sulphate Soils

The site is mapped on Class 5 Acid Sulfate Soil (ASS) land under the Sydney LEP 2012. Based on National ASS Atlas on ASRIS, the site is located in 'Extremely low probability of occurrence'. As such, the proposed works, which includes the excavation one basement level, are not likely to encounter actual ASS or to lower the groundwater table on, or in the vicinity of, the site. A preliminary assessment of the proposed works is recommended to be completed for the future Stage 2 SSD DA in accordance with the Acid Sulphate Soils Manual to confirm the requirement for an ASS Management Plan.

5.19.2 Geotechnical Considerations

The Geotechnical Desktop Review provides a preliminary assessment of the geotechnical specifications required for future foundations, shoring and underpinning, and earthquake risk classification. The report recommends the following scope of works to be undertaken in further design development, specifically to be addressed in the future Stage 2 SSD DA:

- Any excavated material should be sampled and analysed at a National Association of Testing Authorities (NATA) accredited laboratory to assess potential re-use and/or disposal options.
- If groundwater seepage is encountered during excavation, the groundwater water should be sampled and analysed at a NATA-accredited laboratory to assess the need for treatment prior to discharge and/or disposal.

- Title search of adjacent properties for prospective deep basements followed by site mapping of sandstone exposures (if available);
- Borehole investigations to allow an assessment of site specific foundation conditions across the site.
- The use of angled boreholes will further assist in assessing the potential presence of regional faulting.
- Development of a Geotechnical Report to address approval conditions and provide technical data for design development.
- Geotechnical analysis to optimise footing and retention system designs.

5.19.3 Groundwater Ecosystems and Water Resources

The site is located on a small ridge line trending approximately north to south, with Macquarie Street as the apex of the ridge. To the west, the Tank Stream drainage channel is located near Loftus Street. As the site is located downhill (west) from Macquarie Street, it is expected that the regional groundwater flow will be westward towards the Tank Stream.

It is expected that two deep basements are located in the vicinity of the site at Governor Phillip Tower and 131 Macquarie Street. These basements are anticipated to be drained basements, drawing down local groundwater levels in the vicinity of the site below the anticipated excavation level. With this in mind, groundwater inflow can largely be expected from infiltration from rainfall events or leaking services.

Regarding groundwater ecosystems, the site is highly disturbed and does not contain water bodies or drainage structures that contribute to hydrological processes that support ecological communities or groundwater dependent ecosystems.

5.20 Waste Management

A Waste Management Plan has been prepared by Elephants Foot and is included at **Appendix L**. The Waste Management Plan provides an overview of anticipated waste generation and waste management procedures for the future building. Elephants Foot has confirmed that the future development is capable of complying with the City of Sydney's *"Policy for Waste Minimisation in New Developments"* and other best practice waste management guidance subject to the outlined design specifications and recommendations.

While waste management will be addressed in more detail in the Stage 2 Detailed SSD DA, the following preliminary directions are provided:

- **Hotel** waste will be managed by staff or cleaners who will collect waste from the rooms and sort them into garbage and recyclable items in the 1100L bins in the basement waste room. All hotel and retail food waste will be managed by staff or cleaners and deposited into 240L bins in the basement level 2 waste room. Hotel waste will be collected by a private waste contractor on a daily basis, or as required on an agreed schedule. Prior to collections, the building manager/caretaker will be responsible for transferring bins from the hotel/retail waste room to the temporary bin storage room at the loading dock via a goods lift.
- **Residential** waste will be managed by individual tenants. Two garbage chutes and two recycling chutes should be installed with access provided on all residential levels of each building core. Both garbage and commingled recycling discharge into 1100L bins at the base of the chute in the waste discharge room on basement level 2. Full bins will be transferred to the temporary bin holding room at the collection area on the ground level. All waste generated by the residential apartments will be collected by a private waste contractor with garbage being collected twice weekly and recycling on a weekly basis. These will need to be carried out at a different time to the hotel/retail waste collections to ensure that the loading dock and temporary bin storage room are not in use. This will be organised with the waste contractors. Prior to collections, the building manager/caretaker will be responsible for transferring bins from the residential waste room on basement level 2 to the temporary bin storage room at the loading dock via a goods lift.

5.21 Utilities

5.21.1 Water Demand

A Civil Engineering Services Report has been prepared by Warren Smith & Partners and is provided at **Appendix S**. This report contains a calculation of the proposed total water demand based on the indicative design and the future building classifications of hotel, café and retail, which is summarised in **Table 16** below.

Table 16 Proposed concept development total water demand by use

Classification	Total Unit	Average Demand (L/Metric Unit/Day)	Total Average Daily Water Demand (kL)
Hotel	246 rooms	359.94	88.55
Café	1,477m ²	2.48	3.66
Residential	4,478m ²	3.34	14.96
Retail	123m ²	2.48	0.31
Total			107.48

Source: Warren Smith & Partners

The estimated water demand is not expected by Warren Smith & Partners to require any major upgrades of infrastructure to the surrounding water mains on Phillip Street. Notwithstanding this, a detailed assessment of water demand and existing capacity, and potential augmentation of services will be conducted as part of the Stage 2 SSD DA.

5.21.2 Sewer Demand

Warren Smith & Partners have calculated the estimated sewer demand in terms of litres/day based on information derived by the NSW Water Directorate. The estimated demand is summarised in **Table 17** below.

Table 17 Proposed concept development total water demand by use

Classification	Total Unit	Average Demand (L/Metric Unit/Day)	Total Average Daily Water Demand (kL)
Hotel	246 rooms	215.96	53.13
Café	1,477m ²	1.49	2.20
Residential	4,478m ²	2.00	8.96
Retail	123m ²	1.49	0.18
Total			64.47

Source: Warren Smith & Partners

The estimated sewer demand is not expected to require any major upgrades of infrastructure to the surrounding water mains on Phillip Street. Notwithstanding this, a detailed assessment of water demand and existing capacity, and potential augmentation of services will be conducted as part of the Stage 2 SSD DA.

5.21.3 Overall Infrastructure Demand

As outlined in **Section 2.2.7**, the site is located within the Sydney CBD and therefore is well-connected to existing water, gas, electricity and broadband utilities. It is expected that the future redevelopment of the site will be capable of being serviced by the existing infrastructure, subject to detailed design and potential augmentation. Based on the assessment undertaken to date, it is not expected that any major upgrades to infrastructure will be required.

A detailed utilities and servicing assessment, including the potential augmentation of services, will be conducted to support the future Stage 2 SSD DA.

5.22 Ecologically Sustainable Development

An ESD Strategy has been prepared by Stantec and is provided at **Appendix N**. The ESD Strategy concludes that the proposal can achieve the following sustainability targets and objectives:

- 4-Star NABERS Energy with a Commitment Agreement certification.

- Exceed NCC 2019 Section J energy benchmarks with a bespoke façade and services system design.
- Exceed BASIX Requirements for the NCC Class 2 component of the Project.
- Design in line with Australian Best Practice Environmental Initiatives, using externally recognised frameworks.
- Design to a 4-Star NABERS Water for Hotels Performance, to demonstrate WSUD principals are met.

The ESD Strategy has identified specific strategies with eight categories of sustainable design and operation which will be further detailed and refined in the Stage 2 SSD DA. These include, but are not limited to:

- Building management – building commissioning and tuning procedures, smart metering and monitoring.
- Water resources – water conservation and reuse strategies such as high performance sanitary fixtures, cooling tower design and condensate recovery.
- Energy efficiency – high performance glazing, airtight facades, high-efficiency services and rooftop solar PV cells.
- Indoor environment quality – indoor air quality measures, solar access, blinds and use of materials with limited indoor pollutants.
- Active transport – high quality end of trip facilities, secure bicycle spaces and electric vehicle charging points.
- Waste minimisation – at least 90% diversion of waste from landfill and integrated segregated waste streams.
- Sustainable building materials.

Specifically, in response to the SEARs, the following sustainability initiatives will be employed to reduce water demand and demonstrate water sensitive urban design principles:

- High performance sanitary fixtures that exceed current standards will be provided.
- A fire protection system will be designed to include temporary storage for 80% of the routine fire protection system test water and maintenance drain-downs for reuse on-site. Each floor will be fitted with isolation valves or shut-off points for floor-by-floor testing.
- Installation of drip irrigation for landscaped areas. The landscaping and associated systems will be designed to reduce the consumption of potable water required for irrigation through the installation of subsoil drip irrigation and moisture sensor controls.
- Cooling Tower Design optimised to reduce water wastage with high cycles of concentration and drift blockers, staged to reduce water and high performance facades and chillers are designed to reduce the heat rejected by the cooling towers.
- Rainwater tank for rainwater collection and re-use for landscape irrigation and washdown.
- Condensate recovery from mechanical systems, used in the non-potable water system

Moreover, the following key design elements are proposed in order to exceed the already high-performing Section J energy requirements:

- High performance façade system with shading considerations to reduce solar heat gains. The building will be optimised as appropriate for its use as a hotel, with a strong focus on building sealing and reducing thermal losses/gains
- Airtightness in the façade design to reduce bulk air flow and control the internal environment.
- Optimising building fabric with consideration given to thermal bridging.
- Efficient lighting systems and controls, such as daylight and motion sensors, timers, and the like.
- Efficient HVAC systems with heat recovery systems.
- Maximising passive design strategies where practically possible.

The Strategy also contains an assessment of the proposed sustainability initiatives against the Sydney DCP 2012, concluding that the proposed envelope is capable of accommodating a design that can exceed the performance requirements of the Sydney DCP 2012 through a range of efficient heating/cooling and lighting systems, efficient sanitary fixtures, high performance building fabric and selection of sustainable materials for construction.

5.23 Crime Prevention through Environmental Design

Crime Prevention through Environmental Design (CPTED) is a situational crime prevention strategy that focuses on the design, planning and structure of the environment. It aims to reduce opportunities for crime by employing design and place management principles that minimise the likelihood of essential crime ingredients.

In accordance with the NSW Department of Planning and Environment's guidelines (2001) the proposed Stage 1 SSD DA sets the following principles to influence the design of the project:

- increase the perception of risk to criminals by increasing the possibility of detection, challenge and capture;
- increase the effort required to commit crime by increasing the time, energy or resources which need to be expended;
- reduce the potential rewards of crime by minimising, removing or concealing 'crime benefits'; and
- remove conditions that create confusion about required norms of behaviour.

As discussed in **Section 5.7** above, the redevelopment of the site will result in increased pedestrian activation and passive surveillance of Phillip Street and Phillip Lane. The increased patronage of the site and more active ground floor uses will increase the perception of risk to criminals by increasing the possibility of detection, challenge and capture.

A detailed CPTED Assessment will be completed and submitted with the Stage 2 SSD DA based on the detailed design for the site resulting from the competitive design process.

5.24 Development Contributions

Development contributions will be paid in accordance with the applicable development contributions plan at the time of determination of the Stage 2 SSD DA.

6.0 Environmental Risk Assessment

The Environmental Risk Assessment (ERA) establishes a residual risk by reviewing the significance of environmental impacts and the ability to manage those impacts. The ERA for the subject Stage 1 Concept SSD DA has been adapted from Australian Standard AS4369.1999 Risk Management and Environmental Risk Tools.

In accordance with the SEARs, the ERA addresses the following significant risk issues:

- the adequacy of baseline data;
- the potential cumulative impacts arising from other developments in the vicinity of the Site; and
- measures to avoid, minimise, offset the predicted impacts where necessary involving the preparation of detailed contingency plans for managing any significant risk to the environment.

Figure 39 indicates the significance of environmental impacts and assigns a value between 1 and 10 based on:

- the receiving environment;
- the level of understanding of the type and extent of impacts; and
- the likely community response to the environmental consequence of the project.

The manageability of environmental impact is assigned a value between 1 and 5 based on:

- the complexity of mitigation measures;
- the known level of performance of the safeguards proposed; and
- the opportunity for adaptive management.

The sum of the values assigned provides an indicative ranking of potential residual impacts after the mitigation measures are implemented.

Significance of impact	Manageability of impact				
	5 Complex	4 Substantial	3 Elementary	2 Standard	1 Simple
1 – Low	6 (Medium)	5 (Low/Medium)	4 (Low/Medium)	3 (Low)	2 (Low)
2 – Minor	7 (High/Medium)	6 (Medium)	5 (Low/Medium)	4 (Low/Medium)	3 (Low)
3 – Moderate	8 (High/Medium)	7 (High/Medium)	6 (Medium)	5 (Low/Medium)	4 (Low/Medium)
4 – High	9 (High)	8 (High/Medium)	7 (High/Medium)	6 (Medium)	5 (Low/Medium)
5 – Extreme	10 (High)	9 (High)	8 (High/Medium)	7 (High/Medium)	6 (Medium)

Figure 39 Risk Assessment Matrix

Item	Phase	Potential Environmental Impact	Proposed Mitigation Measures and / or Comment	Significance of Impact	Manageability of Impact	Residual Impact
Impact on adjacent heritage buildings	C	<ul style="list-style-type: none"> Damage to adjacent heritage buildings 	<ul style="list-style-type: none"> A deconstruction methodology will be prepared. Final work method statements to include discussion of the risks associated with, and measures to be undertaken, to prevent collateral damage to adjacent buildings. 	2	3	5 (low/medium)
External heritage façade	C	<ul style="list-style-type: none"> Alteration of external heritage façade 	<ul style="list-style-type: none"> No change is proposed to the sandstone façade of the heritage listed building fronting Phillip Street. The proposed changes to these façades retain and respect the original form, architectural integrity and character of the heritage building, and will be reversible. Changes to the east façade are acceptable as they have undergone additions that make them less sensitive to change. A deconstruction methodology will be prepared. Archival photographic recording is to be undertaken at the appropriate time. Make good will occur of any damage to heritage items during construction. 	3	4	7 (high/medium)
Internal heritage fabric	C	<ul style="list-style-type: none"> Alteration of internal heritage fabric 	<ul style="list-style-type: none"> As the building has undergone several extensive internal alterations over time, the building interior is considered less sensitive to further changes. Significant remnant internal spaces and elements are retained by adopting the principle of 'loose fit'. Back-of-house and smaller scale loading operation would be located in spaces of lesser significance within the building. A deconstruction methodology will be prepared. Archival photographic recording is to be undertaken at the appropriate time. Make good will occur of any damage to heritage items during construction. 	2	2	3 (low/medium)
Heritage structure	C	<ul style="list-style-type: none"> Damage to existing heritage fabric Localised differential ground settlement 	<ul style="list-style-type: none"> Recommended design limitations and parameters for basement excavation and shoring will control the risk of damage. Construction methodologies for the central lightwell column, the support and underpinning of the eastern roof and masonry structure and provision for shoring where excavation occurs adjacent to existing walls will control the risk of damage to existing building fabric. 	3	2	5 (low/medium)
Archaeological impact	C	<ul style="list-style-type: none"> Disturbance and removal of archaeological deposits relating to First Government House gardens and terraces 	<ul style="list-style-type: none"> Complete an Archaeological Research Design (ARD) which shall contain an excavation methodology, nominate an excavation director, and provide recommendations for post-excavation reporting and management of the archaeological resource exposed by the testing works. 	3	2	5 (low/medium)

Item	Phase	Potential Environmental Impact	Proposed Mitigation Measures and / or Comment	Significance of Impact	Manageability of Impact	Residual Impact
			<ul style="list-style-type: none"> Additional impacts, not identified in this report, may require further assessment and any identified impact on potential archaeology should be considered in an updated ARD 			
Visual Impact	O	<ul style="list-style-type: none"> Visual impact on the public domain, heritage precinct and Chief Secretary's Building 	<ul style="list-style-type: none"> Prepare and implement a Design Excellence Strategy. Consider the following during design development and in the Stage 2 SSD DA: <ul style="list-style-type: none"> integration of signage integration of services such as waste management, loading zones and mechanical plant avoidance of placing street furniture such as trees, poles, signs and other elements within the Phillip Street reserve line, shape and form, colour and texture in the expression of the eastern elevation to ensure the Chief Secretary's Building can continue to be readily legible as a separate building. 	2	3	5 (low/medium)
Noise Intrusion	O	<ul style="list-style-type: none"> Noise intrusion into internal spaces of apartments on the site 	<ul style="list-style-type: none"> Undertake detailed noise modelling and investigation of traffic noise emissions and impacts on the façade of the proposed concept development at the Stage 2 Detailed SSD DA stage. This will determine whether any acoustically rated glazing, together with alternative means of natural ventilation is required to the residential spaces. 	2	2	4 (low/medium)
Noise Emissions	O	<ul style="list-style-type: none"> Noise emissions from mechanical plant and outdoor terraces to nearby sensitive receivers 	<ul style="list-style-type: none"> Conduct noise propagation modelling of building services plant and equipment for the Stage 2 SSD DA once plant and equipment have been selected to determine compliance with the NSW EPA NPI. Conduct a noise emissions model once the arrangement of the terrace, potential number of occupants and any other shielding structures have been nominated as part of the Stage 2 SSD DA. 	2	2	4 (low/medium)
Aboriginal Cultural Heritage and Archaeology	C	<ul style="list-style-type: none"> Disturbance of Aboriginal archaeological deposits or burials during excavation 	<ul style="list-style-type: none"> While there is low potential for intact Aboriginal archaeological deposits on the site, should such deposits be found to be present within remnant natural soil profiles, these may have potential for moderate to high social, historical and scientific significance. Undertake further geotechnical investigations to identify high risk areas with natural soil profile that should be avoided in the final Stage 2 detailed design. Implement an archaeological excavation methodology to conduct initial archaeological testing to identify if salvage excavation is required. Incorporate Aboriginal heritage interpretation into the final Stage 2 detailed design. 	3	2	5 (low/medium)

7.0 Mitigation Measures

The collective measures required to mitigate the impacts associated with the proposed works are detailed in **Table 18**. These measures have been derived from the previous assessment in **Section 5.0** and those detailed in appended consultants' reports.

Table 18 Mitigation Measures

Mitigation Measures
<p>Heritage</p> <ul style="list-style-type: none"> Archival photographic recording of the former Department of Public Works building at 50 Phillip Street, undertaken in accordance with the NSW Heritage Council publication "<i>Photographic Recording of Heritage Items Using Film or Digital Capture</i>", should be made prior to any proposed changes or demolition. Deconstruction methodology shall ensure that the works are undertaken in a manner which prevents any potential for damage and that measures are taken as necessary to avoid any physical impact on the adjacent buildings. These should include the use of protective screens, where necessary, to protect the adjacent building facades when using oxy-acetylene kits to cut beams. The final work method statements, both general and property specific, must include discussion of the risks associated with, and measures to be undertaken, to prevent collateral damage to adjacent buildings. Any damage to heritage items should be "made good" under the supervision of an experienced heritage practitioner.
<p>Heritage Structural Impact</p> <ul style="list-style-type: none"> The Stage 2 SSD DA should consider the design limitations and parameters for basement excavation and shoring as recommended by the Heritage Structural Construction Methodology Report. Construction methodologies as recommended by the Heritage Structural Construction Methodology Report should be adopted for the central lightwell column, the support and underpinning of the eastern roof and masonry structure and provision for shoring where excavation occurs adjacent to existing walls.
<p>Archaeological</p> <ul style="list-style-type: none"> Complete an Archaeological Research Design (ARD) which shall contain an excavation methodology, nominate an excavation director, and provide recommendations for post-excavation reporting and management of the archaeological resource exposed by the testing works.
<p>Visual Impact</p> <ul style="list-style-type: none"> Consider the following during design development and in the Stage 2 SSD DA: <ul style="list-style-type: none"> integration of signage. integration of services such as waste management, loading zones and mechanical plant. avoidance of placing street furniture such as trees, poles, signs and other elements within the Phillip Street reserve. line, shape and form, colour and texture in the expression of the eastern elevation to ensure the Chief Secretary's Building can continue to be readily legible as a separate building.
<p>Acoustic</p> <ul style="list-style-type: none"> Undertake detailed noise modelling and investigation of traffic noise emissions and potential façade requirements with the future Stage 2 SSD DA. Conduct noise propagation modelling of building services plant and equipment for the Stage 2 SSD DA once plant and equipment have been selected to determine compliance with the NSW EPA NPI. Conduct detailed noise emission modelling once the arrangement of the outdoor Level 36 terrace is known. Implement standard construction noise mitigation measures such as screening and monitoring. Conduct a further detailed construction noise assessment once the construction methodology has been established.
<p>Aboriginal Cultural Heritage</p> <ul style="list-style-type: none"> Undertake further geotechnical investigations to identify high risk areas with natural soil profile that should be avoided in the final Stage 2 detailed design. Implement an archaeological excavation methodology to conduct initial archaeological testing to identify if salvage excavation is required. Incorporate Aboriginal heritage interpretation into the final Stage 2 detailed design.
<p>Traffic and Transport</p> <ul style="list-style-type: none"> Prepare a detailed Construction Traffic Management Plan (CPTMP) for the proposed development prior to the commencement of any construction works.
<p>Construction and Demolition</p> <ul style="list-style-type: none"> A Construction Management Plan (CMP) will be prepared in consultation with key stakeholders prior to the commencement of any construction works.

8.0 Justification of the Proposal

In general, investment in major projects can only be justified if the benefits of doing so exceed the costs. Such an assessment must consider all costs and benefits, and not simply those that can be easily quantified. As a result, the EP&A Act specifies that such a justification must be made having regard to biophysical, economic and social considerations and the principles of ecologically sustainable development.

This means that the decision on whether a project can proceed or not needs to be made in the full knowledge of its effects, both positive and negative, whether those impacts can be quantified or not.

The proposed concept development involves the concept development of a new mixed-use hotel, maximum building envelope and in-principle refurbishment of 50 Phillip Street. The assessment must therefore focus on the identification and appraisal of the effects of the proposed change over the site's existing condition.

Various components of the biophysical, social and economic environments have been examined in this EIS and are summarised below.

8.1 Social and Economic

The proposed future development has the potential to result in positive social and economic impacts as it will:

- Provide a new 5/6 star luxury hotel to meet the shortage of luxury hotel rooms in Sydney and support the status of Sydney as Australia's premier tourist destination and global city.
- Create jobs for the tourism industry and contribute to its growth as a targeted growth sector and the broader economic growth of the Eastern Harbour City and NSW.
- Attract tourists and contribute to the recovery of the tourism industry and Sydney's broader economy post the COVID pandemic.
- Promote the orderly and economic use of a underutilised Government-owned heritage building that is already unlocked for higher density as a new landmark mixed use hotel development.
- Promote the sustainable management of the site's significant heritage fabric for the enjoyment of current and future generations.
- Provide a mix of land uses that are complementary to the heritage building and the Sydney CBD, to contribute to a new heritage-tourism precinct.

8.2 Biophysical

The environmental impact assessment of the proposed concept development has demonstrated that the project will not result in any unmanageable biophysical impacts following the implementation of the mitigation measures discussed above. It has demonstrated that the proposed concept development will not result in adverse contamination, flooding, stormwater, biodiversity, wind or solar impacts.

8.3 Ecologically Sustainable Development

The EP&A Regulation lists four principles of ecologically sustainable development to be considered in assessing a project. They are:

- The precautionary principle.
- Intergenerational equity.
- Conservation of biological diversity and ecological integrity.
- Improved valuation and pricing of environmental resources.

An analysis of these principles follows.

Precautionary Principle

The precautionary principle is utilised when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful evaluation of potential environmental impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment.

This EIS has not identified any serious threat of irreversible damage to the environment and therefore the precautionary principle has been taken into account and is not infringed by the proposal.

Intergenerational Equity

Inter-generational equity is concerned with ensuring that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations. The proposal has been designed to benefit both the existing and future generations by:

- Rejuvenating and refurbishing an underutilised State Heritage-listed item to ensure its conservation, longevity and ability to be enjoyed by future generations.
- Creating a heritage tourism precinct that will expand the diversity of land uses and activation of the lower end of Sydney's financial district.
- Providing a luxury 5/6 star hotel to meet expected growth in hotel demand from domestic and international visitors.
- Minimizing the consumption of resources whilst providing a space which will ensure the comfort and enjoyment of occupants into the future. This includes ensuring a lower demand for resources than a standard practice development by introducing several best practice energy and water conservation measures.
- Implementing safeguards and management measures to protect environmental values

The proposal has integrated short and long-term social, financial and environmental considerations so that any foreseeable impacts are not left to be addressed by future generations. Issues with potential long term implications such as waste disposal would be avoided and/or minimised through construction planning and the application of safeguards and management measures described in this EIS and the appended technical reports.

Conservation of biological diversity and ecological integrity

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration. This EIS has demonstrated that the proposal will not have any significant effect on the biological diversity and ecological integrity of the site and surrounding area. The potential impacts associated with development identified in the expert consultant reports (see **Section 5.0**), particularly those associated with future construction, are able to be mitigated, and will be subject to further assessment in the Stage 2 Detailed DA. The granting of a BDAR Waiver (**Appendix T**) confirms that the proposal will have no significant impact on biological diversity.

Improved valuation, pricing and incentive mechanisms

The principles of improved valuation and pricing of environmental resources requires consideration of all environmental resources which may be affected by a proposal, including air, water, land and living things. Mitigation measures for avoiding, reusing, recycling and managing waste during construction and operation would be implemented to ensure resources are used responsibly in the first instance.

Additional measures will be implemented to ensure no environmental resources in the locality are adversely impacted during the construction or operational phases.

9.0 Conclusion

This EIS has been prepared to consider the environmental, social and economic impacts of the proposed Stage 1 Concept SSD DA for 50-52 Phillip Street, Sydney. The EIS has addressed the issues outlined in the SEARs (**Appendix A**) and accords with Schedule 2 of the EP&A Regulation

Having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The proposal rejuvenates an underutilised Government-owned heritage building, promoting the orderly and economic use of land in Central Sydney.
- The proposed building envelope responds to the prevailing built form of the locality and will contribute to the ongoing revitalisation of the Bridge Street heritage precinct.
- The proposal maintains solar access to the Royal Botanic Gardens and the Domain and will make a positive contribution to the eastern CBD skyline.
- The cantilevered tower envelope provides generous setbacks and vertical separation which retain the heritage building's legibility and visual prominence.
- The proposal has an acceptable visual and heritage impact on the site and surrounding heritage precinct.
- The adaptive use of the heritage building as a hotel will activate Phillip Street and Phillip Lane.
- The proposal achieves a high level of residential and environmental amenity.
- A competitive design process will be undertaken to ensure a high-quality design is adopted for the Stage 2 SSD DA.
- A new 5/6 star luxury hotel will be provided in a highly accessible location to meet increasing luxury hotel demand.
- The development is adequately serviced with sufficient infrastructure and capacity located in the vicinity of the site.
- The development is generally consistent with all the relevant strategic policies, environmental planning instruments, plans and guidelines.
- The proposal is consistent with the principles of ecological sustainable development as defined by Schedule 2(7)(4) of the *Environmental Planning and Assessment Regulation 2000*.
- There are no adverse environmental impacts that cannot be appropriately managed by the mitigation measures set out in this EIS.

Given the merits described above, and the significant public benefits of the proposal, the Concept Proposal is justified and supportable in the circumstances and it is recommended that this application be approved.