Response to Submissions
State Significant Development Application SSD 8105
201 Elizabeth Street, Sydney
Stage 1 SSDA for mixed use development
Submitted to City of Sydney
On behalf of Dexus
November 2017 | 14262
# Response to Submissions

November 2017

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1.0 Introduction

This Response to Submissions has been prepared by Ethos Urban on behalf of Dexus Property Group (Dexus) in relation to State Significant Development Application SSD8105 (D/2017/349) for the mixed use redevelopment of 201 Elizabeth Street, Sydney (the site). SSD8105 was submitted pursuant to 83B of the Environmental Planning & Assessment Act 1979 (EP&A Act) and is referred to as a ‘concept development application’.

SSD8105 was placed on public exhibition between 27 March 2017 and 1 May 2017 and received a total of 72 public submission and four submissions from Government agencies. Two letters identifying issues to be addressed in the Response to Submissions were received from the City of Sydney (Council) dated 11 May 2017 and 16 June 2017.

Dexus and its specialist consultant team have reviewed and considered the issues raised in the public submissions, agency submissions and Council letters in relation to the above application and this Response to Submissions is submitted accordingly. A detailed response to each of the issues is provided at Appendix B.

The following design amendments have been incorporated to directly address and respond to issues raised during public exhibition, including:

- Revised location of the tower component of the building envelope to reduce the impact of the development on private views;
- Revised ground floor plan and basement access locations to provide enhanced activation and public domain outcome to Castlereagh Street;
- Lower ground pedestrian connection to Museum Station retained in existing location and configuration, and deletion of pedestrian connection the future Pitt Street Metro station as per the submission of Transport for NSW; and
- Revised residential layouts to maximise privacy to both existing and proposed residential apartments.

This Response to Submissions provides an additional assessment of the proposed development against the relevant matters for consideration under section 79C of the EP&A Act and the Secretary’s Environmental Assessment Requirements issued for SSD8015. This report should be read in conjunction with the exhibited Environmental Impact Statement prepared by JBA, the Amended Building Envelope Plans prepared by FJMT (Attachment A) and other supporting documents (see Table of Contents).
2.0 Summary of Submissions

This section provides a summary of the key issues raised by the City of Sydney, government agencies and authorities, and the general public during the public exhibition of the SSDA. A detailed response to each of the issues raised by Council is provided at Section 2.1 below, and a detailed response to submissions from government agencies and the public agencies is attached at Appendix B.

2.1 Council Request for Additional Information

<table>
<thead>
<tr>
<th>Table 1 – Summary of City of Sydney Requests for Additional Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Issue</strong></td>
</tr>
<tr>
<td>11 May 2017</td>
</tr>
<tr>
<td>1. Street set-backs</td>
</tr>
<tr>
<td>2. Overshadowing of neighbouring properties</td>
</tr>
<tr>
<td>3. View Loss</td>
</tr>
<tr>
<td>4. Traffic &amp; Pedestrian Management</td>
</tr>
<tr>
<td>5. Access</td>
</tr>
<tr>
<td>Issue</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td><strong>6. Sustainable Transport</strong>&lt;br&gt;A Stage 2 application is to contain detailed information about goals for sustainable transport given transport facilities provided on-site and adjacent to the site.</td>
</tr>
<tr>
<td><strong>7. Bicycle Facilities</strong>&lt;br&gt;Additional information is to be provided about pedestrian and cycle upgrades to meet future demand and connection to existing networks. Bicycle parking and end-of-trip facilities must be provided in accordance with the rates in the Sydney DCP 2012.</td>
</tr>
<tr>
<td><strong>8. Servicing</strong>&lt;br&gt;The Stage 2 application must be designed to include all servicing and waste collection to be undertaken on-site.</td>
</tr>
<tr>
<td><strong>9. Department of Primary Industries</strong>&lt;br&gt;Clarify what the proposed depth of excavation will be and whether the development is likely to encounter groundwater.</td>
</tr>
<tr>
<td><strong>10. Public Submissions</strong>&lt;br&gt;Address the concerns raised in public submissions, particularly focusing on view loss.</td>
</tr>
</tbody>
</table>

**16 June 2017**

<table>
<thead>
<tr>
<th>Issue</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Stage 1 Envelope Plan and Details</strong>&lt;br&gt;Include a ground floor plan and clarify whether a splay is provided on the corner of Park and Elizabeth Streets.</td>
<td>A ground floor plan is included in the Amended Indicative Scheme at Appendix C. The splay corner has been included on the Amended Building Envelope Plan at Appendix A.</td>
</tr>
<tr>
<td><strong>2. Reference / Indicative Design</strong>&lt;br&gt;Private open space shown in the reference scheme does not meet the ADG requirements and verification is required that 75% apartments achieve solar access.</td>
<td>As per section 70B of the Environmental Planning &amp; Assessment Regulation 2000, detailed assessment of the residential component of the development will be completed at Stage 2.&lt;br&gt;Assessment of the concept residential layouts in the Amended Indicative Design is provided with the Additional Design Report prepared by FJMT (Appendix D) and confirms that the building envelope is capable of facilitating residential development that achieves at least 2 hours direct sunlight to 85.5% of apartments, in excess of the design criteria of Objective 4A-1 of the ADG.</td>
</tr>
<tr>
<td><strong>3. Access</strong></td>
<td>As stated above the revised ground plane has reduced the number of driveway crossovers to two. The hotel drop-off has been amended to consolidate access into the</td>
</tr>
<tr>
<td>Issue</td>
<td>Response</td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
</tr>
<tr>
<td>Access on Castlereagh Street is not acceptable, with a significant area dedicated to vehicle drop off and the public footpath diverted into private property. To achieve design excellence, an appropriate interface with the public domain, pedestrian access and permeability and impacts on the public domain should be considered and appropriately treated.</td>
<td>basement without requiring an additional crossover. To improve the public domain interface on Castlereagh Street, a retail tenancy is provided between the driveway crossovers to increase street activation. This is discussed further at Section 3.4 and Section 4.6.</td>
</tr>
<tr>
<td>4. Acoustics and natural ventilation</td>
<td>The Stage 2 SSDA will be required to provide natural ventilation to all habitable rooms and achieve acoustic privacy. It is noted that there are no residential uses proposed within the podium element of the development and significant separation is provided between noise generators and apartments.</td>
</tr>
<tr>
<td>5. Facilities</td>
<td>The detailed location and operational arrangements for communal facilities and amenities will be resolved during the Stage 2 SSDA and do not form part of the concept development application.</td>
</tr>
<tr>
<td>6. ESD</td>
<td>Noted. It is agreed that these targets will be included in any future design competition brief.</td>
</tr>
</tbody>
</table>

### 2.2 Public Submissions

A total of 72 public submissions were received during the public exhibition period. Of these submissions, 54 were received from residents and the body corporate of ‘Victoria Towers’ 197 Castlereagh Street, Sydney, and eight submissions were received from ‘Park Regis’ 27 Park Street, Sydney. These buildings are adjacent to the site to the west, on the opposite side of Castlereagh Street.

Issues raised in these submissions, as set out at Appendix B, relate to the impact of the proposed development on the amenity of existing residential properties including impacts on views, daylight access, privacy, traffic and construction impacts. Each of these issues is addressed in Appendix B and in the following sections of this Response to Submissions.

### 2.3 Agency Submissions

A total of four submissions were received from public agencies, namely:

- Environmental Protection Agency;
- Roads and Maritime Services;
- Sydney Airport; and
- Transport for NSW.

Issues raised in these submissions and the relevant project response is provided at Appendix B. No agency submissions raised objection to the SSDA, provided that relevant conditions or additional documentation is provided with the Stage 2 detailed SSDA. The City of Sydney letter dated 11 May
2017 also indicates that a submission was received from the Department of Primary Industries requiring clarification about the depth of excavation and presence of any groundwater.
3.0 Description of Proposed Development (as amended)

Since public exhibition of the proposal, amendments have been made to the proposed development to directly respond to key issues raised, particularly private views and activation of Castlereagh Street. Amended Building Envelope Plans (Appendix A) are accordingly submitted pursuant to clause 55 of the Environmental Planning and Assessment Regulation 2000. The following section presents a brief amended description of the proposed development, the subject of SSD8105.

3.1 Description of Final Proposed Concept Development Application

The concept development application seeks approval for the following building envelope and land uses:

- Four basement car parking levels to a depth of RL8.65 (access from Castlereagh Street) capable of accommodating 266 car parking spaces, 560 bicycle and motorbike parking, as well as associated loading service areas;
- Lower ground retail space with a pedestrian connection to Museum Station;
- A 45 metre high (RL69.89) podium element containing a 361-room 5-star hotel and function centre, and retail space at the ground floor and mezzanine level;
- A single storey terrace (RL76.00) atop of the podium element to provide residential and hotel communal facilities;
- A 49 storey slimline tower element (RL198.22) aligned to the centre of the podium, providing residential accommodation in the form of approximately 262 residential apartments; and
- A total building envelope that facilities a potential GFA of 59,551.7m² and a FSR of 15.27:1, comprising:
  - Retail GFA: 4,845m² (8%)
  - Hotel GFA: 26,543m² (45%)
  - Residential GFA: 28,164m² (47%)

The proposed building envelope is shown at Figure 1.
3.2 Key Changes to Exhibited Proposal

The following design amendments have been incorporated to directly address and respond to issues raised during public exhibition:

- Revised location of the tower component of the building envelope to reduce the impact of the development on private views;
- Revised ground floor plan and basement access locations to provide enhanced activation and public domain outcome to Castlereagh Street;
- Lower ground pedestrian connection to Museum Station retained in existing location and configuration, and deletion of pedestrian connection the future Pitt Street Metro station as per the submission of Transport for NSW; and
- Revised residential layouts to maximise privacy to both existing and proposed residential apartments.

Figure 1 – Proposed building envelope
Source: FJMT
3.3 Revised Tower Location

In response to matters raised by Council and to reduce the impact on private views, the location of the proposed tower envelope has been relocated to a ‘central’ tower option. The proposed envelope incorporates the following minimum setbacks above podium height:

- Elizabeth Street: 4 metres.
- Park Street: 17 metres.
- Castlereagh Street: 7.6 metres.

The revised tower location is presented in Figure 2.

![Figure 2 – Comparison of amended tower location](source:FJMT)

3.4 Revised Ground Floor Plan and Site Access

This Response to Submissions provides revised site access arrangements to respond to issues raised by Council, TfNSW and RMS. The revised ground floor plan will reduce the number of driveway cross overs from three to two by co-locating basement access off the hotel drop-off access. This revised vehicle access plan will ensure that adequate drop-off facilities are provided to the hotel to alleviate the potential for taxis and other vehicles to stop illegally on Castlereagh Street. Swept path analysis has been included in the Transport Study to ensure that adequate turning spaces and sight lines are maintained to provide a safe operating environment for both vehicles and pedestrians. The revised ground plan is presented at Figure 3. An indicative layout of the ground floor is provided within the Additional Design Report at Appendix D.
3.5 Revised Pedestrian Connections

Dexus met with Sydney Metro on 8 June 2017 to further discuss opportunities to provide subterranean connection between 201 Elizabeth Street and the future Pitt Street Metro station. These discussions resulted in the deletion the potential pedestrian connection to the future Metro station due to unknown risks associated with tunnelling under the road. As the station designs are yet to be finalised by Sydney Metro, both parties will continue regular discussions to ensure that the impacts of each development are considered and revised accordingly.

In response to the submission from Sydney Trains and the landowner of 227 Elizabeth Street, the pedestrian connection to Museum Station will be retained in its current location, via 227 Elizabeth Street. The land owner of 227 Elizabeth Street and Dexus will continue to engage in regular discussions to ensure that suitable access arrangements are in place during the construction phase. The revised locations of pedestrian connections are presented in Figure 4.
Figure 4 – Revised pedestrian station connections

Source: FJMT
4.0 Additional Environmental Assessment

The exhibited EIS addressed the requirements of the SEARs and the potential impacts of the overall development. Except where addressed in this report, the conclusions of the original assessment remain unchanged in relation to the following matters:

- Compliance with environmental planning instruments, policies and guidelines;
- Crime prevention through environmental design;
- Acoustic impacts;
- Heritage;
- Reflectivity;
- Impact on existing and planned rail corridors;
- Contamination;
- Drainage and stormwater;
- Waste management;
- Building Code of Australia;
- Infrastructure provision;
- Prescribed airspace; and
- Construction management.

The following section sets out the additional environmental assessment of the amended proposal.

Section 83B(5) of the EP&A Act provides that:

“When considering under section 79C the likely impact of the development the subject of a concept development application, need only consider the likely impact of the concept proposals (and any first stage of development included in the application) and does not need to consider the likely impact of the carrying out of development that may be the subject of subsequent development applications.”

Accordingly, the additional environmental assessment set out below, as well as the original environmental assessment of the EIS, only considers the impacts of the concept proposal as SSD8105 does not include any first stage or detailed components. The SEARs and subsequent environmental assessment of the Stage 2 SSDA will be required to consider the likely impacts of carrying out the development.

4.1 Design Excellence

An amended Design Excellence Strategy is submitted at Appendix G. This amended Strategy incorporates feedback provided by Council. The Strategy provides that the applicant will conduct an invited design competition with a range of local and international architects and the Competition Brief will be prepared by the applicant in consultation with Council’s design excellence team. The Strategy sets out that the project will be pursuing up to 10% additional floor space ratio under clause 6.21(7) of Sydney LEP 2012 and the City of Sydney Competitive Design Policy.
The Ammended Indicative Scheme demonstrates that the proposed building envelope is capable of accommodating up to 10% additional floor space and this floor space is accommodated within the podium element. Should the proposed development not be awarded design excellence, the built form of the proposal would remain unchanged and the voids within the podium levels expanded to accommodate the reduction in floor space.

4.2 Built Form and Urban Design

4.2.1 Proposed Tower Setbacks

The proposed development retains the podium/tower form of the originally exhibited proposal with the tower element relocated southward. The amended building envelope provides revised tower setbacks to all street frontages. A summary of the relevant tower setbacks is provided in Table 2.

The proposed setback to Elizabeth Street is considered acceptable as the extent of the 4m setback is limited to 10.8% of the total street frontage. Further, this setback represents an increase from that of the existing tower which does not provide any setback to Elizabeth Street. All other setbacks are consistent with the provisions of the Sydney DCP 2012.

Table 2 – Revised tower setbacks

<table>
<thead>
<tr>
<th>Street Frontage</th>
<th>Sydney DCP requirement</th>
<th>Minimum Setback</th>
<th>% of Setback &lt;8m</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elizabeth Street</td>
<td>Minimum 8m</td>
<td>8m (terrace), 4m (tower)</td>
<td>10.8%</td>
</tr>
<tr>
<td>Park Street</td>
<td>Minimum 8m</td>
<td>8m (terrace), 17m (tower)</td>
<td>0%</td>
</tr>
<tr>
<td>Castlereagh Street</td>
<td>Minimum weighted average of 8m</td>
<td>8m (terrace), 7.6m (tower)</td>
<td>1.1%</td>
</tr>
</tbody>
</table>

4.2.2 Proposed Building Height

The proposed building height remains unchanged to that of the exhibited proposal. The proposed tower form is located primarily on ‘Category A’ land (being the existing building footprint) and partially on ‘Category B’ land as shown in Figure 5. The total development results in a 50% reduction in the shadow cast by the existing building and therefore the tower, where located on Category A land, is consistent with clause 6.18(1)(b) and permissible. However, the tower component is located on both Category B and Category A land is considered prohibited by clause 6.17(2). Notwithstanding this prohibition, section 89E Consent for State significant development of the EP&A Act provides:

(3) Development consent may be granted despite the development being partly prohibited by an environmental planning instrument.

Accordingly, development consent may be granted to the proposed development. A detailed assessment of the overshadowing impact of the proposed development on Hyde Park is provided at Section 4.3 and shadow diagrams are submitted Appendix D.
4.2.3 Gross Floor Area and Floor Space Ratio

The calculation of the permissible floor space ratio and total gross floor area based on the amended concept development application is provided at Table 3.

Table 3 – Calculation of permissible floor space ratio

<table>
<thead>
<tr>
<th>Floor Space</th>
<th>Ratio</th>
<th>Gross Floor Area (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base FSR</td>
<td>8:1</td>
<td></td>
</tr>
<tr>
<td>Accommodation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Hotel</td>
<td>2.674:1</td>
<td>26,543</td>
</tr>
<tr>
<td>• Residential</td>
<td>2.838:1</td>
<td>28,164</td>
</tr>
<tr>
<td>• Retail</td>
<td>0.366:1</td>
<td>4,845</td>
</tr>
<tr>
<td>Total</td>
<td>13.878:1</td>
<td></td>
</tr>
<tr>
<td>Design Excellence Bonus</td>
<td>1.388:1</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>15.266:1</td>
<td></td>
</tr>
<tr>
<td>FSR Proposed</td>
<td>15.266:1</td>
<td>59,552</td>
</tr>
</tbody>
</table>
4.3 Overshadowing of Hyde Park

Shadow diagrams based on the Amended Building Envelope are included in the Additional Design Report at Appendix D. The shadow diagrams demonstrate that the proposed development reduces the shadow cast by the existing building by 50% between 12:00-14:00 (AEST) on the 21 June. Cumulatively, the existing development casts a shadow of 26,937m² during the control period. The proposed development will reduce this shadow cast to 13,434m², representing a 50.13% reduction.

Additional shadow diagrams have also been prepared to demonstrate the reduced impact of the proposed development across the year and will not cast a shadow on the Anzac War Memorial until after 13:00, after key memorial services on ANZAC Day.

4.4 Streetscape and Public Domain

The Amended Indicative Design includes changes to the proposed access arrangements of the development, responding to Council’s request to limit the number of driveway crossovers and improve activation to Castlereagh Street. The revised ground floor plane, as described in Section 3.4 above, presents a consolidated hotel drop-off and basement access arrangement. The revised ground floor plane also sets the hotel drop-off deeper within the site, allowing for the provision of a retail tenancy fronting Castlereagh Street. This retail tenancy will allow for a greater level of activation of the streetscape, particularly in comparison to the existing street conditions. The Transport Study (Attachment E) confirms that the revised ground floor plane and site access arrangement provide safe and efficient access for both vehicles and pedestrians.

The Amended Building Envelope Plans retain the built form approach of a podium/tower as exhibited. The podium feature will provide increased opportunities for activation of the streetscape and ground level and improve the existing public access arrangements through the site.

4.5 Residential Amenity

Clause 70B of the Environmental Planning & Assessment Regulation 2000 provides that a concept development application is not required to provide a statement by a qualified designer addressing how the objectives of Part 3 and Part 4 of the NSW Apartment Design Guide (ADG) have been achieved. Detailed assessment of the objectives of Part 3 and Part 4 of the ADG will be completed as part of the Stage 2 SSDA.

Notwithstanding this, to demonstrate that the proposed building envelope is suitable for the site and that the location and quantity of land uses within the proposed building envelope are suitable for the site, key objectives of the ADG are addressed below.

4.5.1 Objective 3B-2 Overshadowing of Neighbouring Properties

Objective 3B-2 sets out design guidance to minimise overshadowing of existing neighbouring development in mid winter.

The residential overshadowing study presented in the Additional Design Report at Appendix D demonstrates that the proposed building envelope does not reduce the level of direct sunlight, received to the living area of any apartments adjoining the site at 116 Bathurst Street, 197 Castlereagh Street or 27 Park Street below 2 hours. Further, as set out below, the proposed building envelope exceeds the minimum separation distances recommended in 3F Visual Privacy.
4.5.2 Objective 3F-1 Building Separation

Objective 3F-1 of the ADG establishes the recommended minimum building separation distances to ensure that visual and acoustic privacy between dwellings is maintained. As set out in Table 4 the proposed development achieves the minimum building separation distances prescribed by the ADG and therefore achieves privacy to both existing and proposed dwellings.

Table 4 – Building Separation

<table>
<thead>
<tr>
<th>Location</th>
<th>Required Separation</th>
<th>Proposed Separation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Between 201 Elizabeth and 197 Castlereagh Street up to 12m in height</td>
<td>12m</td>
<td>22.3m</td>
</tr>
<tr>
<td>Between 201 Elizabeth and 197 Castlereagh Street up to 25m in height</td>
<td>18m</td>
<td>22.3m</td>
</tr>
<tr>
<td>Between 201 Elizabeth and 197 Castlereagh Street over 25m in height</td>
<td>24m</td>
<td>27m</td>
</tr>
<tr>
<td>Between 201 Elizabeth and 27 Park up to 12m in height</td>
<td>12m</td>
<td>20m</td>
</tr>
<tr>
<td>Between 201 Elizabeth and 27 Park up to 25m in height</td>
<td>18m</td>
<td>29.5m</td>
</tr>
<tr>
<td>Between 201 Elizabeth and 27 Park up over 25m in height</td>
<td>24m</td>
<td>40m</td>
</tr>
</tbody>
</table>

4.5.3 Objective 4A-1 Solar and Daylight Access

Objective 4A-1 sets a design criteria that in order to achieve the objective the living rooms and private open spaces of at least 70% of apartments in a building to receive a minimum of 2 hours direct sunlight between 9am and 3pm at midwinter. The solar modelling conducted by FJMT and presented in the Additional Design Report (Appendix D) demonstrates that the proposed building envelope is capable of achieving the design criteria with 85.5% of apartments receiving the required amount of solar access. The design criteria also nominate that no more than 15% of apartments should receive no direct sunlight between 9am and 3pm at midwinter. The indicative design scheme provides for only 6.1% of apartments achieving no direct sunlight in mid-winter, demonstrating that the proposed building envelope is capable of achieving the design criteria.

4.5.4 Objective 4B-3 Natural Cross Ventilation

Objective 4B-3 sets a design criteria that in order to achieve the objective, a minimum of 60% of the apartments within the first nine storeys are to be naturally cross ventilated and apartments above 10 storeys are deemed to be cross ventilated if the enclosure of balconies allows for adequate natural ventilation and cannot be fully enclosed. The proposed development does not provide residential uses with the first nine storeys. Residential uses (level 12 and above) are expected to be provided with balconies or wintergardens that cannot be fully enclosed and therefore will be deemed to be naturally cross ventilated.
4.6 Transport and Access

Following a review of submissions, further analysis has been completed and a revised Transport Study has been prepared and submitted at Appendix E.

4.6.1 Traffic Generation

Further analysis has been conducted by The Transport Planning Partnership to evaluate the existing and future traffic generation of the site. This data is presented in the Transport Study at Appendix E. A traffic generation survey was conducted at the site on Wednesday 24 May 2017 from 7:00am to 7:00pm to measure the existing number of entry and exit vehicle movements. A separate traffic generation study of ‘Lumiere’ 101 Kent Street, Sydney was undertaken on Wednesday 24 May for a 24-hour period starting from 12 midnight to provide a comparable operating condition to that of the proposed development. A summary of these surveys is replicated from the Transport Study at Table 5.

Table 5 – Traffic generation survey results

<table>
<thead>
<tr>
<th>Period</th>
<th>Existing Conditions</th>
<th>Proposed Conditions</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM Peak</td>
<td>53</td>
<td>98</td>
<td>+45</td>
</tr>
<tr>
<td>PM Peak</td>
<td>41</td>
<td>106</td>
<td>+65</td>
</tr>
</tbody>
</table>

The Transport Study provides that given the existing intersection volumes, and existing intersection performance levels, the estimated increase in traffic generation resulting from the proposed development would not impact on intersection performance levels and have no impact on queuing times surrounding the site as is it is less than 2% of the existing peak hour intersection volumes. The Transport Study advises that due to the minute increases to the traffic volumes at traffic movement level, any intersection modelling software (such as SIDRA) is unlikely to register the changes in the intersection performance. The modelling results are not expected to return any meaningful intersection performance output. The surrounding road network has sufficient capacity to accommodate this minor comparative increase in traffic generation.

4.6.2 Parking

The Amended Indicative Design demonstrates that the proposed basement of the Amended Building Envelope is capable of facilitating car and bike parking consistent with the SLEP/SDCP provisions as set out in Table 6 below.

Table 6 – Required and proposed parking

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Rate</th>
<th>Permissible/Required Spaces</th>
<th>Proposed Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>0.1 car spaces per studio</td>
<td>1.4</td>
<td>182</td>
</tr>
<tr>
<td></td>
<td>0.3 car spaces per 1 bedroom</td>
<td>10.2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>0.7 car spaces per 2 bedroom</td>
<td>100.8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 car space per 3 bedroom</td>
<td>70</td>
<td></td>
</tr>
<tr>
<td>Land Use</td>
<td>Rate</td>
<td>Permissible/Required Spaces</td>
<td>Proposed Spaces</td>
</tr>
<tr>
<td>----------</td>
<td>-----------------------------------------------</td>
<td>----------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td></td>
<td>1 bicycle space per apartment</td>
<td>262</td>
<td>262</td>
</tr>
<tr>
<td></td>
<td>1 visitor bike space per 10 apartments</td>
<td>26</td>
<td>50</td>
</tr>
<tr>
<td>Hotel</td>
<td>1 car space for every 4 rooms up to 100</td>
<td>25</td>
<td>77</td>
</tr>
<tr>
<td></td>
<td>1 car space per 5 rooms above 100</td>
<td>52</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 bicycle space per 4 staff</td>
<td>75</td>
<td>90</td>
</tr>
<tr>
<td></td>
<td>1 visitor space per 20 rooms</td>
<td>18</td>
<td>68</td>
</tr>
<tr>
<td>Retail</td>
<td>(retail GFA x site area) / (50 x total GFA)</td>
<td>6.3</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>1 bicycle space per 250m²</td>
<td>19</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>1 visitor bicycle space per 100m² + 2 spaces</td>
<td>49</td>
<td>60</td>
</tr>
<tr>
<td>Totals</td>
<td>Total car spaces</td>
<td>266</td>
<td>266</td>
</tr>
<tr>
<td></td>
<td>Total bicycle spaces</td>
<td>450</td>
<td>560</td>
</tr>
</tbody>
</table>

### 4.6.3 Access

The Transport Study confirms that vehicle access conditions will remain largely unchanged from the existing conditions, with separate entry and exits off Castlereagh Street and provision of access through to 217 Castlereagh Street. The proposed access arrangements will result in improved pedestrian experience based on the following:

- Vehicles will enter and exit the site in a forward direction, with clear view lines maintained.
- The entry and exit driveway widths being reduced to 6.4m and 7.4m respectively from that of the existing access ramps.
- The driveways will be designed with pedestrians and cyclists having priority over other vehicular traffic movements.
- The driveways will be elevated to the same level as the footpath and be provided with a vehicle crossover to bring the vehicles back down into the road carriageway at the pavement level.
- The driveway will also be paved with materials consistent with the rest of the footpath such that it will be read as a contiguous footpath.

The proposed access arrangements would result in the proposed exit driveway being located within the bus zone. The proposed site access arrangements include the relocation of one bus stop within this area to provide an improved outcome for both the proposed development and bus users on Castlereagh Street. Under this scenario, it is considered the bus zone would continue to operate in a...
similar way to existing conditions. The proposed concept solution is displayed in Figure 5 and will be subject to negotiation with TfNSW prior to the lodgement of the detailed Stage 2 SSDA.

Figure 5 – Proposed bus zones on Castlereagh Street
Source: TTP

4.6.4 Sustainable Transport

The Trasport Study at Appendix E provides a detailed analysis of the anticipated trip generation for non-vehicle movements generated by the proposed development. The daily sustainable transport trips are replicated in Table 7 below, based on land use. Additionally, the Stage 2 SSDA will include a green travel plan that will outline the travel demand measures to encourage tenants, residents and guests to use alternative transport modes.

Table 7 – Estimated non-vehicle trips

<table>
<thead>
<tr>
<th>Transport Mode</th>
<th>Residents</th>
<th>Employees</th>
<th>Hotel Guests</th>
<th>Retail Customers</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Train</td>
<td>26</td>
<td>25</td>
<td>9</td>
<td>0</td>
<td>61</td>
</tr>
<tr>
<td>Bus</td>
<td>20</td>
<td>10</td>
<td>5</td>
<td>0</td>
<td>35</td>
</tr>
<tr>
<td>Walk</td>
<td>74</td>
<td>4</td>
<td>5</td>
<td>365</td>
<td>448</td>
</tr>
<tr>
<td>Ferry/Tram</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Other</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
</tbody>
</table>

4.7 Impact on Private Views

The Amended Building Envelope (Appendix A) is in direct response to submissions in relation to private view loss. The revised tower location is generally located within the existing building footprint to limit private view loss, particularly to iconic views to the north east overlooking Hyde Park, St Mary’s Cathedral and Sydney Harbour.
A Visual and View Impact Analysis has been prepared by Ethos Urban (Appendix H) based on photomontages prepared by Virtual Ideas and Private View Study prepared by FJMT. This assessment has been completed using the principles established by the NSW Land and Environment Court in Tenacity Consulting v Warringah Council [2004] NSWLEC 140 (Tenacity).

The Visual and View Impact Analysis acknowledges that whilst view loss does occur as a result of the proposed development, this view loss is considered acceptable in the circumstances of this project, including:

- The draft Central Sydney Planning Strategy acknowledges the high density nature of the CBD and that public views should be prioritised over private views, which is achieved by the proposed development;
- The draft Planning Proposal to amend the Sydney LEP proposes to delete ‘view sharing’ as an objective of the building height control within Central Sydney and although not a formal matter for consideration, this demonstrates a clear policy position on the significance of impacts on private views within the Sydney CBD;
- The majority of views remain unchanged from existing view corridors due to the location of the proposed tower form generally within the existing tower footprint;
- Limited view loss occurs due to the portion of the tower form that is located beyond the extent of the existing building footprint, however this extent has been limited;
- View loss primarily occurs to residential dwellings located at lower levels and this view loss is considered acceptable given the compliance of the proposed building envelope with the relevant Sydney DCP 2012 street frontage height controls and the exceedance of the minimum building separation distances of the ADG;
- An alternative design to reduce view loss to private apartments at lower levels would compromise both the development potential of the site and result in a built form that is inconsistent with the planning controls and the established streetscape of both Elizabeth Street and Castlereagh Street to the north of the site; and
- Overall, the proposed impacts on private views have been offset by the considerable public benefit of reduced overshadowing to Hyde Park.

4.8 Pedestrian Wind Impacts

In response to submissions from Council, wind tunnel testing of the building envelope (as exhibited) has been carried out to understand the wind impacts of the development on pedestrian conditions. The wind tunnel testing was also completed on a ‘centred configuration’ similar to that of the revised building envelope. The Environmental Wind Report, prepared by MEL Consulting, is submitted at Appendix G and a supporting letter from MEL Consulting confirms that the assessment of the ‘centred configuration’ remains consistent with the Amended Building Envelope.

The results of the wind tunnel testing confirm that:

- Wind conditions of the proposed building envelope are similar to the wind conditions of the existing development and are generally within the criterion for walking comfort;
- Test locations at the north-west corner and south-west corner of the site result in wind conditions that are in excess of the walking comfort criterion however these conditions achieve an acceptable level of safety;
• Test locations at the south-west corner of the site result in wind conditions that are in excess of the walking comfort criterion, however these conditions are an improvement on the existing wind conditions at that location.

This analysis confirms that the proposed building envelope is capable of facilitating a development that results in an overall improvement to pedestrian wind conditions at the site and that all wind conditions are safe for pedestrians.

The impacts on pedestrian wind conditions are capable of being managed and mitigated through the detailed design of the development and subsequent stages. Dexus has proposed to include an expert wind consultant on the technical panel for the design competition. This will enable competitors to seek formal advice throughout the competitive process and for a preliminary review of the wind impacts for each competition entry to be presented to the competition jury.

4.9 Ecologically Sustainable Development

The following ESD targets and sustainability initiatives will be imbedded in the Design Excellence Strategy and carried through the competition phase, design development, construction, and through to completion of the project to deliver an industry-leading sustainable development:

• BASIX 5+ in the categories of Water and Energy.
• Water performance targets for hotels in accordance with the City’s Environmental Action Plan.
• On-site water capture and re-use for end-uses.
• 5 Star Green Star certification.
• Sustainable materials to be used in construction.
• 80% recycling and recovery of construction and demolition waste.

4.10 The Public Interest

As provided above in this Response to Submissions, the proposed development, being state significant development, has a priority to consider the public interest over private impacts. The proposal has considered appropriate mitigation measures to ensure that the impact on private development is minimised, as detailed at Section 5.

Overall, the redevelopment of 201 Elizabeth Street will result in the following positive contribution to the Sydney CBD:

• A 50% reduction in the shadow cast by the existing building on Hyde Park in mid-winter. This is one of the Sydney CBD's primary open spaces and the proposed redevelopment will enhance the public space and the amenity for users, especially during the winter months.
• Create a more sensitive back drop to the Anzac War Memorial by decreasing the perceived building bulk and scale and increasing views to sky behind the culturally sensitive landmark.
• Enhance the urban design and appearance of the existing streetscape by relocating existing basement access ramps and providing active uses at ground level.
• Providing a new hotel development to contribute to the much-needed supply of hotel rooms within the Sydney CBD, and facilitating the growth in the tourist economy.
5.0 Final Mitigation Measures

The collective measures required to mitigate the impacts associated with the proposed works are detailed in Table 8 below. The mitigation measures proposed as part of the original EIS are maintained, whilst new mitigation measures to address the issues raised in submission are included below in italics with grey highlight.

Table 8 - Final Mitigation Measures

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Overshadowing</strong></td>
</tr>
<tr>
<td>▪ The above analysis demonstrates that the proposal will result in a reduction in the shadow cast by the existing building on Hyde Park.</td>
</tr>
<tr>
<td>▪ The design competition and Stage 2 SSDA will be restricted to the concept building envelope and required to demonstrate at least a 50% reduction in overshadowing.</td>
</tr>
<tr>
<td><strong>Transport</strong></td>
</tr>
<tr>
<td>▪ CMP to be prepared in negotiation with key stakeholders considering cumulative construction traffic impacts.</td>
</tr>
<tr>
<td>▪ Design competition and Stage 2 SSDA will need to consider basement access and bus stops. Further discussions with TfNSW and Sydney Buses will take place ahead of the Stage 2 SSDA.</td>
</tr>
<tr>
<td>▪ The indicative design shows an internal hotel drop-off area accessed via Castlereagh Street. This approach is recommended to be implemented through the design competition and Stage 2 SSDA.</td>
</tr>
<tr>
<td>▪ The applicant will consult with the City of Sydney and CBD Coordination Office to ensure access arrangements minimise impacts to general traffic, buses, cyclists and pedestrians.</td>
</tr>
<tr>
<td><strong>Heritage</strong></td>
</tr>
<tr>
<td>▪ Tunnel design to be the subject of negotiations with Heritage Council and City of Sydney heritage department through the Stage 2 SSDA process.</td>
</tr>
<tr>
<td>▪ Future development of the site utilises materials and form that is complementary to the existing heritage.</td>
</tr>
<tr>
<td>▪ Construction impacts will need to be managed accordingly.</td>
</tr>
<tr>
<td><strong>Wind</strong></td>
</tr>
<tr>
<td>▪ Wind consultant to be included as part of the Technical Panel for the design competition to provide advice to competitors and the jury on the potential wind impacts of competition entries.</td>
</tr>
<tr>
<td>▪ Detailed wind tunnel testing to be conducted as part of any Stage 2 SSDA submission.</td>
</tr>
<tr>
<td><strong>Acoustic</strong></td>
</tr>
<tr>
<td>▪ Detailed design is to incorporate noise mitigation measures outlined in the Indicative Acoustic Review (prepared by Acoustic Logic dated July 2016). Noise and Vibration Report prepared by Acoustic Logic are to be adopted during construction.</td>
</tr>
<tr>
<td>▪ The Stage 2 SSDA report(s) will seek to identify the strategies for noise and vibration control and management including appropriate sound minimisation measures to be incorporated with the plant and mechanical areas and proposed building materials.</td>
</tr>
<tr>
<td>▪ The Stage 2 SSDA will address management and mitigation of construction noise and vibration impacts in a Preliminary Construction Management Plan.</td>
</tr>
<tr>
<td><strong>Impact on existing and planned rail corridors</strong></td>
</tr>
<tr>
<td>▪ The proposed foundation scheme for the buildings will need to take into account the proximity of the metro tunnels and station caverns. As the final Stage 2 design develops, rock modelling could be used to demonstrate the impact that the building may have on the Metro.</td>
</tr>
<tr>
<td>▪ The rail tunnel will not exist during the construction of the new proposal. During construction of the tunnel, the building can be assessed for any ground borne vibrations.</td>
</tr>
<tr>
<td>▪ Isolation of the proposed building as part of the overall design should be considered. If it is not it will be reliant on Sydney Metro isolating their own system.</td>
</tr>
<tr>
<td>▪ The provisions for the use of DC will need to be considered during the design process to mitigate the impact of DC on buried structures, which can result in increased risk of corrosion.</td>
</tr>
<tr>
<td>▪ Given the depth of the proposed tunnel, noise is unlikely to be an issue; however, low frequency sound will be required to consider as part of the design process in a similar means to the vibration assessment.</td>
</tr>
</tbody>
</table>
Due to the proximity to the tunnel, access for maintenance and emergency works to the tunnel may need to be provided. Although the depth of the lines would largely prohibit the use of any maintenance from ground level, the zone around the cavern is to be kept clear as part of the design.

- The owners of the site will consult with TfNSW during any Design Competition and the lodgement of a Stage 2 Development Application to ensure that the relevant designs have taken into consideration the relationships of the design with Sydney Metro City and Southwest.
- Prior to lodgement of the Stage 2 application, the developer will consult with TfNSW to review the basement levels to assess the vertical separation to Sydney Metro City and Southwest tunnel.
- Prior to lodgement of the Stage 2 application, the developer will consult with TfNSW to review demolition of the existing building and proposed excavation of the site to ensure that the unloading and movement of rock and potential impacts on temporary and permanent rock support in the Metro cavern are assessed and managed to avoid any adverse impacts.

Any Stage 2 Development Application will address the following matters:
- Design, construction and maintenance of the development to satisfy the matters below.
- Allowances for future construction of railway tunnels in the vicinity of the approved development.
- Allowances in the design, construction and maintenance of the development for the future operation of railway tunnels in the vicinity of the approved development, especially in relation to noise, vibration, stray electrical currents, electromagnetic fields and fire safety.
- Provide to TfNSW drawings, reports and other information related to the design, construction and maintenance of the approved development.
- Such other matters which TfNSW considers are appropriate.
- The design and construction of the basement levels, foundations and ground anchors for the approved development are to be completed to the satisfaction of TfNSW. The developer shall develop their foundation design to ensure that all loads are transferred down to the 2nd reserve. Cross sectional drawings showing the proposed basement excavation and structural design of sub ground support adjacent to the rail corridor should be included for the proposed foundations.
- The developer must undertake detailed numerical analysis considering geotechnical conditions and are required to demonstrate that the proposed development, after completion of building construction, will not have adverse impacts on the Sydney Metro tunnels including construction and tunnel structures and that the integrity of the constructed building will not be adversely impacted by the construction of the Sydney Metro tunnels including tunnelling induced settlement and in-situ stress relief due to excavation.

Contamination
- Detailed design is to incorporate the recommendations of the Phase 1 Environmental Site Assessment (prepared by Edge Environment dated January 2016).
- Phase 2 Assessment to be completed prior to any construction works.

Construction
- A preliminary CMP will be prepared in consultation with key stakeholders and submitted with the Stage 2 SSDA.
- A Construction Traffic Management Plan will be prepared prior to any construction certificate that specifies:
  - Location of proposed work zone.
  - Haulage routes.
  - Construction vehicle access arrangements.
  - Proposed construction hours.
  - Estimated number of construction vehicle movements.
  - Construction program.
  - Any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works.
  - Cumulative construction impacts of projects including Sydney Metro City and Southwest and Sydney Light Rail projects.
  - Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist’s impacts should be clearly identified and included in the draft CTMP.

Geotechnical
- A Geotechnical Report will be prepared and submitted with the Stage 2 SSDA. Detailed geotechnical modelling can be submitted to RMS prior to the issue of the relevant construction certificate and required by a condition.
The Geotechnical Report will identify any potential ground water mitigation measures required at Stage 2.

The development will comply with the requirements of Roads and Maritime Services Technical Direction – Excavation Adjacent to RMS Infrastructure.

Access

Prior to design competition or any Stage 2 Development Application lodgement, the applicant is to consult with the City of Sydney and the CBD Coordination Office to investigate a hotel pick up/drop off and car park/loading dock arrangement which minimises impacts to general traffic, buses, cyclists and pedestrians.

For any Stage 2 Development Application to be lodged for the subject site, the applicant will prepare a car park and loading bay management plan that includes:

- Swept paths of vehicles entering and exiting the loading dock.
- Management of queuing along Castlereagh Street as a result of the proposed car park and loading bay arrangement.
- The details of alternate car parking locations and loading zones to redirect vehicles due to extensive queuing at the access to the car park.
- Management of incidents at the access to the car park and loading bay.
- Loading bay management details including service vehicle movements during peak periods.
- Management of conflicts between vehicles accessing the site and pedestrian movements along Castlereagh Street.
- Management of conflicts between cars accessing the car park and vehicle movements to/from loading bays.

Prior to the lodgement of any Stage 2 Development Application, the applicant will consult with Sydney Trains to determine whether a new agreement needs to be negotiated for the proposed retail area under the proposed development and level of DDA requirement.

For any Stage 2 Development Application lodgement, the applicant will provide more detailed information on the proposed pedestrian connections to public transport and their ability to accommodate forecast pedestrian demand.
6.0 Conclusion

Dexus, and its expert project team have considered all submissions made in relation to the public exhibition of the proposal. A considered and detailed response to all submissions made as been provided within this report and in the accompanying documentation.

In responding to and addressing the range of matters raised by government agencies and authorities and the general public, Dexus has sought to refine the project design to address matters relating to views and access.

As outlined within this report, the amendments to the proposed development retains the key mix and arrangement of uses and result in an overall positive impact.

To the benefit of the overall project, the environmental impacts of the amended development have been reduced from that of the original application and will deliver a project that is an improvement to the original publicly exhibited development. The proposal has significant planning merits as it will:

- Result in improved solar access to Hyde Park;
- Create a positive addition to the Sydney CBD skyline on a key gateway site;
- Balance the issues of private view loss with the public benefits of urban design improvements, public views and solar access to Hyde Park;
- Result in a wind environment that is comparable to the existing conditions;
- Create approximately 350 – 450 construction jobs and employ approximately 740 people in the hotel component of the development once operational;
- Provide a world class hotel in a highly accessible location, capitalising on existing and proposed public transport infrastructure;
- Provide high amenity residential dwellings in close proximity to jobs and public transport; and
- The proposed mix of uses and improvements to the public domain will provide a high level of amenity for workers, residents and visitors, provide opportunities for employment and will support Sydney’s reputation as a global city.

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