



12721
1 February 2013

Mr Sam Haddad
Director-General
Department of Planning and Infrastructure
23-33 Bridge Street
SYDNEY NSW 2000

Dear Mr Haddad

**STATE SIGNIFICANT DEVELOPMENT - REQUEST FOR DIRECTOR GENERAL'S REQUIREMENTS
ONE CARRINGTON STREET, SYDNEY**

We are writing on behalf of Brookfield Office Properties (Brookfield), the proponent for the proposed development of One Carrington Street, Sydney (formerly referred to as the CityOne development).

On 3 April 2012, the Planning Assessment Commission, as delegate of the Minister for Planning, granted Concept Approval to MP 09_0076 for Thakral Holding's 'CityOne development', comprising the upgrade of the eastern access ways to Wynyard Station, and retail and commercial development. A copy of the Concept Approval has been attached for information purposes.

Brookfield has since acquired Thakral Holdings and is now looking to obtain development consent for the detailed design and construction of the CityOne development under Concept Approval MP 09_0076. As the proposal is for the purposes of development of a commercial premises and public transport interchange associated with railway infrastructure that has a capital investment value in excess of \$30 million it is State Significant Development (SSD) for the purposes of *the Environmental Planning and Assessment Act 1979* (the Act).

The purpose of this letter is therefore to request the Director-General's Requirements (DGRs) for the preparation of an Environmental Impact Statement (EIS) for the first stage of the proposed development which relates to the part of the site to the east of the western boundary of Carrington Street. To support the request for the DGRs this letter provides an overview of the proposed development, sets out the statutory context, and identifies the key likely environmental and planning issues associated with the proposal.

1.0 THE SITE

The Concept Plan site is generally referred to as the land between George and York Streets including Thakral House, the Menzies Hotel, Shell House, Wynyard Park, strata above and below Wynyard Lane and strata underneath Carrington Street, York Street and Wynyard Park, Sydney. 'Stage 1' of the development, the subject of this request, relates to all of the Concept Plan site located to the east of the eastern boundary of Carrington Street. A future application will be prepared for 'Stage 2', which relates to the land west of, and under, Carrington Street.

The legal description and ownership of each allotment which comprises the development site is detailed in **Table 1** below and illustrated on **Figures 1** and **2**. RailCorp, Wynyard Properties Holdings Limited (a subsidiary of Brookfield) own land which comprises the development site.

Table 1 – Development site

Site/lot "name"	Development Site Area*	Owner	Description
Stage 1 – East of Carrington Street (Subject Site)			
Former Shell House <i>Lot 10, DP 595978</i>	1038 m ²	THL Wynyard Centre Pty Limited (now known as Sovereign Wynyard Centre Limited)	An 11 storey commercial office building built in 1938. In 1979 was converted to hotel rooms as an extension of the Menzies Hotel. Shell House is a listed heritage item in the Sydney LEP.
The Menzies Hotel <i>Lot 1, DP 853331</i>	1462 m ²	RailCorp - Occupied by Brookfield subject to the Wynyard Centre Lease.	A 14 storey hotel, completed in 1963. It provides no direct public access to the Station or retail levels that pass beneath it.
Thakral House <i>Lot 2, DP 853331</i>	1257 m ²	RailCorp - Occupied by Brookfield subject to the Wynyard Centre Lease.	A 13 storey commercial office building completed in 1962, with retail space on the ground and first basement levels.
Wynyard Lane (stratum lots above and below road level) <i>Lot 4, DP 853331</i>	275 m ²	RailCorp - Occupied by Brookfield subject to the Wynyard Centre Lease. Crown land below RailCorp stratum	Stratum lot that runs above Wynyard Lane between Thakral House and the Menzies Hotel. Also includes stratum lots below Wynyard Lane.
Subtotal	4032 m²		
Stage 2 – West of and including Carrington Street (Future Application)			
Concourse under Carrington Street <i>Lot 5, DP 853331</i>	1141 m ²	RailCorp	Stratum lots at concourse area
Concourse under Wynyard Park <i>Lot 6, DP 853331</i>	2923 m ²	RailCorp - Occupied by Thakral subject to the Wynyard Centre Lease.	Stratum lots at concourse area.
Concourse under York Street <i>Rail Plan 1024-41-781</i>	3028 m ²	RailCorp	Stratum lots at concourse area
Wynyard Park	Same as Lot 6, DP 853331 (already included in site area)	RailCorp / Crown Land	The portion of the lot located above Lot 6, DP 853331 that includes a triangular urban park and access points to Wynyard Station. Wynyard Park is a listed heritage item in the Sydney LEP.
Subtotal	7092 m²		
TOTAL AREA	11,124 m²		



Figure 1 – Aerial photograph of the site

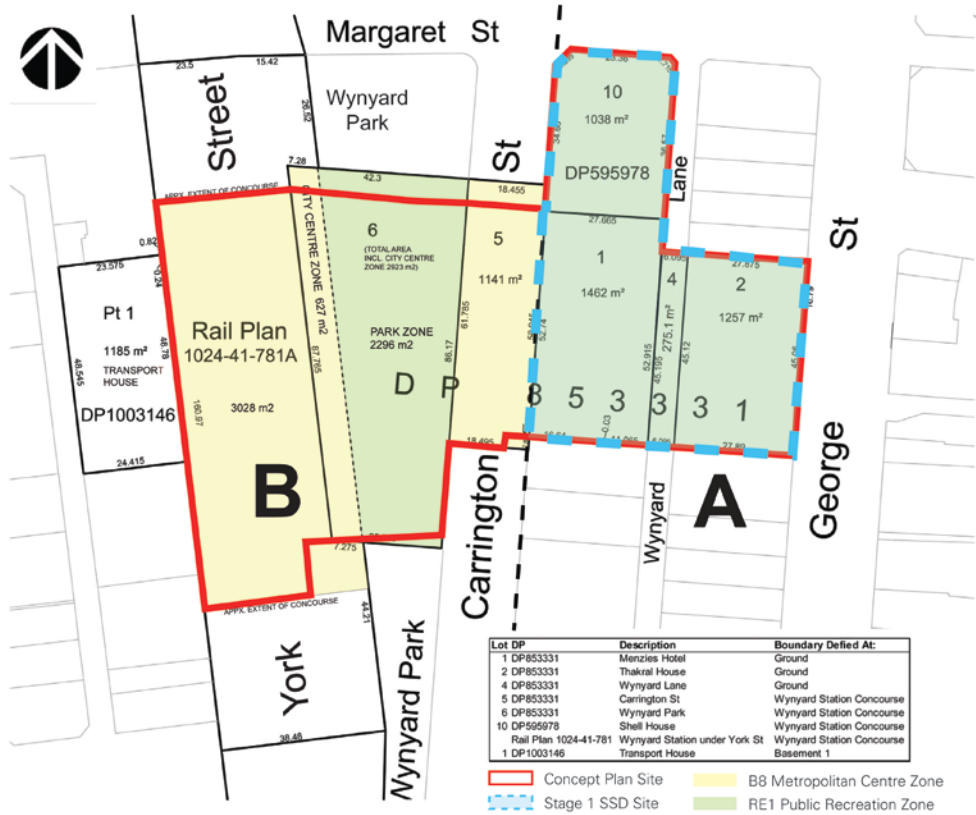


Figure 2 – Development Site

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The SSD application will seek consent for a development generally in accordance with the Concept Approval for the portion of the Concept Plan site to the east of the eastern boundary of Carrington Street, specifically it will include:

- upgrade of the eastern access ways to Wynyard Station including retail areas and concourse layout;
- construction and use of a commercial building within the indicative Concept Plan envelope on the land between Carrington Street and George Street;
- use of the site for a mixed use development including commercial offices, business premises, shops, general retail food and drink premises, health/medical centre, public amenities, transport facilities, and tenant parking; and
- development of former Shell House including refurbishments for the purpose of commercial and retail use.

The approved concept drawings, illustrating the scope of the future development, have been provided for information purposes.

In accordance with the Concept Approval, Brookfield intend to hold a design competition process for the portion of the site to the east of Carrington Street at the George Street level and above. The design competition will follow the 'invited design alternatives process' in accordance with the City of Sydney Competitive Design Policy, and the brief for the process will incorporate the design aspects set out in the Concept Approval. The architect selected from the design alternatives process will then be responsible for the design of the future development.

3.0 PLANNING CONTEXT

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

The State Environmental Planning Policy (State and Regional Development) 2011 identifies development which is declared to be State Significant. Clause 19 of Schedule 1 of the Policy provides that:

“(2) Development within a rail corridor or associated with railway infrastructure that has a capital investment value of more than \$30 million for any of the following purposes:

- (a) commercial premises or residential accommodation,*
- (b) container packing, storage or examination facilities,*
- (c) public transport interchanges.”.*

As the proposal is for the purposes of development of a commercial premises and public transport interchange associated with railway infrastructure that has a Capital Investment Value well in excess of \$30 million, it is considered to be a SSD.

3.2 Environmental Planning and Assessment Act 1979

The Act establishes the assessment framework for SSD. Under Section 89D of the Act the Minister for Planning and Infrastructure is the consent authority for SSD. Section 78A(8A) requires that a development application for SSD is to be accompanied by an Environmental Impact Statement (EIS) in the form prescribed by the Regulations.

3.3 Concept Approval (MP 09_0076)

On 3 April 2012, Concept Approval under Section 750 of Part 3A of the Act was granted by the Planning Assessment Commission, as delegate of the Minister for Planning, for MP 09_007.

Despite being repealed, Part 3A continues to apply to certain projects subject to the transitional provisions identified in Schedule 6A of the Act. Clause 3B of Schedule 6A applies to any future development subject to Part 4 of the Act for which a concept plan has been approved under Part 3A. Relevantly, under the Clause 3B:

- any development standard that is within the terms of the approval of the concept plan has effect;
- a consent authority must not grant consent for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan; and
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan.

In light of the above, the Concept Approval provides the key planning framework for the future development of the site. The Concept Approval provides the following:

- the building envelopes (above and below ground) including a maximum height, podium height and building setbacks;
- a maximum Floor Space Area (FSA) of:
 - 79,370m² - the section of the site being development located east of Carrington Street; and
 - 5,926m² - the section of the site being development located west of Carrington Street (excluding the paid ticket area and platform areas).
- use of the site for a mixed use development including commercial offices, business premises, shops, general retail food and drink premises, health/medical centre, public amenities, transport facilities, and tenant car parking;
- a maximum of 81 tenant car parking spaces and the requirement to provide bicycle parking and end of trip facilities at a rate of 1 space per every 100 people working in the commercial building;
- performance specifications for the Wynyard station unpaid concourse east of the eastern alignment of Carrington Street;
- design criteria to guide the future detailed design stages of the development east of Carrington Street; and
- design principles for future upgrades to Wynyard Park, the commercial tower and transit hall.

Condition A6 of the Concept Approval requires the applicant to provide the Director-General of the Department of Planning and Infrastructure, with evidence that it has entered into a Voluntary Planning Agreement (VPA) with Transport for NSW consistent with the terms outlined in the Concept Plan. Brookfield intend to commence discussions with Transport for NSW in relation to the VPA as soon as possible.

3.4 Sydney LEP 2012 and DCP 2012

At the time of the Concept Approval, Sydney Local Environmental Plan 2005 (LEP 2005) and the Central Sydney Development Control Plan 1996 applied to the development. In December 2012, Sydney LEP 2012 was gazetted, repealing LEP 2005. Concurrent to the gazettal of LEP 2012, DCP 1996 was repealed and DCP 2012 adopted. Whilst the Concept Plan provides the key planning framework for the site, LEP 2012 and DCP 2012 still have effect to the extent to which they are

consistent with the terms of the approval of the concept plan and will need to be considered where relevant as part of the detailed design.

3.5 Other Planning Policies

In addition to the above, the following policies apply to the site and will need to be considered as part of the SSD application:

- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (Infrastructure) 2007; and
- City of Sydney Competitive Design Policy.

4.0 OVERVIEW OF LIKELY ENVIRONMENTAL AND PLANNING ISSUES

A number of environmental impacts and planning issues, such as land uses, height, overshadowing, density, setbacks, development contributions and traffic generation, which would usually be considered as part of a DA were addressed as part of the Concept Plan Environmental Assessment. Accordingly, these matters do not require any further assessment as part of the future SSD application.

In determining the Concept Approval, pursuant to section 75P(2)(c) of the Act, Schedule 3 of the Concept Approval sets out specific further environmental assessment requirements that apply to future applications on the site. The requirements set out in Schedule 3 require further information / assessment in relation to:

- Design Excellence
- Detailed Pedestrian Modelling
- Wynyard Lane
- Construction Management
- Staging of Development
- Continuity of Services
- Workplace Travel Plan
- ESD
- Heritage
- Sydney Airport
- No Additional Overshadowing to GPO Building

The SSD application will therefore need to address the above matters as set out in Schedule 3 of the Concept Approval as they relate to the future development to the east of the eastern boundary of Carrington Street. In addition, the future SSD application will also need to address the relevant:

- Statement of Commitments;
- performance specifications for the Wynyard station unpaid concourse east of the eastern alignment of Carrington Street;
- design criteria to guide the future detailed design stages of the development east of Carrington Street;
- design principles for the commercial tower; and
- planning issues associated with the detailed design of the development.

5.0 CONCLUSION

The purpose of this letter is to request the DGRs for the preparation of an EIS for the development of One Carrington Street in accordance with Concept Approval MP 09_0076. As the project will involve detailed discussions with other government agencies, most notably RailCorp and Transport for NSW, it may also be appropriate for the Department to appoint a Project Manager within the Department to assist with inter-agency co-ordination.

The development will revitalise the Wynyard precinct by contributing to a world class station and transport interchange and deliver a new landmark commercial building.

We trust that the information detailed in this letter is sufficient to enable the Director-General to issue the DGRs for the preparation of the EIS. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or jbindon@jbaplanning.com.au.

Yours faithfully



Julie Bindon
Director

Enc.

Attachment A - Concept Approval MP 09_0076

Attachment B - Concept Plan Drawings prepared by HASSELL