



URBIS

STATEMENT OF ENVIRONMENTAL EFFECTS

CONCEPT DEVELOPMENT APPLICATION

372-382A Pitt Street, Sydney

Prepared for

372 PITT STREET DEVELOPER PTY LTD

December 2021

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Associate Director	Ashleigh Ryan
Senior Consultant	Toni Walter
Consultant	Kate Riley
Project Code	P0035477
Report Number	Statement of Environmental Effects Rev 00 (dated 16 December 2021)

Urbis acknowledges the important contribution that Aboriginal and Torres Strait Islander people make in creating a strong and vibrant Australian society.

We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

All information supplied to Urbis in order to conduct this research has been treated in the strictest confidence. It shall only be used in this context and shall not be made available to third parties without client authorisation. Confidential information has been stored securely and data provided by respondents, as well as their identity, has been treated in the strictest confidence and all assurance given to respondents have been and shall be fulfilled.

© Urbis Pty Ltd
50 105 256 228

All Rights Reserved. No material may be reproduced without prior permission.

You must read the important disclaimer appearing within the body of this report.

urbis.com.au

TABLE OF CONTENTS

1.	Introduction	1
1.1.	Overview	1
1.2.	Report Structure.....	1
1.3.	Project Team.....	2
2.	Site and Surrounding Context	3
2.1.	Location	3
2.2.	Site Description.....	3
2.3.	Surrounding Context.....	6
	North	6
	East	6
	South.....	6
	West.....	6
2.4.	Transport and Accessibility	7
2.5.	Easements and Title Restrictions	8
2.6.	Heritage	8
3.	Background History	10
3.1.	Pre-Lodgement Consultation	10
	3.1.1. City of Sydney Council	10
	3.1.2. Sydney Trains.....	14
	3.1.3. Sydney Metro	14
	3.1.4. Ausgrid and Sydney Water.....	15
4.	Proposed Development	16
4.1.	Overview	16
4.2.	Proposed Building Envelope.....	16
4.3.	Traffic, Access, Servicing and Parking	17
4.4.	Design Excellence Strategy	18
4.5.	Public Art.....	18
5.	Planning Assessment	19
5.1.	Strategic Planning Policies	19
5.2.	State Environmental Planning Policies	21
	5.2.1. Apartment Design Guide	24
5.3.	Sydney Local Environmental Plan 2012	26
	5.3.1. Overshadowing to Belmore Park.....	29
	5.3.2. Floor Space Ratio.....	30
5.4.	Sydney Development Control Plan 2012.....	31
6.	Key Planning Issues	37
6.1.	Built Form and Scale.....	37
	6.1.1. Building Height	37
	6.1.2. Street Frontage Height	37
	6.1.3. Tower Setbacks.....	38
	Daylight / Sky View Factor	38
	Wind Assessment	38
	6.1.4. Building Separation	39

6.2.	Environmental Impacts	41
6.2.1.	Impacts on Public and Private Views	41
6.2.2.	Minimising Overshadowing to Neighbouring Buildings	42
6.2.3.	Ecologically Sustainable Design	43
6.3.	Heritage Conservation	43
6.4.	Transport, Parking and Access.....	44
6.5.	Waste Management and Servicing.....	45
6.6.	Noise and Vibration.....	45
6.7.	Structure and Rail Corridors	45
6.8.	Geotechnical Engineering.....	46
6.9.	Demolition and Construction.....	46
7.	Section 4.15 Assessment	47
7.1.	Environmental Planning Instruments	47
7.2.	Draft Environmental Planning Instruments	47
7.3.	Development Control Plan	47
7.4.	Planning Agreement	47
7.5.	Regulations	47
7.6.	Likely Impacts of the Proposal	47
7.7.	Suitability of the Site	48
7.8.	Submissions.....	48
7.9.	Public Interest	48
8.	Conclusion	49
9.	Disclaimer	50
Appendix A	Architectural Plans	
Appendix B	Architectural Design Report	
Appendix C	Design Excellence Strategy	
Appendix D	Survey Plan	
Appendix E	Cost Summary Report	
Appendix F	Preliminary Aeronautical Assessment	
Appendix G	Heritage Impact Statement	
Appendix H	Transport Impact Assessment	
Appendix I	Sustainability Report	
Appendix J	Pedestrian Wind Impact Assessment	
Appendix K	Public Art Strategy	
Appendix L	Geotechnical Report	
Appendix M	Preliminary Structural Assessment	
Appendix N	Demolition Statement	
Appendix O	Preliminary Site Investigation Report	
Appendix P	Noise and Vibration Assessment	
Appendix Q	Preliminary Flooding Assessment	
Appendix R	Preliminary Waste Management Plan	
Appendix S	Utility and Services Report	
Appendix T	Metro Rail Corridor Impact Assessment	
Appendix U	BCA Capability Statement	

FIGURES

Figure 1 – Site Location Map within CBD Context	3
Figure 2 – Map of Site Location.....	4
Figure 3 – Images of Existing Development.....	5
Figure 4 – Image of the Pitt Street Frontage, Facing North East	5
Figure 5 – Images of Existing Local Context and Surrounding Development.....	6
Figure 6 – Ibis Hotel and Civic Hotel at 384 and 388 Pitt Street, Facing East	7
Figure 7 – Extract of Rail Corridor Map (Infrastructure SEPP).....	8
Figure 8 – Extract of Sydney LEP 2012 Heritage Map.....	9
Figure 9 – Proposed Building Envelope	17
Figure 10 – Belmore Park Sun Access Plane	30
Figure 11 – Indicative Perspective of Proposed Reference Scheme, Facing North East on Pitt Street	37
Figure 12 – Sky View Factor Assessment.....	38
Figure 13 – Building Separation between Proposed Building Envelope and the Museum Towers	40
Figure 14 – Perspectives of the Indicative Reference Scheme from Urban Views.....	41
Figure 15 – Neighbouring Developments (for the Purpose of Assessing View Impacts and Overshadowing).....	43

PICTURES

Picture 1 – Pitt Street Frontage, Facing North East	5
Picture 2 – Pitt Street Frontage, Facing South.....	5
Picture 3 – Pitt Street Frontage, Facing East.....	5
Picture 4 – View of Caruthers Place, Facing East.....	5
Picture 5 – The Chambers at 370 Pitt Street, Facing East.....	6
Picture 6 – Museum Towers at 266-267 Castlereagh Street, Facing West	6
Picture 7 – Sydney Masonic Centre at 285 Castlereagh Street, Facing North West.....	7
Picture 8 – World Square at 644 George Street, Facing North West.....	7
Picture 9 – Proposed Axonometric Massing.....	17
Picture 10 – Proposed Pitt Street Massing.....	17
Picture 11 – Proposed Envelope and ‘Base Case Envelope’	38
Picture 12 – Extent of Sky View Testing.....	38
Picture 13 – View from Pitt and Goulburn Streets, Facing South	41
Picture 14 – View from Central Station Clock Tower, Looking North	41
Picture 15 – Recently Approved Developments.....	43
Picture 16 – Overshadowing to Residential Buildings.....	43

TABLES

Table 1 – Supporting Technical Documentation	2
Table 2 – Land Subject to the Competitive Design Process	4
Table 3 – Surrounding Heritage Items.....	9
Table 4 – Response to City of Sydney Pre-Lodgement Feedback	10
Table 5 – Consistency with the Strategic Planning Framework	19
Table 6 – Summary of Consistency with the Relevant SEPPs	21
Table 7 – Consistency with ADG Design Criteria.....	24
Table 8 – Sydney LEP 2012 Compliance Assessment	27
Table 9 – Calculation of Maximum Permissible Floor Space (Proposed Building Envelope)	30
Table 10 – Assessment of Compliance with Key Provisions of the Sydney DCP 2012.....	31

1. INTRODUCTION

1.1. OVERVIEW

This Statement of Environmental Effects (SEE) has been prepared by Urbis on behalf of 372 Pitt Street Developer Pty Ltd (the Proponent) and in support of a Concept Development Application (DA) submitted in accordance with Section 4.22 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the mixed use redevelopment of 372-382A Pitt Street, Sydney.

The Concept DA seeks development consent for a proposed building envelope and future development parameters, as follows:

- In-principle demolition of the existing buildings and structures, and excavation of up to three basement levels for parking, loading, storage, plant and services.
- Establishment of a building envelope with a maximum height of RL 195.5 (approximately 56 storeys).
- Hotel and residential land uses (with retail premises at the ground floor ancillary to the hotel use).
- A maximum GFA of up to 17,556 sqm which equates to an eligible maximum FSR of 15.4:1 (includes additional 10% design excellence bonus).
- Separate vehicular and loading access from Carruthers Place.
- Future stratum subdivision.
- Design Excellence Strategy.
- Preliminary Public Art Strategy.

This proposal does not seek consent for any physical works to be carried out. Consent for physical works will be sought as part of the future Detailed DA.

Clause 7.20(2)(a) of the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) requires a site-specific development control plan to be prepared for land in Central Sydney if the development will result in a building with a height greater than 55m above existing ground level. However, clause 4.23 of the EP&A Act 1979 notes that this obligation may be satisfied by the making and approval of a Concept DA as an alternative to the preparation of a development control plan.

Following determination of the Concept DA, and prior to the lodgement of the subsequent Detailed DA, a competitive design process will be undertaken in accordance with the *City of Sydney Competitive Design Policy* and the proposed Design Excellence Strategy prepared for the site. Subject to demonstrating design excellence, the proposed development is eligible for up to an additional 10% floor space ratio in accordance with clause 6.21D(3)(b)(i) of the Sydney LEP 2012.

The estimated cost of development exceeds \$50 million and is considered “major development” under the *City of Sydney Act 1988*. Therefore, the application will be assessed by the City of Sydney and determined by the Central Sydney Planning Committee (CSPC).

1.2. REPORT STRUCTURE

This report is structured as follows:

- **Section 2** – Summary of the site context, location, existing development and surrounding development.
- **Section 3** – Background to the proposed development including pre-lodgement consultation.
- **Section 4** – Detailed description of the proposed development.
- **Section 5** – Strategic and statutory planning framework, including an assessment against the relevant environmental planning instruments.
- **Section 6** – Consideration of key planning issues.
- **Section 7** – Assessment against Section 4.15 of the EP&A Act.
- **Section 8** – Summary and conclusion.

1.3. PROJECT TEAM

This report is accompanied by the supporting technical and design documentation outlined in **Table 1**.

Table 1 – Supporting Technical Documentation

Appendix	Description	Consultant
Appendix A	Architectural Plans (including Building Envelope Plans for approval)	Woods Bagot
Appendix B	Architectural Design Report (including SEPP 65 Assessment, Solar / Daylight Assessment, and Sky View Factor Assessment)	Woods Bagot
Appendix C	Design Excellence Strategy	Urbis (Planning)
Appendix D	Survey Plan	LTS Lockley
Appendix E	Cost Summary Report	WT Partnership
Appendix F	Preliminary Aeronautical Impact Assessment	Strategic Airspace
Appendix G	Heritage Impact Statement	Urbis (Heritage)
Appendix H	Transport Impact Assessment	ptc.
Appendix I	Sustainability Report (including City of Sydney DEP Template)	E-Lab Consulting
Appendix J	Pedestrian Wind Impact Assessment (including Wind Tunnel Testing)	RWDI
Appendix K	Preliminary Public Art Strategy	UAP
Appendix L	Geotechnical Report	PSM Consult
Appendix M	Preliminary Structural Assessment	TTW
Appendix N	Preliminary Demolition Statement	Buildcorp
Appendix O	Preliminary Site Investigation Report	EIA
Appendix P	Noise and Vibration Impact Assessment	Stantec
Appendix Q	Preliminary Flooding Assessment	Escape Studio
Appendix R	Preliminary Waste Management Plan	Elephants Foot
Appendix S	Utility and Services Report	IGS
Appendix T	Rail and Metro Corridor Impact Assessment	TTW
Appendix U	BCA Capability Statement	Blackett Maguire + Goldsmith

2. SITE AND SURROUNDING CONTEXT

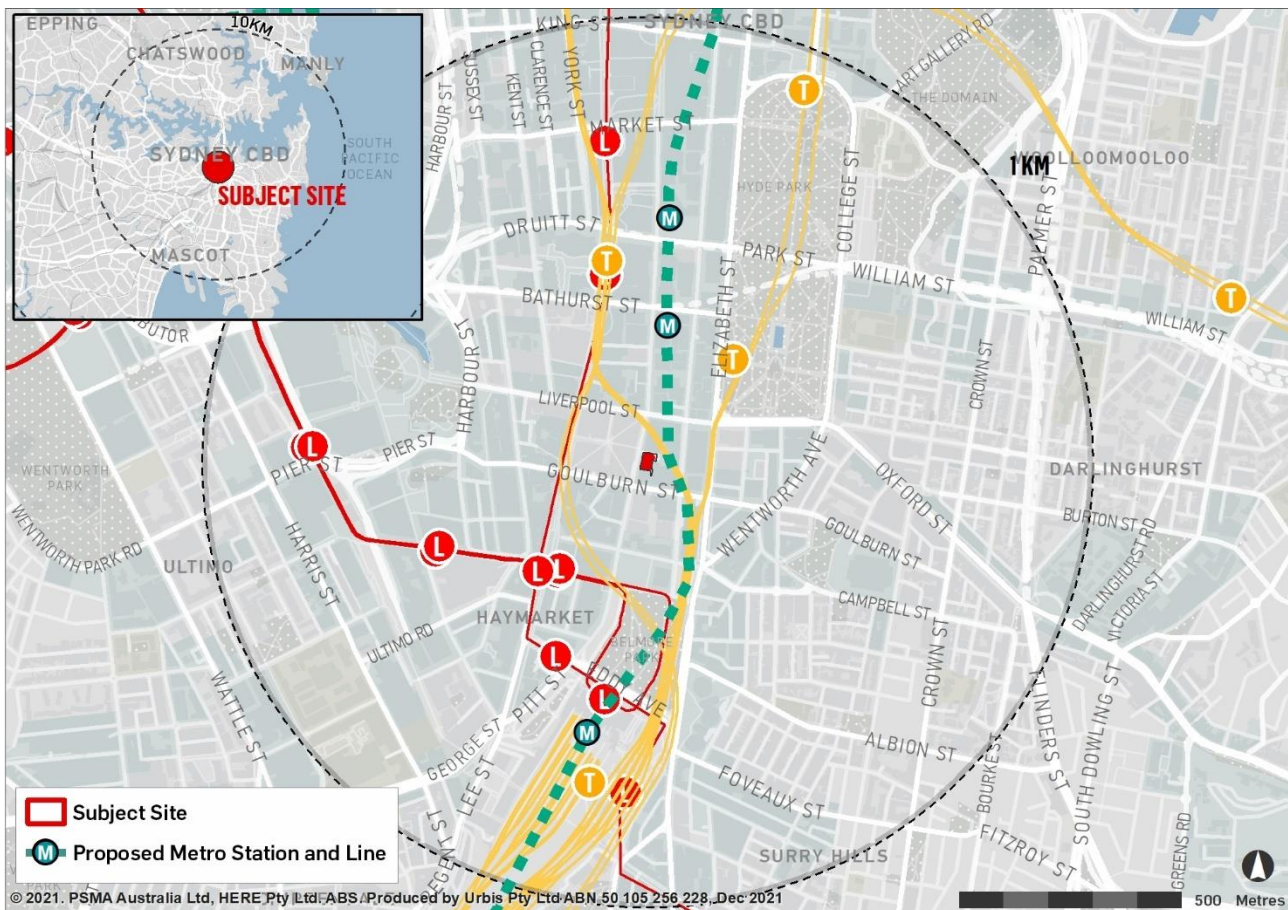
2.1. LOCATION

The site is located at the southern end of the Sydney Central Business District (CBD) within the City of Sydney Local Government area (LGA) between two existing train stations (Town Hall and Central) and two new metro stations (Pitt Street and Central). The site is also located to the east of the Chinatown precinct, and south west of Hyde Park. The location of the site within its broader CBD context is shown in Figure 1 below.

The immediate urban context surrounding the site is predominantly characterised by commercial development including office uses, various retail tenancies, as well as bars and restaurants. There are also some hotels and residential apartments in the southern portion of the CBD. The site benefits from its Pitt Street location, which is a central north-south pedestrian and transport spine connecting key public places between Circular Quay, Town Hall and Central.

The urban context of the site is highly developed and pedestrianised and includes a significant amount of active retail uses at the ground floor. The site is also near tourist attractions (including Darling Quarter, Central Station, the Powerhouse Museum, and the ANZAC Memorial at Hyde Park), as well as public spaces and significant employment generating development.

Figure 1 – Site Location Map within CBD Context



Source: Urbis (2021)

2.2. SITE DESCRIPTION

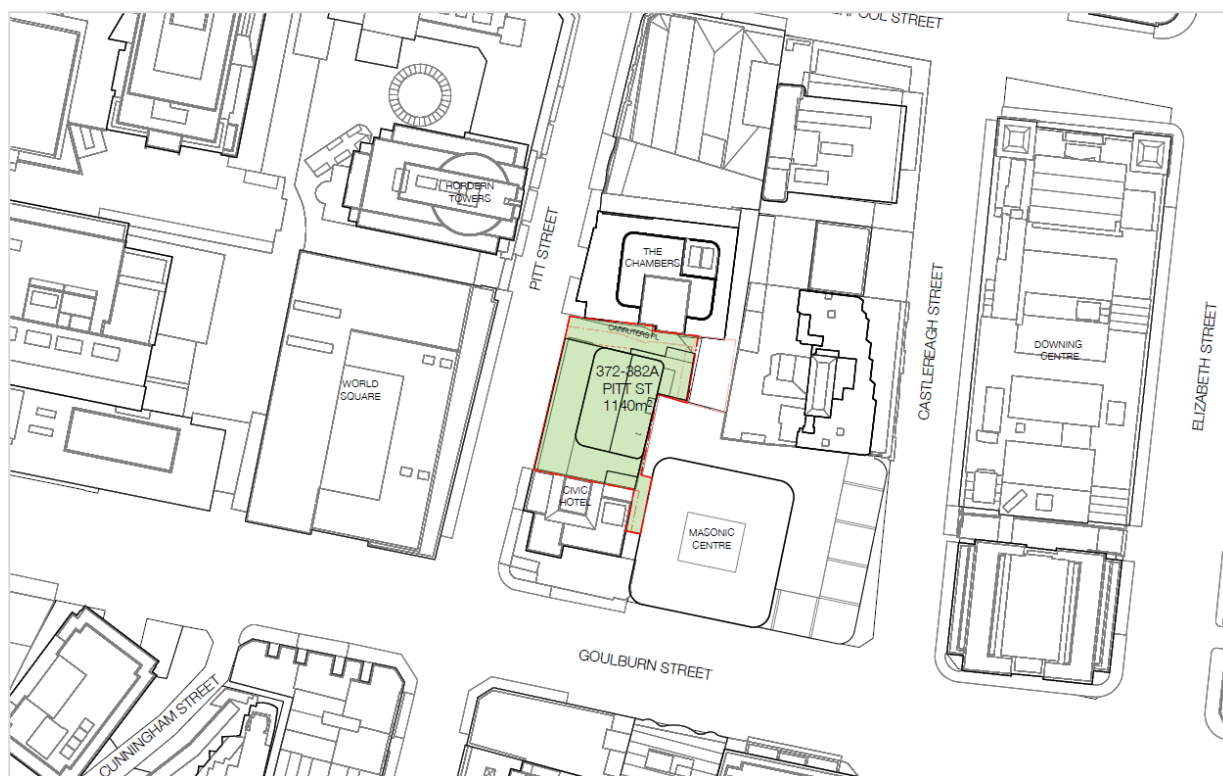
The site is located at 372 – 382A Pitt Street and is located on the south eastern side of Pitt Street between Liverpool and Goulburn Streets. The site is made up of a series of rectangular lots forming a combined boundary which is irregular in shape. The site has a frontage of approximately 36 metres to Pitt Street and a total site area of 1,140 sqm.

The legal description of the site is outlined within Table 2, and the site location is shown in Figure 2 below. Refer to the Survey Plan included at **Appendix D** for further details.

Table 2 – Land Subject to the Competitive Design Process

Property Address	Title Description
372-374 Pitt Street	Lot A DP 439550 and Lot B DP 439550
376 Pitt Street	Lot K DP 107021
378 Pitt Street	Lot J DP 107021
380 Pitt Street	Lot G DP 107010
382 Pitt Street	Lot E DP 442348
382A Pitt Street	Lot 1 DP 341987
Carruthers Place	Lot 3702 DP 1124741
Total Site Area	1,140 sqm

Figure 2 – Map of Site Location



Source: Woods Bagot (2021)

The site is currently occupied by several existing commercial buildings up to 3-storeys in height comprising mainly retail uses and food and beverage tenancies at the ground floor with commercial uses on the two upper levels. The existing street wall is approximately 12 metres in height which is generally consistent along the length of the site's Pitt Street frontage.

The site comprises Carruthers Place at the north and north-east which is a narrow existing laneway. Restricted access is also provided to the rear of the site for loading and services via a shared vehicular right-of-way to the south from Goulburn Street. Refer to Figure 3 and Figure 4 below for images of the existing development at the site.

Figure 3 – Images of Existing Development



Picture 1 – Pitt Street Frontage, Facing North East



Picture 2 – Pitt Street Frontage, Facing South



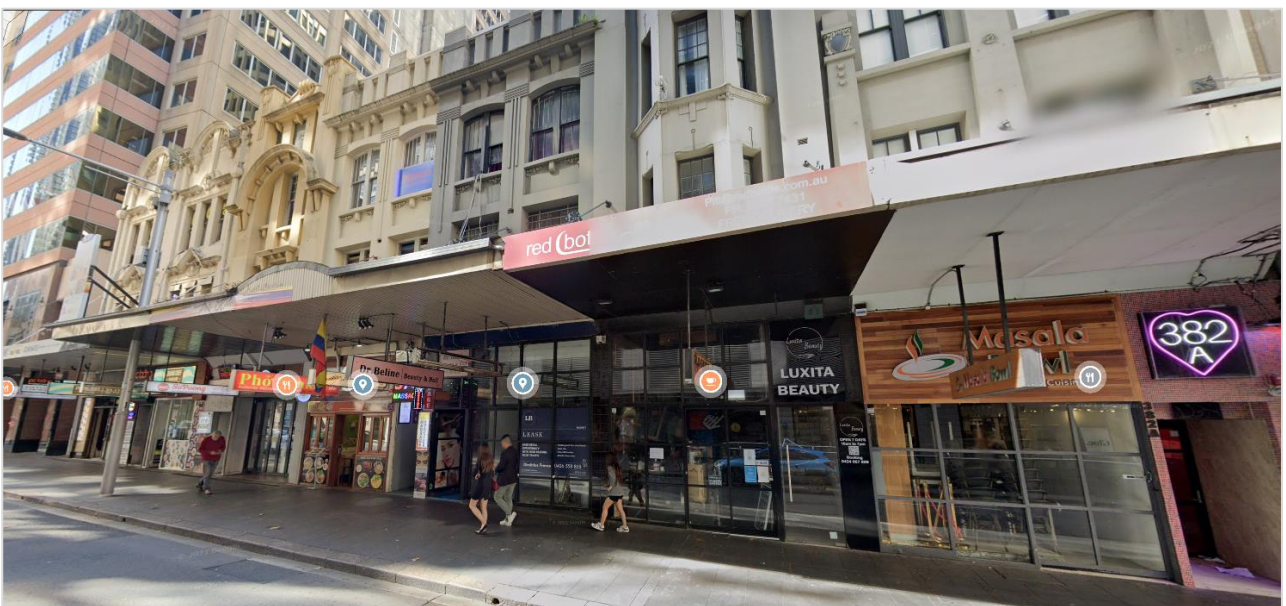
Picture 3 – Pitt Street Frontage, Facing East

Source: Google Maps (2021)



Picture 4 – View of Caruthers Place, Facing East

Figure 4 – Image of the Pitt Street Frontage, Facing North East



Source: Google Maps (2021)

2.3. SURROUNDING CONTEXT

North

The commercial and retail building at 370 Pitt Street known as 'The Chambers' is located immediately north of the site. The building is 17-storeys in height and comprises 97 individual strata commercial office suites across 15 levels and two levels of strata retail spaces at the ground and upper ground levels. Vehicle access to the basement of this building is provided from the eastern site boundary via Pitt Street.

A cluster of heritage listed mixed use commercial and retail buildings are situated further north of the site. These include the *Former "Snow's Emporium" including interiors* (I1943) at 350-360 Pitt Street and the *Former "Snow's Emporium" including interiors* (I1853) at 127-131 Liverpool Street.

East

Directly to the east of the site is Museum Towers at 266-267 Castlereagh Street which is a 35-storey residential and commercial building with a ground floor retail. Museum Towers is a heritage-listed site (I1706) under Schedule 5 of the Sydney LEP 2012. The rear western site boundary of Museum Towers faces directly onto Carruthers Place. Notably the building includes a residents' swimming pool and rooftop recreation area.

The Sydney Masonic Centre at 66 Goulburn Street is located to the east of the site which is a conference and function centre featuring multiple event spaces, with a 24-storey commercial office tower. The building comprises a six-storey podium on the corner of Goulburn and Castlereagh Streets, designed in a brutalist style. The Sydney Masonic Centre is heritage listed (I2283) under Schedule 5 of the Sydney LEP 2012.

South

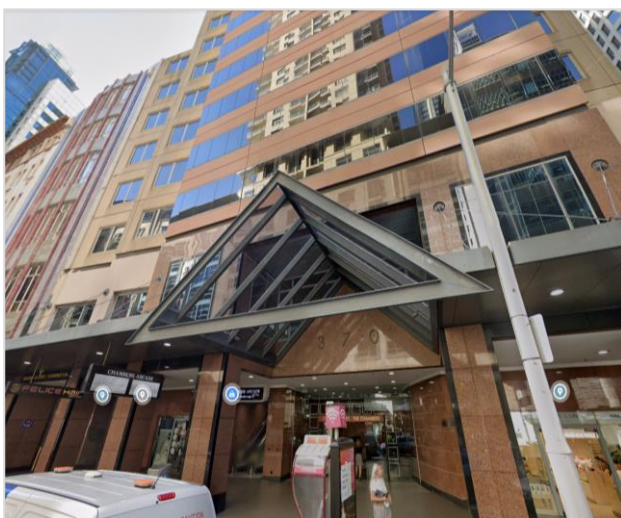
Directly south of the site is the Ibis Sydney World Square which is an 18-storey hotel building. The 3-storey Civic Hotel is located further south which is also heritage listed (I1945). The Civic Hotel features a several bars at the ground and basement levels, and a restaurant at the ground floor.

West

Directly west of the site is the World Square Shopping Centre and World Square development complex which is bound by George Street, Pitt Street, Goulburn Street and Liverpool Street. World Square is directly opposite the site on the western side of Pitt Street. The Pitt Street frontage to World Square comprises ground floor retail, and vehicle access to the basement car park. The 55-level residential Hordern Towers at 393 Pitt Street is also located to the west of the site.

Refer to Figure 5 and Figure 6 for images of the local context and surrounding development.

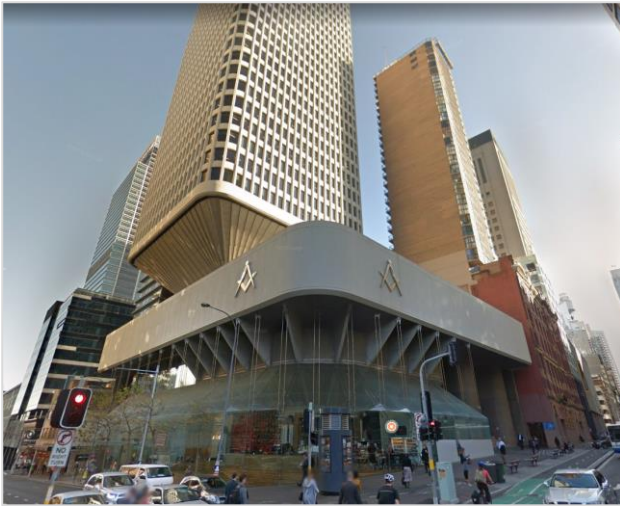
Figure 5 – Images of Existing Local Context and Surrounding Development



Picture 5 – The Chambers at 370 Pitt Street, Facing East



Picture 6 – Museum Towers at 266-267 Castlereagh Street, Facing West



Picture 7 – Sydney Masonic Centre at 285 Castlereagh Street, Facing North West



Picture 8 – World Square at 644 George Street, Facing North West

Source: Google Maps (2021)

Figure 6 – Ibis Hotel and Civic Hotel at 384 and 388 Pitt Street, Facing East



2.4. TRANSPORT AND ACCESSIBILITY

The site is located within walking distance of multiple public transport including existing heavy rail train services, bus routes and light rail options, and the future Sydney Metro, as follows:

- **Train** – The site is approximately 300 metres from the Museum Station, 550 metres from Townhall Station and 600 metres from Central Station. These railway stations provide access to extensive train services connecting to the Sydney Metropolitan area and regional locations.
- **Light Rail** – The Chinatown Light Rail Station (at George Street) is located 350 metres southeast of the site and is the closest light rail station to the site. Capitol Square and Town Hall stations are located 400m and 500m respectively from the site. The Sydney CBD and South East Sydney Light Rail network provides connectivity between the Dulwich Hill, Circular Quay, Randwick, Kingsford and Central.
- **Bus** – The site is serviced by a large number of bus services with bus stops along Liverpool Street, Castlereagh Street and Goulburn Street, all within a 400 metres catchment. These bus services provide connections to Circular Quay, Martin Place, Burwood, Dulwich Hill, Canterbury, Lilyfield, Glebe, Campsie and Sydenham.

- **Cycling** – Designated bicycle lanes are provided along Castlereagh Street and Liverpool Street connecting to the site to the wider bicycle network. The bicycle network continues to be expanded, including extensions towards the east of Liverpool Street and north of Castlereagh Street.
- **Sydney Metro** – The site is located approximately 400 metres south of the future Pitt Street Metro Station (Bathurst Street entrance) and 600 metres north of the future Metro Station at Central. These stations form part of the Sydney Metro City and Southwest project and will extend the operational Sydney Metro Northwest from Tallawong to Bankstown via Chatswood and the Sydney CBD.

The Sydney Metro City and South West (Chatswood to Sydenham) rail corridor (Zone B – Tunnel) is located beneath the site in a north-south direction. This is shown in Figure 7 below.

Figure 7 – Extract of Rail Corridor Map (Infrastructure SEPP)



Source: Infrastructure SEPP 2007

2.5. EASEMENTS AND TITLE RESTRICTIONS

The site is subject to several existing easements on title that restrict future redevelopment. These include the following:

- Easement for right of footway and carriageway easement for support of bridge (now gone), and rights in respect to sewer pipes (X). The applicant is in the process of having these easements released.
- Easement for rights of footway and carriageway, and rights in respect of sewer pipes (Y). The applicant is in the process of having these easements released.
- Easements for right of way limited in height to 3.2 metres above the surface (B).

Carruthers Lane (Lot 3702 in DP 1124741) is a former lane but is now privately owned by the Proponent. The site is also located near several below ground easements including an existing easement for railway transit, and a Sydney Metro tunnel corridor.

These easements and legal restrictions are shown in the Survey Plan included at **Appendix D**.

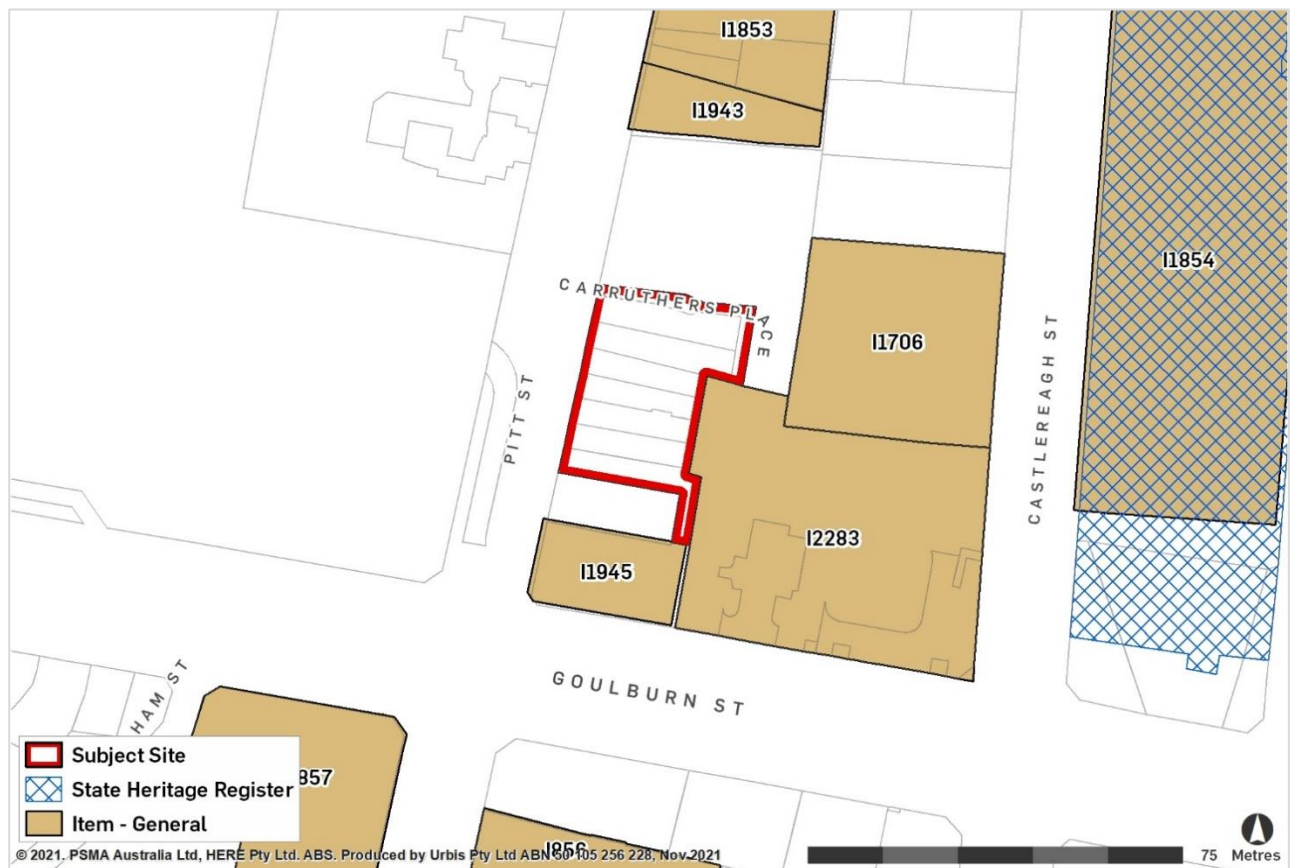
2.6. HERITAGE

The site is not identified as a heritage item nor is it identified within a heritage conservation area under the Sydney LEP 2012. However, the site is located near several heritage-listed items listed in **Table 3**.

Table 3 – Surrounding Heritage Items

Address	Item Name	Item No.	Significance
267-277 Castlereagh Street, Sydney	Museum House	I1706	Local
279-285 Castlereagh Street, Sydney	Sydney Masonic Centre	I2283	Local
388 Pitt Street, Sydney	Civic Hotel	I1945	Local
350-360 Pitt Street, Sydney	Former “Snow’s Emporium” including interiors	I1943	Local
127-131 Liverpool Street, Sydney	Former “Snow’s Emporium” including interiors	I1853	Local

Figure 8 – Extract of Sydney LEP 2012 Heritage Map



Source: Sydney LEP 2012 (amended by Urbis 2021)

3. BACKGROUND HISTORY

3.1. PRE-LODGEEMENT CONSULTATION

3.1.1. City of Sydney Council

The Proponent and design team met with the City of Sydney Council (CoS) virtually on 19 October 2021 to discuss the proposed building envelope and key planning and design considerations related to the Concept DA.

Following on from this pre-lodgement consultation, Council provided advice in the form of written feedback and made several recommendations to be further considered prior to lodgement of the Concept DA relating to:

- The site configuration.
- The location of the tower, the tower footprint and tower setbacks.
- Existing and future view corridors.
- Consideration of heritage significance.
- Further exploration of vehicular servicing via Carruthers Place.
- On-site car parking.

These recommendations have been considered as part of the design of the proposed Concept DA as outlined in **Table 4**. Refer to the Architectural Design Report included at **Appendix B** and accompanying technical reports for further details.

Table 4 – Response to City of Sydney Pre-Lodgement Feedback

Council Feedback	Response
Built Form and Amenity	
<p><u>Site Configuration</u></p> <p>The site has an unusual configuration. While the submitted information indicates that the site area is 1,024 sqm, this includes parts of the site that are not of a developable dimension. If excised, the developable site is more likely to be around 800-900 sqm.</p>	<p>Since the pre-lodgement meeting, the Proponent has amalgamated with Carruthers Place to provide a site area that comprises a total of 1,140 sqm in area.</p> <p>Notably however the site does not rely upon irregular allotments to achieve a functional site area of 1,000 sqm for a tower form. This is demonstrated within the Architectural Design Report included at Appendix B.</p>
<p><u>Location of the Tower</u></p> <p>a) The proposed nil northern and eastern boundary setbacks for the tower are not supported for the hotel and apartments as:</p> <p>i. There are windows which borrow amenity from adjoining sites, in particular, the Museum apartments. Access will also be required from adjoining sites for</p>	<p>The revised proposal complies with the required Sydney DCP 2012 setbacks for 3.33% of the total building height to the northern site boundary (facing The Chambers) and the eastern boundary with the Museum Towers.</p> <p>In addition, a building separation of 35m is achieved between the proposed tower and the Museum Towers to the east which exceeds the minimum ADG requirements.</p>

Council Feedback	Response
maintenance and cleaning of the building;	
ii. There is insufficient separation between the habitable rooms and the rear boundary for the apartments as required by the ADG Objective 3F-1;	A building separation of 35.03m is achieved between the proposed tower and the Museum Towers to the east. This exceeds the minimum requirements of the ADG. Where a lesser building separation is provided, the Indicative Reference Scheme illustrates how a blank wall condition can be proposed in order to satisfy Objective 3F-1 of the ADG.
iii. The lack of a setback to the podium may increase downdraft wind impacts to the common open space of the Museum apartments. A Wind Report confirming no adverse impacts would be required for any future DA.	Setbacks have been incorporated within the podium which improve downdraft wind impacts. A Pedestrian Wind Impact Assessment has been prepared to support the proposed building envelope. Refer to Appendix J for details.
iv. Clause 5.1.1.3(7) of the draft Central Sydney Development Control Plan requires a 2m minimum setback zone for building maintenance units (BMU). This must be accommodated within the lot. The scheme cannot assume that the BMU will go over the boundary to other lots or laneways (i.e. Carruthers Place).	<p>Since the pre-lodgement meeting, the Proponent has acquired Carruthers Place which now forms part of the site area that is the subject of this Concept DA. As such, the proposal achieves the required side setback distances outlined in the Sydney DCP 2012.</p> <p>Where a setback is proposed to the rear site boundary less than 2m, a façade maintenance strategy is outlined at Appendix B. Such a strategy is common practice within the CBD where zero setbacks to blank wall conditions were previously permitted and accepted by the Sydney DCP 2012.</p>
<p>b) The proposed tower footprint is built to the Carruthers Place boundary for the hotel footprint, and setback 4m for the apartment footprint:</p> <p>i. The indicative plans show that a blank wall is proposed to the hotel rooms because 362 Pitt Street has windows on the boundary. However, above this there may be a large expanse of blank wall above the height of 362 Pitt Street.</p>	The revised building envelope plans provide an additional setback to the northern site boundary (and to Carruthers Place). This allows for the provision of windows on the northern façade of the Indicative Reference Scheme to improve internal amenity to the hotel levels and articulation of the northern façade.
ii. The residential indicative floor plan shows balconies located to the northern boundary. Again, this insufficient setback is borrowing amenity from	The revised building envelope plans provide a tower setback of 7.04m to the northern site boundary. The northern façade may be used for balconies, wintergardens or windows to habitable rooms. In addition, the Chambers site at 370 Pitt Street has a maximum height of RL 87.9. This is

Council Feedback	Response
<p>Carruthers Place and 362 Pitt Street.</p> <p>iii. It is noted that should 362 Pitt Street be redeveloped in the future, this future redevelopment may have significant amenity impact on your proposal.</p>	<p>approximately 54 metres below the first storey of residential apartments as shown within the Indicative Reference Scheme. As such, at the height that these windows or wintergardens are provided, the proposal can achieve significant building separation and visual privacy and amenity.</p> <p>The property at 362-370 Pitt Street is a strata commercial building located within the 1st rail reserve and has significant challenges in accommodating a substantial tower form on the site. Notwithstanding this, it is noted that if the site were to be developed to a height consistent with the proposed residential levels, that a similar setback would be required to be provided to their southern site boundary. As this orientation is not favourable to solar access or views, it is reasonably anticipated that a blank southern wall condition could be provided as part of this development. Therefore, a minimum 12-14m building separation would be achieved between any hypothetical development on the adjacent site and the proposed habitable rooms on the northern boundary.</p> <p>In addition, as these windows are not the sole windows to these rooms, this building separation is considered acceptable to maintain natural daylight and privacy to these apartments in accordance with Objective 3F-1 of the ADG. As part of the future detailed design of the proposed development, balconies or wintergardens may be replanned within the floorplate, however it is maintained that a building separation of 12-14m to a blank or inactive wall (in a future, hypothetical scenario) is a reasonable amenity outcome in a high density, CBD environment.</p>
<p>c) The view from Castlereagh Street shows that there is a clear separation between the towers of the Masonic Centre and Museum apartments. The proposed tower will fill in that gap and the eye will read the accretion and bulk of the 3 towers as a wall/cluster of towers, similar to the view of 362 Pitt Street, the rear of Museum Apartments and the Masonic Centre when viewed from Pitt Street.</p>	<p>The subject site is located within a Tower Cluster as identified within the Central Sydney Planning Framework. As such there is a reasonable expectation that new towers will be proposed within this city block which exceed the height tower proposed on this site.</p> <p>The gaps within the towers on Castlereagh Street are not identified as any protected or significant public views, nor do they contribute significantly to the reading of the heritage items or the amenity of Castlereagh Street. In addition, the introduction of the Sky View Factor analysis within the Sydney DCP 2012 as part of the Central Sydney Planning Framework, in addition to the increase to minimum side tower setbacks (which the proposal complies with), seeks to guide and protect views towards the sky and daylight to public places.</p> <p>As outlined within Section 6.1 of this report, the proposed building envelope satisfies these new tests and achieves a satisfactory sky view outcome from public places within a 50m</p>

Council Feedback	Response
	radius of the site. As such, the proposed 'infill' of this particular slither of views towards the sky is not considered significant in the context of the proposal or the benefits that the proposal will provide as outlined throughout this report.
d) The proposed 8m upper level setback to Pitt St is supported. The partial encroachment to a 6m upper level setback is dependent on further detailed assessment as part of a DA.	The updated proposed building envelope maintains a consistent 8m upper level setback to Pitt Street.
<p><u>Existing Buildings / The Podium</u></p> <p>a) The existing 3 storey commercial terraces group were built in the 1910s. The terrace group may have heritage significance. As required by Sydney DCP 2012 cl. 3.9.1(2), any future application involving the substantial demolition or major alterations to the terrace group should be accompanied by a Heritage Impact Statement for Council's consideration.</p>	A Heritage Impact Statement has been prepared to support the Concept DA and is included at Appendix G . This is further discussed in Section 6.3 of this report.
b) Once consideration of the heritage significance of the terrace group has been conducted, an appropriate street frontage height and podium design can be established.	<p>As set out within the Heritage Impact Statement included at Appendix G, consideration has been given to the heritage significance of the structures on the subject site (deemed to not be significant) and the impact that the proposed podium and tower will have on heritage items in the vicinity. The street frontage height of the proposed podium has also been designed to align with the datums of the adjoining Ibis and Civic Hotels to the south as demonstrated within the Architectural Design Report at Appendix B.</p> <p>Importantly, high rise podium and tower typologies are characteristic within the southern portion of the CBD. Overall, the proposed building envelope will not be detrimental to the heritage significance of nearby heritage listed sites.</p>
c) Regardless of the above, early consideration will need to be given to the onsite servicing needs of the development, and any requirement for provision of a substation. You are encouraged to contact relevant service providers early in the design development.	Refer to Section 3.1.4 for further details regarding pre-lodgement consultation with Ausgrid and Sydney Water. Refer to Services and Utility Report at Appendix S which includes the Ausgrid Application for connection.

Council Feedback	Response
Vehicular Servicing	
The introduction of additional driveway crossings and vehicular entries on Pitt Street, which is a pedestrian priority road, is not supported. The shared use of the existing private lane (known as Carruthers Place) to service the proposed development should be fully explored.	The revised proposal includes vehicular access from Carruthers Place which uses an existing driveway. Although widening of Carruthers Place will be necessary, there is no additional driveway crossing or vehicular entry proposed on Pitt Street compared to the existing access arrangements.
Due to the site's location and constraints, minimal or 'zero' on-site car parking should be proposed. Only on-site service vehicle parking will be supported. The site's requirement to provide adequate on-site servicing and waste collection in compliance with the Sydney DCP 2012 (Section 7.8 and 3.11.13) and the City's waste management policies is to be prioritised.	As demonstrated within the Indicative Reference Scheme, no hotel car parking is proposed and minimal car parking is proposed to support the residential accommodation only. All servicing and waste collection for the hotel will be provided on site. The proposed waste collection for the residential component of the development will occur through the right of way to Goulburn Street which is consistent with the existing condition. As such the proposal is capable of accommodating on-site servicing and waste collection.
Pitt Street has a lot of vehicle movements and is a pedestrian priority road. The concept of a porte cochere on Pitt St is not supported (Scenario 4).	A porte cochere is not proposed within the revised Indicative Reference Scheme.
Bike parking and end of trip facilities must be provided in accordance with the Sydney DCP 2012.	Refer to Section 5.4 of this report for further details, including consistency with the Sydney DCP 2012. Refer Transport Infrastructure Assessment Appendix H .

3.1.2. Sydney Trains

In mid-September 2021, Sydney Trains were consulted regarding the proposed development and were notified of the site's proximity to the existing Sydney Trains City Circle rail corridor (and the associated protection reserves).

The Proponent confirmed the intention to submit a Concept DA in December 2021 and requested further information on the relevant technical documentation related to the City Circle rail corridor that should be considered as part of this application. The Proponent also requested a meeting with Sydney Trains to present the preliminary outcomes of the structural and geotechnical reports.

Correspondence was received from Sydney Trains on 14 October 2021 which included detailed plans and cross sections illustrating the tunnel construction dimensions of the existing City Circle rail corridor. However, no feedback was provided on the proposed development.

It is anticipated that consultation with Sydney Trains will be ongoing throughout the assessment of the Concept DA and subsequent Detailed DA, as outlined in **Section 5.2**.

3.1.3. Sydney Metro

In mid-September 2021, Sydney Metro was consulted regarding the proposed development and were similarly notified of the site's proximity to the Sydney Metro tunnel network (and the associated protection reserves).

The Proponent confirmed the intention to submit a Concept DA in December 2021 and requested further information on the relevant technical documentation related to the Sydney Metro rail corridor that should be considered as part of this application. The Proponent also requested a meeting with Sydney Metro to present the preliminary outcomes of the structural and geotechnical reports.

Correspondence was received from Sydney Metro on 15 September 2021 confirming that the Concept DA should refer to the *Sydney Metro Underground Corridor Protection Technical Guideline (April 2021)* to ensure the protection of both the Sydney Metro infrastructure and the proposed development. Sydney Metro confirmed that comprehensive reviews for structural and geotechnical report are generally not undertaken as part of pre-lodgement consultation and proposed that any specific technical queries are issued in writing (via email in the first instance).

Sydney Metro subsequently issued the tunnel alignment construction technical drawings on 16 November 2021. These drawings demonstrate that the site is not located above Sydney Metro corridor.

The feedback received from Sydney Metro was incorporated within the Rail and Metro Corridor Impact Assessment, the Geotechnical Report, and the Preliminary Structural Assessment. Refer to **Appendix T**, **Appendix L** and **Appendix M** for further details.

3.1.4. Ausgrid and Sydney Water

As per the Services and Utility Report at **Appendix S**, an application for connection has been submitted to Ausgrid where they are yet to provide a written response. Additionally, a pressure and flow application has been submitted to Sydney Water which is attached within the Services and Utility Report.

4. PROPOSED DEVELOPMENT

4.1. OVERVIEW

This Concept DA seeks development consent for a proposed building envelope and future development parameters, as follows:

- In-principle demolition of the existing buildings and structures, and excavation of up to three basement levels for parking, loading, storage, plant and services.
- Establishment of a building envelope with a maximum height of RL 195.5 (approximately 56 storeys).
- Hotel and residential land uses (with retail premises at the ground floor ancillary to the hotel use).
- A maximum GFA of up to 17,556 sqm which equates to an eligible maximum FSR of 15.4:1 (includes additional 10% design excellence bonus).
- Separate vehicular and loading access from Carruthers Place.
- Future stratum subdivision.
- Design Excellence Strategy.
- Preliminary Public Art Strategy.

This proposal does not seek consent for any physical works to be carried out. Consent for physical works will be sought as part of the future Detailed DA.

4.2. PROPOSED BUILDING ENVELOPE

The key built form elements of the proposed building envelope are as follows:

- A maximum podium height of RL 41.4.
- A tower with a maximum height of RL 195.5 (approximately 56 storeys).
- A basement with the lowest floor level being approximately RL 6.8.
- Capacity for up to 17,556 sqm of gross floor area (GFA) based on the following breakdown of land uses:
 - 72.8% of hotel GFA.
 - 27.2% of residential GFA.

Following determination of the Concept DA, and prior to the lodgement of the subsequent Detailed DA, a competitive design process will be undertaken in accordance with the City of Sydney Competitive Design Policy and the proposed Design Excellence Strategy prepared for the site. Subject to demonstrating design excellence is achieved, the proposed development is eligible for up to an additional 10% floor space ratio in accordance with clause 6.21D(3)(b)(i) of the Sydney LEP 2012.

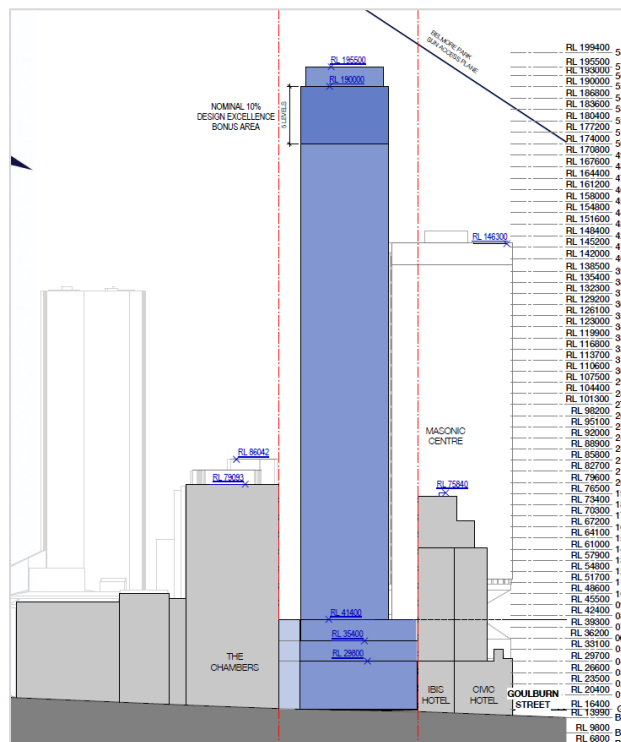
The Proponent intends to seek up to an additional 10% floor space under Clause 6.21D(3)(b)(i) of the Sydney LEP 2012. The proposed building envelope reflects an indicative concept built form which accommodates the additional 10% bonus floor space (whilst enabling a comprehensive assessment of potential impacts, where relevant).

The proposed building envelope for which consent is sought is included at **Figure 9**. The maximum building height of the proposed building envelope is established by the Sun Access Plane to Belmore Park. This is illustrated in Figure 9 below, where the maximum height of the proposed envelope is below the Sun Access Plane.

Figure 9 – Proposed Building Envelope



Picture 9 – Proposed Axonometric Massing



Picture 10 – Proposed Pitt Street Massing

Source: Woods Bagot (2021)

The Architectural Package also includes plans for an Indicative Reference Scheme which is provided for information only. This Indicative Reference Scheme demonstrates that a mixed use development is capable of being established within the proposed building envelope while achieving a practical hotel and residential floor plate that is both compatible with the surrounding built form and minimises potential adverse impacts (where relevant).

The Indicative Reference Scheme sets out the following indicative uses:

- Basement levels 1 to 3 (inclusive) – car parking, bicycle parking, plant, storage, loading and services.
- Ground floor – hotel, retail uses (ancillary to the hotel), residential lobby, amenities, loading and services, and motorcycle parking.
- Levels 1 to 38 – hotel accommodation (approximately 304 rooms).
- Level 39 – predominantly mechanical plant, and hotel back of house.
- Levels 40 to 54 – residential accommodation (approximately 28 apartments).
- Levels 55 to 56 – lift overrun, plant and services.

Refer to the Indicative Reference Scheme included at **Appendix A** for further details.

4.3. TRAFFIC, ACCESS, SERVICING AND PARKING

Car parking for the development is proposed to be accommodated within three basement levels, with vehicular access from Carruthers Place along the site's northern boundary.

The Indicative Reference Scheme sets out the following elements within the basement:

- 21 car parking spaces on Basement Levels 1, 2 and 3 (for the residential accommodation), accessed from the north-eastern portion of Carruthers Place through a car stacker and associated transfer cabin.
- 28 bicycle parking spaces on Basement Level 3 (for the residential accommodation).
- The Indicative Reference Scheme sets out the following elements at the ground floor:

- One SRV space for servicing and waste collection, and one B99 space for couriers and maintenance (separated from the vehicular access for the residential accommodation).
- Two motorcycle parking spaces at the north-eastern portion of Carruthers Place (adjacent to the residential vehicular access).
- 22 bicycle parking spaces at Basement level 1 for hotel staff and guests, and residential visitors.

Refer to the concept design plans for the Indicative Reference Scheme at **Appendix A**, and the Transport Impact Assessment at **Appendix H** for details.

4.4. DESIGN EXCELLENCE STRATEGY

A Design Excellence Strategy has been prepared which proposes the following:

- The Proponent will undertake an invited Architectural Design Competition with a minimum of five competitors that will inform the future Detailed DA.
- A Jury comprising a total of six members including three nominated by the Proponent and three nominated by the City of Sydney (who have no pecuniary interests in the proposed development) to select a winning scheme by majority vote.
- The Architect of the winning scheme, as selected by the Jury, will be appointed by the Proponent as the Design Architect (or the Lead Design Architect) to ensure design continuity and design excellence is maintained throughout the development process.
- In accordance with Clause 6.21D(3)(b)(i) of the Sydney LEP 2012, the development will seek up to 10% additional floor space as a result of undertaking a competitive design process. This is in accordance with the *City of Sydney Competitive Design Policy* and as supported by this Design Excellence Strategy.

Refer to the Design Excellence Strategy included at **Appendix C** for further details.

4.5. PUBLIC ART

The proposal building envelope is also capable of accommodating potential opportunities for the integration of high quality public art into the fabric of buildings in the public domain, or in other areas to which the public will have access.

A Preliminary Public Art Strategy has been prepared which identifies the following locations as potential opportunities for integrating public art into the design of the development:

- Laneway artwork at Carruthers Place
- Lobby suspended artwork at the ground floor lobby
- Integrated awnings treatment at the entrance to the lobby from Pitt Street
- Artist in residence and exhibition space (exact location to be confirmed).

Refer to the Preliminary Public Art Plan included at **Appendix K** for details.

5. PLANNING ASSESSMENT

This section identifies the relevant strategic and statutory planning framework that applies to the site and the proposed development as well as an assessment against the relevant provisions. The strategic and statutory planning framework relevant to the proposed development is as follows:

- Greater Sydney Region Plan – A Metropolis of Three Cities (March 2018).
- Eastern City District Plan (March 2018).
- City Plan 2036: Local Strategic Planning Statement (March 2020).
- Central Sydney Planning Strategy 2016-2036 (November 2021).
- Sustainable Sydney 2030.
- Relevant State Environmental Planning Policies (SEPPs).
- Sydney Local Environmental Plan 2012 (Sydney LEP 2012).
- Sydney Development Control Plan 2012 (Sydney DCP 2012).

5.1. STRATEGIC PLANNING POLICIES

The proposed development will achieve common planning themes set by each of the relevant strategies including high-quality architectural and urban design outcomes and reducing dependence on private transport by locating development close to existing (and future) public transport links.

The proposed development is consistent with the strategic planning framework as set out within **Table 5** below.

Table 5 – Consistency with the Strategic Planning Framework

Strategic Plan	Assessment
A Metropolis of Three Cities (March 2018)	<p>This Concept DA is consistent with the aims and objectives and provisions for A Metropolis of Three Cities as the proposed redevelopment will:</p> <ul style="list-style-type: none"> ▪ Enhance the role of the subregion as Sydney's global economic driver. ▪ Provide capacity for employment growth through the construction of the development and in the hotel management sector. ▪ Provide residential accommodation within a strategic location with proximity to public transport and employment opportunities to contribute to a walkable city. ▪ Enhance the CBD as Sydney's most significant concentration of global economic activity.
Eastern City District Plan (March 2018)	<p>The proposed development will assist the City of Sydney and Greater Sydney Commission in achieving the overarching priorities of the recently released Eastern City District Plan, including driving the growth of the Eastern City as a global leader; increasing total jobs and providing housing close to public transport and services.</p> <p>Through the environmental sustainability initiatives outlined in Section 6.2.3, the proposal will also contribute to the achievement of the overarching sustainability priorities of the Eastern City District Plan.</p>

Strategic Plan	Assessment
City Plan 2036: Local Strategic Planning Statement (March 2020)	<p>The site is located within the Chinatown and CBD South Village. As identified in the City Plan 2036, the village includes major tourism destinations, bustling retail and entertainment uses and a cluster of hotels and backpacker hostels, making this a diverse and vibrant village. The proposal for a mixed use development (predominantly comprising a hotel) aligns with the character of the area. Residential accommodation is only proposed at a significant height above the active and vibrant uses surrounding the site, and as such noise impacts to any residential unit can be mitigated as outlined in Section 6.6 of this report.</p> <p>The City Plan 2036 also recognises within the strategic principles for growth that proposals must give consideration to strategically valuable land uses that are under-provided by the market, such as (but not limited to) hotels. As such the proposal will deliver a strategically valuable land use in an area that attracts tourists and that aligns with the desired character for the village.</p>
Central Sydney Planning Strategy 2016-2036	<p>The Central Sydney Planning Strategy (CSPS) is a 20-year growth strategy that builds upon the strategy of Sustainable Sydney 2030 and updated the planning controls for Central Sydney. The Strategy outlines 10 key moves, which the proposal is consistent with, as follows:</p> <ul style="list-style-type: none"> ▪ Prioritise employment grow and increase capacity – The Indicative Reference Scheme includes over 12,500 sqm of hotel floor space and will generate approximately 570 jobs throughout construction and approximately 400 jobs throughout operation. ▪ Ensure development responds to context – The proposed tower achieves the increase to side tower setbacks required by the Central Sydney Planning Framework and also provides additional setback to the Masonic Centre to enable a greater appreciation of this heritage-listed building when viewed from the public domain. ▪ Consolidate and simplify planning controls – The proposal does not rely upon the new tower cluster provisions (though is located within a tower cluster site), but otherwise complies with the proposed Sydney LEP 2012 amendments recently finalised under the Central Sydney Planning Framework. ▪ Move towards a more sustainable city – The proposal commits to incorporating a high standard of sustainability and energy efficiency as outlined in Section 6.2.3. ▪ Reaffirm commitment to design excellence – The proposal includes a Design Excellence Strategy to guide the completion of a future Architectural Design Competition for the development. <p>While the proposed development includes a portion of residential floor space, this is proposed as a complementary land use on the site and achieves the CSPS priority to implement genuine mixed-use controls, and notably aligns with the future expectation for development in the Southern Precinct which “<i>is likely to be mixed use in nature</i>”.</p>

Strategic Plan	Assessment
Sustainable Sydney 2030	<p>This Concept DA is consistent with the broad Sydney 2030 vision in that:</p> <ul style="list-style-type: none"> The proposal is 'green' and will demonstrate energy efficiency through a 4 Star NABERS Energy for Hotels with a Commitment Agreement Certification and design to a 4 Star NABERS Water for Hotels Performance, to demonstrate WSUD principals are met. Performance requirements as outlined within the Sydney DCP 2012 are satisfied and demonstrated through these NABERS commitments. <p>The proposal will also exceed the BASIX Requirements for the Class 2 (Residential) components of the project (BASIX Energy 30%) and will be consistent with Australian Best Practice Environmental Initiatives. The residential component for the project will demonstrate compliance with BASIX targets for energy, water and thermal comfort, in line with City of Sydney targets and minimum requirements.</p> <ul style="list-style-type: none"> The proposal is 'global' and will make a notable contribution to Sydney as a global city by providing world class hotel accommodation that will encourage an international gateway to tourism and encourage business activity and employment in the city centre. The concept is 'connected' and will deliver improvements to the ground floor plane and improved pedestrian access, connectivity and amenity into and around the site. The proposal will also encourage the use of active transport options, particularly given its location within the CBD which benefits from immediate access to multiple public transport options.

5.2. STATE ENVIRONMENTAL PLANNING POLICIES

The proposed Concept DA has been assessed against the relevant SEPPs, as set out within **Table 6** below.

Table 6 – Summary of Consistency with the Relevant SEPPs

SEPP	Assessment
<i>State Environmental Planning Policy No 55—Remediation of Land</i> (SEPP 55)	<p>SEPP 55 promotes a state-wide approach for the remediation of land 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. Clause 7(1) requires the consent authority to consider whether land is contaminated prior to determining a development application.</p> <p>The site is currently occupied by several existing buildings up to 3-storeys in height which have been continuously used for commercial purpose since at least the 1950s. A Preliminary Site Investigation Report has been prepared in accordance with SEPP 55 and included at Appendix O. This report identifies several sources of potential contamination that may exist on site.</p> <p>The report recommends the completion of a Stage 2 Detailed Site Investigation to confirm that the site is suitable for development and therefore capable of accommodating the proposal. No physical works are proposed as part of the Concept DA. Relevant contamination</p>

SEPP	Assessment
	<p>documentation will be required to be submitted with the Detailed DA to ensure that contamination issues can be addressed. As such, the recommendations of this report are considered appropriate to be included as a condition of development consent (to be addressed as part the future Detailed DA).</p>
<p><i>State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)</i></p>	<p>The Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State by identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, such as classified roads and providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.</p> <p>The north east part of the site is located within the second reserve of the Sydney Metro City and Southwest rail corridor (Zone B – Tunnel), and the site is near the existing City Circle heavy rail corridor. The proposal will also involve excavation to a depth of at least 2m below existing ground level. The proposed development is therefore subject to Clause 85 and 86 of the Infrastructure SEPP and will be referred to Sydney Metro and Sydney Trains for concurrence.</p> <p>The Proponent has engaged with both Sydney Metro and Sydney Trains prior to submission of the Concept DA.</p> <p>The site is located near several existing substations and high voltage inground electrical power lines which may affect an electricity transmission or distribution network. There are also two existing low voltage connections located at the site which will need to be disconnected and decommissioned. The proposed development is therefore subject to Clause 45 of the Infrastructure SEPP and will be referred to Ausgrid.</p> <p>Clause 104 does not apply as the proposal does not constitute traffic-generating development as defined at Schedule 3.</p>
<p><i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour SREP) (Deemed SEPP)</i></p>	<p>The Sydney Harbour SREP aims to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised protected, enhanced and maintained for existing and future generations.</p> <p>The site is located within the designated hydrological catchment of Sydney Harbour and eventually drains into Sydney Harbour. The site is therefore subject to the Sydney Harbour SREP. The Sydney Harbour Catchment Planning Principles will be further considered as part of the carrying out of development within the catchment.</p> <p>However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway. With the exception of the objective of improved water quality, the objectives of the Sydney Harbour SREP are not applicable to the proposed development. The proposal is therefore consistent with the controls contained within the SREP.</p>
<p><i>State Environmental Planning Policy (Building)</i></p>	<p>BASIX requirements will be addressed and satisfied as part of the future detailed design of the development. In accordance with the requirements</p>

SEPP	Assessment
<i>Sustainability Index: BASIX</i> 2004 (SEPP BASIX)	of SEPP BASIX and the Regulations, it is recommended that a BASIX Certificate is submitted with the future Detailed DA to address the relevant requirements.
<i>State Environmental Planning Policy 65 – Design Quality of Residential Apartments</i> (SEPP 65)	<p>The aim of SEPP 65 is to improve the design quality of residential apartment development in NSW. Clause 70B of the <i>Environmental Planning and Assessment Regulation 2000</i> (the Regulations) states that design verification under Clause 50(1A) of the Regulations is not required for Concept DAs unless the DA contains detailed proposals for the development (or part of the development).</p> <p>Detailed development works are not sought as part of the Concept DA. As a result, a design verification statement has not been submitted with the application.</p> <p>The proposed development seeks consent for a concept building envelope and land uses only. No physical building works are sought as part of this Concept DA. The detailed design of the development will be the subject of both a competitive design process and further detailed design as part of a future Detailed DA.</p> <p>The nine design quality principles (set out in Schedule 1 of SEPP 65) have been considered as part of this Concept DA. This has been set out within the Architectural Design Report included at Appendix B. As demonstrated in the Architectural Design Report and in Section 6 of this report, the proposed building envelope can accommodate a development that achieves the design quality principles.</p> <p>A more detailed assessment of SEPP 65 will be undertaken as part of the future Detailed DA (comprising the detailed design of the proposed development). The proposed envelope is acceptable when assessed against these principles, and the provisions of SEPP 65 generally.</p>
<i>Apartment Design Guide</i> (ADG)	<p>Clause 28 of SEPP 65 requires consideration of the ADG which provides additional detail and guidance for applying the design quality principles outlined in SEPP 65 to the design of residential apartment developments.</p> <p>Refer to Section 5.2.1 for a compliance assessment against the ADG guidelines (where relevant to the assessment of the Concept DA).</p>

5.2.1. Apartment Design Guide

In accordance with the requirements of SEPP 65 (Clause 28), the proposed development has been assessed against the relevant design criteria within the *Apartment Design Guide* (ADG). This is set out within **Table 7** below.

Table 7 – Consistency with ADG Design Criteria

Design Criteria	Consistency with Design Criteria	Assessment
3B Orientation	Consistent	<p>The overshadowing diagrams included within the Architectural Design Report (Appendix B) demonstrate that the neighbouring properties to the south (including 91 Goulburn Street, the Miramar Apartments and the Aspect Tower apartments) are already overshadowed by existing tower developments to the north of the site (both existing and recently approved).</p> <p>The proposed building envelope complies with the 8m tower setback from Pitt Street, provides additional southern setbacks beyond the minimum required by the controls, and has a building height less than the permitted maximum height control for the site. As such, the proposal is consistent with Objective 3B-2 of the ADG which seeks to minimise overshadowing of neighbouring properties. Further detailed assessment of the overshadowing impacts to these residential apartment buildings is provided at Section 6.2.2.</p> <p>The site is also located within a tower cluster area designated within the Central Sydney Planning Framework. Therefore, the principle of overshadowing to neighbouring developments to the south has already been established and considered acceptable as part of the recently gazetted controls to the Sydney LEP 2012. As a result, the proposal is consistent with the design guidance which seeks to minimise overshadowing to neighbouring properties during mid-winter.</p>
3D Communal and Public Open Space	Consistent	<p>The ADG requires a minimum of 285 sqm of communal open space to be provided on site (25% of the site area). The Indicative Reference Scheme for the site includes a gym, cinema, and function room within the podium that could be delivered with shared access to provide communal amenities for residents of the development.</p> <p>Although this does not strictly comply with the ADG, there is sufficient space within the envelope to provide communal spaces for the benefit of residents. Within a dense urban context which is located close to several areas of substantial public open space, this provision of communal space will provide adequate amenity. Each apartment will also have access to private open space, and the site is located in close</p>

Design Criteria	Consistency with Design Criteria	Assessment
		proximity to public open space at Hyde Park, Belmore Park, and Harmony Park for other recreational needs.
3E Deep Soil Zones	Consistent with Objective 3E-1	<p>The site is located within the centre of the Sydney CBD where a lack of deep soil zone is characteristic of most developments in the area.</p> <p>No deep soil zones are proposed to be provided onsite, particularly since the site is located within a dense area of the CBD surrounded by towers (or future towers within the tower cluster area to the north). The existing and proposed building footprint will also comprise the majority of the site area. Therefore, the provision of no deep soil zones is considered acceptable.</p>
3F Visual Privacy	Consistent with Objective 3F-1	<p>The proposed Indicative Reference Scheme provides for residential uses within the tower between Levels 40 and 54 (inclusive). The tower setbacks to the north, east and south are as follows:</p> <ul style="list-style-type: none"> ▪ North – Minimum 7.04m setback to the boundary of Carruthers Place and The Chambers (commercial strata development). ▪ East – Approximately 35m to Museum Towers and 4.36m to the nearest corner of the adjacent Masonic Centre (whereby the lowest datum of the proposed indicative residential use will be located above the maximum height of the adjacent Museum Towers and the Masonic Centre buildings). ▪ South – 7.56m to the Ibis Hotel boundary (mixed use development) <p>This is consistent with the visual privacy objectives of the ADG. Refer to Section 6.1.4 for further details regarding the proposed building separation distances.</p>
4A Solar and Daylight Access	Consistent	<p>The solar access analysis included within the Architectural Design Report demonstrates that the indicative design of the residential apartments is capable of meeting the minimum requirements at least two hours of direct sunlight to living rooms and private open spaces in mid-winter.</p> <p>Similarly, the Indicative Reference Scheme is capable of meeting the ADG requirements regarding the maximum 15% of apartments receiving no direct sunlight between 9am and 3pm at mid-winter.</p>
4B Natural Ventilation	Consistent	<p>All of the indicative residential apartments will be above 9-storeys in height. The Noise and Vibration Report included at Appendix P includes several preliminary recommendations regarding acoustic design features to be considered as part</p>

Design Criteria	Consistency with Design Criteria	Assessment
		of the future detailed design of the development. The proposed development is capable of providing natural ventilation while providing acceptable noise levels within the apartments.
4C Ceiling Heights	Consistent	The proposed building envelope assumes a minimum 3.2m floor to floor height for the residential floors. This is sufficient to achieve a floor to ceiling height of at least 2.7m (for habitable rooms) and 2.4m (for non-habitable rooms).
4D Apartment Size and Layout	Consistent	The Indicative Reference Scheme (included at Appendix A) demonstrates that compliant apartment sizes can be achieved within the proposed building envelope.
4E Private Open Space and Balconies	Consistent	The Indicative Reference Scheme (included at Appendix A) demonstrates that compliant areas of private open space can be achieved within the proposed building envelope.

5.3. SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

The site is zoned B8 Metropolitan Centre by the Sydney LEP 2012. The objectives of the B8 zone are as follows:

- To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia's participation in the global economy.
- To provide opportunities for an intensity of land uses commensurate with Sydney's global status.
- To permit a diversity of compatible land uses characteristic of Sydney's global status and that serve the workforce, visitors and wider community.
- To encourage the use of alternatives to private motor vehicles, such as public transport, walking or cycling.
- To promote uses with active street frontages within podiums that contribute to the character of the street.
- To promote the efficient and orderly development of land in a compact urban centre.
- To promote a diversity of commercial opportunities varying in size, type and function, including new cultural, social and community facilities.
- To recognise the important role that Central Sydney's public spaces, streets and their amenity plan in a global city.
- To promote the primary role of the zone as a centre for employment and permit residential and serviced apartment accommodation where they complement employment generating uses.

The proposal has been assessed against the relevant provisions of the Sydney LEP 2012, as outlined in **Table 8**. This assessment also incorporates the amended controls set out within the *Central Sydney Planning Strategy* which were recently gazetted in November 2021.

Table 8 – Sydney LEP 2012 Compliance Assessment

Development Control	Compliance	Comment
CI 2.2 – Land Use Zoning	Yes	The site is located within the B8 Metropolitan Centre zone. The proposed mix of uses (hotel and residential accommodation) are permissible with consent in the zone.
CI 4.3 – Height of Buildings	N/A	<p>The site is located within 'Area 3' on the Height of Buildings Map. The maximum building height for the site is therefore determined by the Belmore Park Sun Access Plane (SAP) that extends over the land.</p> <p>Refer to clause 6.17 below for details regarding compliance with the Belmore Park SAP.</p>
CI 4.4 – Floor Space Ratio	Able to comply	The proposal is able to comply with the maximum eligible FSR that applies to the site. Refer to Section 5.3.2 for details regarding the calculation of floor space.
CI 5.10 – Heritage Conservation	Yes	<p>The site is not identified as a heritage item, nor it is located within a heritage conservation area. However, there are several heritage listed items within the immediate vicinity of the site.</p> <p>The proposal would not materially impact any heritage listed buildings near the site on Castlereagh Street, or the Civic Hotel on the corner of Pitt and Goulburn Streets. Refer to Section 6.3 below for further details regarding heritage conservation.</p>
CI 6.3 – Additional Floor Space in Central Sydney	Yes	The proposed development is seeking up to an additional 10% floor space permitted by this clause, subject to demonstrating design excellence). Refer to Section 5.3.2 for details regarding the calculation of floor space.
CI 6.4 – Accommodation Floor Space	Yes	<p>The proposed development (hotel and residential accommodation) in Central Sydney located is in 'Area 2' on the Floor Space Ratio (FSR) map. The proposal is therefore eligible additional floor space under this clause. Refer to Section 5.3.2 for details regarding the calculation of floor space.</p> <p>The amended LEP controls introduced as part of the Central Sydney Planning Strategy propose a reduction in the residential floor space bonus by 50% after one year and 100% after two years of making the LEP. The proposal adopts the existing accommodation floor space controls as the scheme was created before the gazettal of the amended LEP controls. It is anticipated that future development applications will be assessed in accordance with the approved maximum FSR determined by this Concept DA and as required by clause 1.8A(6).</p>

Development Control	Compliance	Comment
CI 6.6 – End of Journey Floor Space	N/A	The proposal is not seeking additional floor space for end of trip facilities as the proposed development is not for the purposes of commercial premises.
CI 6.11 – Allocation of Heritage Floor Space (HFS)	Yes	<p>Heritage Floor Space (HFS) will be allocated to the site in accordance with this clause. However, the proposal will also be the winner of an Architectural Design Competition and therefore also eligible for a reduction in HFS.</p> <p>It is understood that the amount of HFS to be allocated will be determined following approval of the Detailed DA and included as a condition of development consent.</p>
CI 6.17 – Sun Access Planes	Yes	The maximum height of the proposed building envelope is RL 195.5. This is within the maximum height limit established by the Belmore Park Sun Access Plane. Refer to Section 5.3.1 for further details.
Cl. 6.21D – Design Excellence	Yes	<p>This report is accompanied by a Design Excellence Strategy (included at Appendix C) prepared accordance with the Council's Competitive Design Policy. This Design Excellence Strategy outlines the proposed future Architectural Design Competition to be undertaken for the site and confirms that the Proponent will seek to achieve the additional floor space bonus of up to 10% as part of the subsequent Detailed DA.</p> <p>The amended controls as part of the Central Sydney Planning Strategy identify a design excellence floor space bonus of up to 50% (instead of 10%). This increased design excellence incentive is available to sites located within the designated 'tower cluster area' (subject to meeting certain eligibility criteria). While the site is identified within a tower cluster, the site does not meet the minimum 2,000 sqm site area criteria. As a result, the site cannot access the additional design excellence FSR bonus under the new controls.</p> <p>The proposed building envelope is capable of accommodating a future building which can exhibit design excellence in accordance with the objective and matters for consideration within clause 6.21C of the Sydney LEP 2012. An Architectural Design Competition is proposed to be undertaken prior to lodgement of the subsequent Detailed DA which will seek to achieve an additional 10% of the maximum FSR that the site is eligible for. It is acknowledged that the proposal must demonstrate design excellence before the floor space bonus is able to be awarded.</p>

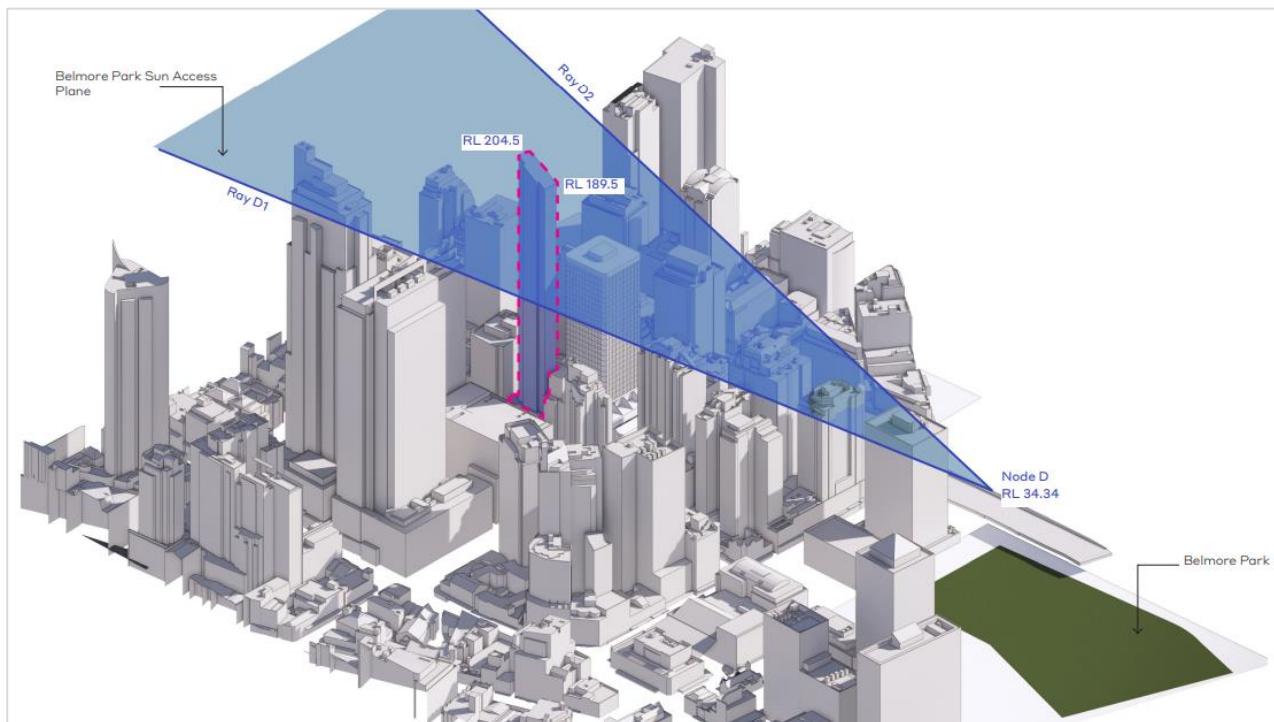
Development Control	Compliance	Comment
Part 7 Division 1 – Car Parking Ancillary to Other Development Cl 7.9 Other land uses	Yes	<p>The site is identified in Category D on the Public Transport Accessibility Level Map. Based on a total GFA of 12,739 sqm for the hotel use and 4,770 sqm for the residential accommodation (included as part of the Indicative Reference Scheme), the maximum number of car parking spaces permitted on site is 86 spaces.</p> <p>The Indicative Reference Scheme has allowed for a total of 21 car parking spaces within the basement the serve the residential accommodation only. No car parking is proposed for the hotel use.</p>
Cl 7.14 – Acid Sulphate Soils	Yes	<p>The site is identified as containing Class 5 acid sulfate soils. However, the risk of encountering acid sulfate soils beneath the site is considered negligible. Refer to the Preliminary Site Investigation Report included at Appendix O for details.</p>
Cl. 7.15 – Flood planning	Yes	<p>The site is located within a flood planning area. The flood planning levels (FPLs) adopted for the site aim to ensure consistency with the existing alignment levels of adjacent properties while not creating adverse flooding impacts to basement openings and lift wells within the adjacent properties.</p> <p>The proposed building envelope is capable of meeting the minimum FPLs required by the relevant flood planning policies. Refer to the Preliminary Flooding Assessment included at Appendix Q for further details.</p>
Cl. 7.20 – Development Requiring Preparation of a DCP	Yes	<p>The height of the proposed building envelope is greater than 55m above existing ground level which triggers the requirement for the preparation of a site-specific DCP.</p> <p>However, clause 4.23 of the EP&A Act allows a Concept DA to be prepared and approved as an alternative to preparing a site-specific DCP, provided that the Concept DA contains the information required to be included in the DCP.</p> <p>The proposed Concept DA has addressed the matters listed under clause 7.20(4) of the Sydney LEP 2012 particularly in relation to form and massing, heritage constraints, setbacks and street frontage heights, environmental impacts, the achievement of ESD principles, access, the ground level interface, landscaping, and the incorporation of public art.</p>

5.3.1. Overshadowing to Belmore Park

Pursuant with Clause 4.3 of the Sydney LEP 2012, the maximum height of the buildings control for the site is determined by the Belmore Park SAP. Clause 6.17 restricts development that will result in any building projecting higher than any part of the SAP. This is illustrated in

The height of the proposed building envelope is within the maximum height of the Belmore Park SAP. As demonstrated within the shadow diagrams at **Appendix B**, the proposed envelope will not result in any additional overshadowing to Belmore Park between 10am and 2pm (all year round).

Figure 10 – Belmore Park Sun Access Plane



Source: Woods Bagot (2021)

5.3.2. Floor Space Ratio

The proposed development is seeking the maximum eligible FSR of 15.4:1 in accordance with **Table 9** and the relevant clauses of the Sydney LEP 2012. This equates to a maximum GFA of up to 17,556m².

The proponent is also seeking the additional 10% floor space bonus (subject to demonstrating design excellence) which is also included in **Table 9** below.

Table 9 – Calculation of Maximum Permissible Floor Space (Proposed Building Envelope)

Development Control	Maximum FSR	Maximum GFA
CI 4.4 – Floor space ratio	8:1	9,120 m ²
CI 6.4 – Accommodation floor space	6:1 (hotel and residential)	6,840 m ²
SUBTOTAL	14:1	15,960 m ²
CI 6.21 – Design excellence	1.4:1	1,596 m ²
TOTAL	15.4:1	17,556 m ²

As illustrated within the Indicative Reference Scheme included at **Appendix A**, the proposed building envelope is capable of accommodating the maximum FSR for the site as well as the additional 10% floor space bonus (subject to demonstrating design excellence).

The proposal is seeking the maximum additional FSR that the site is eligible for under the accommodation floor space bonus controls. After 1 July 2022, it is noted that the accommodation floor space bonus for residential development will be reduced.

5.4. SYDNEY DEVELOPMENT CONTROL PLAN 2012

The relevant controls of the *Sydney Development Control Plan 2012* (Sydney DCP 2012) are identified and assessed in **Table 10** below, in addition to the amended DCP controls introduced as part for the Central Sydney Planning Framework which was finalised on 26 November 2021. As part of the Detailed DA, the detailed design will be fully assessed against the relevant comprehensive controls of Sydney DCP 2012.

As outlined within the table below, the proposed building envelope is consistent with the key built form controls to establish a framework for more detailed design, and the proposal is able to comply with the key relevant provisions for the site. Minor numeric con-compliances with Sydney DCP 2012 controls are further addressed in Section 6 of this SEE.

Table 10 – Assessment of Compliance with Key Provisions of the Sydney DCP 2012

Control	Compliance	Comment
Section 3 – General Provisions		
3.1.5 – Public Art	Yes	A Preliminary Public Art Plan (Appendix K) has been prepared in accordance with the requirements of the DCP which identifies opportunities for art on the site and promotes sustainability through public art.
3.2.1 – Improving the Public Domain	Yes	The proposal will not result in unreasonable additional overshadowing of publicly accessible open spaces when compared to the existing condition and CBD location of the site.
3.2.2 – Addressing the Street and Public Domain	Yes	<p>The proposal will positively address the street through multiple entries along Pitt Street and active ground floor uses utilised by the hotel food and beverage component, including a café and restaurant. The architectural design features of the podium design along Pitt Street and Carruthers Place will be detailed in the detailed design stage.</p> <p>The proposal building envelope is also capable of accommodating potential opportunities for the integration of high-quality public art into the fabric of buildings in the public domain, or in other areas to which the public will have access. A Preliminary Public Art Strategy has been prepared which identifies locations as potential opportunities for integrating public art into the design of the development at Appendix K.</p>
3.2.3 – Active Frontages	Able to comply	Pitt Street is identified as an active frontage on the Active Frontages Map in the DCP. The proposal indicatively includes ground floor retail (ancillary to hotel use) and residential and hotel lobbies facing Pitt Street. Activation and casual surveillance of the public domain can be achieved on site through these ground floor uses, to be detailed in Detailed DA.

Control	Compliance	Comment
		Additionally, opportunities for public at the ground floor plane will provide activation and visual interest to Pitt Street as outlined within the Public Art Strategy at Appendix K .
3.2.6 – Wind Effects	Able to comply	A Wind Impact Assessment has been prepared at Appendix J to support the proposed building envelope. Refer to Section 6.1.3 for further details.
3.3 – Design Excellence and Competitive Design Processes	Able to comply	An Architectural Design Competition will be undertaken prior to the lodgement of the Detailed DA and in accordance with the Design Excellence Strategy (included at Appendix C). Target benchmarks for ecologically sustainable development are also set out within the Design Excellence Strategy.
3.3.6 – Distribution of Additional Floor Space	Able to comply	<p>The proposed building envelope is capable of addressing the DCP considerations for distributing additional floor space which will be covered as part of the future competitive design process. Refer to Section 6 for details.</p> <p>In addition, a Sky View Factor Assessment has been prepared to demonstrate that the proposed building envelope complies with the equivalency tests. This is further discussed in Section 6.1.3.</p>
3.6 – Ecologically Sustainable Development	Able to comply	<p>The Sustainability Report included at Appendix I outlines how the proposal seeks to achieve the City of Sydney sustainability objectives as part of the detailed design of the development.</p> <p>The proposal will demonstrate energy efficiency through a 4 Star NABERS Energy for Hotels with a Commitment Agreement certification and design to a 4 Star NABERS Water for Hotels Performance, to demonstrate WSUD principals are met. The concept will exceed the BASIX Requirements for the Class 2 (residential) components of the Project (BASIX Energy 30%). Additionally, the concept is in line with Australian Best Practice Environmental Initiatives, using externally recognised frameworks.</p> <p>A “Design for Environmental Performance” template has also been submitted online which is consistent with the standardised requirements.</p>
3.7 – Water and Flood Management	Able to comply	The site is located within a flood planning area. The FPLs adopted for the site aim to ensure consistency with the existing alignment levels while not creating adverse flooding impacts to adjoining properties. The Preliminary Flooding Assessment included at Appendix Q demonstrates that the proposed development will not result in adverse flooding impacts to adjacent properties.

Control	Compliance	Comment
3.9 – Heritage	Able to comply	<p>The proposed tower and podium structure has considered the potential impact on adjacent and nearby heritage items, including the Civic Hotel to the south, Masonic Centre to the south east and the Museum Towers to the east.</p> <p>The proposal tower has been located to allow a greater appreciation of the Masonic Centre building when viewed from the public domain and was will not be detrimental to the significance of these heritage items. Refer to the Heritage Impact Statement included at Appendix G for details.</p> <p>The majority of Central Sydney is identified as an area of archaeological potential under the <i>Central Sydney Archaeological Zoning Plan</i>, although it is acknowledged that there may be some degree of physical disturbance due to existing building development on the site and its location within the highly urbanised CBD context. In accordance with the relevant Heritage NSW guidelines, an archaeological investigation should be conducted as part of the future Detailed DA to assess the likelihood that the development will have an impact on potentially significant archaeological relics.</p>
3.11 – Transport and Parking	Able to comply	The reference scheme includes the provisions of car parking within the three basement levels in accordance with the requirements of the DCP. Transport, parking and access are further addressed with Section 6.4 of this report.
3.12 – Accessible Design	Able to comply	A BCA Capability Statement has been prepared which confirms that the Indicative Reference Scheme is capable of achieving the relevant requirements of the DCP and the Building Code of Australia (BCA) in relation to universal access. Refer to Appendix U for details.
3.13 – Social and Environmental Responsibilities	Able to comply	The Indicative Reference Scheme aims to provide active spaces and windows towards the street to minimise opportunities for anti-social behaviour. All building entries will be clearly visible and easily identifiable from the street. Further detail will be provided as part of future Detailed DA.
3.14 – Waste	Able to comply	<p>A Preliminary Waste Management Plan is included at Appendix R which outlines the anticipated waste generation from the proposed indicative land uses.</p> <p>All servicing and waste collection for the hotel will be provided on site. The proposed waste collection for the residential component of the development will occur through the right of way to Goulburn Street which is consistent with the existing condition. The detailed design of waste management services will be set out as part of the future Detailed DA.</p>

Control	Compliance	Comment
3.17 – Contamination	Able to comply	A Preliminary Site Investigation Report has been prepared in accordance with SEPP 55 and is included at Appendix O . No physical works are proposed as part of the Concept DA. Relevant contamination documentation will be required to be submitted with the future Detailed DA to ensure that any potential contamination issues can be addressed. Refer to Table 6 for further details.
Section 4.2 – Residential, Non-Residential and Mixed Use Development		
4.2.1 – Building Height	Yes	<p>The proposed street frontage height also been designed to align with the datums of the adjoining Ibis and Civic Hotels to the south and is consistent with the street frontage heights for buildings in Central Sydney. The proposed building envelope can also achieve the following minimum floor to heights:</p> <ul style="list-style-type: none"> ▪ Minimum 4.5m for the first basement floor. ▪ Minimum 4.5m on the ground floor. ▪ Minimum 2.7m for habitable rooms in residential apartment developments.
4.4.8.3 Additional Provisions for Hotels	Able to comply	The detailed design of the hotel accommodation will be confirmed as part of the future Detailed DA. However, the proposal is capable of complying with the relevant provisions.
Section 5 – Central Sydney		
5.1.1 Built Form Controls		
5.1.1.1 – Street Frontage Height	Yes	The proposed building envelope includes a maximum street frontage height of 25m which is consistent with the permissible street frontage height range that applies to buildings in Central Sydney greater than 120m.
5.1.1.3 – Side and Rear Tower Setbacks and Building Form	Refer to Section 6.1.4 for further discussion	<p>The proposed tower envelope is consistent with the minimum required side setbacks being 3.33% of the proposed total height of the building.</p> <p>The building envelope proposes a variation to the rear tower setback between the site and the heritage-listed Masonic Centre to the south-east. The proposal also seeks to vary the maximum podium height at the rear of the site by providing a form that more appropriately responds to the architectural features and datums of adjoining heritage items in the surrounding area.</p> <p>The proposed setbacks achieve appropriate building separation with surrounding buildings. Refer to Section 6.1 for further details regarding the proposed setbacks and building separation distances.</p>

Control	Compliance	Comment
5.1.1.4 – Built Form Massing, Tapering and Maximum Dimensions	Able to comply	<p>Above the podium, the proposed building envelope has a maximum tower floor plate of approximately 409 sqm Building Envelope Area and a maximum dimension of 24.4 m in a north-south direction. This is consistent with the DCP requirements.</p> <p>The detailed design of the tower will be confirmed as part of the future Detailed DA. However, the proposed building envelope is capable of complying with the relevant provisions.</p>
5.1.2 – Development Outlook and Demonstrating Amenity Compliance	Able to comply	<p>The Indicative Reference Scheme proposes secondary windows to the hotel rooms to the northern and southern tower facades. There will be no primary windows to the hotel in these locations.</p> <p>The proposed building envelope includes a 35m tower setback to the Museum Towers to the east which exceeds the minimum ADG requirements. The proposed envelope also includes a 4.36m setback to the nearest corner of the adjacent Masonic Centre to the south east. Additionally, the building core is positioned to the south east corner to minimise visual impact and maximise privacy to residential accommodation.</p> <p>The proposed building envelope includes a 7.04m tower setback to the boundary of Carruthers Place and The Chambers (commercial strata development) to the north. This is consistent with the outlook and amenity objectives of the DCP. The detailed internal layout and design of the tower (including minimum clear outlook field depths) will be confirmed as part of the future Detailed DA. However, the proposed building envelope is capable of complying with the relevant provisions.</p> <p>Refer to Section 6.1.4 for further details regarding the proposed building separation distances.</p>
5.1.4 – Building Exteriors	Able to comply	The proposed building envelope has considered the street alignments, street frontage heights and setbacks of adjacent heritage buildings. The detailed design of the building exterior will be addressed as part of the future Detailed DA (and through the Architectural Design Competition).
Section 5.1.7 – Sun Protection of Public Parks and Places	Yes	The height of the proposed building envelope complies with the maximum height of the Belmore Park SAP. As demonstrated within the shadow diagrams within the Architectural Design Report at Appendix B , the proposed envelope will not result in any additional overshadowing to Belmore Park between 10am and 2pm (all year round).

Control	Compliance	Comment
Section 5.1.8 – Views from Public Places	Yes	<p>The proposed building envelope will not encroach within any of the views nominated within the Public Views Protection Maps. Public views towards the Central Station Clock Tower will be maintained when looking south from Pitt Street (near Goulburn Street), which is acknowledged as contributing towards the visual prominence of Railway Square in Central Sydney.</p> <p>Any impacts on existing public views to adjacent heritage items have been minimised where possible (through the siting of the tower and variation to setbacks). Refer to the Architectural Design Report at Appendix B for further details.</p>
Section 5.1.9 – Managing Wind Impacts	Able to comply	<p>A Pedestrian Wind Impact Assessment has been undertaken which sets out a summary of the wind conditions on and around the site, the likely wind mitigation measures required to improve wind comfort as part of the proposed development (where relevant).</p> <p>The assessment found that the wind conditions at the site are suitable and will facilitate an environment where the wind comfort of the proposed envelope is acceptable. Refer to Section 6.1 for further details.</p>
Schedule 12 – Demonstrating Compliance with Variation Provisions		
12.2 Procedure B – Equivalent or Improved Performance	Yes	Refer to Section 6.1 for further details regarding equivalent or improved daylight levels (or sky view factor) when compared to the 'base case envelope'.

6. KEY PLANNING ISSUES

6.1. BUILT FORM AND SCALE

6.1.1. Building Height

The proposed building height of RL195.5 is within the maximum building height control as established by the Belmore SAP. The proposed tower height is appropriate as the site exceeds the minimum 1,000 sqm area requirement clause 6.16 of the Sydney LEP 2012. The site comprises a functional site area of 1,000 sqm without reliance on irregular site allotments.

The breakdown of indicative land uses within the proposed tower responds to the height datums and land uses of surrounding buildings. The residential floors of the proposed tower will commence only above the maximum RL height of the adjacent 370 Pitt Street, the Museum Towers, and the habitable floors of the Masonic Centre to the south east. This provides enhanced amenity and visual privacy for the residential levels proposed and respects existing amenity and privacy of neighbouring buildings.

6.1.2. Street Frontage Height

The proposed building envelope includes a maximum podium height of up to RL 41.4 at the Pitt Street frontage, providing a three-storey form to the street alignment. This design response reflects the street frontage heights and architectural features of the adjacent Ibis Hotel and Civic Hotel as shown in the **Figure 11** below. The podium then steps back an additional 4.0m to provide a more recessive podium and outdoor terraces along Pitt Street. The maximum podium height at the rear of the site is RL 41.4.

The proposed street frontage height is considered appropriate as it reinforces the historic street wall along Pitt Street and responds contextually to the adjacent development. This results in a better urban design outcome than a taller street frontage height at the street alignment.

Figure 11 – Indicative Perspective of Proposed Reference Scheme, Facing North East on Pitt Street



Source: Woods Bagot (2021)

The proposed podium envelope includes a cut-out at the proposed driveway access point on the north-western corner of the site. This is in response to the results of the Sky View Factor Assessment and the need to demonstrate an equivalent or better outcome compared a 'base case envelope' in relation to daylight and sky view considerations. This is discussed in more detail in the following section.

6.1.3. Tower Setbacks

Schedule 12 of the Sydney DCP 2012 requires a base case envelope to be prepared where side and rear setbacks and building separations are proposed to be varied. The base case envelope establishes a performance benchmark to test the impact of a proposed planning envelope, in relation to daylight levels (or sky view factor) and wind performance. Any proposed building envelope must achieve an improved performance compared to the base case envelope in order to have a satisfactory impact on public places.

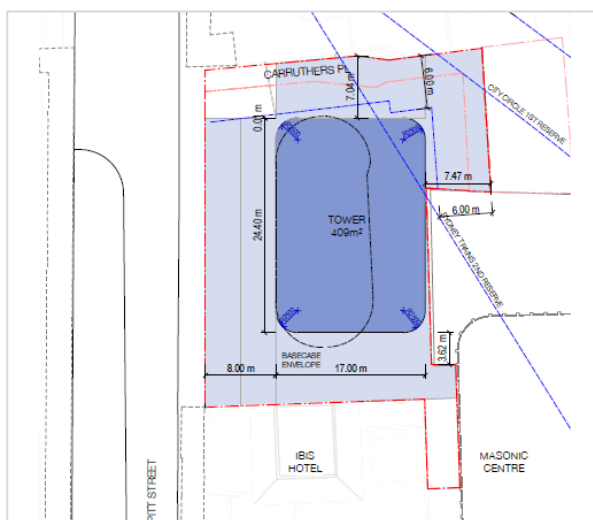
The proposed maximum building envelope seeks to vary the rear tower setback control between the site and the Sydney Masonic Centre, a local heritage item. The proposal also seeks to vary the street frontage height as described in Section 6.1.2, by providing a form that more appropriately responds to the architectural features and heights of heritage items in the streetscape. It is noted that the proposed tower envelope complies with the required minimum side setbacks being 3.33% of the proposed total height of the building. The proposal also adheres to the Sydney DCP 2012 requirement for a minimum 8m setback above the street wall height along the Pitt Street frontage at the western boundary.

Daylight / Sky View Factor

As outlined in the Architectural Design Report at **Appendix B**, the proposed building envelope achieves improved performance compared to the 'base case envelope' in relation to daylight / sky view factor by a factor of 0.00000403. This improvement achieved through a reduction in the maximum tower height, an increased setback to the southern boundary above the podium, curving of the proposed tower envelope corners and articulation of the podium massing.

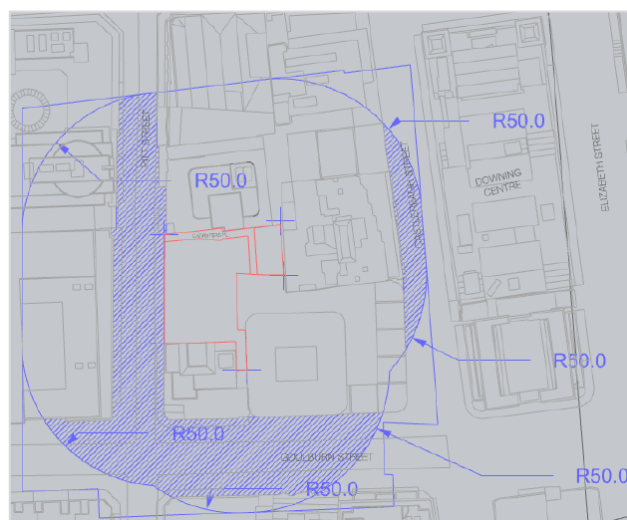
As a result, the proposed tower envelope achieves a better sky view factor compared to the base case envelope. As a result, the proposed variation to the rear setback and street wall height is considered appropriate. Refer to **Figure 12** below for an overview of the sky view factor methodology.

Figure 12 – Sky View Factor Assessment



Picture 11 – Proposed Envelope and 'Base Case Envelope'

Source: Woods Bagot (2021)



Picture 12 – Extent of Sky View Testing

Source: Woods Bagot (2021)

Wind Assessment

A Pedestrian Wind Impact Assessment has been undertaken which sets out a summary of the wind conditions on and around the site, the likely wind mitigation measures required to improve wind comfort (where relevant), and an assessment of the proposed envelope's wind performance.

The assessment found that the wind conditions at the site are suitable and will facilitate an environment where the wind comfort of the proposed envelope is acceptable.

6.1.4. Building Separation

In addition to complying with the Sydney DCP 2012 Schedule 12 tests for varying the rear setback, the setbacks to the proposed building envelope also achieve appropriate building separation with surrounding buildings. Specifically, the proposed setback to the northern boundary is considered appropriate for the following reasons:

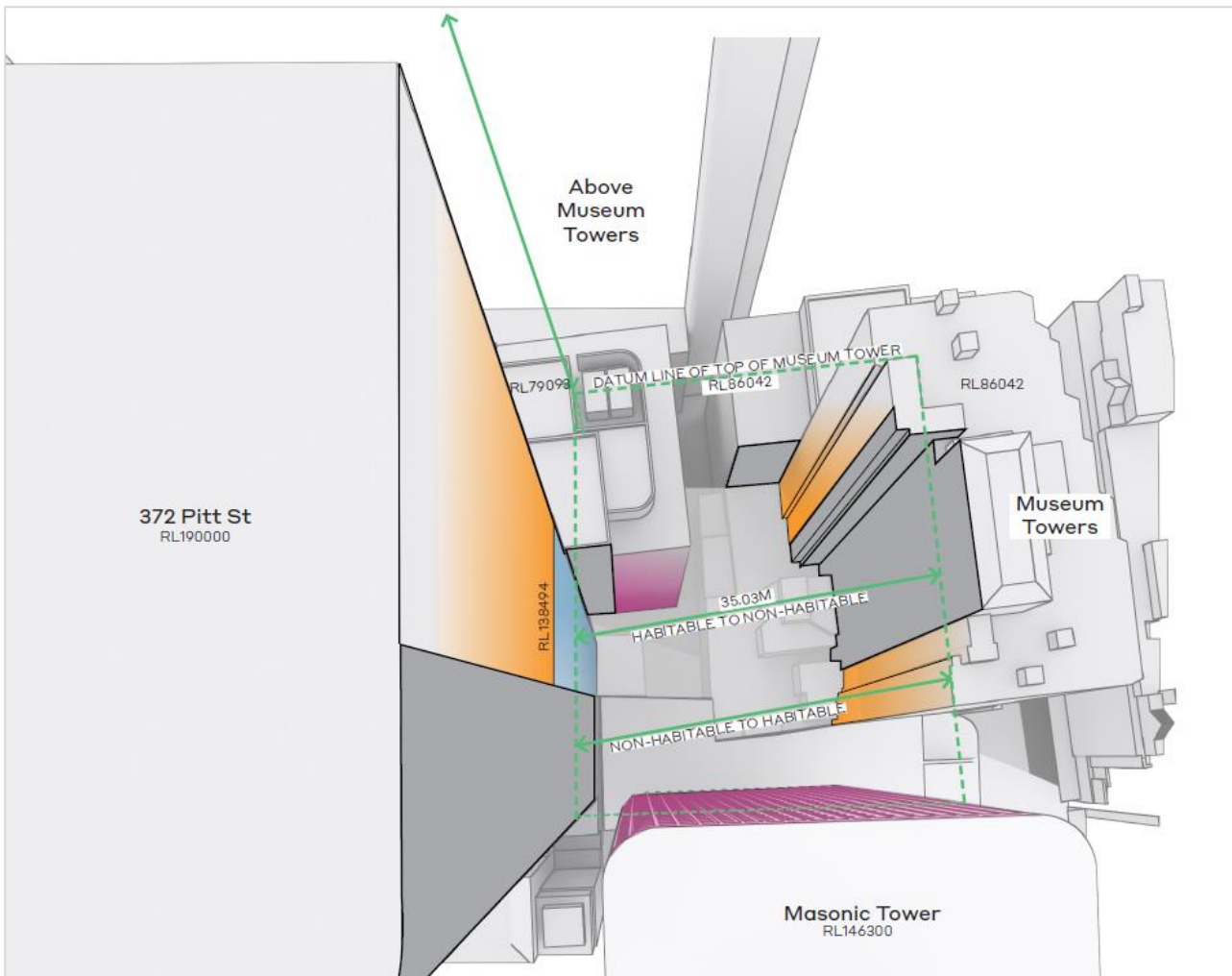
- Based on a proposed maximum building height of 179.1m, the proposed maximum northern setback of 7.04m (site boundary varies) exceeds the DCP requirement for a tower setback of 3.33% of the total height of the building.
- The proposed tower setback achieves a building separation in excess of the 2m required for façade maintenance as referenced in Section 5.1.1.3(7) of the DCP.
- The proposed tower setback achieves a minimum 6m tower setback required for non-habitable rooms for residential buildings above 25m in height.
- The residential floors within the Indicative Reference Scheme are proposed to be located above RL 142 which is at a height greater than the maximum height of the 370 Pitt Street commercial building, thus can readily achieve adequate residential amenity for any north facing windows and habitable rooms as illustrated within the Indicative Reference Scheme.

The proposed setback to the eastern boundary is considered appropriate for the following reasons:

- Based on a proposed maximum building height of 179.1m, the proposed maximum eastern setback of 7.47m (site boundary varies) exceeds the DCP requirement for a tower setback of 3.33% of the total height of the building.
- Blank walls can be provided on the south-eastern portion of the tower to provide a blank wall treatment to the eastern site boundary where a 2m building setback cannot be achieved.
- Where setback is proposed to the eastern boundary that is less than 2m, the proposed tower is located adjacent to the heritage listed Sydney Masonic Centre podium and access to maintain the façade (if required) can be provided as a minimum 4.36m building separation is achieved between the Masonic Centre tower and the proposed maximum building envelope.

The proposed tower setback achieves a minimum 6m setback from the eastern site boundary (adjacent to the Museum Towers) required for non-habitable rooms for residential buildings above 25m in height. In addition, a building separation distance of 35m is also achieved between the proposed habitable rooms on the eastern side of the tower envelope and both habitable and non-habitable rooms on the western façade of the heritage listed Museum Tower residences. This is shown in **Figure 13** below. Therefore, the required building separation distances provided in the ADG can be achieved between the proposed tower and the Museum Towers.

Figure 13 – Building Separation between Proposed Building Envelope and the Museum Towers



Source: Woods Bagot (2021)

The proposed setback to the southern boundary is considered appropriate for the following reasons:

- Based on a proposed maximum building height of 179.1m, the proposed maximum eastern setback of approximately 8m (site boundary varies) exceeds the DCP requirement for a tower setback of 3.33% of the total height of the building.
- The proposed tower setback achieves a building separation in excess of the 2m required for façade maintenance as referenced in Section 5.1.1.3(7) of the DCP.
- The proposed tower setback achieves a minimum 6m tower setback required for non-habitable rooms for residential buildings above 25m in height.
- A building separation of 6m and a blank wall treatment is provided to the Ibis Hotel rooms at the podium level to provide privacy and visual amenity for these lower-level rooms.

The proposed setbacks are supportable based on the context of the site, surrounding built form, and ability to achieve the relevant objectives of the ADG. In accordance with the Sydney DCP 2012, any variation to the proposed street wall height and rear setbacks has been demonstrated as achieving an equivalent or better outcome compared a 'base case envelope' for daylight/sky view factor considerations.

6.2. ENVIRONMENTAL IMPACTS

6.2.1. Impacts on Public and Private Views

The proposed building envelope has been designed to be a slender form and the proposed maximum building height is commensurate with other visible towers within the precinct (both existing and emerging).

Importantly, the proposed building envelope will not encroach within any of the views nominated within the Public Views Protection Maps as set out in the Sydney DCP 2012. Public views towards the Central Station Clock Tower will be maintained when looking south from Pitt Street (near Goulburn Street). This particular view corridor is acknowledged as contributing towards the visual prominence of Railway Square in Central Sydney and has been respectfully maintained as part of the proposed built form.

The proposed building envelope will be able to be seen from longer range views, including from locations such as Central Station to the south. This is shown in **Figure 14** below.

Figure 14 – Perspectives of the Indicative Reference Scheme from Urban Views



Picture 13 – View from Pitt and Goulburn Streets, Facing South

Source: Woods Bagot (2021)



Picture 14 – View from Central Station Clock Tower, Looking North

Source: Woods Bagot (2021)

The existing development surrounding the site includes several towers over 150m in height (including at the World Square precinct). In addition, several recently approved developments to the north of the site will deliver towers which substantially exceed the height of the proposed building envelope at 372-382A Pitt Street. In the context of the site's location within the high density CBD, the proposal will be consistent with the existing and future high rise built form in the locality. The proposed development is not anticipated to have an adverse impact on significant public view corridors.

It is acknowledged that there are several residential developments near the site where private views may be affected. This includes western views from the Museum Towers towards Darling Harbour. However, any existing private views orientated towards the west (if available) are secondary views and are likely to already be obstructed by the World Square precinct and other tower sites within the south western portion of the CBD. In addition, any views over the site cannot reasonably be expected to be maintained in perpetuity over an underdeveloped site (particularly given the recently adopted tower cluster provisions within the Sydney LEP 2012).

The Central Sydney Planning Strategy (CSPS) supports the need to provide opportunities for tall buildings to be accommodated on appropriate sites where they will not overshadow protected public spaces. In addition,

one of the building height objectives of the CSPA is to ensure that new development is impeded by the preservation of private views.

Refer to the Architectural Design Report at **Appendix B** for further details regarding the minimisation of potential impacts on public and private views.

6.2.2. Minimising Overshadowing to Neighbouring Buildings

Shadow diagrams have been prepared in support of the proposed building envelope to assess the potential impacts of overshadowing to neighbouring residential buildings between 9am and 3pm at mid-winter (identified in **Figure 15** below).

Specifically, these shadow diagrams consider the extent of overshadowing to the following neighbouring buildings to the south:

- 91 Goulburn Street (orientated towards the east).
- The Miramar (orientated towards the west and east).
- The Aspect Apartments (orientated towards the west and south).
- Museum Towers (orientated mainly towards the east).

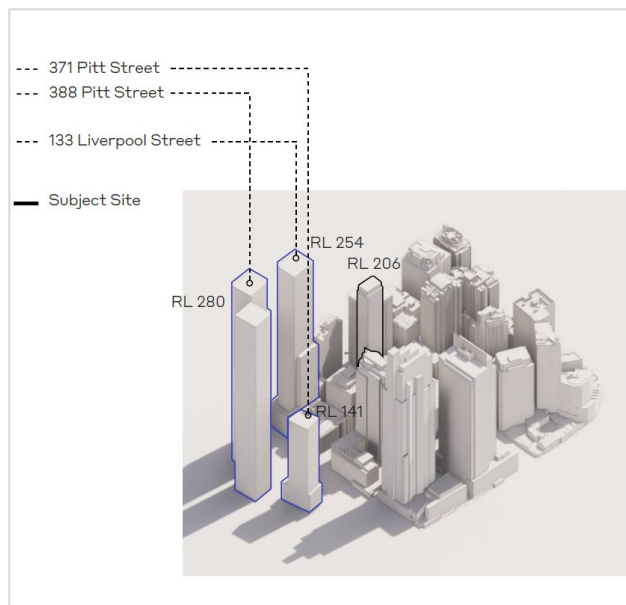
These buildings are located within the southern portion of the Sydney CBD which is characterised by high density development, including residential apartments. Reflective of their location within this dense urban context, these existing residential buildings have been orientated away from the north and towards their main street frontages to optimise private views from each respective building. As a result, the majority of windows and balconies will not be affected by overshadowing as a result of the proposed building envelope.

It is acknowledged that there will be some overshadowing to some balconies and windows along the northern facade of The Miramar (between 11am and 12:15pm) and the south eastern façade of the Aspect Apartments (between 9am and 9:45am) in mid-winter as a result of the proposed development. However, this overshadowing is limited to a short period of time and is considered acceptable for the following reasons:

- The site is located in a tower cluster area under the Sydney LEP 2012. This tower cluster area also applies to the sites directly to the north. Therefore, the principle of overshadowing to neighbouring developments to the south has already been established and considered acceptable as part of the recently gazetted controls to the Sydney LEP 2012.
- There are several other approved towers to the north of the site which impact solar access to residential properties in the southern portion of the CBD.
- The shadow diagrams demonstrate that the neighbouring properties to the south are already overshadowed by existing tower developments to the north of the site (both existing and recently consented).
- The proposed building envelope is generally consistent with the minimum building separation between habitable rooms set out within the ADG. The proposed building envelope also incorporates an increased southern setback beyond the minimum setback as required by the Sydney DCP 2012 controls and has a building height that complies with the maximum height control (as established by the Belmore Park SAP).

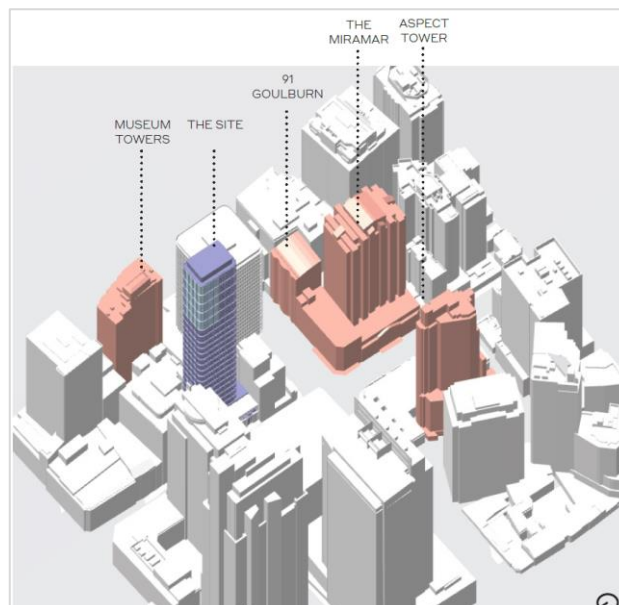
The proposal is therefore consistent with the design guidance which seeks to minimise overshadowing to neighbouring properties (particularly during mid-winter).

Figure 15 – Neighbouring Developments (for the Purpose of Assessing View Impacts and Overshadowing)



Picture 15 – Recently Approved Developments

Source: Woods Bagot (2021)



Picture 16 – Overshadowing to Residential Buildings

Source: Woods Bagot (2021)

Refer to the shadow diagrams included within the Architectural Design Report (**Appendix B**) for further details.

6.2.3. Ecologically Sustainable Design

The proposal is supported by an Ecologically Sustainable Development Report prepared by E-LAB Consulting which can be found at **Appendix I**. The report outlines the project's design response to achieve the following sustainability commitments:

- Demonstrate energy efficiency through a 4 Star NABERS Energy for Hotels with a Commitment Agreement certification
- Exceed NCC 2019 Section J energy benchmarks with a bespoke façade and services system design
- Exceed BASIX Requirements for the Class 2 (residential) components of the Project by 5% for Energy
- Design in line with Australian Best Practice Environmental Initiatives, using externally recognised frameworks
- Design to a 4 Star NABERS Water for Hotels Performance, to demonstrate WSUD principals are met.

The projects' sustainability approach will be focused on the following key initiatives:

- Energy – including improved energy efficiency of the building operations.
- Water Efficiency – designed to reduce potable water demand and improve stormwater quality.
- Passive Design Principles – reducing the development's overall requirement for building services, increasing occupant comfort, control, and amenity.
- Ecology - Maintaining ecology through landscaping where practical.
- Materiality – Considering the whole of life materials and considering their selection to minimise harm to the environment, including efficiency and construction.

6.3. HERITAGE CONSERVATION

The site is not listed as a heritage item, nor it is being within a heritage conservation area on the State Heritage Register or under the Sydney LEP 2012. The site is however located in proximity to a number of

heritage items. A Heritage Impact Assessment has been prepared to support this DA which is included at **Appendix G**.

The site comprises a row of 3-storey commercial terrace buildings. The terraced shopfronts have undergone significant alterations since their initial construction, including fire damage, as well as the demolition of the southern two bays to facilitate construction of the Ibis Hotel (in circa 2000). The demolition of the southern two bays detract from the heritage significance of the facades of 382 and 382A Pitt Street and its overall contribution to the streetscape.

In addition, significant modifications are particularly evident at the ground level (to the interiors and the exteriors) where no original fabric remains. This has diminished the aesthetic significance of the individual buildings. As a result, the site has no heritage value related to its historical significance. Therefore, the proposed demolition of the existing buildings are supported from a heritage perspective.

The Heritage Impact Assessment also notes the following:

- The proposed tower will not detrimentally impact the heritage significance of other adjacent heritage-listed items. There is no proposed demolition of any fabric of heritage significance or the obstruction of any significant views.
- High-rise podium and tower structures typify the context of the subject site and the southern CBD. It is thus an appropriate building typology and a future tower in line with the concept design would not change the character of the setting of the heritage items in the vicinity.
- There is no impact on the significance of the Former “American Tobacco Co” warehouse façade at 267–277 Castlereagh Street façade from the proposed tower on Pitt Street as there is no interface between the two.
- There is no impact on the significance of the adjacent item, Civic Hotel including interior at 386-388 Pitt Street, from the proposed tower as there is no interface between the two.
- The interface from the proposed tower to the Masonic Centre building podium (including interiors and Mona Hessing artwork) at 279–283 Castlereagh Street is minimised by the corner-to-corner orientation rather than face-to-face. Therefore, the proposed tower will not be dominant in principal views to the listed podium and would have no detrimental heritage impact.

Overall, the impact of the proposed tower and podium structure is not detrimental to the heritage significance of the items in the vicinity of the subject site. The proposed tower will be a significant new structure in the vicinity of the several heritage-listed items. However, the design of the proposed tower has been considerate of its heritage context and will not impact on any significant views.

The proposed development is supported from a heritage perspective, having regard to the recommendations set out within the Heritage Impact Statement included at **Appendix G**.

6.4. TRANSPORT, PARKING AND ACCESS

A Transport Impact Assessment has been prepared which evaluates the potential traffic impacts associated with the proposed development and the adequacy of surrounding road network.

Given the site’s location in the CBD which has excellent access to public transport, hotel guests are expected to travel to and from the hotel mainly via public transport. The site is also located near several taxi ranks and pick-up / drop-off areas which guests may utilise as relevant.

Based on the hotel and residential accommodation included within the Indicative Reference Scheme, the maximum car parking allowed for the site is 86 car parking spaces. The proposed basement includes the provision for a maximum of 21 parking spaces for the residential units. No parking spaces are proposed for the hotel (or ancillary retail at the ground floor).

The proposal also allows for 28 bicycle parking spaces (for the residential accommodation) and 22 bicycle parking spaces (for hotel staff, guests and residential visitors) located at Basement level 1. This complies with the parking rates set out within the Sydney LEP 2012. The total provision of car parking will be confirmed as part of the future Detailed DA.

The proposal is not considered to be a major vehicular trip generator. Refer to the concept design plans for the Indicative Reference Scheme at **Appendix A**, and the Transport Impact Assessment at **Appendix H** for details.

A two-way vehicular access is proposed off Carruthers Place. This is consistent with the Sydney DCP 2012 which states that access to vehicular parking is not permitted along high pedestrian activity streets including Pitt Street.

6.5. WASTE MANAGEMENT AND SERVICING

An Operational Waste Management Plan has been prepared which sets out the different waste requirements likely to be generated during the operational phase of the proposed development, as well as how this waste will be handled and disposed of. The indicative reference scheme demonstrates that the proposal is capable of accommodating the relevant waste management, storage and service requirements.

All servicing and waste collection for the hotel will be provided on site. A private waste contractor will be engaged to collect the waste generated by the hotel via the ground level loading dock (accessed via Carruthers Place).

The proposed waste collection for the residential component of the development will occur through the right of way to Goulburn Street which is consistent with the existing condition. Council's waste collection vehicle will collect the waste generated by the residential development. As such the proposal is capable of accommodating on-site servicing and waste collection.

The ability for these service vehicles to access the proposed loading dock is illustrated within the swept path diagrams provided within the Traffic and Parking Assessment. This is included at **Appendix H**. The waste management requirements for the construction and demolition phases of the development will be addressed as part of the future Detailed DA.

6.6. NOISE AND VIBRATION

A Noise and Vibration Impact Assessment is included at **Appendix P** which assesses the likely noise impact from the development on the closest most-affected sensitive noise receivers.

Based on analysis of the proposed building envelope plans, the Noise and Vibration Impact Assessment demonstrates that the proposal is capable of satisfying the relevant noise criteria related to internal noise levels, ventilation requirements and external noise emissions. A further detailed assessment will be undertaken as part of the future Detailed DA which incorporates specific recommendations in relation to acoustic mitigation measures (where relevant).

6.7. STRUCTURE AND RAIL CORRIDORS

The proposed development is located on Pitt Street within the "Mid Town" Precinct of Sydney's CBD with several rail corridors and utilities located beneath (or in close proximity to) the site. These include the existing City Circle rail corridor, the future Sydney Metro City and South West rail corridor, an existing Sydney Water sewer line and a Telstra tunnel.

A Preliminary Structural Assessment Report has been prepared (**Appendix M**) to set out the preliminary structural design and identify and outline the potential impact on the future Sydney Metro Tunnels as well as on the existing rail tunnels, sewerage and surrounding roads and buildings along with recommendations as outlined below:

- **Sydney Water Sewer**
 - The presence of the existing Sydney Water sewer pipe under the proposed development requires a Specialist Engineering Assessment. This will be undertaken as part of the future Detailed DA.
 - For lateral loads design, a finite element analysis of the staged construction will be carried out to ensure that the maximum increase in tensile strain due to longitudinal and transverse effects are limited to suit Sydney Water's requirements.
- **Rail and Metro City Tunnels**
 - The north-east corner of the proposed development is directly adjacent the first protection reserve of the existing City Circle Rail tunnels. The site is not located above the Sydney Metro corridor.
 - The Proponent will continue to engage with Sydney Trains and Sydney Metro throughout the assessment of the Concept DA and future Detailed DA.

▪ **Telstra Tunnel and Adjacent Roads**

- An existing Telstra Tunnel is located along Pitt Street which is adjacent to the proposed site excavation (approximately 1.75m from the proposed excavation western boundary).
- The shoring design will need to consider the location of and potential impacts to the existing Telstra Tunnel. A staged geotechnical model will be completed to check performance.
- The design of the western shoring wall will ensure the impacts on Pitt Street and in-ground services are acceptable as a classified road.

▪ **Adjacent Buildings**

- The existing Masonic Centre (east), The Chambers (north) and the Ibis Hotel (south) buildings are located around the perimeter of the site boundary and will need to be considered as part of the proposed excavation of the basement.
- Filling of the gap between the new development and the Masonic Centre and underpinning of the existing foundations has been allowed for in the design.
- A mix of shoring piles and retaining walls has been included in the structural design for the three proposed basement levels. Underpinning of the existing foundations should be considered in the design to preserve the structural integrity (and condition) of existing buildings (subject to further detailed geotechnical investigations).

The Preliminary Structural Assessment confirms that the construction of the proposed development is feasible and unlikely to have a negative impact on the existing and future tunnels and in-ground services. In addition, train vibrations and their potential impact on the proposed development will be assessed by an acoustic engineer in line with the relevant guidelines. Where relevant, mitigation measures will be confirmed as part of the Detailed DA.

Refer to the Preliminary Structure Assessment at **Appendix M** and the Rail and Metro Corridor Impact Assessment at **Appendix T** for further details.

6.8. GEOTECHNICAL ENGINEERING

A Geotechnical Desktop Report has been prepared which identifies potential interfaces and design concepts for the proposed development including recommendations on further geotechnical investigations and testing. The report confirms that further detailed site investigations will be required as part of the future Detailed DA to develop a detailed geotechnical model for the site that is suitable for design. Refer to **Appendix L** for further details.

6.9. DEMOLITION AND CONSTRUCTION

The future Detailed DA will seek approval for the demolition of existing structures and the construction of the development. Whilst details regarding construction will be considered as part of that Detailed DA, the Concept DA proposes in-principle demolition of all existing buildings and structures on site.

Given the likely impacts associated with demolition of the existing buildings and structures, a preliminary demolition work methodology has been considered and is outlined within the Demolition Statement included at **Appendix N**.

7. SECTION 4.15 ASSESSMENT

The proposed development has been assessed in accordance with the relevant matters for consideration listed in Section 4.15 of the EP&A Act 1979.

7.1. ENVIRONMENTAL PLANNING INSTRUMENTS

The proposed development has been assessed in accordance with the relevant State and local environmental planning instruments in **Section 5**.

The proposed mixed use development (comprising a hotel and residential accommodation) is consistent with the objectives and provisions of the relevant environmental planning instruments. The proposed building envelope complies with the Belmore Park Sun Access Plane control, maximum FSR control, minimum site area requirement and the maximum car parking provisions. It is noted that the residential component will be eligible for a reduced FSR from 1 July 2022.

The proposed development has also considered the State environmental planning instruments as relevant for this Concept DA stage of the development. Additional impact assessments relating to rail and water infrastructure, potential site contamination, residential amenity and potential archaeological findings will be addressed as part of a future Detailed DA when excavation and construction work are proposed to be undertaken on site.

7.2. DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No draft environmental planning instruments are relevant to this proposal.

7.3. DEVELOPMENT CONTROL PLAN

The Sydney DCP 2012 provides detailed planning guidance and additional controls relevant to the site and the proposal. An assessment against the relevant DCP controls is set out within in **Section 5.4**.

The proposal complies with the relevant provisions within the Sydney DCP 2012, and is capable of accommodating a future detailed design that achieves the objectives and intent of the DCP provisions. Importantly, where variations are proposed to the rear tower setback, an assessment against a 'base case' demonstrates that an equivalent or improved outcome can be achieved by the proposed building envelope in relation to daylight and sky view factor and therefore is appropriate for the site.

7.4. PLANNING AGREEMENT

No planning agreements are relevant to this proposal.

7.5. REGULATIONS

This application has been prepared in accordance with the relevant provisions of the *Environmental Planning and Assessment Regulations 2000*.

7.6. LIKELY IMPACTS OF THE PROPOSAL

The proposed development has been assessed considering the potential environmental, economic and social impacts as outlined below:

- **Natural Environment** – The proposal is not located near any environmentally sensitive land. The finished floor levels (FFLs) of the proposed development have been designed to comply with the minimum required FPLs. This ensures there will be no adverse flooding impacts to the adjacent properties, or within the site.
- **Built Environment** – The site is located within the Sydney CBD in an area which is surrounded by existing high density mixed use developments. The proposed development is not anticipated to have an adverse impact on significant view corridors from surrounding development or cause any additional impacts on the built environment (as discussed in **Section 6**).

- **Social** – The proposed building envelope indicates that casual surveillance and activation can be achieved along Pitt Street and Caruthers Place through active land uses and multiple pedestrian entries featured on the ground floor. There will be no adverse social impacts as a result of the proposed development.
- **Economic** – The proposal will deliver a revitalised hotel, retail and residential offering that will facilitate employment and accommodation opportunities within the Sydney CBD. The proposal will also contribute to enhancing Sydney's global status and promote the role of the Sydney as a key tourist accommodation premises.

7.7. SUITABILITY OF THE SITE

The site is considered highly suitable for the proposed development for the following reasons:

- The proposed development is permissible in the B8 Metropolitan Centre zone of the Sydney LEP 2012, and the site is zoned specifically to accommodate the proposed mix of uses.
- The proposed land uses (and their functions) includes visitor accommodation and tourist uses, as well as residential development, which is characteristic of Sydney's aspirations as a global city and reinforces Central Sydney's primary role as a location which comprises a mix of compatible land uses.
- The principle of tall towers in this location has been established and accepted as part of the recently gazetted tower cluster controls to the Sydney LEP 2012.
- The site is not adversely burdened by heritage listed buildings or other environmental constraints. However, the site is in close proximity to a number of heritage items and as such is appropriate for redevelopment in the context of these enduring buildings.
- The site is located in close proximity to the future Pitt Street and Central metro stations and other public transport infrastructure and will promote sustainable modes of transport for hotel guests and occupants of the residential apartments.
- The proposed development will facilitate improved activation to the surrounding public domain, an improved street presence, and would enhance the character of the locality.

7.8. SUBMISSIONS

The proposed Concept DA will be publicly exhibited and notified in accordance with the relevant provisions of the EP&A Act. Any submissions made throughout the public exhibition period will need to be considered and assessed by Council.

7.9. PUBLIC INTEREST

The proposed development is considered in the public interest for the following reasons:

- The proposal will provide hotel and residential accommodation in an accessible CBD close to existing and future public transport networks.
- The proposal responds to and respects the character and setting of the heritage-listed buildings located within the immediate vicinity of the site, and delivers an appropriate design response which is compatible with the scale and future character of the area.
- The proposal will improve the pedestrian experience along Pitt Street and Carruthers Place by activating the ground floor with retail uses and providing opportunities for the public to engage with public art.
- The proposal provides residential accommodation which is capable of achieving compliance with minimum requirements for solar access and cross ventilation.
- The proposal will be subject to an Architectural Design Competition which will facilitate a process which will deliver a high quality building that improves the amenity of the public domain.
- As a result of the Architectural Design Competition, the proposal will result in a building form that is capable of achieving design excellence which will contribute to the quality of the site as well as the surrounding built environment.
- There will be no adverse environmental, social or economic impacts as a result of the proposed development.

8. CONCLUSION

This report has been prepared in support of a Concept DA for the mixed use redevelopment (comprising a hotel and residential accommodation) at 372-382A Pitt Street, Sydney. The proposal will facilitate the opportunity for a mixed use development which is commensurate with Sydney's global status and which supports the role of Central Sydney in serving the visitors, residents, the workforce and the broader community.

The proposed development has been assessed against the relevant provisions of Section 4.15 of the EP&A Act and is considered appropriate for the following reasons:

- **Satisfies the applicable local and state planning controls** – The proposed development is consistent with the relevant planning controls. Where variations are proposed, the objectives and intent of these provisions have been met.
- **Responds positively to the surrounding site context** – The proposal is capable of achieving design excellence and provides an appropriate built form and positive relationship to the surrounding context and adjoining heritage items.
- **Has limited environmental, social, economic impacts** – The proposed development will provide a positive social and economic contribution to the Sydney CBD context, and contribute to Sydney's status as a global centre for employment which is complemented by residential development. There will be no adverse environmental, social, or economic impacts as a result of the proposed mixed use development.
- **Is in the public interest** – The proposal will provide a revitalised, unique mixed use development in an accessible CBD location which responds to the character and setting of the surrounding buildings and which improves activation at the ground floor.

The proposed development is appropriate for the site and its CBD context, and is therefore considered worthy of approval.

9. DISCLAIMER

This report is dated 15 December 2021 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Belingbak (**Instructing Party**) for the purpose of SEE (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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

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

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

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

APPENDIX A

ARCHITECTURAL PLANS

APPENDIX B

ARCHITECTURAL DESIGN REPORT

APPENDIX C

DESIGN EXCELLENCE STRATEGY

APPENDIX D

SURVEY PLAN

APPENDIX E

COST SUMMARY REPORT

APPENDIX F

PRELIMINARY AERONAUTICAL ASSESSMENT

APPENDIX G

HERITAGE IMPACT STATEMENT

APPENDIX H

TRANSPORT IMPACT ASSESSMENT

APPENDIX I

SUSTAINABILITY REPORT

APPENDIX J

PEDESTRIAN WIND IMPACT ASSESSMENT

APPENDIX K

PUBLIC ART STRATEGY

APPENDIX L

GEOTECHNICAL REPORT

APPENDIX M

PRELIMINARY STRUCTURAL ASSESSMENT

APPENDIX N

DEMOLITION STATEMENT

APPENDIX O

PRELIMINARY SITE INVESTIGATION REPORT

APPENDIX P

NOISE AND VIBRATION ASSESSMENT

APPENDIX Q

PRELIMINARY FLOODING ASSESSMENT

APPENDIX R

PRELIMINARY WASTE MANAGEMENT PLAN

APPENDIX S

UTILITY AND SERVICES REPORT

APPENDIX T

METRO RAIL CORRIDOR IMPACT ASSESSMENT

APPENDIX U

BCA CAPABILITY STATEMENT

