



DEXUS

PROPERTY GROUP

15 March 2017

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Sydney NSW 2000

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Dear Sir / Madam

Owners Consent: Development Application State - Environmental Impact Statement ("Application")
201 Elizabeth Street, Sydney ("Premises")

Perpetual Trustee Company Limited (PTCL) as registered co-proprietor of the Premises consents City of Sydney & JBA Urban Planning Consultants Pty Ltd submitting the attached Application in respect of Environmental Impact Statement at the premises.

This consent is given on the basis that PTCL will not be responsible for:

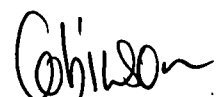
- Any work to be carried out to the Premises as a result of or in connection with the Application;
- Any Statutory approvals, all laws and requirements of Authority required by the tenant;
- Any work required to be carried out to the Premises which is properly the responsibility of the applicant because of the applicant's particular use of the property; and
- Any costs associated with the Application (which shall be payable by the applicant).

SIGNED for and on behalf of
Perpetual Trustee Company Limited
(ABN 42 000 001 007) in its capacity as
Custodian for the DOT Commercial Trust
by its duly authorised attorneys
under power of attorney
dated 1 September 2015
in the presence of:



Signature of Attorney

CLAIRE LOUISE ELIZABETH HASHMAN
Name of Attorney



Signature of Witness
Grace Robinson

Name of Witness



Signature of Attorney

DEAN JAMES KRZEMIEN

Name of Attorney

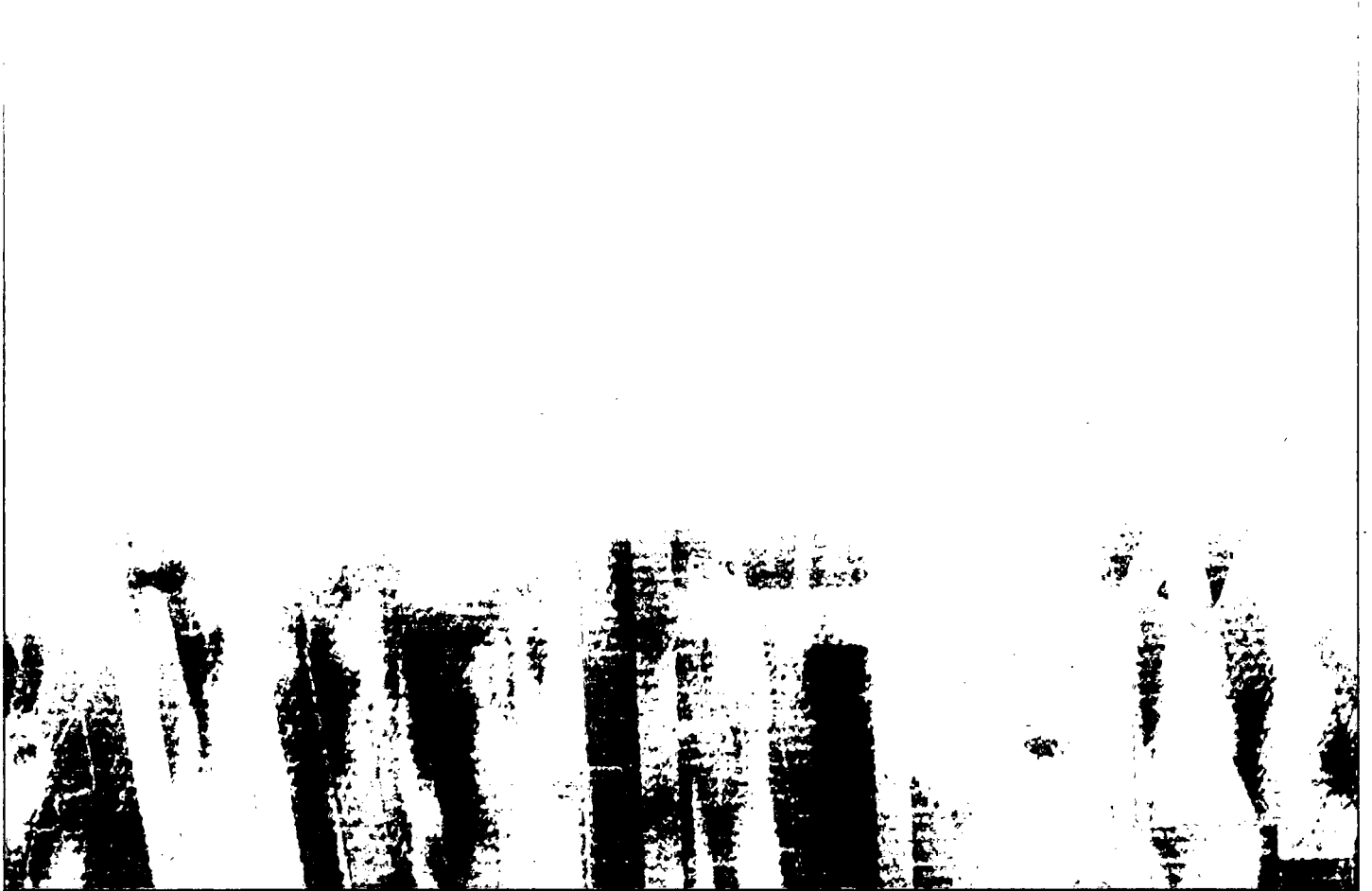


State Significant Development Application Environmental Impact Statement

201 Elizabeth Street, Sydney

SSD 8105: Stage 1 SSDA for mixed use development

Submitted to City of Sydney (as delegate for the Minister of Planning)
On Behalf of Dexus

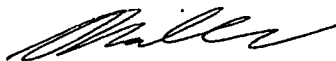


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JBA operates under a Quality Management System. This report has been prepared and reviewed in accordance with that system. If the report is not signed below, it is a preliminary draft.

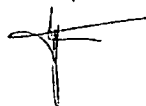
This report has been prepared by:



Samantha Miller

9/03/2017

This report has been reviewed by:



Andrew Duggan

9/03/2017

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- Instrument of Delegation
- Quantity Surveyor Report
- Physical Model
- Electronic Model

Statement of Validity

Development Application Details

Applicant name	DEXUS Funds Management Limited as Trustee for DOT Commercial Trust AND Perron Investments Pty Ltd
Applicant address	Level 25, 264 George Street, Sydney
Land to be developed	201-217 Elizabeth Street, Sydney
Proposed development	Stage 1 SSDA for mixed use redevelopment including hotel, retail and residential uses as described in Section 3.0 of this Environmental Impact Statement

Prepared by

Name	Samantha Miller
Qualifications	BPlan (Hons) MEnvMgmt
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

Samantha Miller

Date

9/03/2017

Executive Summary

Purpose of this Report

This Environmental Impact Statement (EIS) has been prepared in support of a Stage 1 State Significant Development Application (SSDA) for the redevelopment of 201 Elizabeth Street, Sydney.

The project which includes tourist and visitor accommodation with a Capital Investment Value of \$201,000,000 is declared State Significant Development (SSD) in accordance with item 13(2) in Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011*.

A request for the issue of Secretary's Environmental Assessment Requirements (SEARs) was sought on 16 November 2016. Accordingly, the SEARs were issued on 16 December 2016. This submission is in accordance with the Department's guidelines for SSD applications lodged under Part 4 of the *Environmental Planning and Assessment Act* (EP&A Act), and addresses the issues raised in the SEARs.

Overview of the Project

This SSDA seeks approval for the staged redevelopment of 201 Elizabeth Street, Sydney. This application – Stage 1 – relates to the concept approval for the construction and use of a 50 storey (RL198.22) mixed use building providing a 5 star hotel (within the podium levels), lower ground, ground and mezzanine retail, tower with residential apartments, four levels of basement parking, and pedestrian connection to Museum Station and potential connection to the future Pitt Street North Metro Station.

This Stage 1 SSDA seeks to establish a building envelope on the site that facilitates a potential GFA of 59,545m² and a FSR of 15.26:1, comprising:

- Retail GFA: 4,900m² (8%);
- Hotel GFA: 26,655m² (45%); and
- Residential GFA: 27,990m² (47%).

A photomontage of the building envelope is presented in **Figure 1** below.



Figure 1 – Photomontage
Source: Virtual Ideas

The Site

The site is located at 201-217 Elizabeth Street, Sydney (the site). The site has a street frontage to Castlereagh Street, Park Street and Elizabeth Street, and is situated on the eastern boarder of the Sydney CBD adjacent to Hyde Park. The site is a key gateway to the Sydney CBD from the east and the existing 38 storey commercial office building is a prominent feature of the Sydney CBD skyline.

Planning Context

Section 5.0 of the EIS considers all applicable legislation in detail. The proposal is consistent with the requirements of all relevant SEPPs. The site is zoned B8 Metropolitan Centre under the *Sydney Local Environmental Plan 2012* (SLEP 2012). The proposed land uses are permissible with consent and meet the objectives of the subject zone.

This SSDA is a staged DA made pursuant to Section 83 of the EP&A Act and clause 7.20 of the SLEP 2012. The Stage 1 SSDA sets the development principles for the site, land uses, and the building envelopment. A future separate Stage 2 SSDA will be lodged for the demolition of the existing building, detailed design and construction of the development, following the completion of a competitive design process held in accordance with the *City of Sydney Competitive Design Policy 2012*.

The Minister for Planning has delegated the assessment of this Stage 1 SSDA to the City of Sydney. The Minister has delegated the consent authority for the SSDA to the Central Sydney Planning Committee.

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 Dexu to manage and minimise potential impacts arising from the development. The key environmental impacts include:

- Compliance with strategic and statutory plans;
- Design excellence;
- Built form and urban design;
- Overshadowing of Hyde Park;
- Streetscape and public domain;
- Residential amenity;
- Transport and access;
- Public views;
- Wind impact;
- Acoustic impact;
- Impact on neighbouring properties;
- Impact on existing and future rail corridors;
- Heritage conservation;
- Waste management;
- Contamination;
- Stormwater and drainage;
- Environmentally sustainable development;
- Infrastructure provision; and
- Construction management.

These issues are addressed in **Section 5** of this EIS. Mitigation measures, as required, are set out in **Section 6** and **Section 7** of the EIS. A number of potential impacts will be resolved and managed as part of the design competition and Stage 2 SSDA for the detailed building design and construction.

Conclusion and Justification

The EIS addresses the SEARs, demonstrates that the potential impacts of the development are acceptable and are able to be managed. Given the planning merits of the proposal, the proposed development warrants approval.

1.0 Introduction

This Environmental Impact Statement (EIS) is submitted to the City of Sydney (as delegate of the Minister for Planning) (Council) pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in support of a State Significant Development Application (SSDA) at 201 Elizabeth Street, Sydney (the site).

This SSDA is a staged development application made under section 83B of the EP&A Act. It seeks approval for the concept proposal for the entire site. More specifically this staged DA includes establishing land uses, gross floor area, building envelopes, and associated car parking provision.

Development for cultural, recreation and tourist facilities with a capital investment value (CIV) of more than \$100 million is State Significant Development (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) 2010* (SRD SEPP). The proposed development includes tourist and visitor accommodation with a CIV of \$201,000,000 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 are also declared SSD.

This EIS has been prepared by JBA on behalf of Dexus, and is based on the Building Envelope Plans provided by FJMT (see **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 Secretary's Environmental Assessment Requirements (SEARs) for the preparation of the EIS, which are included at **Appendix A**. The supporting information and plans appended to and accompanying this report form part of the EIS.

1.1 Overview of Proposed Development

The proposal relates to a Staged SSDA submitted in accordance with Clause 7.20 of the *Sydney Local Environmental Plan 2012* (SLEP 2012) and Section 83A and 83D of the EP&A Act. The Staged SSDA proposes the demolition of the existing commercial building at 201 Elizabeth Street and construction of a mixed use development comprising hotel, retail and residential uses.

The Stage 1 SSDA (this application) seeks consent for:

- Concept approval for the construction of a new 50 storey development including:
 - 350 room 5-star hotel and function centre;
 - Residential apartment tower;
 - Ground, lower ground and mezzanine retail;
 - Four levels of basement parking including loading and services provisions;
- Establishment of a building envelope capable of facilitating a total gross floor area (GFA) of 59,545m², comprising:
 - Hotel: 26,655m²;
 - Residential: 27,990m²; and
 - Retail: 4,900m²; and
- Pedestrian connection to Museum Station and potential connection to the future Pitt Street North Sydney Metro Station.

A future separate Stage 2 SSDA will be lodged for the demolition of the existing building, detailed design and construction of the development, following the completion of a competitive design process held in accordance with the *City of Sydney Competitive Design Policy 2012*.

1.2 Background to the Development

The design development for the project has been the subject of extensive consultation with Council officers and the City of Sydney Design Advisory Panel (DAP). Dexu and FJMT have presented a number of alternatives schemes for the site at a series of workshop meetings.

Solutions to address the sun access plane controls under the SLEP 2012 were discussed in detail with Council officers at these meetings, in particular, the opportunities to utilise the exceptions to the sun access plane controls permitted under clause 6.18 of SLEP 2012. The proposed mix of residential and non-residential floor space was also discussed with Council officers.

On 8 March 2016, two preliminary development schemes were presented to the DAP. The schemes reflected two alternative massing options, maximising the permissible floor space on the site, in a shorter wider tower form distributed across the site, and a taller slimline tower form in the northern portion of the site. The DAP observed that the northern, taller tower form appeared to have a preferable shadow outcome. It is noted that, these schemes did not reflect the final building envelope that is being submitted as part of this Stage 1 SSDA.

The DAP noted Hyde Park and the Anzac Memorial's national significance and the importance for the proposal to improve the existing tower and minimise overshadowing on the Hyde Park, the Anzac War Memorial and its stain glass windows. Based on what was presented, the DAP noted that the taller northern tower option appeared to have lesser overshadowing impacts on Hyde Park and the Anzac Memorial, and that both options provide improvements from the existing conditions.

Further design development, taking into consideration the feedback from the DAP and Council officers, has led to the development being sought by this application. Dexu have subsequently met with both the City of Sydney and the Department of Planning and Environment to discuss the opportunities for the site to provide a substantial 5 star hotel as well as residential apartments.

1.3 Objectives of the Development

The objectives of this Stage 1 SSDA are to:

- Provide a world class redevelopment on a prominent Sydney CBD block;
- Significantly reduce the overshadowing impact on Hyde Park caused by the existing building at 201 Elizabeth Street;
- Improve the existing pedestrian environment within the site and facilitate pedestrian connections to Museum Station and the future Pitt Street North Metro Station; and
- Deliver a 5 star hotel in a premier location with direct railway connection to Sydney International and Domestic Airports to contribute to and support Sydney's tourist economy.

1.4 Analysis of Alternatives

1.4.1 Do Nothing

Dexu has reviewed the existing commercial asset of 201 Elizabeth Street. The building currently provides B-grade commercial office space however the building is becoming less able to meet the needs of today's office workers. The existing building casts a significant shadow on Hyde Park and has been identified in the planning framework as a desirable redevelopment site. The current development does not create a pedestrian-friendly environment with potential pedestrian/vehicle conflicts on Castlereagh Street and connections to Museum Station are in need of updating (See **Section 2.2** for further details). Given the opportunities that redevelopment of the site offers, the Do Nothing option has not been considered any further.

1.4.2 Development Options

The proponent has investigated a number of development options in alternative to the 'Do Nothing' option above. The four options that have been explored include:

- Option 1: Retention of the existing tower form and refurbishment for residential and retail uses (approximately 85-90% residential).
- Option 2: Redevelop the site in accordance with the Hyde Park West sun access plane and transfer any unutilised floor space to a potential redevelopment site elsewhere in the CBD (as contemplated by the draft Central Sydney Planning Strategy).
- Option 2: A new mixed use residential, commercial and retail central tower form (approximately 75% residential) that results in a 50% reduction in the existing overshadowing.
- Option 4: A new mixed use residential, hotel and retail northern tower form (approximately 50% residential) that results in a 50% reduction in the existing overshadowing.

The analysis of each option is set out below.

Option 1: Retention and refurbishment of existing tower

The existing building could be refurbished and upgraded for residential uses. The massing for Option 1 is shown at **Figure 2**. This option would likely achieve the commercial goals of the project however would not result in an improvement to solar access to Hyde Park. The refurbishment may be able to achieve an improved public domain outcome however this option was not advanced as it would not result in an improved solar access outcome for the precinct.

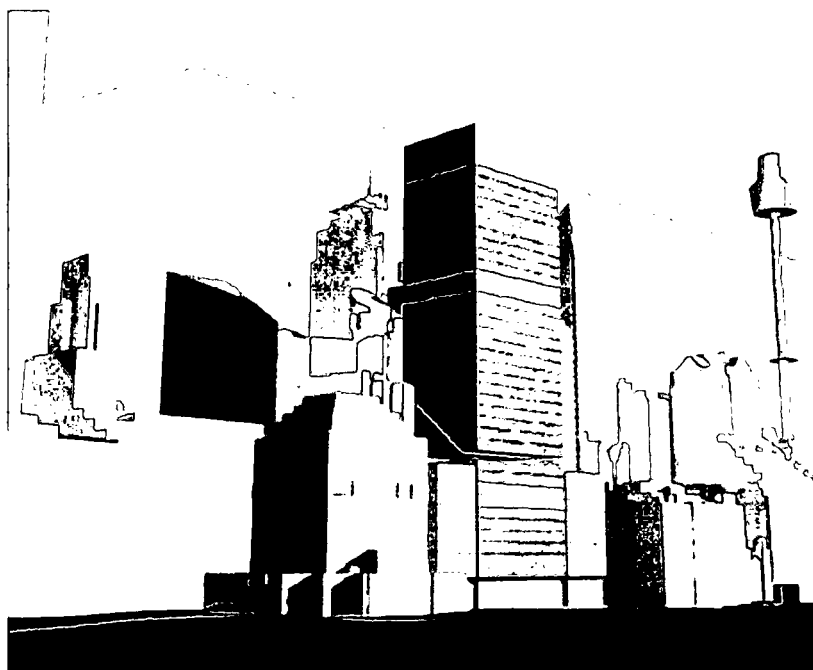


Figure 2 – Option 1 massing – refurbishment of existing building
Source: FJMT

Option 2: Redevelopment in accordance with the Hyde Park West sun access plane

As part of ongoing discussions with Council officers, Dexu were requested to consider opportunities to redevelop the site in accordance with the Hyde Park West sun access plane and transfer any unutilised floor space to a potential redevelopment site elsewhere in the CBD. In response to this feedback, Dexu analysed the potential to

transfer floor space from the site to an alternative redevelopment site as contemplated by the draft Central Sydney Planning Strategy. However, the result of the analysis demonstrated that this did not present a feasible development opportunity and that it would be financially more viable to retain and refurbish the existing building at 201 Elizabeth Street. Therefore Dexus have chosen to advance an application for the redevelopment of the site that is both financially viable and results in the public benefits of reduced overshadowing, improved pedestrian connections and high quality design and sustainability standards.

Option 3: Redevelopment as a mixed use site with a central tower

Through the design development of the project, preliminary schemes for a central tower have been investigated for the site (see massing at **Figure 3**). The preliminary investigations of a central tower options included a land use mix of approximately 80% residential and 20% commercial and retail uses. A hotel use was not found to be suitable with the central tower as the location of lift cores and building structure would interrupt the layout and operation of a hotel within the podium. Although this option would result in both a financially viable development scenario, a significant reduction in overshadowing and the opportunity to improve the public domain, it is considered that a central tower form is less preferable from an urban design perspective. The central tower option does not result in the same gateway setting that a north tower achieves and the north tower has greater opportunity to minimise overshadowing. Further, the central tower would result in a less preferable podium floorplate, with tower cores plunging through the centre of each level.

Dexus have not pursued the central tower option in response to the release of the draft Central Sydney Planning Strategy. Although the Strategy reinforces the need to improve solar access to Hyde Park, the Strategy also identifies the greater need for hotel uses within the CBD and has recommended that residential uses do not exceed 50% of any new development within Central Sydney.

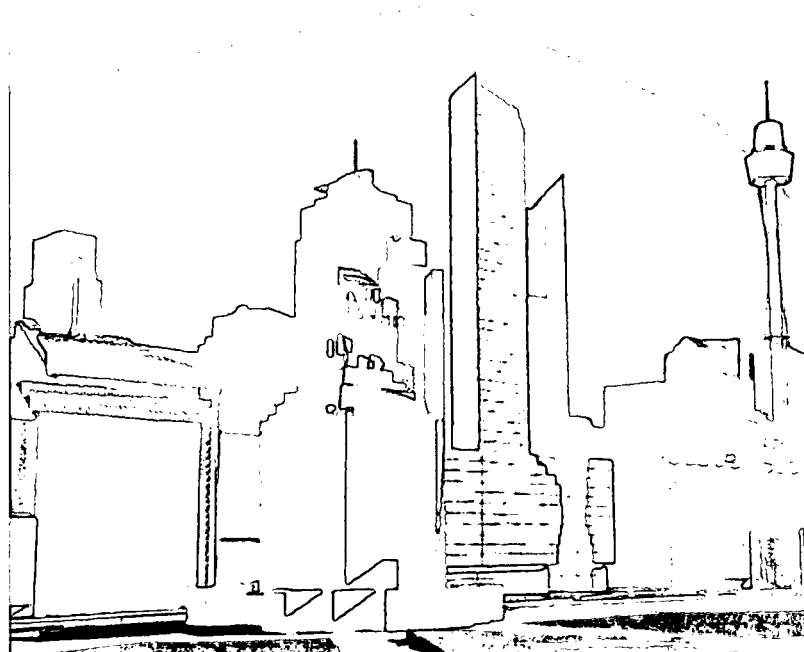


Figure 3 – Option 3 massing – central tower form
Source: FJMT

Option 4: Redevelopment as a mixed use site with a northern tower

Dexus have investigated an alternative built form and land use mix to that of the central tower outlined in Option 3 above. The northern tower form has been discussed in preliminary design stages with the DAP. The northern tower option continues to provide the improvements in solar access to Hyde Park that the central option offers, however

this built form results in a preferable urban design outcome for the site (see massing at **Figure 4**). The siting of the tower in the northern portion of the site maximises the opportunity the site provides as a gateway to the CBD from the east. Further, the northern tower option, in comparison to the central tower option, allows for a greater view of sky and the separation of CBD towers, especially when viewed from Oxford Street (see Design Report at **Appendix D**). This building form also results in a more desirable floor plate and the opportunity for hotel uses.

Through design development, as a direct response to the Central Sydney Planning Strategy, this option provides a reduced residential land use split (47%) and will reduce the shortage of hotel rooms in the Sydney CBD and supporting employment and the CBD, whilst continuing to prioritise solar access to Hyde Park. This option is considered the preferable option for the site and has therefore formed the basis of this Stage 1 SSDA.

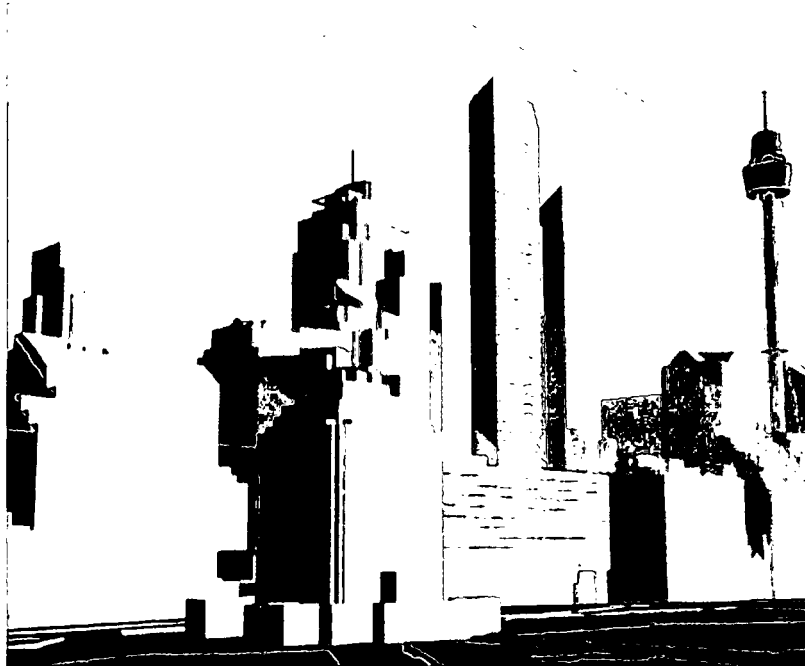


Figure 4 – Option 4 massing – north tower form
Source: FJMT

1.5 Capital Investment Value

In accordance with the definition provided within the *Environmental Planning & Assessment Regulation 2000*, the capital investment value (CIV) of the proposed development is \$426,000,000 (exc GST) A QS Report is submitted under separate cover to this EIS. As provided in the QS Report, the CIV of the hotel component of the development is \$201,000,000.

1.6 Secretary's Environmental Assessment Requirements

In accordance with section 89G of the EP&A Act, the Secretary of the Department of Planning and Environment issued the requirements for the preparation of the EIS on 16 December 2016. A copy of the 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 Environmental Assessment 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 issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development.	Section 6.0	
Where relevant, the assessment of the key issues below, and any other significant issues identified in the assessment, must include: ▪ Adequate baseline data. ▪ Consideration of potential cumulative impacts due to other development in the vicinity. ▪ Measures to avoid, minimise, and if necessary, offset the predicted impacts, including detailed contingency plans for managing significant risks to the environment.		
The EIS must be accompanied by a report from a qualified quantity surveyor providing: ▪ A detailed calculation of the capital investment value (as defined in clause 3 of the Environmental Planning and Assessment Regulation 2000) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. ▪ An estimate of the jobs that will be created by the development (construction and operation). ▪ Certification that the information provided is accurate at the date of preparation.	Under separate cover	
Key Issues	Report / EIS	Technical Study
1) Environmental Planning Instruments, Policies & Guidelines ▪ Address the relevant statutory provisions applying to the site, contained in the relevant EPis, including: – <i>State Environmental Planning Policy (State and Regional Development) 2011</i>; – <i>State Environmental Planning Policy 55 - Remediation of Land</i>; – <i>State Environmental Planning Policy (Infrastructure) 2007</i>; – <i>State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development</i> (including updated Apartment Design Guideline); – <i>State Environmental Planning Policy (Building Sustainability Index - BASIX) 2004</i>; – Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; – <i>Sydney Local Environmental Plan 2012</i>; – <i>Sydney Development Control Plan 2012</i>; and – <i>Draft Central Sydney Planning Strategy 2016</i>. ▪ Address the relevant provisions, goals and objectives in the following:	Section 5.3 Section 5.4	N/A

Requirement	Location in	Environmental Assessment
– NSW State Priorities; – Plan for Growing Sydney; – Draft Sydney City Sub-Regional Strategy; – NSW Long Term Master Transport Plan; – Sydney's Buses Future; – Sydney's Light Rail Future; – Sydney's Cycling Future; – Sydney's Walking Future; – Sustainable Sydney 2030 (the City of Sydney); and – Sydney City Centre Access Strategy.		
2) Land Use and GFA Provision of a table and GFA plans identifying the building's different land uses, including a floor by floor breakdown of GFA, total GFA and site coverage.	Section 3.2 Section 3.3 Section 5.5	Appendix C Appendix D
3) Design Excellence, Built Form and Urban Design ▪ Outline the design process leading to the proposal and justify the suitability of the site for the proposal. ▪ Demonstrate how the proposal achieves design excellence with specific consideration to the site's character, its layout, setbacks, amenity, views and vistas, open spaces and public domain, connectivity and street activation. ▪ Address the height, bulk and scale of the proposal development within the context of the locality and its surrounds. ▪ Analyse the extent of any proposed departures from the SLEP 2012 standards with regard to height, density, bulk and scale on existing buildings within the site, surrounding development and the streetscape.	Section 1.2 Section 1.4 Section 5.2 Section 5.5 Section 5.6 Section 5.7 Section 5.8 Section 5.9 Section 5.10	Appendix I Appendix D
4) Amenity ▪ Outline and address amenity for future occupants and amenity impacts to the surrounding area in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, and safety and security. ▪ Undertake a detailed overshadowing analysis accompanied by hourly shadow diagrams, in accordance with the Sydney LEP sun access plane, particularly in relation to potential overshadowing to Hyde Park. ▪ Prepare a wind effects report.	Section 5.7 Section 5.9 Section 5.10 Section 5.12 Section 5.13 Section 5.14 Section 5.15	Appendix D Appendix F Appendix L
5) Visual and View Impacts ▪ Identify important sight lines and visual connectivity to and through the site. ▪ A visual impact and view loss assessment is to be provided to identify the visual changes and impacts on the site and its surrounds when viewed from key vantage points (see plan and documents section). This should include, but not be limited to: – Sydney Harbour; – the Sydney CBD (a range of views from points along the north-south and east-west spine of the CBD; and – affected surrounding properties	Section 2.1 Section 5.10 Section 5.15	Appendix D Appendix G
6) Ecologically Sustainable Development ▪ Detail how ESD principles (as defined in clause 7(4) Schedule 2 of the EP&A Regulation 2000) will be incorporated in the design, construction and ongoing phases of the development. ▪ Outline resource, energy and water efficiency initiatives, including the use of sustainable technologies and/or renewable energy.	Section 5.22 Section 8.3	Appendix M
7) Public Domain and Public Access ▪ Identify proposed open space, public domain and linkages with and between other public domain spaces, other streets and lanes. ▪ Detail and outline the interface between the proposed uses and the public domain. ▪ Demonstrate safe, accessible, prioritised pedestrian path of travel at entries and exits to the basement car park	Section 3.6 Section 5.6 Section 5.8 Section 5.11	Appendix D Appendix J

Requirement	Location in Environmental Assessment	Location in Environmental Assessment
8) Transport and Accessibility Impacts ▪ The EIS shall include a Traffic and Transport Impact Assessment that provides, but is not limited to, the following : – current daily and peak hour vehicle, public transport, pedestrian and bicycle movements and existing traffic and transport facilities provided on the road network adjacent to the proposed development; – daily and peak hour trips likely to be generated by the development, including vehicle, public transport, pedestrian and bicycle trips; – an assessment of the existing and future performance of key intersections surrounding the site, and any upgrades (road/intersections) required as a result of the development. This assessment should consider the performance of intersections both with and without the operation of the CBD and South East Light Rail; – an assessment of the operation of existing and future transport networks including the light rail, ferry and bus networks and their ability to accommodate the trips generated by the development; – detail the proposed number of car parking spaces and compliance with appropriate parking codes; – existing public transport services and opportunities to promote public transport use (such as a sustainable travel plan) and sustainable travel initiatives; – pedestrian and cycle connections/circulation and required upgrades to meet the likely future demand within the precinct and connections to the external networks, particularly the cycleway network identified in the Sydney City Centre Access Strategy; – details of the proposed number of bicycle parking spaces and compliance with appropriate standards and the provision of end-of-trip facilities; – assessment of proposed loading dock and servicing provisions and access arrangements to loading docks. The assessment of loading dock provisions and access arrangements should include onsite waste collection, in accordance with the City of Sydney's Policy for Waste Minimisation in New Developments; and – details of access arrangements for emergency and service vehicles (including vehicle type and likely arrival and departure times of service vehicles).	Section 3.6 Section 5.11	Appendix J
9) Infrastructure Provision ▪ Detail the existing infrastructure on site, and identify any possible impacts on infrastructure arising from the construction of the proposed buildings. ▪ Where the proposed works affect existing infrastructure, the application should detail any mitigation works proposed, including service relocations. ▪ Prepare an Infrastructure Management Plan. The applicant shall provide information on the required water and waste water services, electricity and gas and any augmentation of Sydney Water, Sydney Trains, Sydney Light Rail, RMS and Council infrastructure that may be required for the proposed development	Section 3.7 Section 5.24	N/A
10) Interim Rail Corridor ▪ The EIS shall detail the likely effect of the proposal on the. – practicability and cost of carrying out rail expansion projects, including the Sydney Metro City and Southwest project, on the land in the future; – structural integrity or safety of, or ability to operate, such rail projects; and – land acquisition costs and costs of construction, operation or maintenance of such projects.	Section 5.18	Appendix P
11) Water, Drainage, Stormwater and Groundwater ▪ Provide information on the required water and waste water services and any augmentation of Sydney Water infrastructure that may be required for the proposed development.	Section 5.20	Appendix O

Requirement	Location in Environmental Assessment	
Assess impacts on surface and ground water quality and hydrology including proposed management, mitigation and monitoring measures		
12) Heritage - Prepare a heritage impact statement, in accordance with the NSW Heritage Manual guidelines, which identifies: - all heritage items (state and local) within and in the vicinity of the site including built heritage, landscapes and archaeology, and detailed mapping of these items, and why the items and site(s) are of heritage significance; - what impact the proposed works will have on their significance; and - detailed mitigation measures to offset potential impacts on heritage values. - Prepare an archaeological assessment identifying any Aboriginal cultural heritage, European cultural heritage and other archaeological items present on the site, outline any potential impacts on these items and proposed mitigation and conservation measures.	Section 2.5 Section 5.16	Appendix K Appendix R
13) Prescribed Airspace for Sydney Airport Identify any impacts of the proposal on the prescribed airspace for Sydney Airport.	Section 5.25	N/A
14) Staging Details regarding the staging of the proposed development and that of the South East Light Rail	Section 5.26	N/A
15) Consultation - Undertake an appropriate level of consultation with council and State government agencies. - Provide details on the Community Engagement Framework to guide the public consultation process.	Section 4	Appendix I
Consultation	Report	Technical Study
During the preparation of the EIS, you should consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular, you should consult with: - CBD Coordination Office- Transport for NSW. - City of Sydney Council. - EPA. - Office of Heritage and Environment. - Office of Water. - Sydney Water. - Roads and Maritime Services. - Department of Infrastructure and Transport. - Civil Aviation Safety Authority. - Sydney Trains. - Ausgrid. - Sydney Metro. - Local Aboriginal Land Council and stakeholders, if relevant. - Local heritage groups, if relevant. 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.	Section 4	Appendix I

1.7 Consent Authority

The Minister has delegated the powers granted under section 89D of the EP&A Act to the City of Sydney and the Central Sydney Planning Committee. This EIS is submitted to the City of Sydney accordingly. The application will be assessed by the City of Sydney and determined by the Central Sydney Planning Committee. A copy of the Instrument of Delegation is submitted under separate cover.

2.0 Site Analysis

2.1 Site Location and Context

The site is located in the south eastern part of the Sydney CBD in a locality characterised by high rise commercial and residential development (see **Figure 5**). The site is directly opposite the western border of Hyde Park. The eastern boundary of the Sydney CBD is characterised by a range of commercial, residential and hotel uses fronting Hyde Park. On the Elizabeth Street side of Hyde Park development is characterised by predominantly commercial development, whilst development further to the east around Liverpool Street is characterised by high rise residential development to transition to existing residential development in Darlinghurst and along Oxford Street.



Figure 5 – Site location
Source: FJMT

The character of the south eastern part of the CBD is currently in transition, with modern residential and commercial development being developed from older commercial and retail stocks. A number of recent development approvals have also been granted in the vicinity of the site, with the precinct moving towards a mixed use neighbourhood (see **Figure 6**).

Elizabeth Street and Castlereagh Street are both critical north/south bus routes, with Castlereagh and Pitt Street being key pedestrian north/south connections. Park Street is one of the primary east-west links in the southern portion of the CBD, connecting William Street and Kings Cross and the Eastern Suburbs, through the CBD, to Darling Harbour and the Sydney International Convention Centre, Exhibition Centre and Entertainment Centre precinct. The site is located within close proximity to Town Hall Station and future Town Hall Square, Museum Station, as well as the proposed Pitt Street South CBD Metro. The site's locational context is shown at **Figure 6**.

The site acts as a primary eastern gateway to the Sydney CBD. The existing building is prominent in the CBD skyline of the key view corridors to the site from William Street and Kings Cross, as well as Oxford Street across Hyde Park (see **Figure 7 and 8**). The existing development is also an identifiable feature when viewed from Sydney Harbour (see **Figure 9**).

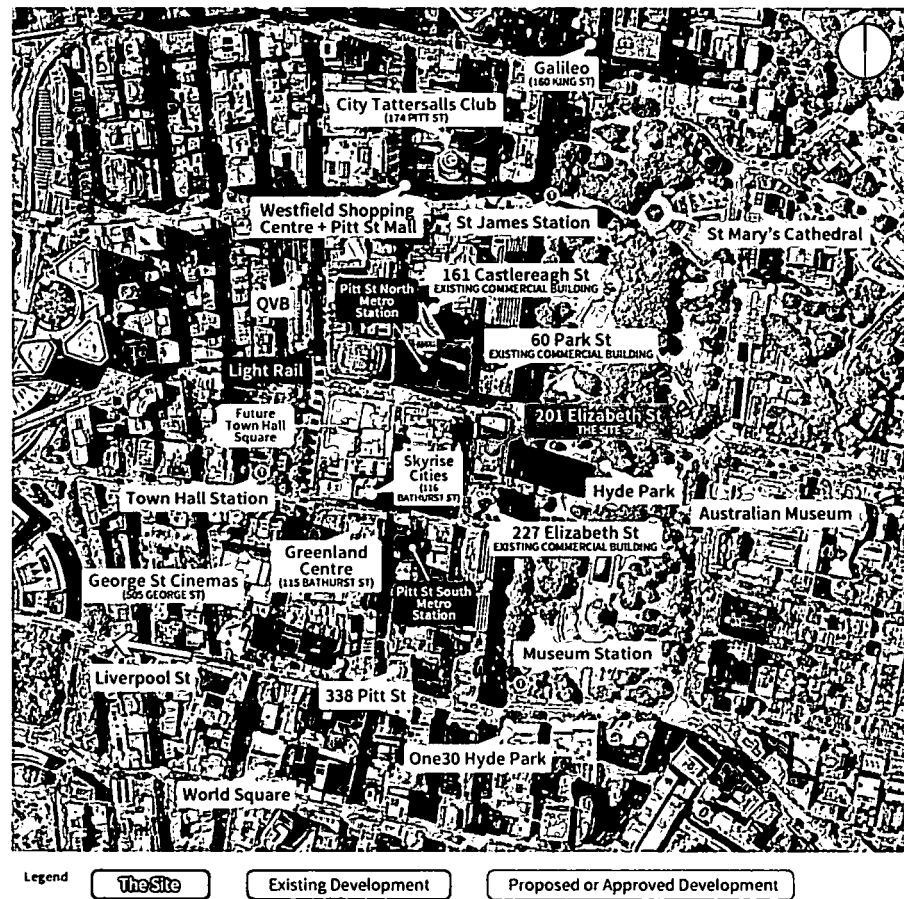


Figure 6 – Site context map
Source: Nearmap under license and JBA

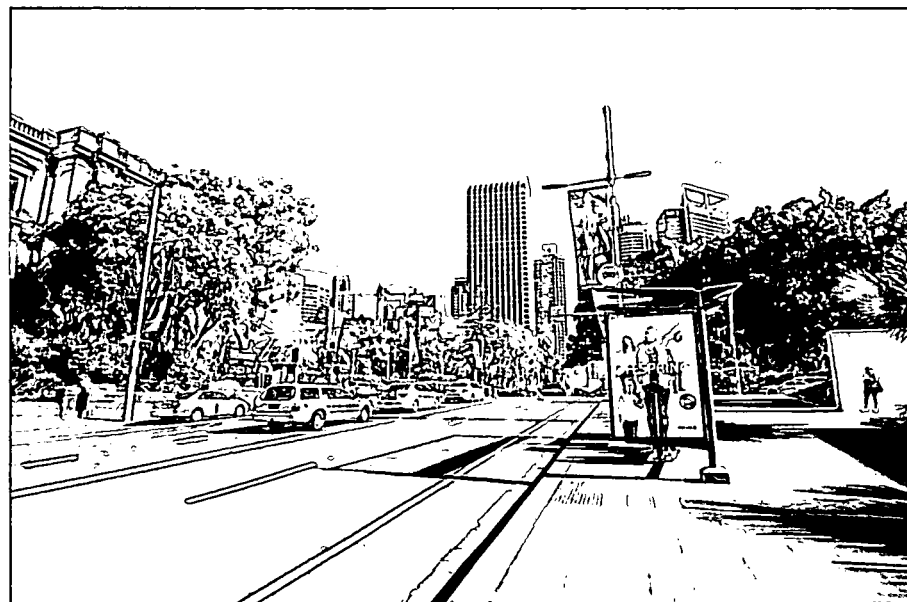


Figure 7 – William Street view corridor
Source: Virtual Ideas

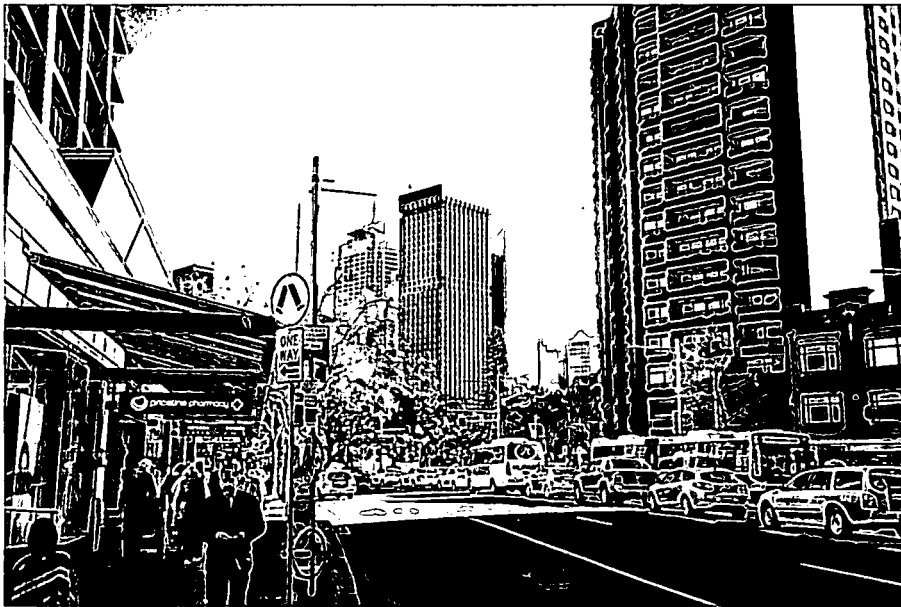


Figure 8 – Oxford Street view corridor
Source: Virtual Ideas



Figure 9 – The existing development viewed from Sydney Harbour
Source: JBA

2.2 Site Description

The site is located at 201-217 Elizabeth Street, Sydney and has the real property description Lot 1 in Deposited Plan 868008. It has an area of 3,900m² and has frontage to Elizabeth Street (approximately 87 metres), Park Street (approximately 37 metres) and Castlereagh Street (approximately 87 metres) as shown in Figure 10. A survey plan is provided at Appendix E. The site experiences a fall in level from Elizabeth Street to Castlereagh Street of approximately half a storey. There is also a slight fall in the land from the south to the north of the site.



Legend

The site

Figure 10 – The site
Source: Nearmap under license and JBA

2.2.1 Existing Development

The site currently accommodates a 38 storey commercial office tower. Single storey, double height retail is provided on the street frontage to Park Street. Lower ground retail is also provided across the site including a below ground pedestrian access connecting Park Street, 201 Elizabeth Street, 227 Elizabeth Street and connection to the railway pedestrian tunnels. The existing development provides two levels of basement car parking (176 spaces), accessed via Castlereagh Street. The existing development is presented at Figure 11-13.

2.2.2 Existing Site Access Arrangements

Pedestrian and Cycle Access

Pedestrian access to the existing commercial office tower is provided from Elizabeth Street, whilst access to ground and lower ground retail tenancies is provided via Elizabeth Street (ground and access to lower ground levels), Park Street (Park Street tenancies only). Pedestrian access is set back from the property boundary on Castlereagh Street as to accommodate the basement car park access ramp (see Figure 14).

Vehicle Access

Vehicle access to the basement car park is provided from Castlereagh Street in the central part of the site, with an exit provided to Castlereagh Street via 227 Elizabeth Street directly to the south of the site. The car park entrance utilises an area of land owned by the City of Sydney and leased to the site owners. There is an existing right of way easement in place to allow vehicles on the site to exit via 227 Elizabeth Street and, conversely, for vehicles accessing 227 Elizabeth Street to enter via the site. The existing road network and traffic flows are presented in the Transport Report at **Appendix J**.



Figure 11 – Existing development
Source: JBA



Figure 12 – Existing development on the site from Hyde Park
Source: Edge Environment



Figure 13 – Existing lower ground retail and connection to Museum Station
Source: JBA



Figure 14 – Existing basement access ramps and pedestrian access on Castlereagh Street
Source: JBA

2.2.3 Easements

The site is currently affected by the following easements and covenants:

- Reciprocal right of carriageway providing shared basement access with 227 Elizabeth Street
- Right of footway within site providing pedestrian access on Castlereagh Street; and
- Lease to the Sydney County Council of substation and control point rooms.

Further details are provided on the Survey Plan at **Attachment E**.

Dexus has commenced initial discussions with the owner of 227 Elizabeth Street to maintain vehicle access to the basement car park. All other easements will be resolved prior to construction, subject to the Stage 2 SSDA.

2.3 Surrounding Development

The eastern boundary of the Sydney CBD is characterised by a range of commercial, residential and hotel developments from a variety of different periods and architectural styles. The area is beginning to undergo a transition to include residential buildings with a number of residential development applications recently approved within the vicinity of the site. Immediately surrounding the site:

- To the north: 11 storey commercial development at 60 Park Street
- To the south: 23 storey commercial development at 227 Elizabeth Street
- To the east: Hyde Park
- To the west: Commonwealth Bank with above ground car park, The Castlereagh Club, the Church of Scientology, and St George's Church.
- To the west: Residential properties at 189 and 201 Castlereagh Street.

Photos of surrounding development are included as **Figures 15-18**.



Figure 15 – Surrounding development – Hyde Park
Source: JBA



Figure 16 – Surrounding development – Park Street
Source: JBA



Figure 17 – 227 Elizabeth Street
Source: JBA



Figure 18 – Surrounding development – Park Street
Source: JBA

2.4 Built Form and Streetscape

Elizabeth Street

Elizabeth Street has a predominant street frontage height of approximately 45 metres, with development set back above this height and generally aligned with the sun access plane prescribed in the SLEP 2012 with the exception of the site (201 Elizabeth Street) and 227 Elizabeth Street. The existing buildings at 201 Elizabeth Street and 227 Elizabeth Street are inconsistent with the predominant street frontage height as well as

the continuous colonnade/awning of Elizabeth Street. The existing Elizabeth Street streetscape is presented in **Figure 19** and **Figure 20**.

Park Street

Park Street does not set a strong defined street frontage height like Elizabeth Street. The shorter block length and the diversity of building forms results in a range of street frontage heights on the southern side of the street. The northern side of Park Street presents a more consistent street frontage height of approximately 20-25 metres. Generally, continuous awnings/colonnade is provided the length of Park Street to Town Hall. The existing Park Street streetscape is presented in **Figure 21**.

Castlereagh Street

In contrast to surrounding development, 201 Elizabeth Street and 227 Elizabeth Street do not provide a street frontage height to Castlereagh Street and these two buildings occupy the extent of the block from Park Street to Bathurst Street. Opposite the site, street frontage heights vary with a number of heritage items (see **Section 2.5** for further details) and the existing public car park. The existing Castlereagh Street streetscape is presented in **Figure 22**.



Figure 19 – Elizabeth Street existing streetscape, looking south
Source: JBA



Figure 20 – Elizabeth Street existing streetscape, looking north
Source: JBA



Figure 21 – Park Street existing streetscape
Source: JBA



Figure 22 – Castlereagh Street existing streetscape, opposite the site
Source: JBA

2.5 Heritage

The site is located in close proximity to a number of heritage items (see **Figure 23**) listed in the SLEP 2012, namely:

- Item 1654: Hyde Park (local);
- Item 1742: Anzac War Memorial (State);
- Item 1741: Former tram shelter (local);
- Item 1752: Municipal sewer vent (State);
- Item 1700: Former CENEH House (local);
- Item 1701: St George's Church (local);
- Item 1702: Porter House (local); and
- Item 1751: Former Australian Consolidated Press façade (local).

The Heritage Impact Statement prepared by Urbis and appended at **Appendix K** provides a detailed description of these items including each item's Statement of Significance.

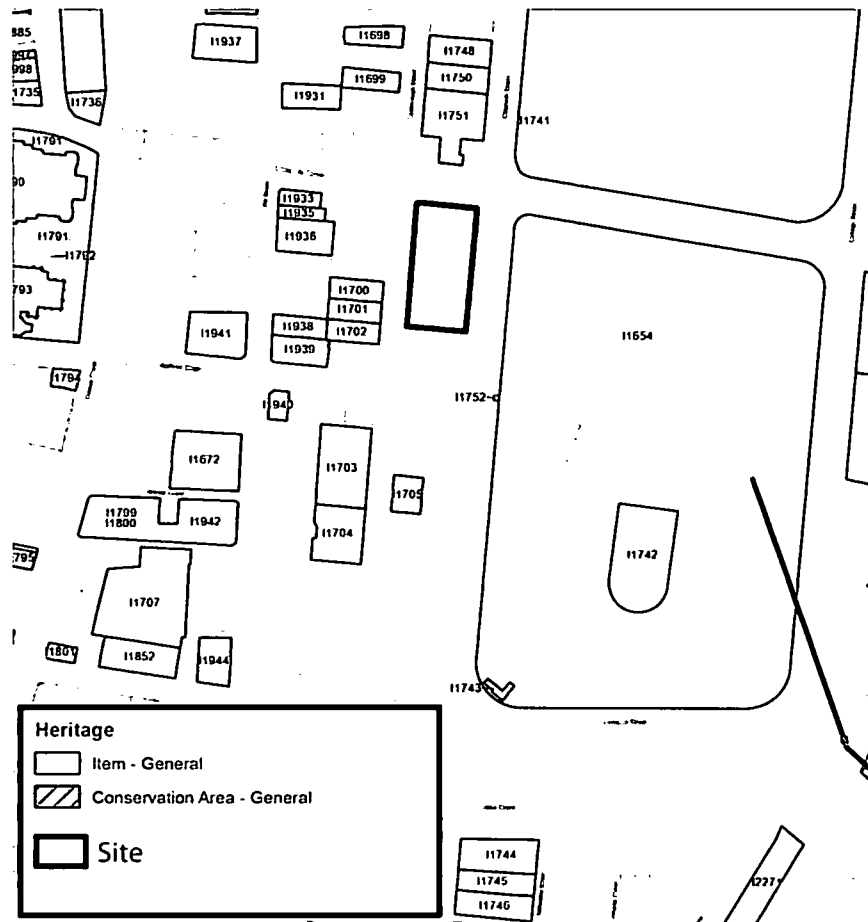


Figure 23 – Heritage Map Extract
Source: Sydney LEP 2012

2.6 Opportunities and Constraints

Opportunities

- The existing development produces significant overshadowing of Hyde Park and future redevelopment has an opportunity to provide an increased amenity to Hyde Park through decreased overshadowing.
- The existing development is inconsistent with the surrounding streetscape and future redevelopment provides the opportunity to present a more coherent streetscape in an important gateway location.
- The site's dimensions are capable of supporting a tower for residential uses and providing sufficient building separation.
- The site is located in close proximity to a range of key locations, including Town Hall, Hyde Park, Pitt Street Mall, Central Sydney retail precinct and Darling Harbour. The site is also in close proximity to a wide range of public transportation options, making it ideal for residential and hotel uses.
- The site currently provides underground connections to Museum Station and is located in close proximity to proposed Sydney Metro stations. This offers the opportunity to increase the vibrancy of these thoroughfares and provide connections to new Sydney Metro stations.

- The site is located in a highly accessible location that will encourage walking and cycling and public transport usage.

Constraints

- The Hyde Park sun access plane limits the height and width of the development.
- The existing rail corridor and the corridor for the proposed Sydney Metro will need to be considered.
- The relationship of future development with the neighbouring heritage items is a key consideration.

3.0 Description of the Development

This chapter of the report provides a detailed description of the proposed development. The proposed building envelope plans, prepared by FJMT are submitted at **Appendix B**. The building envelope plans are accompanied by an indicative scheme (prepared by FJMT and submitted at **Appendix C**). The floor plans and building layout shown in the indicative scheme is for information purposes only and will be subject to change through the design competition process and Stage 2 SSDA.

3.1 Key Design Objectives

This Stage 1 SSDA has been informed by the following key objectives for the project:

- A building that provides a 50% reduction in the shadow cast on Hyde Park by the existing building;
- A development that improves the current public domain, especially with respect to the existing basement ramps on Castlereagh Street;
- A building that makes a positive contribution to the Sydney CBD skyline, especially the eastern gateway to the CBD;
- A range of uses that complement the changing neighbourhood and the current and future market demands; and
- A development that responds to the existing and planned transport infrastructure.

3.2 Development Summary

Section 83B of the EP&A Act relates to staged DAs. A staged 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 applications.

The staged DA will seek approval for the construction and use of a 50 storey (RL198.22) mixed use building providing a 5 star hotel (within the podium levels), lower ground, ground and mezzanine retail, podium, tower with residential apartments, four levels of basement parking, and pedestrian connection to Museum Station and potential connection to the future Pitt Street North Metro Station.

Specifically, Stage 1 (this application) seeks approval for the following building envelope and land uses:

- Four basement car parking levels (accessed off Castlereagh Street) capable of accommodating 267 car parking spaces, bicycle and motorbike parking, as well as associated loading service areas;
- Lower ground retail space with a pedestrian connection to Museum station and potential connection to the future Pitt Street Metro Station;
- A 45 metre (RL69.89) podium element containing a 350 room 5-star hotel and function centre, and retail space at the ground floor and mezzanine level;
- A single storey terrace (RL76.00) atop of the podium element to provide residential and hotel communal facilities;
- A 37 storey slimline tower element (RL198.22) aligned to Park Street providing residential accommodation and approximately 262 apartments; and
- A total building envelope that facilitates a potential GFA of 59,545m² and a FSR of 15.26:1¹, comprising:

¹ The proposed building envelope foreshadows a 10% bonus to the permissible FSR subject to the completion of a Competitive Design Process prior to the submission of a Stage 2 DA

- Retail GFA: 4,900m² (8%);
- Hotel GFA: 26,655m² (45%); and
- Residential GFA: 27,990m² (47%).

The proposed building envelope is shown at **Figure 24**. A photomontage of the indicative scheme is presented in **Figure 25**.

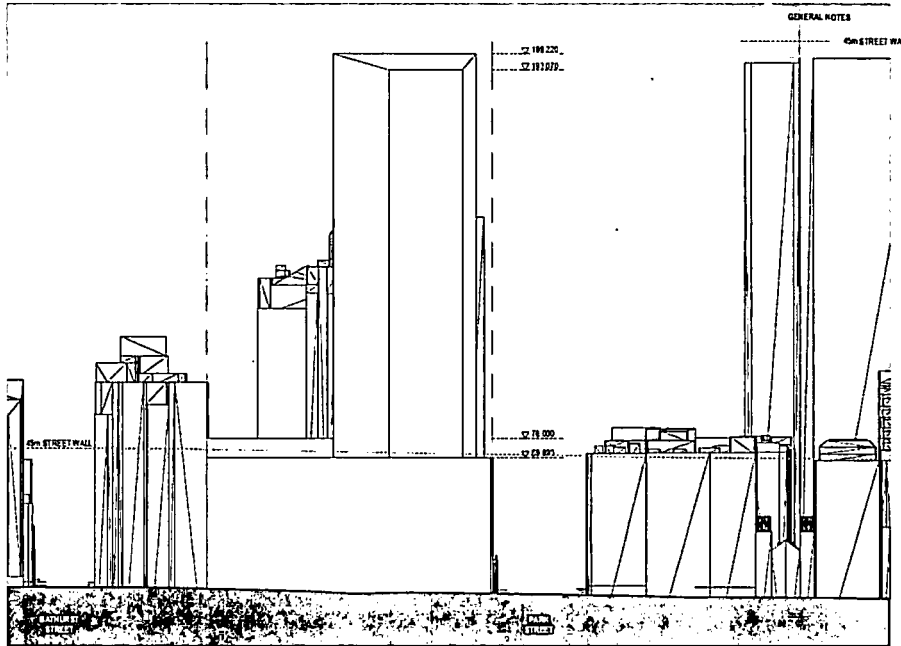


Figure 24 – Proposed building envelope looking to the west
Source: FJMT



Figure 25 – Photomontage of the proposed envelope when viewed from William Street
Source: Virtual Ideas

3.3 Numerical Overview

The key numeric development information is summarised in **Table 2**.

Table 2 – Key development information

Component	Proposal
Site area	3,901m ²
GFA	Retail: 4,990m ² Hotel: 26,655m ² Residential: 27,990m ² Total: 59,545m ²
FSR	15.264:1
Maximum Height	RL198.22
Podium Setbacks	0m
Tower Setbacks	- North: minimum 5.2m, average 8m - East: minimum 6m, average 8m - South: N/A - West: minimum 0, average 8m
Car spaces	267
Apartment Mix	- Studio: 14 (5%) 1 bed: 34 (13%) 2 bed: 144 (55%) 3 bed: 70 (27%) - Total: 262 apartments
Hotel Rooms	350

3.4 Building Envelope

The proposed building envelope (**Appendix B**) sets the physical parameters within which the detailed building design will be guided. It establishes the overall massing and proposed building configuration. The proposed building envelope has been designed to accommodate a potential GFA of 59,545m².

The proposed building envelope provides podium element to a height of 45 metres. Above podium height, a slimline tower component is located in the northern portion of the site with a north east orientation. The maximum height of the tower is RL198.22. On the southern portion of the site, above podium level, a terrace component is provided. The terrace component is set back 8 metres from Castlereagh and Elizabeth Street frontages.

The building envelope parameters, including setbacks are shown in **Figure 26** and **Figure 27** below.

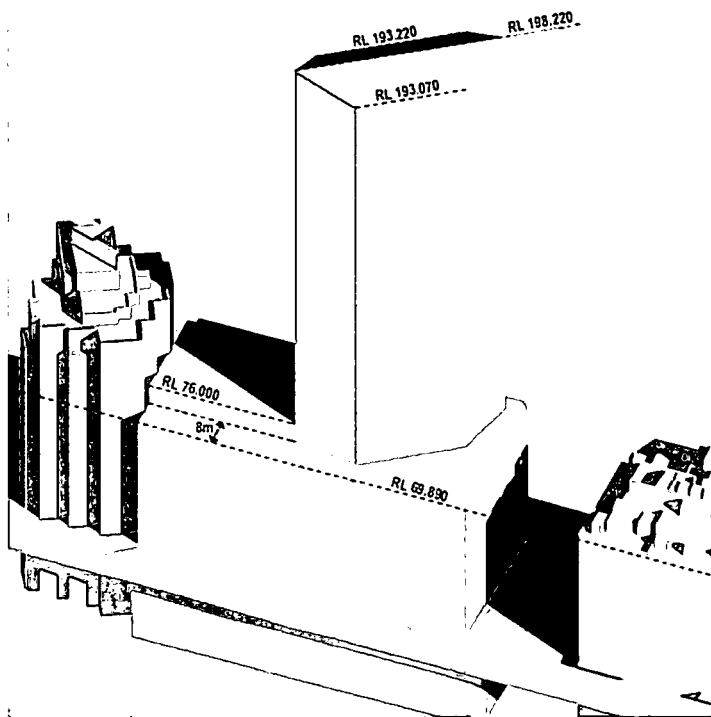


Figure 26 – Proposed building envelope parameters
Source: FJMT

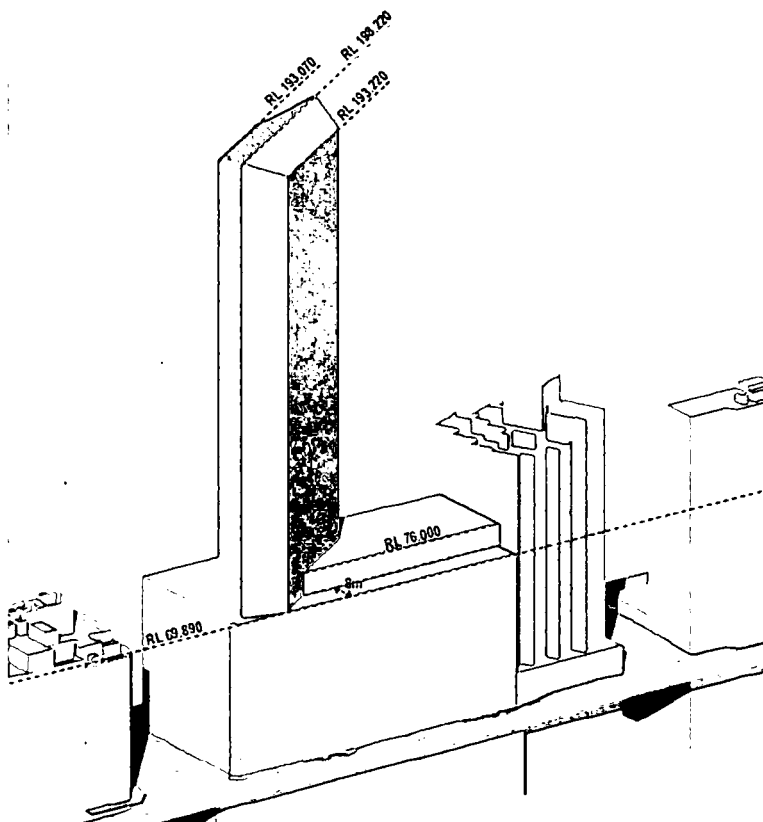


Figure 27 – Proposed building envelope parameters
Source: FJMT

3.5 Land Use

The proposed development provides a mixed use development comprising hotel, retail and residential elements. The GFA breakdown of each land use is set out in **Table 2** above. The location of each land use is shown in **Figure 28** below, with retail uses located at ground, lower ground and mezzanine levels, hotel uses located in the podium element and residential uses located in the tower element. Indicative layout plans are shown on the indicative scheme submitted at **Appendix C**.

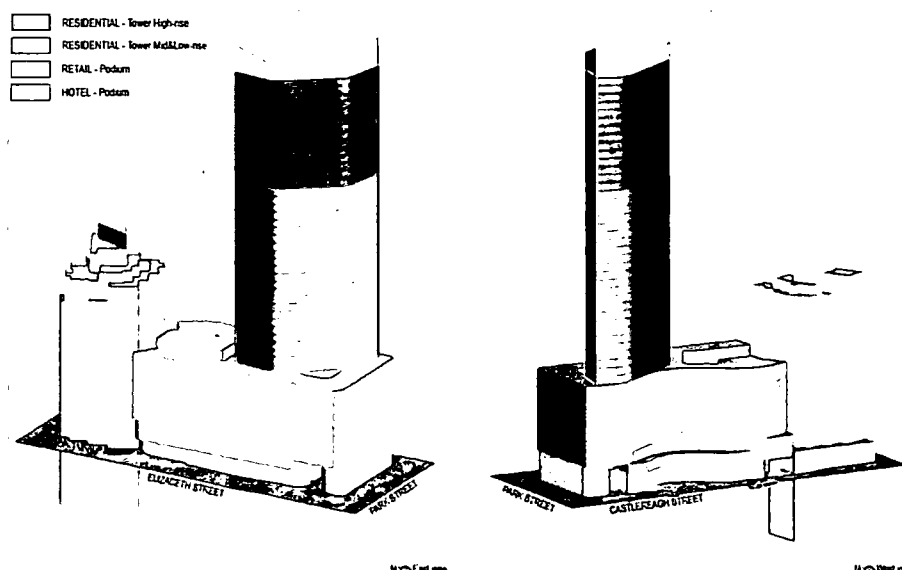


Figure 28 – Land use distribution
Source: FJMT

Hotel Uses

The proposed development includes the provision of approximately a 350-room, five star hotel within the podium component of the development. The hotel will include function room facilities, restaurant and recreation facilities subject to the detailed design.

Retail Uses

It is envisaged that the ground floor retail space will be provided as double-volume space with additional retail space provided at the mezzanine level for ground floor retail tenancies. Internal lift and stair access will be provided within these retail tenancies between the mezzanine and ground levels. This design solution will ensure that these premier retail spaces can be occupied by flagship stores seeking to take advantage of the prominent site location.

Residential Use

The indicative design provides a potential apartment layout that is consistent with the building envelope. The indicative layout provides a total of 262 apartments over 37 levels. The quantity of apartments as well as the final apartment mix will be subject to the design competition and Stage 2 SSDA – demonstrating consistency with the relevant provisions of SEPP 65 and the Apartment Design Guideline.

3.6 Landscaping

The proposed Stage 1 SSDA does not seek consent for any landscaping works. The Indicative Scheme submitted at **Appendix C** identifies potential locations for communal open space and landscaped areas within the site. The design competition to be held following the approval of the Stage 1 SSDA will consider the appropriate landscaping treatments for the site giving consideration to the requirements of the ADG, the SDCP

2012 and the ESD targets established for the project. A detailed Landscape Plan will be submitted with the Stage 2 SSDA.

3.7 Site Access and Parking

3.7.1 Pedestrian Access

The Indicative Scheme (**Appendix C**) and Design Report (**Appendix D**) sets out the intended pedestrian access points for the project. The separate pedestrian access to each land use is detailed below.

Hotel Uses

The primary hotel access will be via Castlereagh Street and hotel lobby with additional connection via the through site link and ground floor retail. Basement access will be provided, separate to residential basement access.

Retail Uses

At ground floor, the proposed development will provide access to all retail premises directly from the street frontages to Elizabeth, Park and Castlereagh Streets, as well as the proposed through-site link.

Access to the lower ground retail space will be provided via a ramp down from the through-site link. Pedestrian access to Museum Station will be provided at the lower-ground floor which will further increase activity around the site and encourage improved pedestrian permeability. Internal circulation within the retail component will be provided separately to residential access points.

Residential Uses

Residential lobbies will be provided at ground floor which will be accessed internally via the east-west pedestrian walkway between Castlereagh and Elizabeth Streets. Lift access to residential apartments will also be provided from lower ground and basement levels.

3.7.2 Vehicular Access and Parking

Hotel Drop-Off

The Indicative Scheme provides off-street vehicle drop-off for the hotel by way of internal port cochere. This drop-off area will accommodate taxis, private vehicles and buses servicing the hotel.

Basement Access and Parking

The proposed development will rationalise the existing basement entrance ramps in the setback on Castlereagh Street. Vehicle access to basement car parking will be provided via Castlereagh Street at the southern boundary of the site. The Indicative Scheme (see **Appendix C**) demonstrates that the basement can accommodate a total of 267 car spaces over three levels, as well as servicing and loading areas at Basement Level 1. The proposed development includes the provision of vehicle access to basement levels of 227 Elizabeth Street. The proposed development will accommodate 22 motorbike spaces and 452 bicycle spaces within the basement car park. The Transport Report at **Appendix J** confirms that these spaces can be designed in accordance with the relevant provisions of the SDCP 2012 and the relevant Australian Standards.

3.8 Infrastructure and Services

Details of the infrastructure and services proposed in the development will be provided in the Stage 2 SSDA. The existing use of the site as a commercial office building suggests that there is an opportunity to connect with the existing infrastructure and services to the site, subject to any augmentation as may be required.

Loading and servicing facilities will be provided at Basement Level 1 which will incorporate appropriate turning circles large trucks including garbage trucks. Separate garbage rooms for hotel and residential uses, as well as plant room space will also be provided at Basement Level 1.

4.0 Consultation

The proponent has undertaken community and stakeholder engagement to inform the preparation of this EIS. A Consultation Outcomes Report has been prepared by JBA and is submitted at **Appendix H**. The report summarises the community and stakeholder engagement activities and outcomes undertaken in support of the Stage 1 SSDA. This report outlines 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 SSDA.

4.1 Key Stakeholders

The following stakeholders were invited to attend a briefing session about the proposed development, as outlined in the SEARs.

- Environmental Protection Agency;
- Office of Environment and Heritage;
- Office of Water;
- Sydney Water;
- Sydney Metro;
- Roads and Maritime Services;
- Department of Infrastructure and Transport;
- Civil Aviation Safety Authority;
- Sydney Trains;
- Ausgrid;
- Transport for NSW's CBD Coordination Office; and
- Local residents and businesses.

It is noted that as detailed in **Section 1.2** and **Section 1.4**, the proponent has had significant pre-lodgement discussions with Council regarding built form and land use mix for the proposed development.

4.2 Consultation Program

A letter was delivered to 500 surrounding residents and landowners on 25 November 2016 to provide local stakeholders with information about the proposed development. The letter also invited those interested to attend a community information session where they would be given an opportunity to meet the project team and ask questions about the proposed development.

A project email address and telephone number were set up to provide residents and stakeholders with an outlet to ask questions and provide feedback both before and after the information session. An advertisement was placed in the *Central Sydney* Newspaper on 30 November 2016, advertising the community information session.

The community information session was held on Tuesday 6 November at the Sydney Masonic Centre, 66 Goulbourn Street, Sydney, from 6pm until 8pm. 12 people attended the information session.

All above identified agencies were invited to attend briefing sessions regarding the proposed development to understand the project, identify key issues and discuss project outcomes.

A detailed consultation report including letters, advertisements and materials can be found in the Consultation Outcomes Report submitted at **Appendix H**.

4.3 Outcomes from Consultation

4.3.1 Community Feedback

Table 3 below provides a summary of the key issues raised at the community information session, and identifies where the issues have been addressed.

Table 3 – Summary of consultation outcomes – community information session

Issue	Design Response
View impacts	
- Concern about loss of views from Park Regis due to the position of the proposed building - Would like to see the building remain in the same position as the existing building, rather than shifting to the north east of the site. - Consider increasing the height of the proposed tower and therefore make it narrower than the proposed design.	- The project team has attempted to balance public and private views, as well as broader public benefits of the project. - It is acknowledged that some views may be compromised, however some adjoining properties are expected to experience an improved view. - Further view analysis has been conducted as part of the EIS and is included in the Design Report at Appendix D and discussed further at Section 5.10. - As described in Section 1.4 alternative tower locations were investigated as part of the design development for the project. The northern tower, the subject of this application, is a preferable development outcome when taking into consideration the broader public benefits this form offers.
Reduction of overshadowing on Hyde Park	
- Preference for private views instead reduction of overshadowing on Hyde Park. - Preference for overshadowing of properties at 1 Oxford Street rather than interruption of views	- Noted. - The project has attempted to balance all overshadowing impacts with public and private views.
Construction impacts	
- Concern about construction impacts including noise, traffic, dust. - Queries about construction timing and duration	- Noted. Construction impacts will largely be addressed in the Stage 2 DA. These comments have been taken on board for consideration. - Dexus confirmed that construction is unlikely to commence prior to 2020, with a construction duration of approximately 3-4 years.

4.3.2 Stakeholder Briefings and Feedback

Briefing sessions were held with the following key agencies:

- Sydney Metro;
- CBD Coordination Office; and
- Roads and Maritime Services.

Written feedback was also received from the following agencies:

- Ausgrid;
- Sydney Water; and
- Civil Aviation Safety Authority.

The outcomes of each agency briefing are set out below. Further details on feedback received is presented in the Consultation Outcomes Report at **Appendix H**.

Sydney Metro

Dexus has met with Sydney Metro to discuss the project and the potential impacts and opportunities associated with the over-station development at Pitt Street North, diagonally opposite the site. The initial meeting included a presentation of the overshadowing methodology and analysis for 201 Elizabeth Street and the proposed development and the opportunities of both developments to minimise the cumulative impact on Hyde Park. Initial discussions have also investigated potential opportunities to provide pedestrian connection from 201 Elizabeth Street to the Pitt Street Metro Station. Dexus will continue discussions with Sydney Metro throughout the project.

Transport for NSW CBD Coordination Office

The table below (**Table 4**) provides a summary of the key issues raised during a meeting with Transport for NSW's CBD Coordination Office, on Wednesday 14 December 2016.

Table 4 – Summary of consultation outcomes – CBD Coordination Office

Issue	Design Response
Construction Management	
- Managing construction issues will be important, especially cumulative impacts. - CMP must consider other CBD construction traffic and routes - Minimise construction traffic during peak - No 'works zone' on Elizabeth Street or Park Street. Castlereagh Street is quite restricted also. - Need to look for innovative ways to manage construction impacts. - May need to consider internal turn tables.	Noted. Construction impacts will largely be addressed in the Stage 2 DA. These comments have been taken on board for consideration.
Site Access and Loading	
- Hotel drop-off must be provided internal to the site, not on the street. On-street drop off would not be supported. - Hotel lobby and basement access are definitely preferable on Castlereagh not Elizabeth Street. - Hotel drop-off should provide for coach parking either at lobby or basement. - Basement entrance ramp to consider existing bus stops on Castlereagh St. - Basement ramps and hotel drop-off will need to consider pedestrian movements on Castlereagh St. - All loading must be provided on-site. Existing streets are at capacity. - Need to provide details of number of proposed and existing car spaces and estimated traffic generation. - Car stackers are not preferable.	- Indicative design proposes internal hotel-drop-off on Castlereagh Street – this is the preferred design option. - Double height drop-off can provide for coach parking. - All loading will be provided within the basement. Number of spaces will be provided consistent with Council's requirements. - Basement parking is provided in accordance with the maximums set under the SLEP 2012. - The Transport Report (Appendix J) has considered the proposed development will not result in any impact to the existing peak traffic flows from the site. - A car stacker will not be included.
Existing and Future Stations	
- A connection to the future Pitt Street North Station is strongly supported. - Renewed connection to Museum Station is supported.	- Dexus is currently discussing opportunities with Sydney Metro to provide a pedestrian connection to the future Pitt Street North Station. - The existing connection to Museum Station will be maintained and upgraded.
Timing and Process	
- Would like to continue discussions. - Need to meet to discuss construction management issues prior to Stage 2 EIS. - Construction timeframe likely to overlap with Sydney Metro	Further discussions will be conducted ahead of any Stage 2 DA, especially in relation to construction management issues.

Roads and Maritime Services

Table 5 provides a summary of the key issues raised during a meeting with Roads and Maritime Services, on Monday 6 February 2017.

Table 5 – Summary of consultation outcomes – Roads and Maritime Services

Issue	Design Response
Construction Management	
- Managing construction issues will be important, especially cumulative impacts. - Confirmation of construction timing.	- Noted. Construction impacts will largely be addressed in the Stage 2 SSDA. - Construction is forecast for 2019/2020 (pending approval) for a 3.5 year period.
Site Access and Loading	
- Porte cochere is a preferred solution to site access. - No drop-off to occur on street. - Basement hotel drop-off may result in taxis stopping of Castlereagh Street rather than using basement drop-off. - Show pedestrian movements, including site lines for basement ramp and porte cochere. - Ensure basement width is compliant with minimum width for two-way access.	- Site access and loading is discussed at Section 3.7 and 5.11 of this EIS. - Indicative design proposes internal hotel-drop-off on Castlereagh Street – this is the preferred design option. Refer to Appendix C. - Pedestrian access and movement is discussed at Section 3.7 and 5.11 of this EIS. - All loading and waste management to be restricted to basement. Refer to indicative basement plans at Appendix C and Transport Report at Appendix J.
Traffic Generation	
Given the proposed quantity of car parking, potential vehicle movements are capable of being accommodated in the surrounding road network.	- Noted. - Traffic generation is discussed further at Section 5.11 of the EIS.

4.4 Ongoing Engagement

The project email address and telephone number will continue to be monitored. Any additional enquiries or feedback will be passed on to the project team. The Stage 1 SSDA will be placed on public exhibition for a period of a minimum of 30 days in accordance with clause 83 of the EP&A Regulation 2000. Surrounding residents, land owners and stakeholders will be invited to make submissions on the project through either the Major Projects website or directly to the City of Sydney.

5.0 Environmental Assessment

This chapter of the EIS contains our assessment of the environmental effects of the Stage 1 SSDA as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

The Mitigation Measures at Section 6.0 complement the findings of this section.

5.1 Secretary's Environmental Assessment Requirements

Table 1 in **Section 1.6** sets out 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.

5.2 Permissibility

The site is zoned B8 Metropolitan Centre and tourist and visitor accommodation, retail and residential uses are permissible with consent in the zone. Notwithstanding the land use permissibility, the SLEP 2012 contains other provisions that prohibit specific development. Clause 6.17(2) provides:

"The consent authority must not grant development consent to development on land if the development will result in any building on the land projecting higher than any part of a sun access plane taken to extend over the land under this clause."

The site is subject to the Hyde Park West sun access plane (see **Figure 29**) as defined under clause 6.17(10) of the SLEP 2012. The site is also identified as part Category A and part Category B and is subject to clause 6.18 which provides:

- (1) *Development consent may be granted to development that will result in a building on land projecting higher than a sun access plane that is taken by this Part to extend over the land if any one or more of the following apply:*
- (a) *two sun access planes specified in any one of the following subparagraphs are both taken to extend over the land and the building does not project above the higher of those two planes:*
 - (i) *Hyde Park North 2A and Hyde Park North 2B,*
 - (ii) *Pitt Street Mall 6A and Pitt Street Mall 6B,*
 - (iii) *Wynyard Park 9A and Wynyard Park 9B,*
 - (b) *the parts of the building that project higher than the sun access plane are on category B land that adjoins category A land and will not exceed the height of an existing building on the category A land,*
 - (c) *the parts of the building that project higher than the sun access plane are on category A land and will result in at least a 50% reduction in the overshadowing on land at Belmore Park, Hyde Park or Wynyard Park (as shown on the Sun Access Protection Map) between 12.00 and 14.00 on 21 June in each year, caused by all buildings on the site of the proposed development.*

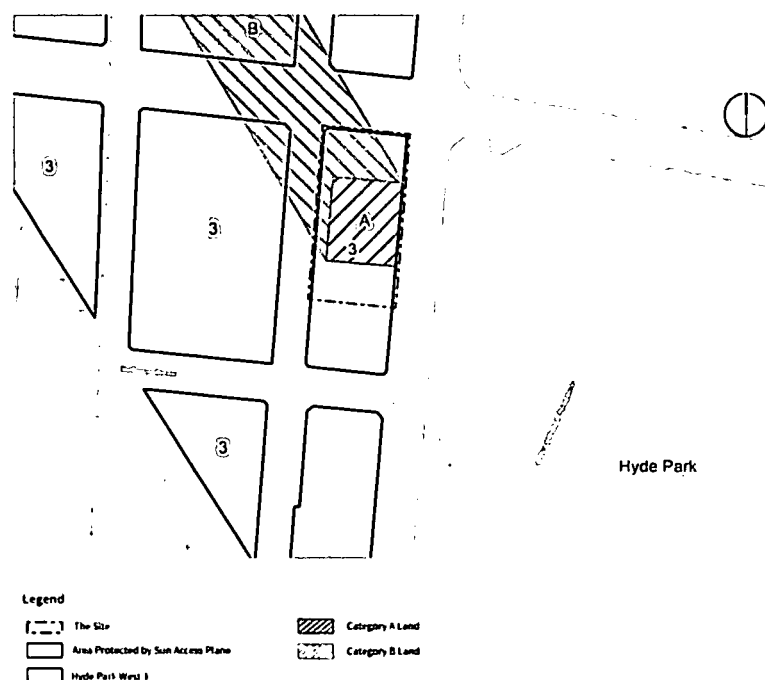


Figure 29 – Hyde Park West sun access plane

Source: Extract from the Sun Access Protection Map – SLEP 2012

The proposed podium element of the development is compliant with the Hyde Park West sun access plane as defined by clause 6.17(10). Therefore this component of the development is permissible with consent.

The tower element of the proposal exceeds the sun access plane and is partially located on Category A land and partially Category B land (see **Figure 30**). The total development results in a 50% reduction in the shadow cast by the existing building and therefore the tower, where located on Category A land, is consistent with clause 6.18(1)(b) and permissible. However, the tower component is located on both Category B and Category A land is considered prohibited by clause 6.17(2). Notwithstanding this prohibition, section 89E Consent for State significant development of the EP&A Act provides:

(3) Development consent may be granted despite the development being partly prohibited by an environmental planning instrument.

Accordingly, development consent may be granted to the proposed development. The following sections set out the merit assessment of the proposal, the key issues identified in the SEARs and identifies any mitigation measures where required.

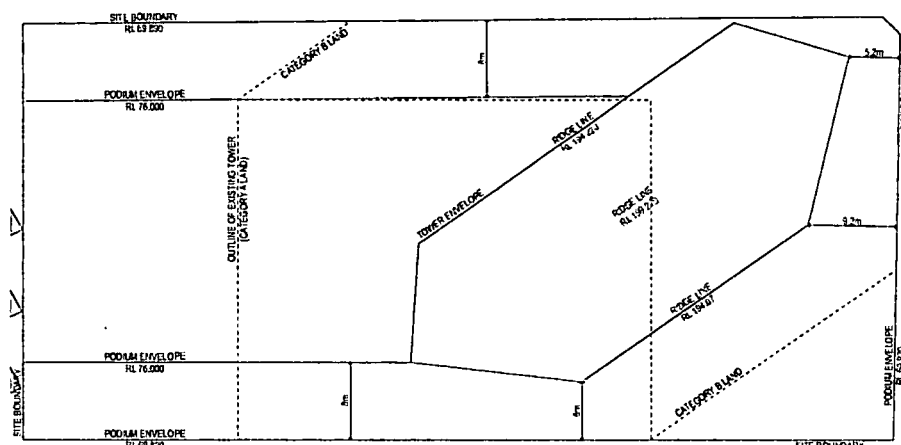


Figure 30 – Location of tower form in relation to Category A and Category B land

Source: FJMT

5.3 Compliance with Planning Policies

The proposed development is generally consistent with the provisions of the relevant planning policies identified in the SEARs, as detailed in the following sections and other supporting technical information appended to the report.

Table 6 below provides an overview of the Concept Proposal's compliance with key planning policies.

Table 6 – Consistency with relevant strategies, policies and guidelines

Instrument/Strategy	Comments
Strategic Plans	
NSW Premier's Priorities	The NSW <i>Premier's Priorities</i> represent 12 of the 30 key policy priorities for the NSW State Government and replaces the former NSW 2021 plan. The proposed Stage 1 SSDA is consistent with the objectives identified in the plan as it will contribute to achieving goals related to strengthening the economy, delivering infrastructure and facilitating residential development to support the growing population. Specifically, the proposal will: ▪ Create jobs and business opportunities through the provision of a hotel and retail tenancies. ▪ Support the delivery of the Sydney Metro by providing space for future retail and dining tenancies, as well as residential apartments and a hotel. This will provide mutual benefit for both transport users, who benefit from the amenity and activation provided by a future mixed use development, and for future residents, workers and visitors at 201 Elizabeth Street who are located in close proximity to a public transport link. ▪ Provide a mix of residential dwellings in close proximity to a key employment centre, public transport and recreation facilities to the benefit of future residents.
<i>A Plan for Growing Sydney</i>	<i>A Plan for Growing Sydney</i> is the current metropolitan strategy for Sydney and was released in December 2014. The <i>Greater Sydney Commission Act 2015</i> includes statutory provisions that the Greater Sydney Commission must report on the implementation of the strategic plan and therefore confers some statutory obligation to achieve the goals contained within the plan. As one of the key strategic planning documents, the strategic plan is discussed in further detail at Section 5.3.1 below.
Draft Central District Plan	The Draft District Plans were released by the Greater Sydney Commission of the 21 November 2016. The site is within the Central District and an overview of the consistency of the project with the draft Central District Plan is provided in Section 5.3.2 below.

Instrument/Strategy	Comments
NSW Long Term Transport Masterplan	The proposal addresses the objectives of this Plan given it will: ▪ Encourage walking and cycling usage through the provision of a through-site-link, active uses at street level and a mix of land uses in close proximity to other amenities, services and recreation spaces. ▪ Provide development for the purpose of residential development and tourist accommodation in a location that benefits from connections to public transport. ▪ Will not impact on the ability for Transport for NSW to protect critical strategic growth corridors. ▪ Assist in unclogging the CBD by supporting a reduced reliance on vehicular connections between surrounding employment and tourism hubs by providing a hotel with direct rail connection to Sydney International and Domestic Airports.
Sydney's Buses Future	The proposed development is a Stage 1 SSDA, which seeks consent for a building envelope and certain land uses. A future Stage 2 SSDA will ensure that future development on the site meets the requirements of this guideline.
Sydney's Light Rail Future	The proposed development is a Stage 1 SSDA, which seeks consent for a building envelope and certain land uses. A future Stage 2 SSDA will ensure that future development on the site meets the requirements of this guideline.
Sydney's Cycling Future	The concept proposal will support cycling as an alternative transport mode by providing development in a location benefits from cycle way connections to key employment centres, tourist destinations and other precincts. A future Stage 2 SSDA will ensure that future development on the site meets the requirements of this guideline.
Sydney's Walking Future	The concept proposal will support walking trips throughout the CBD as future residents, workers and visitors would benefit from close connections to key retail, tourism and recreation precincts. A future Stage 2 SSDA will ensure that future development on the site meets the requirements of this guideline.
Sustainable Sydney 2030	The proposal is in accordance with the Strategy as it will: ▪ Contribute to Sydney's reputation as a globally competitive city. ▪ Integrate with existing and future public transport. ▪ Provide land uses that will support activity throughout the CBD, particularly through street level retail tenancies and increased visitor activity. ▪ Support the existing and emerging residential community in the CBD by providing complementary development that also will provide ground floor retail. ▪ Support the CBD economy by providing housing in close proximity to key employment centres as well as visitor accommodation in a location that is within walking distance to key tourist and visitor destinations, such as the Sydney International Convention, Exhibition and Entertainment Precinct, Hyde Park, Darling Harbour and Circular Quay. ▪ Provide a high quality building to contribute to the unique character of the Sydney CBD. ▪ Incorporate design measures to support sustainable development.
Sydney City Centre Access Strategy	The proposal recognises the role of walking as the dominant mode of transport throughout the city centre and provides a through-site-link to improve the permeability of the existing street network. In addition to this, the land uses to be provided within the future development will allow future residents, workers and visitors to walk to key destinations in the surrounding area, such as Pitt Street Mall, Hyde Park, Darling Harbour, Museum Station and the future Pitt Street North Metro station and George Street light rail. This will contribute to the growth of public transport patronage and the modal shift away from private car dependence. A future Stage 2 Development Application will ensure that future development on the Site meets the requirements of this guideline.

5.3.1 A Plan for Growing Sydney

A Plan for Growing Sydney is the current metropolitan plan for Sydney. The Plan sets the foundation for achieving region-wide outcomes in relation to the economy and employment centres and corridors; housing and transport; environment; parks and implementation and governance. The goals which support the overarching vision for Sydney to become a strong global city and a great place to live are:

- A competitive economy with world-class services and transport;
- A city of housing choice with homes that meet our needs and lifestyles;
- A great place to live with communities that are strong, healthy and well connected; and
- A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The strategic plan notes that Sydney's appeal to international investment and skilled workers is driven by the diversity of activities which surround the commercial core. Providing a mix of commercial and retail activity, arts and culture, public spaces and parks contribute to Sydney's global city reputation.

The site is on the edge of Sydney's Cultural Ribbon as shown at **Figure 31**. The cultural ribbon provides buildings and parks such as the Anzac War Memorial, Royal Botanic Gardens, Sydney Opera House on the eastern side of the city and connects to the emerging post-industrial cultural facilities on the western side of the city. The ribbon also includes the Walsh Bay Arts Precinct, Barangaroo and Darling Harbour.

The Stage 1 SSDA is consistent with the Plan for Growing Sydney in that it aims to:

- Contribute to the strengthening of 'Global Sydney' as a centre for economic, and cultural activity;
- Provide a mix of residential, tourist and visitor accommodation and retail uses to contribute to Sydney's global city reputation;
- Increases connectivity and activation in the vicinity of the Cultural Ribbon;
- Provide employment opportunities during the construction and operation period of the proposed development;
- Supporting existing and new public transport infrastructure, as well as provide employment within close proximity to existing services and facilities;
- Contribute to the high amenity character of the precinct around Hyde Park; and
- Revitalise and improve the amenity of the precinct, attracting development and business and creating a vibrant centre where people want to spend time.

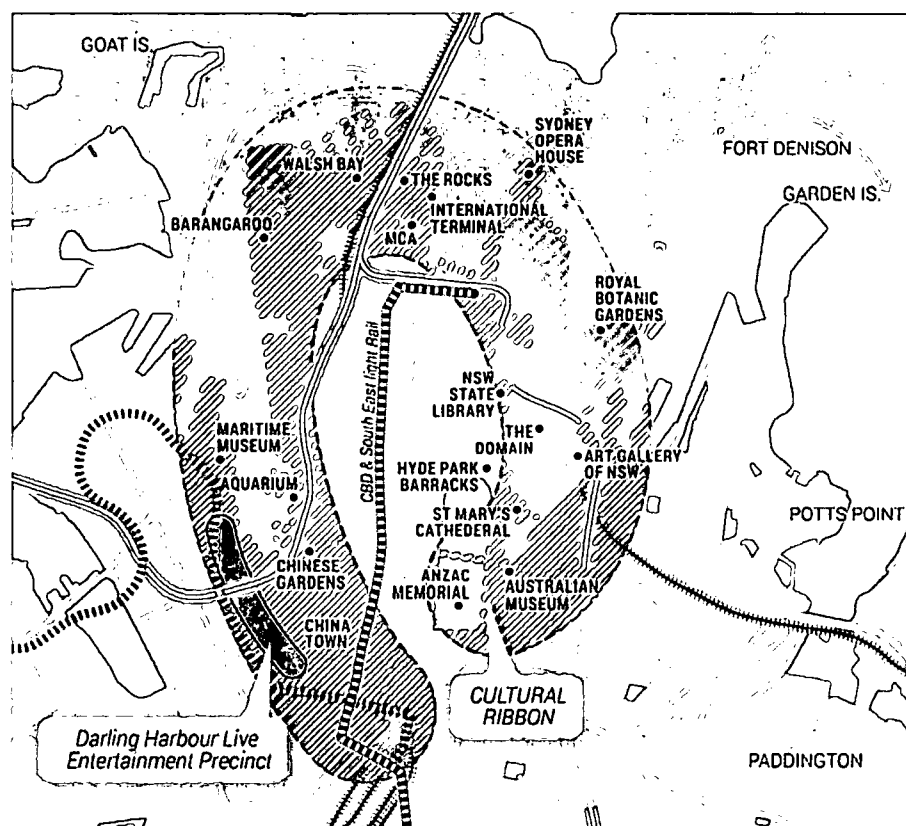


Figure 31 – The Cultural Ribbon, the Site marked with a star
Source: A Plan for Growing Sydney

5.3.2 Draft Central District Plan

The draft District Plans were released by the Greater Sydney Commission on 21 November 2016. These plans will complement the strategic planning framework and provide a crucial piece in the implementation of the Plan for Growing Sydney. The site is located within the Central District.

The draft Central District Plan identifies a number of key objectives and priorities focussed on the key outcomes of:

- A productive city
- A liveable city
- A sustainable city.

The Sydney CBD is identified a strategic centre of the district and is a key location due to its concentration of knowledge and professional services jobs in close proximity to a range of public transport options. It is noted that future planning for the Central District should leverage from the fact that the Sydney CBD is highly productive and well-connected to other strategic centres, comprised of a young and well-educated population that is forecast to continue growing and benefits from a range of nationally and internationally significant natural, cultural and tourism assets. Collectively, it is considered that these assets will be the drivers of economic activity and diversity not only for the district but for NSW and Australia.

Relevant to the Stage 1 SSDA, the following priorities are identified for Central District:

- Support international tourism destinations.
- Plan for retail floor space provision.
- Improve 30 minute access to jobs and services.

- Attract global talent and investors.

The proposed mix of uses as part of the Stage 1 SSDA intend to facilitate achieving all of these priorities by providing both tourist accommodation, retail space and residential dwellings in a central location that is optimally located with access to jobs, public transport and key destinations. In particular, it is noted that tourism provides significant economic benefits, both nation-wide and nationally and that growing tourism to the district has the potential to significantly contribute to the economic growth of the district as well as Greater Sydney.

The draft district plan also identifies job and dwelling targets, being:

- 662,000 – 732,000 jobs in the District by 2036.
- 18,300 dwellings in the City of Sydney by 2021.

As jobs within the district grow, it will be necessary to provide both dwellings for workers that are well-connected to other key services and amenities, as well as accommodation for visitors who are travelling for business as well as tourism. Through the provision of a mixed use development that provides both these land uses in a key CBD location, it is considered that the proposed Stage 1 SSDA will support the continued growth of the Sydney CBD and the Central District.

In addition to this, the proposed envelope provides scope for a future detailed SSDA to deliver a range of ecologically sustainable measures and public domain improvements, as discussed in detail at **Sections 5.8, 5.22 and 8.3**. In particular, the provision of a through-site-link will improve the permeability of the existing street network and allow pedestrian and cyclists to benefit from improved access through to Hyde Park and Museum Station.

Overall, it is considered that the proposed Stage 1 SSDA is consistent with the objectives and priorities identified in the draft Central District Plan and that the future detailed design will incorporate a range of measures to ensure that objectives relating to productivity, liveability and sustainability can be met.

5.3.3 Draft Central Sydney Planning Strategy 2016

On 14 July 2016, Council released the Central Sydney Planning Strategy (the Strategy). This strategy aims to position and strengthen Sydney as Australia's leading global city and is to set to be the guide for growth in Sydney over the next 20 years. Accompanying the Strategy is a planning proposal to amend the SLEP 2012 as well as proposed amendments to the SDCP 2012.

The Strategy has been endorsed by the Planning and Development Committee of Council (19 July 2016) and the Central Sydney Planning Committee (21 July 2016) and Council (25 July 2016), with each body resolving to forward the planning proposal to the Greater Sydney Commission for gateway determination. Following gateway determination, the planning proposal (and the Strategy and DCP amendments) will be publically exhibited – this is expected to occur early in 2017. During and following public exhibition, the planning proposal will be considered a draft environmental planning instrument and will be deemed to be a matter for consideration in the assessment of any DA.

The Strategy identifies 10 'key moves':

1. Prioritise employment growth and increase capacity;
2. Ensure development responds to context;
3. Consolidate and simplify planning controls;
4. Provide for employment growth in new tower clusters;
5. Ensure infrastructure keeps pace with growth;
6. Move towards a more sustainable city;

7. Protect, enhance and expand Central Sydney's heritage, public places and spaces;
8. Move people more easily;
9. Reaffirm commitment to design excellence; and
10. Monitor outcomes and respond.

Key policy shifts that impact on development at 201 Elizabeth Street are set out below. The proposed development directly responds to a number of key moves above and draft provisions included in the proposed LEP and DCP amendments.

Protection of public spaces

The proposed amendments to the SLEP 2012 include an extension to the existing Hyde Park West sun access plane to protect the space at all times of year rather than just mid winter. The proposed amendments also seek to delete clause 6.18 of the SLEP 2012 that provides for exceptions to the sun access planes (see discussion at **Section 5.2**). The justification for the deletion of this provision is that the majority of sites are unable to redistribute floor space within a site to achieve a reduction in overshadowing to comply with the existing provisions. The Height of Buildings Study (Appendix C of the Strategy) specifically identifies 201 Elizabeth Street as one such site that may be able to accommodate a redevelopment that reduces the overshadowing consistent with the current provisions.

The proposed development is considered consistent with the aims of the Strategy as it results in a 50% reduction of the shadow cast by the existing building, thereby improving solar access to Hyde Park. This will allow for a greater area of Hyde Park to be in sun during the lunch time peak in mid winter. Detailed overshadowing analysis is presented in the Design Report at **Appendix D**, including a consideration of overshadowing at all times of year. This is discussed further at **Section 5.7**.

Employment growth and capacity

The Strategy and proposed amendments to the SLEP 2012 seek to limit the residential component in mixed use development to 50% of the floor space of new development, as a mechanism to promote employment uses. The design development of the project has directly responded to this driver and the resulting land use mix is consistent with the proposed 50% cap. Employment uses, hotel and retail, will account for 53% of the floor area of the development.

Hotel uses are identified as a key use within the Strategy and a range of mechanisms are put forward to encourage this land use to alleviate the existing and predicted future shortage of hotel accommodation in the CBD. The development will contribute to employment capacity within the Sydney CBD, producing approximately 350-450 jobs during the construction phase. The hotel component of the development is expected to employ approximately 1,000 staff.

Development that responds to context

This Stage 1 SSDA directly responds to the site-specific characteristics of the site (refer to **Section 2**). The proposed built form seeks to respond to the unique gateway location as well as the adjacency to Hyde Park. Further, the types of land uses and the land use mix proposed by the development seek to capitalise on the sites connectivity and access to public transport. The project proposed a large hotel with direct connection to Sydney International and Domestic Airports. This connection will encourage guests to utilise public transport rather than private vehicles when traveling to and from the hotel. Staff and visitors will also be able to make use of existing and proposed public transport services such as the future Sydney Metro Station.

Simplified planning controls

The Strategy and proposed amendments to the SLEP 2012 aim to simplify the calculation of permissible floor space ratio in Central Sydney. A summary of the current and proposed floor space ratio is provided in **Table 7** below. The proposed

development is compliant with both the existing FSR and the proposed FSR that will apply to the site.

Table 7 – Existing and proposed FSR controls under the Strategy

Floor Space	Existing FSR	Proposed FSR
Base	8:1	8:1 – all uses
Accommodation	6:1 – hotel and residential 4.5:1 – retail and commercial ^ reduced proportionately by land use mix	4.5:1 – all uses
Key Use	N/A	1.5:1 – hotel
Design Excellence Bonus	10% - all uses	10% – all uses
Total	15.26:1	15.4:1

A more sustainable city

Further to the opportunities to capitalise on existing and proposed transport connections, the project will seek to deliver an environmentally friendly design. The proposed ESD targets and goals for the project are set out in the ESD Report at **Appendix M** and discussed further at **Section 5.22** and **Section 8.3**.

5.4 Compliance with Environmental Planning Instruments

5.4.1 State Environmental Planning Policies

The relevant strategies, environmental planning instruments, policies and guidelines as set out in the SEARs are addressed in **Table 8**.

Table 8 – Consistency with the relevant State Environmental Planning Policies

Instrument/Strategy	Comments	Consistent
SEPP (State & Regional Development)	See Section 1 and Section 5.3 .	✓
SEPP (Infrastructure)	The relevant matters for consideration within SEPP Infrastructure is the referral requirements for development within/adjacent to the Interim Metro Corridor (Division 15 Railways) and traffic generating development (Schedule 3). The proposal will accordingly be referred for comment to Transport for NSW and the Roads and Maritime Service (RMS). Consultation with Sydney Metro and Sydney Trains has been undertaken in preparing the building envelope design. See Section 5.18 below and Appendix P for details.	✓
SEPP 55 (Remediation of Land)	Clause 7 of SEPP 55 specifies that a consent authority must not consent to the carrying out of any development on land unless it has considered whether land is contaminated and if the land is contaminated, it is satisfied that the land is/can be suitable for the proposed development. The Phase I Environmental Site Assessment prepared for the site (see Appendix N) confirms that the site is a low risk for land contamination, is suitable for continued commercial use and is likely to be suitable for high rise residential development. It recommends that a Phase 2 site investigation is undertaken to confirm these findings. This requirement can be applied as a condition of consent to any future Stage 2 DA.	✓
State Environmental Planning Policy 65 – Design Quality of Residential Flat Buildings (SEPP 65)	The proposed building envelope and indicative layouts are generally consistent with the provisions of SEPP 65 and the NSW Apartment Design Guidelines (ADG). This is addressed further in Section 5.9 below and in the Design Report at Appendix D .	✓

Instrument/Strategy	Comments	Consistent
<i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (SEPP (BASIX))</i>	A BASIX certificate will be submitted for the residential component of the development as part of the Stage 2 SSDA. An ESD Report has been prepared for the proposal and is included at Appendix M . 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)	✓
<i>Sydney Regional Environmental Plan (Sydney Harbour Catchment)</i>	The site is not located within the Sydney Harbour Catchment.	N/A

5.4.2 State Significant Development

The EP&A Act establishes a specific assessment system to consider projects classed as State Significant Development (SSD). As noted in **Section 1**, the proposed development is declared SSD.

Section 83B of the EP&A Act relates to staged development applications. A staged development application is one that sets out concept proposals for the development of a site, and for which detailed proposals are to be the subject of subsequent development applications. This development application is a Staged SSDA, comprising a concept proposal for the entire site.

Section 83D of the EP&A Act provides that while any consent granted on the determination of a staged development application for a site remains in force, the determination of any further development application in respect of that site cannot be inconsistent with that consent.

This EIS has examined and considered, to the fullest extent possible, all matters affecting or likely to affect the environment by reason of the proposed development. **Table 9** provides an assessment of the Stage 1 SSDA against the objects of the EP&A Act.

Table 9 – Objects of the EP&A Act

Object	Comment
5(a)(i) To encourage the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment.	The Stage 1 SSDA will contribute to the proper management, development and conservation of the natural and artificial resources of the site. In particular, measures outlined in the ESD report prepared by NDY and included as Appendix M will be implemented to ensure the conservation of natural resources throughout the construction and operational phases, and existing resources and infrastructure will be retained and re-used where practicable. The Stage 1 SSDA will promote the social and economic welfare of the community by providing an improved urban environment by activating the street frontage, improving accessibility and connectivity of the site, and will greatly enhance a key CBD location that is presently underutilised.
5(a)(ii) To encourage the promotion and co-ordination of the orderly economic use and development of land.	The proposed Stage 1 SSDA involves the orderly redevelopment of the Site. The Proposal will promote economic growth and make greater use of an underutilised site in a prime CBD location.
5(a)(iii) To encourage the protection, provision and co-ordination of communication and utility services.	The Stage 1 SSDA would not impact on the provision or coordination of communication and/or utility services. Relevant utility providers will be consulted as part of the

Object	Comment
	Stage 2 SSDA process.
5(a)(iv) To encourage the provision of land for public purposes.	The proposal supports the provision of a substantial quantum of public domain works, to the benefit of existing and future workers, the general public, surrounding residents and the wider community.
5(a)(v) To encourage the provision and co-ordination of community services and facilities.	The Stage 1 SSDA nominates the upgrade of the public domain which will enhance community facilities and services. These uses will be formalised in the future Stage 2 SSDA.
5(a)(vi) To encourage the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats.	The proposal would be undertaken in a highly modified and disturbed urban environment, and would not impact on biodiversity values. The Site is not considered to have habitat suitable for any threatened flora and fauna.
5(a)(vii) To encourage ecologically sustainable development.	The proposed development accords with the principles of Ecologically Sustainable Development, as set out in Schedule 2 of the EP&A Regulation 2000. This is further considered in Section 8.3 of this EIS.
5(a)(viii) To encourage the provision and maintenance of affordable housing.	The concept proposal includes a residential component that will contribute to the supply and diversity of housing within the Sydney CBD.
5(b) To promote the sharing of the responsibility for environmental planning between different levels of government in the State.	Pre-lodgement consultation has been undertaken with various levels of government and government agencies during the preparation of this proposal, and all government agencies will be afforded the opportunity for further input into the development process during the public exhibition process. Refer to Section 4 of this EIS for further details.
5(c) To provide increased opportunity for public involvement and participation in environmental planning and assessment.	The pre-lodgement community consultation conducted is detailed in Appendix H and Section 4 of this EIS. Further consultation will be carried out during design development, prior to the commencement of construction, and throughout the construction period.

5.4.3 Sydney Local Environmental Plan 2012

The SLEP 2012 is the principal local environmental planning instrument applying to the site and a summary of the proposal is provided at **Table 10** below.

Table 10 – Summary of consistency with SLEP 2012

Provision	Comment	Consistent
Clause 2.1 Land Use Zone	The site is zoned B8 Metropolitan Centre. Residential accommodation, tourist and visitor accommodation and retail premises are permissible with consent in the zone. The proposal is consistent with the zone objectives on the following grounds: ▪ The proposed development will result in an iconic new addition to the Sydney skyline taking into consideration its prominent location on Hyde Park at the eastern gateway to the CBD. ▪ The proposal includes the provision of retail uses and active frontages on all street frontages. ▪ The proposal provides an intensity of land use comparable to that of a global city, providing high quality residential accommodation. ▪ The proposal 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	✓

Provision	Comment	Consistent
	accommodation in the CBD environment, this will promote active transport and public transport usage.	
Clause 4.3 – height of buildings	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 (see Section 5.2).	✓
Clause 4.4 – FSR	See Section 5.6.4	✓
Clause 5.10 – Heritage conservation	The site is in the vicinity of a number of heritage items. A Heritage Impact Statement has been prepared for the proposed development which demonstrates that the proposed building envelope will not have an unacceptable heritage impact (see Appendix K and Section 5.16 below).	✓
Clause 6.4 – Accommodation floor space	See Section 5.6.4	✓
Clause 6.16 – Erection of tall buildings in Central Sydney	The proposal is consistent with the objectives of this clause in that: ▪ The Reference Scheme demonstrates that the building envelope is capable of achieving solar access and cross ventilation 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 5.9 below). ▪ The proposed building envelope has been designed specifically to enhance solar access to public spaces by providing a 50% reduction in overshadowing of Hyde Park (between midday and 2pm in midwinter) compared to the existing building (see Section 5.7 below). ▪ The proposed building envelope will result in an improved public domain outcome providing active uses on ground floor frontages to Elizabeth Street, Park Street and Castlereagh Street. ▪ The site is greater than 800m² in area.	✓
Clause 6.17 – Sun access planes	The site is affected by the Hyde Park West sun access plane. Refer to Section 5.2 and Section 5.7 .	On merit
Clause 6.18 – Exception to sun access planes	Refer to Section 5.2 and Section 5.7 .	On merit
Clause 6.21 – Design Excellence	A design excellence process is required to be held for the proposed development. It is proposed that this be held following the issue of the Stage 1 SSDA consent and prior to lodgement of the Stage 2 SSDA. A Design Excellence Strategy has been prepared for the proposal and included at Appendix I .	✓
Clause 7.5 – Car parking ancillary to other development	The proposed development is consistent with the maximum parking provisions. Further detail is provided in the Transport Report at Appendix J and Section 5.11 below.	✓
Clause 7.14 – Acid sulfate soils	SLEP 2012 identifies the site as Class 5 acid sulfate soils. Under the LEP, 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 not located within 500 metres of Class 1, 2, 3 or 4 land. In addition, the Phase 1 Environmental Assessment (Appendix N) indicates that there is a low probability of acid sulfate soil occurrence on the site or in the surrounding area.	✓
Clause 7.16 – Airspace operations	The proposal will breach the OLS and will be referred to the relevant airport authority accordingly. See Section 5.25 .	✓
Clause 7.19 – Demolition must not result in long term adverse visual impact	Demolition will not commence until the approval of a Stage 2 SSDA on the site as to provide certainty that the proposal will not result in any long term adverse impact.	✓
Clause 7.20 – Development requiring preparation of a	As per Section 83C of the EP&A Act, this Stage 1 SSDA satisfies the obligation for the preparation of a development	✓

Provision	Comment	Consistent
development control plan	control plan under this provision. The matters prescribed in Clause 7.20(4) have been addressed through this EIS. A summary is provided at Section 5.27 .	

5.4.4 Sydney Development Control Plan 2012

It is noted that despite the SEARs, 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, an assessment of the proposed development against the relevant provisions of Sydney DCP 2012 is provided at **Table 11** below.

Table 11 – Relevant provisions of Sydney DCP

Provision	Comment	Consistency
5.1.3 Street frontage heights and setbacks for Special Character Areas	The site is located within the College Street/Hyde Park Special Character Area. A 45m street frontage height is provided in accordance with the prescribed controls. The setback above the street frontage height is generally consistent with the 8m requirement. See Section 5.6 .	✓
5.1.5 Building bulk	The proposed envelope is consistent with this control. The envelope above 45m is limited to less than 750sqm. See Section 5.6 .	✓
5.1.6 Building Exteriors	The materials and design of the future building will take into account the relationship of the proposed development to surrounding buildings including heritage items. This will be subject to the competitive design process and the Stage 2 SSDA.	✓
5.1.9 Award and allocation of heritage floor space	Heritage floor space allocation will be confirmed as part of the Stage 2 SSDA.	✓
5.1.10 Sun access planes	Refer to Section 5.2 for further details.	✓
4.2.1.2 Floor to ceiling heights and floor to floor heights	The proposed envelope is capable of achieving the required floor to ceiling and floor to floor heights for each of the proposed land uses. This will be subject to the competitive design process and Stage 2 SSDA.	✓
4.2.3 Amenity	The proposed envelope is capable of achieving solar access to 76.3% of apartments and all apartments are deemed to be naturally cross ventilated as demonstrated in Appendix D . Refer to Section 5.9 . Other detailed provisions will be considered through the competitive design process and Stage 2 SSDA.	✓
4.2.3.12 Flexible housing and dwelling mix	The proposed development includes the following percentage unit mix: (a) Studio 5.3%. (b) 1 bedroom: 13.0% (c) 2 bedroom: 55.0% (d) 3+ bedroom 26.7%	✓
4.2.5.1 Tall buildings	The proposed envelope of the tower is less than 750sqm of GFA. Appropriate separation can be provided on the site.	✓
4.2.6 Waste Minimisation	A Waste Management Plan has been prepared for the proposal (see Appendix Q) which confirms that the proposed development is capable of satisfying the waste management requirements under the DCP.	✓
3.1.2 Pedestrian and bike	The Indicative Scheme (Appendix C) demonstrates that the proposed development can achieve a ground floor plane that	✓

Provision	Comment	Consistency
network	will enhance the pedestrian environment and provide additional connections. Refer to Section 5.8 and Section 5.11 .	
3.1.5/3.3.7 Public Art	A Public Art Strategy is included in the Design Report at Appendix D . The inclusion of public art in the new development will be investigated during the competitive design process and Stage 2 SSDA.	✓
3.1.6 Sites greater than 5,000sqm	The Indicative Scheme (Appendix C) demonstrates that the proposed development can achieve a ground floor plane that will enhance the pedestrian environment and provide additional connections. Refer to Section 5.8 . The competitive design process and Stage 2 SSDA will address requirements to provide a fine grain and permeable development.	✓
3.2.1 Improving the public domain	The proposed envelope will result in a 50% reduction to the overshadowing of Hyde Park between 12:00-14:00 on 21 June. Refer to Section 5.7 for further detail. A view impact assessment is also submitted at Appendix G and described at Section 5.10 .	✓
3.2.2 Addressing the street and public domain	The proposed building envelope facilitates a number of retail tenancies and the hotel lobby at street level, with additional retail tenancies below street level. It is considered that this will result in active street front which, in combination with the proposed through-site-link, will ensure that future development positively addresses the public domain.	✓
3.2.3 Active frontages	The site is required to provide active street frontages to Park Street, as per the Active Frontages Map. Ground floor retail tenancies will activate the street frontages to all street frontages.	✓
3.2.4 Footpath Awnings	Continuous awning to Elizabeth Street and Park Street will be accommodated in the detailed design in the Stage 2 SSDA.	✓
3.2.6 Wind Effects	The potential wind effects of the proposed maximum envelope are explored in Section 5.13 of this EIS and in a detailed assessment at Appendix L .	✓
3.2.7 Reflectivity	Reflectivity will be addressed in the Stage 2 SSDA when materials and finishes are formalised. As stated at Section 5.17 the proposal is capable of achieving this provision.	✓
3.3 Design excellence and competitive design process	Any development on the site will undergo a competitive design process in accordance with the provisions of the SDCP 2012. A Design Excellence strategy is provided at Appendix I .	✓
3.3.8 Site specific development control plans and stage 1 development applications	This EIS.	✓
3.6 Ecologically sustainable development	The ESD Report at Appendix M and Section 5.22 set 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.	✓
3.9.1 Heritage Impact Statements	A Heritage Impact Statement is submitted at Appendix K . Refer to Section 5.16 .	✓
Sunlight to publicly accessible spaces	Detailed shadow studies have been prepared and included in the Design Report at Appendix D . The proposed development will result in a 50% reduction of overshadowing of Hyde Park between 12:00-14:00 on 21 June. See Section 5.7 for further discussion.	✓
3.11.1 Managing transport demand	All transport and parking considerations of the proposal are addressed in Section 5.11 below and in the Transport Report at Appendix J .	✓
3.11.2 Car share scheme parking spaces	The proposed basement is capable of accommodating the required car share places. Details regarding provision of car share spaces will be provided as part of the Stage 2 SSDA.	✓

Provision	Comment	Consistency
3.11.3 Bike parking and associated facilities	Bicycle parking for employees and residents can be accommodated in the basement. Additional visitor bike racks will be provided at ground level within the proposed through site links. The exact location of these spaces will be confirmed as part of the Stage 2 SSDA.	✓
3.11.4 Vehicle parking	An indicative basement plan is provided in the Indicative Scheme (Appendix C). The Transport Report (Appendix J) confirms that the car parking spaces can be designed in accordance with the relevant Australian Standards. This will be formalised, consistent with these requirements, as part of the Stage 2 SSDA.	✓
3.11.6 Service vehicle parking	Service vehicle parking will be capable of being accommodated within the basement. Details will be provided as part of the Stage 2 SSDA.	✓
3.11.7 Motorbike parking	The proposed basement is capable of accommodating the required number of motorbike parking spaces. Details will be provided as part of the Stage 2 SSDA.	✓
3.12 Accessible Design	The future development on the site, that will be the subject of a future Stage 2 SSDA, 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 any future development application.	✓
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 SSDA.	✓
3.13.1 Crime prevention through environmental design	The CPTED principles will be addressed through the Stage 2 SSDA.	✓

5.5 Design Excellence

As per clause 6.21(5) of the SLEP 2012, a competitive design process will be carried out on the site following the approval of the Stage 1 SSDA and prior to the lodgement of a Stage 2 SSDA on the site. The Design Excellence Strategy, prepared by JBA in accordance with the *City of Sydney Competitive Design Policy 2012* is submitted at **Appendix I**. The Design Excellence Strategy provides that the applicant will conduct an invited design competition with a range of local and international architects and the Competition Brief will be prepared by the applicant in consultation with Council's design excellence team.

The key design excellence objectives will be:

- A tower form that responds to the key site characteristics and the gateway location of the site;
- An improved public domain and ground plane;
- To minimise overshadowing Hyde Park;
- A world-class hotel including facilities;
- To maximise residential amenity;
- Achieve the ESD objectives for the project; and
- A built form that conforms with the Stage 1 building envelope for the site.

The Design Excellence Strategy sets out that the project will be pursuing up to 10% additional floor space ratio under clause 6.21 of Sydney Local Environmental Plan 2012 and the City of Sydney Competitive Design Policy. This additional floor area will be distributed throughout the development. Any additional floor space will be required to be consistent with the Stage 1 building envelope and the requirement to reduce overshadowing to Hyde Park by 50%.

This approach will ensure that the project achieves design excellence in accordance with clause 6.21(4) of the SLEP 2012.

5.6 Built Form and Urban Design

5.6.1 Podium Element

The proposed development is comprised of two primary elements being the podium component and the tower component. The proposed podium provides a 45 metre street frontage height and has applied a zero setback from the property boundaries in accordance with the provisions of section 5.1.3 of the SDCP 2012. The proposed podium will provide ground floor retail uses to activate the street frontages to Elizabeth, Castlereagh and Park Streets to improve the existing urban form and pedestrian scale. The dominant existing car ramp along Castlereagh Street which given a feeling of back of building is replaced with a generous 5 star hotel lobby and vehicle drop-off which will improve the street scape.

5.6.2 Tower Element

The proposed tower element is sited on the northern portion of the site, fronting Park Street. The tower element is generally consistent with the 8m setback from each street frontage as required by the SDCP 2012. As provided in the Design Report at **Appendix D**, the tower element protrudes into the prescribed setback area for less than 16% of the frontage to Castlereagh Street, and less than 4% of the frontage to Elizabeth Street and Park Street.

There is no consistent setback above 45 metres within the vicinity of the site, including on the existing development adjoining the site at 227 Elizabeth Street. Although this setback is not strictly adhering to provision 5.1.3(2) of the SDCP, the proposed development is consistent with the objectives of the provision as this non-compliance will not result in any measurable impact on the Hyde Park/College Street Special Character Area and is therefore considered a suitable building envelope for the site. Further, the proposed tower form results in an improved visual outcome when considering the key public view corridors to the site (see further discussion at **Section 5.10**). The narrow face lies on the Oxford Street approach axis and the east face addresses the approach from William and Park Streets.

5.6.3 Through-Site Link

The indicative design includes the provision of an east-west pedestrian connection between Elizabeth Street and Castlereagh Street. The exact location of this through site link will be explored through the competitive design process for the site. The provision of an additional pedestrian link within the site will enhance the pedestrian connectivity within the vicinity of the site and provide all weather alternatives for pedestrians. The through site link will also provide connection to Museum Station and potential connections to the future Pitt Street North Metro Station subject to agreement with Transport for NSW. The through-site link will provide a positive contribution to the urban design outcome of the site.

5.6.4 Gross Floor Area and Floor Space Ratio

The site has a base FSR of 8:1 as per Clause 4.4 of the SLEP 2012. The site is identified as Area 2 and is eligible for the following additional 'accommodation floor space' under Clause 6.4 of the SLEP 2012:

- Office, business or retail premises: 4.5:1; and
- Residential accommodation, serviced apartments, hotel or motel accommodation, community facilities, or child care centres: 6:1.

The amount of additional floor space is reduced proportionality to the mix of uses provided in the development.

Clause 6.21(7) of the SLEP 2012 provides that a development may be eligible for a 10% bonus in either FSR or height where a competitive design process has been held for the project. A design competition will be conducted for the site based on the building envelopes approved under this Stage 1 SSDA. This competitive process will be undertaken in accordance with the City of Sydney Competitive Design Policy. Accordingly, the Design Excellence Strategy has been prepared for the site and is submitted at **Appendix I**. Given the height limitations of the Hyde Park West sun access plane, the design competition will pursue a 10% bonus to the maximum floor space ratio. The proposed building envelope has been designed to accommodate the additional 10% FSR which may be awarded to the project following the design competition. An alternative indicative scheme has been included in **Appendix C** to demonstrate that a detailed design that has not been awarded the 10% additional FSR could be accommodated within the building envelope and achieve the desired amenity and public benefit outcomes of the project.

The permissible floor space ratio for the site is set out in **Table 12**.

Table 12 – Calculation of permissible floor space ratio

Floor Space	Ratio
Base FSR	▪ 8:1
Accommodation	
▪ Residential/hotel	▪ 5.506:1
▪ Retail	▪ 0.370:1
Total	13.877:1
Design Excellence Bonus	1.388:1
Total	15.264:1
FSR Proposed	15.264:1

5.7 Overshadowing of Hyde Park

5.7.1 Overshadowing in Mid-Winter

A key design objective of the site is to reduce the overshadowing caused by the existing building on Hyde Park. The site is affected by the Hyde Park sun access plane enforced by clause 6.17 of the SLEP (see **Figure 29** in **Section 5.2**). Clause 6.18 of the SLEP 2012 provides the circumstances in which a development is permitted to exceed the sun access plane. Although the proposed development is located on land identified as both Category A and Category B land, the design objective has been to apply the same overshadow reduction requirements to the tower form regardless.

The proposed building envelope results in a 50% reduction in the shadow cast by the existing development on the site, measured in accordance with clause 6.18 of the SLEP. This control has been set for the lunch time period (12:00-14:00 AEST) on the 'worst case' day, being the middle of winter. The Design Report and **Appendix D** presents the shadow analysis for half hour intervals between 12:00 and 14:00pm on the 21 June (winter solstice). The shadow diagrams are reproduced in **Figures 32-36** below.

Cumulatively, across the period of 12:00-14:00 on the 21 June, the existing development casts a shadow of 32,585m². The proposed building envelope will reduce this cumulative shadow by 16,286m². This analysis demonstrates that the proposed building envelope will facilitate a development resulting in a 50% reduction in the overshadowing of Hyde Park caused by the existing building, during the lunchtime period in mid-winter.

FJMT, in response to feedback from the DAP and the community information session, have also undertaken additional overshadowing analysis at the summer solstice and both the autumn and spring equinox. The overshadowing diagrams are included in the Design Report submitted at **Appendix D**.

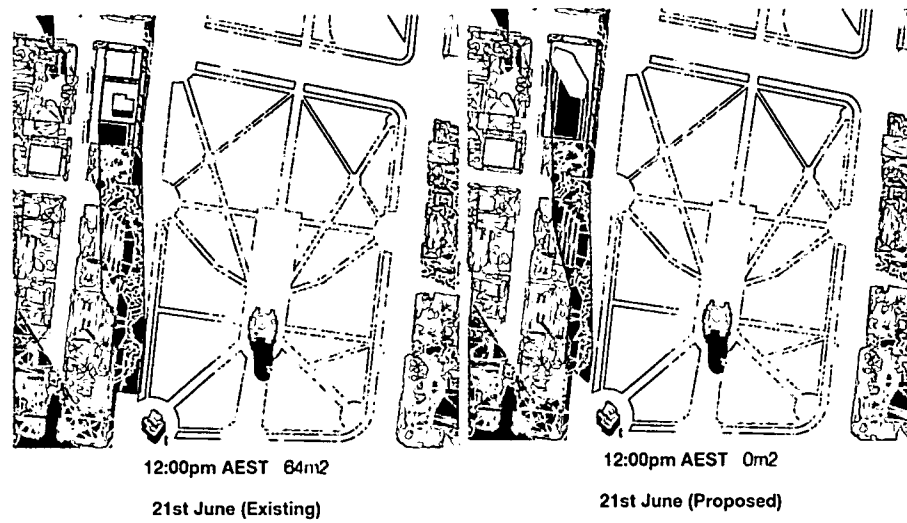


Figure 32 – Shadow cast by existing versus proposed development – 12:00AEST
Source: FJMT

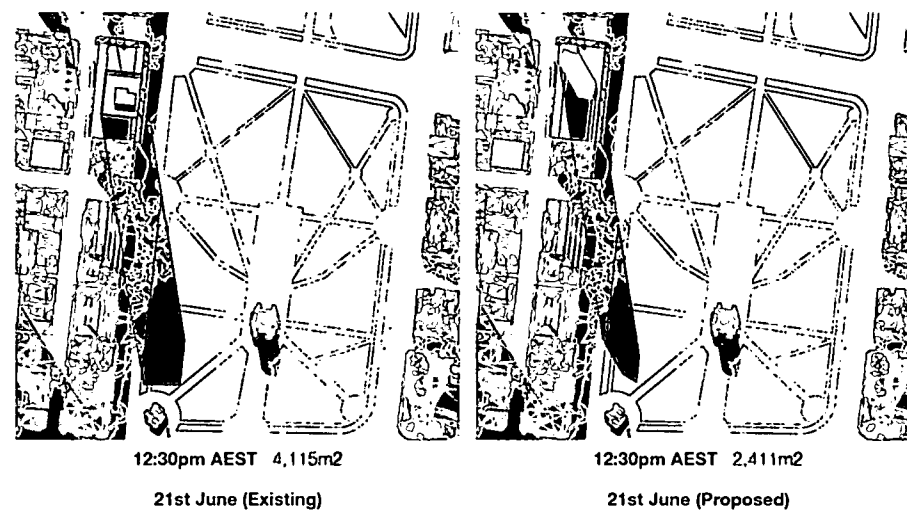


Figure 33 – Shadow cast by existing versus proposed development – 12:30AEST
Source: FJMT

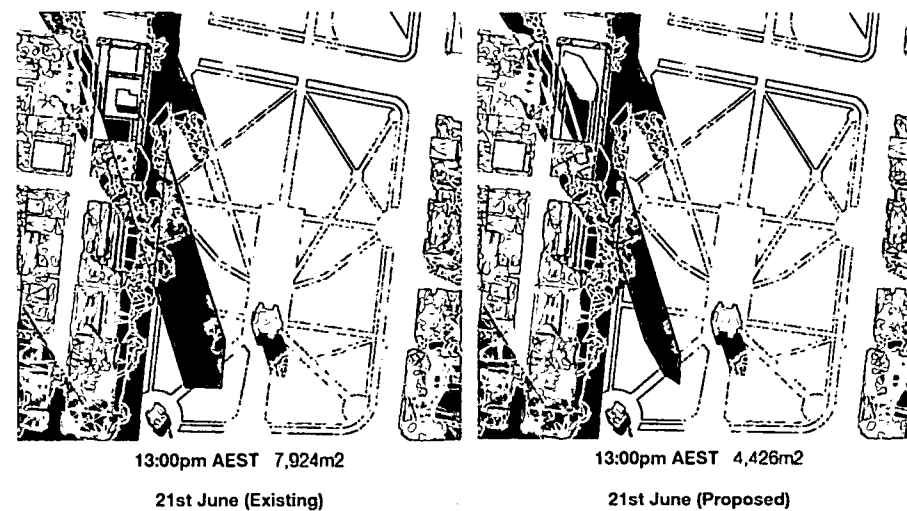


Figure 34 – Shadow cast by existing versus proposed development – 13:00AEST
Source: FJMT

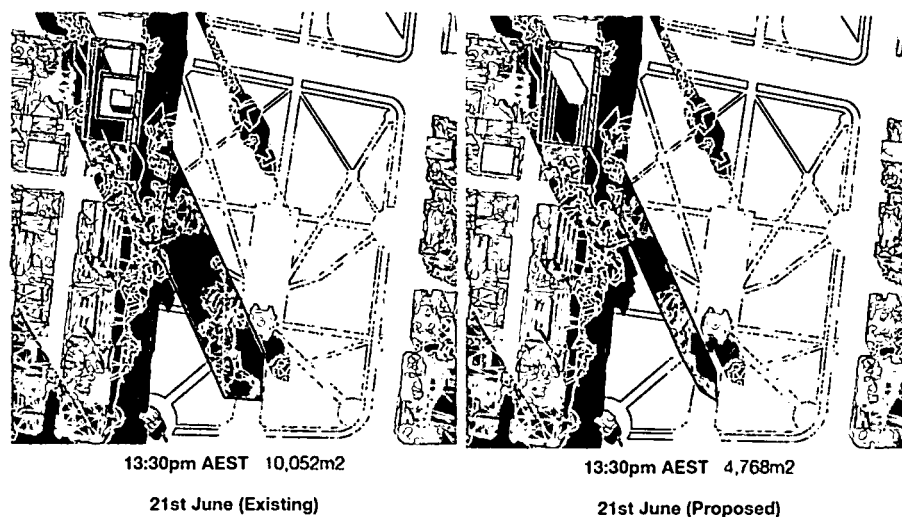


Figure 35 – Shadow cast by existing versus proposed development – 13:30AEST
Source: FJMT

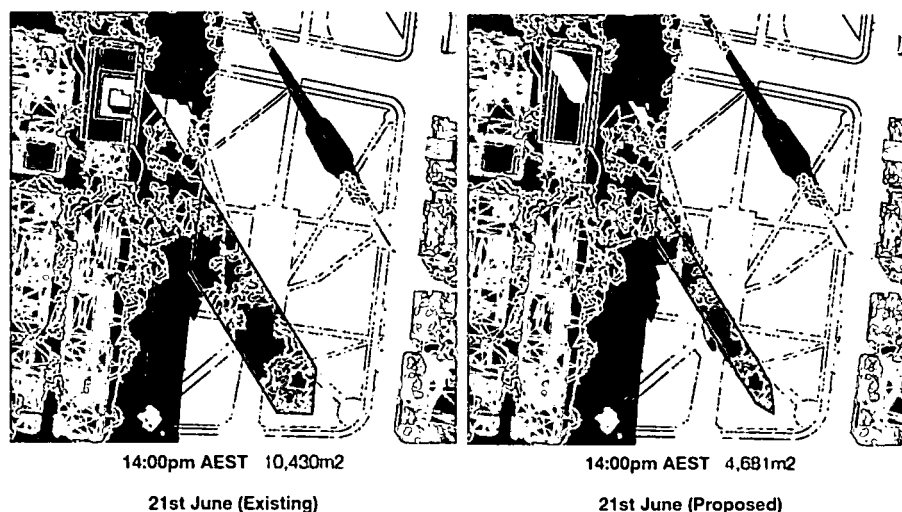


Figure 36 – Shadow cast by existing versus proposed development – 14:00AEST
Source: FJMT

5.7.2 Overshadowing on ANZAC Day

Given the historical and cultural significance of the Anzac War Memorial, further shadow analysis has been undertaken to minimise the impact of the proposed development on this site. As demonstrated in the mid-winter shadow study above, the proposed development will result in a significant reduction in the shadow cast by 201 Elizabeth Street with the Anzac War Memorial receiving a greater amount of solar access in mid-winter. Further analysis has been completed to consider the shadow impact on ANZAC Day and is presented in **Figure 37** below.

Shadow of the proposed development does not reach Hyde Park until after 12 noon, after key memorial services on ANZAC Day. Whilst the existing development casts a slim shadow on the Anzac War Memorial at 1.00pm, the proposed slim line tower will remove this shadow from the Anzac War Memorial building. This analysis demonstrates that the proposed development will not cast shadow on the memorial on ANZAC Day and thereby an improved public benefit outcome based on the existing development.

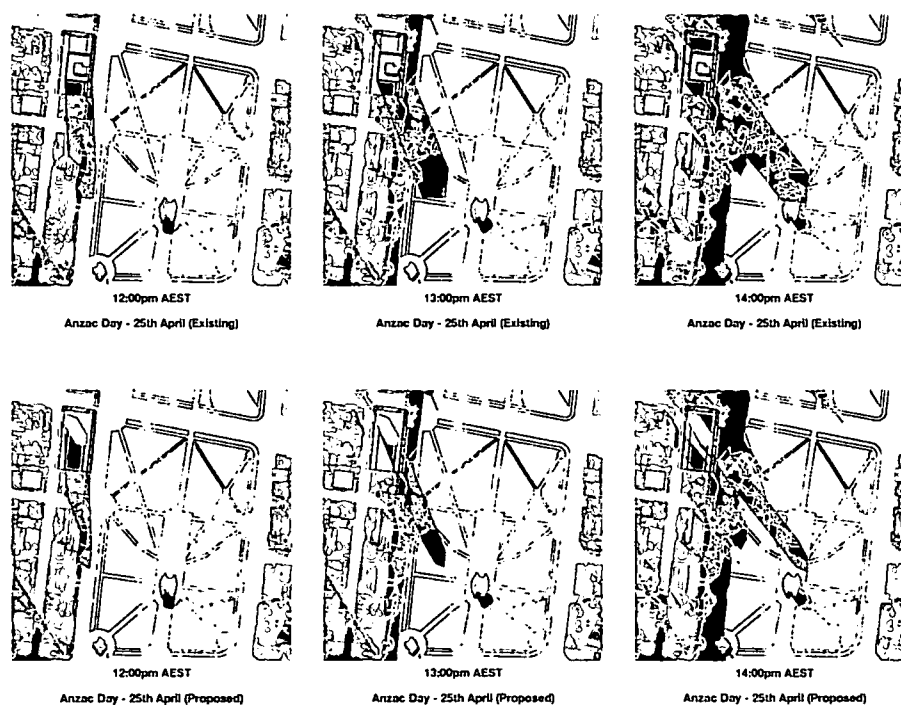


Figure 37 – Overshadowing analysis on ANZAC Day
Source: FJMT

5.8 Streetscape and Public Domain

A key design objective of the project is to create an improved public domain and pedestrian environment, especially in relation to the existing conditions of Castlereagh Street as described in **Section 2.2**. Although the proposed building envelope does not directly implement this objective, the Indicative Design (**Appendix C**) demonstrates the opportunities for the site. A key feature being the introduction of a new east-west pedestrian link through the block with active uses creating a separation of pedestrians from the traffic conditions of Park Street.

The proposed built form introduces a podium element that is not included in the existing building form on the site. This podium element will improve the public domain through increased activity, provision of awnings providing shelter from the weather for pedestrians, and an increase to disabled access through the site as a result of the removal of the current stairs to address the level change between Castlereagh and Elizabeth Streets. Indicative renders of the potential streetscape contribution are presented in **Figure 38** and **39**.

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 D**. 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 Stage 2 SSDA.



Figure 38 – Indicative streetscape – Castlereagh and Park Street
Source: Virtual Ideas



Figure 39 – Indicative streetscape – Elizabeth Street and Park Street
Source: Virtual Ideas

5.9 Residential Amenity

The Indicative Design (**Appendix C**) has been provided for information purposes to demonstrate that the proposed building envelope is capable of achieving the principles of SEPP 65 and the key controls in the Apartment Design Guide (ADG). A detailed ADG assessment will be provided as part of the Stage 2 SSDA. It is noted that the ADG only applies to residential development and does not apply to the hotel component of the proposal. Compliance with the key ADG criteria is discussed below and compliance diagrams are provided in the Design Report at **Appendix D**.

Solar Access

ADG design criteria 4A-1 Solar Access requires that living rooms and private open spaces of at least 70% of apartments in a building to receive a minimum of 2 hours direct sunlight between 9am and 3pm at midwinter. The solar modelling conducted by FJMT and presented in the Design Report (**Appendix D**) demonstrates that the proposed tower element is capable of achieving the design criteria with 76.3% of apartments receiving the required amount of solar access (see **Figure 40**). The ADG provides that no more than 15% of apartments should receive no direct sunlight between 9am and 3pm at midwinter. The indicative design scheme provides for only 6.1% of apartments achieving no direct sunlight in mid-winter.

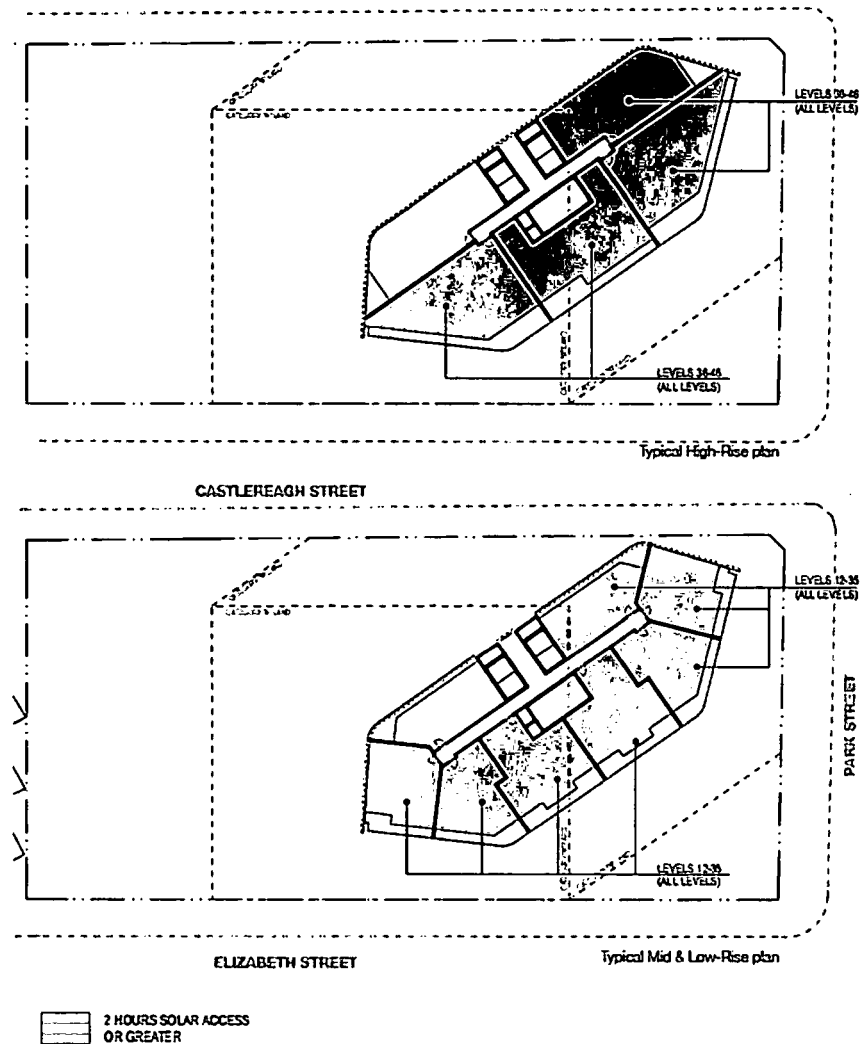


Figure 40 – Solar access to indicative residential apartments
Source: FJMT

Natural Cross Ventilation

ADG design criteria 4B-3 Ventilation requires that:

- “1. 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.
2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line”

The proposed land use mix does not include any residential land uses within the first nine storeys of the development. Balcony design will be subject to the design competition and Stage 2 SSDA however is not expected to allow for fully enclosed balconies. The tower form is unlikely to facilitate cross over apartments. Therefore, the residential component of the proposed development will be deemed to be naturally cross ventilated in accordance with the guidelines of the ADG, with 100% of apartments achieving natural cross ventilation.

Building Separation and Privacy

ADG design criteria 2F Building Separation applies the privacy separation distances from the boundary of a development site to a balcony or window. The proposed residential uses are located above 25 metres in height and are therefore required to maintain a setback of 12 metres between habitable rooms and balconies and 6 metres between non-habitable rooms. The proposed building envelope achieves separation distances prescribed with a minor exception for approximately 2 metres of the Castlereagh Street frontage. Development opposite is set back a considerable distance at this level and any potential privacy impacts can be adequately managed through the detailed design of the building in the design competition and the Stage 2 SSDA.

5.10 Public Views

5.10.1 Key View Corridors

As described in **Section 2.1**, the existing building is a prominent form on the existing CBD skyline, especially when viewed from the east. Accordingly, a Visual Impact Analysis has been prepared by Virtual Ideas to consider the impact of the proposed building envelope on the key view corridors from William Street looking west, and Oxford Street looking north west (refer to **Appendix G**). The methodology employed by Virtual Ideas is in accordance with the Land and Environment Court requirements for 3D visualisations.

The existing and proposed development, from the key view corridors is presented in **Figures 41–43**. These images demonstrate that the proposed development, although subject to a design competition, will make a positive contribution to the CBD skyline. The William Street view corridor demonstrates how the realignment of the tower form and the reinstated podium towards Park Street will reinforce the gateway view of the site. The proposed development will re-establish the alignment of the streetwall on Park Street and present a coherent form when viewed from the eastern approach to the CBD. When considered in the context of approved development within the vicinity of the site, the proposed building envelope will make a positive contribution to the overall form of the CBD skyline.

When viewed from Oxford Street, across Hyde Park, the location of the tower and the slimline form will increase the perceived separation between tall buildings and increase the area of sky behind the development. The slimline form will also provide a greater area of sky behind the Hyde Park and create a greater separation in comparison to the existing development. Overall, it is considered that the proposed development will improve rather than inhibit the key public view corridors.

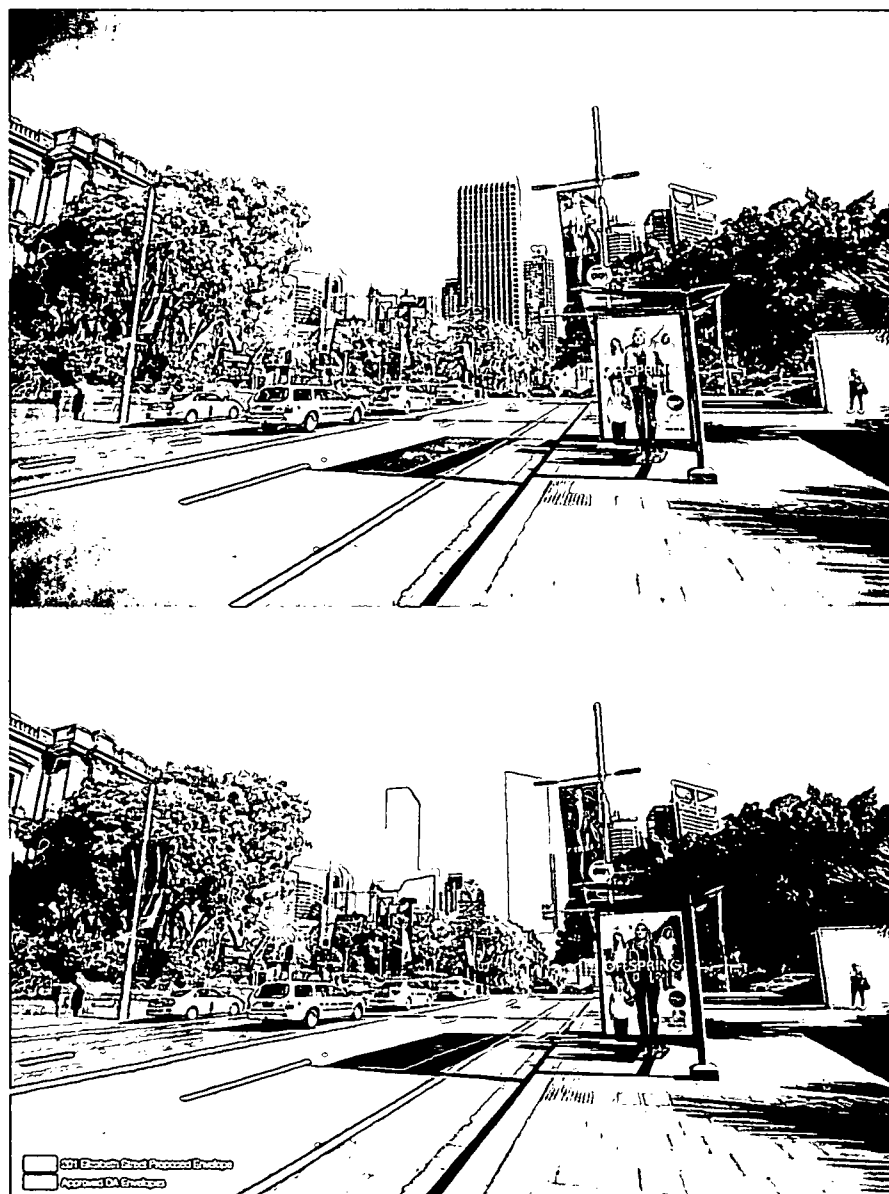


Figure 41 – Existing versus proposed William Street view corridor (near)
Source: Virtual Ideas



Figure 42 – Existing versus proposed William Street view corridor (far)
Source: Virtual Ideas



Figure 43 – Existing versus proposed Oxford Street view corridor
Source: Virtual Ideas

5.10.2 Visual Impact on Hyde Park

The existing development is a dominating element when viewed from Hyde Park, specifically the public areas in the immediate vicinity of the Anzac War Memorial. Although significant trees provide a level of screening, the existing building is highly visible and prominent. The proposed building envelope sets the development as a background element to Hyde Park by providing a slimline tower form. The proposed realignment of the tower element to the northern portion of the site will provide greater building separation and increase the area of sky behind the Anzac War Memorial. It is noted that the existing and proposed building are not visible from College Street and Francis Street given the change in ground level and significant vegetation.

The existing and proposed development viewed from the Anzac War Memorial and Pool of Remembrance are presented in **Figures 44-45**. Overall it is considered that the redevelopment of the site and the proposed building envelope will result in an improved visual backdrop within Hyde Park. The existing dominant element will be replaced with a slimline form that acts as a background element to the park.

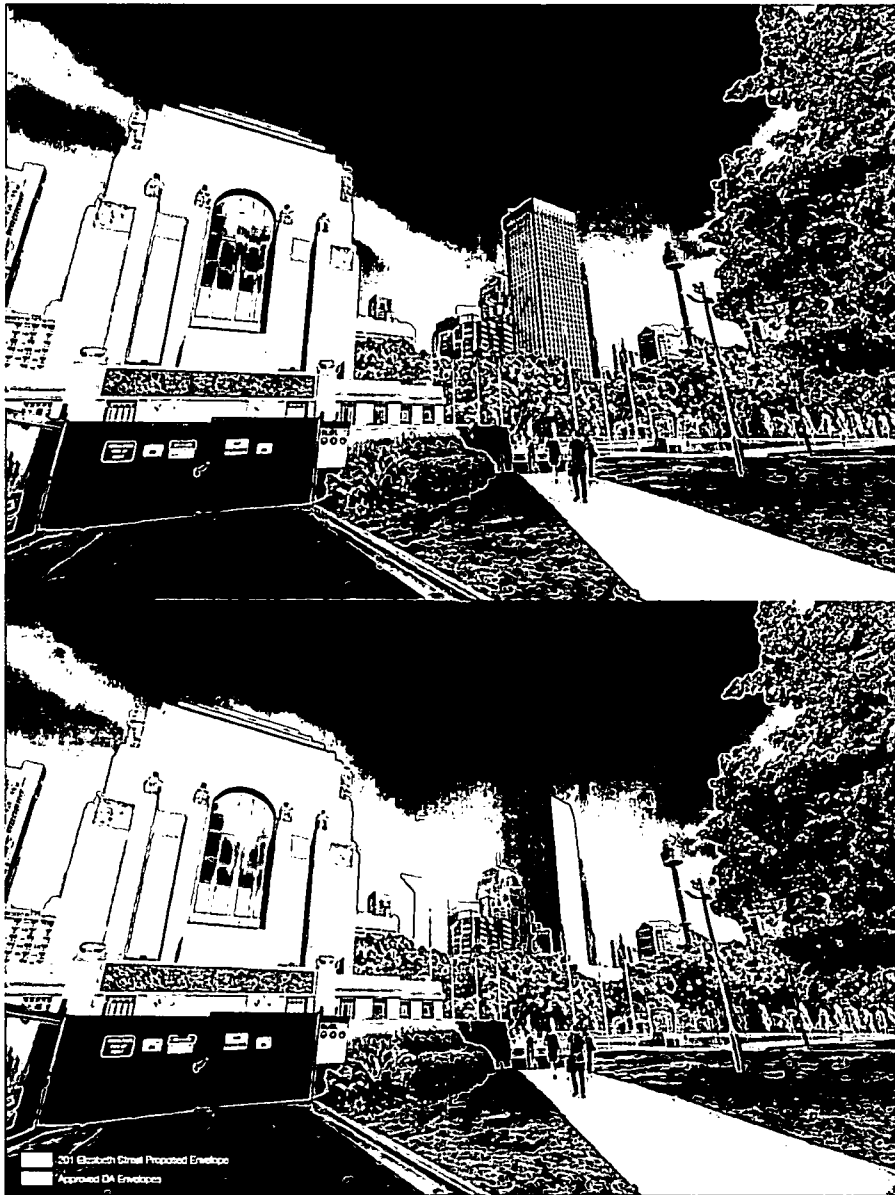


Figure 44 – Existing versus proposed view from the Anzac War Memorial
Source: Virtual Ideas

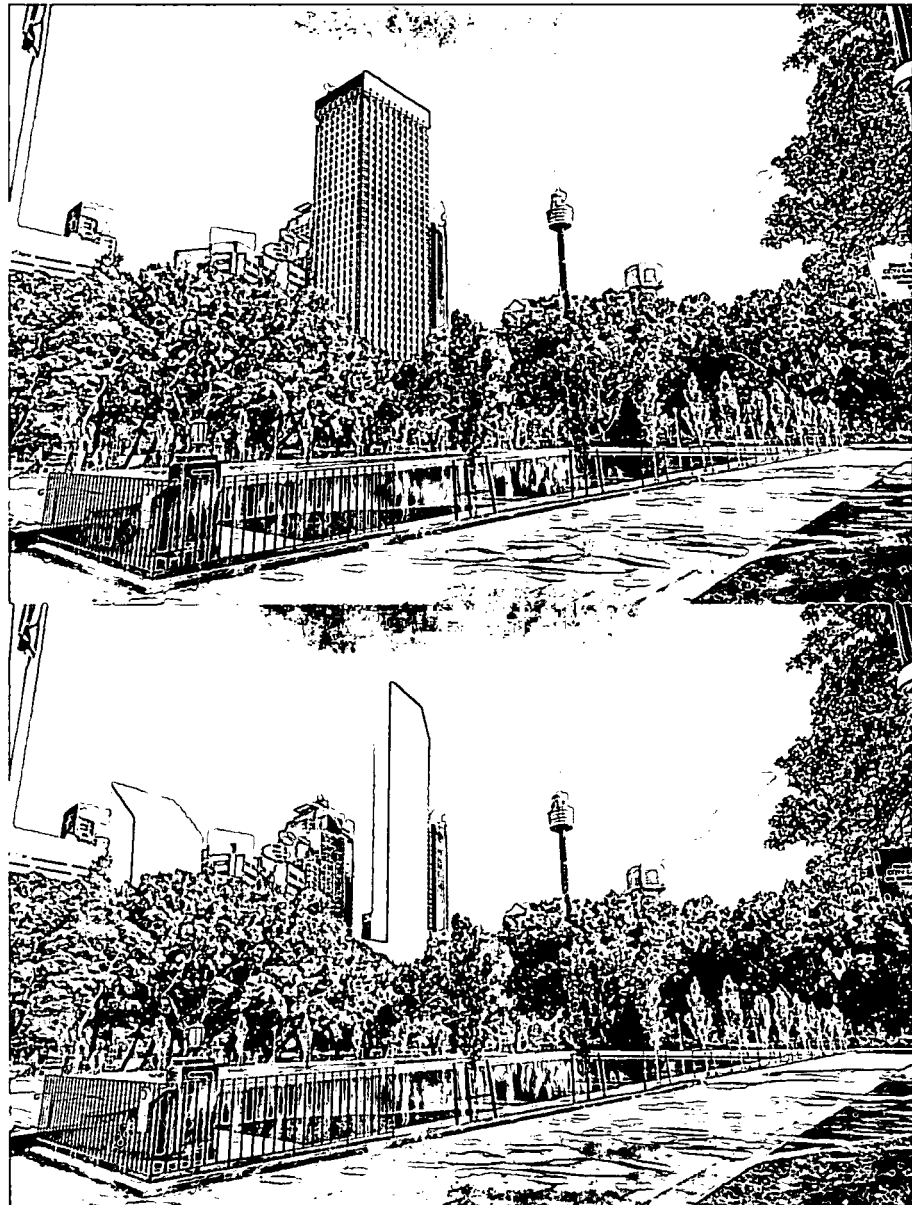


Figure 45 – Existing versus proposed viewed from Pool of Remembrance
Source: *Virtual Ideas*

5.11 Transport and Access

The Transport Report, prepared by Colston Budd Rogers & Kafes and submitted at **Appendix J**, describes the existing transport network surrounding the site including road, cycle and public transport services. The Transport Report provides a detailed assessment of the proposed development and the potential impacts on public transport, pedestrian and road network performance.

5.11.1 Traffic Generation

The Transport Report (at **Attachment J**) sets out that the existing commercial development generates approximately 40 and 30 vehicle movements in the AM and PM peaks respectively. The proposed development is expected to generate 70 and 90 vehicle movements in each peak. This represents a net increase of 30 vehicle movements in the AM peak and 60 vehicle movements in the PM peak. This level of change is considered negligible in the context of the immediate road network (in excess of 1,000 vehicle movements) and will not impact on the performance of the key

intersections in the vicinity of the site. Detailed traffic flow counts and intersection performance modelling for both the existing and proposed conditions are provided in the Transport Report at **Appendix J**.

Initial feedback from RMS (during pre-lodgement consultation) indicated that this level of traffic generation is expected to be accommodated in the capacity of the surrounding road network and is not expected to impact the performance of nearby intersections. Therefore it is considered that the proposed development is of a suitable scale and nature for the site.

5.11.2 Parking

The proposed building envelope includes four basement levels that will accommodate loading, car parking, bicycle parking, motorbike parking, residential storage and building services. The Indicative Scheme (**Appendix C**) provides an indicative basement layout that provides a total of 267 car spaces.

Clause 7.5-7.9 of the SLEP 2012 prescribes the maximum number of car spaces permissible based on the proposed land uses and the proposal's ability to comply with this maximum is demonstrated in **Table 14**. As per clause 7.3(2), where the maximum is not a whole number, it may be rounded to the nearest whole number. Accordingly, the proposed 267 car spaces is consistent with the maximum provisions set by the SLEP. The proposed development will accommodate 22 motorbike parking spaces in accordance with the SDCP 2012 requirements.

The Transport Report (**Appendix J**) confirms that the proposed four basement levels are capable of providing car share spaces, bicycle parking, motorbike parking and service vehicle parking in accordance with the relevant provisions of the SDCP 2012 and the relevant Australian Standards. The detailed basement design will be formulated through the design competition and the subject of the Stage 2 SSDA.

Table 13 – Car parking maximum calculation

Land use	Rate	Indicative Units	Permissible Car Spaces
Residential	0.1 spaces per studio	0	0
	0.3 spaces per 1 bedroom	48	14.4
	0.7 spaces per 2 bedroom	144	100.8
	1 space per 3 bedroom	70	70
Hotel	1 space for every 4 rooms up to 100	100	25
	1 space per 5 rooms above 100	250	50
Retail	(retail GFA x site area) / (50 x total GFA)	4,900m ²	6.4
Total			266.6

The Indicative Scheme (**Appendix C**) demonstrates that the proposed development is capable of accommodating a total of 452 bicycle spaces within the basement car park for staff, residents and visitors. It is also noted that it is likely that additional resident bicycle parking will be provided within basement storage associated with each apartment. The final quantity and location of bicycle parking will be subject to the Stage 2 SSDA.

5.11.3 Site Access

Pedestrian and Bicycle Access

The proposed development aims to improve the existing pedestrian and vehicle access patterns for the site. This is assisted by the creation of a new east-west pedestrian link providing an alternative to the street footpath on Park Street. Pedestrian access will also be provided to Museum Station, and potentially the future Pitt Street North Metro Station, via underground pedestrian tunnels accessed via a lower ground retail arcade.

The proposed pedestrian access patterns are presented in **Figure 46-47** below. The indicative pedestrian movement patterns aim to minimise the need for pedestrians to cross the hotel drop-off area and give priority access to pedestrians over vehicles. Adequate site lines can be achieved from both the basement entrance ramp and the proposed hotel drop-off to ensure that pedestrian safety is maximised.

The Transport Report (**Appendix J**) provides that the existing pedestrian flows are approximately 400 movements in the AM peak and approximately 600 movements in the PM peak. The proposed development is not expected to significantly alter these movement levels. However, the proposed development will improve pedestrian conditions on Castlereagh Street and provide an additional pedestrian connection between Castlereagh Street and Elizabeth Street which will result in a less congested pedestrian network.

Dedicated cycling lanes on Park Street and Castlereagh Street service the site, providing bicycle access to the site with bicycle parking provided to be in accordance with the Sydney DCP. The proposed development is not expected to limit a potential future dedicated cycle lane on Castlereagh Street. The surrounding access network includes signalised pedestrian crossings and sealed pedestrian paths to ensure that the site is accessible for pedestrians.

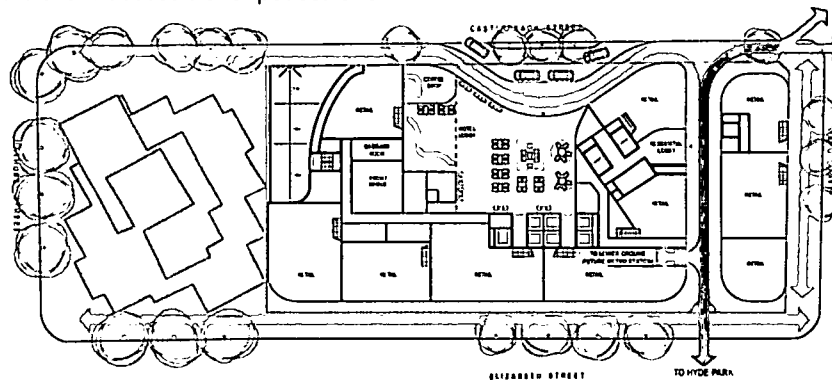


Figure 46 – Ground level pedestrian access
Source: FJMT

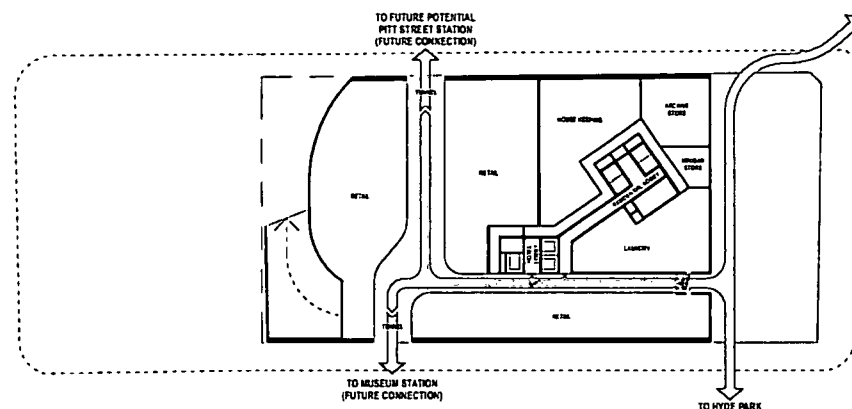


Figure 47 – Lower ground pedestrian access
Source: FJMT

Vehicle Access

The CBD Coordination Office of TfNSW and RMS (during pre-lodgement stakeholder meetings) have advised that hotel drop-off and pick up must be provided internal to the site and accessed via Castlereagh Street. The Indicative Design is consistent with this advice. Initial feedback received indicated a preference for hotel drop-off to be provided at ground level. A ground level and highly visible hotel drop-off has been proposed in the indicative design. This will aim to address the concern that taxi drop-off may occur on Castlereagh Street should hotel drop-off be provided in the basement.

These site access arrangements will minimise the impact of the proposed development on the existing Castlereagh Street bus stops and potential future cycle lane. This will also assist in minimising potential conflicts between pedestrians and guests and visitors alighting from vehicles. The double height drop-off area will also facilitate coach drop-off.

Vehicle and bicycle access to the basement car park is provided via a two-way driveway from Castlereagh Street at the southern end of the site. The proposed development will maintain access to the adjoining development at 227 Elizabeth Street via a connection at basement level 1. The Transport Report (**Appendix J**) confirms that adequate access arrangements are provided to the site for cars and service vehicles, as well as for bicycles and pedestrians. The proposed building envelope is capable of achieving site lines for vehicles entering and exiting the hotel drop-off and basement to ensure that pedestrian and cycle safety is maintained.

Public Transport

The site is well-serviced by public transport, being within 300 metres of Town Hall and Museum Station. In addition to this, an underground pedestrian link to Museum Station is provided – this link will be upgraded as part of the proposed development. Museum Station is located on the Airport and City Circle line, providing direct rail connection to Sydney Domestic and International Airports. The provision of a five star hotel with direct connection to the airports will encourage guests to utilise public transport connections to and from the airport. The proponent is currently exploring opportunities to provide a pedestrian connection to the future Pitt Street North Metro Station.

A major north-south bus route runs along Elizabeth Street and there also major bus stops at Town Hall Station providing links to areas in the north, east, inner west and south. Castlereagh Street provides a secondary bus route, with major bus stops located adjacent to the site. The further design development and final location of the proposed basement access ramp and the hotel pick up/ drop off area will consider the location of existing bus stops and further discussions with TfNSW will inform bus stop locations and site access arrangements.

In addition to these existing transport arrangements, the construction of the light rail and Sydney Metro project through the CBD will contribute to the range of transport options which service the site.

5.11.4 Loading and Servicing

As set out in **Section 3.7** loading and waste management facilities will be provided within the uppermost basement level (Refer to **Appendix C** and **Appendix D**). A loading dock will be provided to ensure that delivery vehicles as well as other services, such as garbage collection, are able to access the site. The Transport Report (**Appendix J**) confirms that the driveway widths and circulation areas will sufficiently accommodate a 9.5m Council garbage truck and small rigid delivery vehicle. The proposed basement envelope is capable of achieving the minimum servicing requirements of both the BCA and the relevant provisions of the SDCP 2012. These details will be specified and assessed as part of the Stage 2 SSDA.

5.12 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 DA sets the following principles to influence the design of the project by:

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

As discussed in **Sections 5.6** and **5.8** above, the redevelopment of the 201 Elizabeth Street site will result in an improvement to the existing streetscape and pedestrian experience within and in the vicinity of the site. This will remove a confusing pedestrian environment, improve accessibility and reduce the perception of risk of crime in the vicinity of the site. A detailed CPTED Assessment will be completed and submitted with the Stage 2 DA based on the detailed resolution for the site.

5.13 Wind Impact

A Wind Assessment has been prepared by MEL Consultants (**Appendix L**) which analyses the existing wind conditions at 201 Elizabeth Street and provides an assessment of the proposed building envelope on wind flow around the proposed development, particularly on the public domain around the site for each street frontage.

The proposed development would have good shielding from direct wind flow from the west-northwest through to north, and south through to west-southwest wind directions provided by the surrounding tall buildings of Sydney CBD. The wind conditions of Castlereagh Street and Park Street are expected to achieve the criterion for walking comfort for all wind directions, subject to the detailed design of the tower and podium through the design competition and Stage 2 SSDA.

Ground conditions on Elizabeth Street are generally expected to comply with the criterion for walking comfort with the exception of north-east and south-east corners of the development. At these locations, subject to wind tunnel testing of the Stage 2 detailed design, the wind impacts of the proposed development may exceed the criterion for walking comfort. The extent of the exceedence will require wind tunnel testing based on the detailed design. This testing will inform the appropriate mitigation measures to ensure the comfort criterion is met. The Wind Assessment identifies potential mitigations measures, including:

- Canopies;
- Awnings;
- Local wind break screens; and
- Cut-outs/slots in podium face to increase porosity (major only).

It is considered that the redevelopment of the site, in accordance with the Stage 1 building envelope, would facilitate a development capable of achieving the criterion for walking comfort. Further analysis is recommended, specifically in relation to the Elizabeth Street frontage and will be completed as part of the future Stage 2 DA.

Therefore it is considered that the proposed development is suitable for the site and will not result in unreasonable wind impacts.

5.14 Acoustic Impacts

An Indicative Acoustic Review has been prepared by Acoustic Logic for the proposed development and is included at **Appendix F**. The high-level review outlines the potential acoustic impact of noise sources on the development and the potential impact of the proposed development on the surrounding sensitive receivers.

The nearest potentially affected receivers of noise from the site are the commercial properties to the north and immediately south of the site. To the west of the site, across Castlereagh Street is a potentially affected residential receiver at 199 Castlereagh Street, Sydney. The site is affected by traffic noise from Elizabeth Street, Park Street and Castlereagh Street.

5.14.1 Noise Intrusion

Noise intrusion (traffic and other background noise) to the site will be required to comply with the requirements of the SDCP 2012 and the SEPP Infrastructure. The report outlines the acoustic controls for each and provides recommendations for compliance including the inclusion of heavy weight single glazing. The proposal includes a concrete frame with heavy masonry wall elements which are not considered to need upgrading to satisfy noise intrusion goals. As such, it is considered the development is fully capable of complying with the noise intrusion requirements of the above controls. Detailed assessment of noise intrusion will be conducted at the Stage 2 DA stage.

5.14.2 Noise Emissions

In relation to noise emissions from the proposed development, it is found that the most likely source of noise would come from mechanical plant or potential future food and drink premises within the podium of the building. The report considers that any noise generated from the proposed food and drink premises should be the subject of a separate development application. Additionally, the proposed location of the roof top or podium plant (cooling tower, air-cooled chillers or condensers) may require acoustic treatment as residential towers overlook these items. However, given the ambient environment in the CBD, any significant acoustic treatment is unlikely to be required.

The report concludes that any noise emitted from mechanical plant can be satisfactory attenuated to levels complying with noise emission criteria stipulated by Council and the EPA Industrial Noise Policy.

5.15 Impact on Neighbouring Properties

5.15.1 Overshadowing

Solar access analysis to neighbouring residential properties has been completed by FJMT (see **Appendix D**). This analysis confirms that the proposed development either improves solar access or results in no impact on the number of residential properties receiving solar access in accordance with the ADG.

The annual overshadowing analysis presented in the Design Report at **Appendix D**, demonstrates that existing development in the vicinity of the site casts significant shadows, given the high density nature of the CBD landscape. Although the introduction of a podium element on the site may result in a decrease in solar access to neighbouring properties, this is considered an acceptable impact when balanced with the improved public domain outcome, the improved pedestrian wind conditions, the repair of the desirable street wall and the significant public benefit of the reduction in shadowing of Hyde Park.

5.15.2 Private Views

The proposed development will impact private views from a number of residential properties in the vicinity of the site and view impact analysis has been completed for the following properties:

- 189 Castlereagh Street;
- 201 Castlereagh Street;
- 116 Bathurst Street (approved DA);
- 209 Castlereagh Street; and
- 137 Bathurst Street.

The four step process outlined in the planning principle in *Tenacity Consulting v Warringah* has been used as the basis for assessing the associated approach to view for the proposed building envelope. The planning principles set out in *Tenacity Consulting v Warringah* require the consideration of:

- What views are to be affected by the proposal?
- From what part of the property are views available from?
- What is the extent of the impact?
- What is the reasonableness of the proposal?

An assessment using these principles is set out for each property under separate heading below. An overall summary of 'the reasonableness of the proposal' is provided to consider the cumulative impact of the proposal.

189 Castlereagh Street (directly to the west of the site)

What views are to be affected by the proposal?

A number of existing residential properties located at 189 Castlereagh Street currently experience views and partial to the north east and east, including views of Sydney Harbour, Hyde Park and St Mary's Cathedral. A number of existing dwellings currently have views obscured by the existing building at 201 Elizabeth Street.

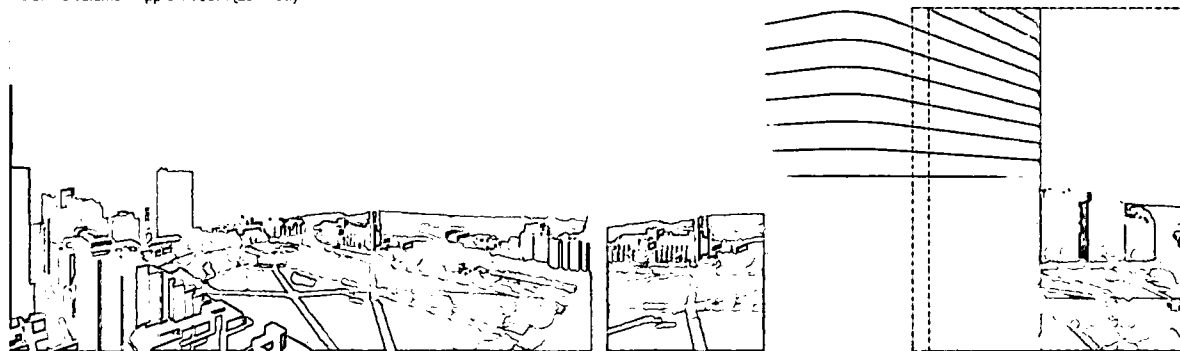
From what part of the property are views available from?

Partial views are presently available from a number of north facing and east-facing apartments within the existing residential development. It is noted that the existing development at 189 Castlereagh Street includes apartments that are located on alternative orientations of the building that will not be impacted by the redevelopment of 201 Elizabeth Street.

What is the extent of the impact?

A preliminary view analysis has been prepared by FJMT and included in the Design Report at **Appendix D**. Although some properties may experience a reduction in views over Hyde Park, other properties will gain additional views to the east as a result of the relocation of the tower form northward. Generally, north-east views over the intersection of Park Street and Elizabeth Street remain uninterrupted by the proposed building envelope. The view analysis images are replicated in **Figure 48** with the existing building shown in transparent red and the proposed envelope shown in peach. Each view has been based on an 18mm lens focal length.

Indicative Volume - Approx. 105m (Level 32)



Indicative Volume - Approx. 70m (Level 21)

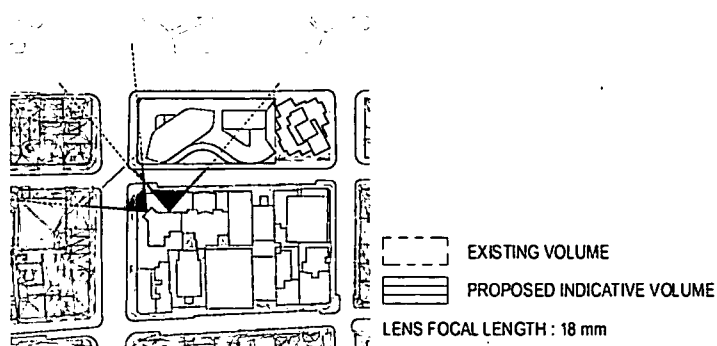
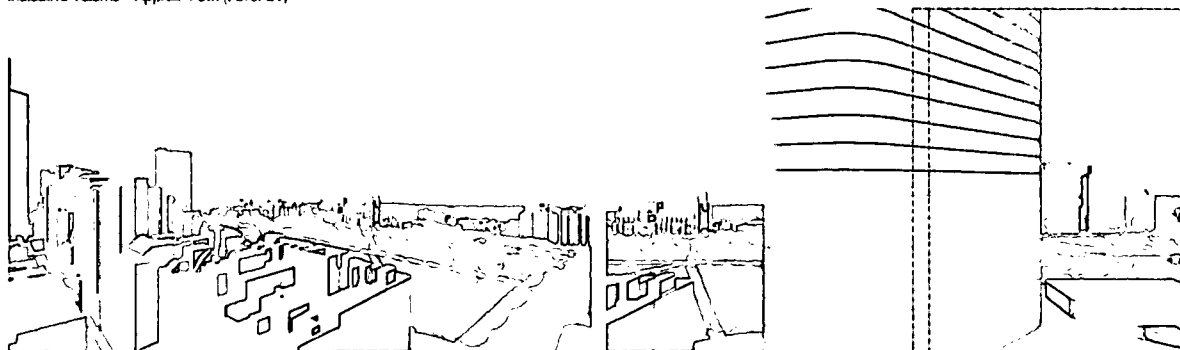


Figure 48 – Private view analysis – 189 Castlereagh Street
Source: FJMT

201 Castlereagh Street (directly to the west of the site)

What views are to be affected by the proposal?

Existing residential properties located at 201 Castlereagh Street currently experience partial views to the north east and east, including views of Sydney Harbour, Hyde Park and St Mary's Cathedral. A number of existing dwellings currently have views obscured by the existing building at 201 Elizabeth Street.

From what part of the property are views available from?

Partial views are presently available from a number of east-facing apartments within the existing residential development. It is noted that the existing development at 201 Castlereagh Street includes apartments that are located on alternative orientations of the building that will not be impacted by the redevelopment of 201 Elizabeth Street.

What is the extent of the impact?

A preliminary view analysis has been prepared by FJMT and included in the Design Report at **Appendix D**. Although some properties may experience a reduction in views over Hyde Park, other properties will gain additional views to the east as a result of the relocation of the tower form northward. Generally, north-east views over the intersection of Park Street and Elizabeth Street are uninterrupted by the proposed building envelope. The view analysis images are replicated in **Figure 49** with the existing building shown in transparent red and the proposed envelope shown in peach. Each view has been based on an 18mm lens focal length.

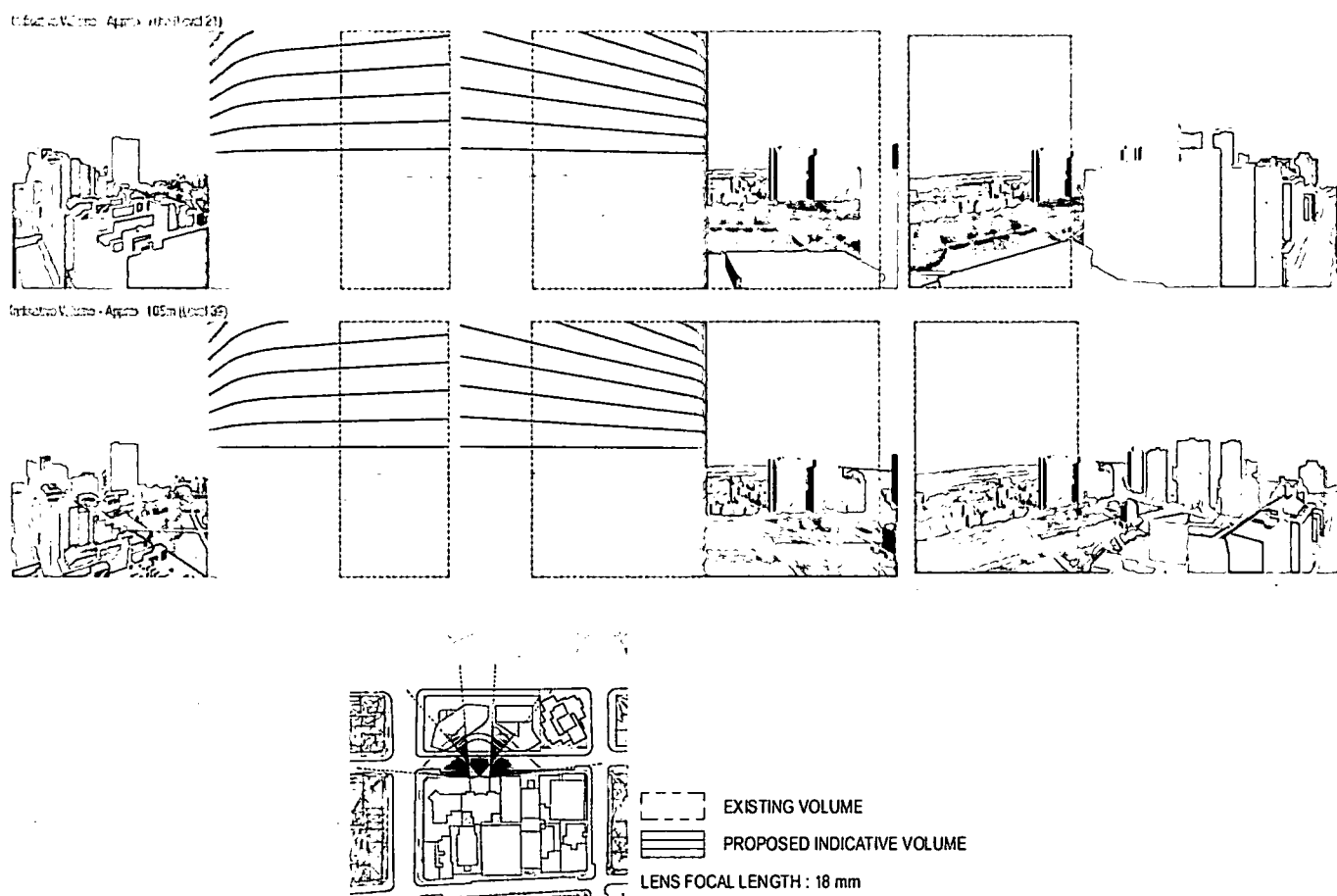


Figure 49 – Private view analysis – 201 Castlereagh Street
Source: FJMT

116 Bathurst Street (approved DA) (south-west of the site)

What views are to be affected by the proposal?

116 Bathurst Street has an approved DA (D/2014/797) for the construction of a 36 storey mixed use development and adaptive reuse of the heritage-listed Porter House. This approved development includes residential development from approximately level 12. It is noted that no construction has begun in relation to this DA. The approved development, once constructed would have partial views to the east over Hyde Park and East Sydney. It is noted that views are obscured by the existing development at 201 Elizabeth Street and 227 Elizabeth Street (lower levels).

From what part of the property are views available from?

Views (once construction is completed) are would be available from a number of east-facing apartments within the existing residential development. It is noted that the existing development at 116 Bathurst Street includes apartments that are located on alternative orientations of the building that will not be impacted by the redevelopment of 201 Elizabeth Street.

What is the extent of the impact?

A preliminary view analysis has been prepared by FJMT and included in the Design Report at **Appendix D**. Generally, views would remain similar in extent to those based on the existing development at 201 Elizabeth Street. A number of apartments may receive an increase in views due to the tower form shifting northward. The view analysis images are replicated in **Figure 50** with the existing building shown in transparent red and the proposed envelope shown in peach. Each view has been based on an 18mm lens focal length.

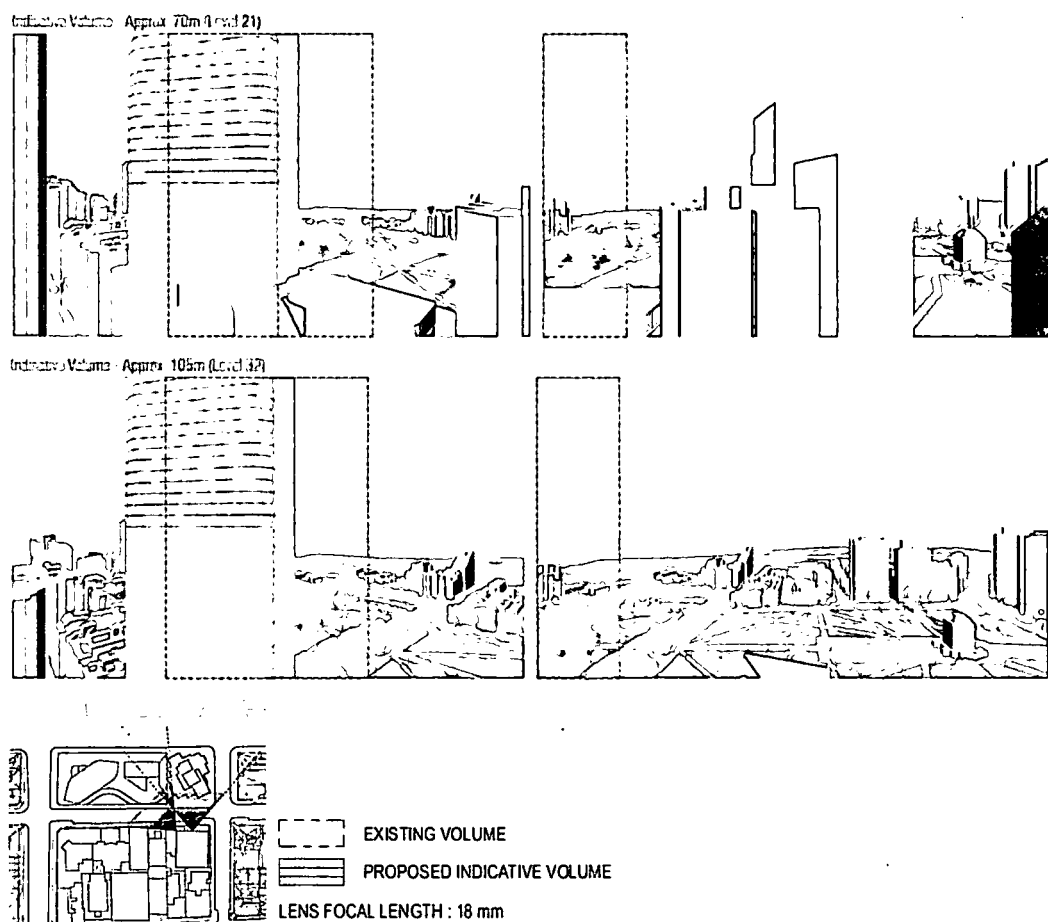


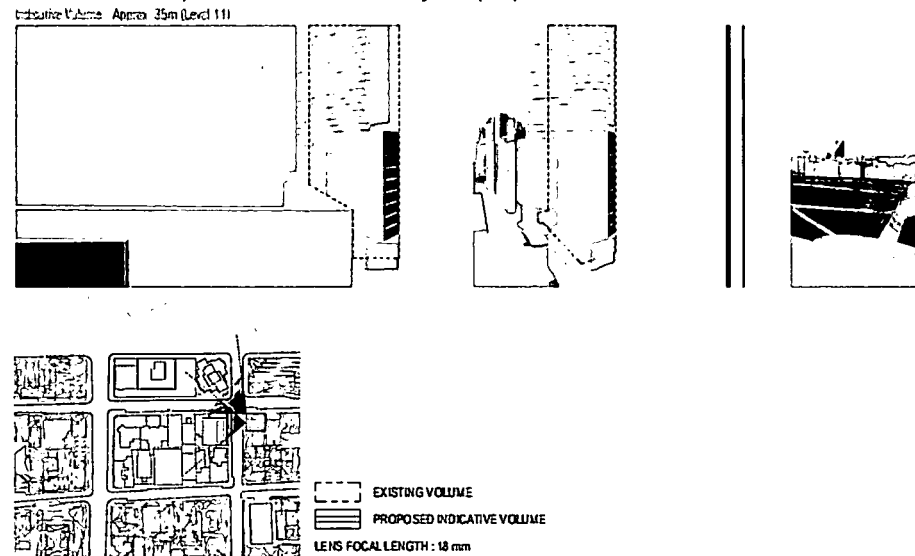
Figure 50 – Private view analysis – 116 Bathurst Street
Source: FJMT

209 Castlereagh Street (south west of the site)

What views are to be affected by the proposal?

Views from the existing development 209 Castlereagh Street are currently obscured by the existing development at 227 Elizabeth Street and the approved development at 116 Bathurst Street. There may be a small opening of a view corridor to allow light and views of sky to increase between 227 Elizabeth Street and 201 Elizabeth Street. The view analysis images are replicated in Figure 51 with the existing building shown in transparent red and the proposed envelope shown in peach. Each view has been based on an 18mm lens focal length.

No views are expected to be affected by the proposal.



51 – Private view analysis – 209 Castlereagh Street

Source: FJMT

137 Bathurst Street (south west of the site)

What views are to be affected by the proposal?

Views from the existing development 137 Bathurst Street are currently obscured by the existing development at 227 Elizabeth Street and the approved development at 116 Bathurst Street. There may be a small opening of a view corridor to allow light and views of sky to increase between 227 Elizabeth Street and 201 Elizabeth Street. The view analysis images are replicated in Figure 52 with the existing building shown in transparent red and the proposed envelope shown in peach. Each view has been based on an 18mm lens focal length.

No views are expected to be affected by the proposal.

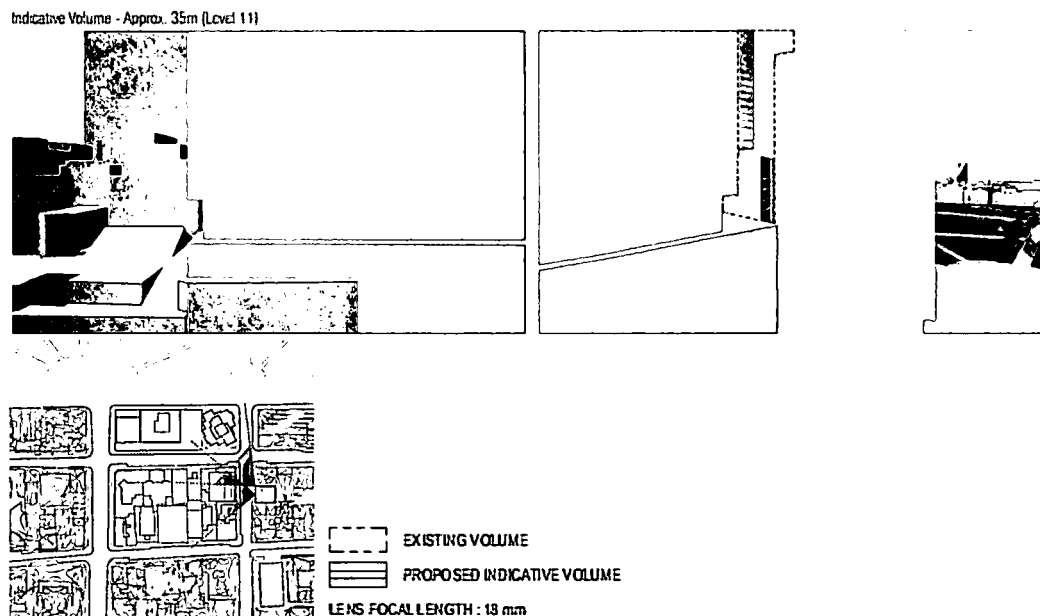


Figure 52 – Private view analysis – 137 Bathurst Street
Source: FJMT

What is the reasonableness of the proposal?

The siting and scale of the proposed development is appropriate and reasonable for the site and the changing character of the area, and is considered to be an improved design outcome as addressed in detail throughout **Section 5** of this report. The principle of view sharing has been applied. Whilst the development may reduce the views from particular properties, others receive views that are currently obscured by the existing building.

Any view impacts caused by the proposed development are not unreasonable in the Sydney CBD context. Indeed, this is the position that Council has taken on other recent CBD proposals such as Greenland's redevelopment at 115 Bathurst Street and Mirvac's redevelopment at 200 George Street. The first example is Greenland's redevelopment at 115 Bathurst Street. In considering view loss from the nearby Lumiere building, the Council officer's assessment report for the Stage 1 DA states:

Although there will undoubtedly be a view impact [from the Lumiere building], it is considered unreasonable that the entirety of such a view could be maintained given the high density CBD context and as the height of the building will comply with the applicable controls for the site.

The second example is Mirvac's redevelopment at 200 George Street. In considering view loss from Grosvenor Place, the Council officer's assessment report for the Stage 2 DA states:

96. In summary, the conclusion of this report was that the extent of view loss experienced by the alternative building envelopes for the APDG block was acceptable for the following reasons:

- (a) the CBD context of the sites and the reasonableness that new development would be characterised by tower forms, which would only result in the loss of partial views;*
- (b) the priority in retaining "outlook" and amenity over private "views" as stipulated at Section 6.1.11 and 6.1.12 of the CSDCP 1996;*
- (c) the public domain benefits of the alternative APDG scheme outweighing private interests;*

(d) economic and employment benefits resulting from the redevelopment of the APDG block should take preference above private interests.

In both cases Council considered it unreasonable to expect that the entirety of existing views from private properties could be maintained given the high density CBD context. Further, the proposed development has prioritised public views (see **Section 5.10**) and the public benefit of increased solar access to Hyde Park, which is considered a preferable outcome for the site given its CBD context.

5.16 Heritage

5.16.1 European Heritage

A Heritage Impact Statement has been prepared by Urbis and is included at **Appendix K**. The site is not identified as a local or state heritage item, however is located within the College Street/ Hyde Park Special Character Area and is in close proximity to multiple local and state heritage items. As such, the report assesses the potential heritage impact of the proposed works on the proximate heritage items and the special character area generally.

It is considered the proposed development will not have an adverse impact on the area in that:

- The existing building does not have heritage significance and its removal would have no heritage impact;
- The proposed reconstruction of the tower to a similar height to that existing would have limited heritage impact on the listed items in the vicinity in addition to that generated by the existing building;
- The new tower would be generally set back 8 metres from the eastern façade of the podium and from the existing tower. This would be an improvement in terms of visual dominance over the park compared with the existing building;
- The width of the base of the new tower would be wider than that existing to create a podium. Presently the bulk of the building is set back from Park Street and separated from it by the ground floor retail/food court. However historically, the principal forms of the buildings that have existed on the site including the T&G Building and Dixon's Tobacco factory were built close to Park Street and established a strong basis for the east west axis which bisects the park. It is therefore considered that reducing the setback of the principal mass would not detract from the understanding of Hyde Park and would conversely serve to re-establish the aforementioned axis;
- The podium would be comparable in height to the existing commercial developments along the western side of Elizabeth Street adjacent to Hyde Park. As such, continuity in scale and the enclosed character of the western side of the park would be maintained;
- The proposed building envelope departs from the prismatic form of the existing building. The podium would maintain regularity in form, reinforcing the enclosure of Hyde Park. However, the tower has an irregular shape whereby it presents a significantly thinner façade to the south east and north west. This would ensure that the tower has a reduced visual impact from some vantage points around Hyde Park in comparison to the existing tower (see **Section 5.10**).

Additionally, the report provides recommendations regarding the ongoing consideration of surrounding heritage items, the materiality of the podium and tower and design of the proposed tunnel connection to Museum Park/ Museum Railway Station. The proposed tunnel connection to Museum Station would intersect with the state heritage listed item of Museum Station. The heritage impact assessment recommends that the

detailed design of this tunnel connection should consider the significant fabric and ensure any heritage impact is mitigated.

The report concludes the proposed development will not have an adverse heritage impact.

5.16.2 Archaeology

An Archaeological Assessment for the site was undertaken by Urbis and is included at **Appendix R**. Historical information indicates the shows that the subject site was subject to several phases of development prior to the construction of the existing building. Additionally, the existing basement extends to a depth of RL. 12.80 (approximately 13.7 metres deep), and encompasses the entire lot. As such, the report notes that any evidence of previous development would have been completely removed or destroyed by previous excavation works, as well as associated construction.

As such, it is considered that the subject site does not have any potential to contain intact archaeological remains associated with earlier phases of development or use. Additionally, the development will not impact The Tank Stream, which is located approximately 540 metres to the northwest of the subject site. The report concludes there are no identified archaeological constraints or impacts associated with the current Stage 1 SSDA proposal.

5.17 Reflectivity

Resolution of the final composition of the façade and materiality is an important element in the design of any new development. As such, these details will be examined in detail during the competitive design process and subsequent Stage 2 DA. During these stages of the development process reflectivity will be addressed in light of the proposed elevation design, glazing and materials of the new façade. Through the design competition and the subsequent Stage 2 DA, the proposed development will be capable of ensuring that light reflectivity does not exceed 20%.

5.18 Impact on Existing and Planned Rail Corridors

The site adjoins the existing City Circle rail corridor and the proposed Sydney Metro rail corridor. The future Pitt Street North Metro Station platform on Castlereagh Street adjoins the sites western boundary. In accordance with Part 3, Division 15, Subdivision 2 of the SEPP Infrastructure, a Metro Corridor Impact Statement has been prepared by Taylor Thompson Whitting (TTW) (refer to **Appendix P**) which assesses the potential impacts of the proposed development on the surrounding rail corridors.

Consultation has been undertaken with Transport for NSW (TfNSW) and Mecone Consulting to discuss the proposal and key issues relating to the future metro expansion. Significant co-ordination and consideration will be required due to the close proximity of the station boxes and tunnels. The proximity of the station box to the development is shown in **Figure 53** below.

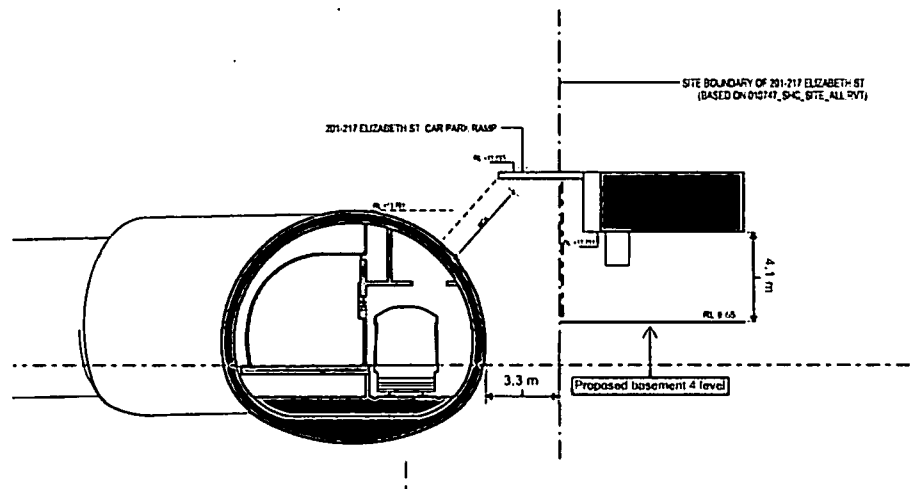


Figure 53 – Indicative cross section through proposed development and Metro Station cavern
Source: Mecone/ TTW

It is understood that excavation will extend below RL 8.65 metres and reach the site boundary as such could have potential impacts on the metro station including; stress redistribution and additional loading on the station cavern dependent on the foundation design and excavation methodologies chosen.

Correspondence with TfNSW and Mecone raised the following key issues which will be addressed and mitigated as part on the ongoing development of the proposal:

- Foundation forces;
- Vibrations from rail tunnel construction;
- Vibrations from the rail corridor;
- Electrolysis, stray currents, Electromagnetic fields;
- Noise; and
- Maintenance and access.

The preliminary review and assessment concludes the proposed development presents a manageable impact on the CBD Rail Line or CBD Metro projects which will be addressed during Stage 2 design.

Further, as per Division 15 of SEPP Infrastructure, the DA will require concurrence from Sydney Trains and will be forwarded for assessment.

5.19 Contamination

A Phase 1 Preliminary Environmental Site Assessment (ESA) has been undertaken by Edge Environment and is included at **Appendix N**. This report confirms that the site is a low risk for land contamination, is suitable for continued commercial use and is likely to be suitable for high rise residential development.

A site inspection was undertaken on 17 December 2015. Additionally, the assessment included the review of historical information such as aerial photographs, land title, OEH and Council records and previous environmental assessments. The Phase 1 assessment found the following:

- A review of aerial photography indicates the site appears to be occupied by commercial structures from 1930 to 1972 when the current building was constructed. Photographic document does not confirm the sites use prior to 1930, as such, contamination may have occurred during historical construction processes or uses; however the risk is considered to be low.

- The site is underlain by Ashfield Shale, which has low permeability.
- There are no groundwater monitoring bores within a 500 metre radius of the site and no information is available relating to the local aquifer depth, nature or contamination status of these bores.
- Acid Sulphate soils are not considered to pose an issue on the subject site.
- The site is not registered as significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.
- Dangerous goods are stored on site, however these are mainly cleaning and cooling tower chemicals, which appear to be stored appropriately and in small quantities, as such the risk posed is considered to be low.
- The site contains two underground storage tanks (UST) located within basement level 2. These contain diesel for the purpose of supplying fuel to backup generators on level 40 of the building. These tanks pose a potential contamination risk. The report recommends the UST be monitored in accordance with the DEXUS Environmental Management Manual to comply with the Protection of the Environmental Operations (Underground Petroleum Storage Systems – UPSS) Regulation. Integrity tests have indicated that there is a low risk that contamination is occurring from the UPSS and the ability to remediate the area after tank decommissioning is relatively high.
- The site inspection revealed no evidence of contamination through the presence of odours or visible signs.

The report concludes, that given the nature of the current site activities, previous and current land use of the site and surrounding area, the risk of contamination at the site is low. Overall it is considered that the site is suitable for the proposed development. In accordance with the recommendations of the Phase 1 assessment, a Phase 2 detailed assessment will be conducted prior to any construction activities on the site.

5.20 Drainage and Stormwater

A Stormwater Impact Report has been prepared for the Stage 1 SSDA by Norman Disney & Young (NDY) and is included at **Appendix O**. The report provides an overview of the existing and proposed stormwater services at the site to determine the impact of the proposed development on the stormwater infrastructure system. The findings are summarised below.

The stormwater catchment area for the existing building is approximately 8,500m² consisting of, the main roof area, podium open area, ground level open area and seepage water collected from the lower ground levels. The roof area drainage system consists of rainwater outlets and downpipes which discharge into the rainwater reuse tank (RRT) located on level 39 of the existing building. The overflow from the RRT is conveyed to ground level, to Council stormwater connections at Elizabeth Street and Castlereagh Street. The stormwater collected below street level and the sub-soil water from lower ground levels is drained to a sub-soil sump pump located at the basement level 2 plant room. Sub-soil is pumped to the council drainage system at Castlereagh Street. The podium and food court/retail areas of roof are predominantly drained to a stormwater buffer tank located within the basement of the building with the stormwater discharged to the Authorities mains via existing pump sets.

The proposed Stage 1 building envelope will adopt a new profile and appearance to the existing building resulting in a stormwater catchment area of approximately 9,400m². A comparison of the existing and proposed stormwater run-off flow is provided in **Table 15**.

Table 14 – Stormwater run-off flow

	Existing Building	Proposed Building
Total catchment area (m ²)	8,500	9,400
General Storm Scenario		
ARI 5 year/ 5 mins (mm)	163	163
Run-off flow rate (L/S)	384.9	425.6
Heavy Storm Scenario		
ARI 5 year/5 mins (mm)	209	209
Run-off flow rate (L/S)	493.5	545.7

Based on the above, the proposed development will result in an increase in the stormwater catchment area and run-off flow rate. However, given the size of the building and land, NDY consider the increase as minor. It is noted that the introduction of an on-site detention system in the new development, will further mitigate the increased stormwater run-off resulting in minimal impact to the existing Council infrastructure. The provision of appropriate rainwater storage will be provided as part of the future Stage 2 SSDA.

5.21 Waste Management

A Waste Management Report has been prepared by Arcadis and is included at **Appendix Q**. The report provides an overview of anticipated waste generation and waste management of the development. It is considered the 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 included in the report.

Waste management will be addressed in more detail in the Stage 2 DA, however at this stage it is intended that:

- **Residential** waste will be managed by individual tenants responsible for the disposal of their own waste to the nearest Waste Room as required. A Waste Service Room will be provided on each residential level. Waste will be transferred will be transferred to the Central Storage Room via a waste chute, with a charging device to be located in each Waste Service Room. Mixed Recycling bins will be located on each level and transported to the Central Storage via internal goods lifts by building management. It is anticipated collection of residual waste will occur two times per week, recyclables three times per week and bulky waste weekly. Cleaning and maintenance of bins and storage areas will be the responsibility of building management. The proposal includes a bin wash area to assist with this.
- **Hotel** waste will be managed by Housekeeping staff who will arrange the disposal of hotel waste to the nearest Waste Storage Room which will then be transport on a daily basis, or as required, to the Central Storage Room via internal goods lifts. It is anticipated residual and recyclable Hotel waste will be collected daily with e-waste and liquid waste collected as required. Hotel management will be responsible the cleaning and maintenance of bins and storage area.
- **Retail** waste will be managed by individual tenants who will dispose of their waste to the nearest Waste Storage Room on a daily basis (or as required). Building management will be responsible for the transportation of bins to the Central Storage Room and the cleaning and maintenance of bins and waste areas. It is anticipated residual and recyclable waste will be collected four times per week with e-waste collected as required.

Additionally, sufficient clearance will be provided to access the Waste Collection Point by collection vehicles. It is planned that the largest of these vehicles will be able to access the collection point. Liquid waste from grease traps will only be removed by licensed waste contractors approved by Sydney Water and the NSW Environment Protection Authority.

5.22 Environmentally Sustainable Development

A wide variety of sustainability initiatives are proposed for the development, which are detailed within the Stage 1 DA ESD Report prepared by Norman Disney & Young included at **Appendix M**. The report demonstrates proposed measures to be implemented for each phase of development in accordance with the relevant provisions including the City of Sydney Development Control Plan 2012, SEPP 65, BASIX SEPP and BCA NCC Section J. The sustainability objectives for the project are as follows:

- Optimise energy efficiency;
- Optimise indoor environmental quality;
- Mitigate greenhouse gas emissions;
- Water conservation;
- Minimise construction materials and waste; and
- Site-wide sustainable planning and monitoring.

As prescribed in the Design Excellence Strategy (**Appendix I**), the design competition to be undertaken will aim to achieve these objectives through the following sustainability targets:

- The residential component of the development will be required to achieve an additional five BASIX points above the State-mandated minimum in the categories of water and energy.
- The non-residential component of the development will be designed to meet the requirements of 5-star NABERS Energy Rating.
- The non-residential component will be designed to meet the requirements of 5-star Green Star certification.

5.23 Building Code of Australia

An assessment of the proposed Stage 1 development against the Building Code of Australian Volume 1 (BCA) 2016 has been prepared by Philip Chun Access Pty Ltd and is included at **Appendix S**. The report concludes the proposed design concept and building uses and indicative building layout can meet the requirements of the relevant Deemed-to-Satisfy (DtS) provisions of the BCA, subject to schematic and design development. It is considered where compliance with the DtS provisions is not possible, performance solutions will be required, and such solutions will be assessed in the next stage of development. As such, it is considered consent for the proposal should not be withheld on any reasons of non-compliance with the BCA.

The proposed building envelope can facilitate a development that is capable of complying with the Disability Discrimination Act 1992 (DDA) and other relevant Australian Standards. The detailed design submitted with the Stage 2 DA will be accompanied by a statement of compliance provided by a suitably qualified professional.

5.24 Infrastructure Provision

The site is currently serviced by the existing infrastructure and utility. It is expected that the future redevelopment of 201 Elizabeth Street will be capable of being serviced by the existing infrastructure, subject to detailed design and potential augmentation. A detailed utilities and servicing assessment, including the potential augmentation of services will be conducted as part of the Stage 2 SSDA.

5.25 Prescribed Airspace

The proposed building envelope will breach the Object Limitation Surface (OLS). In accordance with clause 7.16 of the SLEP, this application will be referred to CASA for comment. The Stage 2 SSDA will be required to consider the impacts of any construction structures on prescribed airspace.

Initial feedback from CASA as part of pre-lodgement consultation (see **Appendix H**) advises that given the proposed building height and the proximity of taller lit buildings the project is unlikely to raise any aviation issues. The construction cranes, depending on height will likely need mitigation in the form of marking and/or lighting.

5.26 Construction Management

It is acknowledged that the site is in a highly constrained location in relation to construction traffic and loading. Dexus have indicated that construction is unlikely to occur prior to 2020, following a Stage 2 SSDA. Construction management issues will be addressed in the Stage 2 SSDA following consultation with the relevant stakeholders including surrounding land owners and key agencies. A CMP will be prepared as part of the Stage 2 SSDA and will include details on traffic and pedestrian management, demolition and construction waste, and noise and air quality mitigation measures. Any CPM prepared for the project will consider the cumulative impact of construction in the immediate precinct and the CBD more broadly, including major infrastructure construction such as South East Light Rail and Sydney Metro.

5.27 Summary of Items Required in Clause 7.20(4)

Clause 7.20(4) of the SLEP 2012 prescribes items that must be provided in a development control plan. Each of these items have been addressed by this Stage 1 DA and this SEE and a summary is provided in **Table 16**.

Table 15 – Summary of items required in Clause 7.20(4)

Item and reference	Addressed	Relevant Section/Appendix
(a) requirements as to the form and external appearance of proposed development so as to improve the quality and amenity of the public domain	✓	Section 3.4 Section 5.6 Section 5.8
(b) requirements to minimise the detrimental impact of proposed development on view corridors	✓	Section 5.10
(c) (i) the suitability of the land for development	✓	Section 5 Section 8
(c) (ii) the existing and proposed uses and use mix	✓	Section 2, Section 3
(c) (iii) any heritage issues and streetscape constraints	✓	For heritage, see Section 2.5 and 5.16 For streetscape, see Section 2.4 and Section 5.8
(c) (iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form	✓	Section 3.0, Section 5.6, Section 5.7, Section 5.9, Section 5.15
(c) (v) the bulk, massing and modulation of buildings	✓	Section 3.4, Section 5.6
(c) (vi) street frontage heights	✓	Section 3.4, Section 5.6
(c) (vii) environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity	✓	Section 5.7, Section 5.9, Section 5.13, Section 5.14, Section 5.15, Section 5.17, Section 5.22
(c) (viii) the achievement of the principles of ecologically sustainable development	✓	Section 8.3

(c) (ix) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network	✓	Section 3.7, Section 5.11
(c) (x) the impact on, and any proposed improvements to, the public domain	✓	Section 5.8
(c) (xi) the impact on any special character area	✓	Section 5.4, Section 5.16
(c) (xii) achieving appropriate interface at ground level between the building and the public domain	✓	Section 5.6, Section 5.8
(c) (xiii) the excellence and integration of landscape design	✓	Section 3.6
(xiv) the incorporation of high quality public art into the fabric of buildings in the public domain or in other areas to which the public has access	✓	Section 5.8

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 201 Elizabeth Street 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 54 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 54 – Risk Assessment Matrix

				Risk Assessment		
Item	Phase	Potential Environmental Impact	Proposed Mitigation Measures and / or Comment	Significance of Impact	Manageability of Impact	Residual Impact
Solar access	O	Overshadowing of Hyde Park	- The above analysis demonstrates that the proposal will result in a reduction in the shadow cast by the existing building on Hyde Park. - The design competition and Stage 2 SSDA will be restricted to the Stage 1 building envelope and required to demonstrate at least a 50% reduction in overshadowing.	4	3	7 medium/high
Visual and Views	O	Visual impacts to surrounding residents and public places	The proposal is supportable in regards to the balance between the protection of private views and the protection of public domain views.	3	3	6 medium
Heritage impact on Museum Station	C + O	The design of any upgrades to the pedestrian connection to Museum Station must consider the heritage significance of the Station	- Tunnel design be the subject of negotiations with Heritage Council and City of Sydney heritage department through the Stage 2 SSDA process. - Future development of the site utilises materials and form that is complementary to the existing heritage. - Construction impacts will need to be managed accordingly	3	2	5 low/medium
Traffic and Transport	C + O	- Construction traffic impact on local roads. - Vehicle basement access and conflict with existing bus stops. - Hotel drop-off and pick-up traffic	- CMP to be prepared in negotiation with key stakeholders considering cumulative construction traffic impacts. - Design competition and Stage 2 SSDA will need to consider basement access and bus stops. Further discussions with TfNSW and Sydney Buses will take place ahead of the Stage 2 SSDA. - The indicative design shows an internal hotel drop-off area accessed via Castlereagh Street. This approach is recommended to be implemented through the design competition and Stage 2 SSDA.	O = 2 C = 3	O = 3 C = 2	5 low/medium
Noise	C + O	- Increase in noise and vibration levels during construction activities - Increase in noise levels during the operation of the development	- The Stage 2 SSD DA report(s) should identify appropriate strategies and mitigation measures to be implemented to ensure: - Ensure vibration levels will not compromise human comfort or result in building damage or damage to adjacent rail corridors. - Appropriate sound minimisation measures are incorporated within the plant and mechanical areas. - Appropriate sound minimisation measures are incorporated within the proposed building	C = 3 O = 1	C = 2 O = 2	C = 5 low/ medium O = 3 low

				Risk Assessment		
Item	Phase	Potential Environmental Impact	Proposed Mitigation Measures and / or Comment	Significance of Impact	Manageability of Impact	Residual Impact
Wind	O	Potential wind impacts from proposed tower form	- Detailed wind tunnel testing to be conducted as part of any Stage 2 SSDA submission. - Wind mitigation devices may be considered as part of the Stage 2 SSDA to achieve relevant comfort levels.	2	2	4 low/medium
Impact on existing and planned rail corridors	C + O	- Foundation forces - Vibrations from rail tunnel construction - Vibrations to and from the rail corridor - Electrolysis, stray currents, Electromagnetic fields - Noise to and from - Maintenance and access to and from rail corridor	- The proposed foundation scheme for the buildings will need to take into account the proximity of the metro tunnels and station caverns. As the final Stage 2 develops, rock modelling could be used to demonstrate the impact that the building may have on the Metro. - The rail tunnel will not exist during the construction of the new proposal. During construction of the tunnel, the building can be assessed for any ground borne vibrations. - Isolation of the proposed building as part of the overall design should be considered. If it is not it will be reliant on Sydney Metro isolating their own system. - The provisions for the use of DC will need to be considered during the design process to mitigate the impact of DC on buried structures, which can result in increased risk of corrosion. - Given the depth of the proposed tunnel, noise is unlikely to be an issue, however low frequency sound will be required to consider as part of the design process in a similar means to the vibration assessment. - Due to the proximity to the tunnel, access for maintenance and emergency works to the tunnel may need to be provided. Although the depth of the lines would largely prohibit the use of any maintenance from ground level, the zone around the cavern is to be kept clear as part of the design.	C = 3 O = 2	C = 3 O = 2	C = 6 (medium) O = 4 (low/medium)

			Risk Assessment			
Item	Phase	Potential Environmental Impact	Proposed Mitigation Measures and / or Comment	Significance of Impact	Manageability of Impact	Residual Impact
Contamination	C	- The site contains two Underground Petroleum Storage Systems – UPSS) which pose a potential contamination risk - Exposure of contamination or hazardous materials during construction	- Ongoing monitoring and management of UPSS in accordance with the Environmental (UPSS) Regulation 2008 and DEXUS Environmental Management Manual implementing recommendations outlined in the Phase 1 Environmental Site Assessment (prepared by Edge Environment dated January 2016). - Determine whether an exemption under Clause 28 of the UPSS Regulation applies to the site. - It is recommended that spoils generated from the site during construction will be are required to be waste classified in accordance with NSW EPA (2014) Waste Classification Guidelines prior to off-site disposal. - An Unexpected Finds Protocol (UFP) should be implemented to manage unexpected contamination encountered during construction - Preparation of a Phase 2 Investigation prior to development. - A CMP will be prepared in consultation with key stakeholders and submitted with the Stage 2 SSDA.	2	2	4 low/ medium
Construction Management	C	- Construction work zones highly constrained - Impact of surrounding construction traffic and works - Impact of construction on surrounding residential properties - Impact of construction on pedestrians		4	3	7 high/medium

7.0 Mitigation Measures

The collective measures required to mitigate the impacts associated with the proposed works are detailed in **Table 17** below. These measures have been derived from the previous assessment in Section 5.0 and those detailed in appended consultants' reports.

Table 16 – Mitigation Measures

Mitigation Measures
Overshadowing - The above analysis demonstrates that the proposal will result in a reduction in the shadow cast by the existing building on Hyde Park. - The design competition and Stage 2 SSDA will be restricted to the Stage 1 building envelope and required to demonstrate at least a 50% reduction in overshadowing.
Transport - CMP to be prepared in negotiation with key stakeholders considering cumulative construction traffic impacts. - Design competition and Stage 2 SSDA will need to consider basement access and bus stops. Further discussions with TfNSW and Sydney Buses will take place ahead of the Stage 2 SSDA. - The indicative design shows an internal hotel drop-off area accessed via Castlereagh Street. This approach is recommended to be implemented through the design competition and Stage 2 SSDA.
Heritage - Tunnel design to be the subject of negotiations with Heritage Council and City of Sydney heritage department through the Stage 2 SSDA process. - Future development of the site utilises materials and form that is complementary to the existing heritage. - Construction impacts will need to be managed accordingly
Wind Detailed wind tunnel testing to be conducted as part of any Stage 2 SSDA submission.
Acoustic - Detailed design is to incorporate noise mitigation measures outlined in the Indicative Acoustic Review (prepared by Acoustic Logic dated July 2016) Noise and Vibration Report prepared by Acoustic Logic are to be adopted during construction. - The Stage 2 SSDA report(s) will seek to identify the strategies for noise and vibration control and management including appropriate sound minimisation measures to be incorporated with the plant and mechanical areas and proposed building materials. - The Stage 2 SSDA will address management and mitigation of construction noise and vibration impacts in a Preliminary Construction Management Plan.
Impact on existing and planned rail corridors - The proposed foundation scheme for the buildings will need to take into account the proximity of the metro tunnels and station caverns. As the final Stage 2 develops, rock modelling could be used to demonstrate the impact that the building may have on the Metro. - The rail tunnel will not exist during the construction of the new proposal. During construction of the tunnel, the building can be assessed for any ground borne vibrations. - Isolation of the proposed building as part of the overall design should be considered. If it is not it will be reliant on Sydney Metro isolating their own system. - The provisions for the use of DC will need to be considered during the design process to mitigate the impact of DC on buried structures, which can result in increased risk of corrosion. - Given the depth of the proposed tunnel, noise is unlikely to be an issue, however low frequency sound will be required to consider as part of the design process in a similar means to the vibration assessment. - Due to the proximity to the tunnel, access for maintenance and emergency works to the tunnel may need to be provided. Although the depth of the lines would largely prohibit the use of any maintenance from ground level, the zone around the cavern is to be kept clear as part of the design.
Contamination - Detailed design is to incorporate the recommendations of the Phase 1 Environmental Site Assessment (prepared by Edge Environment dated January 2016). - Phase 2 Assessment to be completed prior to any construction works.
Construction A CMP will be prepared in consultation with key stakeholders and submitted with the Stage 2 SSDA.

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 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:

- Facilitate a world class building on a key gateway site to the CBD, providing the opportunity to redevelop a large city block and make a positive contribution to the CBD skyline.
- Provide a five star hotel in a premium location with direct public transport connection to Sydney International and Domestic Airports.
- Supply additional hotel accommodation to support the ongoing role of Sydney as an important tourist destination.
- Facilitate a development that results in a 50% reduction to the shadow cast by the existing building on Hyde Park in mid winter.
- Produce approximately 350-450 construction jobs during the peak construction period.
- Employ approximately 1,000 people in the hotel component during operation.
- Achieve high quality residential accommodation with solar access that cannot be built out due development to the east and north east being restricted in height.
- Provide additional homes closer to employment, as well as in a location that offers a high level of amenity and connection to other services.
- Promote activity around the future Sydney Metro station and associated future development.
- Facilitate the provision of retail and commercial floor space suitable to varied types of tenancies and businesses.
- Will seek to contribute to the diversity and quality of experience for the city's residents, workers, visitor and businesses.

8.2 Biophysical

The environmental impact assessment of the proposed development has demonstrated that the project will not result in any unmanageable biophysical impacts following the implementation of the mitigation measures discussed above.

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; and
- 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 is not relevant to 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:

- Improving solar access to a key public space within the Sydney CBD.
- Facilitating a world class addition to the CBD skyline on a prominent gateway site.
- Capitalising on existing and future public transport infrastructure and encouraging active transport over private vehicles.
- Improving the public domain and pedestrian experience in the vicinity of the site.
- Facilitating job creation and the provision of housing in close proximity to public transport and existing workplaces.

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. The proposal would not have any significant effect on the biological diversity and ecological integrity of the study area. The project has established environmental design controls that will be implemented through the various stages of the project as set out in the ESD Report at **Appendix M**.

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

The Environmental Impact Statement (EIS) has been prepared to consider the environmental, social and economic impacts of the proposed Stage 1 SSDA for 201 Elizabeth Street, Sydney. The EIS has addressed the issues outlined in the Secretary's Environmental Assessment Requirements (**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 will result in improved solar access to Hyde Park;
- The proposal will create a positive addition to the Sydney CBD skyline on a key gateway site;
- The proposed development has balanced the issues of private view loss with the public benefits of urban design improvements, public views and solar access to Hyde Park;
- The project will deliver approximately 350-450 construction jobs and the hotel component will employ approximately 1,000 staff during operation;
- The proposal will provide a world class hotel in a highly connected location, capitalising on existing and proposed public transport infrastructure; and
- The project will provide additional high amenity residential development in close proximity to jobs.

Given the planning merits described above, and the significant public benefits associated with the proposed development, it is recommended that this application be approved.