

VOL 01

1 Alfred Street and 19-31A Pitt Street, Sydney

SECTION 96(2) MODIFICATION TO D/2015/1049



April 2016
Prepared by Urbis on behalf of
Wanda One Sydney Pty Ltd



urbis

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Executive Summary

PROPOSED MODIFICATION

The Central Sydney Planning Committee (CSPC) granted deferred commencement consent to D/2015/1049 for “*State Significant Development – Stage 1 application for building envelopes and proposes uses for two mixed use buildings (Tower A and Tower B) above six levels of basement car park*” at 1 Alfred Street, 19-31 Pitt Street, and 31A Pitt Street, Sydney on 10 December 2015.

This proposal is for a modification to the development consent (D/2015/1049) reflecting a number of design changes as a result of the rationalisation of gross floor area across the overall site. The modification seeks consent for an increase in the maximum height of the Tower A building envelope from, 185m / RL191 to 194m / RL200, resulting in two additional storeys within Tower A and minor internal changes to the indicative floor plans.

It is noted that a Section 96 (2) Modification to the Amending DA (D/2015/882) has been lodged with the City of Sydney concurrently with this proposal. This concurrent modification to D/2015/882 seeks consent for the following modifications:

- An additional two storeys to Tower A (maximum height RL 200); and
- Refinement of the floor plans and some floor to floor heights of Tower A.

PLANNING ASSESSMENT

- **The proposal satisfies the applicable local and state planning controls** – The proposal has been demonstrated to achieve a high level of compliance with the applicable planning controls. Where variations are proposed, the report demonstrates that the objectives and intent of the numeric provisions have been met and compliance is therefore achieved.
- **The proposal will offer a high standard of amenity** – The proposed development is capable of providing future residents and guests with a high standard of internal and external amenity. The proposed envelopes are capable of achieving the design quality outcomes sought from SEPP 65 and the Apartment Design Guide (ADG).
- **The proposal has limited potential impacts** – The proposed modification will result in minimal overshadowing and view loss impacts. The modifications will maintain the integrity of the public domain, cross ventilation, acoustic amenity and solar accessibility originally approved for the site.
- **The proposal is in the public interest** – The proposal will make a positive contribution to Circular Quay and the Sydney CBD, by providing an appropriate mix of land uses, including high-end residential and a world class hotel, that are commensurate with Sydney’s global status, and notably the prestigious character at Circular Quay.
- **The proposal is substantially the same development** – The consideration of the “substantially the same development” test should not only include the physical characteristics of the approved and modified schemes, but also the nature and magnitude of the impacts of the developments. In these respects, the modified scheme is substantially the same as that originally approved.

RECOMMENDATION

In summary the proposed scheme, as modified, is considered to be substantially the same development as was approved under the original consent (D/2015/1049).

As demonstrated within this report and the attached documentation, the modified scheme is considered to be satisfactory under Section 79C of the EP&A Act, and as such it is recommended that approval be granted to the proposed modifications.

1 Introduction

This Report has been prepared by Urbis on behalf of Wanda One Sydney Pty Ltd (the applicant) to accompany an application under Section 96(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify D/2015/1049, also known as SSD 7101. The modification application applies to 1 Alfred Street, 19-31 Pitt Street, and 31A Pitt Street, Sydney (the site), legally described as Lot 1 in DP 220830, Lot 1 in DP 2178777, Lot 1 in DP537286 and Lot 180 in DP606866.

As the delegated consent authority, the Central Sydney Planning Committee (CSPC) granted deferred commencement development consent on 10 December 2015 for:

“State Significant Development – Stage 1 application for building envelopes and proposes uses for two mixed use buildings (Tower A and Tower B) above six levels of basement car park”.

For the purpose of referencing the different towers proposed across this site and previously approved, the approved development to date comprises:

- Tower A – mixed use building, including residential apartments and retail space with a maximum allowable height of RL191 on the western side of the site; and
- Tower B – world class hotel, with ground floor active uses and underground basement for both tower A and B, with a maximum allowable height of RL112.5 on the eastern side of the site.

This proposal is for a modification to the State Significant Development (SSD) development consent reflecting the rationalisation of gross floor area (GFA) across the overall site. The modification seeks consent for the increase in maximum height of the Tower A building envelope from 185m / RL191 to 194m / RL200, resulting in two additional storeys within Tower A and minor internal changes to the indicative floor plans.

This report includes the following components:

- A description of the site and its surrounds;
- Overview of the background of the approved development;
- A detailed description of the proposal;
- An assessment of the proposal under Section 96(2) of the EP&A Act;
- An assessment of the proposal against the provisions of Section 79C of the EP&A Act; and
- A discussion of the key planning considerations and implications of the proposal.

This report is accompanied by amended drawings and a number of specialist consultant reports which appear within the attached **Volume of Plans** or as **Appendices A-I** and have been referred to throughout this report.

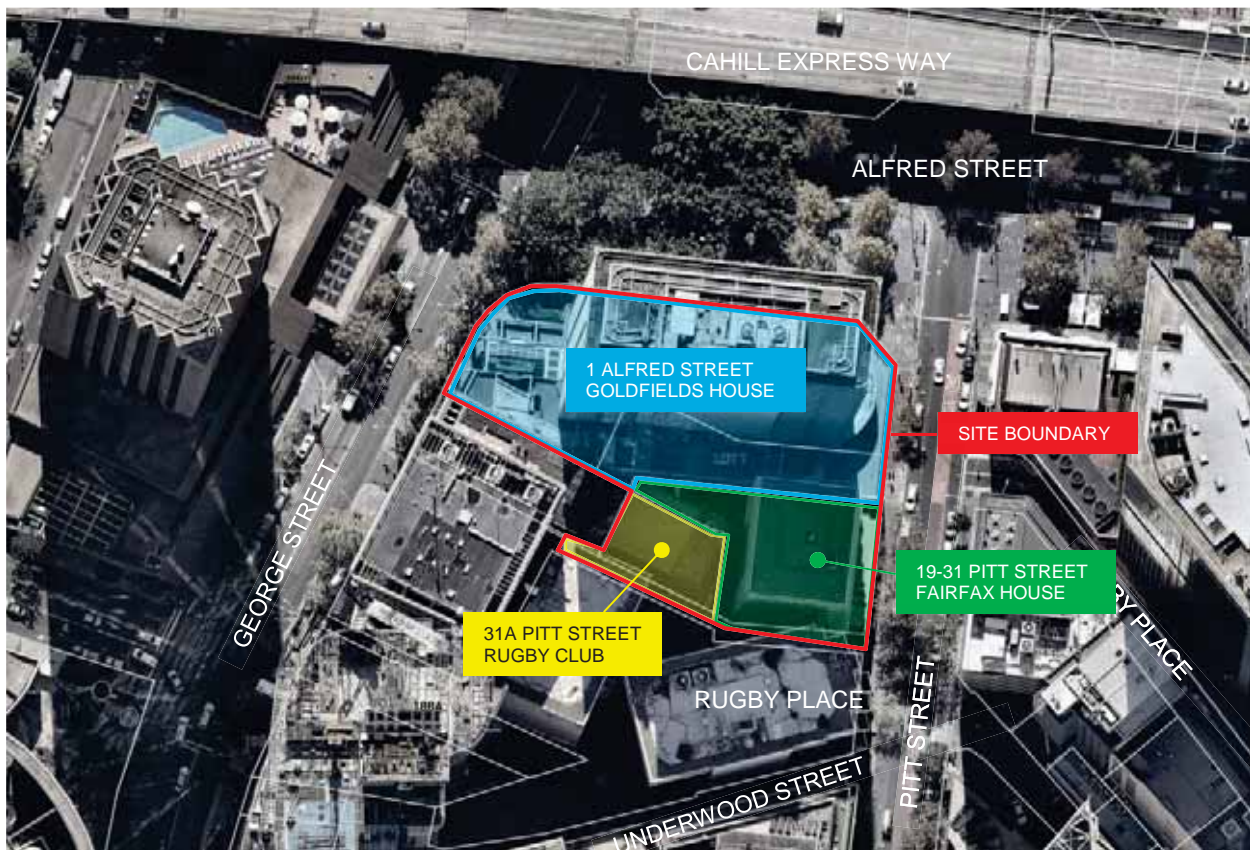
2 Site and Surrounding Context

2.1 THE SITE

The subject site comprises the following properties (by street address) as illustrated in **Figure 1**:

- 1 Alfred Street (known as Goldfields House) legally described as Lot 1 in DP 220830 and Lot 1 in DP 2178777;
- 19-31 Pitt Street (known as Fairfax House) legally described as Lot 1 in DP537286; and
- 31A Pitt Street (known as The Rugby Club) legally described as Lot 180 in DP606866.

FIGURE 1 – THE SITE (SOURCE: NEARMAP 2015)



The site has the following characteristics:

- The site is irregular in shape and occupies an area of 4,040sqm;
- The site has an approximate 58.825m frontage to Alfred Street (arc), approximate 49.18m frontage to Pitt Street, approximate 14.475m frontage to George Street and 25.83m frontage to Rugby Place;
- The site has a slight fall (approximately 3.78m) from west to east; and
- The site is subject to a number of easements for:
 - Right of Way;
 - Right of Way and Easement for Light and Air;
 - Right of Use of Stairway;

- Right of Carriageway;
- Easement for Services; and
- Easement for Water Pipes.

All essential infrastructure services for electricity supply, communication services, water services and gas supply are provided to the site and are capable of extension/augmentation as required. Photographs of the site are included at **Figure 2**.

FIGURE 2 – PHOTOGRAPHS OF THE SITE



PICTURE 1 – SITE VIEWED FROM THE NORTH



PICTURE 2 – SITE VIEWED FROM THE WEST



PICTURE 3 – 19-31 PITT STREET (FAIRFAX HOUSE)



PICTURE 4 – 31A PITT STREET (RUGBY CLUB)

2.2 SURROUNDING DEVELOPMENT

The surrounding land uses in the vicinity of the site comprise a mix of commercial, retail hotel and motel accommodation uses as described below.

To the North:

- The site is bound by Herald Square and Alfred Street to the north. Herald Square includes the Tank Stream Foundation, a local heritage item. Herald Square incorporates areas for outdoor dining and includes public seating. Further north of Alfred Street is the City Circle Railway line, the Cahill Express Way and Circular Quay.

To the South:

- To the immediate south of the site is Rugby Place. Rugby Place acts as an access way for the loading dock provided to the rear of 1 Alfred Street and provides access to Jacksons on George.
- South of Rugby Place is 33-35 Pitt Street, known as The Atrium and 182 George Street, also known as the St George building. The atrium is a 12 storey commercial office building. The St George building is a 16 storey commercial office building with St George Bank branch and other retail tenancies at ground floor level. A Planning Proposal and DECP Amendment, submitted by Lend Lease is currently being considered by the Department of Planning and Environment and the City of Sydney for the redevelopment of this site.
- Immediately to the south west is Jacksons on George, a four storey hotel with a rooftop outdoor area. Further to the south west is 200 George Street, a Mirvac redevelopment that is currently under construction. At completion of the development, this building will measure 150m in height (37 storeys) and will have retail areas facing onto both George Street and Underwood Street. The building will also facilitate a basement car park.

To the West:

- The site is bound by George Street to the west, which acts as a main pedestrian (and soon to include part of the Sydney CBD and South East Light Rail project) thoroughfare connecting Circular Quay to the Central CBD. Further to the west is the Four Seasons Hotel and Quay West. Grosvenor Place is also located further east and is a 46 storey commercial office building.

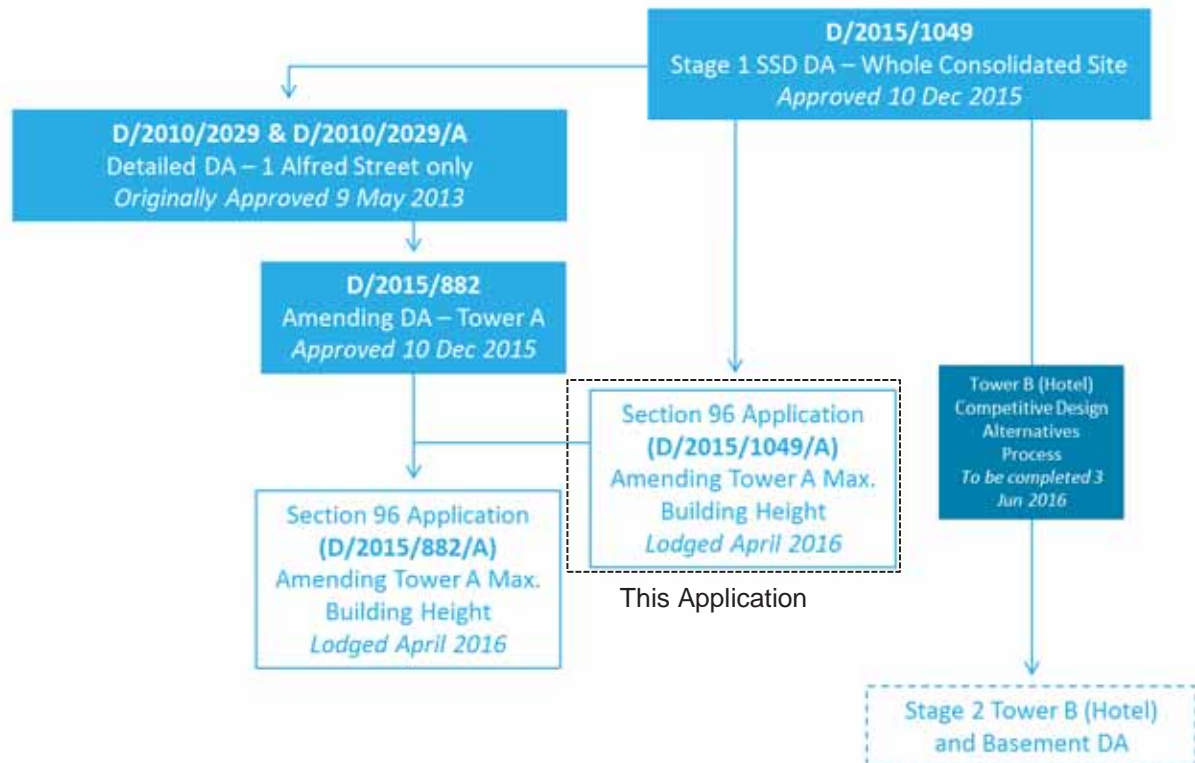
To the East:

- Immediately east the site is bound by Pitt Street, which acts as a primary arterial road having north-south orientation. The heritage listed Tank Stream runs underground, parallel and adjacent to, the eastern boundary of the site. The location of the Tank Stream varies between 110mm and 175mm from the site boundary and is located approximately 1m from the existing basement level wall.
- Further to the east of the site across Pitt Street is the heritage listed Shipp Inn building which is physically connected to the high rise 'Gateway' building, which is a 50 storey commercial office tower with a retail centre at lower levels. Alfred Street also includes Customs House and the exiting AMP Tower at 33 Alfred Street.

3 Background and Approved Development

The current application amends an existing development consent that was the outcome of various previous planning approval processes. Figure 3 illustrates diagrammatically the relevant development consents associated with this modification.

FIGURE 3 – DIAGRAMMATIC SUMMARY OF RELEVANT DEVELOPMENT CONSENTS



3.1 STATE SIGNIFICANT DEVELOPMENT AND CONSENT AUTHORITY

As the proposed hotel (i.e. tourist related purpose) component of the Stage 1 State Significant Development (SSD) Development Application (DA) exceeds \$100 million capital investment value (CIV), the development is defined as SSD under clause 13.2 of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SEPP SRD). As such, the Minister is the consent authority for development application(s) for the project pursuant to Section 89D(1) of the EP&A Act.

The Stage 1 SSD DA and subsequent detailed applications under Part 4 of the EP&A Act involves complex interrelations between existing CSPC development consents, the existing Voluntary Planning Agreement (VPA) with the City of Sydney Council and a long history of development consents granted by the CSPC. A request was therefore made to the Minister of Planning and the Secretary of the Department of Planning and Environment on 5 June 2015 pursuant to Section 23 of the EP&A Act to provide for the delegation of:

- The consent authority function for the Stage 1 SSD DA to the CSPC;
- The development application assessment functions for the Stage 1 SSD DA to the City of Sydney; and
- Request the Minister to determine under Section 89D(2) of the EP&A Act that all development applications for subsequent stages of the development (including Section 96 Applications) are to be determined by the CSPC.

An Instrument of Section 23 Delegation was subsequently issued by the Minister for Planning and Secretary of the Department of Planning and Environment and is included at **Appendix A** for reference. As such, the City of Sydney will conduct the assessment of this application with the CSPC being the relevant consent authority for this Section 96 Application.

3.2 STAGE 1 STATE SIGNIFICANT DEVELOPMENT D/2015/1049

This Section 96 application relates to the Stage 1 SSD DA that applies to the site, referred to as D/2015/1049 by the City of Sydney or SSD 15_7101 by the Department of Planning and the Environment. This Stage 1 SSD DA was submitted to the City of Sydney in July 2015 and sought a new building envelope for Tower B, a new basement envelope across the site, and a revised building envelope for Tower A based on the previously approved development at 1 Alfred Street, Sydney (D/2010/2029).

Specifically the revised building envelope for Tower A included the following amendments to the approved envelope:

- Filling voids within existing envelope;
- Extend floor plate 0.5 metres south;
- Extend floor plate 2.0 metres north;
- Extend floor plate 0.9 metres east;
- Reduce floor to ceiling heights to 2.7 metres; and
- Convert approve floor space to open balconies.

In response to the submissions received to D/2015/1049 and the City of Sydney Request for Information dated 3 November 2015 (City of Sydney Ref 2015/542248) the applicant amended the proposed development, notably to:

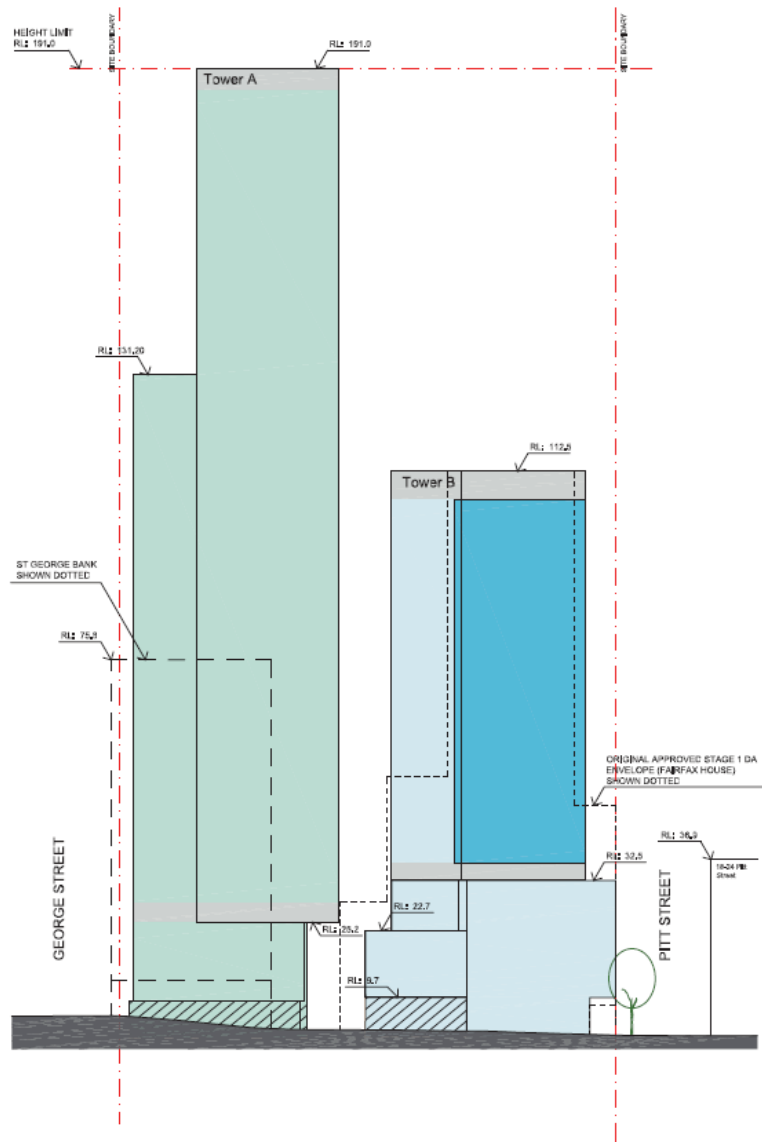
- Reduce the Tower B tower (Levels 5-24) footprint by 13.7%;
- Remove the proposed 0.9 metre extension to the east of Tower A;
- Increase the height of the Pitt Street podium from 18.5m to 30m;
- Increase the ground separation at podium level from 11m to 12m to open up the through-site link between Tower A and Tower B; and
- Make minor amendments to the proposed basement envelope.

As a result of the proposed modifications to the development the CSPC granted deferred commencement consent to this Stage 1 SSD DA (D/2015/1049) on 10 December 2015 for:

“Stage 1 application for building envelopes and proposes uses for two mixed use buildings (Tower A and B) above six levels of basement car parking”

The approved building envelopes for the two towers across the site (Tower A – Residential tower and Tower B – Hotel tower) is illustrated in **Figure 4** and the instrument of determination and approved plans are included at **Appendix B**. It should be noted that as a result of the requested amendments to the Tower B and Tower A floor plates, the approved building envelopes did not achieve the full gross floor area available to the site.

FIGURE 4 – APPROVED STAGE 1 SSDA MASSING ENVELOPES FROM SOUTH ELEVATION



In accordance with Condition1, Schedule 1A, Part B of D/2015/1049, a subsequent DA is required prior to the commencement of any work on the site. As such, a separate DA has been approved for the detailed design of Tower A (D/2015/882) and a future DA will be lodged with the City of Sydney for the detailed design of Tower B and the basement component of the development (refer to Section 3.2.1).

3.2.1 TOWER B COMPETITIVE DESIGN ALTERNATIVES PROCESS D/2015/1049

A competitive design alternatives process is currently being conducted for Tower B in accordance with the Stage 1 SSD consent (D/2015/1049). The purpose of this competitive design process is to select a high quality architectural, urban design and landscape design solution for the development of Tower B. Competitors are required to prepare three components to enable redevelopment of the site, including:

- Detailed design of Tower B for a world class hotel and ground floor active uses;
- Design for the public domain surrounding Tower B, integrating with the previous approved public domain (D/2010/2029 and D/2015/882) surrounding Tower A at 1 Alfred Street; and
- Design for an integrated basement servicing both Tower A and Tower B across the whole site within the envelope approved in the Stage 1 SSD DA (D/2015/1049).

All competitors are expected to submit their design proposals by late May 2016, with the Selection Panel reviewing and awarding a preferred scheme in June 2016.

3.3 TOWER A DETAILED DA D/2010/2029 & D/2015/882

Five highly regarded architectural practices participated in a competitive design process for the 1 Alfred Street site in 2009. Kerry Hill Architects (KHA) was named the winning scheme by the design jury in November 2009. Following this competitive design process, a detailed DA (D/2010/2029) was lodged with the City of Sydney based on the winning scheme.

The CSPC granted consent for D/2010/2029 on 10 May 2012 for:

“Integrated Development Application for demolition of the existing building, excavation of 8 basement levels & construction of 2 new mixed-use buildings of 15 and 55 storeys, to accommodate 197 apartments, 924m² of retail/commercial floor space, 279 car parking spaces and public domain improvement works”.

In June 2015 the applicant submitted an Amending DA to marginally expand Tower A and excise Tower B and the basement car park from the Stage 2 development previously approved for the site (D/2010/2029). On 10 December 2015 the CSPC granted deferred development consent to D/2015/882 for:

“Stage 2 development application for the construction of a new mixed use building (Tower A) of 57 storeys, including residential apartments, retail space and landscaping improvements”.

A Section 96 (2) Modification to the Amending DA (D/2015/882) has been lodged with the City of Sydney concurrently with this report. This concurrent modification to D/2015/882 seeks consent for the following modifications:

- An additional two storeys to Tower A, increasing the building height from 185m / RL191 to 194m / RL200; and
- Refinement of the floor plans for Tower A (including amended apartment mix resulting in an additional six apartments, adjustment to lift configurations, and inclusion of residential amenities such as a pool).

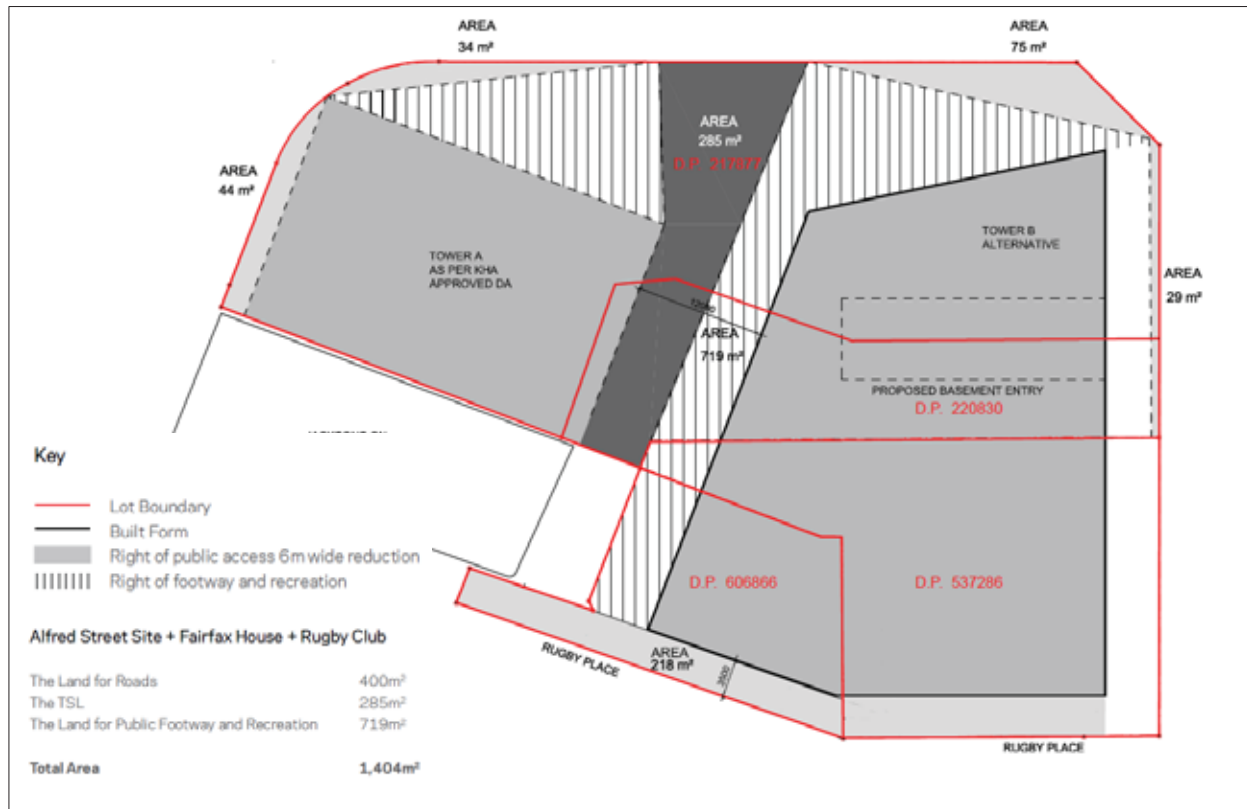
3.4 VOLUNTARY PLANNING AGREEMENT (VPA)

In association with D/2010/2029 the former land owner of 1 Alfred Street, Sydney, Valad Commercial Management Limited, entered into a Voluntary Planning Agreement (VPA) with the City of Sydney Council. This VPA was proposed to be amended as part of D/2015/1049 to include additional contributions to the City of Sydney Council.

The proposed amendments to this VPA were documented in a Public Benefit Offer to the Council dated 23 November 2015 and as documented within Condition 1, Part A of D/2015/1049. This Public Benefit Offer in part comprises a series of land dedications and restrictions on title (see **Figure 5**) to facilitate the provision of the following public benefits:

- a) *To provide for recreation areas – To create an extension of Herald Square by encompassing the forecourt of the new building (beneath the canopy) as publicly accessible recreation area and an easement to this effect to be noted on title in accordance with the Figure 2.63 of the APDG DCP;*
- b) *To provide for lanes – To contribute to the public domain by providing a north-south through-site link connecting Herald Square to the future laneway network and publicly accessible square within the APDG block. This through site link is to be noted on title as an easement for right of public access and associated positive covenant to allow pedestrian access 24 hours per day, 7 days a week in accordance with the Figure 2.63 of the APDG DCP. Business and retail premises are to be provided at ground level along the frontage of this through-site link; and*
- c) *To provide for streets - the dedication of land to Council that are located outside the blade walls of the proposed building's canopy to allow for an extension of the existing road reserve of George Street, Pitt Street, Alfred Street, and Rugby Place.*

FIGURE 5 – LAND SUBJECT TO PUBLIC DOMAIN DEDICATIONS AND RESTRICTIONS, AS AMENDED BY D/2015/1049
PUBLIC BENEFIT OFFER (SOURCE: CRONE)



3.5 PRE-LODGE MENT CONSULTATION

3.5.1 CITY OF SYDNEY

The applicant and their design team met with the City of Sydney on 31 March 2016 to inform them of the proposed modifications to both applications. The applicant discussed the intention to lodge concurrent modifications to ensure approval is in accordance with existing controls over the site. Council considered the proposed modifications and approval strategy an appropriate approach to ensure all approvals acknowledged the evolution of the design.

3.5.2 DEPARTMENT OF PLANNING AND ENVIRONMENT

On 30 June 2015 the Secretary issued Secretary's Environmental Assessment Requirements (SEARs) for the original SSD DA pursuant to Section 89G of the EP&A Act. On 7 April 2016, the Department of Planning and Environment confirmed that revised SEARs were not required for the purpose of this Section 96 modification.

4 Proposed Modification

The proposed modification seeks an increase in the maximum building height of Tower A by 9 metres. The applicant does not seek to amend the Tower B envelope, the basement envelope, the proposed land uses, the urban design principles, the access, the public domain, the public art strategy, the development staging or the voluntary planning agreement.

To support the proposed addition to the Tower A building envelope, this application is supported by the following modifications to the indicative concept plan:

- Additional two storeys within the development;
- Minor increase in floor to floor heights at Levels 2 and 48-59 by approximately 300mm of extra ceiling height per storey;
- Indicative floor plate layout; and
- Revised distribution of gross floor area across the site.

A summary of the key numeric descriptors of the approved and proposed modified development is provided at Table 1 below.

TABLE 1 – NUMERIC OVERVIEW OF THE APPROVED AND PROPOSED DEVELOPMENT

	APPROVED		PROPOSED		CHANGE	
	TOWER A	TOWER B ¹	TOWER A	TOWER B	TOWER A	TOWER B
Gross Floor Area (GFA)						
▪ GFA Residential	34,556sqm	– N/A	36,467sqm	– N/A	+1,911sqm	– N/A
▪ GFA Retail/ commercial	882sqm	475sqm	473sqm	475sqm	-409sqm	No change
▪ GFA Hotel	– N/A	20,934sqm	– N/A	20,494sqm	– N/A	-440sqm
▪ GFA Total	35,438sqm ²	21,409sqm	36,940sqm	20,969sqm	+1,502sqm	-440sqm
	56,847sqm		57,909sqm		+1,062sqm	
Floor Space Ratio (incl. design excellence)	– 14.07:1		– 14.33:1		– +0.26:1	
Building Height	185 metres RL 191	110 metres RL 112.5	194 metres RL 200	110 metres RL 112.5	+9 metres	No change
Number of Storeys (including plant level)	– 59	– 27	– 61	– 27	– +2	No change
Number of Apartments/ Indicative Hotel Keys	– 184	– 179	– 190	– 179	– +6	No change

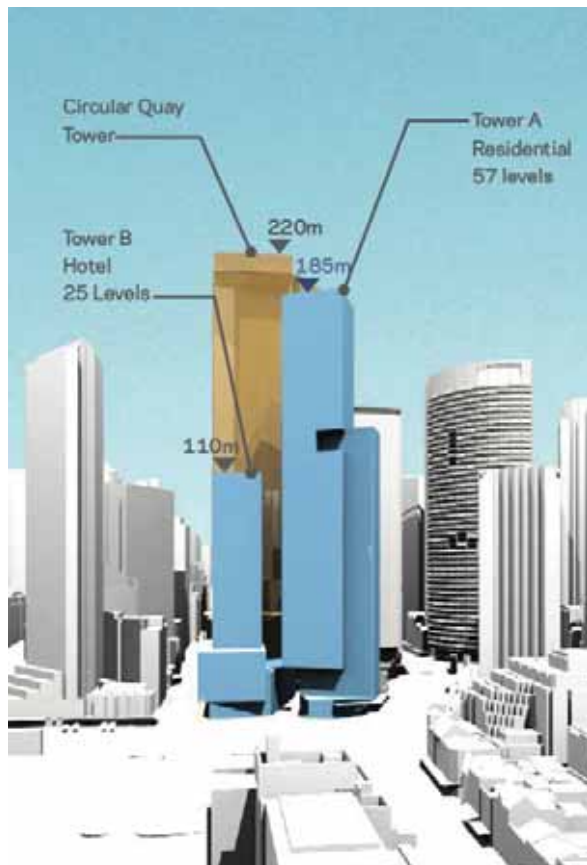
¹ We note that the precise quantum of floor space including potential design excellence floor space and layout, mix and number of hotel rooms within Tower B has not approved in the Stage 1 Development Consent. These figures are provided on the basis of the indicative scheme prepared by Crone in support of D/2015/1049.

² This excludes additional GFA resulting from Council conditioned wintergardens in Tower A.

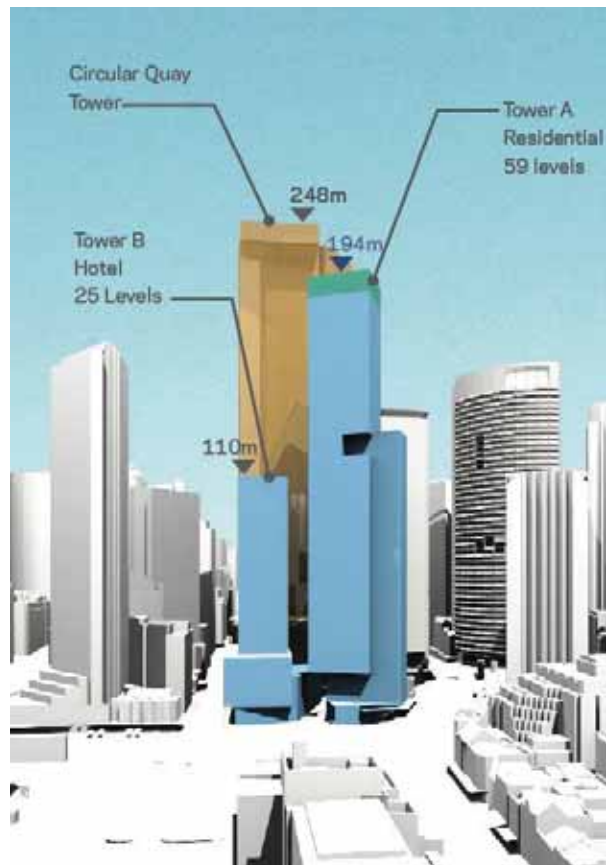
4.1 BUILDING ENVELOPE HEIGHT

The applicant seeks to amend the building height of Tower A, from 185m / RL191 to 194m / RL200 as illustrated in **Figure 5**. The proposed height increase is a result of the rationalisation of gross floor area across the site (refer to Section 4.1.2). The proposed amendment is consistent with the key design principles that have informed the development to date.

FIGURE 6 – AMENDED DEVELOPMENT CONCEPT (SOURCE: CRONE)



PICTURE 5 – APPROVED BUILDING ENVELOPES



PICTURE 6 – PROPOSED BUILDING ENVELOPES

This Section 96 modification seeks consent for the amended building envelope drawings provided within the **Volume of Plans** attached to this application (ref: CA3054 Rev B/C dated 22/06/2015). These drawings define the new height parameters for the building envelopes across the site.

4.2 DISTRIBUTION OF FLOOR SPACE

As a result of the modifications made to the scheme throughout the assessment of D/2015/1049, the total GFA available to the site under the Sydney Local Environmental Plan 2012 cannot be accommodated within the approved building envelopes across the site. As such, this Section 96(2) application proposes to increase the building envelope of Tower A to accommodate this floor space.

The **Volume of Plans** that accompanies this application outlines the maximum GFA that the revised building envelopes can achieve, illustrating that the proposed building envelopes are commensurate with the maximum Floor Space Ratio (FSR) across the site, based on the revised proportion of hotel, residential, and retail floor space.

4.3 INDICATIVE FLOOR PLATE LAYOUT

To provide consistency with the concurrent Section 96 Application to D/2015/882 and to provide justification for the increase in the maximum building height of Tower A, this application is accompanied by revised indicative floor plans and sections for the development. The revised indicative floor plans and sections are provided within the **Volume of Plans** that accompanies this application.

4.4 AMENDMENTS TO THE DETERMINATION AND CONDITIONS OF CONSENT

The following conditions of consent will be required to be amended by the modification:

TABLE 2 – CONDITIONS OF CONSENT

CONDITION	REASON FOR AMENDMENT
Part B – Conditions of Consent	
Schedule 1A	
2. Approved Development	It is proposed to amend the approved plans in accordance with the proposed Architectural Plans at Volume of Plans and as outlined in Section 4.4.
6. Building Height	<p>This condition is proposed to be amended as follows:</p> <p><i>(a) The maximum height of future buildings, including all plant and services must not exceed the following:</i></p> <p><i>(i) Tower A – RL194 200 (AHD);</i></p> <p><i>(ii) Tower B – RL112.5 (AHD).</i></p>
7. Floor Space Ratio – Central Sydney	<p>This condition is proposed to be amended as follows:</p> <p><i>The following applies to floor space ratio:</i></p> <p><i>(a) The floor space ratio for the proposal must not exceed the maximum 13.05 13.031:1 calculated in accordance with Clauses 4.4, 4.5 and 6.4 of Sydney Local Environmental Plan 2012 (as amended).</i></p> <p><i>(b) Notwithstanding clause (a) above, the maximum floor space ratio may be increased in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012 (as amended) only if the consent authority is satisfied that the resulting Stage 2 development(s) exhibit design excellence and are the result of a competitive design process which satisfies the requirements of any relevant local environmental plan and/or development control plan.</i></p> <p><i>(c) Precise details of the distribution of floor space shall be provided with the relevant future Stage 2 development applications.</i></p> <p><i>(d) Any floor space ratio in excess of 8:1 shall be subject to a requirement to purchase heritage floor space (HFS) in accordance with the requirements of Clause 6.11 of the Sydney Local Environmental Plan 2012.</i></p>
37. Sydney Airport Conditions	<p>This condition is proposed to be amended as follows:</p> <p><i>(a) The building (Tower A) must not exceed a maximum height of 194 200 metres AHD, inclusive of all lift over-runs, vents, chimneys, aerials, antennas, lighting rods, any roof top garden planting, exhaust flues etc.</i></p> <p><i>(...)</i></p>

4.5 DRAWING REFERENCES OF THE PROPOSED CHANGES

To assist in explaining the changes to the development, a comparison table of the relevant drawings is provided below.

TABLE 3 – DRAWING REFERENCE OF THE PROPOSED CHANGES

DRAWING NUMBER	ARCHITECT	DATE
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DRAWING NUMBER	ARCHITECT	DATE
DA01/E Massing Envelope Context Plan	Crone	24.11.15
DA02/E Massing Envelope Basement 3-6	Crone	24.11.15
DA03/E Massing Envelope Basement 1-2	Crone	24.11.15
DA04/F Massing Envelope Ground	Crone	24.11.15
DA04A/D Massing Envelope Lower Ground	Crone	24.11.15
DA05/F Massing Envelope Level 1	Crone	24.11.15
DA06/F Massing Envelope Level 2	Crone	24.11.15
DA07/F Massing Envelope Level 3	Crone	24.11.15
DA08/F Massing Envelope Level 4	Crone	24.11.15
DA09/G S9609/A Massing Envelope Level 5-28 5-26	Crone	27.11.15 08.04.16
DA10/F S9610/A Massing Envelope Level 27/38 27-38	Crone	27.11.15 08.04.16
DA11/G S9611/A Massing Envelope Level 39-57 39-59	Crone	27.11.15 08.04.16
DA12/E S9612/A Massing Envelope East Elevation	Crone	27.11.15 08.04.16
DA13/E S9613/A Massing Envelope North Elevation	Crone	27.11.15 08.04.16
DA14/D S9614/A Massing Envelope West Elevation	Crone	27.11.15 08.04.16
DA15/E S9615/A Massing Envelope South Elevation	Crone	27.11.15 08.04.16

5 Section 96(2) Assessment

This application is made pursuant to Section 96(2) of the EP&A Act, which relevant states:

“A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

*(a) it is satisfied that the development to which the consent as modified relates is **substantially the same development** as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*

*(b) it has **consulted with the relevant Minister, public authority or approval body** (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*

*(c) it has **notified the application** in accordance with:*

(i) the regulations, if the regulations so require, or

(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and

*(d) it has **considered any submissions** made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be”.*

5.1 SUBSTANTIALLY THE SAME DEVELOPMENT

The NSW Land and Environment Court has established several precedents as to what may be considered as being “substantially the same development”, and what should be factored into the consideration of this threshold test.

The consideration of this test should not only include the physical characteristics of the approved and modified schemes, but also the nature and magnitude of the impacts of the developments. In these respects, the modified scheme should be “essentially or materially” the same as that originally approved.

The proposed amendments increase the development height by 2 storeys (max. 9 metres) across a 61 storey development. The modification therefore represents a less than 5% increase in building envelope height compared to that approved. This increase in height will not be perceptible from the public domain and the overall scale of the development is consistent with that originally approved. Further, the modifications do not propose to amend the approved land uses across the site.

The proposed modified development is consistent with the approved development of “*Stage 2 development application for the construction of a new mixed use building (Tower A) of 57 storeys, including residential apartments, retail space and landscaping improvements*”. The development can therefore be approved as a Modification under Section 96(2) being “substantially the same development”.

5.2 CONCURRENT APPROVALS

The Stage 1 SSD DA was not classified as Integrated Development pursuant to Section 89J of the EP&A Act. Despite this exemption from the integrated development approvals, in addition to the EP&A Act, the following acts were relevant to the approval and warranted concurrence:

- *Airports Act 1996 (Commonwealth);*

- Referral to Sydney Airport Corporation Limited (SACL)
- *Heritage Act 1977*; and
 - Referral to NSW Heritage Council
- *Water Management Act 2000*.
 - Referral to Sydney Water Corporation

An assessment of the proposed modifications and the consistency with each of these Acts is outlined in the following sections. In addition to these Acts, the Stage 1 SSD DA was referred to the following public authorities external to the City of Sydney throughout the assessment of the application:

- NSW EPA
- Ausgrid
- NSW Office of Environment and Heritage
- NSW Department of Primary Industries
- Transport for NSW
- Sydney Trains
- Sydney Water Corporation
- Sydney Airports
- Sydney Harbour Foreshore Authority
- NSW Department of Planning and Environment

5.2.1 AIRPORTS ACT 1996 (COMMONWEALTH)

The construction of the proposed development would result in a penetration of Sydney Airport's Limitation or Operations Surface. Further, the maximum height of cranes on the site will be RL266. Under Section 183 of the *Airports Act 1996*, approval is required from the Secretary of the Federal Department of Infrastructure and Regional Development for any such 'controlled activity'. The application is therefore to be referred to Sydney Airport, and the application would then be assessed by Airservices Australia and the Civil Aviation Safety Authority prior to determination.

Information provided in this application satisfies the requirements of the *Airports (Protection of Airspace) Regulations 1996*, including identifying the location and height of the proposed development, and details on the height of the construction and installation cranes which would be required during construction.

As such an application to the Civil Aviation Safety Authority will be required to be submitted for the application. A copy of this application is included at **Appendix D**.

5.2.2 HERITAGE ACT 1977 (NSW)

The SSD DA does not constitute Integrated Development pursuant to Section 89J of the EP&A Act 1979 however approval under the *Heritage Act 1977* would otherwise be required for a development application lodged on the site pursuant to Section 91A(2) of the EP&A Act 1979.

As part of D/2015/882 the Heritage Council confirmed their earlier General Terms of Approval for the development of Tower A and added conditions. As the proposed amendments impact the maximum height of Tower A only, and does not impact any land or development in proximity to the Tank Stream compared to the original application, we do not anticipate any changes to the General Terms of Approval issued by the NSW Heritage Council as part of D/2010/2029 and as amended within D/2015/882.

5.2.3 WATER MANAGEMENT ACT 2000 (NSW)

This SSD Development Application does not constitute Integrated Development pursuant to Section 89J of the EP&A Act 1979. Consultation with the NSW Office of Water was nonetheless undertaken during the preparation of D/2015/1049, as approval under the *Water Management Act 2000* would otherwise be required for the development application lodged on the site pursuant to Section 91A(2) of the EP&A Act 1979.

As the proposed amendments impact the maximum height of Tower A only, and do not alter any subsurface works, we do not anticipate any changes to the Sydney Water Conditions issued as part of D/2015/1049.

5.3 NOTIFICATION AND SUBMISSIONS

We acknowledge that notification of the proposed amendment is required. The City of Sydney will need to undertake this in accordance with Schedule 1 of the Sydney Development Control Plan 2012. Once notified, any submissions received in respect of the notification will need to be considered in the assessment of the proposal by the City of Sydney.

6 Strategic Planning Context

The following strategies are relevant to the proposal:

- NSW 2021 – A Plan to Make NSW Number One;
- A Plan for Growing Sydney 2031;
- Draft Sydney City Sub-Regional Strategy;
- NSW Long Term Master Transport Plan;
- Sydney's Cycling Future;
- Sydney's Walking Future;
- Sydney 2030 Strategy;
- Sydney City Centre Access Strategy (SCCAS); and
- Draft Visitor Accommodation Action Plan 2014.

The proposal does not impact the approved development's consistency with any of the above strategic planning documents.

7 Section 79C Assessment

This original application was lodged in accordance with Section 83B of the EP&A Act, which provides for staged development applications. Development consent set out a concept proposal for the development of the site, with detailed proposals for separate parts of the site to be the subject of subsequent development applications.

The proposed modification maintains the approved development's consistency with the Objects of the EP&A Act.

7.1 ENVIRONMENTAL PLANNING INSTRUMENTS

This Section further provides an assessment of the application in accordance with Section 79C(1)(a) of the EP&A Act and the SEARs. The following instruments, draft instruments, planning agreements, regulations, and plans that apply to the site are addressed within this Section:

- *Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000);*
- *State Environmental Planning Policy (State and Regional Development) 2011;*
- *State Environmental Planning Policy 55 – Remediation of Land (SEPP 55);*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development (including updated Apartment Design Guideline);*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX);*
- *Sydney Regional Environmental Plan – Sydney Harbour Catchment (2005); and*
- *Sydney Local Environmental Plan 2012 (SLEP).*

7.1.1 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

An assessment of the proposed concept plan against the relevant SEPPs is provided in Table 4.

TABLE 4 – CONSISTENCY WITH RELEVANT SEPPS

SEPP	COMMENT
State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRD)	<p>Clause 8(1) of SEPP SRD provides that the development specified in Schedule 1 of the SEPP SRD is SSD. Clause 13(2) of Schedule 1 provides for the following:</p> <p>13 Cultural, recreation and tourist facilities</p> <p><i>(2) Development for other tourist related purposes (but not including any commercial premises, residential accommodation and serviced apartments whether separate or ancillary to the tourist related component) that:</i></p> <p><i>(a) has a capital investment value of more than \$100 million, or</i></p> <p>The proposed modification does not seek to alter than approved development's ability to meet the criteria listed in Clause 13(2) of Schedule 1 as it includes:</p> <ul style="list-style-type: none"> ▪ Development for tourist related purposes; and ▪ The development for that purpose will have a Capital Investment Value (CIV) of more than \$100 million. <p>Under Section 89D of the EP&A Act, the Minister for Planning is the consent</p>

SEPP	COMMENT
	authority for SSD. Delegation was issued by the Minister on 9 July 2015 for the original development application and any modifications to be delegated to the City of Sydney and is included at Appendix A . As such, this modification remains a SSD, but will be assessed by the City of Sydney and determined by the CSPC.
State Environmental Planning Policy No.55 Remediation of Land (SEPP 55)	<p>SEPP 55 requires the consent authority to take into consideration contamination and remediation of land in determining development applications.</p> <p>The proposed modifications are all above ground, they will not impact on the ability to ensure the site is suitable for the approved uses.</p>
State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)	<p>The aim of ISEPP is to facilitate the effective delivery of infrastructure across NSW by identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure such as classified roads and prescribing consultation requirements for certain development.</p> <p>Clause 88 of ISEPP applies to development in the area marked as “Zone B” and involves the penetration of the ground to a depth greater than 2m below ground level (existing). As shown in the following figure, a portion of the site is impacted by the CBD Rail Link (Zone B – Tunnel) and as such any application involving a basement on the site will require referral to the rail authority for the interim rail corridor. The proposed modifications do not alter the approved basement envelope for the proposed development.</p>
State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65)	<p>SEPP 65 applies to development for the purposes of a new mixed use development with a residential accommodation component.</p> <p>The proposed building envelopes and preliminary indicative layouts of the residential floors of Tower A are generally consistent with the provisions of SEPP 65 and the Apartment Design Guide. This is addressed separately in Section 8.4 and will be addressed in further detail at the Stage 2 Development Application phase.</p>
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	A BASIX Certificate will be required to be completed for the Stage 2 Development Application for Tower B.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP SHC)	<p>SREP SHC provides planning principles for development within the Sydney Harbour catchment.</p> <p>The proposed modifications are consistent with the relevant Planning Principles of the Sydney Harbour Catchment SEPP and will not have any significant impact on the visual catchment and visual qualities of Sydney Harbour.</p> <p>The site is located in proximity to the State heritage listed Ferry Wharves located at Alfred Street, Circular Quay. This application must therefore consider the impact of the proposed development on the heritage significance of these wharves. The proposed modifications are limited to a minimal height increase to the Tower A building envelope and internal layout changes, as such, the modifications will not adversely impact heritage items in vicinity of the site.</p>

7.1.2 SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

Sydney Local Environmental Plan 2012 (SLEP 2012) is the primary planning instrument applying to the site and the Sydney Local Government Area. The key provisions relating to this modification are outlined within this Section.

Zoning and Permissibility

The site is zoned B8 Metropolitan Centre under SLEP 2012. The proposed development modifications are consistent with the approved development and the B8 Metropolitan Centre zone. The objectives are achieved as follows:

- The proposed modifications do not alter the project's contribution to the role of retail and tourist premises in the Sydney CBD, and its contribution to Australia's participation in the global economy.
- The proposed modification does not alter the mix of approved land uses, including high-end residential and a world class hotel which are commensurate with Sydney's global status, and its' contribution to the prestigious character at Circular Quay.
- The modifications retain and enhance the partial use of the site for residential living which will contribute to the distinct diversity, density and character of the local residential community, while the lower level commercial uses and proposed hotel will interface with the active character of the locality.
- The site is highly accessible to public transport, and pedestrianized areas. The proposed modification does not seek to alter the approved developments support of alternative transport to private motor vehicles.
- The proposed modification does not seek to alter the high level of activation along the development's frontages to the existing streets and the proposed through-site link.

Clause 4.3 Height of Buildings and Clause 6.25 APDG Controls

The proposed modifications seek to increase the building height of Tower A by an additional 9 metres to a maximum building height of RL200 (AHD).

While SLEP 2012 applies an underlying maximum building height standard of 110 metres to the site, the alternative 'APDG' provisions for the precinct under Clause 6.25 provide for a height of up to 185 metres on up to 24% of the area of Block 3 (1 Alfred Street), within which the site is located. Specifically, Clause 6.25 provides that development consent may be granted to the erection of a building of up to 185 metres on up to 24% of the area of Block 3 if the development will:

- (a) *include recreation areas and lanes and roads through the site, and*
- (b) *include business premises and retail premises that have frontages at ground level (finished) to those recreation areas, lanes and roads, and*
- (c) *provide a satisfactory distribution of built form and floor space development.*

In the above regards:

- (a) The existing VPA as amended by the Public Benefit Offer details the lanes and roads that are to be dedicated and otherwise given rights of access, rights of footway and public recreation on the site. The area to be dedicated is not proposed to be changed.
- (b) The ground level of Tower A has been designed to accommodate commercial/retail premises at street frontages and notably adjacent to the proposed through-site link. This is not proposed to be changed.
- (c) The approved development details the distribution of the available gross floor area across the site in a manner that reduces the potential impacts on surrounding properties, makes efficient use of the site, and proposes building envelopes that can facilitate design excellence on the site.

The proposed modifications make no change to the approved building footprint of the tower (712sqm Gross Building Area), which represents 26.5% of the 1 Alfred Street site area. The proposal does however seek to modify the approved maximum building height of Tower A by an additional 9 metres above the maximum height of building control outlined in Clause 6.23(3) of the SLEP 2012.

As such, we provide the following justification for the proposed variation to the maximum building height development standard, under the relevant tests of Clause 4.6 of the SLEP 2012.

The proposed non-compliance with the Height of Building standard for the site will achieve a better outcome for and from the development and its relationship with the approved building form across the site and adjacent properties under D/2015/1049. By providing a degree of flexibility in the application of this development standard, the proposal protects the desired building separation, setbacks and reduced built form of Tower B across the site, whilst allowing the developer to achieve the FSR available across the consolidated site in accordance with Part 6, Division 1, of SLEP 2012.

This request therefore seeks a variation from the Height of Buildings prescribed in Clause 4.3 and Clause 6.25 of the SLEP 2012 by 4.86% of the control. This request to vary the Height of Building standard should be approved as:

- The proposed variation relates to the maximum Height of Building standard, which is clearly a 'development standard', in that it provides a numeric restriction over a particular aspect of the development, not a prohibition of the development.
- The proposed variation is not a development standard excluded from the operation of Clause 4.6 by subclause (8).
- The proposal is consistent with the objectives of the B8 Metropolitan Centre zone as outlined in Section 6.3.6.
- The proposal is consistent with the objectives of Clause 4.3 as:
 - The proposed height promotes the sharing of views as the proposed increase in height will have no impact on the views for the majority of development surrounding the site, with only minor additional view impacts to portions of the floor plate of approximately two levels at the proposed Lend Lease Circular Quay Tower development (yet to be publicly exhibited). By providing a taller, more slender form of development the proposed modification not only improves the iconic nature of the Tower, but also impacts very few surrounding properties and public domain.
 - The height of the proposed development is appropriate for the condition of the site and its context within Circular Quay. The proposed height provides an appropriate height transition between development across the site and within the Sydney CBD skyline. As illustrated in Figure 7, the proposed building height will result in a height transition from the proposed Lend Lease Circular Quay Tower and the buildings to the west and The Rocks when viewed from Circular Quay.

FIGURE 7 – PHOTOMONTAGE OF PROPOSED DEVELOPMENT WITHIN THE SYDNEY SKYLINE (SOURCE: KHA)



- Compliance is unnecessary in the particular circumstances of the proposed development as:
 - The non-compliance with the standard is minor (< 5%) and compliance with the standard would not result in a perceptible difference in the building bulk or scale from the public domain or the majority of surrounding properties.
 - Non-compliance with the maximum control does not thwart the achievement of the site specific controls and desired built form for the site, notably including the delivery of “a slender tower in the north-west corner of the site known as 1 Alfred Street, which fronts Circular Quay” (6.1.6.3 SDCP 2012) and to enable additional building height at certain sites where the development of the site provides for publicly accessible open space, lanes and through-site links.
 - This variation to the standard is particular to the circumstances of the proposed development and the development site, as it relates to a site specific provision within the SLEP 2012 that seeks to provide for additional building height on parts of certain sites, where the development provides publicly accessible open space, lanes and other links through the site.
 - As illustrated throughout this report the non-compliant development provides a satisfactory distribution of built form and floor space across the site, and results in a better design outcome than reducing building separation, setbacks, and minimising building articulation zones within the building envelope of Tower B. In particular the proposed variation allows the GFA removed from the east side of Tower A (see Section 4.1) to be realised at the top of Tower A, rather than the relatively more sensitive envelope of Tower B.
 - The proposed non-compliant building height results in a moderately better proportioned Tower A when viewed from Circular Quay, which emphasis the desire for a ‘slender’ tower on the site.
- There are sufficient environmental planning grounds to justify contravening the development standard, as:
 - Compliance with the standard would not result in a perceptible difference in the building bulk, scale or intensity from the public domain or surrounding properties.
 - Notwithstanding the non-compliance with the Height of Buildings standard, the proposal substantially complies with the range of the relevant planning objectives and controls to manifest into a design that achieves design excellence and a quality of building form and public domain amenity desired by the planning controls.

- As demonstrated throughout the SEE, the proposed built form does not result in any unreasonable additional environment effects, such as significant loss of views, privacy or sunlight from any surrounding residential property or public place.
- While the proposed non-compliance requires assessment by the Civil Aviation Safety Authority (refer to **Appendix D**) non-compliance with the development standard will not raise any other matter of state or regional environmental planning significance.
- The proposed non-compliance is in the public interest, as the distribution of floor space towards the upper levels of Tower A will result in a more slender tower form, and will result in fewer impacts and perception of bulk and scale compared to floor space within the lower levels of the building envelope of within Tower B.
- There is no public benefit in maintaining strict compliance with the standard as an appropriate distribution of built form and floor space is achieved across the site. Strict application of the standard is therefore unreasonable and unnecessary in the circumstances of the case.

Clause 4.4 Floor Space Ratio

Based on the proposed uses across the site, the maximum potential FSR allowable on the site (located in Area 1) under SLEP 2012 is 14.33:1. The development as proposed is to be modified to comply with this maximum FSR.

The maximum FSR is determined by a permitted base FSR of 8:1 for the site plus Accommodation floor space for 'Hotel or Motel Accommodation' (6:1), 'Retail Premises' (4.5:1), and 'Residential Accommodation' (4.5:1), which the site is eligible for in Area 1. A further addition of up to 10% of the FSR has been accommodated within the building envelopes as the applicant commits to undertaking a competitive design process for the redevelopment of Tower B in accordance with Clause 6.21 of the SLEP 2012 (in addition to the completed competitive design process for Tower A). It is however acknowledged that such award is subject to the completion of this process to Council's satisfaction.

As the proposal will rely on FSR above the 'base' control 8:1, the applicant will be required to purchase heritage floor space in subsequent Stage 2 development applications. **Table 5** sets out the proposed Floor Space Area for the site.

TABLE 5 – FLOOR SPACE AREA SUMMARY

TOTAL SITE AREA		4,040 SQM	
PROPOSED AREAS			
	Proposed GFA (sqm)	– FSR(:1)	Proportion GFA (%)
Base Floor Space	– N/A	– Base: 8	– N/A
Retail/ Residential Accommodation Floor Space	– 37,415	– Area 1 – Max. 4.5	– 64.61%
Hotel Accommodation Floor Space	– 20,494	– Area 1 – Max. 6:1	– 35.39%
Total	– 57,909 sqm	14.33 :1	
FSR CONTROLS			
FSR Control	–	13.03:1	
Total FSR Control including Design Excellence Bonus	–	14.33:1	
Maximum GFA for site	– 57909.10 sqm		
PROPOSED DIFFERENCE		– -0.10 sqm	-0.0000:1

Clause 5.10 Heritage Conservation

The proposed modifications do not perceptibly alter the relationship of the approved development as proposed to be modified to the surrounding heritage conservation areas. The proposed development will remain in accordance with the recommendations of the Heritage Impact Statement prepared by Godden Mackay Logan that informed the original development approval.

Clause 6.16 Erection of Tall Buildings in Central Sydney

Clause 6.16 provides additional assessment criteria for development which proposes buildings above 55 metres in height on sites smaller than 800sqm in area. The proposed modifications do not amend the approved development's compliance with this clause.

- Specifically, the amended building will remain a freestanding tower, with each elevation visible from the surrounding public domain.
- The development provides ground floor active street frontages in accordance with the site specific provisions of SDCP 2012.
- Apartments within the amended design achieve high amenity by utilising similar layouts as those of the approved design.
- The proposed tower maintains adequate separation and privacy treatments to ensure good amenity for both the proposed development and existing residences to the south east.

Clause 6.19 Sun Access Planes

Whilst the site is not identified as land that is affected by Sun Access Planes, it is located in proximity to Macquarie Place, at the intersection of George and Loftus Streets. Clause 6.19 of the SLEP 2012 states that development consent must not be granted to development resulting in additional overshadowing, at any time between 14 April and 31 August, on Macquarie Place between 10:00am and 2:00pm.

Detailed shadow diagrams have been prepared by Crone and are included within the **Volume of Plans** and considered at Section 8.3. As demonstrated in these diagrams, the proposal does not result in any additional overshadowing to Macquarie Place during the specified times.

Clause 6.21 Design Excellence

Clause 6.21 makes provisions for development in Sydney to display design excellence, with a stated objective to *'deliver the highest standard of architectural, urban and landscape design'*.

Under this Clause, development with a height greater than 55 metres in Central Sydney (as well as other specified types of development) are generally required to undertake a competitive design process in accordance with the City of Sydney Competitive Design Policy.

A design excellence and competitive design process is currently being conducted for Tower B in accordance with the Stage 1 SSD consent (D/2015/1049). The purpose of this competitive design process is to select the high quality architectural, urban design and landscape design solution for the development of Tower B.

As detailed in the Design Integrity Statement included at **Appendix I**, Kerry Hill Architects consider the design as proposed for Tower A to be a design evolution of the 2009 competition winning design that retains the original design integrity. As such, a revised design competitive process is not considered necessary.

Clause 7.16 Airspace Operations

Clause 7.16 of SLEP 2012 requires that if a proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has consulted the Secretary of the Federal Department of Infrastructure and Regional Development under Section 183 of the *Airports Act 1996*.

The relevant Obstacle Limitation Surface for the site is RL 156.0. The proposed modification seeks to increase the height of the approved Tower A by 9m, to RL200. It is also noted that in accordance with the APDG Precinct controls, the highest point of the crane during construction would be 60m above this point. Allowing a 15 metre buffer, approval is sought for penetration to RL275 for the crane. As such an application to the Civil Aviation Safety Authority will be required to be submitted for the application. A copy of this application is included at **Appendix D**.

Clause 7.20 Development Requiring Preparation of a Development Control Plan

Clause 7.20 identifies types of development requiring the preparation of a development control plan (or alternatively a Stage 1 SSDA). Development which will result in a building taller than 55 metres in Central Sydney is identified for this requirement under the Clause 7.20(4) of SLEP 2012.

The proposed modification does not seek to significantly alter the ability of the approved Stage 1 SSD to comply with clause 7.20(4) of SLEP 2012 as outlined in Table 5.

TABLE 6 – GENERAL REQUIREMENTS FOR DEVELOPMENT CONTROL PLANS

REQUIREMENT	RELEVANCE TO MODIFICATION
(a) requirements as to the form and external appearance of proposed development so as to improve the quality and amenity of the public domain,	N/A
(b) requirements to minimise the detrimental impact of proposed development on view corridors,	Refer to Section 7.4
(c) how proposed development addresses the following matters:	
(i) the suitability of the land for development,	Refer to Section 6.10
(ii) the existing and proposed uses and use mix,	N/A
(iii) any heritage issues and streetscape constraints,	N/A
(iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,	N/A
(v) the bulk, massing and modulation of buildings,	Refer to Section 7.2
(vi) street frontage heights,	Refer to Section 6.6.2
(vii) environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,	Refer to Section 7
(viii) the achievement of the principles of ecologically sustainable development,	N/A
(ix) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network,	N/A
(x) the impact on, and any proposed improvements to, the public domain,	N/A
(xi) the impact on any special character area,	Refer to Section 6.6.2
(xii) achieving appropriate interface at ground level between the building and the public domain,	N/A

REQUIREMENT	RELEVANCE TO MODIFICATION
(xiii) the excellence and integration of landscape design,	N/A
(xiv) the incorporation of high quality public art into the fabric of buildings in the public domain or in other areas to which the public has access.	N/A

Clause 7.5 Car parking

The proposed envelope includes the basement car park and provision of car parking rates in accordance with the relevant requirements under SLEP 2012. ARUP have prepared a statement that identifies the proposed modifications, including changes to land use distributions can be accommodated within the approved basement envelopes (refer to **Appendix E**).

7.1.3 DRAFT AMENDMENTS TO SLEP 2012 AND SDCP 2012

Draft Amendments to SLEP 2012 regarding balcony exposure were on public exhibition from 10 March until 7 April 2015. The proposed changes include a wide range of detailed matters, including introducing a new clause to permit balconies on residential towers over 30m high to be partially enclosed for wind protection purposes without counting the balcony floor space towards gross floor area. However, the potential exclusion of winter garden balconies is not relied upon in this application and enclosed balconies are counted in gross floor area.

Draft Amendments to SLEP 2012 regarding heritage floor space were on public exhibition from 8 January until 11 February 2016. This included a Draft Alternative Heritage Floor Space Allocation Scheme. These controls enable public buildings not subject to long-term leases to be eligible for an award of heritage floor space. It is acknowledged that the proposed modifications, specifically related to the increased gross floor area, will alter the approved heritage floor space in accordance with Condition 7. However, we note that this draft amendment does not impact the purpose of the proposed modifications.

7.2 SYDNEY DEVELOPMENT CONTROL PLAN 2012

The Sydney Development Control Plan (SDCP) 2012 does not apply to the development application pursuant to Clause 11 of the *State Environmental Planning Policy (State and Regional Development) 2011*.

Despite this, as the development relates to D/2015/882 which was approved as a local development application the following Section provides an overview of the proposed development, as modified, against the relevant provisions of the SDCP 2012. A comprehensive assessment of the proposed modifications against the relevant controls of the SDCP 2012 is provided at **Appendix H**.

Circular Quay Special Character Area

The proposed modification does not alter the overall development's ability to respond to the principles of the Circular Quay Special Character Area as it:

- Does not modify the approved public domain and accessibility from Herald Square to the proposed new public square to the south of the site;
- Does not alter the approved building street alignment, and therefore reinforces the urban character and scale of Circular Quay;
- Does not alter the approved development's ability to address the significant heritage values of Circular Quay within the design of the public domain across the site;
- Does not alter the approved through-site link to 'open out' to Circular Quay, reinforcing the image of the area as a major focal point and public space; and

- Protects the heritage value and curtilage of the Tank Stream adjacent to the site.

Street Frontage Heights and Tower Setbacks

The proposed setbacks and street frontage heights balance the functional requirements of the site, protect the amenity of surrounding properties and enhance the public domain. It is noted that the proposed modifications do not alter the approved tower setbacks. The proposed nine metre increase in street frontage heights to Alfred Street and the through-site-link are minimal and are not perceptible from the public domain or streetscape.

Dwelling Mix

Section 4.2.3.12 of SDCP 2012 provides dwelling mix controls for residential buildings. Table 7 considers the compliance of the proposed indicative dwelling mix with these controls.

TABLE 7 – DWELLING MIX OF THE AMENDED DEVELOPMENT UNDER THE 2012 DCP

APARTMENT TYPE	2012 DCP CONTROL	APPROVED INDICATIVE SCHEME		AMENDED INDICATIVE SCHEME		INDICATIVE COMPLIANCE
Studio and 1-bedroom	15%-30%	17	9.2%	29	15.2%	✓
2 bedroom	40%-75%	87	47.3%	74	38.9%	✗
3+-bedroom	10%-100%	80	43.5%	87	45.8%	✓
TOTAL		184		190		

While the development as proposed to be amended provides less 2 bedroom apartments than required by SDCP 2012, associated the increase in the number of larger dwelling types is consistent with the premium location of the site. Notwithstanding, the modified scheme maintains a significant number of studio and 1 bedroom apartments to provide variety within the development. This dwelling mix is consistent with that proposed in the concurrent approval (D/2015/882).

APDG Precinct Controls

Section 6.1.4 of SDCP 2012 includes site specific controls for the APDG Precinct, being the street block bounded by Alfred, Pitt, Dalley and George Streets. The site comprises the northern end of the precinct.

Tower A has been designed to be generally consistent with the site specific controls, including:

- The proposal maintains a slender residential tower at the north western portion of the block.
- A lower podium height to George Street (RL 131.2) is maintained, consistent with the SDCP 2012 massing.
- A street frontage height between 70m and 194m at George Street and Herald Square is proposed, generally consistent with the SDCP 2012 massing.
- The ground level relationship and setbacks from Herald Square are maintained, generally consistent with the SDCP 2012 massing and as approved within D/2010/2029.
- The modification does not seek to alter the ground, first and second level active uses, that are consistent with the intent of the SDCP 2012.

As such Tower A is generally consistent with the site specific controls for the APDG Precinct in SDCP 2012.

The proposed modifications do not alter the approved building envelope of Tower B, which provides an alternative built form that achieves the objectives of the APDG Precinct and facilitates a world class hotel on the site.

7.3 VOLUNTARY PLANNING AGREEMENT

In association with the D/2010/2029 the former land owner, Valad Commercial Management Limited, entered into a Voluntary Planning Agreement (VPA) with the City of Sydney Council. This VPA was proposed to be amended as part of D/2015/1049 to include additional contributions to the City of Sydney Council.

The proposed amendments to this VPA were documented in a Public Benefit Offer to the Council dated 23 November 2015 and as documented within Condition 1, Part A of D/2015/1049. The proposed modification does not seek to alter this VPA.

7.4 REGULATIONS

Section 78A(8A) of the EP&A Act 1979 required that the original development application for the SSD be accompanied by an EIS prepared by or on behalf of the applicant in the form prescribed by the regulations. Schedule 2 of the EP&A Regulation 2000 provides that environmental assessment requirements will be issued by the Secretary with respect to the EIS. The EIS for the original development application was prepared to address the requirement of Schedule 2 of the EP&A Regulation 2000 and the SEARs. Prior to lodgement of this s.96 modification, the applicant confirmed with the Department of Planning and Environment that revised SEARs were not required as a result of the proposed amendments.

7.5 LIKELY IMPACTS OF DEVELOPMENT

Notwithstanding the proposed amendments, the development as proposed to be modified maintains the relationship of the approved development to surrounding properties. Specific potential impacts of the development as proposed to be modified upon surrounding properties, includes:

- **Overshadowing** – The proposed modifications result in minimal overshadowing impacts. It is noted that these impacts predominately occur to existing commercial towers and do not impact residential uses or significant public domain areas.
- **View loss** – The proposed modifications result in no additional view loss for the Cove Apartments, 200 George Street and Grosvenor Place, and minimal view loss for portions of the proposed floor plate at the Lend Lease Circular Quay Tower to the north-western aspect.
- **Privacy** – The proposed modifications do not alter the building envelope setbacks. Further impacts of privacy will be by future Stage 2 DA(s).
- **Wind** – The proposed modifications is expected marginally increase the local wind speeds along George Street. Despite this, all locations surrounding the development will be able to satisfy relevant criterion for suitable wind speeds.
- **Public Domain** – The proposed modifications do not seek to alter the approved public domain.
- **Heritage** – The proposed modifications do not impact upon the surrounding heritage items, including the Tank Stream.
- **Natural Ventilation and Solar Access** – The proposed modifications ensure that the indicative floor plan layouts are capable of satisfying the minimum natural ventilation and solar access requirements of both the ADG and SDCP 2012.
- **Building Code of Australia** – The proposed modifications are capable of complying with the Building Code of Australia.

Refer to Section 8 for a detailed consideration of the likely impacts of the proposed modification.

7.6 SUITABILITY OF THE SITE

The suitability of the site for development contained within Tower A has been established through the approval of D/2015/1049. The proposed amendments do not fundamentally alter the nature of the development, such that it would become unsuitable for the site. Key reasons why the site is suitable for the development as proposed to be amended include:

- The proposed development is permissible in the B8 Metropolitan Centre zone of the SLEP 2012.
- The scale and density of the proposed development is appropriate for a central location with excellent access to nearby retail, commercial, civic, transport and public recreation services and infrastructure.
- The additional building height proposed in Tower A positively contributes to the resolution of the tower's architectural design.
- The additional floor area and building height will not result in any unreasonable overshadowing, view loss of other adverse impacts upon nearby residences or the public domain.

7.7 SUBMISSIONS

We acknowledge that notification of the proposed amendment is required. The City of Sydney will need to notify the application in accordance with Schedule 1 of the Sydney Development Control Plan 2012. Once notified, any submissions received in respect of the notification will need to be considered in the assessment of the proposal by the City of Sydney.

7.8 PUBLIC INTEREST

The modification proposed to the approved development is considered to be in the public interest as:

- It maintains and enhances the design excellence of the approved residential tower.
- The proposed distribution of floor space across the site has been undertaken in response to the surrounding development, and potential impacts on the legibility and permeability of the street block. Due to the approved height of Tower A, additional height on this building will result in fewer impacts than providing floor space within the lower levels of Tower A or Tower B within the approved building envelopes. The distribution of floor space to Tower A allows for greater architectural articulation within the Tower B building envelope.
- The additional building height will not result in any significant amenity impacts to nearby dwellings or the public domain by way of overshadowing, view loss, privacy concerns, or traffic impacts.

8 Key Planning Considerations

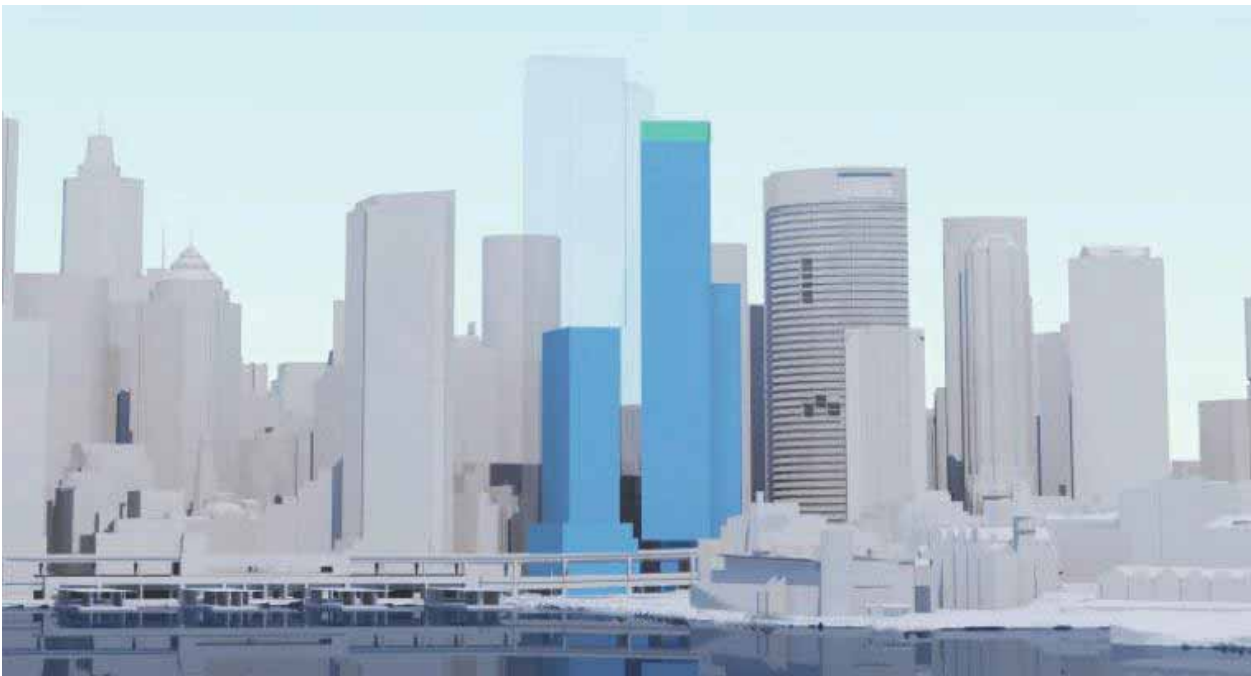
This Section provides an assessment on the key planning considerations relevant to the development as proposed to be modified.

8.1 DISTRIBUTION OF BUILT FORM AND FLOOR SPACE

The maximum FSR across the site is 14.33:1. Following the deletion of the previously proposed 9m extension of the eastern façade of Tower A, the approved building envelopes cannot accommodate this eligible floor space. To achieve this floor space across the site an additional 9 metres on Tower A will result in a better distribution of built form across the site, rather than maximising the envelope of Tower B and/or providing significant service floor space within the basement.

As illustrated in Figure 8 below, the proposed additional built form on Tower A, impacts very few properties, and has a minor contribution to the overall form and scale of the development. The proposed building envelope results in a marginally more slender tower form, consistent with the objective of the additional height across the APDG Precinct. As such, the proposed modification maintains the appropriate distribution of built form and floor space approved within D/2015/1049.

FIGURE 8 – PROPOSED DISTRIBUTION OF FLOOR SPACE ACROSS THE SITE (SOURCE: CRONE)



8.2 SHADOW IMPACTS

Detailed overshadowing analysis of winter and summer solstices has been conducted by Crone and is included within the Volume of Plans. The Winter solstice diagrams are reproduced at **Figure 9**.

The shadow diagrams demonstrate that on the winter solstice (i.e. the worst case) the additional shadow caused by the increase in the building envelope at 11:00am effects the Mantra Hotel building to the south of the site to an immaterial extent. The additional building envelope does not impact the solar access at the Cove Apartments, the nearest residential building to the southwest of site. At noon the increase in shadow of the proposed development will have a marginal impact on the commercial properties to the south of the site, and a marginal impact on the Suncorp Building.

The additional building envelope results in minimal overshadowing that impact the plaza between 11:00am and 11:40am with the increase in overshadowing by 3%.

As the site is largely surrounded by commercial land uses, the minor additional shadow impacts of the proposed building envelopes will not adversely impact any sensitive receivers. Notably, the proposal does not result in any increase of overshadowing to Macquarie Place or other significant public places between the hours of 10:00am and 2:00pm on June 21.

In view of the above, we conclude that the proposed amendments will not cause any unreasonable overshadowing impacts.

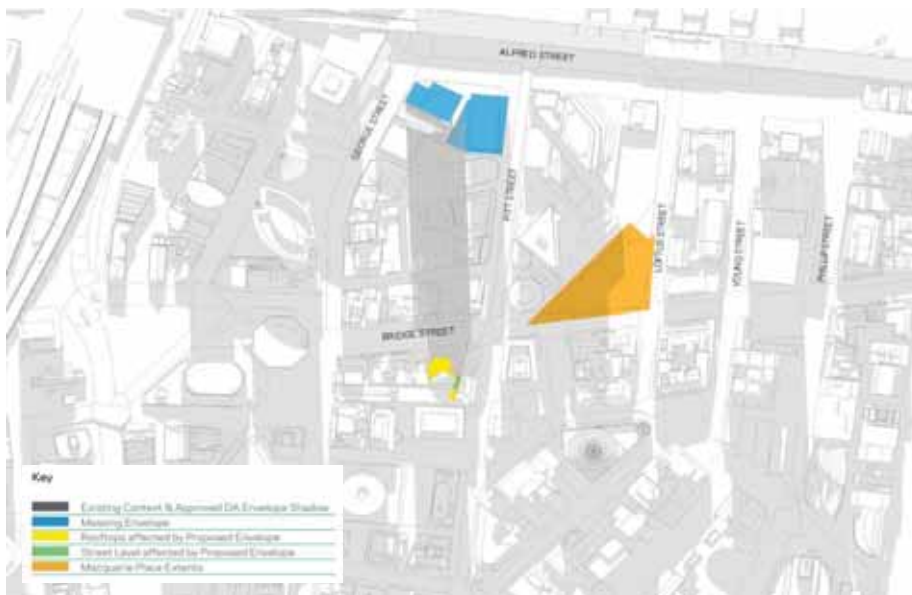
FIGURE 9 – SHADOW DIAGRAMS – WINTER SOLSTICE



PICTURE 7 – 10:00AM WINTER SOLSTICE SHADOW



PICTURE 8 – 11:00AM WINTER SOLSTICE SHADOW



PICTURE 9 – 12:00PM WINTER SOLSTICE SHADOW

8.3 VISUAL AND VIEW IMPACTS

A View Analysis has been undertaken by Crone (Refer to **Volume of Plans**) which notably considers the impact of the proposed building envelope on neighbouring buildings, including:

- Lend Lease Circular Quay Tower;
- 200 George Street
- Grosvenor Place; and
- Cove Apartments.

As illustrated within the following sections, the additional height proposed to the building envelope of Tower A will not unduly impact any important public views and view corridors towards the site. Notably the proposed built form will have a comparable streetscape presentation to that originally approved, and as such will have a positive visual impact on the surrounding street network and public domain.

Due to the maximum height of the approved development, the additional 9 metres at Tower A will have a negligible impact on the majority of surrounding properties, with the minor exception of a proposed commercial tower immediately to the south of the site, being the Lend Lease Circular Quay Tower.

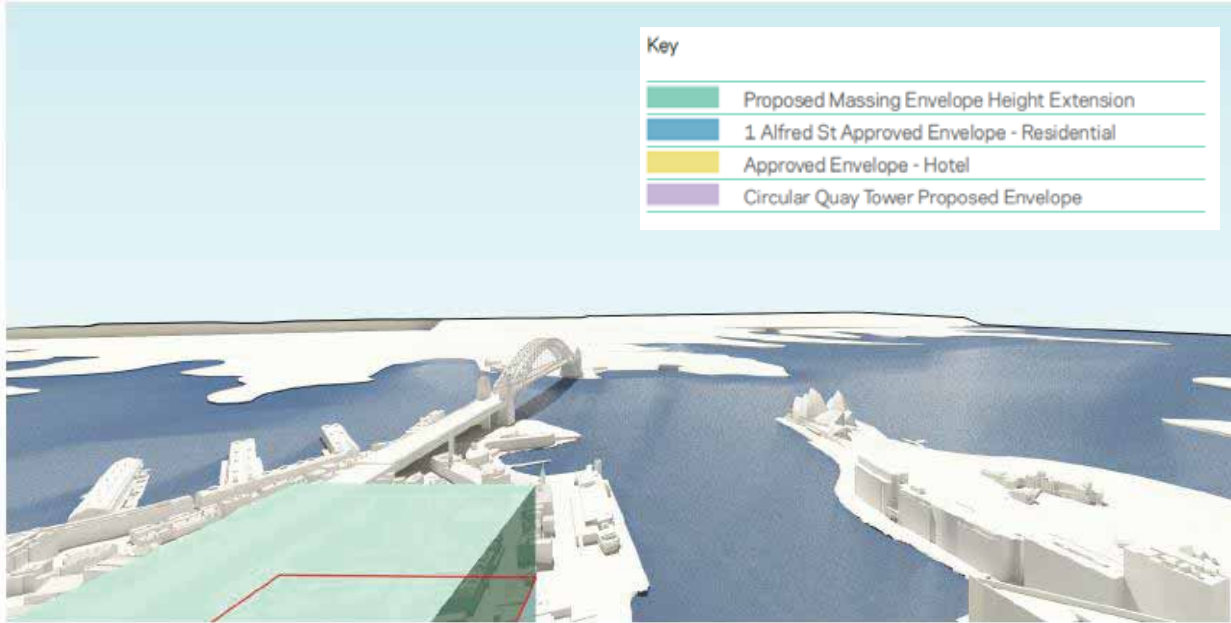
Figure 10 shows the visual impact of the proposal on the Lend Lease Circular Quay Tower, at a camera height of RL 220 and RL 200, compared to that previously assessed and approved. As demonstrated in this figure, the proposed increase in the building envelope will have an impact towards the north-western outlook from the Lend Lease Circular Quay Tower between RL191 and RL 200.

The view impact to the north western outlook from the Lend Lease Circular Quay Tower should be assessed with consideration of its commercial function, rather than of a residential or hotel development where outlook of specific rooms or units have a high impact on the amenity of the development. As stated within the Council officer's report for D/2010/2029, "*there is no guarantee that views or outlooks from existing development will be maintained*". This is reinforced by the planning controls, which makes no provision for the protection of private views.

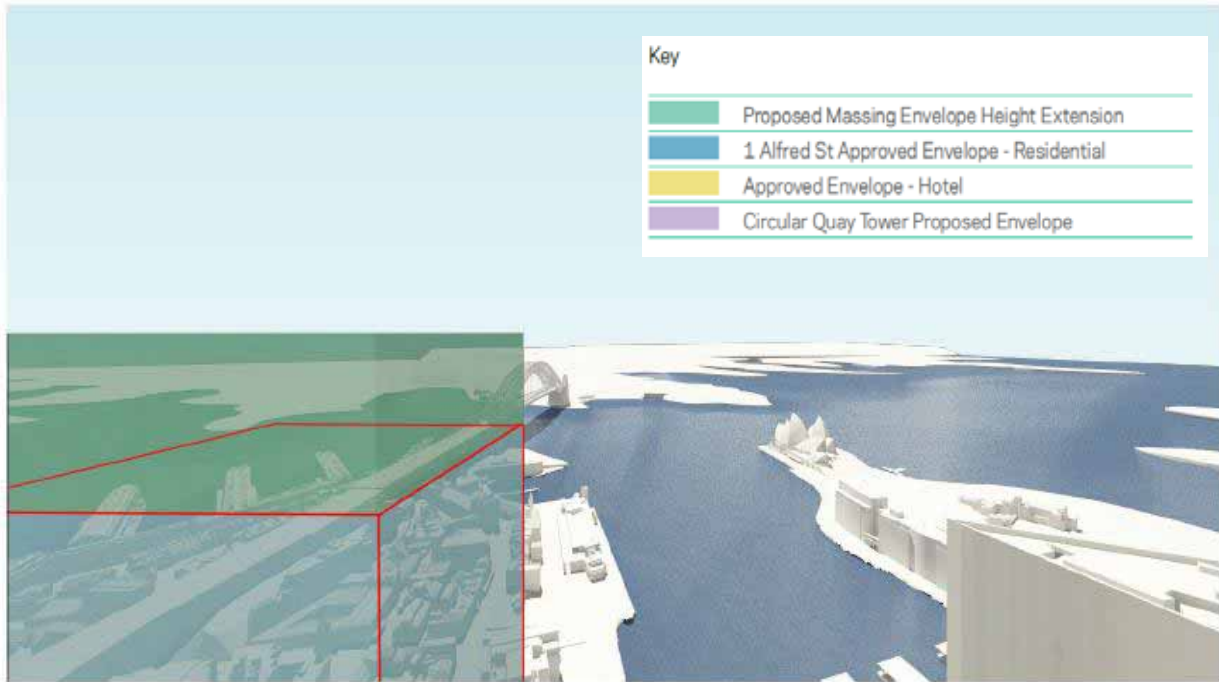
This impact towards a portion of the Sydney Harbour Bridge (where the view to the Sydney Opera House is maintained) affects only approximately two floors of a potential high rise building on the Circular Quay Tower site. Further, this impact affects only a portion of these two floor plates, as illustrated on Page 64 of the Crone View Corridor Analysis provided within the **Volume of Plans**. Notably, from the centre of the proposed floor plate of the Lend Lease Circular Quay Tower (referred to as 'View K' within the View

Corridor Analysis), the northern view corridor including both the Sydney Harbour Bridge and the Sydney Opera House are maintained. The impact of the proposal as amended on potential views from the proposed commercial development will therefore be minor and isolated to small portions of the overall development.

FIGURE 10 – IMPACT ON CIRCULAR QUAY TOWER (SOURCE: CRONE)



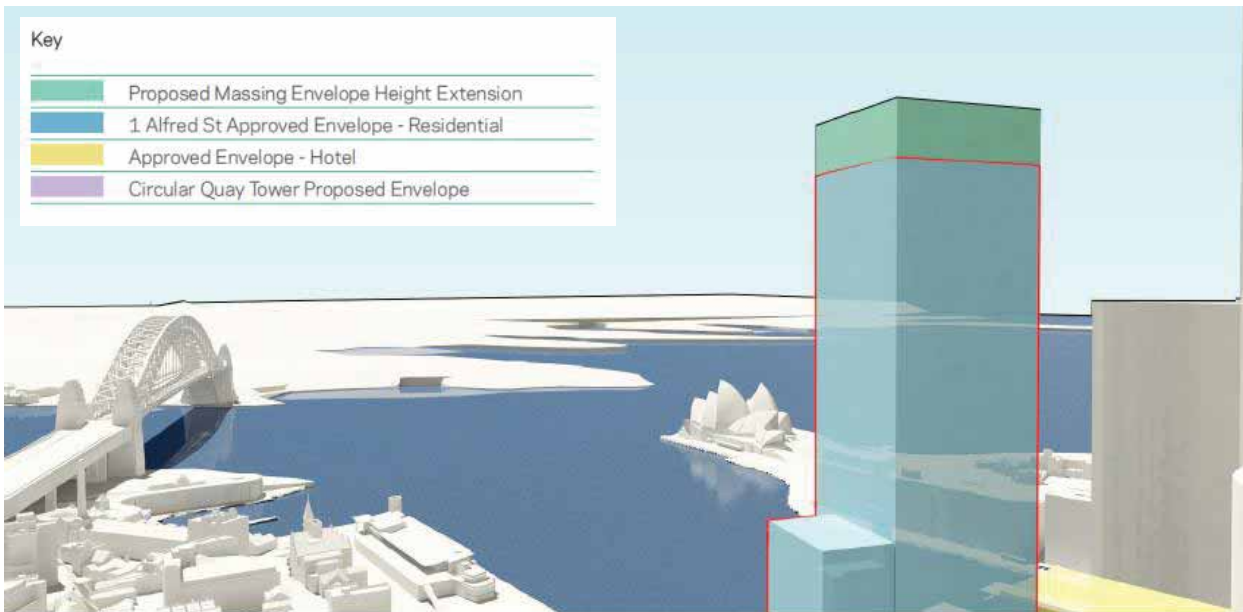
PICTURE 10 – APPROVED AND PROPOSED DEVELOPMENT VIEW ANALYSIS FROM CIRCULAR QUAY TOWER RL 220



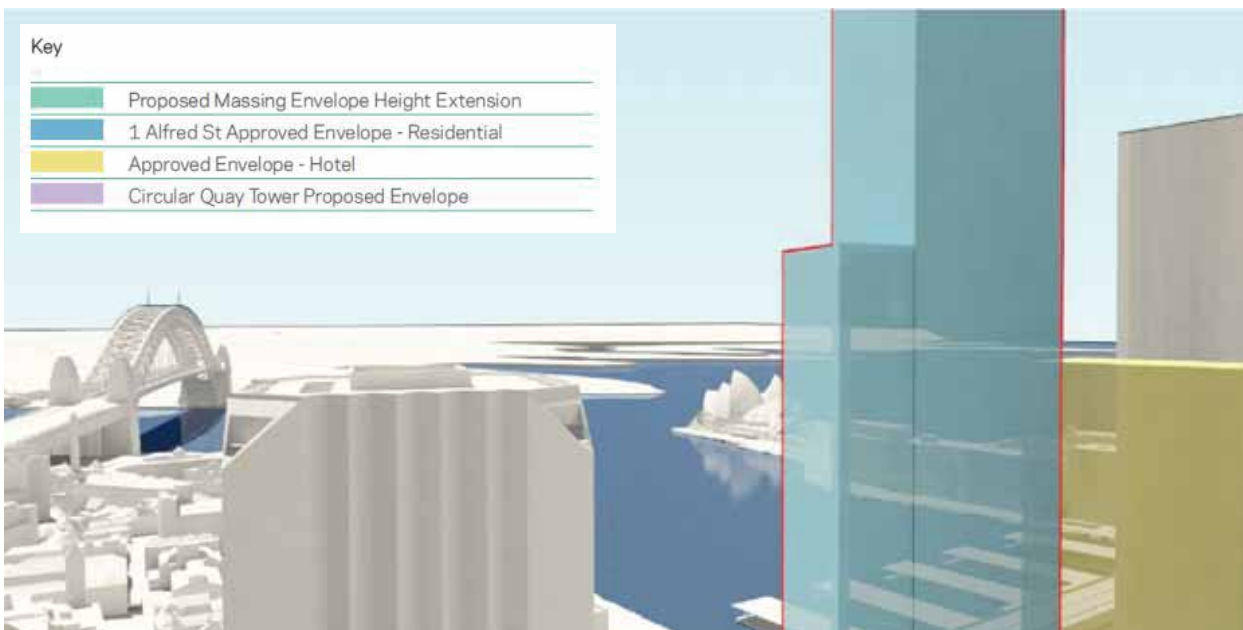
PICTURE 11 – APPROVED AND PROPOSED DEVELOPMENT VIEW ANALYSIS FROM CIRCULAR QUAY TOWER RL 200

Figure 11 shows the visual impact of the proposal on Grosvenor Place, at a camera height of RL 120 and RL 160, compared to that previously assessed and approved. As demonstrated in this figure, the proposed increase in the building envelope will not impact on the outlook from Grosvenor Place to significant landmarks.

FIGURE 11 – IMPACT ON GROSVENOR PLACE (SOURCE: CRONE)



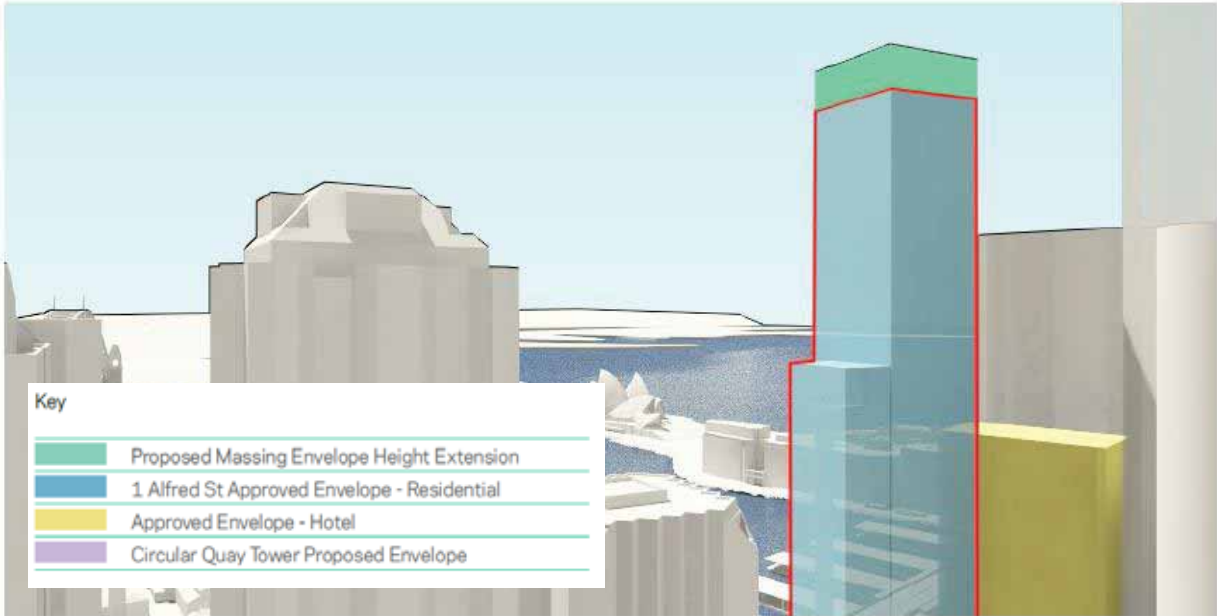
PICTURE 12 – APPROVED AND PROPOSED DEVELOPMENT VIEW ANALYSIS FROM GROSVENOR PLACE RL 160



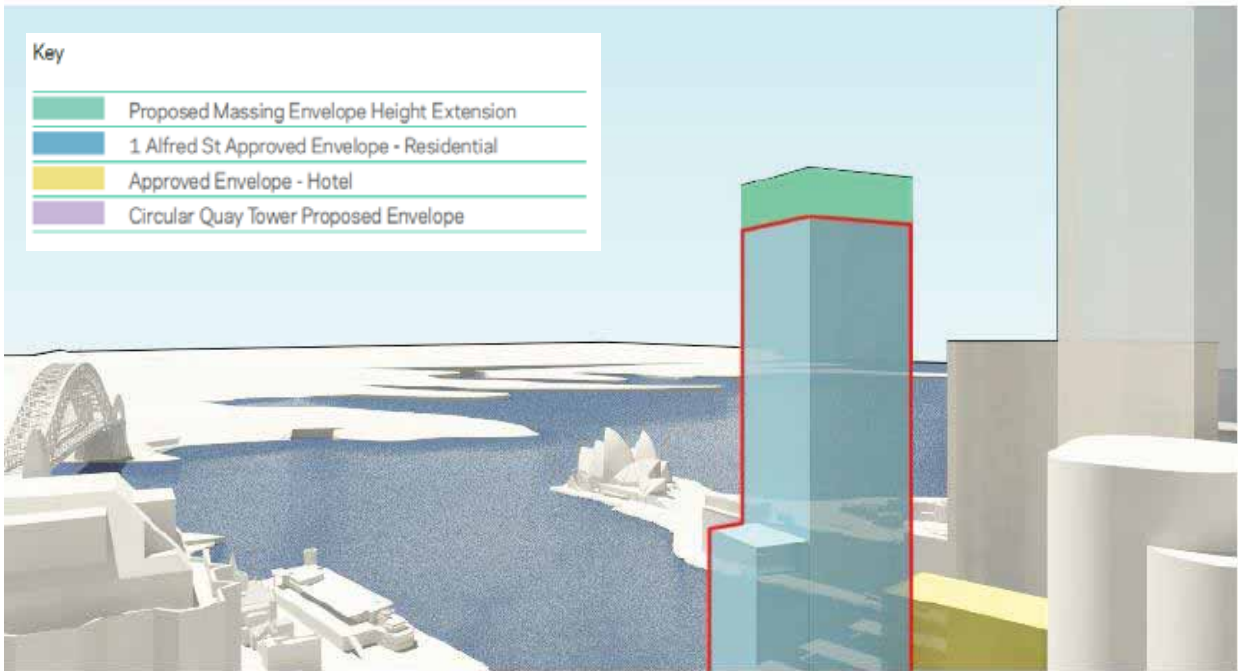
PICTURE 13 – APPROVED AND PROPOSED DEVELOPMENT VIEW ANALYSIS FROM GROSVENOR PLACE RL 120

Figure 12 shows the visual impact of the proposal on the Cove Apartments, at multiple locations, comparing that previously assessed and approved and proposed. The Cove Apartments have no impact on view loss towards the north eastern aspect at multiple heights. As demonstrated in this figure, the proposed increase in the building envelope will not impact on the approved outlook from Cove Apartments to significant landmarks.

FIGURE 12 – IMPACT ON COVE APARTMENTS (SOURCE: CRONE)



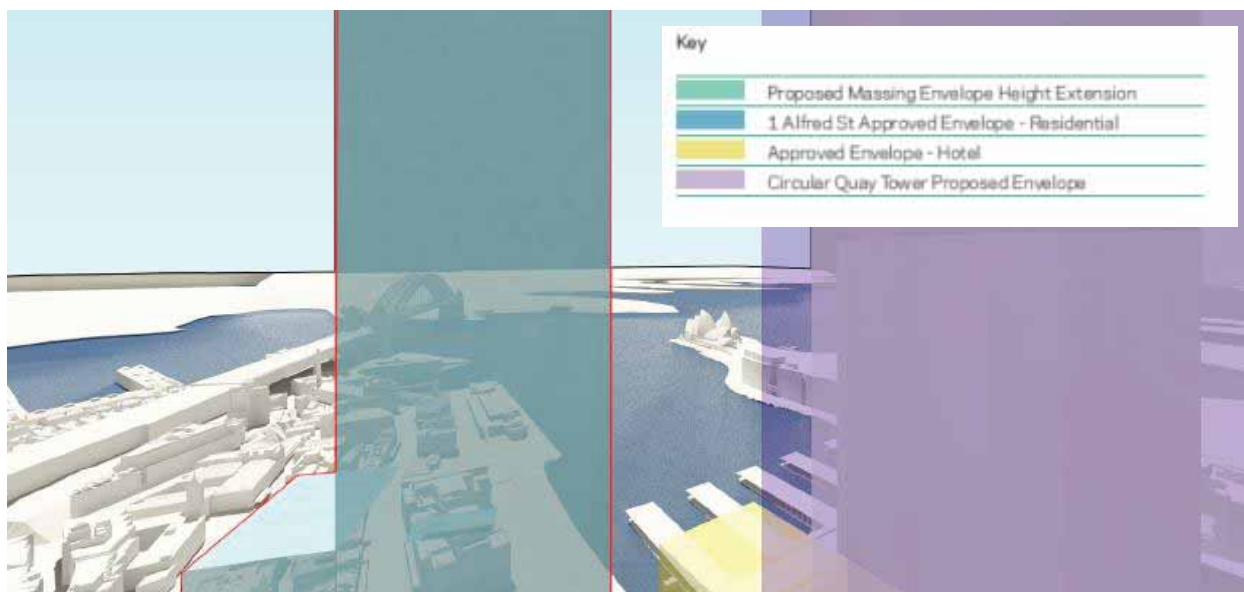
PICTURE 14 – APPROVED AND PROPOSED DEVELOPMENT VIEW ANALYSIS FROM COVE APARTMENTS RL 150



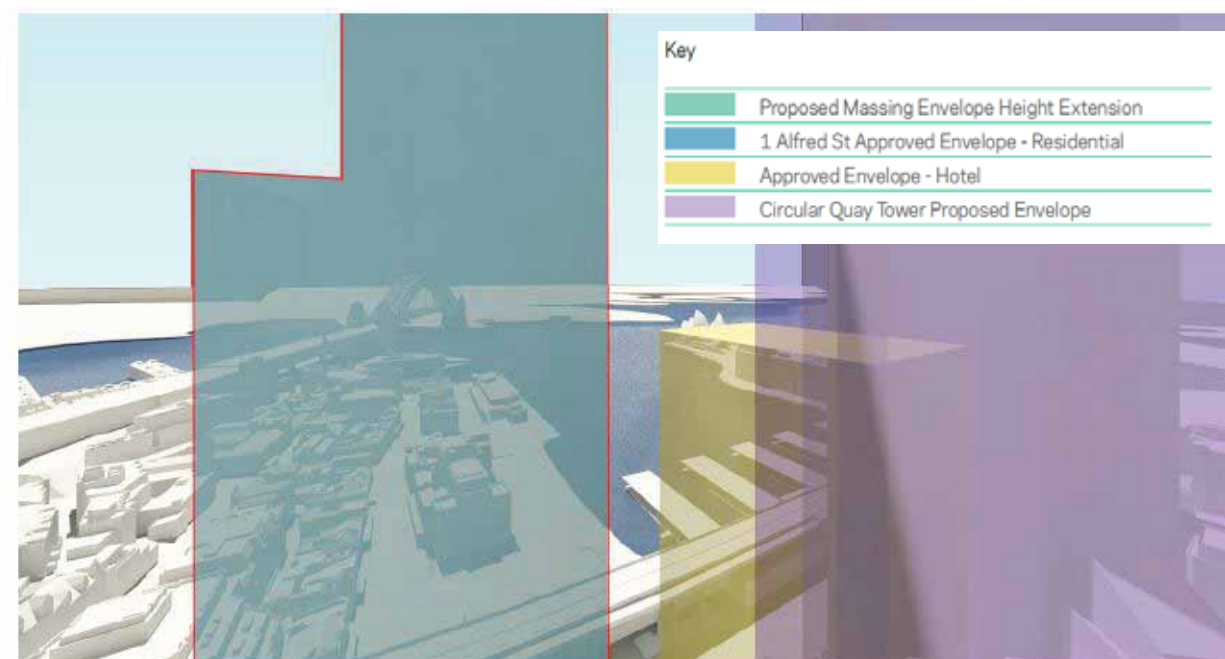
PICTURE 15 – APPROVED AND PROPOSED DEVELOPMENT VIEW ANALYSIS FROM COVE APARTMENTS RL 170

Figure 13 shows the visual impact of the proposal on 200 George Street, at a camera height of RL 120 and RL160, compared to that previously assessed and approved. As demonstrated in this figure, the proposed increase in the building envelope will not impact on the approved outlook from 200 George Street to significant landmarks.

FIGURE 13 – IMPACT ON 200 GEORGE STREET (SOURCE: CRONE)



PICTURE 16 – APPROVED AND PROPOSED DEVELOPMENT VIEW ANALYSIS FROM 200 GEORGE RL 160



PICTURE 17 – APPROVED AND PROPOSED DEVELOPMENT VIEW ANALYSIS FROM CIRCULAR QUAY TOWER RL 120

In light of the matters outlined above, it is considered that the view impact resulting from the proposed amendments to the building envelope of Tower A is satisfactory.

8.4 RESIDENTIAL AMENITY

The indicative scheme provided within the Volume of Plans illustrates that the proposed building envelopes can achieve a high level of compliance with the ADG and achieve a high level of residential amenity as outlined below:

- **Floor to Ceiling Heights** – the indicative scheme includes residential floor to ceiling heights in excess of the requirements of the ADG. The relative increase to the floor to floor heights constitute a moderate increase to enable additional ceiling services for high end residential fit outs, and also a moderate increase in floor to ceiling heights to improve the residential amenity of these units.
- **Natural ventilation** – the indicative scheme can achieve 68% of the proposed apartments within the first nine levels of the building as naturally cross ventilated, exceeding the minimum standard of 60%.
- **Solar access** – the indicative scheme can achieve 94% of the apartments with the minimum two hours of direct sunlight between 9:00am and 3:00pm in mid-winter, exceeding the minimum requirement of 70%.
- **Minimum apartment sizes** – the indicative scheme includes 190 apartments, all of which exceed the minimum internal areas and provides a mix of apartment types as outlined in Section 7.2.
- **Acoustic and Visual Privacy** – the indicative internal floor plate layouts and apartment layouts are design to provide acoustic treatments that mitigate noise impacts to residents and neighbours. The approved building setbacks are not proposed to be amended and as such a high level of acoustic and visual privacy can be achieved within Tower A as outlined within the relevant detailed DA (D/2015/882).
- **Storage** – the proposed development includes the minimum 50% of required storage within all 190 apartments. The remainder of the storage space is to be provided in the basement, subject to future applications.
- **Communal Facilities** – the indicative scheme includes additional communal facilities within Tower A in the form of a swimming pool and revised gym and communal areas to the benefit of the Tower A residents. Condition 9, Part B of D/2015/1049 also required the residents of Tower A to have access to the communal facilities/ common open space delivered within Tower B. This condition is not proposed to be amended within this Section 96(2) application.

As outlined above, the proposed amendments to the Tower A building envelope will maintain a high level of amenity for the residents of Tower A.

8.5 TRAFFIC AND PARKING

The proposed indicative scheme includes an increase in the total number of apartments across the development by six units. Further, the indicative scheme provides a revised apartment mix. As these changes to the indicative scheme have a minor impact on the total car parking requirement for the site, and associated traffic generation, an addendum to the Traffic and Parking Report submitted with D/2015/1049 has been prepared by ARUP and is included at **Appendix E**.

This revised Traffic and Parking Report concludes that the minor changes in car parking provision would not result in any perceivable change in the overall traffic generation for the site. On this basis, traffic generation and hence the impact of the development will remain unchanged.

8.6 WASTE MANAGEMENT

As the proposed indicative scheme results in an increase in the total number of apartments by six units, and a revised unit mix, a revised Waste Management Plan has been prepared by Encycle Consulting (**Appendix G**) to ensure that the approved building envelopes can accommodate the revised waste management requirements for the development.

The relevant Stage 2 DA submitted for the basement which forms part of this development will refer and comply with this revised Waste Management Plan.

8.7 ENVIRONMENTAL RISK ASSESSMENT

The SEARs require an environmental risk analysis to identify potential environmental impacts associated with the proposal. The proposed amendments do not change the conclusions of the Environmental Risk Assessment provided within the original Environmental Impact Assessment submitted with D/2015/1049.

9 Conclusion

The proposed modifications to the Tower A building envelope are the result of a redistribution of floor space within D/2015/1049. In summary the development is proposed to be modified:

- **Satisfies the applicable local and state planning controls** – The modified proposal achieves a high level of compliance with the applicable planning controls. Where variations are proposed, the report demonstrates that the objectives and intent of the numeric provisions have been met.
- **Offers a high standard of amenity** – The modified development will offer residents a high standard of internal and external amenity. The proposal achieves the design quality outcomes sought from SEPP 65 and the Apartment Design Guide (ADG). The modified design maintains high amenity outcomes for residents in terms of views, privacy, solar access and natural ventilation.
- **Has limited potential impacts** – The proposed modifications will result in minimal overshadowing and view loss. The modifications will maintain the integrity of the public domain, cross ventilation, acoustic amenity, solar accessibility and reflectivity originally approved for the site.
- **Is in the public interest** – The proposed modifications will make a positive contribution to Circular Quay and the Sydney CBD, by providing a slender built form that incorporates a diversity of uses and provides connectivity with surrounding developments to enhance the public domain.
- **Is substantially the same development** – The consideration of the “substantially the same development” test should not only include the physical characteristics of the approved and modified schemes, but also the nature and magnitude of the impacts of the developments. In these respects, the modified scheme is substantially the same as that originally approved.

As demonstrated within this report and the attached documentation, the modified scheme is considered to be acceptable under the relevant considerations of Section 79C of the EP&A Act and the proposed 9m variation to the applicable height control results in a better planning outcome. It is therefore recommended that approval be granted to the proposed modifications.

Disclaimer

This report is dated April 2016 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Dalian Wanda Commercial Properties (**Instructing Party**) for the purpose of s.96(2) modification (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

Appendix A

Instruments of Section 23 Delegation

Appendix B

Instrument of Determination and Approved Plans

Appendix C

Site Survey

Appendix D

Copy of Application to CASA for Intrusion into Prescribed Airspace

Appendix E

Parking, Traffic and Transport Report Addendum

Appendix F

Wind Assessment Addendum

Appendix G

Waste Management Plan Addendum

Appendix H

Planning Compliance Assessment

Appendix I

Design Integrity Statement

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