

ATTACHMENT A

**STATE SIGNIFICANT DEVELOPMENT
ASSESSMENT REPORT INCLUDING
RELEVANT SUPPORTING INFORMATION
AND ENVIRONMENTAL PLANNING
INSTRUMENTS**

1 ALFRED STREET, SYDNEY

***STATE SIGNIFICANT DEVELOPMENT
ASSESSMENT REPORT:***

Mixed Use Hotel Development

1 Alfred Street, Sydney

D/2016/1529 (SSD 8111)



Central Sydney Planning Committee's
Environmental Assessment Report
Section 89E of the *Environmental Planning and
Assessment Act 1979*
May 2017

ABBREVIATIONS

ADG	Apartment Design Guide
APDG	Alfred, Pitt, Dalley and George Streets
Applicant	Wanda One Sydney Pty Ltd or any other person or persons who rely on this consent to carry out the development that is subject to this consent
ARI	Average Recurrence Interval
ASSMP	Acid Sulfate Soils Management Plan
CBD	Central Business District
CIV	Capital Investment Value
Council	The City of Sydney Council
CPTMP	Construction Pedestrian and Traffic Management Plan
CSELR	CBD South East Light Rail
CSPC	Central Sydney Planning Committee
CSTTC	Central Sydney Traffic and Transport Committee
DA	Development Application
DAP	Design Advisory Panel
Department	Department of Planning and Environment
DESI	Detailed Environmental Site Investigation
DPI Water	New South Wales Department of Primary Industries - Water
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPA	Environment Protection Authority
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
FPL	Flood Planning Level
FSR	Floor Space Ratio
GFA	Gross Floor Area
GFRC	Glass Fibre Reinforced Concrete
ISEPP	<i>State Environmental Planning Policy (Infrastructure) 2007</i>
LGA	Local Government Area
LLCQ	Lendlease Circular Quay
Minister	Minister for Planning
PMF	Probable Maximum Flood
RMS	NSW Roads and Maritime Services
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department
SEPP	State Environmental Planning Policy
SEPP 55	<i>State Environmental Planning Policy No.55 – Remediation of Land</i>
SEPP 64	<i>State Environmental Planning Policy No.64 – Advertising and Signage</i>
SEPP 65	<i>State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development</i>
SDCP 2012	<i>Sydney Development Control Plan 2012</i>
SLEP 2012	<i>Sydney Local Environmental Plan 2012</i>
SREP	Sydney Regional Environmental Plan
SSD	State Significant Development
TfNSW	Transport for NSW
VPA	Voluntary Planning Agreement

Cover Image: Photomontage, northern elevation (Source: Kengo Kuma and Associates and Crone)

EXECUTIVE SUMMARY

This report provides an assessment of a State Significant Development (SSD) Application (D/2016/1529) seeking approval for a mixed use hotel development at 1 Alfred Street, Sydney.

In particular, the project seeks approval for:

- demolition of all existing structures on the site;
- construction of a hotel consisting of a tower (Tower B) with a maximum building height of 110m, ground floor retail, 182 hotel rooms, and common hotel facilities;
- excavation and construction of a six level basement for use by the hotel and the residential tower (Tower A – subject to separate Development Consent D/2015/882/B) for car parking, storage, access, back of house and services;
- vehicular access on Pitt Street;
- business identification signage;
- retail signage strategy for Tower A and Tower B;
- public domain improvements, including pedestrian thoroughfares, landscaping; dewatering; and
- augmentation of physical infrastructure and utilities.

The Minister for Planning and Secretary, Department of Planning and the Environment delegated their respective consent authority and assessment functions to the City of Sydney Council (Council) for this development application. This development application is therefore lodged for assessment by Council officers and determination by the Central Sydney Planning Committee (CSPC).

The application was publicly exhibited for 68 days from 25 November 2016 to 31 January 2017. Council received seven (7) submissions from public authorities and one (1) public submission. Two (2) public submissions received in response to separate Development Application (DA) D/2016/1527 made reference to the Tower B design.

Key assessment issues for the application include:

- Built Form and Urban Design;
- Overshadowing;
- Internal Amenity;
- View Impacts;
- Public Domain;
- Flooding;
- Transport, Parking, Traffic and Access;
- Heritage;
- Hours of Operation;
- Signage; and
- Equitable Access

The proposal complies with the permissible FSR and height in metres control identified in Sydney Local Environmental Plan 2012 (SLEP 2012). It also complies with the Stage 1 building envelope, as proposed to be amended in concurrent Section 96(2) application D/2015/1049/B.

Furthermore, the submission requirements set out in various Stage 1 conditions of consent (as amended) have been satisfied.

The proposal has been assessed with regard to impacts on surrounding development, including overshadowing, view loss, flooding, traffic, and heritage. It is considered that the proposal will not create unacceptable impacts to surrounding properties in this regard.

The proposal will deliver high quality hotel accommodation in an inner city location with excellent access to transport, open space, services, facilities and attractions, consistent with the goals and objectives outlined in the NSW Government's 'NSW 2021 – A Plan to Make NSW Number One' and 'A Plan for Growing Sydney'.

Subject to the recommendations provided in this report and subsequent conditions, the application is recommended for approval, subject to a deferred commencement condition pursuant to Section 80(3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), requiring additional information to be submitted to and to the satisfaction of the NSW Department of Primary Industries – Water (DPI Water) prior to the consent becoming active.

1. BACKGROUND

1.1 Introduction

This report provides an assessment of a SSD Application (D/2016/1529) seeking approval for a mixed use hotel development at 1 Alfred Street, Sydney.

In particular, the project seeks approval for:

- demolition of all existing structures on the site;
- construction of a hotel consisting of a tower (Tower B) with a maximum building height of 110m, ground floor retail, 182 hotel rooms, and common hotel facilities;
- excavation and construction of a six level basement for use by the hotel and the residential tower (Tower A – subject to separate Development Consent D/2015/882/B) for car parking, storage, access, back of house and services;
- vehicular access on Pitt Street;
- business identification signage;
- retail signage strategy for Tower A and Tower B;
- public domain improvements, including pedestrian thoroughfares, landscaping; dewatering; and
- augmentation of physical infrastructure and utilities.

Selected Architectural Drawings are included as **Appendix C**.

The Minister and Secretary delegated their respective consent authority and assessment functions to the Council for this DA. This application is therefore lodged for assessment by Council officers and determination by the CSPC.

1.2 The Site

Site visits were carried out in November 2016 and April 2017.

The site is located on the northern edge of the Sydney Central Business District (CBD), within the City of Sydney Local Government Area (LGA).

The site is bounded by Alfred Street to the north, Pitt Street to the east, Rugby Place to the south and George Street to the west and forms the northern portion of the Alfred, Pitt, Dalley and George (APDG) block identified in Clause 6.25 of SLEP 2012.

The site is known as 1 Alfred Street, Sydney. The legal description of the site is Lot 8 in DP 1224258.

The site is irregular in shape and has a total site area of 4,040m². The site has a 58.82m frontage to Alfred Street (arc), 49.18m frontage to Pitt Street, 14.48m frontage to George Street and 25.83m frontage to Rugby Place. The topography of the site includes a slight fall (approximately 3.6m) from west to east.

The site currently contains three buildings. Goldfields House occupies the northern portion of the site (**Figure 2**). Constructed in 1966 it comprises a 26 storey commercial office tower, with retail spaces at ground level. Pedestrian access into the office tower is provided at the corner of George Street and Alfred Street. Primary vehicular access is provided via a basement entry ramp off 13-17 Pitt Street, to the Wilson Goldfields Car Park. The entry ramp is located adjacent to the boundary at 19-31 Pitt Street. In total, approximately 120-130 car spaces are provided within the basement area. Secondary vehicular access including a loading dock is provided at the rear of the site via Rugby Place. Goldfields House is currently under demolition.

Fairfax House occupies the south eastern portion of the site (**Figure 3**). Constructed in 1970 it comprises a 13 storey commercial office tower, with retail shops at ground level. Pedestrian access into the office tower is provided at the corner of Pitt Street and Rugby Place. The Fairfax House building includes one basement level.

The Rugby Club occupies the southern portion of the site (**Figure 4**). Constructed in 1914 it comprises a converted six storey commercial office building, with the Rugby Club restaurant and function space at ground level. Pedestrian access is provided via Rugby Place, which can be accessed from both George and Pitt Streets.

Photographs of the site and its surrounds are provided below.

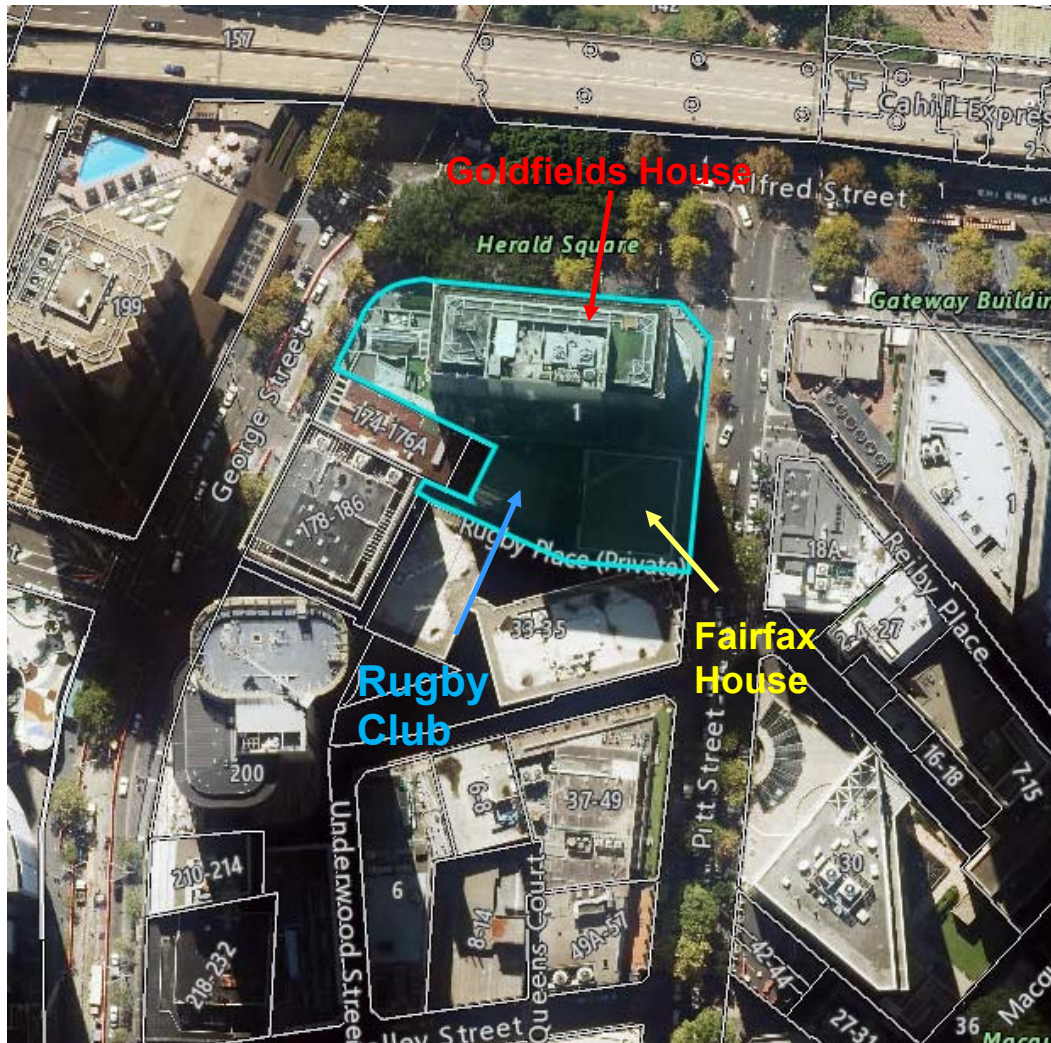


Figure 1: Aerial photograph of the subject site identifying the three existing buildings



Figure 2: Goldfields House, viewed from the north east on Alfred Street



Figure 3: Fairfax House, viewed from the north east on Pitt Street



Figure 4: Rugby Club, viewed from the south east on Rugby Place



Figure 5: Herald Square (adjoining to the north), viewed from the west on the corner of George and Alfred Streets



Figure 6: Cahill Expressway and railway underdeck (on the opposite side of Alfred Street to the north)



Figure 7: Ship Inn and Gateway Tower (located at 1 Macquarie Place on the opposite side of Pitt Street to the east)

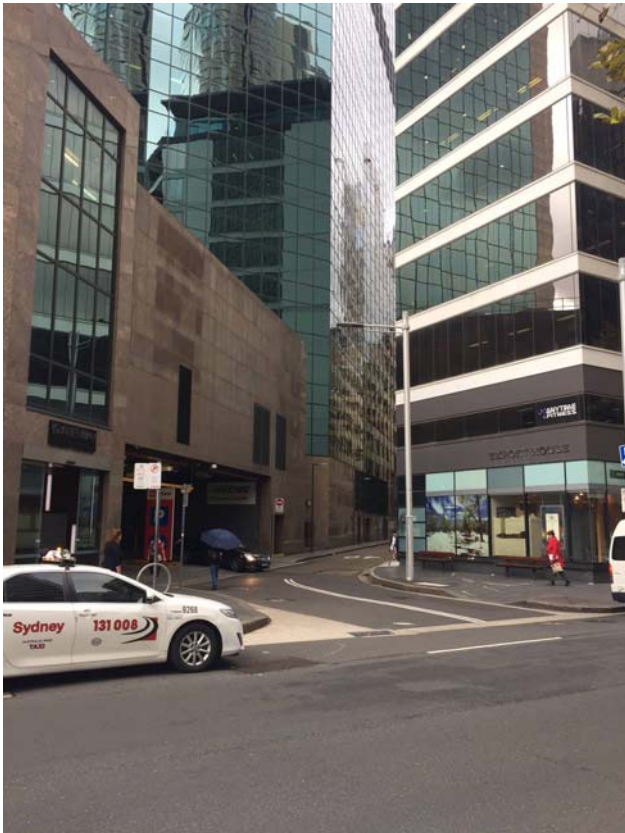


Figure 8: Intersection of Pitt Street and Reiby Place (on the opposite side of Pitt Street to the east)



Figure 9: Export House (located at 18A Pitt Street to the east)



Figure 10: Marriot Hotel (located at 30 Pitt Street to the south-east)



Figure 11: Rugby Place, located on the southern boundary of the site



Figure 12: Adjoining site at 33-35 Pitt Street



Figure 13: The rear of 'Jackson's on George', directly adjoining the site to the south west.

1.3 Surrounding Development

North

To the immediate north of the site are Herald Square and Alfred Street (**Figure 5**). Herald Square includes the Tank Stream Fountain, a local heritage item. Herald Square incorporates areas for outdoor dining and includes public seating. The Cahill Expressway, including the City Circle railway underdeck, is on the opposite side of Alfred Street (**Figure 6**). Circular Quay and the ferry terminal lies beyond.

East

To the immediate east of the site is 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 boundary and is located approximately 1m from the existing basement level wall.

Above ground, on the opposite side of Pitt Street is the heritage listed Ship Inn, 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 (**Figure 7**). Further to the east on Alfred Street is Customs House at 31 Alfred Street, and the existing AMP Tower at 33 Alfred Street.

Reiby Place is also located to the east (**Figure 8**). Anticipated changes to traffic conditions as a result of the CBD South East Light Rail (CSELR) mean that future vehicular access to the site, for vehicles travelling to the site from the south, will be via Reiby Place.

Export House, an 11 storey commercial office building, lies to the south of Reiby Place (**Figure 9**). The Marriot Hotel lies further to the south of Export House (**Figure 10**).

South

To the immediate south of the site is Rugby Place (**Figure 11**). Rugby Place acts as an access way for the loading dock provided to the rear of Goldfields House, and provides pedestrian access to the Rugby Club.

South of Rugby Place is 33-35 Pitt Street, known as The Atrium (**Figure 12**) 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.

Recent amendments to the SLEP 2012 made on 2 December 2016 facilitate the redevelopment of 33-35 Pitt Street and 182 George Street as a commercial tower to the height of 248m, with a new plaza on George Street, community facilities, and public domain improvements. The site has recently been the subject of a competitive design alternatives process, however a development application for construction of the winning scheme has not yet been lodged. The project is known as Lendlease Circular Quay (LLCQ).

Adjoining the site directly to the south west is the existing licensed entertainment venue 'Jackson's on George' (**Figure 13**). Jackson's on George has also recently been the subject of a competitive design alternatives process. The site is expected to be redeveloped for continuing use as a licensed entertainment venue, however a DA has not yet been lodged.

Further to the south west is 200 George Street, which is a commercial office building with a height of 150m (37 storeys). The building includes retail areas facing onto both George Street and Underwood Street, and basement car parking.

West

To the immediate west of the site is George Street, which acts as a primary arterial road and main thoroughfare connecting Circular Quay to the Central CBD. George Street is currently subject to road closures as a result of the ongoing construction of the CSELR.

Further to the west is the Four Seasons Hotel and Quay West Apartment Building. Grosvenor Place, a 46 storey commercial office building, and the Cove Apartments are located further to the south west.

1.4 History Relevant to the Development Application

The development site has been the subject of a number of DAs. Relevant applications include:

- D/2007/1384 - Stage 1 development consent for building envelopes on the Goldfields House site;
- D/2010/2029 - Stage 2 development consent for the construction of two mixed use residential buildings on the Goldfields House site;
- D/2015/1049 (SSD 15_7101) Subsequent Stage 1 development consent for building envelopes (now known as Tower A and Tower B) on the Goldfields House, Fairfax House, and the Rugby Club sites;
- D/2015/882 - Stage 2 development consent for the construction of Tower A;
- D/2016/1527 (SSD 16_8110) - Development consent for the demolition of Goldfields House, Fairfax House and the Rugby Club; and
- D/2016/1529 (SSD 16_8111) Stage 2 DA for the construction of Tower B, which is the subject of this application.

In addition, Section 96(2) application D/2015/1049/B (SSD 15_7101 MOD 2) seeks to modify the Stage 1 building envelopes and amend conditions of consent, and is being assessed concurrently with this application.

More detailed information is provided below.

D/2007/1384

On 13 March 2008 a deferred commencement consent was granted by the CSPC for a Stage 1 DA encompassing the Goldfields House site. This included building envelopes for a larger tower form in the western portion of the site and a smaller tower form in the eastern portion.

D/2010/2029

On 10 May 2012, a Stage 2 deferred commencement consent was granted by the CSPC for the demolition of the existing building, excavation of eight basement levels and construction of two new mixed-use buildings (55 storeys and 15 storeys) and public domain improvement works. Overall, the approved buildings accommodate 196 apartments, 924m² of retail/commercial floor space, and 279 car parking spaces.

The scheme was designed by Kerry Hill Architects and related only to the Goldfields House site.

This consent has subsequently been modified under the provisions of Section 96 of the EP & A Act (Modifications A and B).

Modification A has no direct relevance to the application the subject of this report. Modification B, approved on 10 November 2016, staged the consent to allow the demolition of Goldfields House.

The consent is currently active and is being utilised to facilitate the demolition of Goldfields House.

D/2015/1049 (SSD 15_7101)

On 10 December 2015, a Stage 1 deferred commencement consent was granted by the CSPC, under delegation of the Minister, for a Stage 1 DA encompassing the Goldfields House, Fairfax House and the Rugby Club sites. The Stage 1 consent includes:

- in-principle approval for demolition of the three existing buildings on the site;
- building envelopes and indicative future land uses for two towers now referred to as Tower A and Tower B (Tower A being the taller tower located in the western portion of the site, and Tower B being the smaller tower located in the eastern portion that is the subject of this application);
- Tower A, a 185m (RL 191) tower comprising predominantly residential uses with retail on the lower levels;
- Tower B, a 110m (RL 112.5) tower comprising a hotel with ground floor retail;
- a maximum FSR of 13.05:1, with an additional 10% available subject to the demonstration of design excellence; and
- a shared basement with six levels of car parking.

This consent has subsequently been modified under the provisions of Section 96 of the EP&A Act (Modification A).

Modification A, approved on 11 August 2016 by the CSPC under delegation of the Minister, modified the Stage 1 approval to increase the height of the building envelope for Tower A to 194m (RL 200).

A further Section 96(2) application (Modification B) was lodged on 31 October 2016 and proposes amendments to the approved building envelopes to accommodate changes to Tower A currently proposed under D/2015/882/C (refer to discussion below), and the detailed design of Tower B that is the subject of this report. Importantly, the proposal also included amendments to deferred commencement condition 1 'Voluntary Planning Agreement'. The ability of the CSPC to determine the application that is the subject of this report, is dependent upon the modification to the condition first being approved.

Accordingly, application D/2010/1049/B is a preceding agenda item on this May 2017 CSPC agenda.

D/2015/882

On 10 December 2015 the CSPC granted deferred commencement consent to this 'amending DA', which amended D/2010/2029 (described above).

The design approved under D/2015/882 is very similar to that approved under D/2010/2029, but incorporates the following changes:

- The smaller tower (now known as Tower B) is no longer included in the development;
- Construction works below ground are no longer included in the development;
- The height of the taller tower (now known as Tower A) is increased from 55 to 57 storeys; and

- The floor plate was amended and the internal layouts reconfigured.

Kerry Hill Architects were retained to design the amended scheme for Tower A.

This consent has subsequently been modified under the provisions of Section 96 of the EP&A Act (Modification B).

Modification A was withdrawn. Modification B has no direct relevance to the application the subject of this report.

A further Section 96(2) modification (Modification C) is currently under assessment. Modification C proposes to increase the maximum building height from 185m to 194m (further increasing the number of storeys from 57 to 59), increase floor to floor heights on 12 floors, provide a new swimming pool, change the internal layout and dwelling mix, and modify external facade elements. The proposed amendments will increase the approved GFA of Tower A from 31,627m² to 38,600m².

The development consent remains deferred at the time of writing this report.

D/2016/1527 (SSD 8110)

On 17 March 2017, development consent was granted, under delegation of Council, in turn under delegation of the Minister, for the demolition of all structures located on the site to existing ground slab level, including Goldfields House, Fairfax House and The Rugby Club.

Competitive Design Process

From 23 March to 3 June 2016, Wanda One Sydney conducted a Competitive Design Alternatives Process to select a scheme for Tower B, the public domain, and shared basement, with the aim of ensuring design excellence would be achieved in accordance with the performance criteria set out in Clause 6.21 'Design Excellence' of the SLEP 2012.

Six (6) architectural firms participated in the competitive design alternatives process. Of the six (6) schemes presented, the scheme proposed by Kengo Kuma and Associates and Crone in joint partnership was considered by the Selection Panel to be the most capable of demonstrating design excellence and was declared the winner.

Development Application

Following the Competitive Design Alternatives Process, the design was further developed to respond to the comments of the Selection Panel and the commercial requirements of the Applicant. The DA was lodged on 31 October 2016 and exhibited to the public, referred to relevant authorities and internal experts, and reviewed for initial issues.

The Design Advisory Panel (DAP) considered the application on the 16th of February 2017. The panel raised the following matters for consideration:

- Additional technical information regarding façade material selection is required for proper assessment. Glass reflectivity was questioned and the glass colour is not supported; a clearer or grey glass is more appropriate rather than the proposed blue.
- Considering the buildings prestigious location, the preferred cladding for the proposed tower is sandstone and not the glass fibre reinforced concrete sheeting as specified. At a minimum, podium levels of the tower should be sandstone.

- New developments in the City, such as Crown Casino, are achieving 6 star green star ratings. A better performance than the proposed 5 star rating should be strongly encouraged.
- The efficiency of the extent of proposed openable windows for natural ventilation is questionable. The current proposal does not maximise the natural ventilation potential of the site; utilising north easterly winds and limiting user choice. Increased openable windows will animate the façade and create interest. This could be achieved with louvres or operable high-light windows. Function spaces should also incorporate openable windows
- The Grand Ballroom does not appear to provide adequate fire egress provisions. Egress requirements need to be investigated.
- The layouts of the Grand Ballroom pre-function spaces need refinement for effective circulation and operations.
- The panel supports the City's suggestion to limit and minimise signage.
- The panel agrees that the proposal and its through site link is vastly improved from the competition phase. However the current water feature appears to be token. The panel prefers the previous competition iteration of the inside/outside water feature.
- The panel prefers the glazed lobby with a lower and finer light weight canopy. Grounding of the tower could potentially be achieved by introducing sandstone walls internally in the lobby so that the foyer, while secure, appears to be integrated with the public domain. Given the significance of the location on Circular Quay the panel is of the view that the lobby is integral to both the architecture and the public realm, and as such it is critical that the architect Kengo Kuma Associates design the lobby.

In addition to the issues raised by the Design Panel, Council officers wrote to the applicant on the 8th and 24th of February 2017, requesting design amendments and further information and clarification. The key issues raised were as follows:

- The public domain should be amended to address concerns with the following:
 - paving materials;
 - porte cochere;
 - through site link;
 - planting areas on Pitt Street;
 - water feature;
 - outdoor dining areas on the northern side of the building; and
 - levels.
- GFA should be recalculated to include basement lobbies and other miscellaneous areas.
- The Ecologically Sustainable Development credentials of the tower should be strengthened and certified.
- The design of the porte cochere should be further developed and refined;
- Additional bike parking facilities should be provided.
- The use of sandstone should be expanded and the choice of glazing reconsidered to reduce colour and reflectivity.

The concerns of Council officers and the DAP have largely been addressed through design amendments. Where necessary, matters that have not been adequately justified in the Response to Submissions (RtS) and remain unresolved are addressed through the recommended conditions of consent included as **Appendix B**.

Voluntary Planning Agreement

A Voluntary Planning Agreement (VPA) was executed between Council and the developer in March 2017 and is now registered on title. The VPA requires the delivery of public art to the value of \$3.5m, the transfer of land with a total combined area of 398m², works in kind, and rights of public access.

The provisions of the executed VPA have been taken into consideration in the assessment of this application.

2. PROPOSED DEVELOPMENT

2.1 Project Description (as exhibited)

The proposal, as exhibited and described within the Environmental Impact Statement (EIS) is described below:

- Demolition of all existing structures on the site;
- construction of a hotel consisting of a tower (Tower B) with a maximum building height of 110m, ground floor retail, 182 hotel rooms, and common hotel facilities;
- excavation and construction of a six level basement for use by the hotel and residential tower (Tower A) for car parking, storage, access, back of house, and services;
- vehicular access on Pitt Street;
- identification of building signage zones;
- public domain improvements, including pedestrian thoroughfares, public art, landscaping; dewatering; and
- augmentation of physical infrastructure and utilities.

The project description has been amended to that described in Section 1.1 of this report to reflect the design amendments and further clarification included in the RtS.

2.2 Response to Submissions

Following the public exhibition of the proposal and detailed assessment of the application by Council officers, including referrals to internal and external stakeholders, the Applicant was requested to address the issues raised in the submissions as well as a number of specific design issues identified by assessment of the proposal.

The Applicant provided a RtS (**Appendix D** of this report), which contains further information and clarification of the key issues raised by Council officers, the DAP, and in the agency and public submissions. The key revisions to the proposed development are summarised below:

- Revised glazing materiality to reduce glazing colour and reflectivity;
- Use of additional Piles Creek Sandstone on the 'podium' elements of the building;
- Additional operable windows within public areas in the podium;
- Removal of above awning signage;
- Amended awning design including the removal of 'sandstone' elements and increasing the height to 7m;
- Reduced landscaping on the podium green roofs to improve accessibility for maintenance;
- Provision of access doors within podium façade to allow maintenance access;
- Amendments to retail and lobby facades, including amendments to entries and the addition of sandstone to all retail columns;
- Revised water feature dimensions;
- Public domain levels adjusted to achieve level zones suitable for outdoor dining adjacent to the northern retail tenancy; and

- Provision of a Retail Signage Strategy.

2.3 Description of Revised Proposal

The key components of the revised proposal, as described in the RtS are outlined in **Table 1** below. Photomontages of the revised proposal in **Figures 14 to 19** below. Selected floor plans and elevations are provided in **Figures 20 to 36**. (Source for all images: Kengo Kuma and Associates and Crone)

Table 1: Overview of revised proposal

Parameter	Proposal	
Land Uses, as defined by the SLEP 2012	Hotel or Motel Accommodation (hotel) Function Centre (Grand Ballroom and pre-function) Shops (Ground Floor retail) Recreation Facility (Indoor) (gym and spa facilities) Entertainment Facility (karaoke) Food and Drink Premises (lobby bar, gym café, restaurant, club bar and terrace)	
Building Height	110m / RL 112.5	
Indicative Gross Floor Area (Site Total)	57,994m ²	
Tower A (separate approval)	Residential: 38,178.37m ²	Retail: 421.63m ²
Tower B	Hotel: 19,058m ²	Retail: 336m ²
Proposed FSR (site total)	14.35:1	
Capacity	182 Hotel keys Guests: 278 Ground level hotel lobby lounge/bar: 68 Level 1 gym, pool and spa: 73 Level 3 grand ballroom, pre-function and meeting rooms: 241 Level 4 all day and private dining: 84 Level 23 VIP banquet: 34 Level 23 Chinese restaurant: 81 Level 24 hotel bar, karaoke, and terrace: 157 Level 25 club bar and terrace: 35 Staff: 211 Total Hotel Capacity: 1,262 persons	
Basement Parking	Residential car parking spaces: 147 Retail car parking spaces: 2 Hotel car parking spaces: 41 Total car parking spaces: 189 Residential service bays: 2 Hotel service bays: 2 Garbage service bay: 1 Car share spaces: 3 Residential motorcycle parking spaces: 13 Class 1 residential bike parking: 190 (1 per dwelling) Class 2 residential bike parking: 214 Class 2 hotel bike parking: 64	



Figure 14: Photomontage of the proposal, viewed from Alfred Street, looking south east



Figure 15: Photomontage of the proposal, viewed from Pitt Street, looking north



Figure 16: Photomontage of the proposal, viewed from future George Street Plaza (subject to separate future DA), looking east



Figure 17: South eastern corner of the proposed tower podium, viewed from the corner of the through site link and Rugby Place

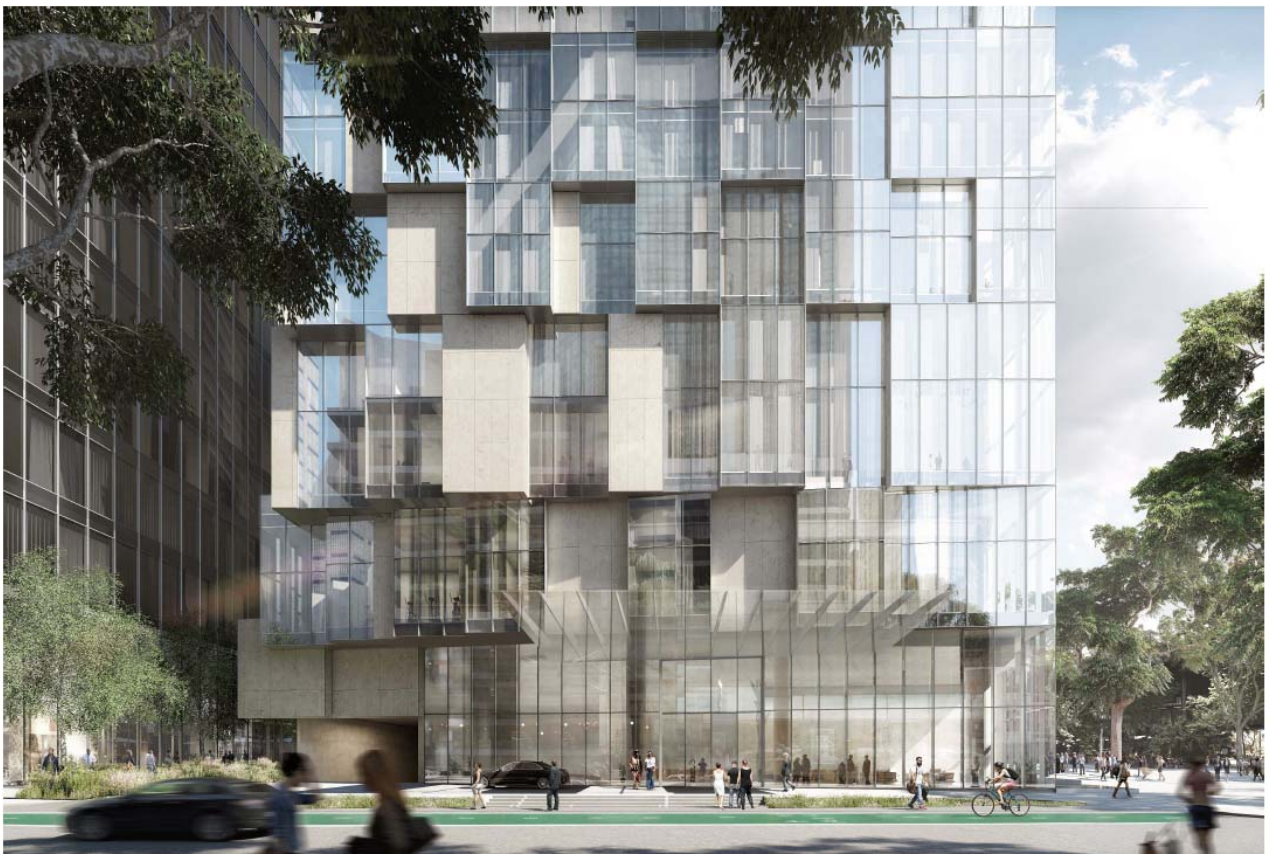


Figure 18: Pitt street frontage of the proposed tower



Figure 19: North eastern corner of the proposed tower, viewed from Alfred Street

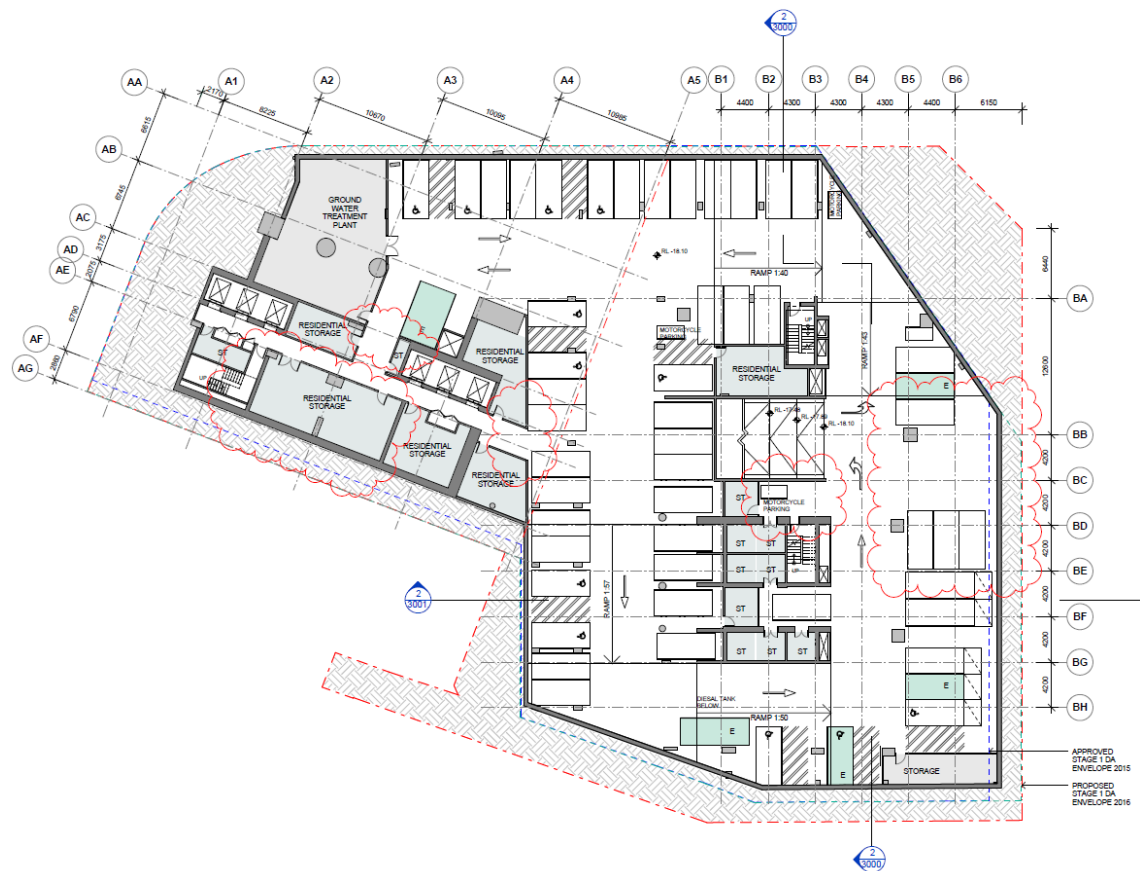


Figure 18: Basement 6 residential car park plan

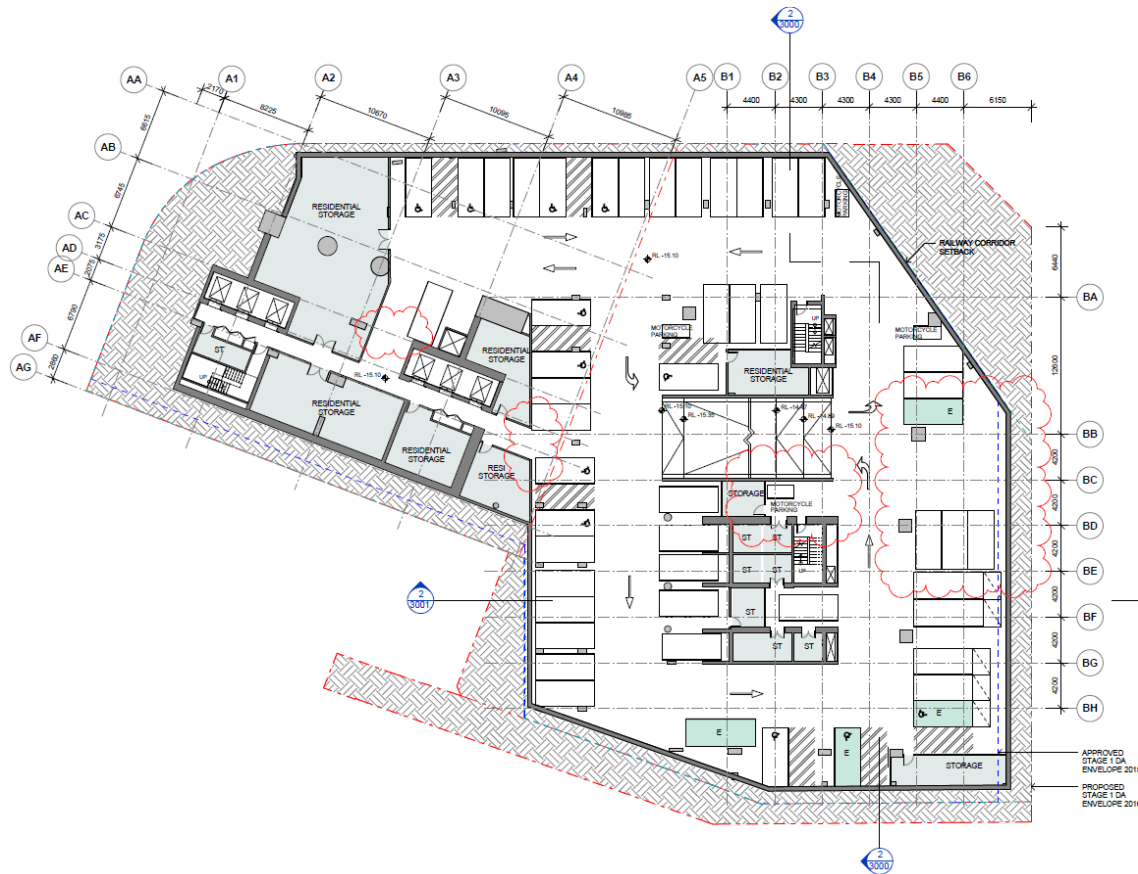


Figure 20: Basement 5 residential car park plan



Figure 21: Basement 5 residential car park plan



Figure 22: Basement 4 residential car park plan with resident bike storage

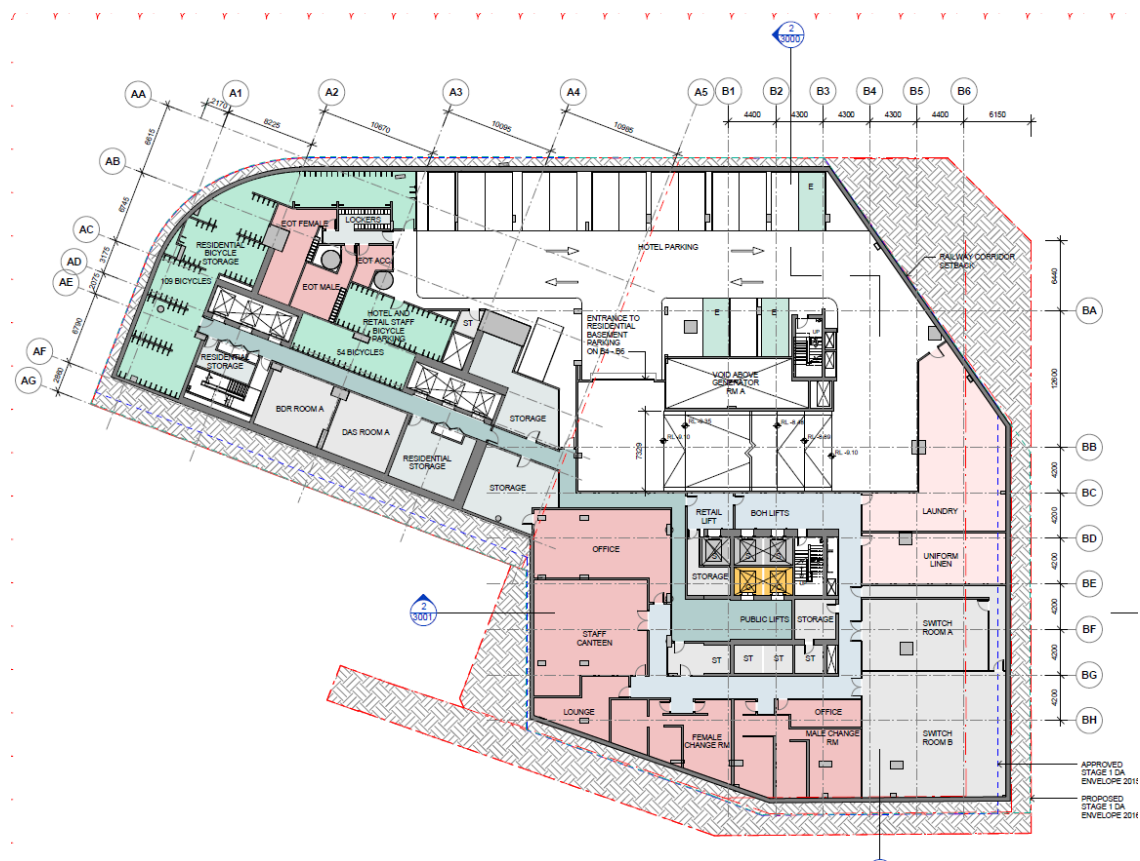


Figure 23: Basement 3 hotel parking, back of house, hotel and retail end of journey facilities, and resident bike storage

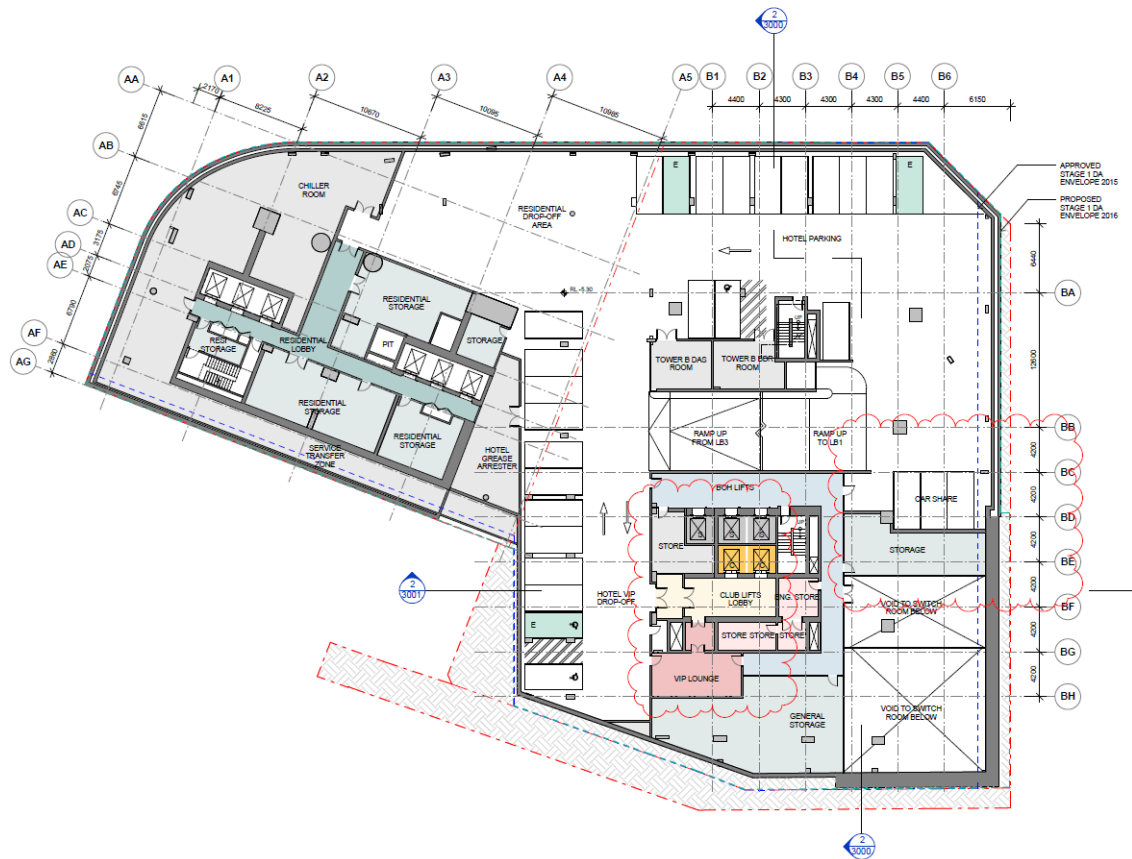


Figure 24: Basement 2 hotel parking, back of house, residential drop off and residential storage

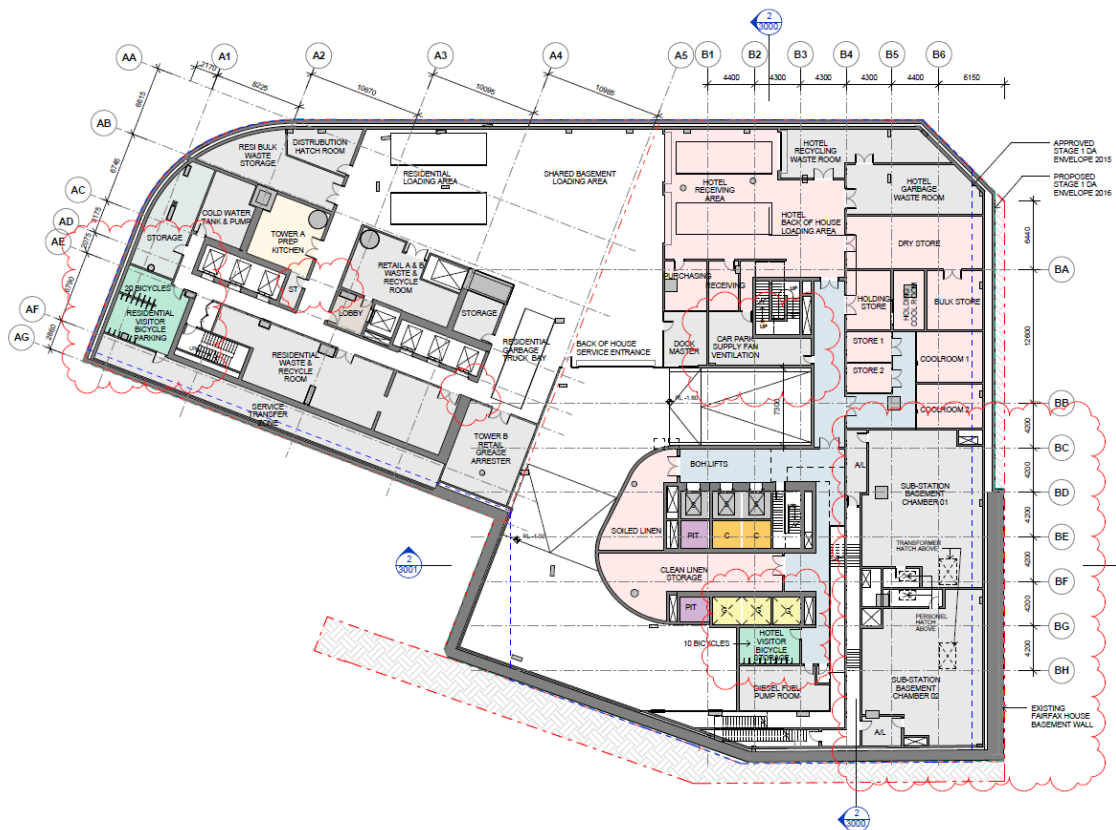
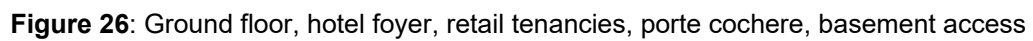


Figure 25: Basement 2 hotel parking, back of house, residential drop off and residential storage



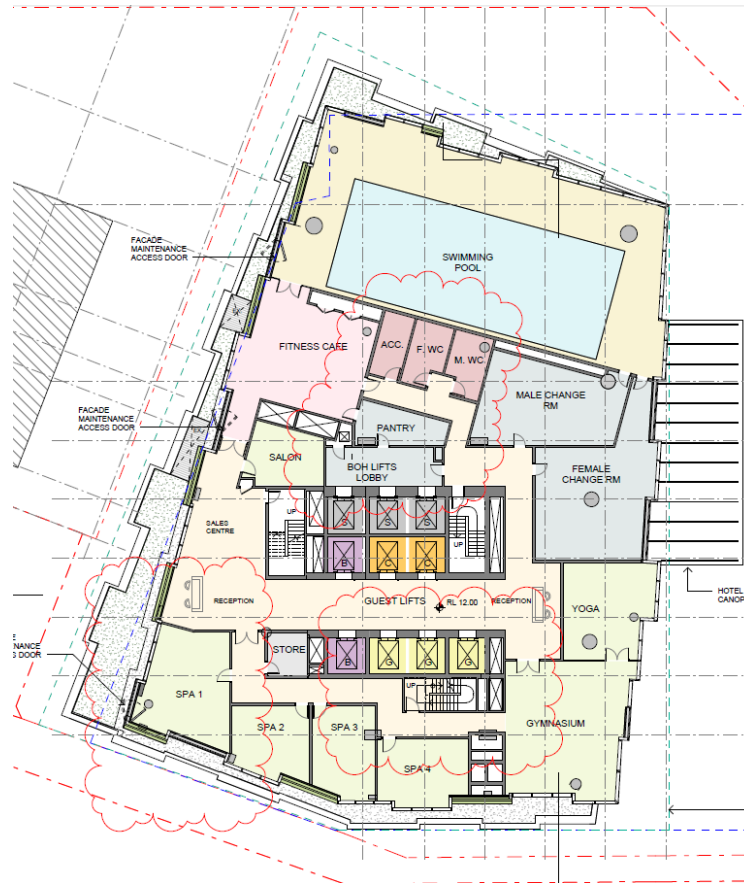


Figure 27: Level 1 – Pool and Spa



Figure 28: Level 3 – Grand Ballroom and Pre-function

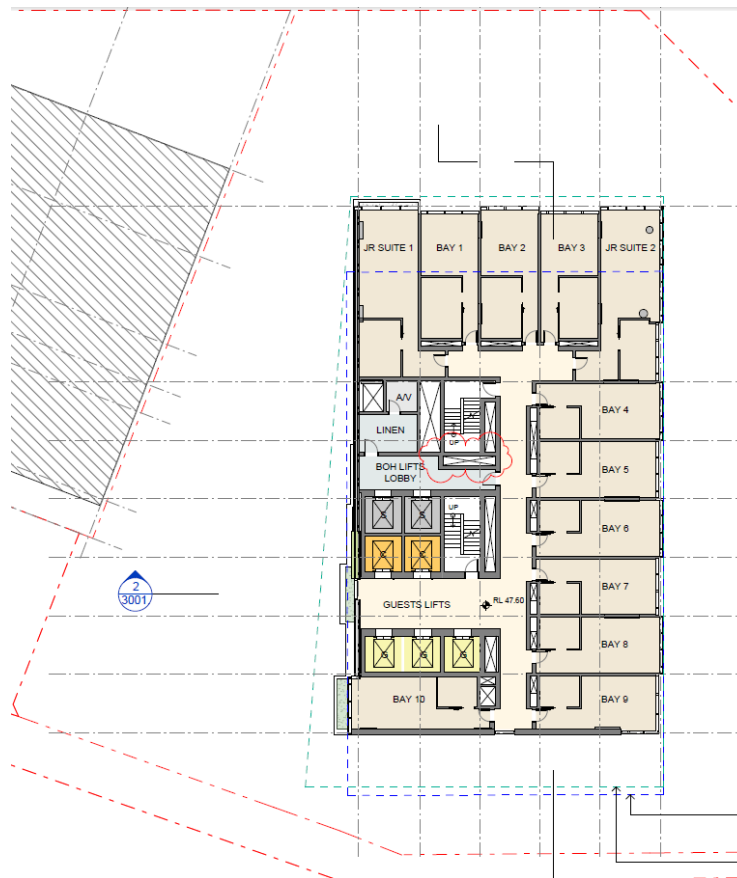


Figure 29: Level 9 – typical hotel accommodation floor

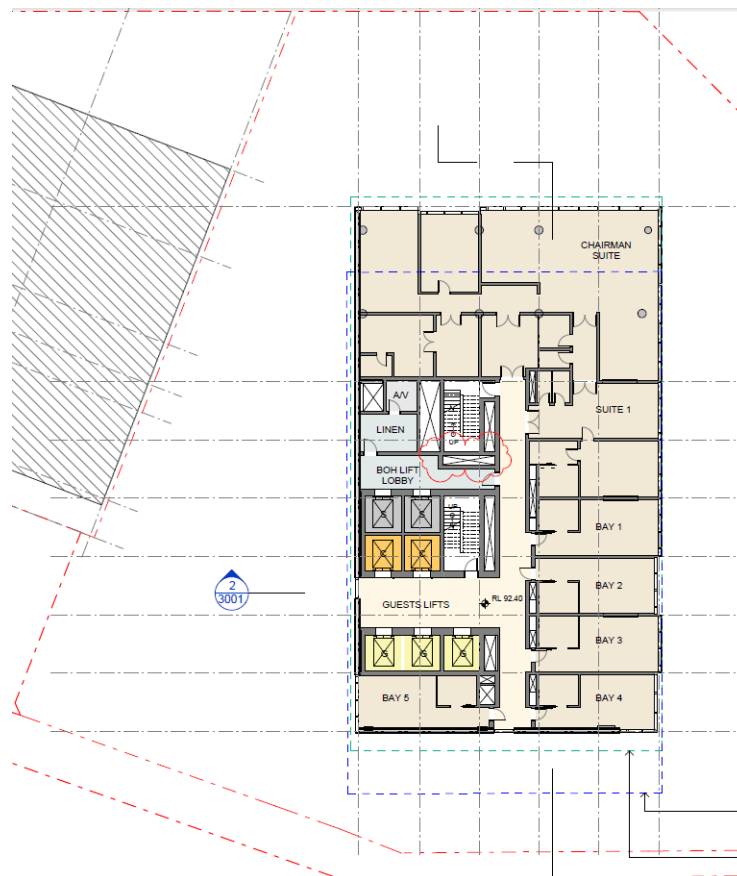


Figure 30: Level 22 – Chairman Suite

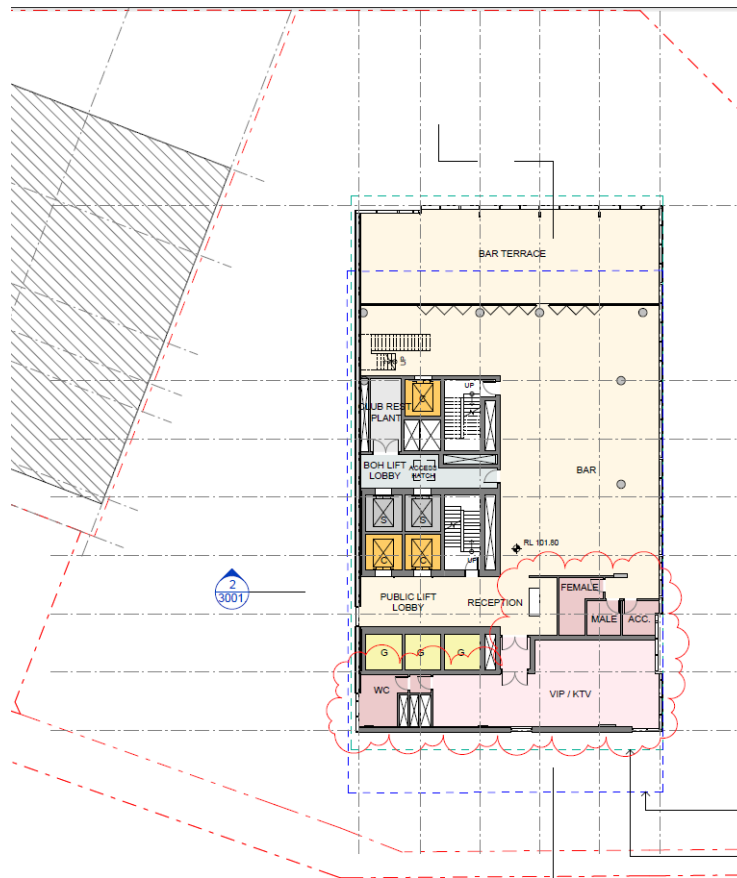


Figure 31: Level 24 – Club bar and terrace and karaoke

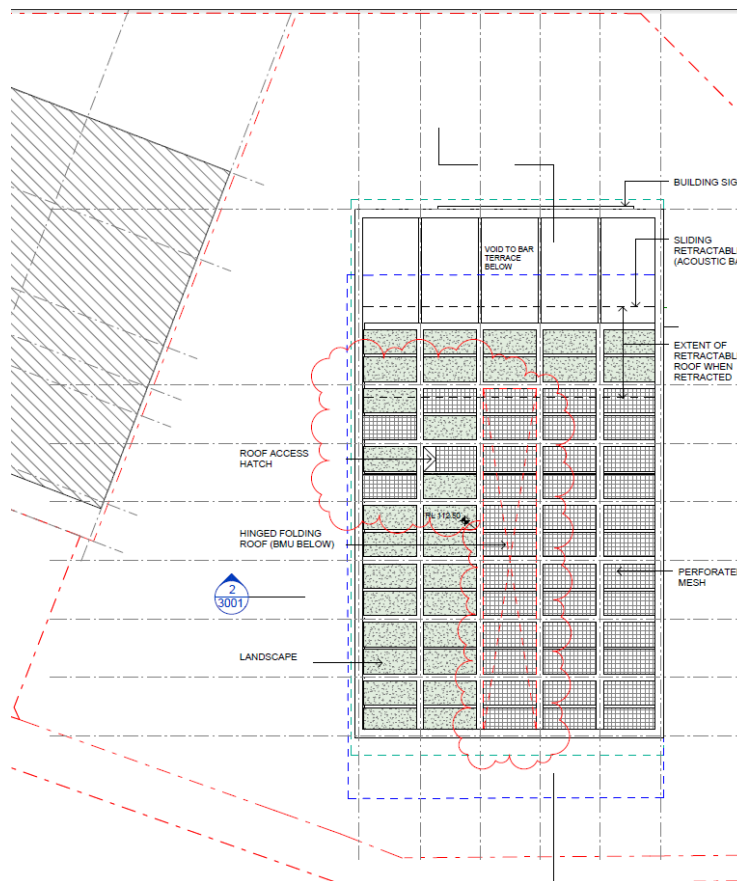


Figure 32: Roof plan

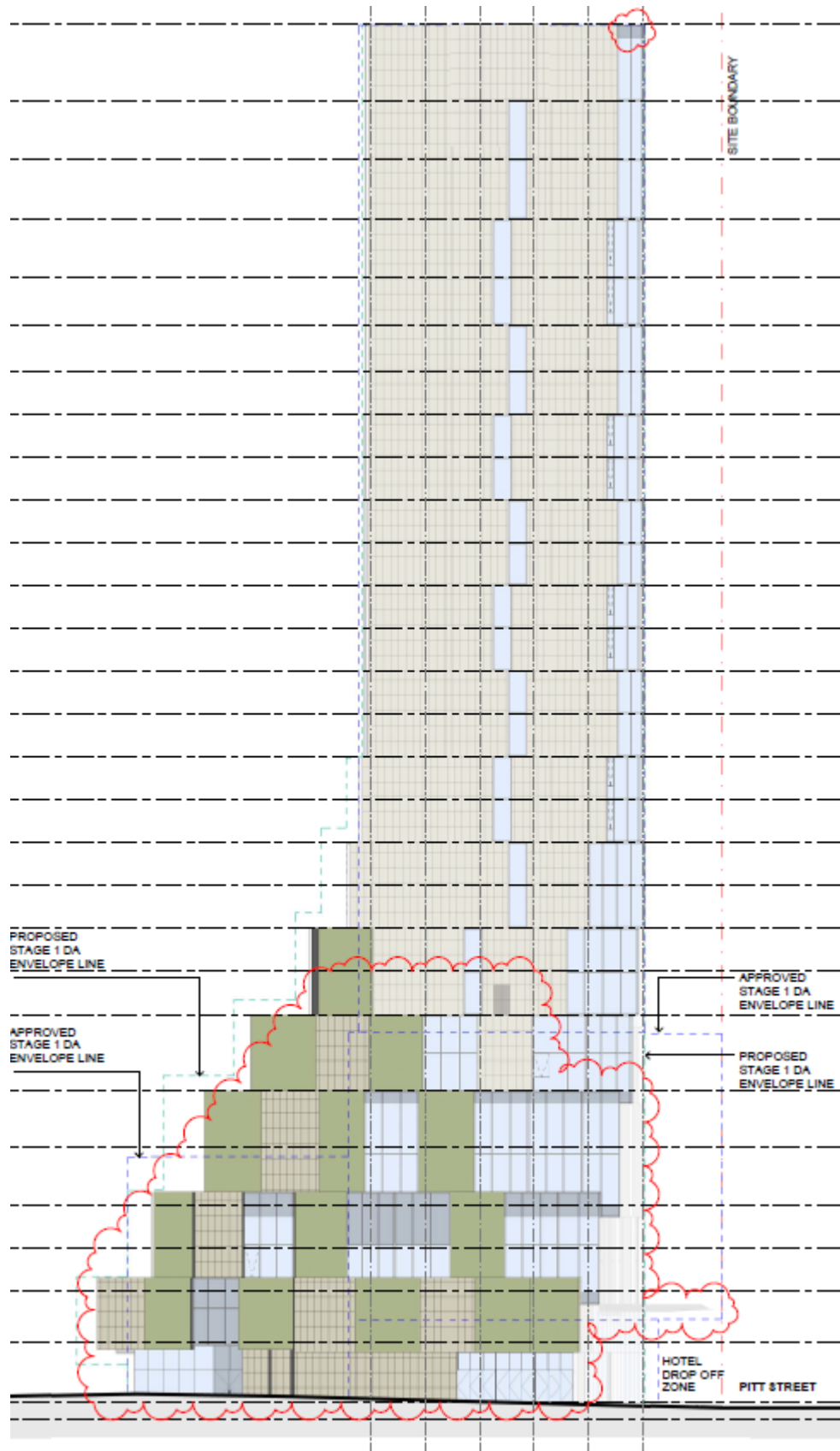


Figure 33: Southern façade (Rugby Place)

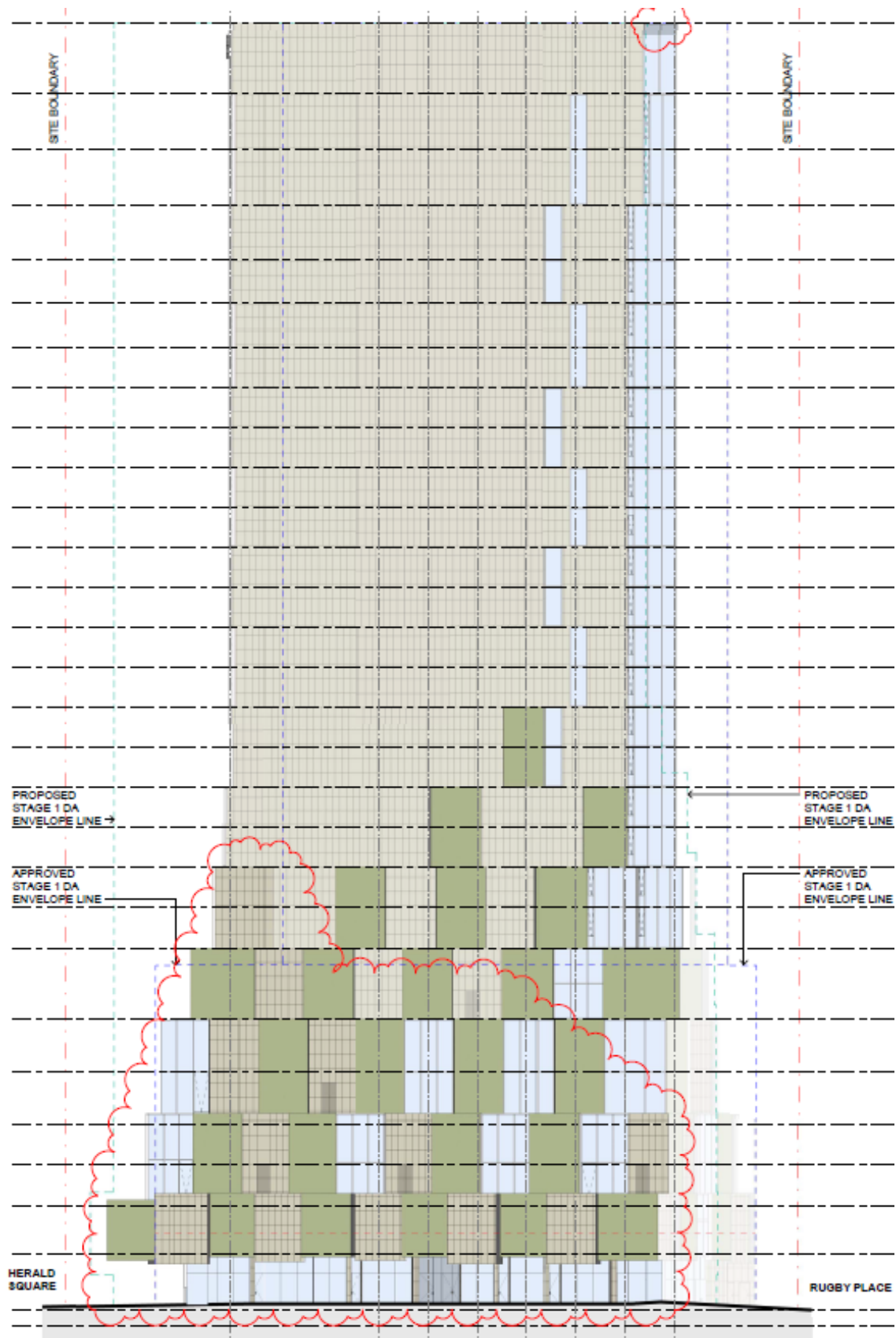


Figure 34: Western facade (through site link)

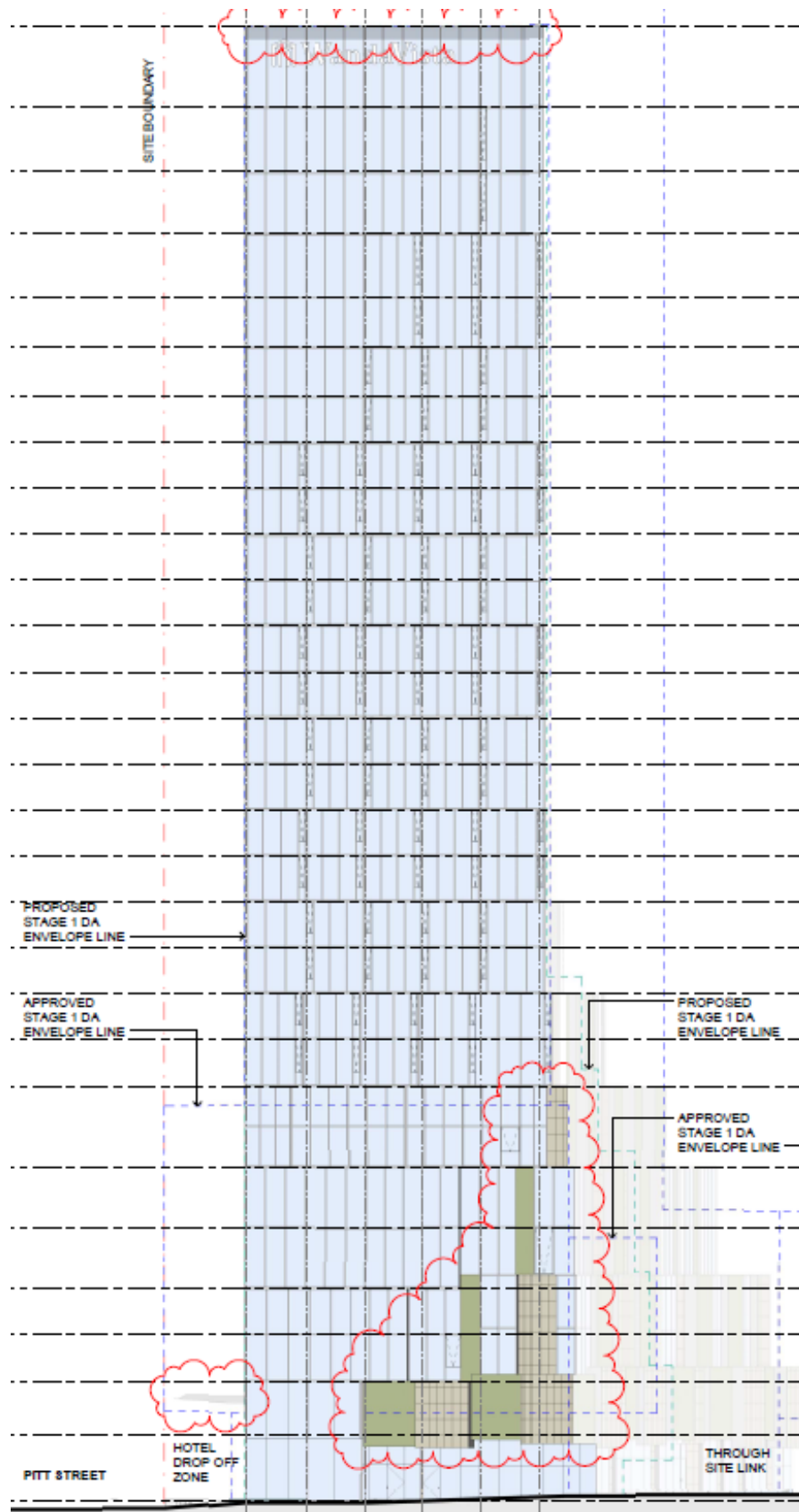


Figure 35: Northern facade (Alfred Street/Herald Square)

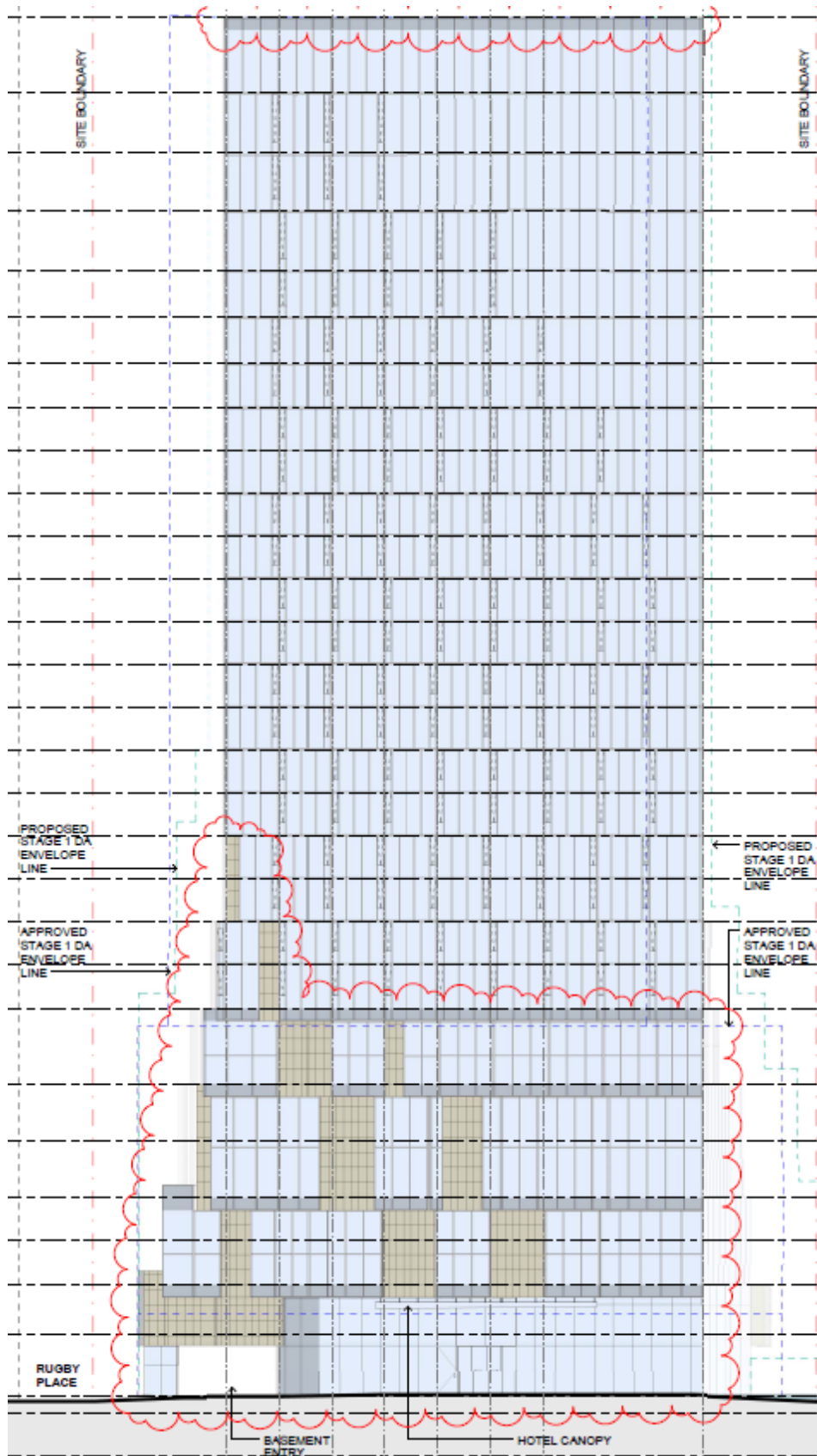


Figure 36: Northern facade (Alfred Street/Herald Square)

2.4 Project Need and Justification

NSW 2021 – A Plan to Make NSW Number One

'NSW 2021 A Plan to Make NSW Number One' is the NSW State Government's 10 year plan to guide policy and decision making. One of the underlying, central themes of the strategy is to improve the performance of the NSW economy, with a 'priority action' being: *"Increase tourism in NSW with double the visitor expenditure by 2020"*.

The establishment of Destination NSW and the preparation of the Visitor Economy Industry Action Plan (December 2012) are key initiatives which provide specific actions that reinforce the Government's commitment to the visitor economy of the State. One of the specific recommended actions from the Visitor Economy Industry Action Plan is to stimulate tourism development, especially for visitor accommodation and attracting investment. The proposed hotel is directly consistent with this recommendation.

A Plan for Growing Sydney 2031

In December 2014 the NSW State Government released 'A Plan for Growing Sydney' (the Plan), a new Metropolitan Strategy to guide land use planning decisions within Sydney's metropolitan area until 2031. The Plan is based on four primary goals:

- A competitive economy with world class services and transport.
- A city of housing choice, with homes that meet our needs and lifestyles.
- A great place to live with communities that are strong, healthy and well connected.
- A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

Notably Direction 1.1 of the Plan is to 'grow a more internationally competitive Sydney CBD'. The proposed development is consistent with the priorities and directions of the Plan as the proposed development:

- enhances the visitor capacity of the CBD, providing a vibrant mix of uses that enhance the visitor experience and encourages international investment;
- supports the visitor economy and strengthen the Global Economic Corridor;
- recognises and responds to the importance of Sydney Harbour as the global icon of Sydney that will drive investment; and
- provides capacity for employment growth in the CBD through the proposed hotel and retail uses which are anticipated to provide 300+ full time equivalent jobs.

Draft Sydney City Sub-Regional Strategy

Whilst somewhat superseded by A Plan for Growing Sydney, the Draft Sydney City Sub-Regional Strategy (2007) applies to the site.

The proposed development is consistent with the sub-regional strategy as it provides hotel space and tourism facilities, which the sub-regional strategy identifies as being critical to maintaining Sydney's global competitiveness. Specifically a key direction of the sub-regional strategy is to ensure capacity for new hotel developments.

As such, the proposal will directly contribute to the economic and employment directions of the sub-regional strategy.

NSW Long Term Transport Master Plan

The proposed development is consistent with the NSW Long Term Transport Master Plan in that it:

- supports and complements the construction of the CSELR network that will run adjacent to the site, and enable a more 'pedestrian friendly' environment to be established within and around the site;
- supports and complements the upgrades to the Circular Quay Railway Station and Interchange; and
- ensures the Metro Corridor that traverses the site is not impeded by the development.

Sydney's Cycling Future

The proposed development will be consistent with TfNSW's plan 'Sydney's Cycling Future' as the proposed basement will accommodate the required end of trip facilities and resident bike storage required by the SLEP 2012 and the Sydney Development Control Plan 2012 (SDCP 2012). The integration of the proposed separated cycle lane along the eastern side of Pitt Street is discussed below under the Sydney City Centre Access Strategy.

Sydney's Walking Future

The proposed development is consistent with TfNSW's plan 'Sydney's Walking Future' as the development maximises active frontages, improves pedestrian access within and around the APDG block, provides walking links to key areas of public open space, and maximises opportunities for connectivity to major public transport infrastructure including the CSELR and the Circular Quay Interchange. The proposed public domain has been designed to ensure sightlines are maintained through the through-site links across the site.

Sydney 2030 Strategy

The proposed development is generally consistent with the broad Sydney 2030 vision. In particular, the proposed building is green, global, and connected in that it:

- provides visitor accommodation and employment opportunities in a highly accessible CBD location, with excellent access to existing and future public transport and cycle ways, reducing dependence on energy intensive forms of transport;
- has been designed to achieve the equivalent of a 5 Star Green Star rating, with a commitment to target certification by EarthCheck during the operational phase, reducing demand for energy and water;
- provides high quality visitor accommodation in close proximity to Sydney's world class cultural precincts, icons and attractions;
- represents significant overseas investment in the Sydney CBD, strengthening ties with neighbours in the Asia-Pacific Region;
- provides the opportunity for an additional 300+ ongoing full time equivalent jobs which contributes to the target of an additional 97,000 jobs by 2030; and
- will facilitate significant improvements to the ground plane through public art, landscaping, and high quality treatments, improving pedestrian access and amenity through and around the site.

Sydney City Centre Access Strategy (SCCAS)

In addition to identifying the approved CSELR at George Street adjacent to the subject site, the Access Strategy identifies Circular Quay as a new interchange precinct which will feature a new light rail stop, fewer buses, de cluttered footpaths and improved way finding. The Access Strategy also identifies a future bi-directional separated north-south cycleway along Pitt Street (between King Street and Circular Quay) adjacent to the site.

The proposal includes the provision of two new vehicular access points on the western side of Pitt Street, servicing the porte cochere and basement car parking. While the proposal is supported in principle, City Staff concur with the advice of the CSTTC working group, which have recommended that the exact design of Pitt Street should be further refined in consultation between the proponent, TfNSW (including the CBD Co-ordination Office) and Council, prior to the issue of a Construction Certificate (refer to Section 3.8). Accordingly, conditions of consent are recommended specifying that the public domain plans, including vehicular access, require further refinement and are not approved in their present form.

Visitor Accommodation Action Plan 2015

As outlined in the Visitor Accommodation Action Plan, the health of Sydney's visitor economy is important to the NSW and the Australian tourism industry. The Action Plan states that the City of Sydney should provide a positive environment for investment by removing barriers and having a positive policy approach to accommodation development rather than through incentives or supply targets.

The proposal will make a significant contribution to satisfying the growing demand for tourist and visitor accommodation.

3. STATUTORY CONTEXT

3.1 SEPP (State and Regional Development) 2011

Clause 8(1) of *State Environmental Planning Policy (State and Regional Development) 2011* (State and Regional Development SEPP), provides that the development specified in Schedule 1 is State Significant Development. Clause 13(2) of Schedule 1 states the following:

13 Cultural, recreation and tourist facilities

- (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:*
- (a) *has a capital investment value of more than \$100 million.*

The proposal is development listed in Clause 13(2) of Schedule 1 as it includes:

- development for tourist related purposes; and
- the development for that purpose will have a Capital Investment Value (CIV) of more than \$100 million.

The proposal includes a statement provided by a qualified Quantity Surveyor that confirms the CIV for Tower B is well in excess of \$100 million.

3.2 Permissibility

The SLEP 2012 is the relevant Environmental Planning Instrument (EPI) regulating development on the site, and prescribes permissible land uses, building heights, floor space ratio, and maximum car parking provisions.

The site is zoned B8 'Metropolitan Centre' under SLEP 2012. The proposed mixed use hotel development, and associated ancillary uses, are permitted with consent in the B8 'Metropolitan Centre' zone.

The proposal is generally in accordance with the provisions of the SLEP 2012, which is assessed in detail in **Appendix E** and **Section 5** of this report.

3.3 Delegated Authority

On the 10 August 2015, The Hon Rob Stokes MP, Minister for Planning and Carolyn McNally, Secretary, Department of Planning and the Environment delegated their respective consent authority and assessment functions to the City of Sydney Council for the subject SSD application. The Instrument of Delegation is provided in **Appendix F** of this report.

Section 40 of the *City of Sydney Act 1988* requires the CSPC to determine applications for major developments, being applications with an estimated cost of more than \$50 million. The application has an estimated CIV of \$226,371,005 and is therefore referred to the CSPC for determination.

3.4 Environmental Planning Instruments

Section 89H of the EP&A Act provides that Section 79C of the EP&A Act applies to the assessment of SSD, subject to the provisions of Division 4.1. Under Section 79C of the EP&A Act, an assessment against the provisions of any EPIs that substantially govern the carrying out of a project is required. The following EPIs apply to the site:

- *State Environmental Planning Policy (State & Regional Development) 2011;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy No. 55 - Remediation of Land;*
- *State Environmental Planning Policy No. 64 - Advertising and Signage;*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; and*
- *Sydney Local Environmental Plan 2012.*

Council's consideration of relevant EPIs is provided in **Appendix E** and **Section 5** of this report. In summary, City staff are satisfied that, subject to recommended conditions, the application is consistent with the requirements of the EPIs.

3.5 Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the Act, as set out in Section 5 of the Act as follows:

- (a) *to encourage:*
 - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*
 - (v) *the provision and co-ordination of community services and facilities, and*
 - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
 - (vii) *ecologically sustainable development, and*
 - (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*

- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The proposal complies with the above objects. Specifically, the proposal promotes the orderly and economic development and use of the site and will contribute to the enhancement of the social and economic welfare of the community. The proposal includes measures to deliver ecologically sustainable development (**Section 3.6**). Further, the delegation of the proposal from the Minister to Council promotes the sharing of planning outcomes between State and Local Government.

3.6 Ecologically Sustainable Development

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

- (a) *the precautionary principle;*
- (b) *inter-generational equity;*
- (c) *conservation of biological diversity and ecological integrity; and*
- (d) *improved valuation, pricing and incentive mechanisms.*

The proposed development has been considered in relation to the ESD principles and is considered to be satisfactory. The precautionary and inter-generational equity principles have been applied in the decision making process via a thorough and rigorous assessment of the environmental impacts of the project, including the undertaking of environmental studies and specialist reports. The proposal does not require the removal of any significant vegetation. Overall, with the implementation of recommended conditions, the proposal is consistent with ESD principles and City staff are satisfied that the proposed sustainability initiatives will encourage ESD, in accordance with the objects of the EP&A Act.

3.7 Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the *Environmental Planning and Assessment Regulation 2000* (Regulation) cited within this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

3.8 City of Sydney Act 1988

Section 51N of the *City of Sydney Act 1988* requires the CSPC to consult with the Central Sydney Traffic and Transport Committee (CSTTC) before it determines a development application that will require, or that might reasonably be expected to require, the carrying out of road works or traffic control works likely to have a significant impact on traffic and transport in the Sydney CBD. A full extract of this Section is provided below.

51N Planning proposals having a significant impact on traffic and transport in the Sydney CBD

- (1) *The Planning Committee must consult the CSTTC before it exercises a function under Part 4 that will result in the making of a decision that will require, or that might reasonably be expected to require, the carrying out of road works or traffic control works that are likely to have a significant impact on traffic and transport in the Sydney CBD.*
- (2) *The Planning Committee must take into consideration any representations made by the CSTTC within the period of 21 days (or such other period as is agreed to by*

- the CSTTC and the Planning Committee in a particular case) after consultation takes place.*
- (3) *The Planning Committee may delegate to a subcommittee of the Planning Committee, or the general manager or another member of the staff of the City Council, any of its functions under this section other than this power of delegation. A delegation can be given subject conditions. A delegation does not (despite section 38) require the approval of the Minister administering that section.*
- (4) *The failure of the Planning Committee to comply with this section does not invalidate or otherwise affect any decision made by the Planning Committee.*

The application was presented to the CSTTC working group on 29 March 2017. The committee members advised that they are generally in favour of the proposal. The issues discussed by the CSTTC working group included:

- In principal agreement with the proposed entry arrangements for vehicles (including limousines) into the Porte Coche including driveway location. Notwithstanding, the exact design of Pitt Street including the road closure is to be negotiated between the proponent, TfNSW (including the CBD Co-ordination Office) and Council, prior to the issue of a Construction Certificate.
- Confirmation that coach/bus parking would not be approved on Pitt Street. The working group also advised that the use of the existing 'No Parking' restrictions adjacent to the Marriott Hotel are not an appropriate location for additional coach arrivals associated with this proposal.
- The design of the future Pitt Street cycleway is to be negotiated between the proponent, TfNSW (including the CBD Co-ordination Office) and Council.

The CBD Co-ordination Office confirmed that given the support for the proposal, and given the agencies had provided clear directives in their referral comments, the project did not need to proceed to the CSTTC members for an official vote. Conditions reflecting the directions provided by the CSTTC are included in the recommended conditions of consent (**Appendix B**).

3.9 Secretary's Environmental Assessment Requirements

Section 2 of the Environmental Impact Statement (EIS) addresses compliance with the Secretary's Environmental Assessment Requirements (SEARs). These matters have been addressed in the EIS sufficient to enable consideration, assessment and determination of the proposal.

3.10 Considerations under Section 79C of the EP&A Act

Section 79C(1) of the EP&A Act sets out the matters to be considered by the consent authority in determining a development application. Consideration of these matters is set out in **Table 2** below.

Table 2: Considerations under Section 79C of the EP&A Act

Section of EP&A Act	Matter for Consideration	Consideration in this Report
79C(1)(a)(i)	Provisions of any Environmental Planning Instrument.	Assessment against relevant EPIs has been undertaken in Appendix E of this report.
79C(1)(a)(ii)	Any proposed instrument that has been subject to consultation under the EP&A Act and notified by the consent	Not applicable

	authority.	
79C(1)(a)(iii)	Any development control plan.	Condition 8 of the Stage 1 Consent (D/2015/1049/B) requires any subsequent Stage 2 DA to comply with the SDCP 2012. An assessment of the proposal against the site specific provisions of the SDCP 2012 is provided in Appendix E .
79C(1)(a)(iiia)	Any planning agreement entered into under section 93F.	The site is subject to a planning agreement, as discussed in Section 1.4 of this report.
79C(1)(a)(iv)	The regulations	The application satisfactorily meets the relevant requirements of the Regulation.
79C(1)(a)(v)	Any coastal zone management plans.	Not applicable
79C(1)(a)(b)	The likely impacts of the development.	The likely impacts of the proposal have been assessed in Section 5 of this report. Where appropriate, conditions have been recommended to mitigate potential impacts (refer to Appendix B).
79C(1)(a)(c)	Suitability of the site for the development.	The proposal is of a nature in keeping with the overall function of the site and zone objectives. The premises are in a commercial/residential surrounding and amongst similar uses to that proposed.
79C(1)(a)(d)	Any submissions received.	Submissions received as a result of the public exhibition of the proposal have been taken into account during the assessment of this proposal. See Section 4 of this report for further information.
79C(1)(a)(e)	The public interest.	Based on the assessment of the proposal carried out in Section 5 of this report, it is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being imposed.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

In accordance with Section 89F of the EP&A Act and Clause 83 of the EP&A Regulation, Council was required to exhibit the application for 30 days (extended to 67 days due to the Christmas period) from 25 November 2016 to 31 January 2017. The applications were publicly available on Council's and the Department of Planning and Environment's (Department's) website and exhibited at Council's One Stop Shop and the Department's Information Centre. Public exhibition notices were also placed in the Sydney Morning Herald.

The application was also notified adjoining landholders and relevant State government authorities in writing.

The RtS was also exhibited on Council's and the Department's website from 14 March 2017. Relevant State government authorities were notified of the RtS in writing.

Details of the public exhibition are outlined in **Table 3**.

Relevant State government authorities were notified of the RtS in writing.

Table 3: EIS exhibition details

Exhibition/notification	Format	Dates
Publicly exhibited	Council's website Council's One Stop Shop (hard copies) Department's website Department's Information Centre (hard copies)	25 November 2016 until January 2017
Newspaper notice	Sydney Morning Herald Central Sydney Magazine	29 November 2016 7 December 2016
Written notices	Letters sent to owners and occupiers of 92 surrounding properties	25 November 2016
Site notices	4 x site notices displayed on the development site	28 November 2016 until 31 January 2017

4.1 Submissions

As a result of the public exhibition, eight (8) submissions, comprising seven (7) submissions from public authorities and one (1) submission from the general public during the exhibition period. Two (2) public submissions received in response to separate Development Application (DA) D/2016/1527 made reference to the Tower B design.

Copies of the submissions may be viewed at **Appendix D** of this report. A summary of the issues raised in the submissions is provided in **Tables 4** and **5** below. The issues raised have been addressed in detail in **Section 5** and/or by way of a recommended condition at **Appendix B** of this report.

4.2 Public Authority Submissions

Seven (7) submissions were received from public authorities in response to the exhibition of the EIS. An additional five (5) submissions were received from public authorities in response to the RtS at the time of finalising this report. The submissions from public authorities are summarised in **Table 4** below. Public authorities had until 28 March 2017 to make further responses to the RtS. As at the date of finalising this report, the following is the status of those referrals.

Table 4: Summary of Issues Raised in Public Authority Submissions

NSW Environment Protection Authority	
EIS	Based on the information provided it does not appear that the proposal has changed significantly since the submission of the EPA's letter dated 18 September 2015, and therefore an Environment Protection Licence is not required. The EPA understands that the proposal is not being undertaken by or on behalf of a public authority. The EPA therefore considers that it is not the appropriate regulatory authority for the proposal, and has no comments on the applications.
Ausgrid	
EIS	Ausgrid consents to the development subject to the following conditions:-

	<p>Method of Electricity Connection</p> <p>The method of connection will be in line with Ausgrid's Electrical Standard (ES)1 – 'Premise Connection Requirements'.</p> <p>Supply of Electricity</p> <p>The nominated electrical consultant/contractor is to provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure.</p> <p>Conduit Installation</p> <p>The need for additional electricity conduits in the footway adjacent to the development will be assessed and documented in Ausgrid's Design Information, used to prepare the connection project design.</p> <p>Vegetation</p> <p>All proposed vegetation underneath overhead power lines and above underground cables must comply with the requirements of ISSC 3 Guideline For Managing Vegetation Near Power Lines.</p> <p>Underground Cables</p> <p>There are existing underground electricity network assets in George Street, Alfred Street, Pitt Street & Within the site boundary. Special care should be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. The developer is to locate and record the depth of all known underground services prior to any excavation in the area. Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.</p> <p>Substation</p> <p>There are existing underground electricity network assets within the site boundary. The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air conditioning in buildings - Mechanical ventilation in buildings.</p> <p>In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres. Exterior parts of buildings within 3 metres in any direction from substation ventilation openings, including duct openings and louvered panels, must have a fire rating level (FRL) of not less than 180/180/180 where the substation contains oil-filled equipment.</p> <p>The development must comply with both the Reference Levels and the precautionary requirements of the Draft Radiation Protection Standard for Exposure Limits to Electric and Magnetic Fields 0 Hz – 3 kHz (ARPANSA, 2006).</p> <p>For further details on fire segregation requirements refer to Ausgrid's Network Standard 113 Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24 hour access.</p> <p>No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid. For further details refer to Ausgrid's Network Standard 143.</p>
NSW Office of Environment and Heritage	
EIS	<p>The Heritage Council's delegate recommends the following conditions of consent be imposed:</p> <ul style="list-style-type: none"> All excavation within the SHR curtilage of the Tank Stream must be undertaken in accordance with the methodology proposed in 'Wanda Sydney: Tank Stream Report' prepared by Arup, 30 September 2016. Works must be suitably monitored by a structural engineer to ensure that no structural impacts to the Tank Stream occur

	<p>throughout the duration of works.</p> <ul style="list-style-type: none"> • The Interpretation Strategy should be updated to incorporate information from the archaeological excavation, and the archaeological resource and appropriate uses of any material from the archaeological excavation must be included in any subsequent Interpretation Plan. • The Interpretation Plan must be prepared by an interpretive specialist in consultation with relevant designers, architects, landscape architects, engineers, archaeologists, historians, public art and other consultants and stakeholders, and include content development and detailed briefs and locations for specific interpretation media. • The public domain and landscape plans should be further developed to incorporate the recommendations of the final Interpretation Plan and ensure effective integration into the overall design response to the site and public domain. • The proposed Stage 2 DA works involving excavation within the Study Area must be undertaken in accordance with the excavation methodology outlined in 'Historical Archaeological Assessment and Research Design and Methodology', prepared by Urbis, dated 27 October 2016. • The name of a suitably qualified and experienced excavation director who meets the Heritage Council Excavation Director criteria for salvage excavation for a site of this significance must be forwarded to the Heritage Division, Office of Environment & Heritage for endorsement before the archaeological program begins. • Any future changes to the demolition or the building design which impact any heritage or archaeology on site should be referred to the Heritage Division for comment.
RtS	Submission received. No further comments.
NSW Department of Primary Industries - Water	
EIS	<p>DPI Water has reviewed the documents provided with D2016/1529 and has found that parts of the EIS documents lack sufficient information so that a properly considered assessment of potential aquifer system impacts cannot be made. DPI Water recommends that:</p> <ul style="list-style-type: none"> • Prior to approval: <ul style="list-style-type: none"> ○ Full details of the analytical groundwater modelling should be presented. This includes details of the methodology and calculations, details of all input data, and full presentation of outcomes in terms of drawdown prediction maps. This information, in so far as it forms the basis for other evaluations and comments, needs to be linked cohesively to other issues addressed. ○ Details of a suitable water quality monitoring program and Groundwater Monitoring Plan (including groundwater level, quality, quantity and flow) should be developed. • Not required prior to approval: <ul style="list-style-type: none"> ○ Details of a comprehensive bore census should be presented. ○ A review of licensing requirements under the Water Act 1912 and the Water Management Act 2000 is required. Suitable applications are to be submitted to DPI Water and need to be accompanied by updated and more extensive groundwater information. ○ The SEARs stress that DPI Water is to be consulted with respect to groundwater issues for this development. The Proponent needs to make arrangements with DPI Water for discussion or review of the detail of the groundwater assessment and findings.
RtS	<p>DPI Water has reviewed the RTS and the Arup response. The Arup response reiterates what has already been presented and previously commented on by DPI Water. The additional information requested by DPI Water in its submission on the EIS of 2 March 2017 remains outstanding.</p> <p>However, at Council's request for an urgent response, DPI Water proposes a deferred commencement condition and that prior to consent becoming active the required outstanding information as outlined in our letter of 2 March 2017 must be provided to DPI Water and must</p>

	be to the satisfaction of DPI Water.
Transport for NSW (Including Sydney Light Rail and CBD Co-ordination Office)	
EIS	<p>CSELR Project</p> <p>The CSELR project was determined by the Department on 4 June 2014. TfNSW advises that:</p> <ul style="list-style-type: none"> Construction has now commenced and will be carried out in accordance with the existing approvals and any modifications subsequently approved; and CSELR construction is currently underway in the George Street section located adjacent to the subject site. CSELR construction will commence in the Alfred Street section located adjacent to the subject site in early 2017. <p>TfNSW requests that the applicant consults with the Sydney Light Rail Team in relation to construction access arrangement to the proposed development prior to the commencement of construction as the subject development area falls adjacent to the Light Rail construction site boundary.</p> <p>CBD Rail Link (CBDRL)</p> <p>TfNSW requests that Council imposes conditions of consent as requested by Sydney Trains in its submission to Council (see below).</p> <p>Construction Pedestrian and Traffic Management Plan</p> <p>Several construction projects, including the CSELR are likely to occur at the same time as this development within the CBD and Circular Quay Precinct. The cumulative increase in construction vehicle movements from these projects could have the potential to impact on general traffic and bus operations within the CBD and Circular Quay Precinct, as well as the safety of pedestrians and cyclists particularly during commuter peak periods.</p> <p>TfNSW request a condition of consent be imposed requiring the applicant to prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with the CBD Co-ordination Office and the Sydney Light Rail Team within TfNSW. The CPTMP needs to specify, but not to be limited to, the following:</p> <ul style="list-style-type: none"> Location of the proposed work zone; Haulage routes; Construction vehicle access arrangements; Proposed construction hours; Estimated number of construction vehicle movements; Construction program; Consultation. strategy for liaison with surrounding stakeholders; 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 the CSELR. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that co-ordination of work activities are managed to minimise impacts on the road network; and Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP. <p>A copy of the final plan is to be submitted to the Coordinator General, CBD Co-ordination Office for endorsement, prior to the commencement of any work.</p> <p>TfNSW requests that the applicant consults with the CBD Co-ordination Office within TfNSW in relation to the above issues.</p> <p>Development near Rail Corridors and Busy Roads</p> <p>TfNSW requests that the applicant be conditioned to design and construct the development in</p>

	<p>accordance with the 'Development Near Rail Corridors and Busy Roads — Interim Guideline' (2008) prepared by the Department. This guideline includes requirements for excavation within proximity to rail lines and safety requirements to be incorporated into design.</p> <p>Pick Up and Drop off for Hotel</p> <p>It is noted that no coach pick-up and set-down facilities are proposed for the hotel as part of the development. TfNSW requests that a suitable arrangement for pick-up and drop-off for the hotel be identified, in consultation with the CBD Co-ordination Office within TfNSW.</p> <p>Porte Cochere Design</p> <p>The proposed design for the porte cochere requires vehicles to travel in a northbound direction on Pitt Street for a short distance, north of Reiby Place and on a one way road section that allows southbound movements only. This arrangement is confusing for pedestrians, motorists and cyclists and would have the potential to cause road safety issues.</p> <p>TfNSW requests that:</p> <ul style="list-style-type: none"> • The applicant be conditioned to amend the design for the porte cochere, in consultation with the CBD Co-ordination Office, to ensure pedestrian, motorist and cyclist safety is not compromised; and • Swept path analysis for vehicles accessing the porte cochere be provided for review and comment. <p>Porte Cochere Management Plan</p> <p>TfNSW requests that the applicant be conditioned to prepare a Porte Cochere Management Plan, for both day-to-day use and events, to ensure queuing into Pitt Street/ Reiby Place does not occur, in consultation with the CBD Co-ordination Office.</p> <p>Loading Dock Management Plan</p> <p>TfNSW requests that the applicant be conditioned to prepare a loading dock management plan, in consultation with CBD Co-ordination Office within TfNSW, to manage the site deliveries and to minimise the impact on the CBD operation as result of the queuing of vehicles on local roads.</p> <p>Pitt Street Configuration</p> <p>TfNSW advises that the future arrangement for Pitt Street, in particular the provision for cyclists, is under current investigation. TfNSW requests that the designs/ plans for Pitt Street which show a cycleway include a note that the provision for cyclists is currently under investigation and is subject to change.</p>
RtS	<p>Porte Cochere Design</p> <p>The Response to Submissions states that at the meeting held on 6 March 2017, TfNSW confirmed that the current design of the porte cochere is appropriate and does not conflict with the current road designs for Pitt Street being investigated by TfNSW.</p> <p>TfNSW advises that:</p> <ul style="list-style-type: none"> • The final design for the CSELR public domain, and its interface with the Wanda One site, is subject to ongoing refinement; and • Based on the current state of the CSELR design and the design for Wanda One, TfNSW provides its in principle support for the proposed porte cochere and northern crossover location. This in principle support is subject to ongoing collaboration between the Wanda One team, the CBD Co-ordination Office and the Sydney Light Rail Office as the detailed design progresses. <p>Coach Parking</p> <p>The Addendum Traffic and Transport Assessment prepared as part of the Response to Submissions states that:</p> <ul style="list-style-type: none"> • Coaches are not able to traverse the porte cochere and will be directed to use the 'No Parking' area midblock along Pitt Street; and • TfNSW is committed to finding a coach parking area in Pitt Street suitable for the hotels in the area.

	<p>TfNSW advises the following in regards to coach parking in Pitt Street:</p> <ul style="list-style-type: none"> • TfNSW is committed to setting kerb side restrictions to suit the wider community needs; and • Kerb side restrictions are subject to change based on network requirements. Coach parking in Pitt Street as stated in the Traffic and Transport Assessment Addendum is not guaranteed. <p>Conditions of Consent</p> <p>Based on the applicant's Response to Submissions, it is noted that the applicant has no objection to TfNSW's recommended conditions of consent for the following:</p> <ul style="list-style-type: none"> • CBD Rail Link (CBDRL); • Construction Pedestrian and Traffic Management Plan; • Development near rail corridors and busy roads; and • Loading dock management plan. <p>TfNSW requests that the applicant be conditioned to the following in addition the conditions above.</p> <p>"Porte Cochere Design <i>The Porte Cochere detailed design shall be undertaken in consultation with the CBD Co-ordination Office and the Sydney Light Rail Office within TfNSW. The final Porte Cochere Design shall be endorsed by the CBD Co-ordination Office within TfNSW."</i></p> <p>TfNSW requests that the applicant consults with the CBD Co-ordination Office within TfNSW in relation to the above issues.</p>
Sydney Trains	
EIS	<p>The proposal has been assessed in accordance with the provision of the <i>State Environmental Planning Policy (Infrastructure) 2007</i> (ISEPP), including:</p> <ul style="list-style-type: none"> (a) the practicability and cost of carrying out the development for the purposes of the CBD Rail Link project (CBDRL) on the relevant land in the future; (b) without limiting paragraph (a), the structural integrity or safety of, or ability to operate, the CBDRL, (c) without limiting paragraph (a), the land acquisition costs and the cost of the construction, operation or maintenance of the CBDRL. <p>There are concerns about the potential impacts of the proposed development on the structural integrity and the safe, effective operation and maintenance of the CBDRL as the proposed development is located in the proposed future rail corridor. The placing of any foundations, other structures and building loads in or near the proposed rail alignment would affect the structural integrity and operation of the CBDRL.</p> <p>In this regard, Sydney Trains requests that following conditions of consent be imposed on this application:</p> <ol style="list-style-type: none"> 1. The owners of the site of the approved development must enter into a Deed of Agreement with TfNSW prior to issue of any Construction Certificate to address the adverse effects of the approved development on the CBDRL identified in <i>State Environmental Planning Policy (Infrastructure) 2007</i>. The Agreement must provide for the following : <ul style="list-style-type: none"> (a) the design, construction and maintenance of the approved development so as to satisfy the requirements in conditions 2 to 10 below; (b) allowances for the future construction of railway tunnels in the vicinity of the approved development; (c) allowances in the design, construction and maintenance of the approved

	<p>development for the future operation of railway tunnels in the vicinity of the approved development, especially in relation to noise, vibration, stray currents, electromagnetic fields and fire safety;</p> <p>(d) consultation with TfNSW;</p> <p>(e) access by representatives of TfNSW to the site of the approved development and all structures on that site;</p> <p>(f) provision to TfNSW of drawings, reports and other information related to the design, construction and maintenance of the approved development;</p> <p>(g) creation of a restrictive covenant on each of the titles which comprise the approved project so as to satisfy condition 10 below;</p> <p>(h) such other matters which TfNSW considers are appropriate; and</p> <p>(i) such other matters as the owners and TfNSW may agree.</p> <p>2. All structures which are proposed for construction or installation, or which are constructed or installed, in connection with the approved development which have a potential impact on the CBDRL must be designed, constructed and maintained in accordance with design criteria specified by TfNSW.</p> <p>3. 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.</p> <p>4. Prior to issue of any construction certificate the developer must undertake detailed geotechnical analysis to the satisfaction of TfNSW to demonstrate likely movements of the ground due to the future CBDRL.</p> <p>5. No modifications may be made to that the approved design without the consent of TfNSW.</p> <p>6. A detailed regime is to be prepared for consultation with, and approval by, TfNSW for the excavation of the site and the construction of the building foundations (including ground anchors) for the approved development, which may include geotechnical and structural certification in the form required by TfNSW.</p> <p>7. TfNSW, and persons authorised by it for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor for the approved development or the owner or occupier of the part of the site to which access is sought.</p> <p>8. All requirements contained in the Agreement between TfNSW and the owners of the site must be satisfied during construction and, where appropriate, the operation of the approved development.</p> <p>9. Copies of any certificates, drawings or approvals given to or issued by TfNSW must be delivered to Council for its records.</p> <p>10. Prior to the commencement of any excavation below existing ground level, a restrictive covenant is to be created upon each of the titles which comprise the approved development pursuant to Section SSE of the Conveyancing Act 1919, restricting any alterations or additions to any part of the approved development which are reasonably likely to adversely affect, or which otherwise are likely to interfere with the design, construction and operation of the proposed CBDRL the prior written consent of TfNSW.</p>
RtS	Submission received. No further comments.
NSW Roads and Maritime Services (RMS)	
EIS	<p>RMS has reviewed the DA and provided the following requirements for Council's inclusion in the determination of the application:</p> <ul style="list-style-type: none"> A CPTMP which includes the demolition and excavation as stated on page 22-23 of the Traffic and Transport assessment report is to be submitted to Council, CBD Co-

	<p>ordination Office and Roads and Maritime prior to the issue of a Construction Certificate.</p> <ul style="list-style-type: none"> The CPTMP is to address the following: <ul style="list-style-type: none"> The likely construction vehicle numbers and frequency; Approach and departure routes; Parking access arrangements during construction; Provision of acceptable pedestrian management measures; Description of proposed works; Impact of proposed measures; Effects on existing and future developments; Detailed of provisions made for emergency vehicles, heavy vehicles and cyclists; Measures to ameliorate impacts Public transport services affected; and Public consultation. <p>RMS notes the traffic report states “A detailed traffic assessment on the Bridge Street intersections at Pitt Street and Loftus Street are being undertaken separately given the expected redistribution of traffic to determine any likely impacts on the performance of the intersections. This information is currently not publicly available”.</p> <p>Council should satisfy itself that all appropriate assessments of the development’s impacts on surrounding intersections have been completed. Should any changes to signalised intersections be required RMS consent is required in accordance with section 87 of the <i>Roads Act, 1993</i>.</p>
RtS	Submission received. No further comments.
Sydney Water Corporation	
EIS	Sydney Water’s comments remain consistent with the RtS response issued for the Stage 1 DA dated 3 December 2015.
Foreshores and Waterways Planning and Development Advisory Committee	
EIS	In referring the proposal to the Committee, Council, as the consent authority, has satisfied its statutory obligation as required under the Sydney Regional Environmental Plan (Sydney Harbour Catchment) (SREP) (deemed SEPP). The Committee raises no specific issues in relation to the proposed development and as such does not wish to make any further comment concerning this matter.
NSW Department of Planning and Environment	
EIS	No comment received.
Metropolitan Local Aboriginal Land Council	
EIS	No comment received.

The recommended conditions of the abovementioned agencies have been incorporated into the recommended conditions of consent included at **Appendix B**.

As outlined above, DPI Water has advised that information is still outstanding, and have recommended that a deferred commencement condition be imposed requiring the outstanding information to be provided to DPI Water and must be to the satisfaction of DPI Water, prior to the consent becoming active. A deferred commencement condition is recommended accordingly.

Sydney Water advised that their submission to the RtS to the Stage 1 DA (D/2015/1049) is still relevant. City staff asked Sydney Water to clarify that they had no further response to this Stage

2 DA. Sydney Water confirmed that the stormwater and water/wastewater comments remain consistent for Stage 2. In response to that advice Sydney Water's recommended conditions of consent relating to stormwater and water/wastewater provided at Stage 1 have been included in the recommended conditions of consent.

It should be noted that while the SEARs required consultation with the Civil Aviation Safety Authority (CASA), the proposed development, which has a maximum height of RL 112.5, does not breach the Obstacle Limitation Surface (OLS) of RL 156. Accordingly, the application is not a controlled activity under the *Airports Act 1996*, and approval from CASA is not required. CASA have provided separate approval for Tower A, which does penetrate the OLS.

4.3 Public Submissions

One (1) submission was received from the general public in response to the exhibition of the EIS, objecting to the application. Two (2) public submissions received in response to separate SSD DA D/2016/1527 (SSD 16_8110) for the demolition of the existing buildings made reference to the design of Tower B. The issues raised in the objections are summarised below.

Table 5: Summary of issues raised in the public submissions

Issue	Description
Hotel setback on Pitt Street	<p>The proposal includes a 13m Pitt Street setback at the south eastern corner at the ground level. This is of concern to the future amenity of the City's pedestrianised Rugby Place laneway because the laneway is unscreened from vehicular emissions (noise, vibration and exhaust fumes) generated by those cars using the Wanda basement entry/exit.</p> <p>The low level landscape proposed will likely be in effectual in addressing these negative environmental impacts within the City's new laneway.</p> <p>This condition will be further exacerbated by the predominately north easterly winds entering Pitt Street during the warmer Sydney months.</p> <p>In addition, further potential laneway activation through additional Wanda retail is lost because of the Hotel buildings significant setback at the lane level.</p>
Retail tenancy fronting Rugby Place	<p>The design of this tenancy should be amended to extend further along Rugby Place to:</p> <ul style="list-style-type: none"> • screen and preserve the amenity of the new Rugby Place pedestrianised laneway (including the future planned LLCQ outdoor dining opportunities) from the vehicular noise, vibration and exhaust emissions arising from the basement access; • better activate the new Rugby Place pedestrianised laneway with additional lanes development as part of the development; and • provide the applicant with additional retail amenity and revenue streams.
Tower Design	The design of the tower is not supported. Goldfields House should be retained.
Traffic and Transport	The proposal will increase pressure on existing public transport and the road network.
Waste Management	There are issues with waste disposal management.

4.4 Applicant's Response to Submissions

The Applicant provided a response to the issues raised in submissions, which is included in the RtS document (**Appendix C** of this report) and resulted in some revisions to the SSD application as outlined in **Section 2.2**. City staff are satisfied that the issues raised in all submissions have been addressed to Council's satisfaction through the RtS, this report and the relevant appendices of the EIS.

5. ASSESSMENT

The key issues in the assessment of this proposal are:

- Built Form and Urban Design;
- Overshadowing;
- Internal Amenity;
- View Impacts;
- Public Domain;
- Flooding;
- Transport, Parking, Traffic and Access;
- Heritage;
- Hours of Operation;
- Signage; and
- Equitable Access

5.1 Built Form and Urban Design

Floor Space Ratio

The site is identified in SLEP 2012 Floor Space Ratio (FSR) Maps as 'AC' which permits a base FSR of 8:1. The Site is also identified as being located within 'Area 1'. Clause 6.4 of SLEP 2012 states that sites in Area 1 are eligible for an amount of for an additional 'accommodation floor space' equivalent to 6:1 for hotel or motel accommodation, community facilities or child care centres, and at a rate of 4.5:1 for office premises, business premises, retail premises, residential accommodation or serviced apartments. Developments with a mix of accommodation floor space, such as this proposal, are eligible for an amount counted on a pro rate basis.

Notwithstanding this, as per Condition 7 'Floor Space Ratio' of the Stage 1 development consent (D/2015/1049/A), a maximum FSR of 13.05 is already approved. Furthermore, an additional 10% is available subject to the Stage 2 DAs demonstrating design excellence.

In light of the above, the maximum FSR permissible on the site is 14.355:1. Given the site area is 4,040m² the maximum Gross Floor Area (GFA) achievable is therefore 57,994.2m².

Development Consent has already been granted for Tower A (D/2015/882/B). Tower A is currently the subject of a Section 96(2) application, which proposes amendments that will result in a GFA of 38,600m². This leave a balance of 19,394.2m² available for Tower B.

The proposal seeks development consent for a maximum GFA of 19,394m², and therefore complies.

Height

The site is identified in SLEP 2012 Height of Buildings Maps as 'AC' which permits a maximum building height of 110m. The proposed building has a maximum height of 110m and therefore complies.

Podium and tower built form

The proposed podium and tower design departs from the Stage 1 building envelope as was originally approved, requiring amendments to the Stage 1 consent. The proposed amendments are outlined in detail in Section 96 (2) application D/2015/1049/B, which is being assessed concurrently with this application. In summary, the proposed changes to the envelope include:

- reducing the massing of the podium to Pitt Street and realign the lower building form, providing an atypical stepped geometric expression in the lower levels; and
- shifting the tower form forward 5.1m toward the northern boundary.

The proposed amendments to the building envelope are considered to be acceptable. In particular, the amendments to the podium envelope facilitate the provision of the unique stepped and twisted podium with modulated 'pixel' elements that are a fundamental aspect of the winning Kengo Kuma Associates and Crone scheme.

Furthermore, shifting the tower element further to the north will increase the maximum upper level setback from the southern boundary to approximately 9m. This setback will provide greater separation from the future LLCQ tower, which will be located immediately south of Tower B.

Building Separation

Between Ground Level (RL 3.785) and Level 9 (RL 47.60), the proposal incorporates an atypical podium form with a subtle rotation which, on the western side, results in the podium gradually narrowing from the south western corner, stepping up through six phases to meet the tower's western facade. In addition, the adjoining Tower A features a cantilevered element over the through site link, commencing at RL 25.11. This is illustrated by the electronic model, an extract of which is provided in **Figure 37** below.

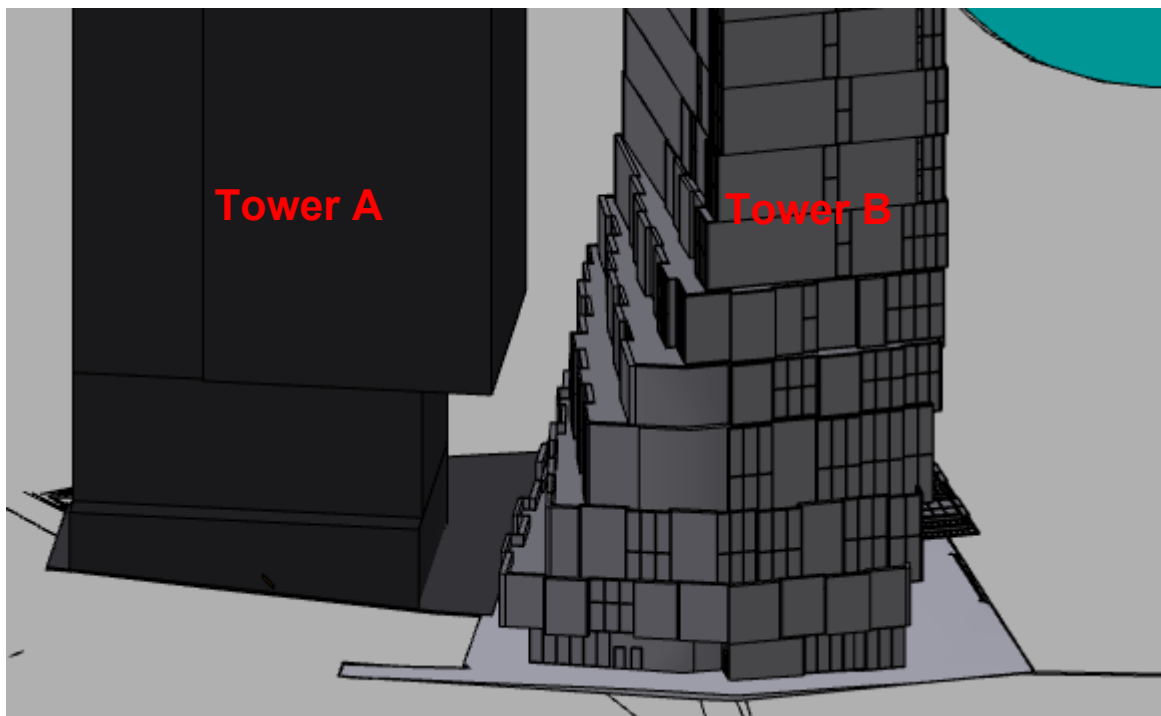


Figure 37: Extract of the electronic model, illustrating building separation between Tower A and Tower B

The factors outlined above, in conjunction with the modulated 'pixel' elements, results in a variable separation distance between Tower A and Tower B. For example, the separation distances between the buildings on the following floors is approximately as follows:

- 12m -12.5m at Ground Level;
- 8.7m -10.2m at Ground Level Mezzanine;
- 12.6m - 14.1m at Level 3;
- 7.2m - 11.4m at Level 4;

- 8.6m – 15.9m at Level 6;
- 9.1m – 19.5m at Level 9; and
- 9.4m - 19.5 at Level 10 to roof.

The separation distances at the lower levels, including the podium and through site link, are acceptable. The proposed width of the through site link is approximately 12 -12.5m, greatly exceeding the 4.5 - 6m requirement outlined in the SDCP 2012. The height of the through-site link is sufficient, and sunlight is able to penetrate the space thereby meeting the SDCP 2012 objective of providing an 'open to the sky' link.

With regards to the tower elements, although State Environmental Planning Policy No.65 Design Quality of Residential Apartment Development (SEPP 65) does not apply to this proposal, it is noted that the separation distances do not comply with the minimum requirements of the Apartment Design Guide (ADG) for residential-to-commercial uses. Specifically, the requirement to provide a separation distance of 24m between the habitable rooms of Tower A, and windows to non-service areas of Tower B has not been met.

Notwithstanding this, it is considered that Tower B has been carefully designed so as not result in impacts to the occupants of Tower A such as overlooking, and diminished acoustic and visual privacy, and therefore the objectives of the ADG building separation design criteria have been met.

Specifically, the western elevation to Tower B is primarily solid, with windows contained within the southern portion of the façade, where the separation distance between the two towers is at its greatest.

As illustrated below in **Figure 38**, the separation distance between the closest window on the western façade of Tower B (hotel accommodation lobby), to eastern façade of Tower A (bedroom), is approximately 19.5m. The other windows located on the western façade of Tower B are to hotel rooms located in the south western corner. The separation distance between these windows and the affected bedroom windows in Tower A is 22-24m.

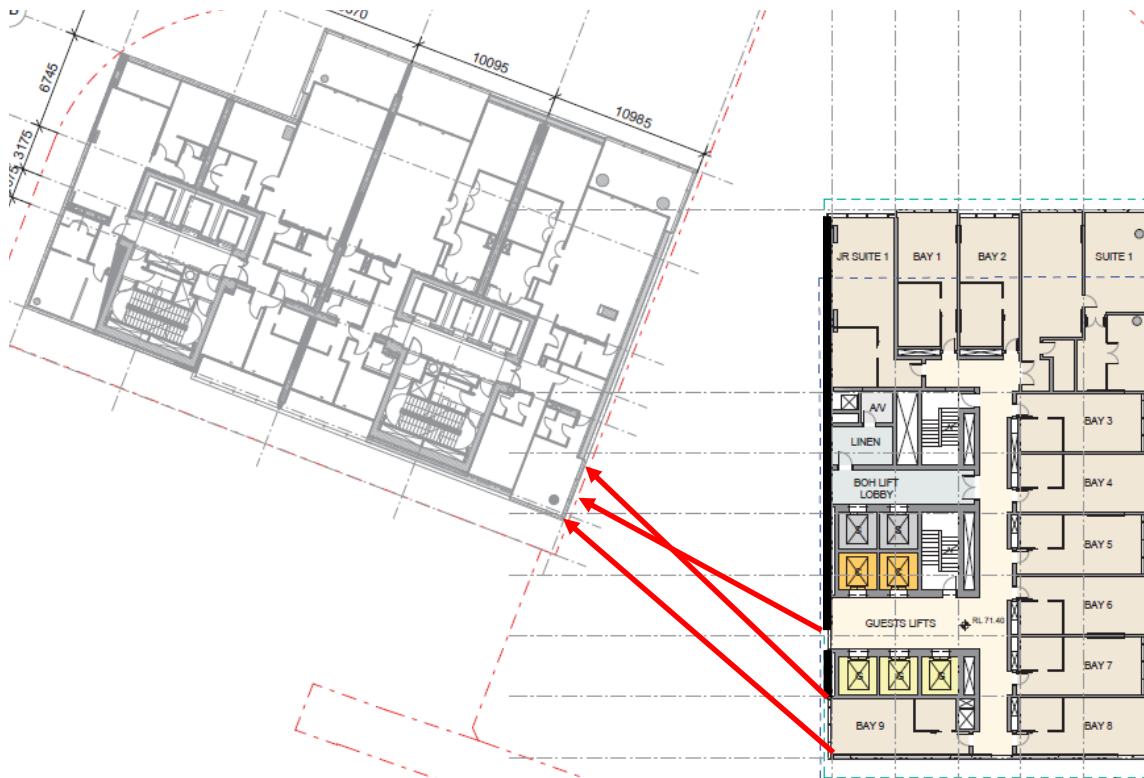


Figure 38: Separation distances between habitable rooms located on the eastern elevation of Tower and windows on the western elevation of Tower B (RL 85.0)

It is considered that the windows to the hotel lobbies are very unlikely to result in overlooking, as hotel guests are likely to traverse quickly between the lobby to the guest rooms and are unlikely to linger in the lobby for extended periods of time.

With regards to the hotel suites in the south western corner, views to the affected bedrooms windows in Tower A are oblique, with direct views not achievable from the majority of the floor area within the suite. However, if an occupant was to approach the window, the eye would likely be drawn to the future George Street Plaza rather than to Tower A.

In light of the above the proposed separation distances are considered acceptable, and ameliorative design measures are not considered necessary.

Materiality

The proposal incorporates three key themes in terms of materiality: glass; masonry; and vegetation, which manifest within the tower as a series of modulated 'pixels'.

Sandstone features as the dominant element on the southern and western facades of the tower, and features on all sides of the podium. On Ground level to Level 4, and part of Level 5, the 'sandstone pixels' are proposed to be Pile's Creek Sandstone in cream. In terms of commercially available sandstone, City staff consider Pile's Creek Cream to be the best option in terms of approximating the appearance and performance of the top quality traditional Sydney building sandstone best known as Pyrmont Yellow Block. Accordingly, the use of this particular type of sandstone is supported.

While a full sandstone tower would be ideal, it is acknowledged that using natural sandstone in a curtain wall at high rise levels presents significant challenges in terms of maintenance and

weather proofing. To address this issue, the applicant proposes to utilise Glass Fibre Reinforced Concrete (GFRC) for the 'sandstone' pixels on part of Level 5 and on Level 6 and above. The GFRC will be matched to the Pile's Creek Sandstone in terms of both colour and texture. This is acceptable, subject to a condition of consent requiring a sample to of the GFRC to be submitted and approved by Council's Director, City Planning, Development and Transport, prior to the issue of a Construction Certificate.

Glass features as the dominant element on the northern and eastern facades, where the tower benefits from sweeping harbour views to the Sydney Opera House and Sydney Harbour Bridge. The proposed glazing has a visual light transmittance of 64%, providing amenity benefits to the future occupants and reducing the building's dependence on artificial lighting. Moreover, it has a spectral reflectivity of 12%, which is well below the required minimum of 20%. The tint of the glazing is extremely subtle, with a slight yellow/grey tone. Accordingly the proposed glazing is supported.

'Green wall' vegetation pixels feature on the podium levels on the northern, western, and eastern facades, with a particularly strong presence on Rugby Place and the future through site link. A commitment has been made to use indigenous species to match the available light and air conditions, with a mix of flowering and non-flowering species, requiring low water and maintenance.

Council's landscape officer is supportive of the vegetation pixels, however to ensure their success, which in turn is considered critical to the success of the entire scheme, a condition of consent is recommended requiring the green walls to be further resolved prior to the issue of a Construction Certificate.

In view of all of the above, the proposed materials are considered to be appropriate for the tower, are of a standard that is commensurate with the site's important location.

Lobby Interior

Given the site's important location, and the proposed use of extensive glazing on the ground floor level at the corner of Albert and Pitt Streets, City staff consider that the hotel lobby will read as an extension of the public domain. Given its importance, a condition of consent is recommended that will require sandstone to be utilised extensively on the rear wall of the lobby, and drawings demonstrating this to be submitted to and approved by Council's Director, City Planning, Development and Transport prior to the issue of a Construction Certificate that involves the construction or fit-out of the lobby.

5.2 Overshadowing

The site is located within the proximity of Macquarie Place.

The shadow diagrams submitted with the application demonstrate that the proposal will not result in any additional overshadowing to Macquarie Place between the hours of 10.00am and 2.00pm.

The proposal will not result in overshadowing to existing surrounding residential buildings.

In light of the above, it has been sufficiently demonstrated that the proposal does not result in adverse overshadowing impacts and it is therefore supported.

5.3 Internal Amenity

The proposal includes a range of guest rooms, providing 182 keys in total. This includes:

- 139 standard hotel rooms (approximately 33-36m²);

- 7 accessible standard hotel rooms (approximately 34-35m²);
- 20 junior suites (approximately 54m²);
- 2 accessible junior suites (approximately 73 and 77m²);
- 1 General Manager suite (approximately 110m²);
- 10 standard suites (approximately 75-104m²);
- 2 premier suites (approximately 143m²); and
- 1 chairman suite (approximately 255m²).

All rooms are generously proportioned. 68 rooms (37.4%) benefit from a northern aspect, with views to Sydney Harbour, the Opera House, and the Harbour Bridge. These rooms receive full solar access throughout the day at the winter solstice. 99 rooms (54.4%) benefit from an easterly aspect, with views to Sydney Harbour, the Opera House and Pitt Street. These rooms receive morning sun for a period of at least two (2) hours at the winter solstice. The remaining 15 rooms (8.2%) will benefit from views to the west, comprising the future public square on George Street (subject to separate future application).

All rooms benefit from an openable window, albeit restricted due to safety concerns, allowing for some natural ventilation.

In addition to the above, future guests will also benefit from a range of facilities provided within the development, including restaurants, pool, spa and fitness facilities, as described elsewhere in this report.

In light of the above, the proposed hotel development is considered to provide a high standard of amenity for future guests and is supported.

5.4 View Impacts

The impacts of the proposal on views were considered during the assessment of the proposed modifications to the Stage 1 approval, required to accommodate the detailed design that is the subject of this application. The assessment found that the view impacts associated with Tower B are acceptable. **Figures 39 to 47** below demonstrate the impact of Tower B to view corridors from the affected buildings, as compared with the previously approved building envelope. Tower B is shown in yellow.

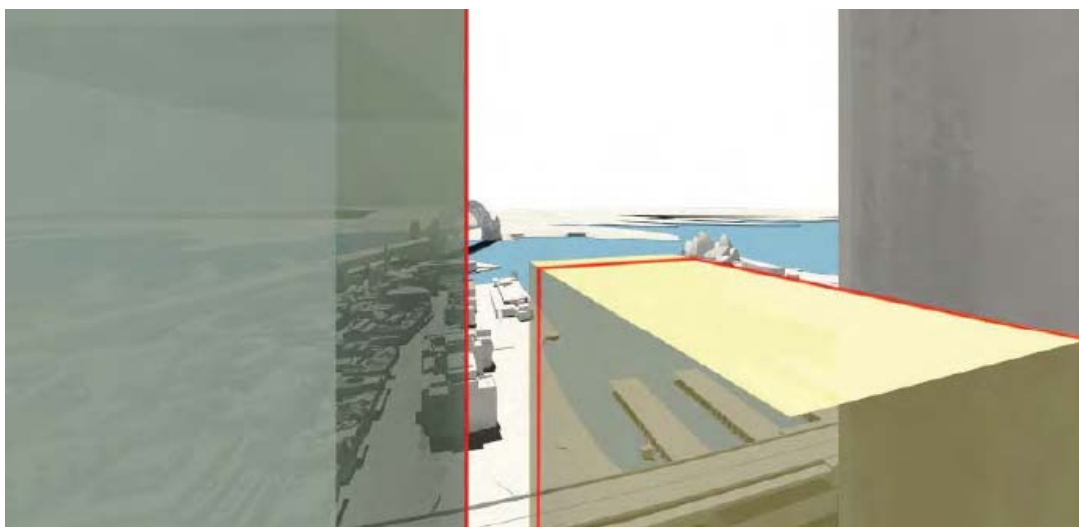


Figure 39: View from LLCQ at RL 120 (north-west)

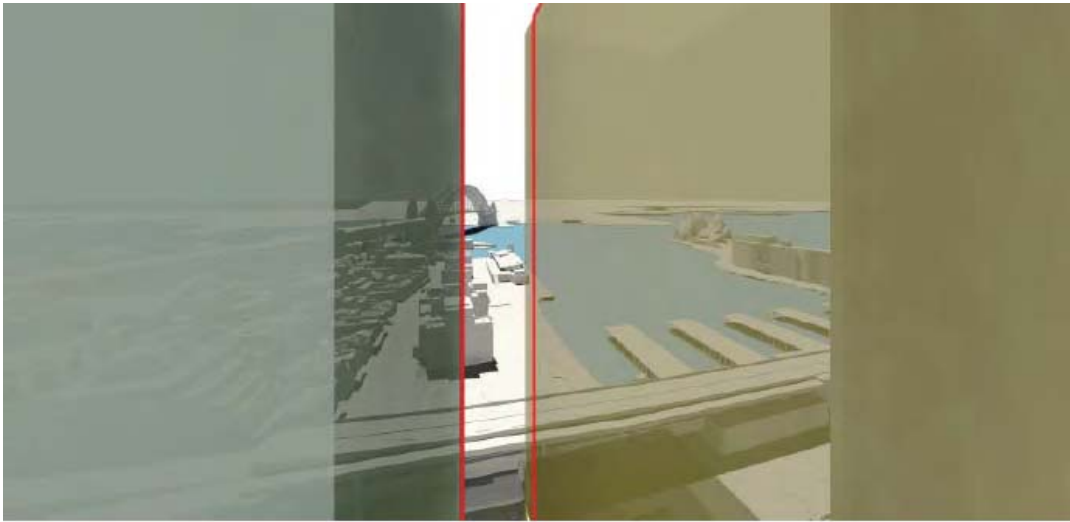


Figure 40: View from LLCQ at RL 90 (north-west)

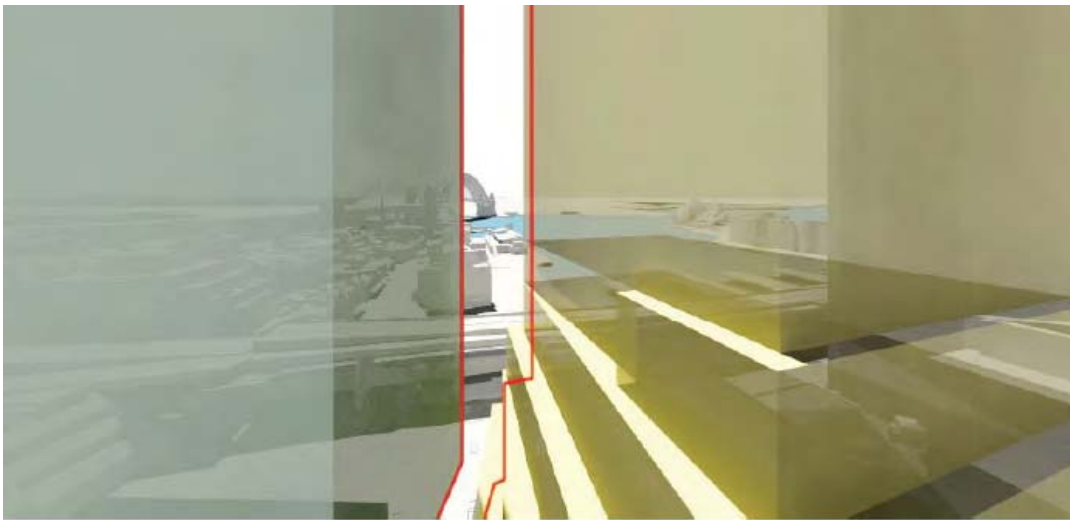


Figure 41: View from LLCQ at RL 60 (north-west)

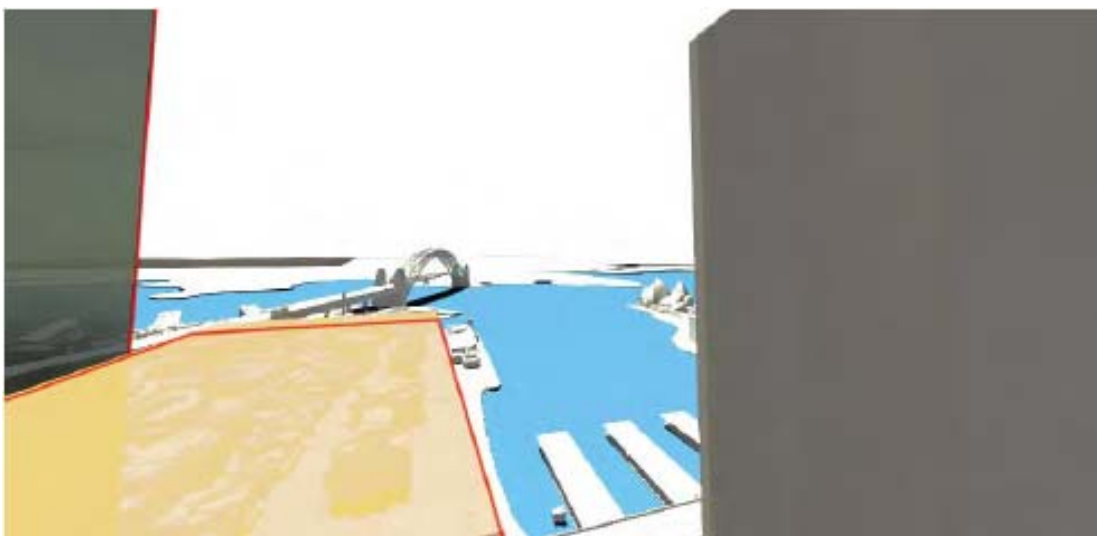


Figure 42: View from LLCQ at RL 120 (north-east)

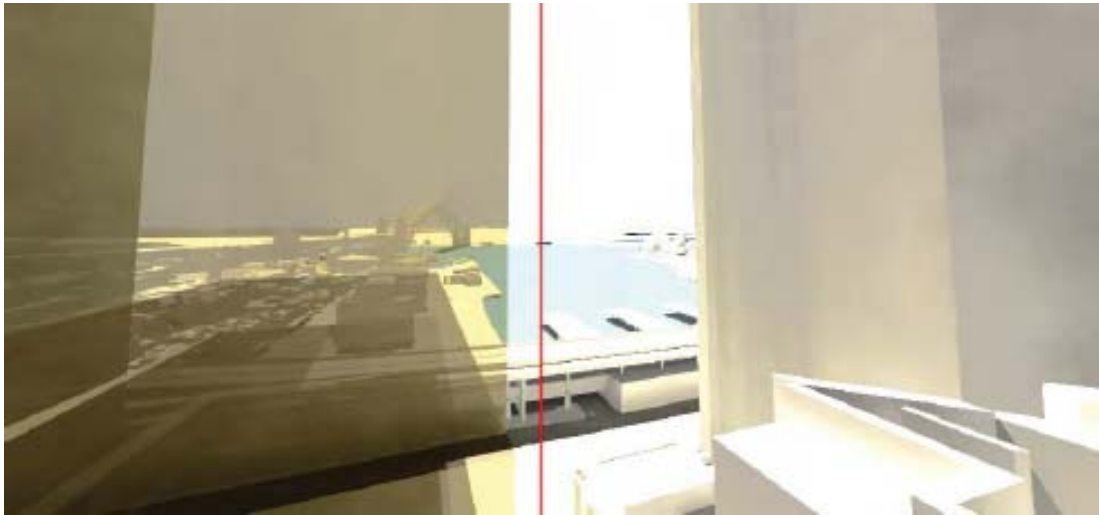


Figure 43: View from LLCQ at RL 60 (north-east)

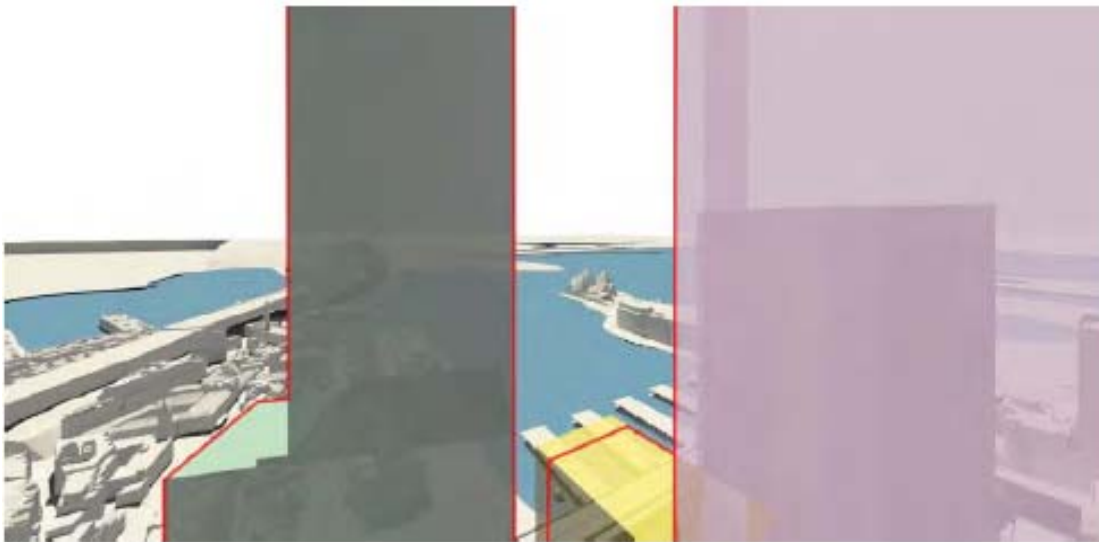


Figure 44: View from 200 George St at RL 160 (north-west)

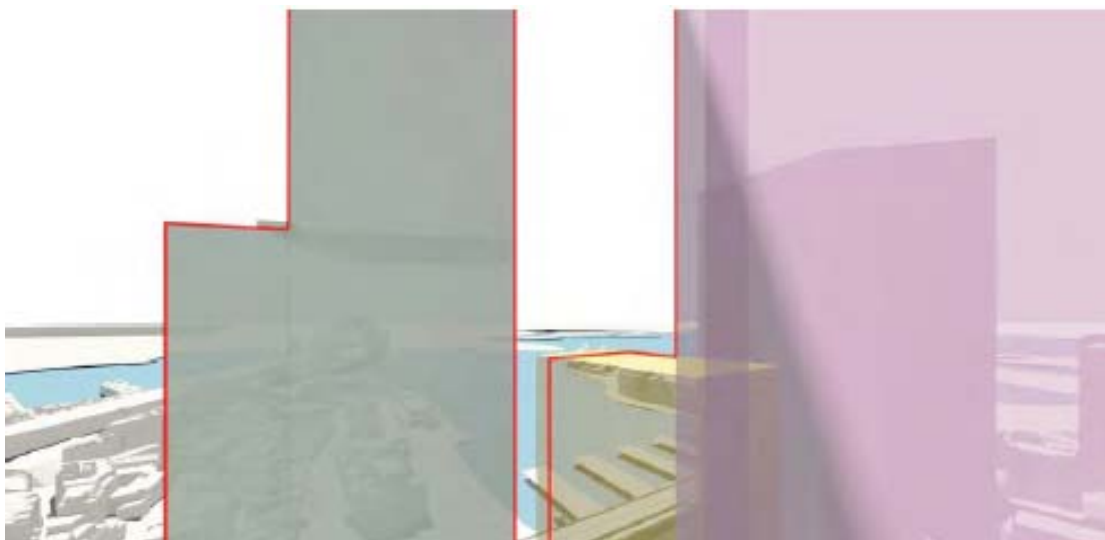


Figure 45: View from 200 George St at RL 120 (north-west)

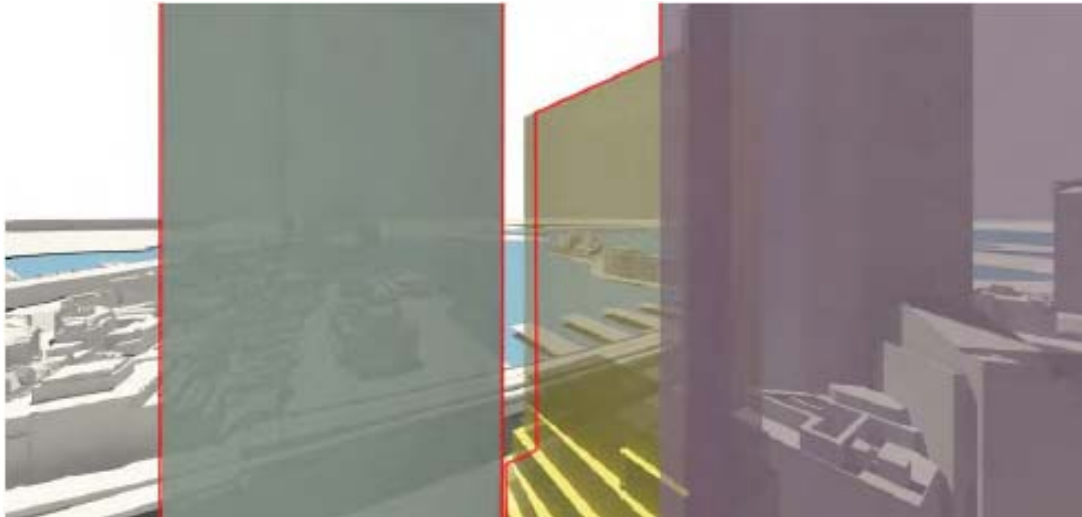


Figure 46: View from 200 George St at RL 90 (north-west)

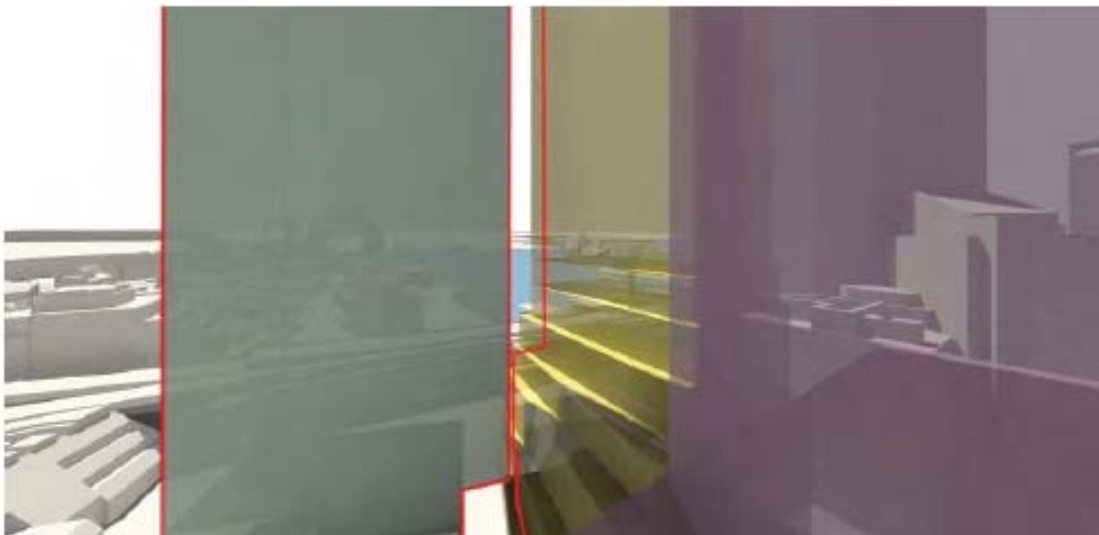


Figure 47: View from 200 George St at RL 60 (north-west)

As illustrated above, the proposal will result in minor impacts to the view corridors of existing and future commercial development located to the south of the site, namely, '200 George Street' and the future LLCQ tower when compared to the originally approved Stage 1 building envelope. Furthermore, there are no additional view impacts to the Cove Apartments or Grosvenor Tower, and in the case of the Marriot Hotel views are slightly improved.

In light of the above the view impacts arising from the proposed development are considered to be negligible and do not warrant design modifications or refusal of the application.

5.5 Public Domain

As a significant tourist and visitor accommodation site, located within Circular Quay and in part of Sydney's 'Cultural Ribbon', it is considered imperative that a highly successful public domain be achieved on this important site.

The Development Consent for Tower A (D/2015/882/B) does not include works within the public domain at the ground plane, which were deferred to be delivered as part of this proposal. The amended proposal therefore includes the following works within the public domain, across the entire site:

- Revised levels across the site;
- Removal of two street trees on Pitt Street to allow for the provision of new driveways;
- Nine (9) new trees across the site, including two (2) new street trees on Pitt Street, five (5) new trees within the through site link, and two (2) new trees located to the south of the driveway;
- Austral black granite paving across the majority of the site (excluding Rugby Place);
- Austral black cobble paving within Rugby Place;
- Pedestrian stairs to the north of Tower B to address the level change;
- Water feature to the north eastern building edge of Tower B;
- Port cohere vehicle entry at the northern end of the Pitt Street frontage;
- Basement vehicle entry and exit entry (also acting as porte cochere exit) at the southern end of the Pitt Street frontage;
- Pedestrian access ramps to the hotel lobby on the eastern frontage; and
- Five (5) Class 3 bicycle racks within Rugby Place.

Since lodgement of the original application, the design of the public domain has been amended and refined in collaboration with Council officers to improve the level transition on the northern side of the site, further rationalise and improve the design of the porte cochere, achieve a more consistent materials palette, and provide additional opportunities for tree planting.

While the public domain works proposed in the amended proposal are now generally supported, it is recommended that the Public Domain plans not be approved at this time as additional refinement is required. Specifically, amongst other things, further work is required in developing the porte cochere, street furniture, the temporary alignment levels adjacent to the LLCQ site, and the final alignment levels across the entire site. It is also considered necessary to delay final approval of the public domain materials to ensure a consistent palette is delivered across the Wanda and LLCQ sites. In light of this, conditions of consent are recommended requiring the following to be submitted and approved by Council's Director, City Planning, Development and Transport prior to the issue of the relevant construction certificates:

- Alignment Levels Plan;
- Public Domain Staging Plan;
- Temporary Public Domain Plan;
- Final Public Domain Plan;
- Public Domain Lighting Plan;
- Landscape Plan; and
- Landscaped (Green) Walls Plan.

Subject to the recommended conditions of consent, it is considered that the proposal will result in significant improvements to the public domain over the existing conditions, providing high quality materials and finishes that are consistent with the City's materials palette, and an overall development that integrates well with the existing and future public domain conditions.

5.6 Flooding

The site is located within the City Area Catchment and is identified as flood prone land. **Figure 48** below illustrates the existing peak flood depths arising from the 100 Year Average Recurrence Interval (ARI) flooding event as modelled by the applicant's flooding consultant, Arup.

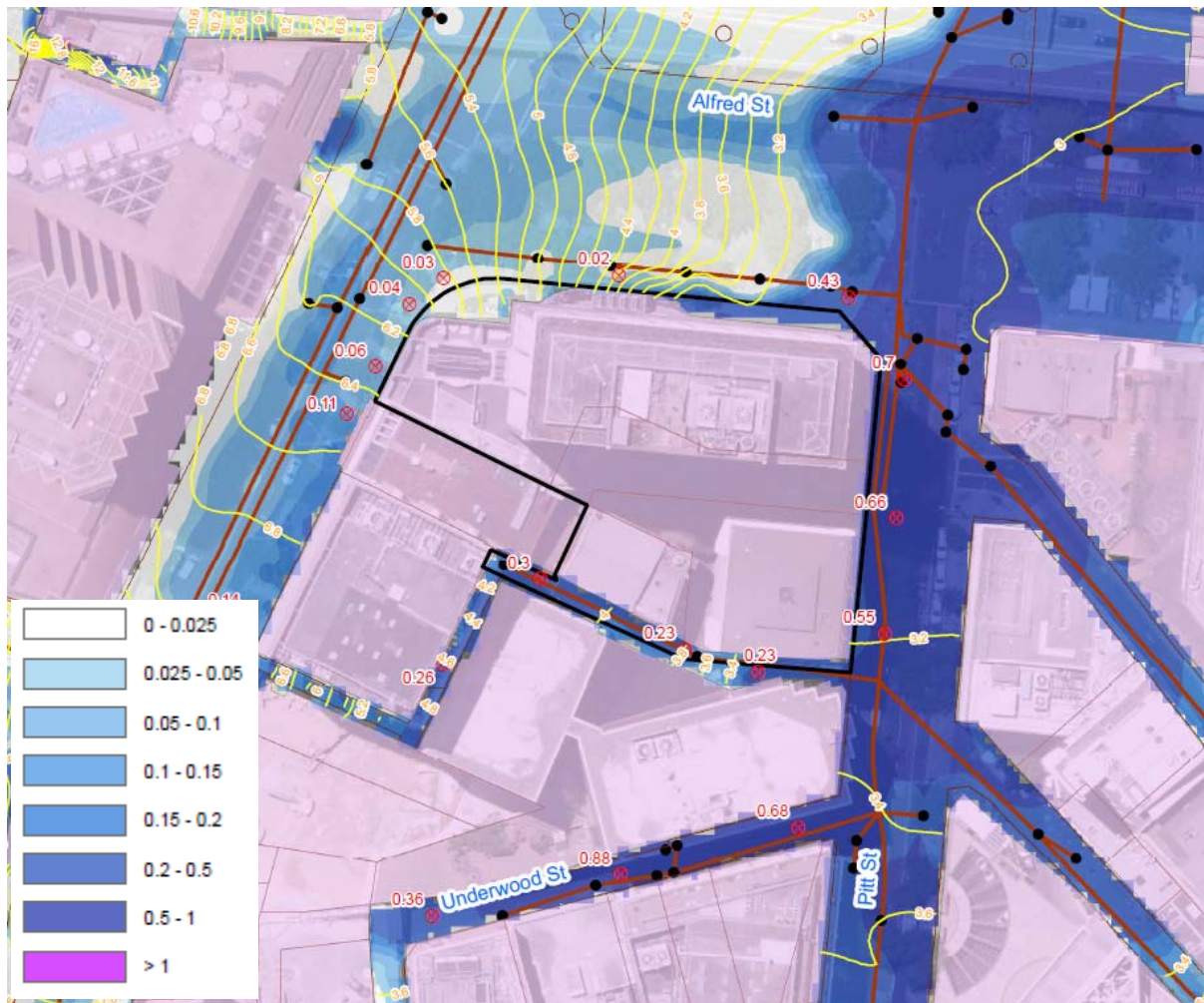


Figure 48: Existing peak flood depths arising from the 100 Year ARI flooding event

The proposed development, in conjunction with other proposed and future developments on the APDG block, will result in changes to flood behaviour due to the inclusion of the new George Street plaza, through site links, and modified streets and laneways, which will open new flood paths from the south and west, toward the harbour.

Flood modelling has been undertaken by Arup to assess the impact the proposed development is likely to have in terms of peak depth and peak velocity during the 1 in 20 and 1 in 100 year ARI events, as well as the Probable Maximum Flood (PMF). Two (2) scenarios were modelled, including an interim scenario where only this subject site is developed, and an ultimate scenario, where the site to the south (LLCQ) is developed. The City's Public Domain Unit have reviewed the flood modelling, and have raised no objection to the modelled flood levels.

The appropriate Flood Planning Level (FPL) for this site is taken to be the PMF level, rather than the 100 year Annual Recurrence Interval (ARI) rainfall event +0.5m freeboard, given the PMF is generally lower.

Notwithstanding the relaxation of the FPL, the proposed alignment levels within the development site result in three openings to the building being situated between 600mm and 870mm below the PMF (and therefore the FPL), necessitating the installation of automated flood gates in the following locations:

- basement car park entry;
- hotel lobby Pitt Street entry; and

- hotel lobby northern entry.

While flood gates are generally discouraged City staff recommended consideration be given to granting development consent to the automated flood gates for the following reasons:

- The site is situated in a natural flood basin, situated where the historical Tank Stream met Sydney Harbour, resulting in particularly onerous flooding conditions along Pitt Street and adjacent to this site in particular.
- To meet the FPL the design of the basement car park would be cumbersome and inefficient, requiring a significant ramp at the entry which would have a significant knock-on effect for the design of the tower and public domain.
- The Pitt Street hotel lobby entrance and Alfred Street entrance for Tower B are sufficiently high enough to achieve flood resilience in all flood events up to and including the 100 year ARI flood event.
- The Pitt Street basement car park entry is sufficiently high to achieve resilience in flood events up to and including the 20 year ARI event.

In order to ensure the City is not placed at unnecessary risk in the unlikely event of flood gate failure, a condition of consent is recommended requiring a positive covenant to be placed on title prior to the issue of an Occupation Certificate. The positive covenant will require:

- the flood gates to be properly maintained;
- any risks associated with the flood gates to borne by the owner;
- the City to be released and indemnified from all claims arising as a result of any failure to the fullest extent possible;
- the owner is to be insured to cover any losses arising from any failure; and
- authority to release, vary or modify the positive covenant to lie solely with the Council.

In addition, a further condition of consent is recommended requiring various flood risk management measures to be adopted, including:

- A Flood Emergency Response Plan to be prepared and implemented as a positive covenant on the title of the property;
- All building structures being designed to ensure structural integrity for immersion and the impact of hydraulic forces and debris up to the PMF; and
- No toxic or hazardous materials to be stored on site below the PMF.

While the use of flood gates is rightly unsupportable on the majority of sites, it is considered that the circumstances outlined above are exceptional, and their use is warranted in this instance. Furthermore, subject to the approval of the automated flood gates, the proposed development is consistent with the flood planning criteria set out in the SLEP 2012, in that it:

- is compatible with the flood hazard of the land;
- is unlikely to significantly adversely affect flood behaviour that would impact other development or properties;
- incorporates measures to mitigate the risk of life from flood;
- will not significantly adversely affect the environment; and
- subject to the abovementioned positive covenant being placed on title, is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

In light of the above, and subject to the recommended conditions of consent, the proposed development complies with the flooding requirements of the SLEP 2012, does not represent an unacceptable risk to loss of life or property, and therefore flooding is not a determinative factor that would warrant refusal of the application.

5.7 Transport, Parking, Traffic and Access

Transport

The site is positioned in close proximity to tourist and visitor attractions and the CBD, making walking an attractive transport option for future users of the development.

The site is located on the west side of Pitt Street, which under the Sydney Centre Access Strategy is planned to accommodate a future cycleway connecting Circular Quay to the City's wider cycleway network. The final design of the cycleway is yet to be determined, however it is anticipated it will take the form of either a separated cycleway or a shared zone. The substantial bike facilities (described in detail below) will encourage residents and hotel users and staff to make use of the City's cycle infrastructure.

The site is well served by public transport, being situated adjacent to Circular Quay Railway Station (with direct services to Sydney Airport) and Circular Quay Ferry Terminal, and in an area well served by buses.

The subject site is also located within close proximity to the CSELR, which will have a terminus at Circular Quay immediately to the north of the site. The project is currently under construction.

Traffic arrangements resulting from introduction of light rail in Circular Quay are yet to be finalised, however current known CSELR works for the Circular Quay precinct include the following:

- a light rail stop on Alfred Street extending across the face of Circular Quay Railway Station, running between Loftus and Pitt Streets, comprising platforms and light rail tracks;
- no through traffic into Alfred Street from Loftus Street (the position of road closure and the turnaround options are yet to be decided, however it is envisaged that most Loftus Street traffic will be diverted into Reiby Place to form a one-way system back to Bridge Street via Pitt Street);
- closure of Pitt Street south of Alfred Street (the position of road closure and the turnaround options are yet to be decided);
- Pitt Street will remain one way southbound; and
- construction of a cycleway on the west side of Pitt Street, in line with the Sydney Centre Access Strategy.

The above works and associated changes to traffic arrangements have been taken into consideration when assessing the proposed traffic and access arrangements for the proposal.

Parking and Traffic

The proposal seeks development consent for the construction of six basement levels beneath Tower A and Tower B. Generally, hotel function and parking are contained within the upper three basement levels, with the lower three basement levels restricted to residential use. Specifically, the following is provided:

- 189 car parking spaces including:
 - 147 residential car parking spaces;
 - 1 retail car parking space; and
 - 41 hotel car parking spaces.
- Three (3) car share spaces;
- 13 residential motorcycle spaces;
- Service bays, including:
 - Two (2) hotel service bays (10m vehicle);
 - Two (2) residential bays (10m vehicle); and

- One (1) garbage bay (10m vehicle).
- Bicycle parking, including:
 - 190 Class 1 bike parking (1 per dwelling) on levels B2 – B6;
 - 20 Class 2 residential visitor bike parking spaces on level B1;
 - 10 Class 2 hotel visitor bike parking spaces on level B1;
 - 109 Class 2 residential bike spaces on B3;
 - 54 Class 2 hotel and retail bike spaces on B3;
 - 85 Class 2 residential bike spaces on B4; and
 - 5 Class 3 retail visitor bike spaces at grade (Rugby Place).

The proposed quantum of car parking complies with the maximum permissible under the SLEP 2012, and is therefore supported. Conditions of consent are recommended to ensure the maximum car parking provisions of the SLEP 2012 are not exceeded.

In terms of traffic generation, modelling submitted by Arup predicts the proposal will result in 69 vehicles movements per hour during the peak period, In consideration of the expected future road conditions of the locality, as described above, this is considered to be acceptable and will not have an unacceptable impact upon the capacity of the surrounding network.

Access

The principal vehicular access point to the site is via a driveway providing access and egress to the basement, and egress to the porte cochere. The vehicle crossover is approximately 7.7m wide and is located at the south eastern corner of the Pitt Street frontage (refer to **Figure 49** below).

Secondary vehicular access to the site is to the porte cochere, which will serve as the principal drop off/and pick up location for guests and visitors to the hotel. The vehicle crossover is approximately 5.7m wide and is located at the north eastern corner of the Pitt Street frontage.

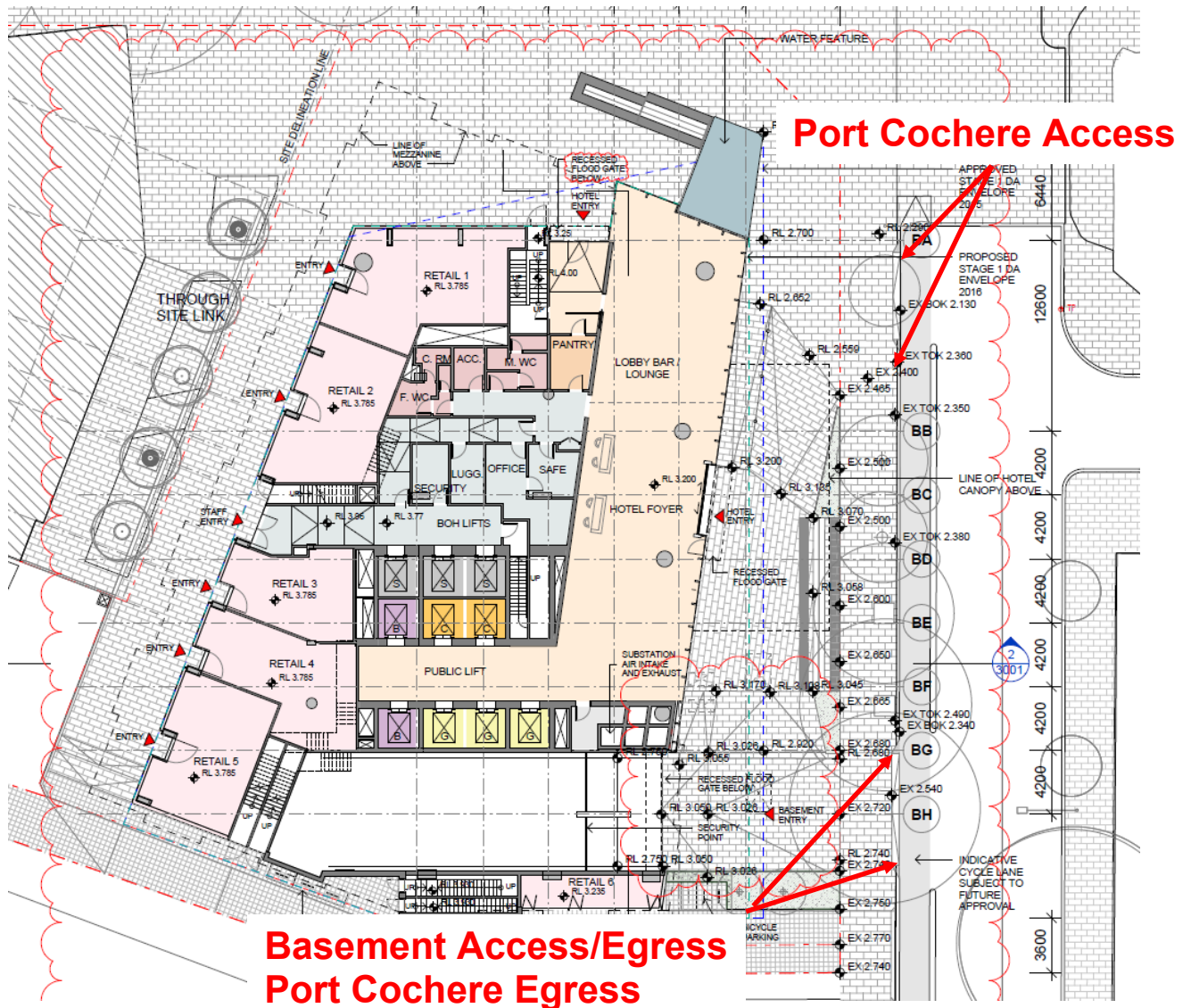


Figure 49: Ground floor plan, highlighting vehicular access/egress points to the shared basement and porte cochere

While the Stage 1 DA envisaged only one vehicular access point, the flood conditions of the site are such that a stretch limousine would be unable to access the basement due to the transitional grades required to protect the basement up to the 20 year ARI event. Accordingly, the applicant argues that the porte cochere is fundamental to the viability of the project, as pick/up and drop off for all vehicle types is not possible via the basement. In addition to accommodating limousines, the porte cochere will accommodate:

- Taxis / uber arrivals;
- Private vehicle drop-off / transfers;
- Hotel parking (via valet system); and
- Mini buses.

Council officers raised concerns that the additional vehicle crossover may increase potential conflicts between pedestrians, cyclists and vehicles. In response, Arup have provided predicted pedestrian vehicle, cycle and pedestrian counts based on counts conducted by Arup and the assumption that residential pick up/drop off will occur within the basement, and some hotel pick up/drop off will also occur within the basement. Arup's findings are illustrated in **Figure 50** below.

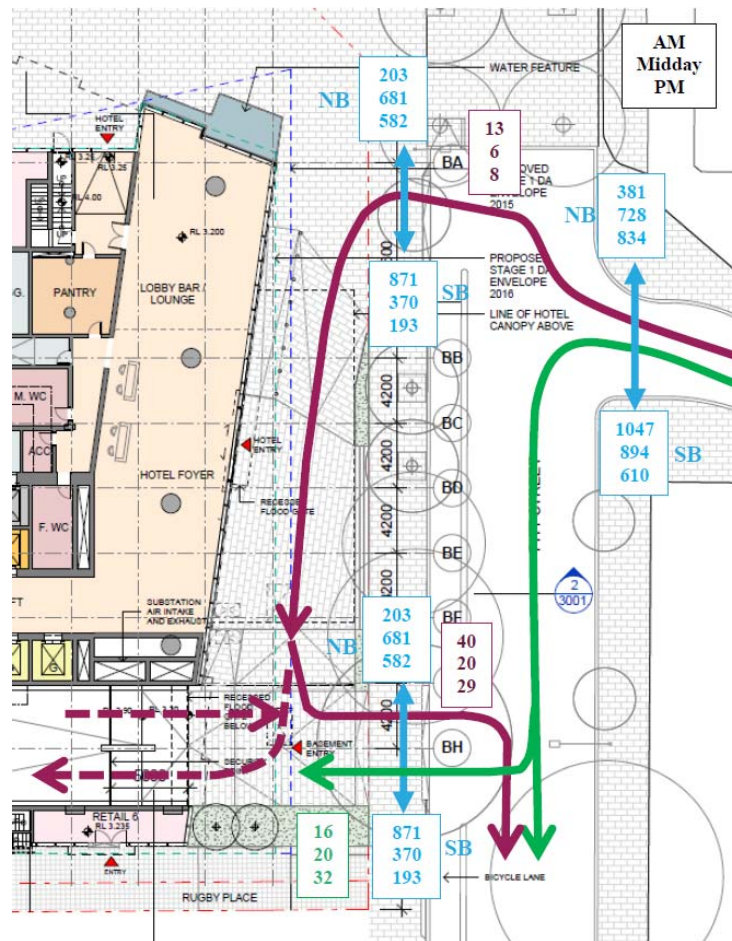


Figure 50: Modelling illustrating predicted pedestrian and vehicle movements during the AM peak, midday, and PM peak

As illustrated above, the modelling predicts that during the busiest peak hour (i.e. the AM peak), up to 13 vehicles (approximately one every 4.6 minutes) will be entering the porte cochere. Assuming a crossover time of 10 seconds may apply to vehicles entering, Arup advise this may affect up to 40 pedestrians during this one hour period.

The southern driveway is assumed to have the same number of pedestrians during this peak period. At this time, up to 56 vehicles (or approximately 1 every minute) will enter/exit the main basement driveway. Based on the similar analysis above, this equates up to 170 affected pedestrians during the one hour period.

It should be noted that the Fruin Level of Service, which measures the pedestrian capacity of footpaths, is 'A' on Pitt Street, with 8 pedestrians per square metre, per minute. This is the best level of service possible.

Given the limited number of conflicts with pedestrians, and in consideration of the site constraints which make it onerous for all vehicles to access the basement, the porte cochere and additional vehicle entry is supported by Council staff. Council staff are actively working with other stakeholders, including RMS and TfNSW, to develop a design solution for the Pitt Street cycleway that will minimise risks to cyclists and other road users in this location.

As outlined earlier in this report, the application was presented to the CSTTC working group on 29 March 2017. The Committee members advised that they are also generally in favour of the proposal. However, as outlined above, the public domain plans submitted with the application are not recommended for approval as certain elements, including the design of the porte cochere and vehicle entry points, require further refinement and design development. The final design is to be

further negotiated between the proponent, TfNSW (including the CBD Co-ordination Office) and Council, prior to the issue of the relevant Construction Certificate.

Coach Parking

Vehicle swept paths have been submitted which demonstrate all vehicles except limousines, minibuses, and coaches are able to access the basement. Limousines and mini buses are able to access the Porte Cochere. Coaches are unable to access the site and, furthermore, the coach swept path (as the vehicle enters Pitt Street from Reiby Place) conflicts with the expected location of the future cycleway unless a cut-back to the footpath is provided on the south eastern corner of that intersection.

Due to the potential conflicts arising from coach access, which is an existing problem given the Marriot Hotel utilises Pitt Street for coach parking, it is not considered appropriate to approve additional coach parking associated with this hotel. Accordingly, a condition of consent is recommended prohibiting the hotel from utilising Pitt Street for coach and bus parking.

5.8 Hours of Operation

The proposed hours of operation for the various functions of the hotel, Monday to Sunday inclusive, are as follows:

- hotel reception check-in desk, concierge, pool and gym facilities, and lobby lounge area - 24 hours per day;
- All day dining restaurant - 6.00am to 12 midnight;
- Lobby lounge bar - 7.00am to 1.00am the following day;
- Club restaurant, karaoke bar and rooftop bar - 7.00am to 2.00am the following day;
- Grand ballrooms and event space - 7.00am to 1.00am the following day;
- Fitness café - 6.00am to 10.00pm; and
- Retail spaces - 7.00am to 12 midnight.

A condition of consent is recommended requiring a separate DA for the fit-out and use of the ground floor retail spaces. Hours of operation for the retail spaces will therefore be deferred to those future applications.

Excluding the core hotel facilities, for which 24 hour operations is necessary and supported, the suitability of the proposed hours of operation is considered below.

The SDCP 2012 is considered as the SEARs require it to be a matter for consideration and Condition 8 of the Stage 1 consent requires this application to comply with its provisions.

The SDCP categorises the karaoke rooms and rooftop bar as 'Category A- High Impact Premises'. All other areas are categorised as 'Category B – Low Impact Premises'. The site is located within a Late Night Management Area. The rooftop bar is the only licensed area with an outdoor area.

The permissible hours of operation for Category A and B premises are outlined in **Table 6** below.

Table 6: Permissible hours of operation

Premises Category		Indoor Hours	Outdoor Hours
Category A 'High Impact'	Base Hours	6.00 am – 12 midnight	10.00 am – 10.00 pm
	Extended Hours	24 hours	10.00 am – 1.00 am
Category B 'Low Impact'	Base Hours	6.00 am – 2.00 am	8.00 am – 10.00 pm
	Extended Hours	24 hours	8.00 am – 1.00 am

The proposed hours of operation are generally consistent with the permissible base hours of operation, except for the following:

- karaoke bar - between the hours of 12 midnight and 2.00am; and
- rooftop bar - indoor between the hours of 12 midnight and 2.00am, and outdoor between the hours of 10.00pm and 2.00am.

With the exception of outdoor areas of the rooftop bar between the hours of 1.00am and 2.00am, the abovementioned hours of operation are permissible subject to a trial. The DCP permits trial hours to be granted from the outset, however trials beyond base hours may only increase in two (2) hour increments.

Outdoor hours for the rooftop bar between the hours of 1.00am and 2.00am are not permissible under the SDCP 2012. The site is located in close proximity to nearby sensitive receivers, particularly the occupants of Tower A, and therefore these hours are not supported. A condition of consent is recommended requiring the roof terrace to be fully enclosed upon cessation of the approved outdoor hours of operation.

Trading between 12 midnight and 2.00am for the karaoke bar is recommended for approval subject to a one year trial commencing from the date of the Occupation Certificate.

Indoor trading between 12 midnight and 2.00am, and outdoor trading between 10.00pm and 12 midnight for the rooftop bar is recommended for approval subject to a one year trial commencing from the date of the Occupation Certificate. All areas of the rooftop bar may continue trading with the rooftop enclosed, and therefore as an indoor area, until 2.00am. Subject to the trial being successful, the applicant may apply to increase the outdoor trading hours to 1.00am in the future.

Notwithstanding the above, Council's Environmental Health Officers have advised that the plans submitted for the food premises and bars are not satisfactory, therefore although the use and hours of operation are recommended for approval as part of this application, a separate DA will be required for the fit-outs of the food and drink premises.

5.9 Heritage

The site is not a heritage item, nor is it located within a heritage conservation area. The site is located in close proximity to many heritage items, including but not limited to:

- the Tank Stream Fountain (local significance) located within Herald Square to the north,

- the Tank Stream (State significance), which runs underground, parallel and adjacent to the eastern boundary of the site,
- the Former Ship Inn (local significance) on the opposite side of Pitt Street to the east;
- Bulletin Place (local significance) to the south east; and
- Circular Quay Railway Station (State significance) to the north east.

The proposal provides a substantial physical and visual separation between surrounding above ground heritage items. Furthermore, as outlined earlier in this report, the proposed hotel tower demonstrates design excellence. Accordingly, in terms of its design, form and materiality, the proposal is not considered to have to have an unacceptable impact to the heritage significance on the above ground heritage items and their settings.

The location of the Tank Stream varies between 110mm and 175mm from the boundary and is located approximately 1m from the existing basement level wall, accordingly the proposed excavation and construction of six basement levels has the potential have an impact of the structure.

In order to mitigate the potential impacts arising from construction activities, Arup, on behalf of the applicant, have prepared a methodology to physically protect the Tank Stream during excavation and construction. This involves retaining the eastern retaining walls of Goldfields House and Fairfax House as part of the basement structure, and providing a temporary retention system around the perimeter of the planned basements. The report concludes that despite excavation occurring within the three metre curtilage from all surfaces of the Tank Stream, the work would not result in any structural impact. Notwithstanding, the report recommends that works be suitably monitored to ensure that no structural impacts to the Tank Stream occur throughout the duration of works.

As the Tank Stream is a heritage item of State Significance, the application was referred to the Heritage Division of the NSW Office of Environment and Heritage. The Heritage Division advised that the methodology is acceptable. A condition of consent is recommended for the works to be carried out in accordance with this methodology.

In addition to the above, the site is identified as having some archaeological potential, particularly below the current footprint of Fairfax House, the Rugby Club, and Rugby Place. A 'Historical Archaeological Assessment and Research Design and Methodology' has been prepared by Urbis, which requires all significant artefacts to be recovered, and excavation records to be prepared for long-term storage and/or incorporation into interpretative displays. A condition of consent is recommended, requiring excavation works to be carried out in accordance with this methodology.

In light of the above, the proposed development is not considered to have an unacceptable impact on the heritage significance of any nearby heritage items and their settings. Moreover, subject to the recommended conditions of consent, any potential impacts to below ground heritage and archaeology can be appropriately monitored and managed.

5.10 Signage

Building identification signage

The amended proposal seeks development consent for a single internally illuminated business identification sign located at very top of the building on northern façade. The sign is approximately 2m high and 14m long. The sign includes the words 'WandaVista' and the Wanda Vista brand logo, as illustrated in **Figure 51** below.



Figure 51: Proposed top of building business identification sign

While the business identification sign is supported in principle, further information is required in terms of the materiality of the sign, its luminosity, and how it will be fixed to the building. A condition of consent is recommended requiring additional details of the sign to be submitted to and approved by Council's Director, City Planning, Development and Transport prior to the issue of a Construction Certificate.

In line with Council's usual practice, it is recommended that development consent for the sign only be in place for a period of five (5) years following issue of the occupation certificate. Within six (6) months prior to the development consent lapsing, a new separate development application should be lodged for renewed approval. A condition of consent is recommended accordingly.

Building identification signage

A retail signage strategy has been prepared for the ground floor retail tenancies in both towers.

The strategy provides for:

- five (5) retail tenancies in Tower B and two (2) tenancies in Tower A facing onto the through site link to be provided with one (1) primary sign affixed to the glass above the tenancy entry, with a maximum area of 0.35m² and one (1) secondary rear or internally illuminated sign affixed to wall cladding adjacent to the tenancy entry, with a maximum area of 0.6m²; and
- the single retail tenancy in Tower B fronting Rugby Place to be provided with one (1) internal retail identification sign on the rear tenancy wall.

The retail signage strategy is supported and is recommended for approval. A condition of consent is recommended requiring any signage proposed in the future DAs for the fit-out and use of the ground floor retail tenancies to be entirely consistent with the approved retail signage strategy.

State Environmental Planning Policy No. 64 'Advertising and Signage (SEPP 64)

State Environmental Planning Policy No. 64 'Advertising and Signage (SEPP 64) was gazetted on 16 March 2001 and aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

The proposed signage has been assessed in accordance with the SEPP. It is considered consistent with the relevant objectives for signage and satisfies the criteria specified in Schedule 1.

5.11 Equitable Access

It is recommended that disabled access be provided in accordance with the Building Code of Australia. A condition of consent is recommended accordingly.

6. CONCLUSION

The merits of the proposal have been assessed, taking consideration the issues raised in the submissions. It is considered that the impacts of the proposal have been satisfactorily addressed within the proposal, the RtS and the recommended conditions included at **Appendix B**.

The proposal is consistent with the objects of the EP&A Act and ESD principles. The proposal will deliver high quality hotel accommodation in an inner city location with excellent access to transport, open space, services, facilities and attractions consistent with the goals and objectives outlined in the NSW Government's 'NSW 2020' and 'A Plan for Growing Sydney'. The proposal provides the opportunity for additional 300+ ongoing full time equivalent jobs which will help boost the economy of Central Sydney.

The development has been designed having regard to the opportunities and constraints of the site and provides a built form which generally complies with the relevant planning controls, and appropriately responds to the existing and future surrounding building form.

The proposal forms a major part of the significant transformation of Circular Quay, one of the City's key precincts. The redevelopment of the site will encourage pedestrian activity and vibrancy and reinforce the economic viability and function of the area and its surrounds. The VPA will ensure the delivery of public benefits with a value of approximately \$5 million, in the form of public domain works and public art.

The subject application (D/2016/1529 – SSD 8111) is supported and recommended for approval, subject to conditions.

7. RECOMMENDATION

It is recommended that the Central Sydney Planning Committee, as delegate of the Minister for Planning:

- **consider** all relevant matters prescribed under Section 79C of the EP&A Act, as contained in the findings and recommendations of the assessment report and appended documentation;
- **grant a deferred commencement consent** pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979 (EP&A Act), requiring additional information to be submitted to and to the satisfaction of the NSW Department of Primary Industries – Water (DPI Water) prior to the consent becoming active, and subject to conditions, under Section 89E of the EP&A Act, having considered all relevant matters in accordance with the above.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

(Christopher Ashworth, Senior Planner)

APPENDIX B RECOMMENDED CONDITIONS OF CONSENT

APPENDIX C SELECTED ARCHITECTURAL DRAWINGS

APPENDIX D RELEVANT SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on Council's website as follows.

1. Environmental Impact Statement

<https://online.cityofsydney.nsw.gov.au/DA/IndividualApplication?tpklapappl=1277753>

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8111

3. Applicant's Response to Submissions

<https://online.cityofsydney.nsw.gov.au/DA/IndividualApplication?tpklapappl=1277753>

APPENDIX E ENVIRONMENTAL PLANNING INSTRUMENTS

To satisfy the requirements of section 79C(a)(i) of the EP&A Act, an assessment of the relevant Environmental Planning Instruments (EPIs) that relate to the development application has been carried out. The following EPIs apply to the site:

- *State Environmental Planning Policy (State & Regional Development) 2011;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy No. 55 - Remediation of Land;*
- *State Environmental Planning Policy No. 64 – Advertising and Signage;*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; and*
- *Sydney Local Environmental Plan 2012.*

Note: Clauses within the above EPIs that are not relevant to the application or have been considered within this report have been omitted from the below assessment.

COMPLIANCE WITH CONTROLS

State Environmental Planning Policy (State and Regional Development) 2011

Relevant Sections	Compliance	Comments
3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development,	Yes	The proposed development is identified as State Significant Development (SSD).
8 Declaration of State significant development: section 89C 1) Development is declared to be State significant development for the purposes of the Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	Yes	The proposed development is permissible with consent under Sydney Local Environmental Plan 2012 (SLEP 2012). The site is specified in Schedule 1.
Schedule 1 State significant development - general (Clause 8 (1)) 13 Cultural, recreation and tourist facilities 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: (a) has a capital investment value of more than \$100 million	Yes	The proposal is development for tourist related purposes and has a Capital Investment Value (CIV) of more than \$100 million.

State Environmental Planning Policy (Infrastructure) 2007

The application is subject to Clause 45 (Division 5 'Electricity transmission or distribution', Subdivision 2 'Development likely to affect an electricity transmission or distribution network') as it is likely in the proximity of underground electricity power lines. In accordance with the Clause, the application was referred to Ausgrid for comment. Ausgrid raised no objection, subject to conditions.

The application is subject to Clause 88 (Division 15 'Railways', Subdivision 2 'Development in rail corridors') as the development is above an interim rail corridor. The application was referred to Sydney Trains who raised no objection to the proposal, subject to conditions.

The application is subject to Clause 104 (Division 17 'Roads and traffic, Subdivision 2 'Development in or adjacent to road corridors and road reservations'). The application was referred to NSW Roads and Maritime Services (RMS) who raised no objection to the proposal, subject to conditions.

State Environmental Planning Policy No. 55 - Remediation of Land

The aim of SEPP 55 is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.

Condition 18 of the Stage 1 development consent requires as Detailed Environmental Site Investigation (DESI) to be submitted for approval with the relevant Stage 2 DA.

The Applicant submitted a Contamination Assessment conducted by Greencap, which states that a DESI cannot be practically carried out until demolition is underway. Notwithstanding this, Greencap states that based on the information currently available it appears there is a low likelihood of significant contamination being present and that it is considered that the site can be made suitable for its intended use.

The City's Environmental Health Unit has considered the findings of Greencap, and has recommended a condition of consent be imposed requiring a DESI (and if necessary a Remediation Action Plan) to be submitted after the existing structures have been demolished.

State Environmental Planning Policy No. 64 – Advertising and Signage

The amended proposal seeks development consent for a single internally illuminated business identification sign located at very top of the building on northern façade. The sign is approximately 2m high and 14m wide. The sign includes the words 'WandaVista' and the Wanda Vista brand logo.

The application also seeks development consent for the ground floor retail tenancies of both Tower A and Tower B.

SEPP 64 was gazetted on 16 March 2001 and aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

The proposed signage has been assessed in accordance with the SEPP. It is considered consistent with the relevant objectives for signage and satisfies the criteria specified in Schedule 1.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) (SREP) (deemed SEPP).

The Sydney Harbour Catchment Planning Principles must be considered in the carrying out of development within the catchment. The key relevant principles include:

- (a) protect and improve hydrological, ecological and geomorphologic processes;
- (b) consider cumulative impacts of development within the catchment;
- (c) improve water quality of urban runoff and reduce quantity and frequency of urban run-off;
- (d) protect and rehabilitate riparian corridors and remnant vegetation.

The site is within the Sydney Harbour Catchment and eventually drains into the Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the deemed SEPP are not applicable to the proposed development. The development is consistent with the controls contained with the deemed SEPP.

Sydney Local Environmental Plan 2012

The site is located within the B8 'Metropolitan Centre' zone. The proposed mixed use hotel development includes uses defined in the Sydney LEP 2012 as 'Hotel or Motel Accommodation', 'Function Centre', 'Shops', 'Recreation Facility (Indoor)', 'Entertainment Facility', and 'Food and Drink Premises'. The basement car park includes car parking ancillary to previously approved residential uses within Tower A. All proposed uses are permissible with development consent.

Relevant Sections	Compliance	Comment
4.3 Height of Buildings	Yes	A maximum height of 110m is permitted. A height of 110m is proposed.
4.4 Floor Space Ratio	Yes	<p>As per Condition 7 'Floor Space Ratio' of the Stage 1 development consent (D/2015/1049/B) a maximum Floor Space Ratio (FSR) of 13.05 across the entire site is already approved. An additional 10% is available, subject to the Stage 2 DAs demonstrating design excellence.</p> <p>Accordingly the maximum FSR permissible on the site, subject to the developments achieving design excellence, is 14.355:1. The site area is 4,040m² and therefore the maximum Gross Floor Area (GFA) permissible on the site is 57,994.2m².</p> <p>Development Consent has already been granted for Tower A (D/2015/882/B). Both Tower A and Tower B have been the subject of a competitive design process and are considered to exhibit design excellence (see discussion below). Accordingly, an additional 10% floor space bonus is available.</p> <p>Tower A is currently the subject of a Section 96(2) application, which includes amendments that will result in a GFA of 38,600m². This will leave a balance of 19,394.2m² available for Tower B.</p> <p>The proposal includes 19,394m² of GFA and</p>

		therefore complies.
5.9 Preservation of trees or vegetation	Yes	<p>There are eight (8) street trees surrounding the site that could be impacted by the proposal, including two (2) trees that are proposed to be removed from the Pitt Street frontage to facilitate the provision of the port cochere and basement vehicle crossovers.</p> <p>All trees have been assessed by the City's Tree Management Unit as being in good to fair health and condition. The trees are considered to provide a positive contribution the amenity of the immediate area and are worthy of retention and protection.</p> <p>The removal of the two street trees is supported by the Tree Management Unit on condition that replacement planting is undertaken. A condition of consent is recommended in that regard.</p> <p>With regard to the retained trees, it is not expected that the proposal will have any direct impacts. Notwithstanding this, conditions of consent are recommended to ensure the trees are not damaged during demolition and construction and remain viable into the future.</p>
5.10 Heritage conservation	Yes	<p>The site is not a heritage item, nor is it located within a heritage conservation area. The site is located in close proximity to many heritage items, including but not limited to:</p> <ul style="list-style-type: none"> • the Tank Stream Fountain (local significance) located within Herald Square to the north, • the Tank Stream (State significance), which runs underground, parallel and adjacent to the eastern boundary of the site, • the Former Ship Inn (local significance) on the opposite side of Pitt Street to the east; • Bulletin Place (local significance) to the south east; and • Circular Quay Railway Station (State significance) to the north east. <p>The proposal provides a substantial physical and visual separation between surrounding above ground heritage items. Furthermore, as outlined earlier in this report, the proposed hotel tower demonstrates design excellence. Accordingly, in terms of its design, form and materiality, the proposal is not considered to have to have an unacceptable impact to the heritage significance on the above ground heritage items and their settings.</p> <p>The location of the Tank Stream varies between 110mm and 175mm from the boundary and is located approximately 1m from the existing basement level wall.</p> <p>The 'Wanda Sydney: Tank Stream Report' prepared by Arup and dated 30 September 2016 provides a design methodology to minimise</p>

		<p>potential disturbance to the Tank Stream. This involves retaining the eastern retaining walls of Gold Fields House and Fairfax House as part of the basement structure, and providing a temporary retention system around the perimeter of the planned basements. The report concludes that despite excavation occurring within the three metre curtilage from all surfaces of the Tank Stream, the work would not result in any structural impact. Notwithstanding, the report recommends that works be suitably monitored to ensure that no structural impacts to the Tank Stream occur throughout the duration of works.</p> <p>No objection is raised from the Heritage Council's delegate, subject to the imposition of recommended conditions, which include a requirement for all excavation works to be carried out in accordance with the abovementioned report.</p>
Part 6 Local provisions - height and floor space		
Division 1 Additional floor space in Central Sydney	Acceptable	<p>As per Condition 7 'Floor Space Ratio' of the Stage 1 development consent (D/2015/1049/A) a maximum FSR of 13.05 is already approved, with an additional 10% available for design excellence.</p> <p>As 13.05 exceeds the maximum GFA available using the Central Sydney additional floor space provisions, the Stage 1 DA prevails.</p>
<p>Division 3 Height of buildings and overshadowing</p> <p>6.19 Overshadowing of certain public spaces</p>	Yes	<p>The site is located within the proximity of Macquarie Place.</p> <p>The shadow diagrams submitted with the application demonstrate that the proposal will not result in any additional overshadowing to Macquarie Place between the hours of 10.00am and 2.00pm.</p>
<p>Division 4 Design excellence</p> <p>6.21 Design Excellence</p>	Yes	<p>Tower B has been the subject of a competitive design alternatives process.</p> <p>The competitive process was undertaken in accordance with the Design Excellence Strategy for the site and the Competitive Design Alternatives Process Brief prepared by Urbis and endorsed by Council on 22 March 2016.</p> <p>The Selection Panel concluded that Kengo Kuma Associates and Crone presented the most successful response to the Competitive Design Alternatives Brief and they were declared the winner of the Competitive Design Alternatives Process.</p> <p>A Competitive Design Alternative Report was prepared, which included issues and recommendations of the Panel. These issues were largely addressed in the DA submission. Issues that City Staff considered not to be fully resolved were discussed with the City's Design Advisory Panel, and where necessary the applicant was requested</p>

		<p>to make design amendments.</p> <p>The scheme has since been amended to address these concerns in the Response to Submissions. Any outstanding design issues are able to be addressed through conditions of consent.</p> <p>The proposal has been assessed against the provisions of Clause 6.21 and is considered to demonstrate design excellence.</p> <p>A condition of consent is recommended, requiring the design architect to have direct involvement in the design documentation, contract documentation and construction stages of the project. The condition also specifies that the design architect is not to be changed without prior notice and approval of the Council's Director, City Planning Development and Transport.</p>
Part 7 Local provisions—general		
<p>Division 1 Car parking ancillary to other development</p> <p>7.5 Residential flat buildings, dual occupancies and multi dwelling houses</p>	Yes	<p>The dwelling mix within Tower A, and the associated maximum car parking permitted is outlined below:</p> <ul style="list-style-type: none"> • 3 x studio apartments (0.1 spaces per dwelling); • 26 x one-bedroom apartments (0.3 spaces per dwelling); • 74 x two bedroom apartments (0.7 spaces per dwelling); and • 87 x three (+) bedroom apartments (1 space per dwelling). <p>Accordingly, the maximum provision of residential car parking spaces permitted is 147 spaces.</p> <p>147 spaces are proposed to be allocated to residential uses, and therefore the residential car parking provision complies.</p>
7.7 Retail premises	Yes	<p>Applying the SLEP 2012 formula $M = (G \times A) \div (50 \times T)$ where:</p> <ul style="list-style-type: none"> • M is the maximum number of parking spaces, and • G is the gross floor area of all retail premises in the building in square metres (757), and • A is the site area in square metres (4,040), and • T is the total gross floor area of all buildings on the site in square metres (57,994). <p>$M = 1.05$</p> <p>One (1) space is proposed to be allocated to retail uses, and therefore the retail car parking provision complies.</p>
7.9 Other land uses	Yes	<p>The maximum number of car parking spaces for a building used for the purposes of serviced</p>

		<p>apartments or hotel or motel accommodation is:</p> <ul style="list-style-type: none"> • one (1) space for every 4 bedrooms up to 100 bedrooms, and • one (1) space for every 5 bedrooms more than 100 bedrooms. <p>182 hotel rooms are proposed, and therefore 41 spaces are permissible. 41 spaces are proposed to be allocated to hotel uses, and therefore the hotel car parking provision complies.</p>
7.14 Acid sulphate soils	Yes	<p>The site is identified as containing class 2 and class 5 acid sulphate soil.</p> <p>An investigation conducted by Greencap revealed that Acid Sulphate Soils were not considered to be present at the site. However an Acid Sulphate Management Plan (ASSMP) has also been submitted in the instance that Acid Sulphate soils are present.</p> <p>A condition of consent is recommended requiring all recommendations in the ASSMP to be implemented.</p>
7.15 Flood planning	Acceptable	<p>The site is flood affected.</p> <p>The appropriate Flood Planning Level (FPL) for this site is taken to be the Probable Maximum Flood (PMF) level, rather than the 100 year Annual Recurrence Interval (ARI) rainfall event + 0.5m freeboard, given the PMF is generally lower.</p> <p>There are five (5) ground floor openings to Tower B. Three (3) of the openings do not comply with the requirement to ensure openings are at or above the FPL.</p> <p>The applicant is proposing automated flood barriers to protect the building during significant flood events.</p> <p>While the City is generally unsupportive of flood barriers, City planning officers have determined that this is an acceptable solution for this particular site.</p> <p>Subject to the provision of the automated flood barriers, the proposal is considered to satisfy the provisions of Clause 7.15</p> <p>Refer to Section 5.6 of this report.</p>

Sydney Development Control Plan 2012

The SEARs requires the EIS to address the Sydney DCP 2012, and Condition 8 of the Stage 1 consent (D/2015/1049/B) requires this DA to comply with its provisions.

An assessment against the site specific provisions of the DCP is provided below.

Relevant Sections	Compliance	Comment
Section 6 Specific Sites		
6.1.4 The APDG site		
Objectives	Yes	The proposal meets the objectives of the Alfred, Pitt, Dalley, and George (APDG) controls. The proposal complies with height of buildings and overshadowing controls outlined in SLEP 2012, provides a high quality urban form, and provides a substantial public benefit through the provision of through-site links, laneways and other contributions provided for in the Voluntary Planning Agreement (VPA). The proposed built form will allow for appropriate view sharing and will not cause unacceptable overshadowing on public spaces.
6.1.5 Local Infrastructure and Public Domain		
6.1.5.1 General	Yes	<p>The proposed stepped podium provides a through site link between the subject building and Tower A that is approximately 8.7m at its smallest extent and 10m at its greatest extent, exceeding the 4.5-6m requirement outlined in the DCP. The height of the through-site link is generally in accordance with the required RLs and meets the objectives of providing an 'open to the sky' link.</p> <p>Tower B is setback approximately 3.7m from the southern boundary to allow for a 6m laneway in the vicinity of Rugby Place. The remaining 3m will be required to be provided on the adjoining site to the south.</p>
6.1.5.2 Streets, lanes and through-site links	Yes	The proposed north-south through-site link, east-west laneway, and Alfred Street frontage meet the design requirements of the controls. In addition, they maintain clear site-lines, and address the level change between George and Pitt Street by providing terracing on Alfred Street whilst maintaining public access.
6.1.5.6 Active Frontages	Acceptable	<p>Active frontages are required along the Alfred Street, Pitt Street and Rugby Place frontages.</p> <p>The proposal complies with the requirement to provide an active frontage to 70% of the façade on Albert and Pitt Streets, however it does not comply with the minimum requirements on Rugby Place, where approximately 36% of the frontage is active.</p>

		<p>This is considered acceptable, as the non-compliance is largely a result of the positioning of the driveway in the south eastern corner of the site. This driveway provides access to a consolidated basements for Tower A and B, eliminating the need for a second basement entry for Tower A and providing increased opportunities for active frontages elsewhere on the site. Additional activation is also provided within the through site link, which is not included on the Active Frontages Map, but is expected to experience higher pedestrian traffic than Rugby Place following completion of the Sydney Light Rail.</p> <p>The proposal also does not comply with the requirement to limit the foyer spaces to no more than 20% in the Sydney CBD, with the foyer comprising approximately 50% of the Alfred Street frontage, and approximately 69% of the Pitt Street frontage. This is considered acceptable in the context of a hotel lobby and bar, which are generally provide a greater degree of activation than lobbies of residential or office buildings.</p>
6.1.5.7 Footpath Awnings	Acceptable	<p>Continuous fixed awnings are required along the Alfred Street and Pitt Street frontages. The proposal does not comply with this requirement, providing a fixed awning to 40% of the Pitt Street frontage only.</p> <p>Notwithstanding this, the design of the podium, which cantilevers over the Alfred Street and Pitt Street frontages results in an area of approximately 113m² on Alfred Street and 111m² on Pitt Street being sheltered by the building above, in addition to an area of 135m² being sheltered by the Pitt Street awning.</p> <p>In light of the above, the proposal is considered to achieve the objective of the footpath awnings provisions of the DCP, which is to enhance pedestrian amenity and provide weather protection.</p>
6.1.6 Built Form and Design		
6.1.6.1 Building Height	Acceptable	<p>The proposal does not comply with the DCP alternative heights map, which limits buildings on the site of Tower B to 25m, 45m and 55m.</p> <p>Nevertheless, the proposal complies with the Stage 1 building envelope, which approved a 110m tower in this location.</p>
6.1.6.2 Street Frontage Height and setbacks	Acceptable	<p>The proposal includes the following setbacks:</p> <ul style="list-style-type: none"> • 6m ground level setback at north eastern corner of the Pitt Street frontage, graduating to a 11.6m setback at the south eastern corner; • 6m tower setback to Pitt Street (i.e. the tower cantilevers over the ground floor except in the north eastern corner); • 10.2m ground level setback to Herald

		<p>Square at its shortest extent and 13.2m at its greatest extent;</p> <ul style="list-style-type: none"> • 3.9m podium setback at the north western corner of the Herald Square frontage, graduating to 13.2m at the north eastern corner (i.e. the north western corner of the podium cantilevers over the ground floor); • 14m tower setback to Herald Square; • 3.6m ground level setback to southern boundary; and • 9m upper tower setback to southern boundary. <p>While these setbacks generally do not comply with the DCP controls, the proposal is consistent with the Stage 1 envelopes (as proposed to be modified in concurrent S96 application D/2015/1049/B). Furthermore:</p> <ul style="list-style-type: none"> • the maximum widths of the tower elevations do not exceed 35% of the overall tower height, in accordance with DCP requirements; • the stepped and 'pixelated' design was considered by the selection panel to be fundamental in the success of the design, and this cannot be achieved within the DCP envelope; • the proposed setbacks allow for the proposed porte cochere to be located off-street and provides improved pedestrian accessibility over a compliant scheme; and • the proposed building envelope provides a high quality built form, and does not result in unacceptable impacts such as adverse wind conditions and overshadowing. <p>As discussed within Section 5.1 of this report, the proposal presents an acceptable built form taking into account the sites context and impacts on existing and proposed surrounding buildings and public spaces.</p>
6.1.6.3 Building design and bulk	Acceptable	<p>Tower B does not comply with the alternative heights map, which limits buildings to 25m, 45m and 55m.</p> <p>As discussed within Section 5.1 of this report, the proposal complies with the height in metres control outlined within SLEP 2012 and presents an acceptable built form taking into account the sites context and impacts on existing and proposed surrounding buildings and public spaces.</p>

6.1.7 Parking and Vehicular Access		
6.1.7 Parking and Vehicle Access	Acceptable	<p>The DCP envisages one preferred vehicular access point for the site, which is located on Pitt Street, directly opposite the intersection of Reiby Place and Pitt Street.</p> <p>As discussed in Section 5.7 of this report, two vehicular access points are required as not all vehicle types are able to access the basement. As a result, some drop off and pick up activity is required to take place within the porte cochere, necessitating a second vehicular access point.</p>

APPENDIX F INSTRUMENT OF DELEGATION
