

18 August 2020

Our Ref: P-20128 (TW/MS)

Director - Key Sites Assessments
Department of Planning, Industry & Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Sir/Madam,

RE: SSD-10375 - IMPACTS OF PROPOSED PITT STREET NORTH OVER STATION: STAGE 2 DEVELOPMENT - CASTLEREAGH BOUTIQUE HOTEL AND NSW MASONIC CLUB

This submission has been prepared by City Plan Strategy & Development (City Plan) on behalf of the NSW Masonic Club. The NSW Masonic club is located at 169-173 Castlereagh Street, Sydney, adjoining the Pitt Street North Metro station (Figure 1).

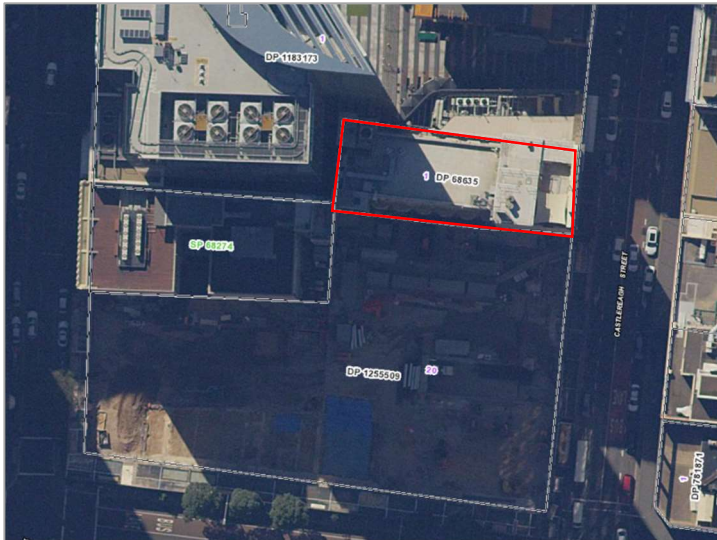


Figure 1: Aerial photograph of Masonic club premises (outlined in red).

The NSW Masonic Club (the Club) was established in 1893. It purchased the land in 1925 and commenced construction of the building in 1926. The site and building are identified by the NSW Heritage register as being of high heritage significance due to their association with the Masonic movement and as a fine example of the Inter-war Commercial Palazzo style (refer to Appendix 2).

The building was used exclusively by club members until 1984 when the accommodation floors were repurposed as hotel rooms. The building is 12-storeys with the Club and its facilities occupying the lower six levels, and the Hotel occupying the upper six levels.

The Club has great pride in its building and takes seriously its responsibilities as its custodian. The buildings significance is preserved not only by maintaining its physical form, but also by continuing its ongoing use by the Club. The Club and Hotel use are dependent on the internal spaces having a high

level of amenity, including access to natural light. The Club opens its doors annually to the public as part of the Historic Houses Trust Sydney Architecture open day.

The Club has a number of current development approvals and a current application for works to maintain and improve the buildings physical form, as described below:

- Development Consent No. D/1999/1034/A (Approved 13 April 2000) - Two storey roof top extension to provide six additional hotel rooms. Conservation works to the boardroom, lift and men's toilet on level one. The Club advises that the works have been commenced and are critical as they allow restoration of the building, and a future increase in income.
- Development Consent No. D/2019/419 (Approved 8 July 2019) - Repair and replacement of hotel room windows. The works are important as they will improve internal amenity by replacing opaque glass windows with clear glazed double-glazed windows, providing improved acoustic privacy and access to light.
- Development Application No. D/2020/393 (Undetermined) - Repair and refurbishment of the hotel rooms

The Club contains a magnificent grand dining room, known as 'Cellos'. Cellos is a rare example of a classically derived interior pertaining to a Gentleman's Club and features a plaster ceiling with a deep elaborate cornice incorporating classical dentils. It is a popular venue for business events, seminars, weddings, family celebrations. It is located on level 4 of the building at the base of the light well. Its attractiveness as a daytime venue is partly dependent on its access to natural light (refer to Figure 2-4).

The Hotel contains 83 accommodation rooms, with the windows of the rooms on the southern side of the building facing into the lightwell. The rooms vary in sizes and price range, and pre-covid, achieved a yearly occupancy of 84%. Hotel guests are predominantly general tourists rather than business travellers, who spend a greater amount of time in their rooms, access to natural light is therefore an important part of their amenity.

Photos of the interiors of the club and hotel are provided at Figure 2 - Figure 7.



Figure 2: NSW Masonic Club - Cello's Grand Dining Room



Figure 3: NSW Masonic Club - Cello's Grand Dining Room



Figure 4: NSW Masonic Club - Cello's Grand Dining Room



Figure 5: NSW Masonic Club - Boardroom



Figure 6: Castlereagh Boutique Hotel - Executive Suite



Figure 7: Castlereagh Boutique Hotel - Double Room

1. DEVELOPMENT ASSUMPTIONS

The Environmental Impact Statement (EIS) describes the Club and proposed buildings relationship with the lightwell as follows:

"Light well to the northern boundary to ensure an appropriate relationship to adjoining building to the north and the tower above. The NSW Masonic Club has already sold off any future developable bonus GFA in turn allowing the permissible envelope for the Pitt Street North site to include a 0m setback. Notwithstanding, some consideration of the adjacent heritage building has been provided by observing a minimum setback of 3m, allowing increased daylight penetration into the opaque south-facing windows of the NSW Masonic Club building. The northern façade of the OSD tower provides a set-back between 3 and 3.4m from the site boundary for the length of the Masonic light well above the station transfer level on level 4."

This statement demonstrates an erroneous understanding of the Club and its development potential. The Club was awarded heritage floor space in 2008 which resulted in a covenant being placed on the land title which states the following:

"No building may be erected, added to or altered on the Land which would result in the:
(i) Floor Space Area of all Buildings on the Land exceeding the Floor Space Area of the Buildings as at the date of completion of the Conservation Work; or

(ii) Building envelope of any Buildings on the Land exceeding the Building envelope of the building on the Land at the date of registration of this Covenant provided always that nothing in this Covenant shall prevent the registered proprietor from completing any of the Conservation Work."

Conservation work is a defined term within the covenant and means:

"Conservation Work" means the work to the Building completed in accordance with the consent granted to the Development Application numbered D/1994/1034/A.'

As detailed above, D/1999/1034/A has been commenced and in part permits a "two storey roof top extension to provide six additional hotel rooms (Appendix 1). The Club intends to complete the approval by constructing the two-storey roof top extension.

The proposed buildings setbacks to the lightwell have been prepared based on the Club being two storeys lower in height. This is significant because the size of the opening to the lightwell is significantly reduced, when the Clubs approved additional storeys are taken into account (Figure 8).

It is important to note also that the opaque windows which are referenced in the EIS are approved for removal and replacement with clear glass windows. A key objective of the Club in replacing the windows is to improve the amenity of the rooms by increasing access to natural light.

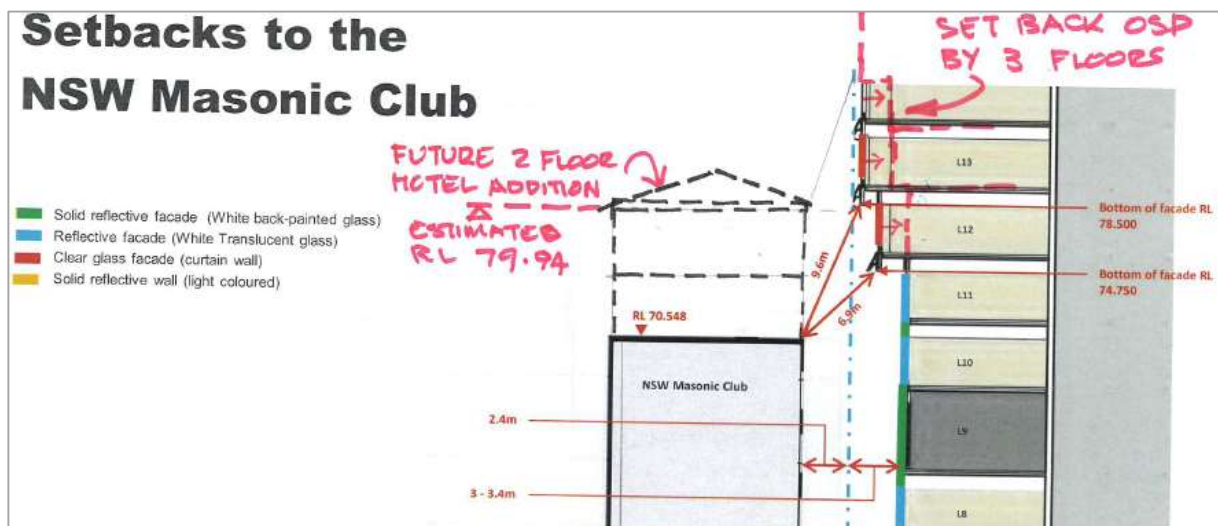


Figure 8: Requested amendments to proposed setbacks on (Source: Plans by Foster & Partners et al with annotations by NSW Masonic Club)

2. CONSISTENCY WITH CONCEPT APPROVAL

Section 4.24 of the *Environmental Planning and Assessment Act 1979*, specifies that while any consent granted for a concept development application remains in force, the determination of any further development application cannot be inconsistent with the consent for the concept approval.

Condition B2 of the Concept Approval for the Over Station Development at Pitt Street North Station (17_8875) requires all future detailed development to address compliance with the design guidelines submitted with the application. The approved design guidelines include the following requirement:

"Appropriate setbacks to protect light access to adjoining light wells of Ashington Place (National Building) (284A-250 Pitt Street) and NSW Masonic Club (169-173 Castlereagh Street) and use of reflective or light-coloured materials to encourage light penetration".

As described in Point 1, the opening to the lightwell has been designed on an erroneous understanding of the Club's development capacity. The proposed setbacks are not sufficient to protect light access to the lightwell when the approved development capacity of the Club is taken into account. It is important to note that the proposed lightwell also includes three transfer columns which land adjacent to a number of windows and are likely to affect light penetration into the lightwell and adjacent rooms.

The proposed development is therefore inconsistent with Condition B2 of the Concept Approval and cannot be approved in its current form. We request therefore that proposed levels 12 - 14 are setback to achieve the intended opening to the lightwell as is shown in Figure 8.

The Club notes the use of light and reflective cladding materials to the walls of the proposed building which face into the lightwell. Instead of the proposed translucent glass of light-coloured material currently proposed, the Club would support an attractive, decorative mural to provide a better outlook for hotel guests.

3. IMPACTS OF STATION BOX

The station box was approved as part of Critical State Significant Infrastructure Application (CSSI) 15_7400 and therefore is not part of the proposed OSD development. Irrespective of this, the impacts of the station and the OSD development should be considered cumulatively.

It is our understanding the Station Box was approved at a height of RL39 by the Minister and later increased to RL48 by Sydney Metro through a consistency assessment process. The Club is extremely disappointed it was not consulted during the consistency assessment process as it has raised the station box above the level of the windows of Cellos.

The proposed station box is built to the side boundary. Cellos has high ceilings, with the lower portion of the walls having bay windows, with circular highlight windows located in the upper section as shown in the Figures 2-4. A reduction in light to those windows will significantly affect the amenity of the room.

We therefore request that the Department make representations to Sydney Metro about splaying the setback of the Station transfer level to achieve the built form outcome intended by the Minister's approvals, that being reasonable light access to the lightwell and the historic rooms it serves.

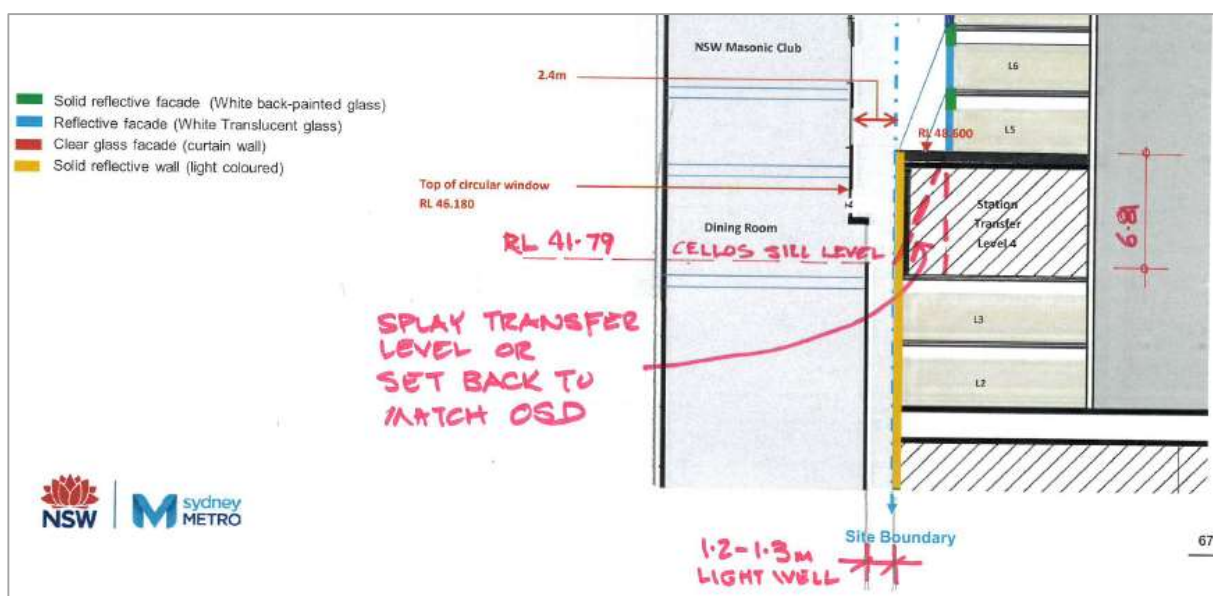


Figure 9: Requested amendments to proposed setbacks on Level 4 (Source: Plans by Foster & Partners et al with annotations by NSW Masonic Club)

We also request that further details be sought and provided on the proposed location and output of plant and equipment relative to the Club, so that the noise and vibration impacts can be appropriately assessed.

4. INTERFACE WITH CLUB

The Club's skilfully designed sandstone façade is an important contributor to the Castlereagh streetscape. We are concerned about the design of the Castlereagh St façade and how it will relate to the Club's façade. We therefore ask that the Department seeks specialised heritage advice to ensure that the proposed building sympathetically relates to the Club's façade. A heritage assessment prepared by Weir - Phillips is attached (Appendix 2) to assist in your analysis.

The proposed loading and parking facilities are located in the north-eastern corner of the building, adjoining the Club. We therefore ask that the Department gives specific consideration to the operation of those spaces and the plant therein, and how they will impact on the acoustic privacy and amenity of the Club, the Hotel rooms and the ground floor café.

The Club recognises the importance of providing connections between the surface and the Metro below, and would be open to discussions on providing a connection point between the two buildings to improve permeability and the public realm.

5. CONSTRUCTION IMPACTS

Construction of the proposed building will significantly impact on the operations of the Club and Hotel. Impacts include:

- Noise, dust and vibration;
- Structural integrity, including to the brittle lime mortar used in the sandstone façade; and
- Loss of trade.

All efforts must be made to minimise those impacts. It is critical to note that the Hotel is the Club's financial foundation providing 96% of its operating revenue. Loss of its operations will therefore significantly impact on the Club's financial stability.

If you have any queries or require clarification on any matters relating to this submission, please do not hesitate to contact the Paul Brasch on 02 9284 1000 or gm@castlereagh.com.au.

Yours Sincerely,

A handwritten signature in black ink that reads 'Susan E Francis'.

Susan E Francis

Executive Director

APPENDIX 1 - NOTICE OF DETERMINATION - DA NO /99/01034 (AND COVENANT)

NOTICE OF DETERMINATION

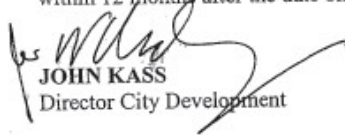
Development Application D /99/01034

Approval issued under Section 81(1)(a) of the Environmental Planning and Assessment Act 1979

Applicant	MOORCROFT ARCHITECTS PO Box 7044 MCMAHONS POINT NSW 2060
Land to be developed	169-173 CASTLEREAGH STREET, SYDNEY 2000
Approved development	Two storey roof top extension to provide six additional hotel rooms, and conservation works to the boardroom, lift lobby and mens toilet of the first floor.
Cost of development	\$555000
Determination	The application was determined by Council and was granted consent subject to the conditions in Schedules 1 and 2.
Section 61 Contribution	A Section 61 Contribution (under the City of Sydney Act 1988) applies to this development.
Building Code of Australia Classification	Class 9B and 2
Reasons for conditions	Unrestricted consent may affect the environmental amenity of the area and would not be in the public interest.
Consent is to operate from	13 April 2000
Consent will lapse on	13 April 2002 *

Right of appeal

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you received this notice.


JOHN KASS
 Director City Development



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APPENDIX 2 - HERITAGE SUBMISSION - WEIR PHILLIPS HERITAGE