

## State Significant Development Application – SSDA9



### Sydney International Convention, Exhibition and Entertainment Precinct (SICEEP)

#### ICC Hotel Fit-out, Facade Lighting and Subdivision

Submitted to NSW Department of Planning and Environment  
On Behalf of Lend Lease (Haymarket) Pty Ltd

Reproduction of this document or any part thereof is not permitted without prior written permission of JBA Urban Planning Consultants Pty Ltd.

JBA operates under a Quality Management System that has been certified as complying with ISO 9001:2008. This report has been prepared and reviewed in accordance with that system. If the report is not signed below, it is a preliminary draft.

This report has been prepared by:

Two handwritten signatures in blue ink. The first signature is 'B. Hoskins' and the second is 'Chris McGillick'.

Brendan Hoskins and Chris McGillick

12/05/2015

This report has been reviewed by:

A handwritten signature in blue ink, which appears to be 'Alexis Cella'.

Alexis Cella

12/05/2015

<b>1.0</b>	<b>Introduction</b>	<b>1</b>
1.1	Overview of the Proposed Development	1
1.2	Background to the Development	2
1.3	Objectives of the Development	6
1.4	Analysis of Alternatives	6
1.5	Planning Approvals Status	8
1.6	Secretary's Environmental Assessment Requirements	11
1.7	Other Approvals	12
<b>2.0</b>	<b>Site Analysis</b>	<b>13</b>
2.1	Site Location and Context	13
2.2	Site Description	14
2.3	Surrounding Development	17
<b>3.0</b>	<b>Description of Proposed Development</b>	<b>20</b>
3.1	Numerical Overview	20
3.2	ICC Hotel Fit-Out	20
3.3	Façade Lighting System	20
3.4	Subdivision	22
3.5	Construction Staging	23
<b>4.0</b>	<b>Consultation</b>	<b>24</b>
<b>5.0</b>	<b>Environmental Assessment</b>	<b>25</b>
5.1	Secretary's Environmental Assessment Requirements	25
5.2	Environmental Planning and Assessment Act 1979	26
5.3	Compliance with Environmental Planning Instruments	28
5.4	Consistency with ICC Hotel Development Consent (SSD 6116)	30
5.5	Hotel Fit-Out and Internal Amenity	30
5.6	Visual Impact	31
5.7	Lighting Impact	35
5.8	Accessibility	36
5.9	Heritage	36
5.10	Waste	37
5.11	BCA	37
5.12	Services	37
5.13	Construction Management	37
5.14	Environmentally Sustainable Development	38
5.15	Development Contributions	41
5.16	Site Suitability	42
5.17	Public Interest	42
<b>6.0</b>	<b>Environmental Risk Assessment</b>	<b>43</b>
<b>7.0</b>	<b>Mitigation Measures</b>	<b>45</b>
<b>8.0</b>	<b>Conclusion and Justification of the Proposal</b>	<b>47</b>

## Figures

<b>1</b>	SICEEP Precinct Plan	<b>3</b>
<b>2</b>	Concept Proposal Development Plots	<b>4</b>
<b>3</b>	Staging of initial planning applications for the SICEEP Site	<b>10</b>
<b>4</b>	SICEEP Context Plan	<b>13</b>
<b>5</b>	SICEEP Location Plan	<b>14</b>
<b>6</b>	Aerial view of the subject site	<b>15</b>

<b>7</b>	Map of surrounding development	17
<b>8</b>	Harbourside Shopping Centre, front from Cockle Bay	18
<b>9</b>	Novotel, Ibis to the right	18
<b>10</b>	Oaks Goldsbrough Apartments	19
<b>11</b>	Artist's impression of approved ICC core facilities	19
<b>12</b>	Indicative detailed sections and plan of horizontal lighting	21
<b>13</b>	Artist's impression of the proposed ICC Hotel façade lighting in colour mode	22
<b>14</b>	Proposed subdivision plan	23
<b>15</b>	Public domain views and vantage points	32
<b>16</b>	Further public domain views and vantage points	33
<b>17</b>	Artist's impression of the proposed ICC Hotel façade lighting in white colour mode	34
<b>18</b>	Risk Assessment Matrix	43

## Tables

---

<b>19</b>	Status of initial SICEEP SSD DAs	9
<b>20</b>	Secretary's Environmental Assessment Requirements	11
<b>21</b>	Key numerical information	20
<b>22</b>	Planning Issues	25
<b>23</b>	Objects of the EP&A Act 1979	26
<b>24</b>	Assessment of matters for consideration in section 79C	27
<b>25</b>	Consistency with relevant environmental planning instruments	28
<b>26</b>	Consistency with relevant provisions of the SREP	29
<b>27</b>	Permissibility of land uses (including possible future land uses)	30
<b>28</b>	ICC Hotel Development Consistency Review	30
<b>29</b>	Mitigation Measures to be implemented	45

## Appendices

---

<b>A</b>	Secretary's Environmental Assessment Requirements <i>NSW Department of Planning and Environment</i>
<b>B</b>	Architectural Drawings <i>FJMT / Lend Lease Design</i>
<b>C</b>	Architectural Lighting Design Report <i>FJMT</i>
<b>D</b>	Site Survey and Cadastral Plan <i>Rygates</i>
<b>E</b>	Interior Design Statement <i>A + Design Group</i>
<b>F</b>	Design Review Panel Minutes <i>DRP</i>
<b>G</b>	Subdivision Drawings <i>Rygates</i>

- H** Construction Management Plan  
*Lend Lease Project Management and Construction*
- I** Hotel Consultation Summary Report  
*Lend Lease*
- J** Façade Lighting Review  
*ARUP*
- K** Visual Impact Imagery Analysis  
*Virtual Ideas*
- L** Accessibility Report  
*MGAC*
- M** Heritage Impact Statement  
*TKD Architects*
- N** Waste Management Report  
*Waste Audit*
- O** BCA Statement  
*Mckenzie Group*
- P** Services Infrastructure Report  
*Hyder*
- Q** ESD Report  
*Lend Lease Design*

#### Under Separate Cover

---

CIV Letter  
*RLB*

# Statement of Validity

---

## Development Application Details

Applicant name	Lend Lease (Haymarket) Pty Ltd, ABN: 50147913291
Applicant address	30 Hickson Road Millers Point NSW 2000
Land to be developed	Sydney International Convention, Exhibition and Entertainment Precinct, Darling Harbour
Proposed development	ICC Hotel fit-out, façade lighting and subdivision

---

## Prepared by

Name	Brendan Hoskins / Alexis Cella
Qualifications	BPlan (Hons) MPIA / BRTP (Hons) MPIA
Address	Level 7, 77 Berry Street, North Sydney
In respect of	State Significant Development Application for ICC Hotel fit-out, façade lighting and subdivision

---

## Certification

I certify that I have prepared the content of this EIS and to the best of my knowledge:

- it is in accordance with Schedule 2 of the Environmental Planning and Assessment Regulation 2000;
- all available information that is relevant to the environmental assessment of the development to which the statement relates; and
- the information contained in the statement is neither false nor misleading.

Signature



Name

Brendan Hoskins



Alexis Cella

Date

12/05/2015

# Executive Summary

## Purpose of this report

This Environmental Impact Statement (EIS) is in relation to a State Significant Development Application for the fit-out of the International Convention Centre (ICC) Hotel having now selected the Hotel operator, Accor, along with a façade lighting system and land subdivision. The ICC Hotel is a key component of the overall Sydney International Convention, Exhibition and Entertainment Precinct (SICEEP). This EIS is submitted to the Minister for Planning pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), and *State Environmental Planning Policy (State and Regional Development) 2011* (SEPP SRD). The proponent is Lend Lease (Haymarket) Pty Ltd (Lend Lease) who form part of Darling Harbour Live (previously referred to as Destination Sydney) - a consortium comprising Lend Lease, Capella Capital, AEG Ogden and Spotless, selected as the preferred proponent to transform Darling Harbour.

## Background

Key features of the SICEEP are outlined in **Section 1.0** of this EIS, including the current status of development across the site of the SICEEP Project (SICEEP Site) and development for which consent is currently being sought.

## The SSDA 8 Site

The SSDA8 (ICC Hotel) Site is located within the northern end of the Bayside precinct and is bound by Harbourside Shopping Centre to the north and east, the International Convention Centre to the south and Darling Drive to the west.

## Proposed Development

The proposal relates to the fit-out, façade lighting and land subdivision of the ICC Hotel component of the SICEEP Project. More specifically, this SSDA seeks approval for the following components of development:

- The detailed fit-out of the ICC hotel building having now selected the Hotel Operator as Accor (Sofitel);
- Feature lighting of the hotel to reinforce the 'landmark' quality of the building and support its function as a 'beacon' for the broader SICEEP Project; and
- The subdivision of the site to facilitate separate leasehold title of the ICC Sydney Hotel site for the effective operation of the hotel.

## Strategic and Statutory Planning Considerations

The proposed development has a total Capital Investment Value (CIV) of over \$10 million and is located within the Darling Harbour precinct, and is therefore classified as SSD pursuant to Schedule 1 of the SEPP SRD.

A request to issue Secretary's Environmental Assessment Requirements (SEARs) for the preparation of this Environmental Impact Statement (EIS) was made on the 21 November 2014 and the SEARs were issued on 17 December 2014 (see **Appendix A**). Section 5.0 of the EIS considers all applicable legislation. The proposal complies with all relevant planning controls.

Darling Harbour Development Plan No 1 (DHDP) is the principal environmental planning instrument applying to the SICEEP Site. Under Schedule 6 Part 7 clause 23(1) of the EP&A Act, the DHDP is taken to be a regional environmental plan. By operation of Schedule 6, Part 21 and Clause 15 of the *Environmental Planning and Assessment Regulation 2000*, Regional Environmental Plans are deemed to be State Environmental Planning Policies (SEPPs). Its principal aim is to define the type of development which may be permitted within the Darling Harbour Development Area.

Uses permissible on the SICEEP Site are broad and include development for the purposes of tourist, educational, recreation, entertainment, cultural or commercial facilities, car parking stations, film television and radio stations, hotels, parks and gardens, residential buildings, serviced apartments, shops, refreshment rooms and utility installations. There are no maximum building heights or GFA restrictions imposed by DHDP, and no other detailed controls or provisions that guide or restrict the form of development on the site.

## Environmental Impact

This EIS provides an assessment, including an environmental risk assessment, to identify the potential environmental impacts of the project in accordance with the SEARs and sets out the undertakings made by Lend Lease to manage and minimise potential impacts arising from the development (refer to Section 6.0). Key environmental assessment considerations identified include, amongst others:

- Hotel Fit-Out and Internal Amenity
- Visual Impact
- Lighting Impact
- Accessibility
- Heritage
- Waste
- BCA
- Services
- Construction Management
- Environmentally Sustainable Development
- Site Suitability
- Public Interest

All identified impacts are addressed in this EIS and are capable of being ameliorated through the implementation of appropriate mitigation measures outlined in Section 7.0.

## Conclusion

The Compilation of Mitigation Measures has been prepared to inform the ongoing management of the proposal throughout the construction phase and operational phase. This Environmental Impact Statement fulfils the requirements of the *Environmental Planning and Assessment Act 1979* and addresses the Secretary's Environmental Assessment Requirements, and demonstrates that the proposal is consistent with the relevant environmental planning instruments and the impacts of the proposal can be satisfactorily managed. In light of the above, and the significant benefits of the proposed development, we therefore recommend that the proposed development be approved.



# 1.0 Introduction

This Environmental Impact Statement (EIS) is submitted to the NSW Department of Planning and Environment (the Department) in support of a State Significant Development Application (SSDA) for the fit-out of the International Convention Centre (ICC) Hotel, along with a façade lighting system and land subdivision.

SSDA 9 follows the approval of the ICC Hotel SSDA (SSD-6116) which secured approval for the construction and use of the ICC Hotel. The ICC Hotel SSDA (SSD-6116) did not include any approval for the fit-out of the Hotel building, as it was too premature in light of not having concluded the Hotel operator selection at the time of seeking approval for the base building. There was also no approval sought at the time for any feature external building lighting or subdivision of the land.

SICEEP is being delivered via a 'whole of precinct' approach, guided by a Master Plan for the entire 20 hectare site. This Master Plan is being delivered through a number of discrete packages and development applications have been, and will continue to be, lodged accordingly.

The SICEEP Project Site is located within the Darling Harbour Development Area which is identified as a State Significant Site in Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011*. As the proposed development will have a capital investment value of more than \$10 million it is declared to be State Significant Development (SSD) for the purposes of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The EIS has been prepared by JBA on behalf of Lend Lease (Haymarket) Pty Ltd, and is based on the Architectural Drawings and Architectural Lighting Design Report prepared by FJMT in collaboration with Lend Lease Design (see **Appendix B** and **C**) and other supporting technical information appended to the report (see Contents). This report describes the site, its environs and the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the EP&A Act.

This EIS has been prepared in accordance with the requirements of Part 4 of the EP&A Act, Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), and the Secretary's Environmental Assessment Requirements (SEARs), which are included at **Appendix A**. This EIS should be read in conjunction with the supporting information and plans appended to and accompanying this report.

## 1.1 Overview of the Proposed Development

SSDA 9 relates to the fit-out, façade lighting and land subdivision of the ICC Hotel component of the SICEEP Project. The hotel is located at the northern end of the precinct and comprises a single building. The hotel is being developed by Lend Lease and is consistent with Darling Harbour Live's Preferred Precinct Plan.

More specifically, this SSDA seeks approval for the following components of development:

- The detailed fit-out of the ICC hotel building as a luxury 5 star hotel having now selected Accor (Sofitel) as the Hotel Operator;
- Feature lighting of the hotel to reinforce the 'landmark' quality of the building and support its function as a 'beacon' for the broader SICEEP Project; and
- The subdivision of the site to facilitate separate leasehold title of the ICC Sydney Hotel site for the effective operation of the hotel.

## 1.2 Background to the Development

The NSW Government considers that a precinct-wide renewal and expansion of the existing convention, exhibition and entertainment centre facilities at Darling Harbour is required, and is committed to Sydney reclaiming its position on centre stage for hosting world-class events with the creation of SICEEP.

Following an extensive and rigorous Expressions of Interest and Request for Proposals process, a consortium comprising AEG Ogden, Lend Lease, Capella Capital and Spotless was announced by the NSW Government in December 2012 as the preferred proponent to transform Darling Harbour and create SICEEP.

Key features of the Preferred Master Plan include:

- Delivering world-class convention, exhibition and entertainment facilities, including:
  - Up to 40,000m<sup>2</sup> exhibition space;
  - Over 8,000m<sup>2</sup> of meeting rooms space, across 40 rooms;
  - Overall convention space capacity for more than 12,000 people;
  - A ballroom capable of accommodating 2,000 people; and
  - A premium, red-carpet entertainment facility with a capacity of 8,000 persons.
- Providing a hotel complex at the northern end of the precinct.
- A vibrant and authentic new neighbourhood at the southern end of the precinct, now called 'Darling Square', including apartments, student accommodation, shops, cafes and restaurants;
- Renewed and upgraded public domain that has been increased by a hectare, including an outdoor event space for up to 27,000 people at an expanded Tumbalong Park; and
- Improved pedestrian connections linking to the proposed Ultimo Pedestrian Network drawing people between Central, Chinatown and Cockle Bay Wharf as well as east-west between Ultimo/Pymont and the City.

On 21 March 2013 a critical step in realising the NSW Government's vision for the SICEEP Project was made, with the lodgement of the first two SSD DAs with the (now) Department of Planning and Environment. The key components of these proposals are outlined below and **Figure 1** illustrates the Precinct Plan for the SICEEP site.

### 1.2.1 Public Private Partnership SSD DA (SSD 12\_5752)

The Public-Private Partnership (PPP) SSD DA (SSDA 1) includes the core facilities of the SICEEP Project, comprising the new, integrated and world-class convention, exhibition and entertainment facilities along with ancillary commercial premises and public domain upgrades. SSDA1 was approved on 22 August 2013, with two modifications subsequently approved on 22 February 2014 and 18 July 2014.



**Figure 1 – SICEEP Precinct Plan**

### 1.2.2 Concept Proposal (SSD 13\_5878)

The Concept Proposal SSD DA (SSDA 2) establishes the vision and planning and development framework which will be the basis for the consent authority to assess detailed development proposals within the Darling Square Site. SSDA2 was approved on 5 December 2013. The Stage 1 Concept Proposal approved the following key components and development parameters:

- Indicative staging of demolition and development of future development plots;
- Land uses across the site including residential and non-residential uses;
- Street and laneway layouts and pedestrian routes;
- Open spaces and through-site links;
- Six separate development plots (see **Figure 2**), development plot sizes and separation, building envelopes, building separation, building depths, building alignments, and benchmarks for natural ventilation and solar access provisions;
- A maximum total gross floor area (non-residential and residential);
- Above ground car parking including public car parking;
- Residential car parking rates;
- Design Guidelines to guide future development and the public domain; and
- A remediation strategy.



**Figure 2** – Concept Proposal Development Plots

In addition to the approval of SSDA1 and SSDA2, the following approvals have been granted for various stages of the SICEEP site:

- SSDA3, SSDA4, SSDA5, and SSDA7 which related to detailed proposals for construction and use of the development plots within Darling Square; and
- SSDA 6 which secured approval for the construction and use of the ICC Hotel (refer below).

### 1.2.3 ICC Hotel (SSD-6116)

Development Consent SSD-6116 for the construction and use of the ICC Hotel (SSDA 6) was granted on 15 June 2014 by the delegate of the Minister for Planning. Approval was granted for the following components of development:

- site preparation works including demolition of existing structures, tree removal, minor excavation, and site remediation as required;
- demolition of existing improvements on site and associated tree removal;
- construction of a 35 storey building and basement;
- maximum GFA of 37,090m<sup>2</sup>;
- hotel use including ancillary guest and visitor facilities, restaurant and ballroom;
- replacement of a one-way access road;
- provision of short term and taxi/drop off car parking and coach parking;
- public domain works including integration with existing/proposed works; and
- building identification signage zones.

This consent did not include any approval for the fit-out of the Hotel building, as it was too premature in light of not having concluded the Hotel operator selection at the time of seeking approval for the base building. There was also no approval sought at the time for any feature external building lighting or subdivision of the land.

Since receiving the development consent and commencing construction works, Lend Lease has undertaken further design development and lodged a section 96 application to modify the development consent (Modification Application No 1). This Modification Application seeks the following amendments:

- Deletion of the 'plate awning' element in the porte-cochere;
- Rearrangement of the short term parking bays and an increase by one;
- Enhanced wall treatment at the south-east corner of the Ground Level/Level 1;
- Inclusion of an additional business identification signage zone on the south east corner of ground level façade;
- Additional area of glazing on Level 4 in lieu of metal louvres;
- Addition of screening to the loading area; and
- Adjusted pool terrace and screening on Level 4.

At the time of writing, this Modification Application was yet to be determined.



## 1.3 Objectives of the Development

### 1.3.1 SICEEP Project Objectives

The following strategic objectives have been endorsed by the State to guide the development and implementation of the SICEEP Project:

- Deliver world-class core functions of convention, exhibition and entertainment facilities that exceed the expectations of domestic and international visitors;
- Reaffirm Darling Harbour as Australia's premier gathering place by creating an exciting, connected, active and vibrant precinct that brings delight to visitors and Sydneysiders alike;
- Provide Sydney with unified high quality convention, exhibition and entertainment facilities that benefit Australia's global city;
- Maximise the direct and indirect economic benefits to NSW from the Project;
- Provide a value for money solution for the State, with completion on time and on budget;
- Demonstrate excellence in design and environmental sustainability; and
- Enhance connectivity around and through the Precinct, and optimise the quality of the public domain.

### 1.3.2 SSDA 9 Objectives

Key development objectives which underpin this application include:

- Provide a fit-out commensurate with the intended quality of the ICC Hotel as a 5 star headquarters hotel for the new ICC Sydney, and in keeping with the international reputation of the operator ;
- Develop a façade lighting system which is coordinated and effective in enhancing the external appearance of the building in Sydney's skyline;
- Support the delivery of a landmark which announces the northern end of the SICEEP Precinct and fits seamlessly with the architecture of the ICC Sydney convention buildings;
- Enable the orderly and economic development of land through the creation of separate lots;
- Contribute to the supply of new hotel accommodation to support the approved core convention, exhibition and entertainment facilities; and
- Positively contribute to the character of the surrounding area.

## 1.4 Analysis of Alternatives

### 1.4.1 Strategic need for the proposal

The NSW Government recognises that the existing convention, exhibition and entertainment facilities at Darling Harbour are facing increasing competition from similar facilities within the Asia-Pacific region and as such new facilities are required that will provide appropriate facilities that:

- are suitable for contemporary conventions and are competitive with other facilities nationally and globally;
- are constructed to international best practice;
- are more flexible in their ability to respond to the changing needs of the convention, exhibition and event industry; and
- are designed for longevity.

The relocation and integration of the new entertainment centre with new world class convention and exhibition facilities within the central and northern portions of the SICEEP Site provides the opportunity to centralise all of the public infrastructure facilities creating efficiencies and the ability to use the multipurpose entertainment centre for large scale convention business. It also enables the creation of a new and vibrant mixed use residential neighbourhood that will repair and extend the urban fabric of the CBD/Haymarket together with a new hotel.

The ICC Hotel is a key component of the overall redevelopment of Darling Harbour. The Hotel will provide a contemporary facility comprising accommodation and guest and visitor facilities to service the needs of users of the Precinct and beyond. It will perform a major role in the success of the new world-class venues proposed as part of the SICEEP Project, particularly the ICC Sydney as the headquarters accommodation for conference delegates. The fit-out of the building will be of a high quality – commensurate with the operator's high standards and requirements, with the feature façade lighting contributing towards the building's overall design excellence qualities and complementing the surrounding and newly created urban environment of the SICEEP Site.

### 1.4.2 Alternative Options

Three options are available to the NSW Government in responding to the identified need for improved convention, exhibition and entertainment facilities.

#### Do Nothing

The 'do nothing' option, would result in the entertainment centre facilities and broader facilities at Darling Harbour remaining unchanged and requiring ongoing maintenance. Sydney's appeal as a suitable venue for international conferences, exhibitions and events would continue to diminish, to the detriment of the locality and the wider NSW and Australian economy.

If this option was selected, the significant benefits in providing the new ICC Hotel would not be accomplished.

#### Refurbish the existing facilities

Refurbishment of the existing facilities (including entertainment centre) is not physically capable of achieving the required venue parameters identified as necessary to make these venues competitive.

#### Provide new facilities in an alternative location

The large-scale spatial requirements of a modern and integrated convention, exhibition and entertainment facility and the built-up nature of the CBD precludes an alternative central-Sydney location to Darling Harbour, and as such an outer-Sydney venue would need to be identified.

There are very few consolidated sites in State Government ownership of sufficient size to accommodate the required facilities within the central-Sydney area. Comparable international facilities are located in either CBD locations or near airport hubs in order to allow visitors to easily commute between the airport and other business engagements. An outer-suburbs location is therefore considered unsustainable and inferior to a central-Sydney location such as Darling Harbour.

The marketing of conventions is based on facilities and location. Darling Harbour, due to its location adjacent to the CBD and on Sydney Harbour, provides one of only a very few international convention and exhibition facilities located within a parkland setting. This unique location has resulted in Sydney's facilities performing well to date internationally.

International business travellers spend an average of \$6,000 per trip within Sydney, and outer-suburbs provide more limited opportunities to capture this economic input due to the more limited availability of hotels, tourism-related industries and activities, retail and dining options. Shifting Sydney's premier business tourism facilities away from the CBD would therefore fail to harness the complete economic benefits available to the NSW economy, which is inconsistent with the primary objectives of the project and the NSW State Plan. This option is therefore not considered to be viable.

In light of the above, the SICEEP redevelopment project (including the relocation of the entertainment centre and its integration with new convention and exhibition facilities) within Darling Harbour is the only viable option that will meet the objectives of the NSW Government, and meet the expectations of residents and visitors to Sydney.

### Alternative to the proposed ICC Hotel fit-out, façade lighting system and subdivision (SSDA 9)

The ICC Hotel and surrounding public domain has been granted approval under Development Consent SSD-6116. The proposed application seeks to fit-out the hotel, provide a façade lighting system and subdivide land to facilitate the development and management of the hotel. The ICC Hotel approval did not include any fit-out, and as such this application is critical in ensuring that the hotel is made operational and able to contribute to the success of the SICEEP project.

The proposed hotel fit-out will contribute to the creation of a landmark in the Sydney skyline and allow for the creation of a new international hotel in Sydney to support the ICC core facilities. There is no identifiable alternative except for an alternative fit-out which would achieve the same outcome.

Similarly with the proposed lighting system, an alternative or no lighting system could be devised. The proposed lighting system has been designed to integrate with the building façade, seamlessly integrated into the façade and providing significant benefits to the Darling Harbour precinct through enlivening the precinct during the night time hours to encourage activity. The lit façade in the evenings will be complementary to the light transparent facade of the adjacent ICC Sydney convention building. Providing an alternative façade lighting system would result in an inconsistent lighting treatment with the façade and providing no lighting system would not allow for the achievement of the significant benefits associated with the current proposal.

The proposed subdivision will facilitate the occupation and use of the building. The alternative option of providing no subdivision would not allow for the lease and operation of the ICC Hotel, resulting in the benefits of the ICC Hotel not being realised.

As such, the proposal is considered appropriate and overall beneficial to the development of the ICC Hotel and its future role in Sydney.

## 1.5 Planning Approvals Status

In response to separate contractual agreements with the NSW Government and staging requirements, Lend Lease (Haymarket) Pty Ltd has submitted, and will continue to submit, a number of separate development applications for key elements of the SICEEP project.

SSDA 9 involves the fit-out of the ICC hotel, façade lighting system and subdivision. Further detailed DAs will continue to be lodged seeking approval for specific aspects of the remainder of the SICEEP project.



The staging of initial development applications for the SICEEP project is illustrated in **Figure 3**, with further details in terms of timing and status provided in **Table 1**.

**Table 1** – Status of initial SICEEP SSD DAs

DA No	Description of Application	Status
SSDA 1	SICEEP Core Facilities – Exhibition Centre, Convention Centre, The Theatre, Event Deck and Tumbalong Park	Approved: 22 August 2013
SSDA 2	Darling Square Concept Proposal	Approved: 5 December 2013
SSDA 3	Western Plot (Student Accommodation)	Approved: 7 May 2014
SSDA 4	North-West Plot (Public car park/ commercial office building)	Approved: 7 May 2014
SSDA 5	South-West Plot (Mixed Use Residential Development)	Approved: 21 May 2014
SSDA 6	ICC Hotel	Approved: 15 June 2014
SSDA 7	North-East Plot (Mixed Use Residential Development)	Approved: 16 April 2015
SSDA 8	South-East Plot	Targeted lodgement: Second quarter 2015
SSDA 9 – subject of this SSDA	ICC Hotel fit-out, façade lighting system and subdivision	Lodgement: Second quarter 2015
SSDA 10	North Plot	Targeted lodgement: Second quarter 2015
SSDA 11	PPP Interactive Display System	Targeted lodgement: 2015



**Figure 3** – Staging of initial planning applications for the SICEEP Site

## 1.6 Secretary's Environmental Assessment Requirements

In accordance with section 89G of the EP&A Act, the delegate of the Secretary of the Department issued requirements for the preparation of the EIS on 17 December 2014. A copy of the Secretary's Environmental Assessment Requirements (SEARs) is included at **Appendix A**.

The SEARs require that the EIS must include the documents listed in Schedule 1 of the *Environmental Planning and Assessment Regulation 2000* (the Regulation) and must meet the requirements of Schedule 2 of the Regulation, specifically the form specifications in Clause 6 and the content specifications in Clause 7. Several stakeholders were identified with whom consultation must occur during the preparation of the EIS.

**Table 2** provides a detailed summary of the individual matters listed in the SEARs and identifies where each of these requirements has been addressed in this report and the accompanying technical studies.

**Table 2 – Secretary's Environmental Assessment Requirements**

Secretary's Environmental Assessment Requirement	Location in Report	
	Report	Appendix
<b>General Requirements</b>		
The EIS must meet the minimum requirements in Schedule 2 the <i>Environmental Planning and Assessment Regulation 2000</i> , specifically:	Throughout	-
<ul style="list-style-type: none"> <li>form specifications in clause 6; and</li> <li>form specifications in clause 7.</li> </ul>		
The EIS must include an Environmental Risk Assessment	Section 6.0	-
<b>Relevant EPs, Policies and Guidelines</b>		
Address the relevant statutory provisions applying to the site contained in the relevant EPs, including:	Section 5.3	-
State Environmental Planning Policy (State and Regional Development) 2011;		
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; and	Section 5.3.1	-
Darling Harbour Development Plan No.1 .	Section 5.3.2	-
Demonstrate consistency with the terms of approval for the construction and use of the ICC Sydney Hotel (SSD 6116).	Section 5.4	-
<b>Compliance with the Building Code of Australia</b>		
Provide a Building Code of Australia assessment report demonstrating that the application complies with the relevant provisions of the Building Code of Australia.	Section 5.11	Appendix O
<b>Illumination / Lighting</b>		
The EIS shall address:	Section 5.6	Appendices C, J and K
The visual impacts of the proposed illumination/lighting of the hotel building from both surrounding residential properties and key vantage points in the public domain surrounding the site;		
How the proposed external lighting fixtures integrate with the architecture and use of the building and contribute to the character of the building, the public domain and surrounding skyline;	Section 5.6	Appendices C and K
The impacts of the proposed illumination/lighting on the heritage significance of nearby built and landscape heritage items including places, items or relics of significance to Aboriginal people;	Section 5.9	Appendix M
The impacts of the proposed illumination/lighting on the light rail operation including details on how the design, installation and use of lights, signs and reflective materials limit glare and reflectivity on the light rail corridor; and	Section 5.6	Appendix J
The operational hours of the proposed lighting.	Section 3.3.2	Appendix C

Secretary's Environmental Assessment Requirement	Location in Report	
<b>Fit out</b>		
The EIS shall address:		
That the detailed fit out of the hotel includes interpretation of its history and significance; and	Section 3.2	Appendix E
Internal amenity for future building occupants, including measures to enhance natural daylight access into the building.	Section 5.5	Appendix B
<b>Ecologically Sustainable Development (ESD)</b>		
The EIS shall demonstrate:		
That the fit out proposal maintains the ability of the hotel building to achieve a 4 star NABERS Energy rating;	Section 5.14	Appendix Q
That the fit out works respond to sustainable building principles and increase the energy efficiency of the hotel by using low energy technologies.	Section 5.14	Appendix Q
<b>Construction Management</b>		
The EIS shall address:		
Community consultation, notification and complaints handling;	Section 5.13	Appendix H
Impacts of construction on adjoining development and proposed measures to mitigate construction impacts;	Section 5.13	Appendix H
Noise and vibration impacts on and off site;	Section 5.13	Appendix H
Traffic and transport impacts during construction and how these impacts will be mitigated in terms of traffic, pedestrian, cycleway and public transport (including light rail); and	Section 5.13	Appendix H
Waste management.	Section 5.13	Appendix H
<b>Consultation</b>		
Undertake an appropriate and justified level of consultation in accordance with the Department's Major Project Community Consultation Guidelines October 2007; and	Section 4.0	Appendix I
Consult with the City of Sydney Council, Transport for NSW, Sydney Trains and Sydney Airport Corporation.	Section 4.0	Appendix I

## 1.7 Other Approvals

In addition to the approvals noted elsewhere in this document, additional approvals will be required in order to permit the proposed development to occur. These approvals may include, but are not limited to:

- *Sydney Harbour Foreshore Authority Regulation* under clause 4 (for commercial activities and uses in Darling Harbour); and
- *Sydney Water Act 1994* under Section 73 (compliance certificate).

Additional approvals will be sought at the appropriate time.



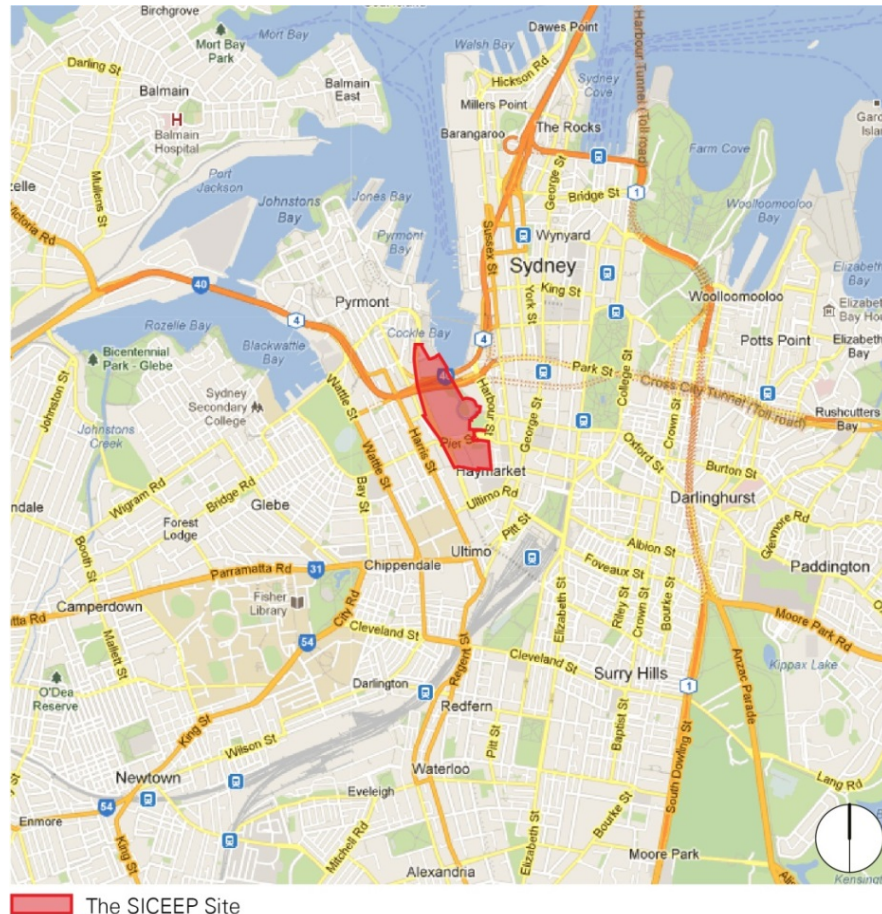
## 2.0 Site Analysis

### 2.1 Site Location and Context

The site subject to this application is part of the Sydney International Convention, Exhibition and Entertainment Precinct (SICEEP). The SICEEP Site is located within the Darling Harbour Development Area within the City of Sydney Local Government Area (LGA). Darling Harbour is a 60 hectare waterfront precinct, located on the south-western edge of the Sydney Central Business District, and to the east of the Pyrmont Peninsula. The Precinct is unique in terms of its function, location, land ownership and physical characteristics, and accommodates a wide range of land uses. These predominantly relate to recreation, tourism, entertainment and business.

Historically, Darling Harbour (and more specifically Cockle Bay) has been subject to a significant amount of land reclamation and infilling in order to create an artificial valley and shoreline. The central valley is open and flat, and runs in a north-south direction from the Cockle Bay Shoreline towards Haymarket. The topography gently rises to the east and west from the valley floor towards ridgelines located proximate to Harris Street in the west and Hyde Park in the east.

The SICEEP Site occupies an area of approximately 20 hectares, and is located within the western portion of the Darling Harbour Precinct. It is generally bound by the Light Rail Line to the west, Harbourside Shopping Centre and Cockle Bay to the north, Darling Quarter, the Chinese Garden of Friendship and Harbour Street to the east, and Hay Street to the south. The location of the SICEEP Site is shown in **Figure 4** and **5** below.



**Figure 4 – SICEEP Context Plan**



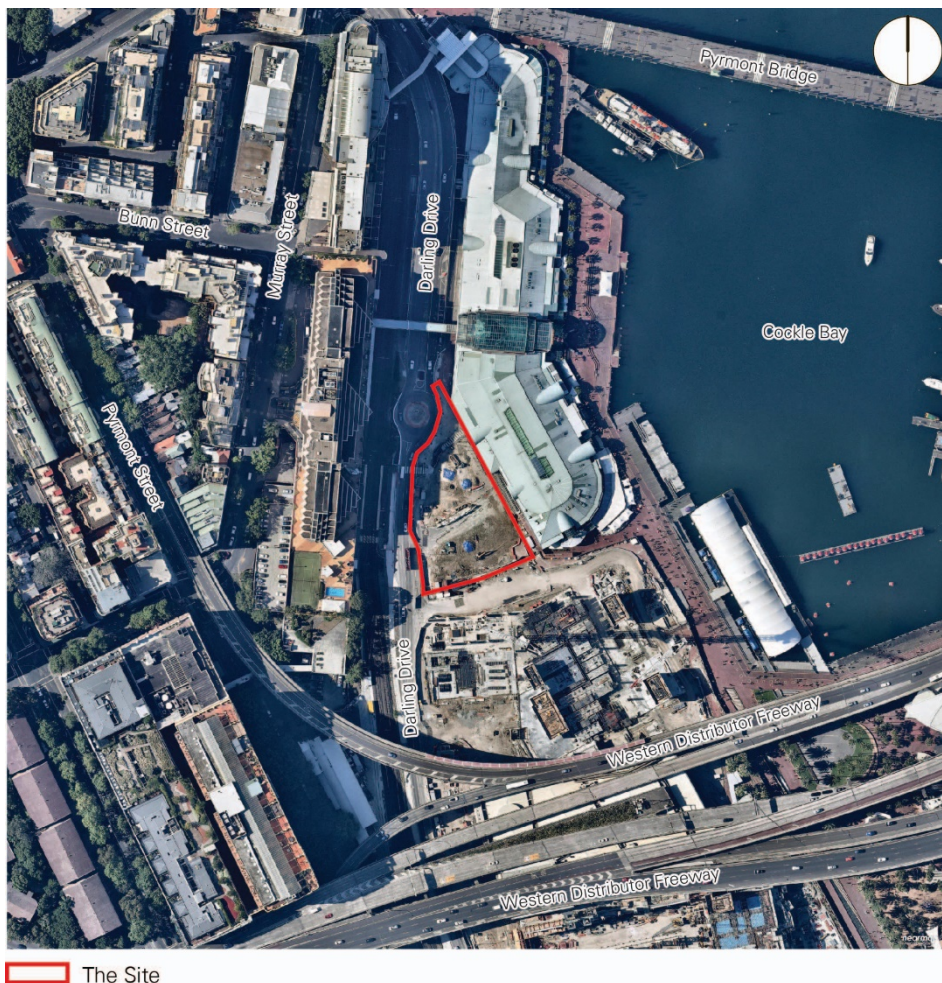
**Figure 5** – SICEEP Location Plan

## 2.2 Site Description

The SSDA 9 (ICC Hotel) Site is located within the northern end of the Bayside precinct and is bound by Harbourside Shopping Centre to the north and east, the International Convention Centre to the south and Darling Drive to the west. The SSDA 9 Site occupies an area of approximately 3,700m<sup>2</sup>. Specifically, the proposed fit-out development relates to the internal space of the approved ICC Hotel building itself, whilst the façade lighting system relates to the external appearance of the building. The proposed subdivision relates to the entire site. An aerial view of the ICC Hotel Site is illustrated at **Figure 6**.

The SSDA 9 Site is legally described as part Lot 1010 DP1147364 which is owned by Sydney Harbour Foreshore Authority.





**Figure 6** – Aerial view of the subject site

### 2.2.1 Existing Development

The approved development under Development Consent SSD6113 is currently under construction on the ICC Hotel Site. All previous improvements have been demolished and site preparation works are ongoing for the construction of the approved ICC Hotel building and surrounding public domain improvements.

Fencing and concrete step barriers are currently in place around the site to regulate access and ensure the safety of pedestrians and motorists travelling past on the SSDA 9 Site on Darling Drive.

### 2.2.2 Topography

The ICC Hotel Site is located in the south western corner of Cockle Bay. The western bank of Cockle Bay typically consists of a narrow strip of level ground, backed by steeply rising ground up to the Pymont Street ridge line, which lies approximately 15 metres above the bay to the west of the Site. Further west of the Site, across the light rail tracks, the ground level rises steeply with a sandstone cut face of approximately 3 – 5 metres high within the car park adjacent. The Survey Plan prepared by Rygate Surveyors illustrates the topography of the ICC Hotel Site (see **Appendix D**).

### 2.2.3 Access

#### Pedestrian

The SSDA 9 Site is easily accessed via pedestrian links. To the north of the site is Pyrmont Bridge which provides access east to the Sydney CBD. Existing elevated pedestrian walkways provide access to the west, from the Harbourside Shopping Centre and Sydney Convention Centre to the car park opposite. The existing entertainment facilities within Darling Harbour, Haymarket and Chinatown are all located to the south of the Site and can be accessed on foot.

#### Cycling

The SICEEP Site is easily accessible to cyclists via a number of official cycle routes, all of which connect with the wider Sydney Cycleways Network.

#### Rail

The SSDA 9 Site is benefited with good rail connectivity. Access to Town Hall Station is via Pyrmont Bridge, east of Cockle Bay and Central Station is located to the south of the SICEEP Site. Central and Town Hall Stations are key stations in the Sydney Trains network with excellent connectivity to the wider network.

Almost all lines on the Sydney Trains network pass through Central Station, which also provides connections with wider NSW, Western Australia, South Australia, Queensland and Victoria.

#### Light Rail

The Metro Light Rail traverses Darling Drive to the west of the SSDA 9 Site, providing a link between the Bayside, Darling Central and Haymarket precincts of the SICEEP Site. The Convention Centre light rail stop is located directly opposite the SSDA 9 Site.

#### Ferry

The SSDA 9 Site is well connected to the local ferry network with stops at King Street Wharf, on the eastern side of Pyrmont Bridge, and Maritime Museum, north of the SSDA 9 Site. Ferries from these locations connect with key locations, including Circular Quay, Milsons Point, and Parramatta. Ferries also provide connections to a variety of tourist and visitor attractions located around Sydney Harbour.

#### Bus

Bus services are located in the vicinity of the SICEEP Site. George Street is situated approximately 1km to the east and is a major bus corridor with frequent services, connecting with the wider Sydney CBD and a variety of suburban locations.

Harris Street, to the west of the SICEEP Site is an existing bus corridor and discussions are underway regarding a future bus route stopping at the SSDA 9 Site. A major bus terminal is located at Railway Square, south of the SICEEP Site.

#### Vehicle

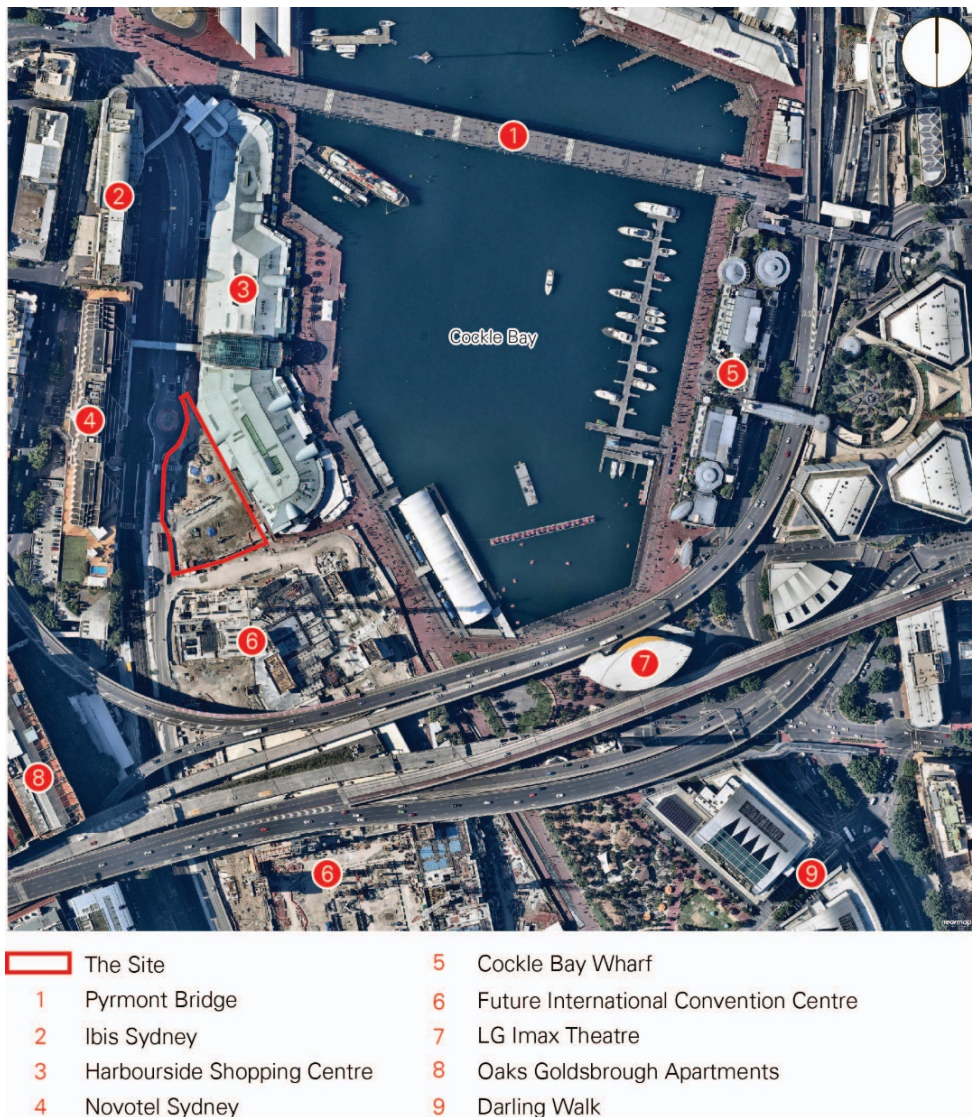
The SSDA 9 Site is easily accessible by vehicles via the M4 Western Distributor south of the SSDA 9 Site or via Darling Square at the southern boundary of the SICEEP Site. A car park is located west of the SSDA 9 Site.



## 2.3 Surrounding Development

The ICC Hotel Site is surrounded by transport corridors (light rail and roads) along with commercial and tourist related development, specifically a shopping centre, convention centre and hotel. These developments are multi storey and constructed in a wide variety of architectural styles.

A map of the key developments surrounding the ICC Hotel Site is provided at **Figure 7**. The existing and future development surrounding the ICC Hotel Site is discussed further below.



**Figure 7 – Map of surrounding development**

### To the east

Immediately adjoining the ICC Hotel Site to the east is the Harbourside Shopping Centre. **Figure 8** illustrates the Harbourside Shopping Centre.



**Figure 8** – Harbourside Shopping Centre, front from Cockle Bay

### To the west

Opposite the ICC Hotel Site to the west is the Novotel. To the north west is the Ibis Hotel and to the south west is the Oaks Goldsbrough Apartments. The ICC Hotel Site is separated from the hotels and apartments by Darling Drive. **Figure 9** shows the Novotel (and Ibis) and **Figure 10** shows the Oaks Goldsbrough Apartments.



**Figure 9** – Novotel, Ibis to the right





**Figure 10** – Oaks Goldsbrough Apartments

### To the south

Immediately adjoining the ICC Hotel Site to the south is the future ICC. Harbourside Place (approved as part of SSDA1) will provide the public domain link between the Hotel and the ICC. Further south of the ICC Hotel Site are the remainder of the approved ICC core facilities including the ICC Exhibition Centre, The Event Deck and The Theatre (refer to **Figure 11**).



**Figure 11** – Artist's impression of approved ICC core facilities

## 3.0 Description of Proposed Development

This chapter of the report provides a detailed description of the proposed development, which comprises the fit-out of the ICC Hotel, provision of a façade lighting system and land subdivision. Architectural drawings of the proposed development have been prepared by FJMT in collaboration with Lend Lease Design and are included along with the Architectural Lighting Design Report at **Appendix B** and **C**. The Architectural Lighting Design Report prepared by FJMT/Lend Lease Design outlines specific details of the proposed façade lighting system.

### 3.1 Numerical Overview

**Table 3** below provides a summary of numerical information relating to SSDA 9. It should be noted that Gross Floor Area (GFA) has been calculated in accordance with the definitions provided in the *Standard Instrument – Principal Local Environmental Plan*.

**Table 3** – Key numerical information

Component	Proposal
Gross Floor Area	37,090m <sup>2</sup>
No. of keys	616 beds arranged as 590 keys

### 3.2 ICC Hotel Fit-Out

The fit-out of the ICC Hotel is proposed to allow for the use and occupation of the approved building as a luxury 5 star hotel (Sofitel). The proposed fit-out relates to each hotel room, the back-of-house facilities, leisure facilities, function and retail space. The fit-out includes all internal works within the podium and tower, excluding base building elements approved under the ICC Hotel SSDA (SSD-6116). Detailed architectural plans have been prepared by FJMT and Lend Lease Design and are provided at **Appendix B**. The fit-out works do not alter the approved external appearance of the ICC Hotel.

An Interior Design Statement prepared by A + Design Group outlines the design intent for the proposed fit-out (refer to **Appendix E**). The following key themes have been incorporated into the interior design approach for the proposed fit-out to reinterpret some of the important historical aspects and natural history of Darling Harbour:

- Indigenous
- Shipping
- Timber Wharves
- Sandstone
- Topography

These themes are discussed in more detail in the Interior Design Statement (refer to **Appendix E**).

### 3.3 Façade Lighting System

The approved ICC Hotel building is conceived as two different tower forms, integrated together to create a single landmark building. These two towers comprise the larger coloured cubic form orientated to the east, west and south; and the slimmer more elegant form orientated to the Harbour/City.

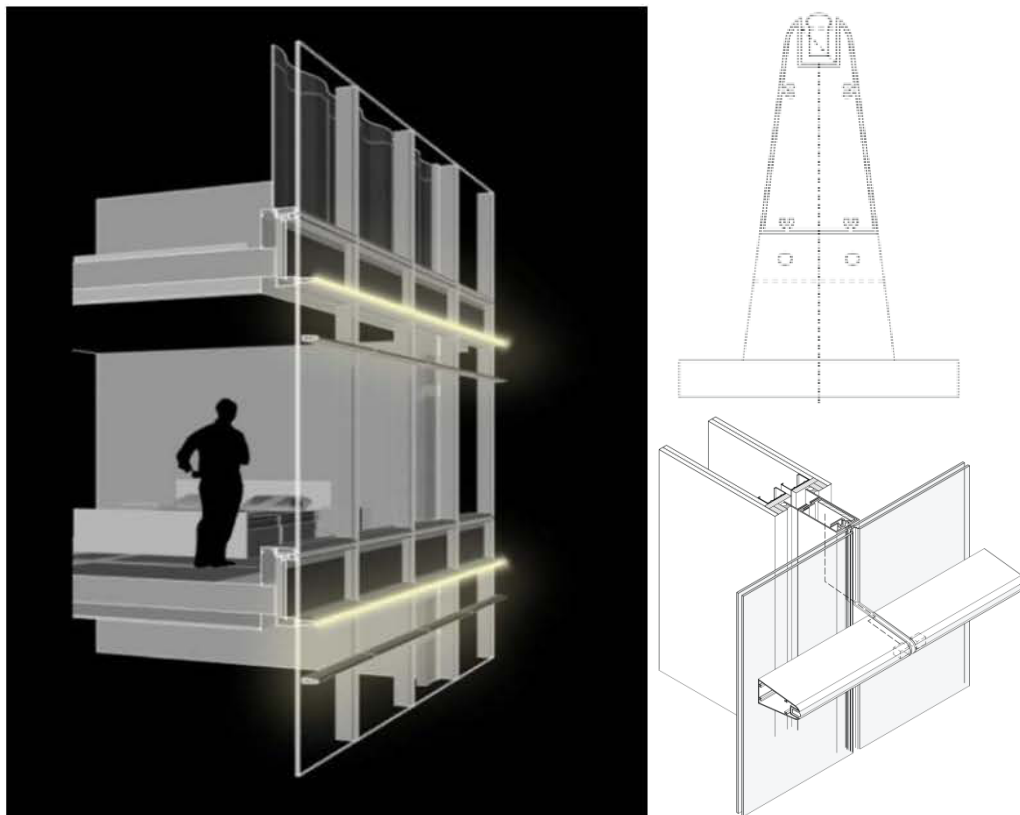
The primary north-east form facing the Harbour/City offers the greatest opportunity for the establishment of a visible identity to the hotel. As such, feature lighting is proposed on this form as detailed below.

### 3.3.1 Proposed Lighting Location and Type

It is proposed to install lighting along the primary north-east façade facing the Harbour/City and around the edges of this façade on the northern portion of the east and west façades to create a wrapping effect. This will allow the lighting to be viewed as fully integrated with the approved building.

This lighting will comprise a LED linear luminaire located within the external sunshade on each level (refer to **Figure 12**). When viewed from a distance, this layout will give the appearance of being a single line of lighting along each level which wraps around the building. The lighting has been designed as an integrated element of the building design rather than an additional element which does not fit within the character of the building. This integration has been achieved through the use of the same project architects, FJMT and Lend Lease Design. The proposed façade lighting system was presented to the Design Review Panel (DRP) on 1 April 2015. The DRP supported the proposed design as outlined in the minutes provided at **Appendix F**.

The proposed lighting system will use white, red, green and blue LED luminaires with a diffuser to produce a continuous linear colour change effect and allow for movement. The expected typical power of each node is 12W per 600mm and the peak intensity will be 215 cd per 600mm. When not in use, the lighting element will not be visible.



**Figure 12** – Indicative detailed sections and plan of horizontal lighting

The 'V' lantern feature at the top of the building will be provided with internal lighting to reinforce the landmark quality of the hotel. This lighting was envisaged in the SSDA for the ICC Hotel (SSD-6116). The curved feature ceiling within the club lounge contained within the 'V' will be internally illuminated to achieve a 'lantern' effect within the skyline. A night time render of the proposed lighting design is shown in **Figure 13**.



**Figure 13** – Artist's impression of the proposed ICC Hotel façade lighting in colour mode

### 3.3.2 Hours of Operation

The proposed lighting will be operational between the following time periods, generally consistent with surrounding building feature lighting such as the recently completed Darling Quarter development to the south-east:

- Sunday to Thursday: dusk – 12:00am
- Friday to Saturday: dusk – 12:00am
- Special Events: dusk – 1:00am<sup>1</sup>

These time periods will be characterised by different light settings reflective of the activity and ambience of Darling Harbour. The Sunday to Thursday period will be more monochromatic and gentle with subtle colour and movement, whilst the Friday to Saturday period will have more dynamic colour and movement.

## 3.4 Subdivision

The proposed subdivision seeks to create a new lot for the ICC Hotel site to facilitate separate leasehold title of the ICC Hotel for the effective operation and lease of the building. The proposal comprises the subdivision of Lot 1010 in DP 1147364 into two lots, Lot 2014 in DP 870306 (ICC Hotel) and Lot 2015 in DP 870306 (residual land). The proposed plan of subdivision is illustrated at **Figure 14** and provided at **Appendix G**.

<sup>1</sup> Special events including Christmas Eve, Christmas Day, New Year's Eve, Australia Day, festival days or one-off or special events during the year





## 4.0 Consultation

Consultation is recognised as an important part to the successful delivery of the SICEEP Project, with the NSW Government speaking with industry and stakeholders from day one of the Project's inception. This has continued through to inform the master planning and design development of Darling Harbour Live's preferred scheme. A Hotel Consultation Summary Report (**Appendix I**) has been prepared by Lend Lease outlining the consultation undertaken to date for SSDA 9. This Summary Report also outlines the key issues raised during consultation, and how these have been addressed in the design or generally throughout the project.

The level of consultation undertaken up to the lodgement of this SSDA is considered to be appropriate and justified and exceeds minimum requirements of the Department of Planning's Major Project Community Consultation Guidelines (October 2007) – therefore meeting the requirements of the SEARs.

### 4.1.1 Engagement Programs

The following key engagement platforms have been used across all stakeholder groups in the lead up to the lodgement of this SSDA, specifically:

- Local advertising – advertisement in City News.
- Printed material – letter box drop and feedback forms.
- Face-to-face communication – drop in Community Information session x 1 and one on one briefings x 3.
- Technology – Web based materials on the project website, project telephone number, project email, direct email.

The Hotel Consultation Summary Report at **Appendix I** elaborates further on the above engagement activities.

### 4.1.2 SSDA 9 Outcomes from Consultation

Section 3.0 of the Hotel Consultation Summary Report (**Appendix I**) provides a detailed summary of the consultation conducted specifically for SSDA 9. A range of stakeholders were engaged in this process including the City of Sydney Council, Transport for NSW, Transdev, Sydney Airport Corporation, the Harbourside Shopping Centre owners and members of the general public. Matters raised during the consultation were largely positive, with several points of clarification sought and one negative comment regarding the height of the ICC Hotel building. Specific matters raised in regards to SSDA 9 included:

- The external lighting was viewed favourably;
- The internal fit-out was viewed favourably, in particular for the number of floors in the podium proposed to be accessible to the public, not only hotel guests;
- Elements of the approved building design including the lantern and use of colour on the main façade were viewed favourably; and
- Some concern was raised over the height of the approved ICC Hotel building.

The following points of clarification were sought:

- Clarification of the extent of lighting; and
- Clarification of the construction status.

The proposed development will be placed on public exhibition for 30 days in accordance with clause 83 of the *Environmental Planning and Assessment Regulation 2000*. During the public exhibition period Council, State agencies and the public will have an opportunity to make submissions on the project.



## 5.0 Environmental Assessment

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

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

The assessment includes only those matters under Section 79C(1) that are relevant to the proposal. The planning issues associated with the proposed development are listed in **Table 4** below.

**Table 4** – Planning Issues

Planning Issues	Assessment	
	EIS	Technical Study
Secretary's Environmental Assessment Requirements	Section 5.1	-
Environmental Planning and Assessment Act 1979	Section 5.2	-
Compliance with Planning Instruments	Section 5.3	-
Consistency with ICC Hotel Development Consent (SSD 6116)	Section 5.4	-
Hotel Fit-Out and Internal Amenity	Section 5.5	Appendix B
Visual Impact	Section 5.6	Appendices H and I
Lighting Impact	Section 5.7	Appendix J
Accessibility	Section 5.8	Appendix L
Heritage	Section 5.9	Appendix M
Waste	Section 5.10	Appendix N
BCA	Section 5.11	Appendix O
Services	Section 5.12	Appendix P
Construction Management	Section 5.13	Appendix H
Ecologically Sustainable Development	Section 5.14	Appendix Q
Site Suitability	Section 5.15	-
Public Interest	Section 5.16	-

### 5.1 Secretary's Environmental Assessment Requirements

**Table 1** in **Section 1.6** provides a summary which sets out the individual matters listed in the SEARs and identifies where each of these requirements have been addressed in this report and the accompanying technical studies.

## 5.2 Environmental Planning and Assessment Act 1979

### State Significant Development

The EP&A Act establishes a specific assessment system to consider projects classed as State significant development (SSD). SSD is development deemed to be of significance to the State and for example includes projects located in precincts regarded as important by the NSW Government, such as Darling Harbour. As noted, the proposed development the subject of this DA is classed as SSD.

This EIS has examined and taken into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the proposed development. **Table 5** provides an assessment of the proposed development against the objects of the EP&A Act. **Table 6** provides an assessment of the proposal against the matters for consideration listed in section 79C of the EP&A Act.

**Table 5 – Objects of the EP&A Act 1979**

Object	Comment
5(a)(i) To encourage the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment.	The proposed development will contribute to the proper management, development and conservation of the natural and artificial resources of the SSDA 9 Site.  In particular, a range of measures outlined in the Sustainability Report prepared by Lend Lease and included as <b>Appendix Q</b> will be implemented to ensure the conservation of natural resources throughout the construction and operational phases, and existing artificial resources and infrastructure will be retained where practicable.
5(a)(ii) To encourage the promotion and co-ordination of the orderly economic use and development of land.	The proposed development involves the orderly redevelopment of the ICC Hotel site by provision of necessary internal fit out of the hotel and the inclusion of a façade lighting system and subdivision of land. The Proposal will promote economic growth and make greater use of an underutilised Site in a prime CBD location.
5(a)(iii) To encourage the protection, provision and co-ordination of communication and utility services.	The Services Infrastructure Report ( <b>Appendix P</b> ) determines that the proposed development will not impact on the provision or coordination of communication and / or utility services. Relevant utility providers have been consulted during the development of the proposal.
5(a)(iv) To encourage the provision of land for public purposes.	The SSDA 9 development supports the provision of a substantial quantum of public domain works, to the benefit of existing and future residents, workers, and the wider community, as part of the overall SICEEP project.
5(a)(v) To encourage the provision and co-ordination of community services and facilities.	The proposal, as part of the overall SICEEP redevelopment, supports the provision of community services and facilities.
5(a)(vi) To encourage the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats.	The proposal will be undertaken in a highly modified and disturbed urban environment, and would not impact on biodiversity values. The SSDA 9 proposal relates to works within the approved ICC Hotel building and therefore does not have any adverse environmental impacts.
5(a)(vii) To encourage ecologically sustainable development.	The proposed development accords with the principles of Ecologically Sustainable Development, as set out in Schedule 2 of the EP&A Regulation 2000. This is further considered in <b>Section 5.14</b> of this EIS.

Object	Comment
5(a)(viii) To encourage the provision and maintenance of affordable housing.	The development relates to the fit-out of the ICC Hotel, forming part of the overall SICEEP project which will deliver a significant number of new apartments to improve housing supply, choice and affordability in the locality.
5(b) To promote the sharing of the responsibility for environmental planning between different levels of government in the State.	Extensive consultation has been undertaken with various levels of government and government agencies during the preparation of this proposal, and all government agencies will be afforded the opportunity for further input into the development process during the public exhibition process.
5(c) To provide increased opportunity for public involvement and participation in environmental planning and assessment.	The community consultation carried out assisted the development of the proposal and is detailed in <b>Section 4.0</b> of this EIS. Further consultation will be carried out prior to the commencement of construction and throughout the construction period.

**Table 6 – Assessment of matters for consideration in section 79C**

Matter for Consideration	Comment
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	The proposal is consistent with the relevant environmental planning instruments as set out in <b>Section 5.3</b> .
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	The proposal is consistent with all relevant proposed environmental planning instruments which have been the subject of public consultation as set out in <b>Section 4.0</b> .
(iii) any development control plan, and	No development control plans apply to the SSDA 9 Site.
(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and	No planning agreement or draft planning agreement is in place and therefore this matter for consideration is not relevant.
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	The proposed SSDA is consistent with the relevant regulations, in particular Schedule 2 of the EP&A Regulation.
(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,	No coastal zone management plan applies to the SSDA 9 Site and therefore this matter for consideration is not relevant.
(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,	The proposal will not have any significant adverse environment, social or economic impacts which cannot be managed or mitigated. A full environmental assessment is provided throughout <b>Section 5.0</b> and an environmental risk assessment is provided in <b>Section 6.0</b> . A detailed list of mitigation measures is provided in <b>Section 7.0</b> .
(c) the suitability of the site for the development,	The SSDA 9 Site is suitable for the proposed development as outlined in <b>Section 0</b> .

Matter for Consideration	Comment
(d) any submissions made in accordance with this Act or the regulations,	The proposal has not yet been publically exhibited, and therefore no submissions have been made. Consultation has been undertaken and issues raised have been dealt with in the design of the proposal (refer to <b>Section 4.0</b> ).
(e) the public interest.	The proposal is in the public interest as it will provide significant benefits in regard to social, economic and environmental considerations. Further details of how the proposal is in the public interest are provided at <b>Section 5.17</b> .

## 5.3 Compliance with Environmental Planning Instruments

The proposal's consistency and compliance with the relevant statutory plans and policies is summarised in **Table 7** or discussed in more detail below.

**Table 7** – Consistency with relevant environmental planning instruments

Instrument	Comments
SEPP (State & Regional Development) 2011	Pursuant to the SEPP a project within the Darling Harbour Development Area will be SSD if it has a capital investment value (CIV) of \$10 million or more. The proposed development has a CIV of over \$10 million, and is therefore identified as SSD and considered to be development of State and/or Regional Significance. This EIS has accordingly been prepared in support of the DA.
Sydney Harbour Catchment REP	Refer further discussion below.
Darling Harbour Development Plan No.1	Refer further discussion below.
SEPP 55 (Remediation of Land)	<p>Clause 7 of SEPP 55 specifies that a consent authority must not consent to the carrying out of any development on land unless it has considered whether land is contaminated and if the land is contaminated, it is satisfied that the land is/can be suitable for the proposed development.</p> <p>The Site Investigation Report prepared by Coffey Geotechnics and provided with the original SSDA for the construction and use of the ICC Hotel (SSD-6116), concluded that the ICC Hotel Site (which includes the SSDA 9 Site) is suitable for the proposed development and that no remediation is required, subject to provision and implementation of an Acid Sulphate Soil Management Plan and an Unexpected Finds Protocol. These requirements and mitigation measures were applied to development consent SSD-6116 as this application included the use of the site as a hotel. As such, the site has been deemed appropriate for the approved use under SSD-6116.</p>

### 5.3.1 Sydney Harbour Catchment REP

The SSDA 9 Site is identified within the following areas under the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* (SREP):

- the Sydney Harbour Catchment Area;
- the Foreshores & Waterways Area Boundary; and
- the City Strategic Foreshores Area.

Part 3, Division 2 within the SREP refers to matters which are to be taken into consideration by consent authorities before granting consent for development.

**Table 8** illustrates the proposal's consistency with the relevant provisions and matters for consideration set out in clauses 20 to 27 of the SREP.

**Table 8** – Consistency with relevant provisions of the SREP

Relevant matters for consideration	Comment
Biodiversity, ecology and environment protection	The proposal largely relates to internal works in the approved ICC Hotel building, therefore there is no impact on biodiversity, ecology or the general environment.
Public access to, and use of, foreshores and waterways	The proposed development improves access to the Sydney Harbour Foreshore through supporting upgraded elements of the public domain as part of the overall SICEEP project.
Maintenance of a working harbour	The proposal does not relate to 'working waterfront' land, therefore no 'working harbour' uses will be lost as a result of the proposed development.
Interrelationship of waterway and foreshore uses	The proposal does not directly impact upon access to or uses within the waterway.
Foreshore and waterways scenic quality	The proposed development is located a sufficient distance away from the foreshore and its waterways to ensure it will have no impact upon its scenic qualities. Furthermore, the proposal largely relates to the internal fit-out of the ICC Hotel except for the façade lighting system which will provide visual interest to the locality and enhance the visual appearance of the Darling Harbour precinct.
Maintenance, protection and enhancement of views	A View and Visual Impact Analysis was prepared and submitted with the ICC Hotel SSDA (SSD-6116). This analysis examined the impact (including cumulative impacts) of the proposed development upon views to and from Sydney Harbour, public places, landmarks and heritage items, and considered those impacts to be acceptable. Whilst the majority of works proposed in the application are internal, the façade lighting system is external and has therefore been assessed in updated photomontages (refer to <b>Section 5.6</b> below).
Boat storage facilities	Boat storage facilities are not proposed as part of the proposed development.
Clause 59 - development in the vicinity of heritage items.	The proposals relationship to surrounding heritage items is addressed at <b>Section 5.9</b> of this EIS and at <b>Appendix M</b> .

### 5.3.2 Darling Harbour Development Plan No. 1

The DHDP is the principal planning instrument applicable to the SICEEP Site, and more specifically the SSDA 9 Site. It provides a broad framework for development, principally through identifying permissible uses.

The objectives of the DHDP are to encourage the development of a variety of tourist, educational, recreational, entertainment, cultural and commercial facilities, and to set out those uses which are deemed permissible.

The proposed development is consistent with these objectives as part of the SICEEP redevelopment project. The SICEEP redevelopment will deliver new world class convention, exhibition and entertainment facilities, and will re-position Sydney as the major events and business venue in the Asia-Pacific region. The proposed development is a key component of SICEEP Project and will contribute to the creation of a new international hotel.

A summary of the permissibility of the proposed and potential future uses (subject to future approval) is provided with **Table 9** below.

**Table 9** – Permissibility of land uses (including possible future land uses)

Component	Darling Harbour Development Plan No 1	Permissible?
Hotel fit-out	<ul style="list-style-type: none"> <li>Clause 6 (a) of DHDP includes development for the purposes of tourist, educational, recreational, entertainment, cultural facilities or commercial facilities as a permissible use.</li> <li>Clause 6 (d) of DHDP - Schedule 1 includes 'hotels' and 'motels' as a permissible use.</li> </ul>	Yes
Lighting	<ul style="list-style-type: none"> <li>Clause 6 (c) of DHDP includes development for the purposes of beautifying the landscape.</li> <li>Clause 6 (e) of DHDP – includes development incidental or subsidiary to tourist, educational, recreational, entertainment, cultural facilities or commercial facilities as a permissible use.</li> </ul>	Yes
Subdivision	Clause 6 (e) of DHDP – includes development incidental or subsidiary to tourist, educational, recreational, entertainment, cultural facilities or commercial facilities as a permissible use.	Yes

## 5.4 Consistency with ICC Hotel Development Consent (SSD 6116)

On 15 June 2014, consent for the ICC Hotel SSDA 6 (SSD 6116) was granted by the delegate of the Minister for Planning for the construction and use of the ICC Hotel. **Table 10** below provides a summary of the proposals consistency with relevant ICC Development Consents (SSD -6116). As shown in **Table 10**, the proposal is consistent with the approved development parameters under SSD-6116. Overall, the proposal seeks to allow for the fit-out of the ICC Hotel, enabling the occupation of the building, directly fulfilling the intent of the SSD-6116 approval for the use of the ICC Hotel.

**Table 10** – ICC Hotel Development Consistency Review

Component	ICC Development Consent	Proposal	Consistent
Uses	Hotel use including ancillary guest and visitor facilities, restaurant and ballroom	Hotel use including ancillary guest and visitor facilities, restaurant and ballroom	✓
GFA	37,090m <sup>2</sup>	37,090m <sup>2</sup>	✓
Height	35 Storeys	35 Storeys	✓
No. of Keys	Up to 616	616 beds arranged as 590 keys	✓

## 5.5 Hotel Fit-Out and Internal Amenity

The proposed hotel fit-out will facilitate the occupation and use of the approved ICC Hotel building which is an integral component of the SICEEP precinct. The quality of the fit-out will be commensurate with the international status of both the selected operator and the characteristics of the site within the world-class location of Darling Harbour.

The Interior Design Statement prepared by A+ Design Group emphasises how the fit out will go beyond ordinary hotel standards and will provide a bespoke 5 star product which successfully integrates the needs of visitors to Sydney with the desire to express the history of Darling History (refer to **Appendix E**).

The proposed fit-out is consistent with the parameters established under the approved ICC Hotel SSDA (SSD-6116) and does not seek to amend the internal layout and configuration of any hotel rooms or corridors within the building. As such, the internal amenity of the proposal is consistent with the amenity assessed and determined acceptable under SSD-6116.

Furthermore, the internal amenity of the proposal is commensurate to the use of the building as a hotel which will cater to business travellers (such as delegates to conventions and exhibitions at the adjacent ICC Sydney) and short stay tourists. The fixtures and finishes of the hotel fit-out are intended to be of a high quality, further enhancing the amenity of guests and general users of the ICC Hotel.

Consideration was given during the assessment of SSD-6116 to providing amendments to the internal corridors to allow for natural ventilation and light. It was justified that the proposed corridors had been designed to achieve a high quality indoor environment and the internal circulation spaces of the ICC Hotel would be mechanically ventilated to ensure a high indoor air quality. The Department accepted this justification and in the Secretary's Environmental Assessment Report stated that the proposed corridor design was acceptable as:

- *extensions to the tower edge is likely to impact on the overall design and appearance of the facades;*
- *a suitable level of internal comfort can be achieved by appropriate interior design and mechanical ventilation; and*
- *the proposed internal layout allows for an efficient layout of rooms, which includes a variety of room sizes meeting appropriate standards. The reduction of room sizes would therefore jeopardise building layout efficiency.*

In light of the above and due to the consistency of the proposed fit-out with the approved ICC Hotel SSDA (SSD-6116), it is considered that an acceptable level of internal amenity has been achieved.

## 5.6 Visual Impact

### 5.6.1 Visual Impact

The visual and view impacts of the ICC Sydney Hotel building itself were considered and addressed as part of SSDA6, with the conclusion reached that the development achieves a reasonable balance between the protection of private views and the protection of public domain views in the delivery of a new world class entertainment precinct on the foreshore of Darling Harbour.

As the subject SSDA now includes a proposal to incorporate a feature façade lighting system within the ICC Sydney Hotel, there are aspects of the development that require consideration in terms of potential night-time visual impacts from the illumination/lighting on surrounding residential properties and key vantage points in the surrounding public domain.

To support the visual analysis key public domain views, view corridors and public vantage points within and surrounding the SSDA 9 Site have been identified.

Photomontages have been prepared (included at **Appendix K**) for a total of 17 public domain views and vantage points in the following general locations (see **Figures 15** and **16**):

- King Street Wharf & Darling Harbour East
- Darling Harbour West;



- Pyrmont Street / Western Distributor;
- Market Street;
- Tumbalong Park;
- Allen Street Corridor;
- Darling Drive;
- Balmain; and
- Sydney Tower.

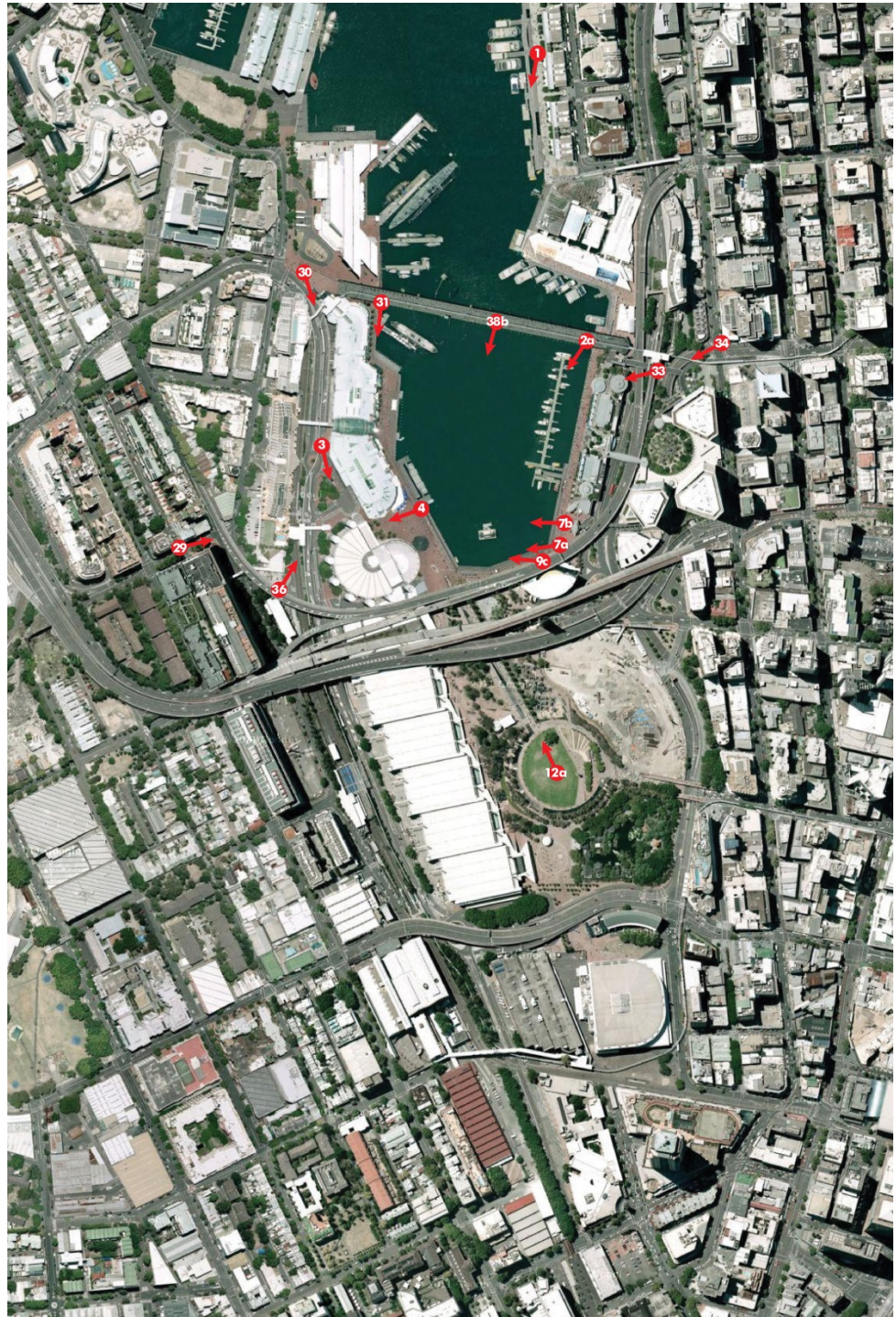


Figure 15 – Public domain views and vantage points



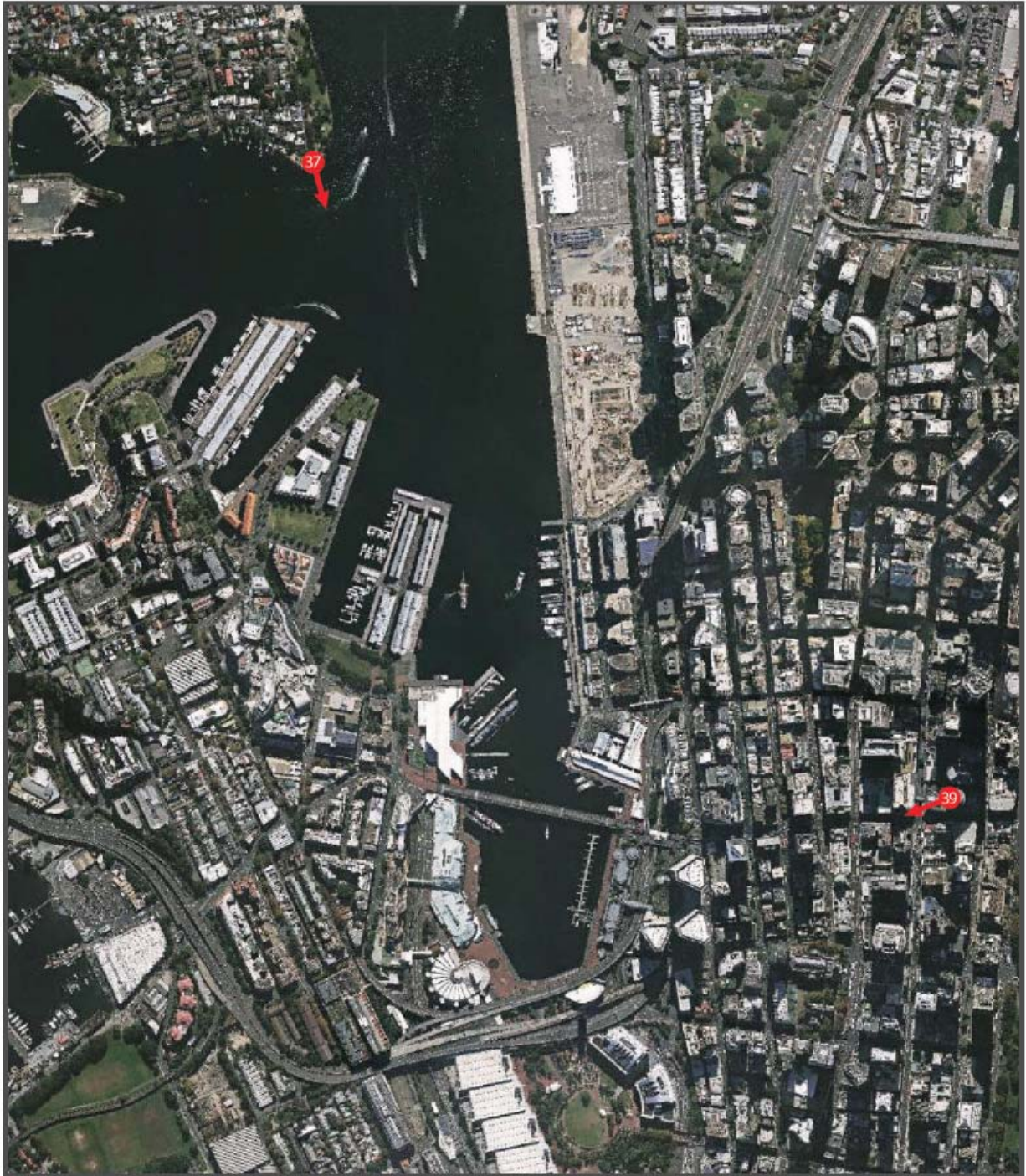


Figure 16 – Further public domain views and vantage points

Five key buildings in the vicinity of the ICC Sydney Hotel Site have also been identified as being potentially impacted on by the proposal in terms of private views, these being 18-20 Allen Street, Darling Court, Oaks Goldsbrough Apartments, Bullecourt Apartments and The Peak Apartments.

### Public Domain

The evening photomontages prepared by Virtual Ideas (refer to **Appendix K**) reveal the following conclusions:

- The existing night-time character of Darling Harbour is one of playfulness, vibrancy and colour;
- The proposed ICC Sydney Hotel feature façade lighting will further contribute to the existing precinct's night-time character;
- The proposed lighting of the ICC Hotel is complementary to the façade of the ICC Sydney, further establishing the two buildings as an integrated offering, with a headquarters hotel for delegates attending conferences
- The positioning and direction of the façade lighting towards the east aligns with other existing Darling Harbour buildings and structures lighting systems (e.g. Novotel and Harbourside), and appropriately engages with the Harbour (adding further shimmer and enchantment) – Refer to **Figure 17**;
- The lighting appropriately sits in the backdrop of the Sydney CBD, which by its very nature and as expected from a global City is a very dynamic, bright, and colourful setting;
- The lighting has been deliberately limited towards its more sensitive lower scale and residential setting towards the west;
- The lighting reinforces during the evening the building's northern gateway landmark status, and acts as a sculptured beacon enhancing pedestrians orientation within the precinct and broader City; and
- The lighting is overall in its setting and context considered to be sophisticated, fairly subdued and not overbearing.



**Figure 17** – Artist's impression of the proposed ICC Hotel façade lighting in white colour mode



## Private Views

Virtual Ideas have undertaken visual modelling (included at **Appendix K**) to understand what impacts the proposed feature facade lighting could have on surrounding key residential buildings. It is abundantly clear from this analysis that the feature lighting is either not visible, only partially visible (on the northern and southern edges of the building) and/or located a substantial distance away. The following conclusions can therefore be made:

- The identified residential buildings are located within or on the edge of a global City, and accordingly lighting is an existing, expected and often revered feature that positively adds to night-time view qualities;
- The feature facade lighting is an element that integrates more broadly with hotel room lighting; and
- The level of luminance is such that it will not cause any adverse amenity impacts;

Overall and in light of the above, the proposal is considered to be acceptable in terms of visual impacts.

Refer to **Section 5.7** below for further consideration of visual lighting impacts from a technical standpoint.

## 5.7 Lighting Impact

A Façade Lighting Review has been completed by ARUP and is provided at **Appendix J**. This review provides an assessment of the proposed lighting design which is to be applied to the exterior of the ICC Hotel. Arup has addressed a range of potential lighting impacts, including compliance with the relevant standards, impacts on road users and impacts on the light rail operations.

### 5.7.1 Compliance with Australian Standards

Arup has identified the relevant Australian Standards which apply to the external lighting system.

An assessment of the illuminance by Arup has determined that the proposal will have a luminous flux of 22 lux at 100 metres from the façade, below the Australian Standard of 25 lux. As such, the proposals illuminance is consistent with the relevant Australian Standard. The luminous intensity of the proposed lighting system, at 216 candela for each 600mm, is also significantly lower than the relevant Australian Standard which specifies a limit of 100,000 candela.

In light of the above, it has been determined that the proposed lighting will be designed in accordance with the relevant Australian Standards, in particular *AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting*, which all external lighting is to comply with as set out in Condition G7 of the ICC Hotel Development Consent SSD-6116.

### 5.7.2 Road Users

The view of the ICC Hotel will be very brief from surrounding roads and will generally be outside the standard 20 degree angle used to identify glare effects on passing motorists. Furthermore, the shape and form of the proposed lighting system is significantly different to light sources for roadways and the peak intensity of the proposed lighting is much lower at approximately 2% of road luminaries. As such, Arup has determined that the proposal will not have any significant impacts on road users.

### 5.7.3 Light Rail

Arup has identified that there are currently no standards which control potential obtrusive lighting effects on light rail operations. In order to undertake an assessment of the proposed lighting design on the nearby light rail operations, Arup has identified that the worst potential impact to these operations would be when a light source (either viewed directly, or reflected off a surface) may become confused with a signal light.

In the case of the current Sydney light rail operations, the driving of vehicles is generally undertaken by sight driving, meaning that there is little signalling except at road traffic junctions.

Arup has determined that it is unlikely the façade lighting will be confused as signalling for the following reasons:

- The intensity and beam angle differ greatly between typical signal lights at approximately 1200 candela, whilst the proposed façade luminaire will be 215 candela; and
- The shape and form of the two light sources significantly differ and are therefore unlikely to be confused.

Furthermore, the location of the lighting on the north-eastern portion of the approved building is particularly removed from the existing light rail line. The orientation of the lighting is towards the Harbour/City, away from the light rail operations. Where lighting is proposed on the northern portion of the eastern façade, this will largely be screened by the new convention and exhibition facilities adjacent to the ICC Hotel. As such, it is unlikely that there will be any significant glare or reflectivity impacts on the light rail.

### 5.7.4 Summary

Overall, Arup has determined that the proposed façade lighting system is integrated with ICC Hotel design and will not result in any unacceptable impacts. The design of the lighting will comply with the relevant Australian Standards which are intended to protect against the potential obtrusive effects that may be caused by outdoor lighting. Furthermore, the proposed lighting will add visual interest to the building and will contribute to the night time vibrancy of the Darling Harbour precinct, reaffirming its position as Sydney's premier entertainment and tourist precinct.

## 5.8 Accessibility

Morris-Goding Accessibility Consulting (MG AC) has prepared an access design certification for the internal fit-out (refer to **Appendix L**). The certification concludes that the building systems and layout are capable of complying with the relevant provisions of the Building Code of Australia (BCA) 2014, and specific consideration of the 2010 Access to Premises Standard and pertinent Australian Standards, inclusive of the AS1428 series.

## 5.9 Heritage

A Statement of Heritage Impact (SoHI) was prepared by TKD Architects and submitted with the ICC Hotel SSDA (SSD-6116). The SoHI assessed the potential impacts on the heritage significance of the ICC Hotel Site and heritage items in the vicinity of the ICC Hotel Site. The SoHI followed the general guidelines for Statements of Heritage Impact set out in the NSW Heritage Manual and was prepared in accordance with '*The Conservation Plan*' by Dr J. S. Kerr, the ICOMOS '*Burra Charter*', and the SEARs.

TKD Architects has prepared a supplementary SoHI relevant to SSDA 9 which is included at **Appendix M**. The supplementary SoHI concludes that the proposed development will have no appreciable impacts on heritage items in the vicinity of the ICC Hotel. The proposed development, including the lighting scheme, is considered by TKD to be consistent with the ICC Hotel SSDA (SSD-6116) and is acceptable from a heritage perspective.

## 5.10 Waste

Waste Audit has prepared a review of the Waste Management Plan for the ICC Hotel (**Appendix N**). Waste Audit prepared a waste management plan for the ICC Hotel SSDA (SSD-6116) to ensure waste generated by the building is appropriately managed. The review of architectural plans for SSDA 9 found that the provisions of the ICC Hotel SSDA (SSD-6116) Waste Management Plan have been incorporated into the completed design for the internal fit-out.

The review confirmed that the SSDA 9 design can adequately accommodate the estimated waste generation rates and waste management requirements of the hotel operations. There is also suitable flexibility and surplus capacity to allow for any future fluctuation of waste needs.

## 5.11 BCA

A review of the proposal against the applicable requirements of the Building Code of Australia (BCA) 2014 has been undertaken by Mckenzie Group (refer to **Appendix O**). The report concludes that the proposed fit-out of the hotel is capable of achieving compliance with the BCA.

## 5.12 Services

A Service's Infrastructure Report has been prepared by Hyder and is provided at **Appendix P**. This report provides an update on the status of authority approvals for the relocation of existing services and connection of services to the ICC Hotel Site and provides an overview of any additional requirements in light of the proposed works. Hyder has confirmed that further works has been undertaken to obtain the relevant authority approvals to relocate existing services and provide connections to the ICC Hotel Site. The proposed works do not require any additional assessment and can be adequately serviced by the services construction works associated with the approval of the ICC Hotel SSDA (SSD-6116).

## 5.13 Construction Management

A Construction Management Plan (CMP) has been prepared by Lend Lease Building (**Appendix H**) which details the site construction and environmental management principles for the proposed development. The CMP details management principles which seek to manage the impact of construction activities in terms of public and employee safety, noise, vibration, air and water quality and construction traffic.

### 5.13.1 Traffic, Parking and Pedestrian Management (Construction)

The CMP provides details relating to traffic, parking and pedestrian management during the proposed construction works. More specifically, it outlines planned mitigation arrangements to ensure pedestrian and vehicular movements are not adversely affected during the proposed construction works.

During construction works, vehicles will access the Site from Darling Drive, entering from the north using Pyrmont Bridge Road and leaving from the south using Ultimo Road and Harris Street. Delivery of construction materials will be via Darling Drive at the north and exiting south onto Darling Drive southbound only. On-site access routes will be established inside the eastern and southern boundaries of the Site. All vehicle movements will conform to RMS standards.

All vehicle access points will include control measures to ensure unauthorised site access is prohibited. Major site entrance points will be manned to provide site security and ensure the safe and efficient operation of vehicle movements into and out of the site.

As part of the enabling works, safe pedestrian access between the light rail stop and Darling Harbour, and Darling Harbour into Harbourside Shopping Centre, will be provided using hoardings. Hoardings will also be erected on the north western and southern boundaries to segregate the SSDA 9 Site from the public

### 5.13.2 Adjoining Properties

The SSDA 9 site works are in close proximity to the Harbourside Shopping Centre and Convention Light Rail stop. As outlined in the CMP, a dilapidation report will be prepared to outline the condition of the surrounding infrastructure including the light rail stop and all external elements of the adjoining portion of the Harbourside Shopping Centre.

As the proposed SSDA 9 works are generally related to the fit-out of the hotel and installation of the façade lighting system there are not expected to be significant impacts to the neighbouring development.

### 5.13.3 Noise and Vibration

The CMP details the noise and vibration management plan to be adopted during the proposed construction works. The management plan outlines measures which will minimise the generation of noise and vibration from construction activities on site and on neighbouring residents and businesses. Mitigation Measures are outlined further in **Section 7.0**.

### 5.13.4 Air Quality

An Air Quality and Odour Management Plan has been developed to minimise the impact of construction activities, including dust emissions, and monitoring measures to ensure that air quality issues are promptly identified and addressed. Mitigation Measures are outlined further in **Section 7.0**.

## 5.14 Environmentally Sustainable Development

The Sustainability Report prepared by Lend Lease (**Appendix Q**) summarises the sustainability principles and design measures which will be implemented for the hotel fit out. Key sustainable design measures include the use / provision of:

- LED lighting for guest rooms which will be disabled when rooms are unoccupied;
- ventilation and air-conditioning which can be automatically turned off when unoccupied;
- energy efficient appliances;
- water efficient fixtures and fittings;
- CO2 sensors in common areas to ensure adequate energy efficient ventilation; and
- considered selection of materials with low environmental impact.

The proposal is targeting a 4 star NABERS rating. The sustainability report (**Appendix Q**) concludes the hotel fit out has been designed to follow sustainable building principles which focus on best practice initiatives for energy efficiency and low energy technologies.

The façade lighting system has also been prepared with sustainability principles in mind. The façade lighting will be constructed of LED luminaires. LED lighting is the most efficient and sustainable technology available with energy consumption from the façade lighting to equate to less than one percent of the total building energy use per year.

The principles of ecologically sustainable development are set out in section 6(2) of the *Protection of the Environment Administration Act 1991* (NSW). The principles of ESD include intergenerational equity, the precautionary principle, conservation of biological diversity and ecological integrity and improved valuation, pricing and incentive mechanisms. The principles of ESD have informed the design, construction and proposed operation of the proposed mixed use residential development.

It is appropriate for decisions made under the EP&A Act to have regard to the objects of the Act, as set out in Section 5 of the Act, including ESD.

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle - namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:*
  - (i) *careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
  - (ii) *an assessment of the risk-weighted consequences of various options,*
- (b) *inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,*
- (c) *conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,*
- (d) *improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:*
  - (i) *polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,*
  - (ii) *the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,*
  - (iii) *environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.*



Importantly, the proposed development is consistent with the principles of ESD as it meets the needs of the present without compromising the ability of future generations to meet their own needs. ESD design measures have been integrated into the proposal as detailed in the Sustainability Report prepared by Lend Lease (**Appendix Q**). Each principle of ESD as relevant to the proposed development is addressed below.

#### 5.14.1 Precautionary principle

The precautionary principle is utilised when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful evaluation of potential environmental impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment. Measures included within the proposed development to mitigate against possible future risks include:

- Incorporation of high efficiency LED luminaries;
- Locate hotel accommodation in close proximity to public transport to reduce reliance on private vehicle use;
- energy efficient appliances and water efficient fixtures and fittings; and
- CO2 sensors in common areas to ensure adequate energy efficient ventilation.

When taking into account the above ESD measures, this EIS has not identified any serious threat of irreversible damage to the environment and therefore, the precautionary principle is not relevant to the proposal.

#### 5.14.2 Intergenerational equity

Inter-generational equity is concerned with ensuring that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations. The proposal has been designed to benefit both the existing and future generations by:

- maintaining heritage listed items for future generations to appreciate and enjoy;
- implementing safeguards and management measures to protect environmental values;
- facilitating job creation and new hotel accommodation to service Sydney; and
- Supporting the improvement of the public domain and amenity in Darling Harbour through façade lighting.

The proposal has integrated short and long-term social, financial and environmental considerations so that any foreseeable impacts are not left to be addressed by future generations. Issues with potential long term implications such as waste disposal would be avoided and/or minimised through construction planning and the application of safeguards and management measures described in this EIS and the appended technical reports.

### 5.14.3 Conservation of biological diversity and ecological integrity

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration.

The proposal would not have any significant effect on the biological diversity and ecological integrity of the study area. Design and management measures to reduce excavation within the site and reduce the export of gross pollutants into the waterway all contribute directly to the conservation of biological diversity and ecological integrity within Sydney Harbour.

### 5.14.4 Improved valuation, pricing and incentive mechanisms

The Darling Harbour Live team was selected by Infrastructure NSW to deliver the SICEEP project based on the economic, environmental and social merits of the proposed masterplan. This plan has now been refined and has undergone additional detailed design to ensure that the proposed development ultimately achieves the best development outcome for the across all evaluation criteria.

The principles of improved valuation and pricing of environmental resources requires consideration of all environmental resources which may be affected by a proposal, including air, water, land and living things. Mitigation measures for avoiding, reusing, recycling and managing waste during construction and operation would be implemented to ensure resources are used responsibly in the first instance in order to divert resources from landfill.

## 5.15 Development Contributions

The proposed redevelopment of the SICEEP Site will deliver long lasting and significant public benefits to Sydney and NSW in lieu of monetary contributions, and therefore the burdening of the development with additional contributions undermines the objectives of supporting the development of the Darling Harbour area – an area of state significance.

The SICEEP Site is specifically excluded from all City of Sydney Section 94 Contributions Plans as well as any contributions under Section 61 of the *City of Sydney Act 1988*. The exclusion of the SICEEP Site (and broader Darling Harbour Development Area) reflects that it has its own special planning regime that applies, and that the State Government has since the 1980's (originally as part of the State's Bicentennial Program) set out to promote and encourage a variety of tourist, educational, recreational, cultural and commercial facilities across Darling Harbour. There is therefore no formal mechanism to levy development across the SICEEP Site.

Accordingly there are no grounds for the imposition of development contributions in relation to the proposal, and the proposal will result in significant public benefits. The approach of not burdening the development with contributions has been consistently applied in the initial SSDA's approved for components of the SICEEP project.

## 5.16 Site Suitability

Having regard to the characteristics of the SSDA 9 Site and its location both within the SICEEP and Greater Sydney, the proposal is considered suitable for the Site as it:

- Is capable of being developed in a manner that will minimise impacts to the natural, historical, and environmental qualities of the Bayside Precinct;
- Will result in only minor environmental impacts that can be appropriately managed and mitigated;
- Is in close proximity to high quality public open space (existing and proposed) to foster a good experience for visitors coming to Sydney;
- Will facilitate the provision of much needed tourist accommodation in a location in close proximity to entertainment and exhibition facilities, the Sydney CBD, shops and general services and facilities;
- Is well served by public transport;
- Will facilitate the efficient use of the SSDA 9 Site which is currently underutilised;
- Is located immediately adjacent to the ICC Sydney and will play a key role in ensuring the convention, exhibition and entertainment facilities are commercially sustainable;
- Is located within the approved ICC Hotel and will facilitate the occupation of this new landmark building; and
- Is a major drawcard for international conferences and conventions through the physical integration of a hotel into conference facilities.

## 5.17 Public Interest

The proposed development is considered to be in the public interest as it will:

- Provide significant benefits to the SICEEP Site and to Sydney more broadly;
- Assist in the development of the SICEEP Site into one of Sydney's most innovative convention, entertainment and exhibition precincts;
- Directly assist in meeting the demand for accommodation in Sydney which has experienced an acute undersupply of rooms for over a decade;
- Facilitate a greater number of people visiting Sydney;
- Encourage sustainable travel behaviour by providing tourist accommodation and facilities close to public transport;
- Support Sydney's development as a compact and well-connected city;
- Will fulfil the intent of the approved ICC Hotel building to be operated as an international hotel commensurate with the important location of Darling Harbour;
- Increase and improve connections with Pyrmont; and
- Create new jobs during the construction and operation phases of the proposal.

## 6.0 Environmental Risk Assessment

The Environmental Risk Assessment (ERA) establishes a residual risk by reviewing the significance of environmental impacts and the ability to manage those impacts. The ERA for SSDA 9 has been adapted from Australian Standard AS4369.1999 Risk Management and Environmental Risk Tools.

In accordance with the SEARs, the ERA addresses the following significant risk issues:

- the adequacy of baseline data;
- the potential cumulative impacts arising from other developments in the vicinity of the Site; and
- measures to avoid, minimise, offset the predicted impacts where necessary involving the preparation of detailed contingency plans for managing any significant risk to the environment.

The adequacy of the baseline data is demonstrated through the range of detailed technical reports and supporting documentation appended to this EIS. Overall, **Section 5.0** of the EIS and the appended technical reports and supporting documents provide a comprehensive and detailed assessment of the potential cumulative impacts arising from other developments in the vicinity of the SSDA 9 Site. This assessment has determined that there are no adverse environment, social or economic impacts which cannot be managed or mitigated.

**Figure 18** indicates the significance of environmental impacts and assigns a value between 1 and 10 based on:

- the receiving environment;
- the level of understanding of the type and extent of impacts; and
- the likely community response to the environmental consequence of the project;

The manageability of environmental impact is assigned a value between 1 and 5 based on:

- the complexity of mitigation measures;
- the known level of performance of the safeguards proposed; and
- the opportunity for adaptive management.

The sum of the values assigned provides an indicative ranking of potential residual impacts after the mitigation measures are implemented.

Significance of impact	Manageability of impact				
	5 Complex	4 Substantial	3 Elementary	2 Standard	1 Simple
1 – Low	6 (Medium)	5 (Low/Medium)	4 (Low/Medium)	3 (Low)	2 (Low)
2 – Minor	7 (High/Medium)	6 (Medium)	5 (Low/Medium)	4 (Low/Medium)	3 (Low)
3 – Moderate	8 (High/Medium)	7 (High/Medium)	6 (Medium)	5 (Low/Medium)	4 (Low/Medium)
4 – High	9 (High)	8 (High/Medium)	7 (High/Medium)	6 (Medium)	5 (Low/Medium)
5 – Extreme	10 (High)	9 (High)	8 (High/Medium)	7 (High/Medium)	6 (Medium)

**Figure 18** – Risk Assessment Matrix

Item	Phase	Potential Environmental Impact	Proposed Mitigation Measures and / or Comment	Risk Assessment		
				Significance of Impact	Manageability of Impact	Residual Impact
Key: C – Construction, O: Operation						
Visual / Lighting Impacts	O	<ul style="list-style-type: none"><li>Visual impact from surrounding buildings and public places</li></ul>	<ul style="list-style-type: none"><li>The lighting is to be in accordance with the hours of operation set out in Section 3.3.2 and shall comply with the relevant Australian Standards.</li></ul>	1	3	4 Low / medium
Infrastructure and Utilities	O	<ul style="list-style-type: none"><li>Adequate connection to infrastructure and utilities.</li></ul>	<ul style="list-style-type: none"><li>The detailed design of the development is to identify the final design and provision of infrastructure and utilities. This is to be conducted in consultation with the relevant authorities and providers.</li></ul>	2	2	4 Low / medium
Operational Waste Management	O	<ul style="list-style-type: none"><li>Generation of waste</li></ul>	<ul style="list-style-type: none"><li>Bins, storage locations and collection to be in accordance with the submitted Waste Management Plan.</li></ul>	1	1	2 Low
Environmental and Construction Management	C	<ul style="list-style-type: none"><li>Noise, dust, air quality and traffic impacts</li></ul>	<ul style="list-style-type: none"><li>Works are to be carried out in accordance with the Construction Management Plan.</li></ul>	3	2	5 Low / medium



## 7.0 Mitigation Measures

The collective measures required to mitigate the impacts associated with the proposed works are detailed in **Table 11** below. These measures have been derived from the previous assessment in Section 5.0 and those detailed in appended consultants' reports.

**Table 11** – Mitigation Measures to be implemented

Mitigation Measures
<b>Lighting</b> <ul style="list-style-type: none"> <li>The external lighting shall comply with the relevant Australian Standards.</li> </ul>
<b>Accessibility</b> <ul style="list-style-type: none"> <li>The detailed design of the proposal should comply with the relevant accessibility provisions of the BCA 2014.</li> </ul>
<b>Operational Waste Management</b> <ul style="list-style-type: none"> <li>In order to appropriately manage and mitigate any adverse impacts arising from waste, the different components of the Waste Management Plan should be implemented into the operation of the proposed development.</li> </ul>
<b>BCA</b> <ul style="list-style-type: none"> <li>The detailed design of the development must ensure that the proposal complies with the applicable requirements of the BCA 2014 or appropriate alternative solutions should be developed and verified by a qualified BCA Consultant or Fire Safety Engineer.</li> </ul>
<b>Environmental and Construction Management</b>
<b>Noise and Vibration</b> <ul style="list-style-type: none"> <li>Noisy activities outside pre-defined work hours will require written consent from the approval authority.</li> <li>Noise limits during construction works are to meet the maximum allowable noise contribution as specified in the consent.</li> <li>Subcontractors must submit a Work Method Statement which details noise levels generated by work tools and any measures to ensure noise levels are acceptable.</li> <li>Major Subcontractors generating noise are to consider engaging an acoustic consultant to monitor noisy construction activities.</li> <li>Traffic to and from site is to be via designated entry and exit points.</li> <li>Appropriate mufflers are to be installed on construction equipment.</li> </ul>
<b>Air Quality</b> <ul style="list-style-type: none"> <li>Equipment is to be operated will control smoke, dust, fumes and air impurities into the atmosphere.</li> <li>Subcontractors will maintain all construction equipment to ensure exhaust emissions comply with the relevant Air Regulations issued under State Legislation.</li> <li>Trucks transporting material from the site shall be covered immediately after loading to prevent windblown dust emissions and spillages. The covering must be maintained until immediately before unloading the trucks.</li> <li>All waste material will be removed from the site in a manner described in the Waste Management Plan.</li> </ul>

#### Mitigation Measures

- No cleared vegetation, demolition materials and other waste material shall not be burnt on the site.

#### Traffic and Transport

- General construction routes are to be in accordance with the Traffic Management Plan.
- All deliveries to site will be booked in with the Site Manager at least 24-48 hours prior with a nominated Gate for delivery and time for delivery. Any deliveries that fall outside the agreed times will not be permitted to enter the site grounds
- Lend Lease gate personnel will guard site entrance gates to allow safe access for vehicles and to control pedestrian movement around the site.
- Relevant signage to manage the flow of traffic will be established as the site is set up and through progressive changes to suit the construction sequencing.
- Truck grid / wash facilities provided at the point where vehicles will exit the site perimeter, thus preventing materials being tracked off the site and onto roadways.

## 8.0 Conclusion and Justification of the Proposal

This Environmental Impact Statement (EIS) has been prepared to consider the environmental, social and economic impacts of the proposed fit-out of the ICC Hotel, along with a façade lighting system and land subdivision. The EIS has addressed the issues outlined in the SEARs (**Appendix A**) and accords with Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* with regards to consideration of relevant environmental planning instruments, illumination/lighting, fit-out, ecologically sustainable development, construction and consultation.

Having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The proposal is permissible with consent and meets all requirements of the relevant planning controls for the site;
- The proposal is consistent with the principles of ecological sustainable development as defined by Schedule 2(7)(4) of the *Environmental Planning and Assessment Regulation 2000* (refer to **Section 5.14**);
- The proposed development is consistent with approved ICC Hotel SSDA (SSD-6116) and will fulfil the intent of this approval to fit-out and occupy the new landmark hotel building;
- The proposal will significantly enhance the appearance of the building and its visual presence in Darling Harbour, contributing to the lively and playful nature of Darling Harbour as Sydney's premier tourist and entertainment precinct;
- The proposal further enhances the integrated offering of a headquarters hotel for the ICC Sydney, through enabling a more complementary design perspective in the evenings when the lighting is turned on;
- The proposal forms a crucial component to delivering the first new luxury 5 star hotel in the Sydney CBD in over 15 years;
- The proposal will enable the completion and occupation of what is the largest luxury hotel development in Australia, adding 215,000 annual room nights to the Sydney market;
- The hotel will attract corporate travellers and tourists given its location within central Sydney, the creative and technology hub in Pyrmont, and the new financial services district at Barangaroo;
- SSDA 9 is adequately serviced with potable water and stormwater infrastructure and electrical and communication services; and
- The fulfilment of the occupancy of the ICC Hotel will further support and strengthen the importance of the SICEEP project in providing Sydney with new world-class facilities and function spaces.

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