

17 May 2021

Mr. Jim Betts
 Secretary of the Department of Planning, Industry and Environment

Attention: Karl Fetterplace

Dear Karl,

RE: SUBMISSION | SSD-10464 AT 50-52 PHILIP STREET, SYDNEY

1. Introduction

This submission letter has been prepared by Paro Consulting on behalf of the Strata Plan Number: 03045 at 127-131 Macquarie Street, Sydney. This submission letter relates to the State Significant Development (SSD) development application SSD-10464 at 50-52 Philip Street, Sydney, which was submitted by the applicant Built. The SSD seeks approval for the staged delivery of a new landmark mixed-use luxury hotel and branded residential building. It is proposed to deliver approximately 246 new hotel rooms and 23 branded residential rooms. The assessment informing this submission, has relied on the publicly available documents on the online planning portal system.

2. Site Context

Figure 1 and 2 below illustrates the location and context of the proposed development site at 50-52 Philip Street, Sydney and the adjoining site 127-131 Macquarie Street, Sydney to the east and opposite side of Phillip Lane.

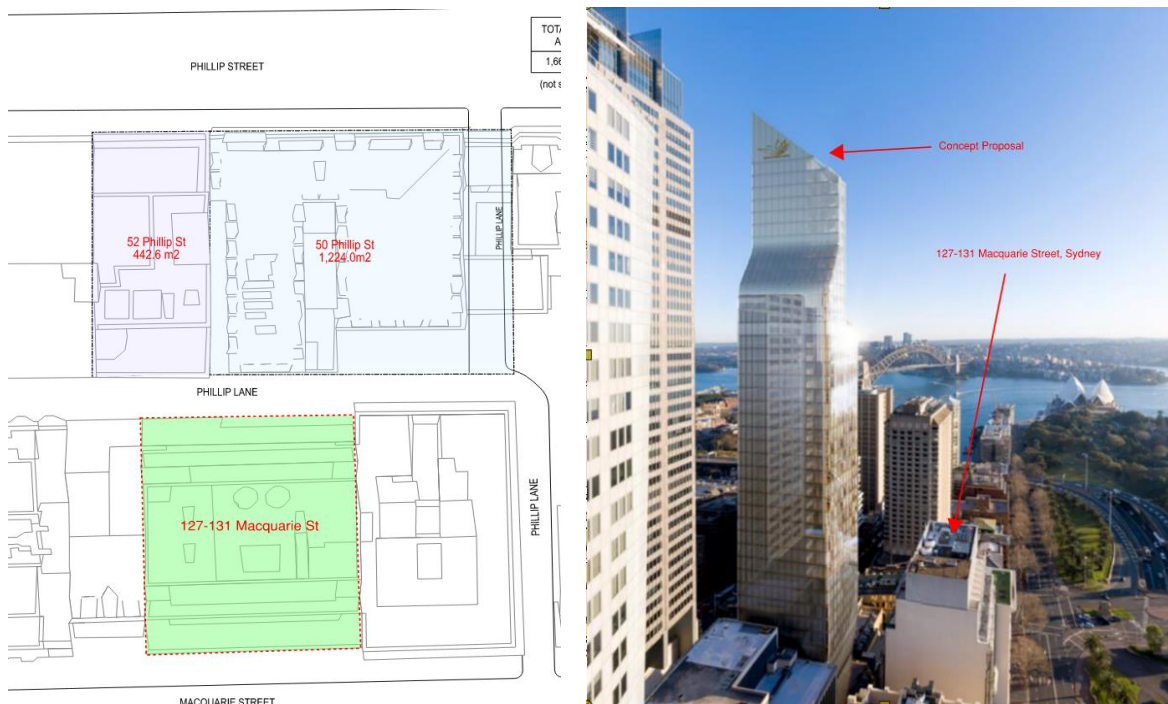
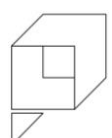


Figure 1. Site Context Map



3. Issues

An independent assessment has been prepared with consideration of heads of consideration under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The primary environmental planning instrument that relates to the subject site is the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), Sydney Local Environmental Plan 2012, State Environmental Planning Policy 55 Design Quality of Residential Flat Buildings 2002 and Sydney Development Control Plan 2012 applies to the assessment of the proposal. The relevant provisions of these documents and other relevant controls have been considered as part of this assessment.

The key issues identified with the proposal in relation to the property at 127-131 Macquarie Street are discussed below.

3.1. Visual Impact of cantilevering tower above heritage building at 50 Phillip Street

The Strata Plan is not opposed to the use or conservation and adaptive reuse of the Heritage Listed building at 50 Phillip Street however consider the extent of the cantilevering of the proposed tower and its floorplate over the heritage item to be excessive and to adversely impact upon the historical significance, aesthetic and intention of the building which is of state and national cultural significance. The proposed new building's bulk, scale and placement is not consistent with the highly significant character of the area around it. It will negatively impact the setting of these historic buildings, the character of the area and the important view lines to and from the site.

Clause 3.9.4 of the Sydney DCP 2012 stipulates:

"Development of sites of State heritage significance or containing more than one heritage item, where they propose building over more than 20% of a heritage item's building footprint within the airspace above the item, but not within the airspace next to the item, the consent authority should: a) appoint a committee that includes heritage professionals to examine and advise on the merits of the proposal; b) be satisfied that that committee has followed an appropriate public process for the purpose of that examination; and c) consider the advice of the committee, but is not bound by the advice of the committee".

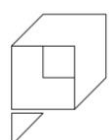
From reviewing the EIS there does not appear to have been proper consideration given to this clause and the above process to consider the appropriateness of the cantilevering tower above heritage building. It is recommended that the cantilevering tower above the heritage item is setback further from the North to reduce the dominance of the tower and structural column upon the heritage item.

3.2. Traffic Impact on Phillip Lane

The proposal indicates that Phillip Lane will be used for a pick-up and drop-offs zone as well as to access the proposed basement levels. Phillip Lane is a narrow lane, so much so that cars cannot pass each other on it. It already experiences high levels of traffic, with vehicles doing "drop-offs" blocking the laneway. The exits from Phillip Lane to Macquarie Street require vehicles to cross a busy footpath where it is difficult to see for pedestrians. These vehicles are attempting to turn onto Macquarie Street, a busy street, which often results in vehicles blocking the footpath and requiring pedestrians to walk around cars. The applicant should consider alternative access for the development for hotel pick-ups or drop-offs (potentially via Phillip street) to ease congestion to the laneway.

3.3. View Loss Assessment

The SSD includes a visual impact assessment. However there has been no view loss assessment included within the SSD or provided within the EIS report. There are significant views available from the upper level of the building of the Sydney Harbour, Sydney Observatory and Barangaroo reserve. These views will be lost as a result of the proposal. It is requested that the applicant prepare a view loss assessment from the upper-level office tenancies of the building at 127-131 Macquarie Street for the tenants to understand the likely view loss impact. The Strata Plan can arrange for photographs to be taken from the windows which are affected by view loss.



3.4. Retention of ironwork to level 7 of the heritage building at 50 Phillip Street

Tenants within the building at 127-131 Macquarie Street consider the mansard roof and dormer windows and the decorative cast iron 'cresting' to the roof gives the upper storeys a distinctly Parisian character and should be retained and restored. It appears this item is identified within the Heritage Conservation Management Plan as being of significance.

The Strata Plan support the full retention and restoration of these items of the heritage building at 50 Phillip Street.

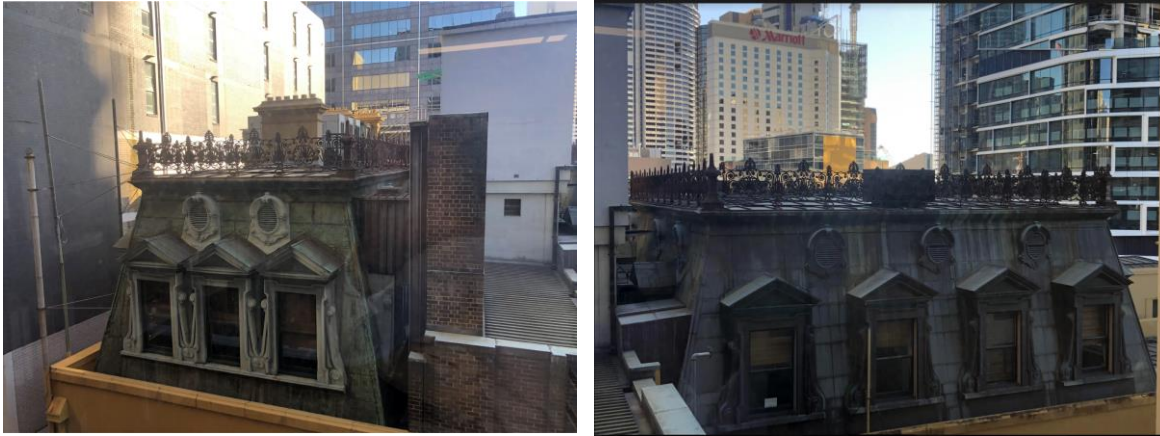


Figure 2. Dormer windows and decorative cast iron 'cresting'

3.5. Visual Separation

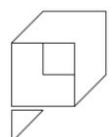
From reviewing the architectural concept drawings for the Stage 1 DA it appears the proposal results in an acceptable visual privacy outcome between the existing office building at 127-131 Macquarie Street and proposed mixed use hotel and apartment development at 50-52 Phillip Street. It appears that hotel rooms are setback from the eastern boundary and generally not orientated towards the east to the office building at 127-131 Macquarie Street.

It is recommended that privacy measures are provided to the eastern elevation of the proposed function room to level 3 to prevent direct overlooking of the adjoining office tenancies at 127-131 Macquarie Street.

4. Recommendations

The following recommendations are made as a result of the planning review of the proposal:

- Further consideration of the visual impact of the cantilevering tower above the heritage building at 50 Phillip Street and whether additional setback is required to the north;
- Support for the retention and restoration of the dormer windows and the decorative cast iron 'cresting' to the roof gives the upper storeys a distinctly Parisian character;
- The applicant prepare a view loss assessment from the upper levels tenancies of the building at 127-131 Macquarie Street. Access can be arranged by the Strata Plan; and
- It is recommended that privacy measures are provided to the eastern elevation of the proposed function room to level 3 to prevent direct overlooking of the adjoining office tenancies at 127-131 Macquarie Street; and
- The applicant should consider alternative access for the development for hotel pick-ups or drop-offs (potentially via Phillip street) to ease congestion to the laneway.



5. Conclusion

The Strata Plan are generally supportive of the proposal subject to the implementation of the recommendations of this letter.

Feel free to contact me on 0422983710 or at daniel@paroconsulting.com.au should you wish to discuss the contexts of this letter or to arrange an inspection.

Yours sincerely,



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