

Section 96(2) Development Application Statement of Environmental Effects



161 Sussex Street, Sydney

Section 96(2) Modification - SSD-4972

Submitted to Planning and Infrastructure

On Behalf of GL Investment Co Pty Ltd GL No 1 Trust

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16/04/2014

This report has been reviewed by:



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16/04/2014

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1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Planning and Infrastructure (P&I) in support of a section 96(2) application to modify State Significant Development consent SSD-4972 relating to the redevelopment of the Four Points by Sheraton Hotel and involving the construction of a 25 storey tower, comprising 231 hotel rooms and approximately 5,775m² of commercial floor space and approximately 4,810m² of convention, exhibition and function space.

This section 96(2) application seeks approval for a number of internal and external alterations to the approved development, which have been made following further design development and ongoing detailed discussions with the hotel operator regarding their needs and requirements.

The SEE has been prepared by JBA on behalf of GL Investment Co Pty Ltd (GL No 1 Trust), and is based on the Architectural Drawings provided by Cox Richardson (see **Appendix A**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the proposed modifications to the approved building design, sets out the proposed amendments to the development consent conditions, and provides an assessment of the environmental impacts of the proposed changes. It should be in conjunction with the documentation that accompanied the original State Significant Development Application, including the Response to Submissions package dated February 2013.

2.0 Background

Consent for SSD-4972 was granted by the Planning Assessment Commission (PAC) on the 5th August 2013 for the construction of a 25 storey tower comprising 231 hotel rooms and approximately 5,775m² of commercial floor space and circa 4,810m² of convention, exhibition and function space.

Following this a Section 96(1A) application was lodged with the then Department of Planning and Infrastructure (DP&I) in September 2013 which sought to amend Condition A5 of the development consent relating to Section 94A contributions. This application was determined by the PAC on 19 March 2014.

A further Section 96(1A) application was lodged with DP&I in February 2014 seeking a number of minor amendments to the building design, these being:

- Changes to the structural columns, trusses and footings beneath the tower and convention/function area;
- Deletion of the pre-function area located at the northern end of the building; and
- Changes to the commercial lobby and lift core within the tower.

This application is currently under assessment.

Since granting of the original consent by the PAC in August 2013, the applicant has been working closely with the design and construction project team and the hotel operator to further refine the building design. This process has identified a number of amendments that:

- will improve the overall design outcome;
- are required to facilitate the future construction program and methodology;
- are in response to a value engineering process; and
- respond better to the operational needs and requirements of the hotel.

3.0 Proposed Modifications

This application seeks approval for a number of modifications to the approved development as set out in **Table 1** below and detailed in the plans at **Appendix A** and described in the Design Statement prepared by Cox Richardson appended at **Appendix B**.

The key changes are described in greater detail in the following sections.

Table 1 – Proposed modifications to approved development

Building Level	Proposed Amendment	Plan Ref No
Lower Ground	<ul style="list-style-type: none"> ▪ Existing through-site link stair to Wheat Road demolished and replaced with new public stair in same form. ▪ Full extent of paving to Slip Street deleted and replaced in parts with bitumen. ▪ Noise barrier and bike parking layout amended. ▪ Engineering office added to lower level of Corn Exchange. ▪ Existing main switch room extended. ▪ Public domain works to forecourt of Corn Exchange building removed. ▪ Changes to delineation between front of house and back of house zones including allocation of rooms. ▪ Reconfigured existing public bus entry including relocation of stair 3 egress path. ▪ Relocation of new goods lift. ▪ Hydraulic plant room and linens store relocated to water tank storage. ▪ Addition of two new plant rooms in basement of Northern Warehouse 	A-DA-0200 Rev O
Ground	<p>Tower & Function Space</p> <ul style="list-style-type: none"> ▪ Staff cafeteria within the tower building relocated to mezzanine level and replaced with plant room. ▪ Storage area within tower building replaced with redesigned production kitchen. ▪ Through site link awning deleted and redesigned to be included in the internal layout of the building allowing for airlock and cover. <p>Existing Hotel Building</p> <ul style="list-style-type: none"> ▪ Stairs located along through-site link replaced with series of ramps to enable equitable access. ▪ Reconfiguration and rearrangement of the internal spaces within the existing hotel building including: <ul style="list-style-type: none"> - Internal kitchen and servery area; - Washrooms and facilities; - All day dining area and meeting rooms; - Northern entry and pre-function /meeting spaces; - Other front of house spaces including bar, servery, public stairs and foyer. ▪ Glazed slots in Wharf Lane Bridge removed and replaced with larger voids adjacent to heritage facades either side. ▪ Amendments to existing Porte Cochere Layout including retention of existing exhaust shafts and addition of new fire services spaces. ▪ Revision to northern entry courtyard including: <ul style="list-style-type: none"> - Revised escalator location; - Removal of glazed awning structure; - Retention of existing exhaust shafts that were shown to be removed under existing consent; - Revision to fire control room. ▪ Relocation of all day dining area to the northern warehouse building (former Tony Roma's building), including internal fit-out. 	A-DA-0201 Rev O

Building Level	Proposed Amendment	Plan Ref No
	<ul style="list-style-type: none"> ■ Addition of new kitchen and plant to northern end of hotel building to service new all day dining area. ■ Addition of new glazed link connecting northern warehouse building with the new dedicated all day dining kitchen. 	
Mezzanine	<p>Tower & Function Space</p> <ul style="list-style-type: none"> ■ Glazed awning removed from landing above stairs to Wheat Road; ■ Servery layout, plant room and storerooms within tower building amended. ■ RL level of the new function mezzanine level increased by 140mm. ■ The function room layout and configuration slightly amended. ■ Awning extent over commercial lobby amended. <p>Existing Hotel Building</p> <ul style="list-style-type: none"> ■ Changes to the delineation between internal front of house and back of house zones within the hotel, including rearrangement of: <ul style="list-style-type: none"> - Front of house amenities, stairs, escalators and lifts; and - Back of house areas including the kitchen servery, staff amenities and inclusion of the newly relocated staff cafeteria. ■ New back of house service corridor added to eastern façade of existing podium above porte cochere. Exterior of new volume to be constructed of glazed material. New volume integrated into hotel lobby volume. ■ Northern entry converted to courtyard with revised escalator location and awnings removed. 	A-DA-0202 Rev O
Level 1	<p>Tower & Function Space</p> <ul style="list-style-type: none"> ■ Hotel rooms replaced with back of house administration, offices and ICT rooms. ■ Northwest corner of tower in-filled with lost property and store room. ■ Tower BMU access zone added to southern tower façade. ■ Addition of General Manager's apartment. ■ Tower footprint amended on eastern side as a result of third commercial lift. ■ Convention western façade realigned eastwards to provide 1,100mm RMS and fire engineering required setback. ■ Void to pre-function and accessible roof terrace has been replaced with a sedum roof. <p>Existing Hotel Building</p> <ul style="list-style-type: none"> ■ Mechanical plant has replaced the approved gym and hotel rooms 101 and 103, 128, 130, 132 and 134. ■ Changes to the delineation between internal front of house and back of house zones within the hotel, including: <ul style="list-style-type: none"> - Provision of a new interconnecting corridor to the new tower; - New staff administration areas provided in place of hotel room 225; - Replacement of approved hotel rooms 111, 113, 115, 117, 119, 121 and 123 with meeting rooms and amenities; and - New back of house service corridor added to eastern façade of existing podium above porte cochere. Exterior of new volume to be constructed of glazed material. New volume integrated into hotel lobby volume. ■ Roof area adjacent to hotel rooms in existing north tower redefined as ballasted roof with maintenance access only. ■ Extent of built form adjacent to the proposed north courtyard amended to allow for relocated escalators, kitchen and plant room. 	A-DA-0203 Rev P
Level 2	<p>Tower & Function Space</p> <ul style="list-style-type: none"> ■ North-west corner of tower in-filled and allocated to a new internal gym space. Gym space to also replace approved storage rooms. ■ Tower footprint amended on eastern side as a result of third commercial lift. 	A-DA-0204 Rev O

Building Level	Proposed Amendment	Plan Ref No
	<ul style="list-style-type: none"> Glazed roof over central pre-function space replaced with sedum roof. New plant roof added and to be contained in new 'roof zone junction' between existing hotel and convention/function building. Louvres to be added as required to screen plant and services reticulation. <p>Existing Hotel Building</p> <ul style="list-style-type: none"> Approved service lift overruns and storerooms to be deleted and existing hotel rooms to be retained. Roof area adjacent to hotel rooms in existing north tower redefined as ballasted roof with maintenance access only. 	
Level 3	<p>Tower</p> <ul style="list-style-type: none"> North-west corner of tower in-filled and allocated to a new internal store room space. Tower footprint amended on eastern side as a result of third commercial lift. 	A-DA-0205 Rev M
Levels 4 - 10	<p>Tower</p> <ul style="list-style-type: none"> Tower footprint amended on eastern side as a result of third commercial lift. 	A-DA-0206 Rev M
Levels 11-14	<p>Tower</p> <ul style="list-style-type: none"> Tower footprint amended on eastern side as a result of third commercial lift. 	A-DA-0207 Rev M
Level 15	<p>Tower</p> <ul style="list-style-type: none"> End of trip facilities amended to allow for core layout amendments. Floor slab level amended to suit acoustic/hydraulic requirements Tower footprint amended on eastern side as a result of third commercial lift. 	A-DA-0208 Rev O
Levels 16-22	<p>Tower</p> <ul style="list-style-type: none"> Western facing balconies deleted from Levels 16 and 17 Floor slab level amended to suit acoustic/hydraulic requirements Tower footprint amended on eastern side as a result of third commercial lift. 	A-DA-0209 Rev L
Plant Level (L23) & Roof Level	<p>Tower</p> <ul style="list-style-type: none"> Floor slab level amended to suit acoustic/hydraulic requirements Tower footprint amended on eastern side as a result of third commercial lift 	A-DA-0210 Rev M and A-DA-0211 Rev L
North Elevation	<ul style="list-style-type: none"> Changes to the building materials used for the tower façade. Changes to the design and configuration of sunshade louvres along the tower façade. Tower slab levels amended to suit acoustic/hydraulic requirements. 	A-DA-0301 Rev L
South Elevation	<ul style="list-style-type: none"> Changes to the building materials used for the tower façade. Changes to the design and configuration of sunshade louvres along the tower façade. Tower slab levels amended to suit acoustic/hydraulic requirements. Tower podium colour with back glazing replaced with Equitone Panelling. Southern façade of the function space rationalised, solid elements replaced with glazing and roof edge planting removed. 	A-DA-0301 Rev L
East Elevation	<ul style="list-style-type: none"> Changes to the building materials used for the tower façade. Changes to the design and configuration of sunshade louvres along the tower façade. Tower slab levels amended to suit acoustic/hydraulic requirements. Change to glazed awning above commercial lobby entrance. Amendments to porte cochere area including: <ul style="list-style-type: none"> Reinstatement of existing exhaust shafts along Slip Street; Sprinkler valve room and fire services spaces added; and Introduction of new double height glazed lobby entrance together with glazed awning façade structure. 	A-DA-0302 Rev K

Building Level	Proposed Amendment	Plan Ref No
	<ul style="list-style-type: none"> Amendments to northern Sussex Street entry including: <ul style="list-style-type: none"> - Deletion of existing awning structure; - Reinstatement of existing exhaust shafts along Slip Street; - Conversion to new courtyard for restaurant/hotel all day dining; and - Introduction of new double height glazed lobby entrance. 	
West Elevation	<p>Tower</p> <ul style="list-style-type: none"> Changes to the building materials used for the tower façade. Changes to the design and configuration of sunshade louvres along the tower façade. Tower slab levels amended to suit acoustic/hydraulic requirements. <p>Function Building</p> <ul style="list-style-type: none"> Changes to glazing and façade design along the southern function halls. Changes to the design of the through-site link stairs to Wheat Road. Revisions to the façade design of the central pre-function façade including amendments to louvres and materials. Changes to glazing and façade design along the southern function halls. Minor modifications to materials and detailing of the sawtooth roof design, including a 300mm increase in the height of the roof ridgeline of north hall from RL25.50 to RL25.80, and south hall from RL24.70 to RL27.70. 	A-DA-0303 Rev L
Slip Street East Elevation	<ul style="list-style-type: none"> Noise wall and bike rack layout amended. Tower podium colour with back glazing replaced with Equitone Panelling. Minor amendments to commercial lobby and foyer cladding. 	A-DA-0304 Rev I and A-DA-0305 Rev G

As a result of the changes listed above and detailed in the following sections, the overall floor area associated with the development will increase by 194sqm over the approved development to 60,491sqm. The change includes the small reduction in floor area that occurred as a result of Modification 2 (the subject of a previous application - still under assessment). It should be noted that as the Northern Warehouse was not part of the approved development (see Section 3.5 below), the 850sqm floor area associated with this building was not included in the original floor space calculations, and is not included in the above figures.

The number of rooms in the tower is decreased by nine (9) to 222. The overall number of hotel guest rooms is now 905.

The proposed modifications are described in further detail below.

3.1 Through-Site Link

Amendments are proposed to the approved through site link that passes through the centre of the hotel and connects Sussex Street to Wheat Road. The proposed amendments are shown in drawing A-DA-0201 at **Appendix A** and illustrated in **Figure 1**. They involve:

- Demolishing and replacing the existing stairs connecting the site with Wheat Road. New stairs will provide more direct access;
- Providing a more generous landing space at the top of the stairs adjacent to the hotel entrance;
- Removing the stairs within the approved internal walkway and replacing them with a series of ramps to provide equitable access; and
- Reconfiguring the internal hotel space to allow for a more open, active and engaging environment along the walkway. Specifically, converting the ground level meeting rooms to a new open internal dining area overlooking the through site link.

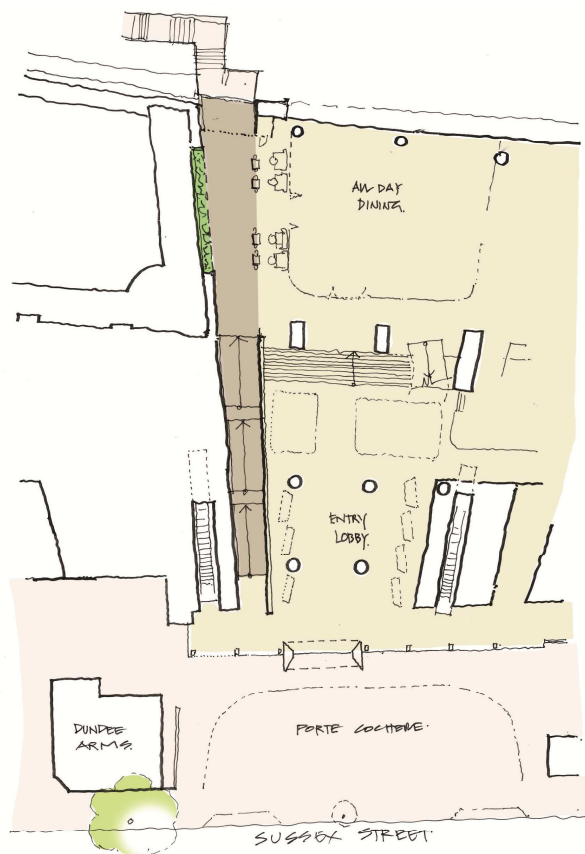


Figure 1 – Through Site Link
Source: Cox Richardson

3.2 Slip Street Works

A series of minor amendments are proposed to the public domain along the Slip Street. These are largely in response to further detailed design development and reflect hotel operational requirements and the logistical needs of the development. The changes also reflect the Public Domain Plan prepared in accordance with the conditions of approval for the development (provided for information only at **Appendix C**). The proposed amendments are shown in **Figure 2** and involve the following.

3.2.1 Street surface treatment

The previous fully paved road treatment is to be replaced with a combination of bitumen and cobblestone/pavers (see drawings at **Appendix C**). Bitumen is considered a more suitable material to withstand the effects of the trucks and delivery vehicles that use Slip Street. In addition, the high number of service pits on Slip Street necessitates the use of bitumen. Cobblestones will be used to delineate and indicate historic roads and the like.

3.2.2 Bicycle storage

The approved bicycle racks and noise barrier are proposed to be reconfigured to provide a more functional layout for bicycle storage, and the approved Class 2 bicycle storage facilities are to be replaced with Class 3 bicycle rails to accommodate 52 bicycles (in accordance with Condition C8 of the determination).

This arrangement is considered a more appropriate response to space constraints and the fact that the area is well-lit and under public surveillance. It also accords with the Public Domain Plan for the area, which was the subject of detailed consultation with the City of Sydney and the Sydney Harbour Foreshore Authority (SHFA) in accordance with the conditions of approval for the development.

Accordingly, an amendment to Condition C9 is proposed (see Section 3.8).

3.2.3 Heritage interpretation

The Slip Street works represent significant further development in the heritage interpretation of the previous uses and activities on the site, and its evolution from the 1800s to the present. These include:

- a mural that will function as an acoustic sound barrier located against Western Distributor;
- photographic wall panels built into the vertical walls of the tower core;
- ground inlays visible from the Wharf Lane Bridge and Sussex Street footpath;
- various graphic panels on balustrades; and
- allotment inlays or graphics integrated into the ground plane to reference previous businesses and tenants.

3.2.4 Corn Exchange Basement

Minor amendments are proposed to the lower ground level of the Corn Exchange on the Slip Street level. These follow review during design development and consultation with various stakeholders. These include:

- extensions to the existing Switch Room to meet AusGrid requirements, with the 15sqm extension will be contained under the existing colonnade and rendered and painted to match the adjacent existing finish; and
- inclusion of an engineering/ maintenance office for the hotel (internally within existing footprint).

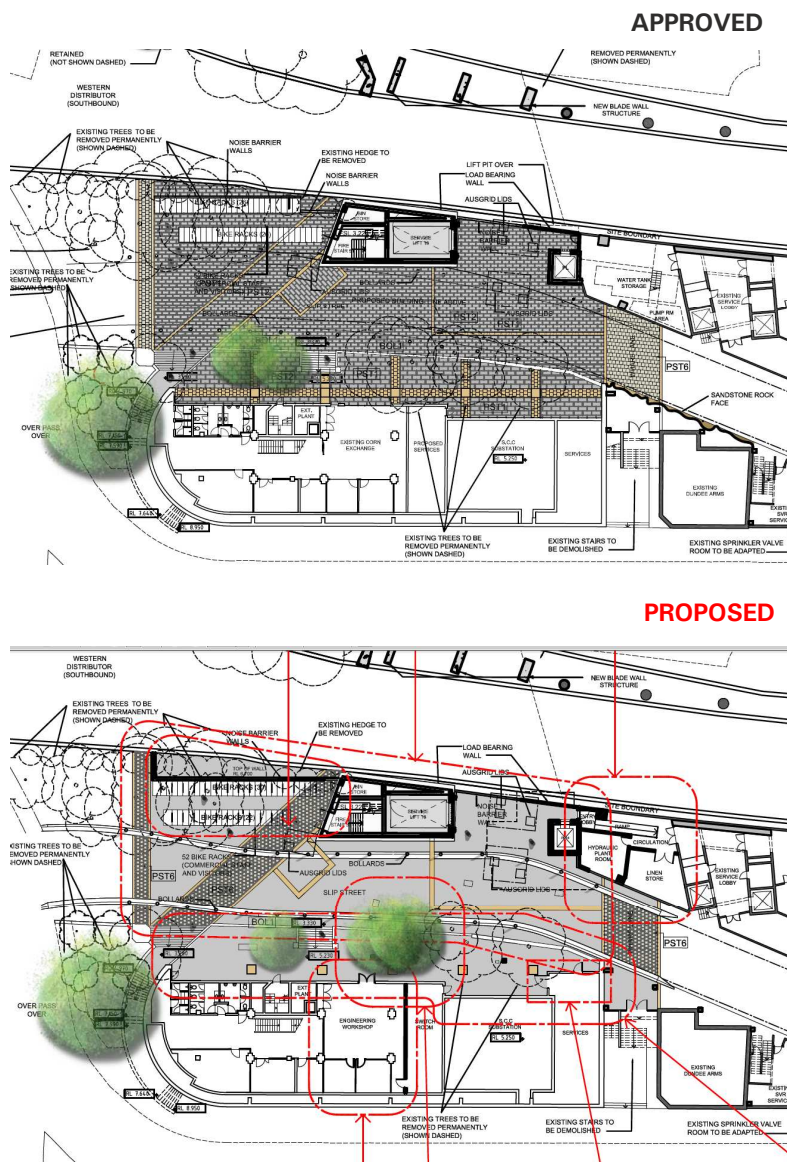


Figure 2 – Slip Street (Approved vs Proposed)
Source: Cox Richardson

3.3 Internal Alterations

The proposed amendments to the building's internal configuration have arisen following detailed design development and further consultation with the hotel operator. The proposed internal modifications to the existing podium are shown in **Figures 3 and 4** below and include:

- reconfiguring the ground level lobby area within the existing hotel;
- rearranging the hotel kitchens and serveries to better align with the operational needs of the hotel and conference/function facilities;
- rearranging the meeting room and function spaces and converting some ground level meeting rooms to a new all-day dining and bar area;
- reconfiguring and rearranging toilets, plant and storage rooms within the building;
- changing the delineation between the front of house and back of house zones within the hotel; and

- addition of a new residential apartment on Level 1 of the tower building to accommodate onsite the hotel's General Manager.



Figure 3 – Ground Floor Layout (Approved vs Proposed)
Source: Cox Richardson



Figure 4 – Mezzanine Floor Layout (Approved vs Proposed)
Source: Cox Richardson

3.4 Changes to Sussex Street Entrances

3.4.1 Porte Cochere

Changes are proposed to the approved design of the Sussex Street porte cochere and involve:

- Changes to the building lobby entrance and façade, including a new double height glazed frontage to the porte cochere and Sussex Street;
- Minor design changes to the glazed building awning;
- Re-instating and recladding the existing exhaust shafts from Slip Street which were shown to be removed under the approved development; and
- Incorporating a new sprinkler valve room and fire services cupboard.

3.4.2 Northern Courtyard Entrance

A number of minor changes are proposed to the building's secondary (northern) entrance along Sussex Street – to become the Northern Courtyard, including:

- Changing the function of the entry to become an emergency egress point only and convert the space to outdoor seating for the adjacent Northern Warehouse;
- Replacement of the awning with a new double height glass structure that matches the proposed design of the building's main porte cochere;
- Reinstatement of the exhaust shafts along Sussex Street (which were proposed for deletion under the approved scheme); and

- Increasing to the size of the Fire Control Room.

The changes to the porte cochere and northern courtyard entrance are shown in **Figure 5** below.

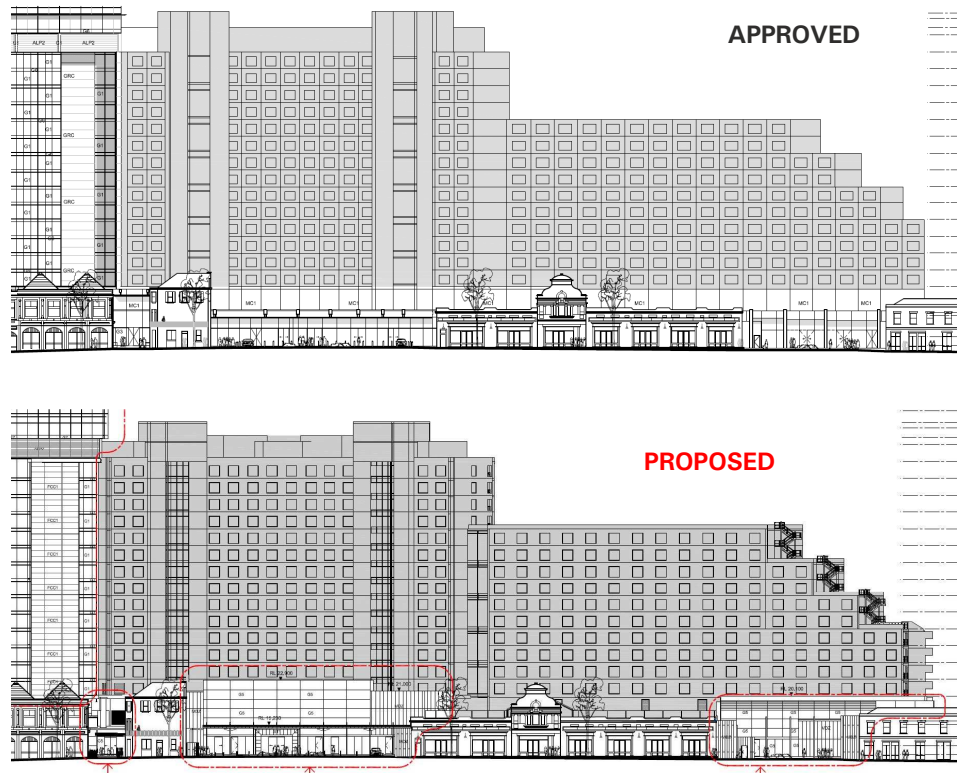


Figure 5 – Porte Cochere and Northern Courtyard (Approved vs Proposed)
 Source: Cox Richardson

3.4.3 Wharf Lane Bridge

A number of design enhancements and amendments are proposed to the approved Wharf Lane Bridge, as follows:

- The width of the bridge is amended to allow for ramp access to the secondary entrance to the Corn Exchange building.
- The gap between the bridge and the north elevation of the Corn Exchange is increased to improve visibility of the northern facade.
- Ground panel inlays are inserted into the wooden floor of the bridge – themed around the layering of the city and the Lost and Found.
- Sophisticated heritage interpretive display panels are incorporated into the balustrade structure, with the theme based around commerce and industry.

3.5 Inclusion of Northern Warehouse Building

The northern warehouse building fronting Sussex Street (former Tony Roma's restaurant) is proposed to be converted into a new all-day dining area serving hotel guests and visitors during construction. On completion of the development, it will revert to a restaurant (subject to a future development application). The proposed works involve:

- Demolition of internal walls associated with the previous tenancy (see plans prepared by A + design group at **Appendix D**);
- Internal fit-out of the building including new washrooms, accessible toilet and internal stair;
- Construction of a new dedicated kitchen at the northern end of the existing hotel building to serve the needs of this all-day dining area; and
- Construction of a new glazed link between the northern warehouse building and the proposed kitchen to provide a weather proof connection between the two zones.

In addition to the above, the existing building plant and duct work that sits on the rooftop of the Northern Warehouse building is proposed to be removed.

It is noted that the glazed link will connect to the Northern Warehouse building via an existing rear doorway, while the internal fit-out works will be fixed onto new building fabric within the building itself. The proposed works will therefore not physically alter or interfere with the existing heritage fabric.

3.6 Changes to Tower Façade Design

A number of modifications are proposed to the external design of the approved tower (see **Figures 6, 7 & 8**), principally involving amendments to the materials and sunshade treatments used for the tower's façade, specifically:

- The use of Equitone panelling instead of glass fibre-reinforced concrete cladding on the north, south and east elevations;
- Re-orientation of the approved metal sunshade devices from vertical to horizontal. This change principally relates to the southern and western elevations;
- Replacement of composite aluminium panelling with Equitone panelling along the building's eastern and northern elevations;
- Replacement of performance wall glass with 'balustrade to curtain wall glazing' where balconies are deleted.

In addition to the above some minor modifications are proposed to the floor to floor heights between Levels 15 to 23 as shown in **Table 2** below. The overall height of the building is however not affected.

Table 2 – Floor to Floor heights

Level	Approved Floor Level	Approved Floor to Floor Height	Proposed Floor Level	Proposed Floor to Floor Height	Change in Floor to floor height	Change in RL Level
Level 14	RL 56.30	2.8m	RL 56.30	3.14m	+0.34m	+0.34m
Level 15	RL 59.10	3.6m	RL 59.44	3.92m	+0.32m	+0.66m
Level 16	RL 62.70	3.6m	RL 63.36	3.6m	0.0m	+0.66m
Level 17	RL 66.30	3.6m	RL 66.96	3.6m	0.0m	+0.66m
Level 18	RL 69.90	3.6m	RL 70.56	3.6m	0.0m	+0.66m
Level 19	RL 73.50	3.6m	RL 74.16	3.6m	0.0m	+0.66m
Level 20	RL 77.10	3.6m	RL 77.76	3.6m	0.0m	+0.66m
Level 21	RL 80.70	3.6m	RL 81.36	3.6m	0.0m	+0.66m
Level 22	RL 84.30	3.6m	RL 84.96	3.6m	0.0m	+0.66m
Level 23	RL 88.25	3.95m	RL 89.085	4.12m	+0.17m	+0.83m
Roof (Top of Plant)	RL 93.60	5.35m	RL 93.600	4.52m	-0.83m	0.0m

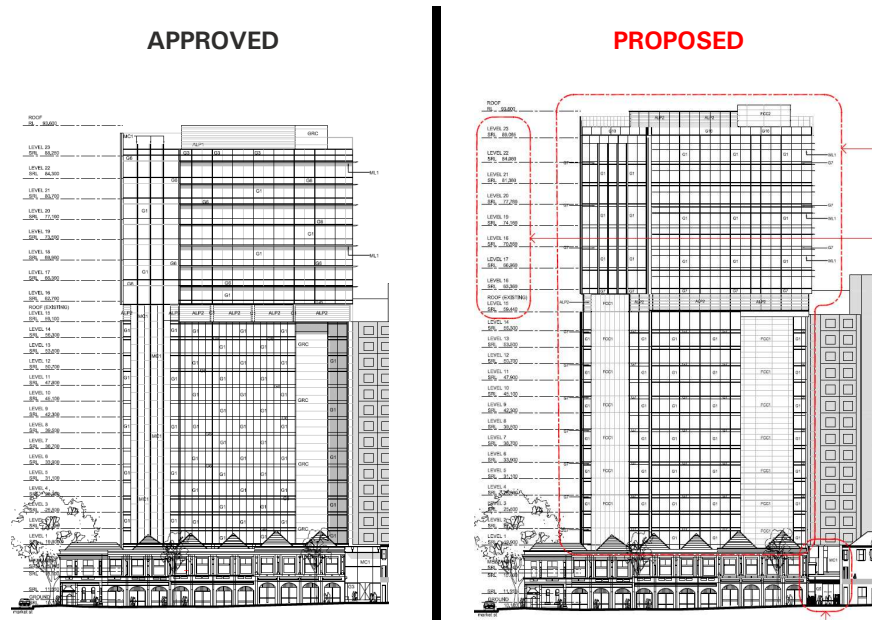


Figure 6 – East Tower Elevation (Sussex Street)
Source: Cox Richardson

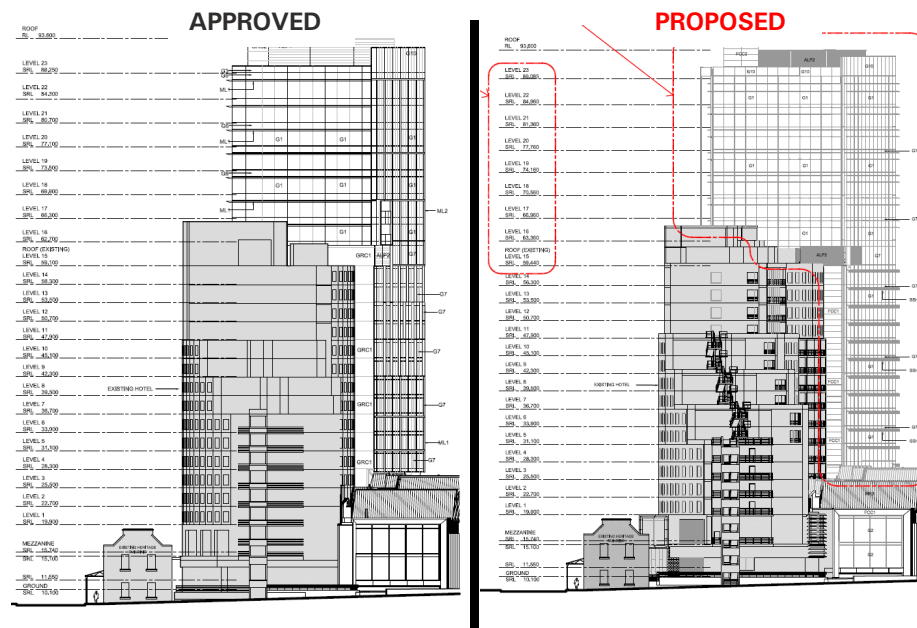


Figure 7 – North Elevation
Source: Cox Richardson

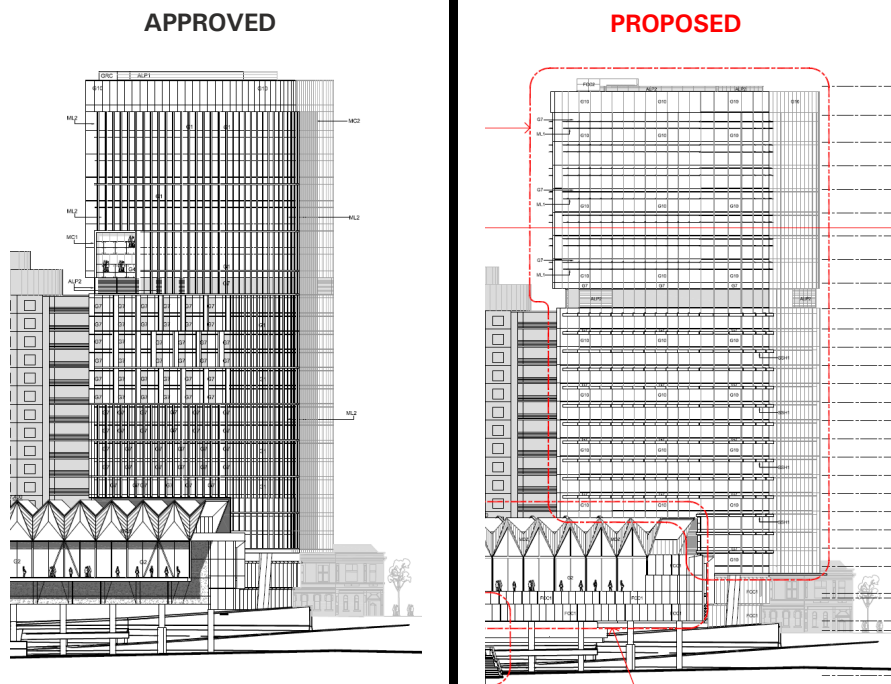


Figure 8 – West Elevation
Source: Cox Richardson

3.7 Changes to Function Building Façade

A number of modifications are proposed to the facade of the approved function and conference extension (see **Figure 9**), these include:

- Changes to the extent and location of glazing on the western façade..
- The introduction of zinc cladding along the western façade to offset the glazing and emphasise the feature sawtooth roof.
- The introduction of Equitone panelling instead of glass fibre-reinforced concrete cladding.
- A minor variation to the design and treatment of the building parapet along the sawtooth roof.
- Revisions to the design of the central pre-function façade including changes to louvres, materials and rooftop design.
- A 300mm increase in the height of the sawtooth roof ridgeline of the northern function hall from RL25.50 to RL25.80, and the that of the southern function hall from RL27.40 to RL27.70.
- Changes to the design and simplification of the through site link stairs to Wheat Road.

A comparison between the approved and proposed design is provided in **Figure 9**, with further details provided in the Architectural drawings included at **Appendix A**.

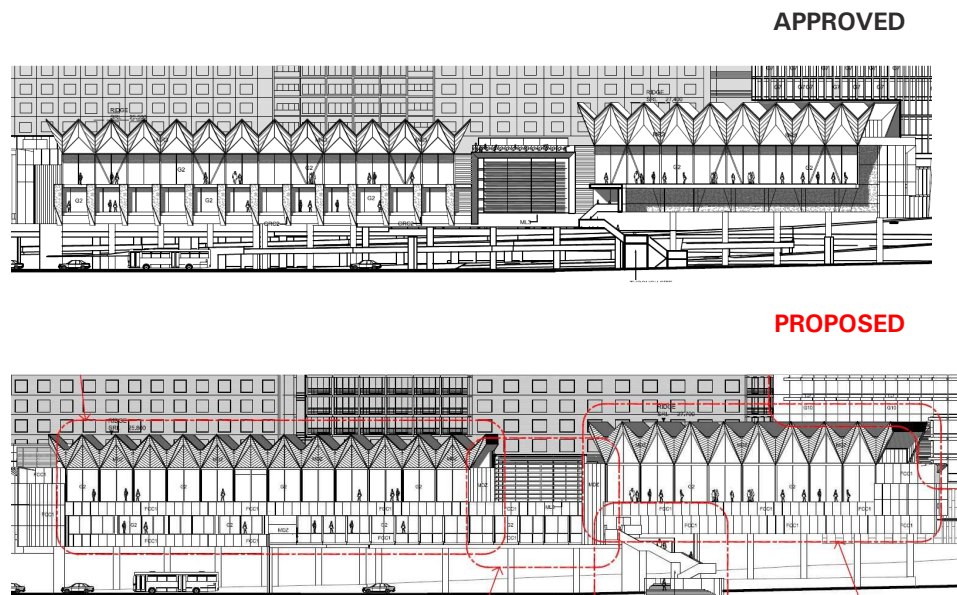


Figure 9 – Function Building Western Façade (Proposed)
Source: Cox Richardson

3.8 Modifications to Consent Conditions

The proposed modifications described above necessitate amendments:

- to the drawings listed in Condition A2 of the consent conditions to reflect the revised architectural plans prepared by Cox Richardson for the development;
- to add the demolition drawings at **Appendix D** prepared by A + design group in relation to the Northern Warehouse building; and
- to Condition C9 in relation to bicycle parking facilities.

Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in ***bold italics***.

Architectural (or Design) Drawings prepared by Cox Architects Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
A-DA-0003	D F	Public Domain - Lower Ground Level Plan	15/5/2013 <i>4/4/2014</i>
A-DA-0004	C E	Public Domain - Ground Level Plan	22/3/2013 <i>4/4/2014</i>
A-DA-0010	B	Lower Ground Level - Demolition Plan	19/6/2012
A-DA-0011	B	Ground Level - Demolition Plan	19/6/2012
A-DA-0012	B	Mezzanine Level - Demolition Plan	19/6/2012
A-DA-0013	B	Level 1 - Demolition Plan	19/6/2012
A-DA-0200	M O	Lower Ground Level Floor Plan	15/5/2013 <i>21/2/2014</i>
A-DA-0201	M O	Ground Level Floor Plan	5/3/2013 <i>4/4/2014</i>
A-DA-0202	M O	Mezzanine Level Floor Plan	5/3/2013 <i>21/2/14</i>
A-DA-0203	M P	Level 1 Floor Plan	5/3/2013 <i>9/4/2014</i>
A-DA-0204	M O	Level 2 Floor Plan	5/3/2013 <i>4/4/2014</i>
A-DA-0205	K M	Level 3 Floor Plan	5/3/2013 <i>4/4/2014</i>
A-DA-0206	K M	Level 4 to Level 10- Typical Floor Plan	5/3/2013 <i>4/4/2014</i>
A-DA-0207	K M	Level 11 to Level 14- Typical Floor Plan	5/3/2013 <i>4/4/2014</i>
A-DA-0208	M O	Level 15- Plant Room Level Floor Plan	15/5/2013 <i>4/4/2014</i>
A-DA-0209	J L	Level 16- 22 Typical Commercial Level Floor Plan	5/3/2013 <i>4/4/2014</i>
A-DA-0210	K M	Level 23- Plant Room Level Floor Plan	5/3/2013 <i>4/4/2014</i>
A-DA-0211	J L	Roof Level Floor Plan	5/3/2013 <i>4/4/2014</i>
A-DA-0301	J L	North & South Elevations	5/3/2013 <i>4/4/2014</i>
A-DA-0302	J K	East Elevation	5/3/2013 <i>4/4/2014</i>
A-DA-0303	J L	West Elevation	5/3/2013 <i>4/4/2014</i>
A-DA-0304	G I	Slip Street - East Elevation	5/3/2013 <i>4/4/2014</i>
A-DA-0305	E G	Slip Street Detail - East Elevation	5/3/2013 <i>4/4/2014</i>
A-DA-0310	D E	South Coloured Elevation & External Materials Legend	5/3/2013 <i>4/4/2014</i>
A-DA-0311	C D	North & Slip St Coloured Elevations	5/3/2013 <i>4/4/2014</i>
A-DA-0312	C D	East Coloured Elevation	5/3/2013 <i>4/4/2014</i>
A-DA-0313	D E	West Coloured Elevation	5/3/2013 <i>4/4/2014</i>

Architectural (or Design) Drawings prepared by Cox Architects Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
A-DA-0401	K L	Section 01 & 02	5/3/2013 4/4/2014
A-DA-0402	K M	Section 03 & 04	5/3/2013 4/4/2014
A-DA-0403	K M	Section 05 & 06	5/3/2013 4/4/2014
A-DA-0404	F G	Section 07	5/3/2013 4/4/2014
Demolition Drawings prepared by A+ design group			
Drawing No.	Issue	Name of Plan	Date
ID-03	C	Ground Floor Demolition Plan	6.12.13
ID-04	C	Level 1 Demolition Plan	6.12.13
ID-30	B	Photos stairs	6.12.13

Number of Bicycle Spaces

C8

C9 The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities except that:

- a) all bicycle parking for occupants of residential buildings must be Class 1 bicycle lockers,
- b) all bicycle parking for staff / employees of any land uses must be ~~Class 2 bicycle facilities~~ **Class 3 bicycle rails**, and
- c) all bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

4.0 Substantially the Same Development

Section 96(2) of the EP&A Act states that a consent authority may modify a development consent if *“it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)”*.

The approved development is for the *“Redevelopment of the Four Points by Sheraton Hotel, including:*

- *Construction of a 25 storey tower, comprising 231 hotel rooms and approximately 5,775m² of commercial floorspace and approximately 4,810m² of convention, exhibition and function space;*
- *Extension of the existing podium space to provide new convention and exhibition space;*
- *External and internal demolition works;*
- *Upgrades to the port cochere, building entries on Sussex Street, the hotel lobby and reception areas and other internal alterations;*
- *Public domain works on Slip Street; and*
- *Realignment of an existing pedestrian link through the site.”*

The proposed modification seeks consent for a number of changes including:

- Changes to the detailed design of the through site link;
- Changes to the façade design of the approved tower building;
- Changes to the detailed design of Slip Street;
- Changes to the façade design of the function and conference centre component;
- Modifications to the hotel’s internal layout;
- Changes to the design of the porte cochere entrance of Sussex Street, including the addition of a new glazed double height entrance and awning;
- Changes to the northern courtyard entrance including a new double height glazed lobby to match the porte cochere entrance; and
- Inclusion of the northern warehouse building as a new all day dining area together with the addition of a new kitchen space.

According to ‘Development and Planning Law in New South Wales’ by John Whitehouse (2012, CCH Australia Limited), a number of key principles need to be taken into account when considering a proposal to modify a development. Of these Principles 13 and 17 are of particular importance, and are as follows:

Principle 13 - *‘The meaning to “modify” is to alter without radical transformation (Ilenece, Michael, Standley, Mason P in Transport Action Group).’*

Principle 17 - *‘The term “substantially” in “substantially the same development” means essentially or materially having the same essence’.*

With the above in mind the development as proposed to be amended is considered substantially the same as the development for which consent was originally granted as:

- the proposed use of the site for a hotel and commercial office building is consistent with the existing approved use;

- the proposed building envelopes and site configuration remain largely the same and will not result in any new environmental impacts;
- the majority of changes are internal and the building's operational characteristics will remain consistent with the approved development;
- the changes will not result in any additional traffic generation or adverse impacts and can be accommodated by the surrounding road network;
- the environmental impacts of the modified development remain the same as the approved development;
- the changes to the external appearance of the building are solely cosmetic and do not alter the overshadowing, bulk or mass of the building, whilst continuing to deliver a high quality design outcome consistent with the approved development; and
- the changes do not give rise to any new matters/areas of non-compliance.

Internal (fitout) changes are proposed to the Northern Warehouse, which was not the subject of any works in the approved DA. These works are considered 'substantially the same development' because the building is on the same title as the other buildings on the site, it is intrinsically part of the same grouping of heritage buildings on the Sussex Street frontage, and (despite its recent incarnation as a standalone restaurant) is able to function as part of the hotel building.

It is evident from the above that the proposed modified development maintains the same 'essence' and does not represent a 'radical transformation' or departure from the approved development. For these reasons Planning and Infrastructure can be satisfied that the modified proposal represents substantially the same development for which consent was originally granted.

5.0 Environmental Assessment

This section considers the planning issues relevant to the proposed modifications and contains our assessment of the associated environmental impacts. Section 96(3) of the EP&A Act requires the consent authority to take into consideration such of the matters referred to in section 79C(1) as are of relevance to the development the subject of the application.

Section 79C(1) of the EP&A Act states:

“In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

- (i) any environmental planning instrument, and*
- (ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and*
- (iii) any development control plan, and*
- (iv) any matters prescribed by the regulations, that apply to the land to which the development application relates,*

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.”

We discuss each of these matters below.

5.1 Section 79C(1)(a) Planning Instruments

The Environmental Impact Statement submitted with the original State Significant Development application addressed the proposed development's level of compliance against relevant planning instruments, including:

- State Environmental Planning Policy (State and Regional Development) 2011;
- State Environmental Planning Policy (Infrastructure);
- Darling Harbour Development Plan No.1; and
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

As is evident from the above the proposed modifications primarily involve internal amendments as well as some cosmetic modifications to the building's external façade design. While they will result in some adjustments to the building's appearance they do not result in changes to the land use or configuration of the approved development. On this basis they do not significantly affect the proposed development's level of compliance with the relevant planning instruments.

5.2 Matters for consideration under Section 79(c) of the EP&A Act

The EIS submitted with the original application addressed the following matters:

- Compliance with Statutory Plans and Policies
- Urban Design and Built Form
- Visual Impact

- Ecologically Sustainable Development
- Amenity
- Reflectivity
- Noise
- Transport and Accessibility
- The reserved Rail Corridor
- Geotechnical and Groundwater conditions
- Contamination
- Access
- Building Services and Infrastructure
- Compliance with the Building Code of Australia
- Tree Removal
- Crime and Public Safety
- Construction Impacts
- Waste Management

The planning assessment of the modified development is considered to remain unchanged with respect to the above matters and the development continues to be consistent with the relevant State Environmental Planning Policies, Metropolitan Plan for Sydney, the Darling Harbour Development Plan No.1 and the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. Further assessment and discussion on the changes is provided below.

Notwithstanding this, further assessment was undertaken in relation to heritage; equitable access; traffic; fire and safety/ compliance with the BCA; and reflectivity. There are no impacts or changes to these elements of the development, as set out in later sections and in the attachments.

5.3 Design and Built Form

The Design Statement prepared by Cox Richardson sets out the design drivers and rationale for the amendments to the design of the development and the associated public domain (see **Appendix B**). The assessment of the key elements follows.

5.3.1 Tower Building

The proposed changes to the tower are intended to simplify and rationalise the façade detail and provide an architectural form that is more understated and elegant in its appearance. They will result in subtle variations to the building's appearance, but importantly do not change the building's overall height, bulk and scale.

The approved tower has a predominantly glazed façade with a combination of vertical metal sun screens, composite aluminium panelling and glass fibre reinforced concrete cladding used to break up its visual mass.

The proposed changes in façade materials are, for the most part, a like-for-like replacement, which will have a very little effect on the building's appearance and the intended design outcome. This includes replacing the glass fibre reinforced concrete cladding and composite aluminium panelling with Equitone panelling. The appearance of these products is very similar and will achieve the same visual effect for the building as shown in **Figure 10**.

The most notable modification to the tower's visual appearance occurs as a result of the proposed changes to the vertical sun screen devices that have been replaced with additional horizontal screens at more regular intervals along the tower façade. A comparison between the approved and proposed façade treatments is provided in the CGI at **Figure 11** below.



Figure 10 – Approved vs Proposed Tower Design
Source: Cox Richardson

As illustrated in the above CGIs, the proposed changes do not significantly alter the building's design philosophy or drastically change its appearance. The revised tower façade continues to be characterised by a combination of glazing and solid material consistent with that of the approved design. Notwithstanding this, while the building's flowing curved presentation to Darling Harbour is enhanced, its verticality continues to be articulated and broken down by horizontal banding created by the sun screening devices.

Overall, the proposed changes, whilst subtle, are considered to deliver a clear improvement in the design quality of the tower façade. To this effect, and as set out in the Design Statement at **Appendix B**, Cox Richardson notes:

- The developed tower façade is now disciplined in its use of shading devices which are employed purposefully and in direct response to environmental factors.
- A more rigorous and uniform approach has been being taken to the shading of the western façade.

- Critically, the curved south-west corner glass is more exposed due to the horizontal louvre proposal. The glass itself is now proposed to be truly curved (as opposed to the faceted glass anticipated for the approved scheme).
- The changes have been made with the intention of de-cluttering and simplifying the architecture. The tower façade is now more understated and elegant in its appearance and represents a significant improvement on the approved design.
- The façades to the lower levels of the tower, with the now proposed finer grain of detail and clear horizontal stratification, are also more responsive to, and appropriate for, the adjacent heritage-listed Corn Exchange building.

In light of the above, the tower will continue to exhibit a high quality design outcome that achieves design excellence and embodies the original underlying design principles of the approved development.

The changes to façade have the potential to alter reflectivity impacts and in this respect were assessed by AECOM (see report at **Appendix F**). AECOM concluded that the external facades of the building have specified external visible light reflectivities lower than the approved development and confirmed that the proposed design will meet the conditions of approval with regard to reflectivity.

The revised building design represents a clear improvement on the approved design and continues to be appropriate to the site's CBD context. It will continue to successfully fulfil its role as a high quality visual marker between Darling Harbour and the City Centre, and is therefore considered to be acceptable.

5.3.2 Convention and Function Building

Similar to the tower, the proposed changes to the convention and function façade are focussed on simplifying the design and reinforcing the horizontality of this building component so that it presents as a visually interesting and attractive podium base when viewed from the west (see **Figure 12**).

The changes proposed are largely cosmetic but allow for a number of technical issues to be addressed whilst also enabling a more transparent façade that better engages with Darling Harbour and allows a greater level of natural light to penetrate into the building. The revised design solution has also addresses the detailed needs and requirements of the hotel operator. The facade shading systems are now integrated in the façade design, unlike the 'tacked on' appearance of the approved scheme.

The use of additional glazing and the introduction of zinc cladding and Equitone panelling further vary and articulate the building's appearance whilst continuing to allow this part of the development to present as a clearly defined podium structure at the base of the tower and existing hotel building. In this regard Cox Richardson notes:

"The horizontality of the building has been enhanced through consideration of structural issues. Deep spandrels now describe more boldly the horizontal datums. The façade is now better modelled to cast a deep horizontal shadow across the west façade. The 'heavier' appearance of the spandrels anchors and gives mass to the building, better integrating it with the motorway infrastructure".

Importantly, the iconic saw tooth roof design is retained, and subject to some subtle variations in materials and detailing, remains largely unaffected in its appearance and presentation. Overall the material selection and application is considered to be more refined and will assist in improving the design quality of the building.

In addition, the revised design supports a more conventional maintenance methodology that is now integrated into the façade design, and which most critically allows façade cleaning to be conducted in a safe and efficient manner. Overall, the revised proposal is considered to be superior from both a design and maintenance perspective and is therefore considered to be acceptable.

The changes proposed are therefore a deliberate response to achieve a design outcome that embraces design excellence and enhances the building's appearance as viewed from Darling Harbour. In particular, the façade of the southern convention building will animate the public domain at the eastern end of the Pyrmont Bridge.



Figure 11 – Proposed Podium Building Design
Source: Cox Richardson

5.3.3 Sussex Street entrances

Changes proposed to the buildings Sussex Street elevation are focussed on enhancing the façade and entrance treatments to the southern porte cochere (the main entrance) and the northern courtyard (formerly a secondary entrance). In this regard the changes are focussed on the porte cochere providing a dramatic, civic scaled address to Sussex Street and a grand, elegant and visually transparent entry to the hotel. We discuss each of these below.

Porte Cochere

The approved porte cochere included a 3m high glazed volume with a metal clad backdrop to the existing podium building. Following further design development and consideration of the hotel operations it was determined that a dedicated service corridor on the mezzanine level was required to connect the existing service shaft to the newly proposed back-of-house areas.

The proposed changes principally involve amendments to the Sussex Street façade to include a new triple (12m) height glazed entrance with a semi-glazed canopy. In addition to improving functionality the new design also supports a more open, inviting, pedestrian friendly entry space into the hotel (**Figure 12**).

The amended design maximises the use of glazing and zinc cladding, which replaces the approved composite aluminium panelling that extended for the full length of the approved building. As illustrated in **Figure 12** the revised proposal represents a superior design outcome (compared to that of the approved building). Specifically, it:

- Presents an understated, elegant and more modern address to Sussex Street, while complementing (and not competing with) the adjacent heritage buildings.
- Provides an outcome that visually links with, and complements, the approved tower design, and sits in greater harmony with the existing heritage buildings along Sussex Street.
- Allows for a more open and inviting entrance into the hotel, and a clear line of sight from Sussex Street to Darling Harbour.
- Provides a more expansive pedestrian friendly space with weather protection in the porte cochere area.
- Retains the existing Slip Street exhaust shafts (which were to be deleted) in their current location, and clads them in zinc sheeting.



Figure 12 – Approved vs Proposed Porte Cochere Façade Design
Source: Cox Richardson

The proposed changes do not affect access and drop-off arrangements as confirmed in the Traffic and Access Confirmation Letter prepared by Colston Budd Hunt and Kafes (see **Appendix G**).

Given the above, the changes are considered acceptable.

Northern Courtyard

Under the approved development the northern courtyard provided a secondary point of pedestrian access to the hotel from Sussex Street. Following approval, further design development together with ongoing discussions with the hotel operator has determined that the northern entry should be deleted and replaced with an emergency egress only point. This will remove potential wayfinding confusion caused by multiple entries and would ensure that all pedestrian traffic into the building flows directly through the main access point at the porte cochere.

Under the revised scheme the former northern entry area is to be used as outdoor seating for the all-day dining facilities in the Northern Warehouse building. This will provide a number of benefits, including activation of Sussex Street, and continuity of hotel operations throughout the construction period.

The design of the built form in this area is similar to the porte cochere in its civic qualities, detailing and material selection and will therefore ensure that the hotel presents a unified presence along Sussex Street.

Overall the changes proposed will enhance and activate the streetscape along this stretch of Sussex Street, and complement its heritage character. In light of this the proposed changes are considered positive and acceptable.

5.3.4 Wharf Lane Bridge and Slip Street

The amendments to Slip Street and the Wharf Lane Bridge are essentially design enhancements in relation to heritage interpretation and the functioning of the development. Equitable access is provided to the Corn Exchange secondary entrance from the Wharf Lane Bridge, bicycle storage is rationalised and the area is de-cluttered. Better use is made of the lower ground floor of the Corn Exchange to facilitate hotel operational spaces.

The amendments were developed in collaboration with heritage interpretation consultants, with the design approach being the seamless integration of the improvements into the functional and structural features of the public domain and the built form – they are not ‘tacked on’. The strategies for heritage interpretation are basically themed around:

- identifying specific zones and establishing the design theme and approach for heritage interpretation;
- setting the core themes around the site’s history and landscape;
- selecting design enhancements that would play an important role in the preservation and management of Sussex Street, and the enjoyment of visitors to the area; and
- instilling an understanding and appreciation of the site and the history it represents.

As the changes are located adjacent to the State heritage listed Corn Exchange building and the Dundee Arms, a Heritage Impact Statement has been prepared by City Plan Heritage (see **Appendix E**). City Plan Heritage has concluded that the amendments are acceptable and will continue to support the heritage setting of the area. In particular, the changes associated with the Wharf Lane Bridge are

considered by City Plan Heritage to be a positive heritage outcome in that they provide clearer views to the basement level facades of the Corn Exchange and Dundee Arms and incorporate heritage interpretive designs.

The proposed modifications to Slip Street and the Wharf Lane Bridge do not increase nor alter the environmental impacts of the development and will continue to provide an outcome that is consistent with the approved scheme. They are considered to be acceptable.

5.3.5 Corn Exchange

As described in Section 3.2.4, the changes to the Corn Exchange largely occur within the fabric of the lower ground floor of the building in order to make better use of hotel operational spaces.

The changes do not impact on the visual appearance of the building or change its function. The exterior wall of the very minor extension to the switch room will be rendered and painted to match the existing and will thus not be discernible. The assessment of the heritage impact of the proposed changes draws the following conclusions:

- In relation to the proposed engineering office, given the relative heritage value of the space for the office and the associated internal fabric, which are ranked as being of little heritage significance in the Conservation Management Plan (CMP) for the Corn Exchange, there will be negligible impact to the heritage values of the building and the identified significant fabric.
- In relation to the expansion of the space currently occupied by the substation, the proposal is considered the most suitable option as its impact to the overall presentation and heritage values of Corn Exchange and the site is minimal, and a significant improvement on the approved design. There will be no impact on the existing brick work, wrought iron columns or the girders, or on the presentation of the Corn Exchange given its location at the northern end of the lower rear deck of deck.

5.3.6 Through Site Link

One of the key objectives set in the Director General's Requirements for the SSD application, and thus the approved scheme, was the inclusion of a direct and legible access path from Sussex Street through to Darling Harbour. Under the approved scheme the link incorporated a walkway with stairs, and a lift to facilitate equitable access across the half level change.

Following determination of the SSD application, further consultation with RMS identified that the inclusion of a lift and escalator pit over the Western Distributor was not feasible given that it would not achieve the necessary clearance over the motorway. Further design development was therefore undertaken to provide a ramped link which better integrates with the hotel environment.

As shown in the sketch at **Figure 13**, the revised design now allows for the link to be 'opened up', particularly at the western end facing Darling Harbour, and facilitates improved interaction between hotel guests and passers-by as a result of the relocated all-day dining area (see sketch at Figure ??). The proposed amendments also facilitate a safer and more welcoming environment as the western end of the link is no longer isolated by the dividing wall that previously separated the hotel from the Wheat Road entrance.

In addition the amended design allows for equitable access within the hotel where previously stairs at the eastern Slip Street entrance necessitated use of the internal lift to get from the eastern to the western end of the building. The amended design therefore significantly improves accessibility within the building.

For the above reasons the revised through site link design represents a superior outcome to that of the approved development and is therefore considered to be acceptable.

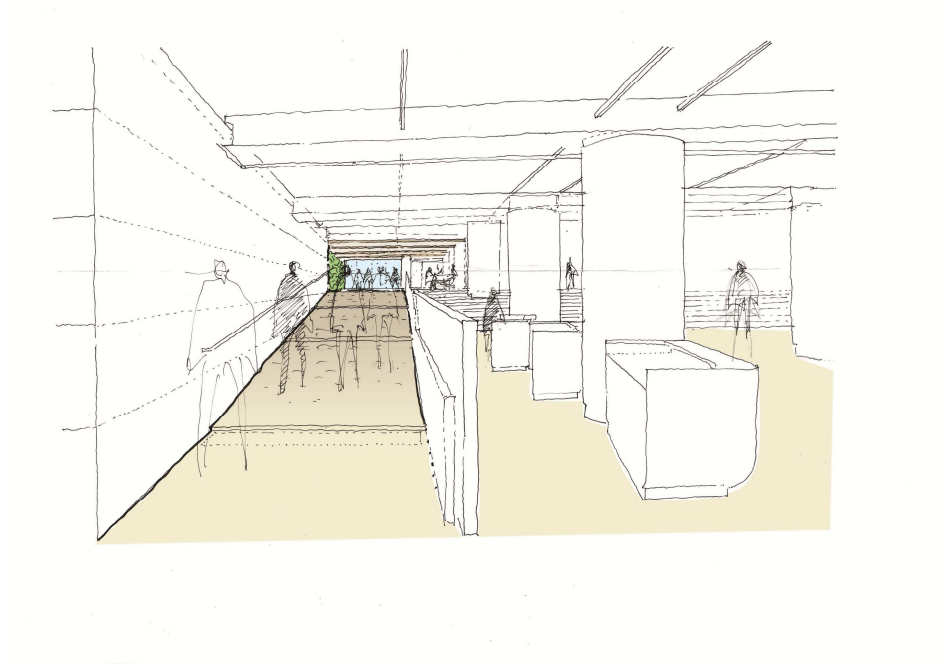


Figure 13 – View of Through Site Link from Hotel Foyer
Source: Cox Richardson

5.3.7 Internal Alterations

The proposed internal alterations have been developed with the express purpose of delivering a design solution that better responds to the current and future operational requirements of the Four Points at Sheraton Hotel. The modifications are entirely internal to the hotel building and involve the rearrangement of existing spaces, the new function and conference areas, and the lower levels of the approved tower.

The proposed alterations will deliver a superior design and operational outcome to that of the approved scheme. Specifically it is noted that:

- The internal changes will facilitate better-quality entrances characterised by an improved lobby environment that is more open and welcoming for guests and visitors.
- The conversion of ground level meeting rooms into a new all day dining area will create an open expansive central foyer area with clear and direct lines of sight from the porte cochere through the building to Darling Harbour and beyond. This will replace the previous design which involved an enclosed space framed by solid walls, lacking natural light and sight lines.
- The new back of house configuration allows for the kitchens, serveries and storage spaces to better align with and respond to the needs and layout of the building's customer service areas, thus improving operational efficiencies and functionality.
- Meeting and function rooms have been redesigned to provide for a greater variety of rooms and more flexible and efficient use of space, thus ensuring that the hotel is able to cater for a wide variety of events.

- The inclusion of a new General Manager apartment on-site (Level 1) will ensure that key management decisions and actions are able to be undertaken at any time of the day, including responding to emergencies if necessary.

The proposed internal modifications do not result in any changes to the building's form, bulk and appearance, and will not affect the way that it functions as a whole or result in any new or additional impacts on the surrounding area. The revised layout continues to satisfy relevant equitable access, BCA and fire safety requirements (see Sections 5.7, 5.8 and 5.9 below).

In light of the above the proposed internal amendments are considered to be acceptable.

5.3.8 Fit-out and Use of Northern Warehouse Building

Subsequent to determination of the SSD application, it became evident that it would be necessary to find an alternative location for an all-day dining area was necessary to allow the hotel to continue service during the construction program. The Northern Warehouse building (formerly Tony Roma's) was identified as the preferred location for an all-day dining area given its proximity to the hotel and the fact that service can be carried out in this location uninterrupted by construction activity.

All day dining in the Northern Warehouse building is therefore seen as a temporary measure for approximately 2-3 years during construction program. Once internal works are complete it is envisaged that all-day dining will return to its permanent location adjacent to the hotel foyer, with the Northern Warehouse building reverting back to a restaurant use. Any future use as a restaurant will however be subject to a separate development application.

The use of the Northern Warehouse building as the hotel's dining area in the short-term and as a restaurant in the long-term provides an outcome consistent with continuing this type of activity along Sussex Street and particularly facilitates activation of the street.

The works proposed also involve the construction of a new purpose-built kitchen attached to the existing hotel, and a new glazed weather proof connection between the Northern Warehouse building and the kitchen. Fit-out works will be fixed onto the building's internal walls while the glazed pedestrian link will connect to an existing rear doorway in the rear of the building. The proposed works will therefore not physically alter or interfere with the building's existing heritage fabric. Importantly, a variety of inappropriate and faux fittings, fixtures and additions will be removed from the interior of the building and its western face so revealing and restoring its historical past.

In addition to the above it should be noted that the proposed works will involve the removal of existing plant above the Northern Warehouse building, so removing unsympathetic clutter.

In light of the above, the proposed changes are considered to be a significant improvement on the existing appearance and fit-out of the building, and the associated use of the new Northern Courtyard for restaurant seating activates the space. The changes are considered acceptable as they will no negative impacts particularly from a heritage perspective as confirmed in Heritage Impact Statement at **Appendix E**. In particular:

- The modifications proposed to the Northern Courtyard will significantly improve appreciation of the heritage item from Sussex Street footpath through use of the courtyard as an outdoor seating area.

- The proposed works will have no impact on the external facades of the Northern Warehouse but enable removal of the mechanical plant and ductwork from the rooftop.
- No changes are proposed to the heritage fabric at both ground and mezzanine levels. All significant fabric will be maintained and proposed restoration and conservation works conform to, and are consistent with, the Conservation Policy recommendations of the CMP for the building.

5.4 Heritage

The heritage aspects of the proposed modifications have been assessed by City Plan Heritage in the Heritage Impact Statement (HIS) - see **Appendix E**, specifically insofar as they affect the various heritage items on the site: Corn Exchange, the Northern Warehouse and other warehouses; and the environs of Slip Street.

The HIS concludes that the changes maintain and enhance the heritage values of the heritage items within the site, and that:

- there will be no impacts on Dundee Arms or Central Warehouse Buildings;
- the minor changes to lower ground floor of the Corn Exchange involve works and intervention to fabric of *Little* heritage value as ranked in the CMP for the building;
- the Northern Warehouse will be retained in the approved configuration externally, and internally, the minor changes involve works and intervention to fabric of *Little* heritage value as ranked in the CMP for the building; and
- there will be no impacts to the warehouses at 139 to 156 Sussex Street;

The HIS further concludes that the proposed changes respect the values identified in the Statements of Significance for the various heritage items, and opportunities for further enhancement have been included, such as:

- exposure of the northern façade of Dundee Arms;
- clearer views to the basement facades of Corn Exchange and Dundee Arms along the Wharf Lane Bridge;
- increased use of the northern courtyard as an outdoor seating; and
- better visual access to the heritage interpretation design throughout the development.

5.5 Reflectivity

Due to the proposed changes to the facades of the building, the reflectivity of the modified design was reviewed by AECOM Australia, the Facade Consulting Engineers for the project. AECOM have confirmed (in a letter at **Appendix F**) that all the materials forming the external facade of the building have specified external visible light reflectivities (specular) that are lower than those noted in the Solar Reflectivity Analysis report (dated 27 February, 2013) prepared by Windtech Consultants Pty Ltd as part of the Response to Submissions report for the approved development. AECOM further confirms that the proposed design will meet the current conditions of approval with regard to reflectivity.

5.6 Traffic and Access

The assessment undertaken by Colston Budd Hunt and Kafes (see **Appendix G**) of potential traffic and access impacts as a result of the modifications to the porte cochere and bus set down/pick up area, concludes that there will not be any adverse impacts. The porte cochere and pedestrian arrangements will be designed

in accordance with the relevant Australian Standards and will be appropriately managed to ensure an efficient and safe operation. The modifications will not adversely affect the bus set down/pick up area, which will continue to function as shown on the swept path analysis at **Appendix G**.

5.7 Accessibility

Morris-Goding Accessibility Consulting has reviewed the proposed amendments and concluded that the design changes will maintain appropriate access provisions suitable for people with a disability that can achieve compliance with relevant statutory requirements. The proposed accessibility provisions will be further developed and can achieve compliance with the DDA Access to Premises Standards, BCA and AS1428.1-2009 (see Access Report at **Appendix H**).

5.8 Fire Safety

An assessment of the proposed changes in relation to fire safety compliance was undertaken by Defire (see **Appendix I**). The design of the approved development incorporates alternative solutions complying with the performance requirements of the National Construction Code Series 2013 Volume One – Building Code of Australia (BCA). Defire is currently preparing an alternative solution report and has undertaken a fire safety engineering review of the proposed design changes associated with this modification.

Defire has concluded that the alternative solutions can be supported without major changes to the proposed design the subject of this modification.

5.9 Building Code of Australia

Philip Chun & Associates has assessed the scheme resulting from the proposed modifications with respect to compliance with BCA 2013 (see **Appendix J**). The assessment indicates that the development is capable of complying with the relevant sections of BCA 2013 and compliance can be finalised prior to the issue of a Construction Certificate.

6.0 Conclusion

The proposed modifications comprise both internal alterations and changes to the external appearance of the building.

As demonstrated in this statement, the internal amendments will not result in any new or additional environmental impact on the surrounding area or diminish the quality of life for future residents.

The proposed changes to the building's external appearance, while generally cosmetic in nature, provide a series of architectural solutions and improvements that continue to achieve design excellence and appropriately respond to the site's city context. Overall the revised building will maintain the same design features and principles approved under the original scheme and will continue to provide an outcome in accordance with the relevant planning objectives and controls for the site.

The changes sought to the conditions of consent are required to provide consistency and address the proposed modifications. They will still facilitate a complying and high quality development outcome.

In accordance with section 96(2) of the EP&A Act, P&I may modify the consent as:

- the consent, as proposed to be modified, is substantially the same development as that originally approved; and
- the proposed changes have a minimal environmental impact.

In light of the above, we therefore have no hesitate in recommending that the proposed modification be supported by the Planning and Infrastructure.