



***MODIFICATION REQUEST TO CONCEPT
APPROVAL AND STATE SIGNIFICANT
DEVELOPMENT ASSESSMENT REPORT:***

***One Carrington Street (formerly known as
'City One'), Sydney***

MP09_0076 MOD2 and SSD 5824



Secretary's Assessment Report
Sections 75W and 89H of the
Environmental Planning and Assessment Act
1979

September 2015

ABBREVIATIONS

Applicant	Sovereign Wynyard Centre Pty Ltd
CIV	Capital Investment Value
Concept Plan	Approved Concept Plan for the redevelopment of the site (MP09_0076)
Consent	Development Consent
Department	Department of Planning and Environment
EA	Environmental Assessment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	Environmental Planning Instrument
FEAR	Future Environmental Assessment Requirement
LEP	Local Environmental Plan
LGA	Local Government Area
Minister	Minister for Planning
The Commission	Planning Assessment Commission
Part 3A	Part 3A of the <i>Environmental Planning and Assessment Act 1979</i>
Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SSD	State Significant Development
VPA	Voluntary Planning Agreement

Cover Photograph: Computer generated image of the development looking east across Wynyard Park
(Source: applicant's EIS).

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EXECUTIVE SUMMARY

This report provides a concurrent assessment of a section 75W modification application to the One Carrington Street (formerly known as 'City One') Concept Approval (MP09_0076 MOD 2) and a State Significant Development (SSD) application (SSD 5824) seeking approval for a development within Stage 1 of the One Carrington Street development site. One Carrington Street is located at the northern end of the Sydney Central Business District and is within the City of Sydney Local Government Area. The applications seek approval for:

- an increase of gross floor area, expansion of the tower building envelope, inclusion of 285-287 George Street within the site, retention of Wynyard Lane as a one way street, increase in car parking and a revised public benefit offer; and
- demolition of existing buildings, upgrade of the eastern accessways to Wynyard Station, provision of a new transit hall, construction of a 27 storey commercial building, basement car parking levels and refurbishment and alteration of Shell House and 285-287 George Street.

The applications were publicly exhibited between Wednesday 28 May 2014 and Friday 27 June 2014. The Department received a total of ten submissions comprising two submissions from the general public and eight submissions from public authorities. The key issues raised in the submissions include built form, operation of Wynyard Lane, car parking provision, overshadowing and operational noise. As a result of amendments made to the Concept Approval modification, the Department re-exhibited the application between 4 June 2015 and 6 July 2015. The Department received submissions from Council, which raised no objection, and TfNSW, which supported the changes. The Department has considered the issues raised in submissions in its assessment along with the expansion of the site boundary and increase of GFA, the revised public benefit offer and consistency with Concept Approval.

The Department supports the inclusion of 285-287 George Street into the site boundary and the expansion of the tower building envelope (cantilevering over 285-287 George Street) as it will add visual interest to the northern façade and provide for increased public benefits. The proposed building presents a varied and interesting built form and its facades are of a high standard of design that achieves design excellence, makes a positive contribution to the George and Carrington Street streetscapes and will provide an appropriate visual marker that announces the location of Wynyard Station.

The Wynyard Station entrance George Street awning appropriately announces the station entrance and will be subject to further detailed design to ensure it provides an appropriate level of weather protection. The design of the Shell House roof extension will not have any adverse impacts on the heritage significance of Shell House.

The applicant has entered into a Voluntary Planning Agreement with TfNSW, which is an improvement on the original public benefits offer and delivers the new Wynyard Station transit hall including an enlarged civic scale station entrance and a generously sized east/west through site pedestrian link and access capacity to meet Wynyard Station requirements to 2060. In addition the applicant will pay a \$3.5 million development contribution to Council.

The Department's assessment has also considered the increase in car parking spaces, basement access off Wynyard Lane, signage, noise and public art provision and is satisfied that the impacts have been satisfactorily addressed within the applicant's Environmental Impact Statement, Response to Submissions and the Department's recommended conditions.

The proposal is of strategic importance and will provide significant public benefits, particularly through the provision of Wynyard Station upgrades, new office and retail accommodation, public domain works and employment opportunities. The Department concludes that the proposal is in the public interest and recommends that the applications be approved subject to conditions.

TABLE OF CONTENTS

1.	BACKGROUND.....	3
1.1	The One Carrington Site	3
1.2	The Stage 1 site	4
1.3	Approval history.....	6
2.	APPLICATION DESCRIPTIONS	8
2.1	Summary descriptions	8
2.2	Response to Submissions	8
2.3	Description of proposals	8
2.4	Project need and justification	14
3.	STATUTORY CONTEXT.....	14
3.1.	Modification of the Minister's Approval.....	14
3.2.	State significant development	14
3.3.	Determination under Delegation.....	15
3.4.	Permissibility.....	15
3.5.	Environmental Planning Instruments	15
3.6.	Objects of the EP&A Act	15
3.7.	Ecologically Sustainable Development	16
3.8.	Environmental Planning and Assessment Regulation 2000	16
3.9.	Secretary's Environmental Assessment Requirements	16
4.	CONSULTATION AND SUBMISSIONS	17
4.1.	Exhibition	17
4.2.	Public Authority Submissions	17
4.3.	Public Submissions	19
4.4.	Applicant's Response to Submissions	19
5.	ASSESSMENT	20
5.1.	Key assessment issues	20
5.2.	Modifications to the Concept Approval.....	20
5.3.	State Significant Development Application	25
5.4.	Construction management and ongoing operation of Wynyard Station.....	34
5.5.	Other issues	34
6.	CONCLUSION.....	38
7.	RECOMMENDATION.....	40
APPENDIX A	RELEVANT SUPPORTING INFORMATION	
APPENDIX B	CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENT(S)	
APPENDIX C	CONSISTENCY WITH THE CONCEPT APPROVAL	
APPENDIX D	RECOMMENDED CONDITIONS OF CONSENT	

1. BACKGROUND

This report provides a concurrent assessment of a section 75W modification application to the One Carrington Street (formerly known as 'CityOne') Concept Approval (MP09_0076 MOD 2) and a State Significant Development (SSD) application (SSD 5824) seeking approval for the construction of a commercial building, refurbishment of existing buildings, upgrade of the eastern accessways to Wynyard Station and provision of a new Transit Hall within Stage 1 of the One Carrington Street development site.

In particular, the proposal seeks approval for:

- modification application (MP09_0076 MOD2) – incorporation of 285-287 George Street as part of the expanded site, an increase of the maximum gross floor area (GFA), expansion and cantilever of the tower building envelope over 285 George Street, retention of Wynyard Lane as a one way street, an increase in car parking and revised public benefit offer; and
- SSD application (SSD 5824) - demolition of existing buildings, upgrade of the eastern accessways to Wynyard Station, provision of a new transit hall and associated areas, construction of a 27 storey commercial building and ancillary basement car parking and servicing levels and refurbishment and alterations to Shell House and 285-287 George Street.

1.1 The One Carrington Site

The One Carrington site is located between George and York Streets and is situated within the core commercial office precinct in the northern part of Sydney's CBD within the City of Sydney LGA (**Figure 1**). The site has a total area of 9,248m² and comprises the Menzies Hotel, Shell House, Thakral House, Wynyard Station, part of Wynyard Park and the Wynyard concourse (comprising stratum lots above and below Wynyard Lane, stratum lots below Wynyard Park, Carrington Street and York Street).

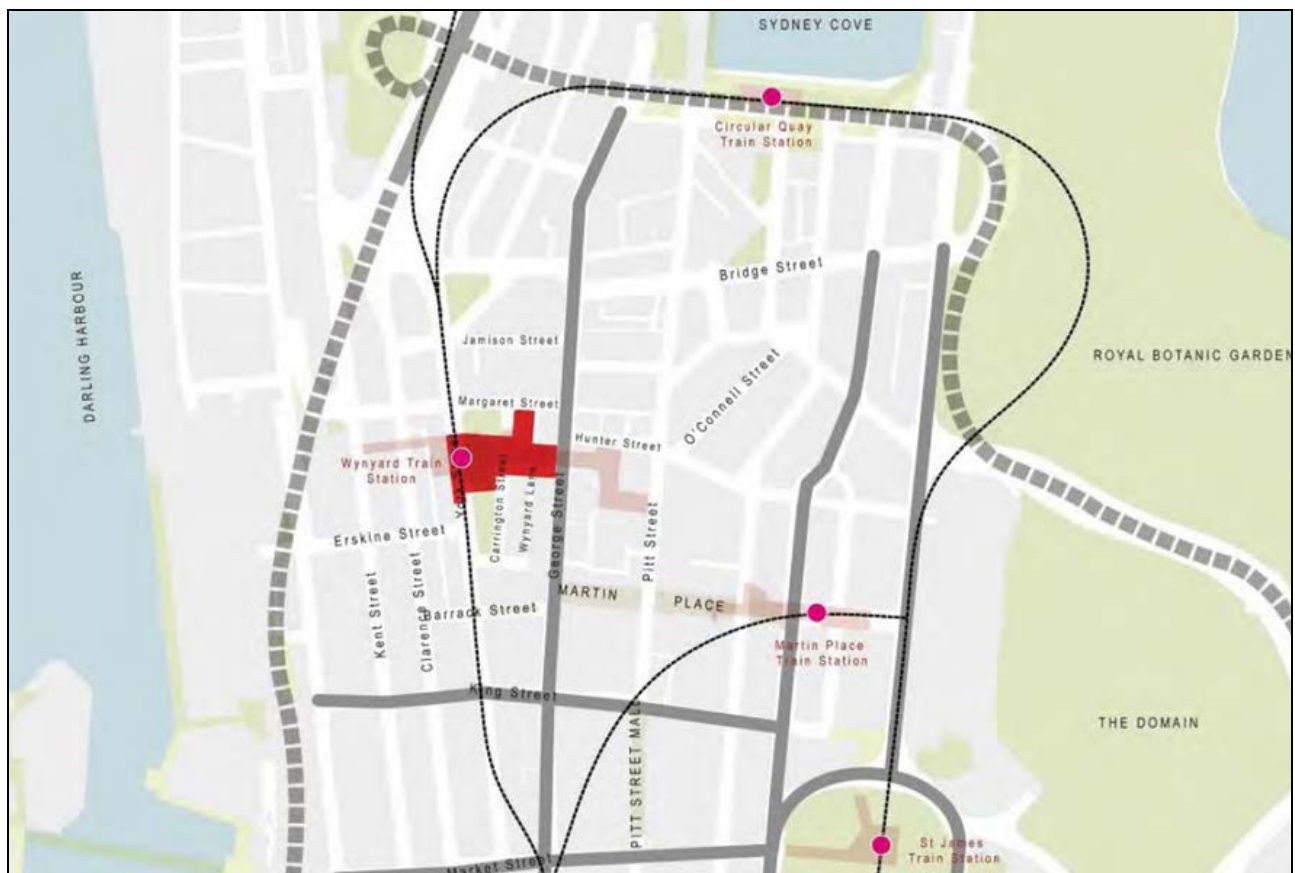


Figure 1: Concept Approval location within Sydney CBD)

The Concept Approval is divided into two stages for the purposes of development, comprising:

- land east of Carrington Street (Stage 1); and
- land west of, underneath and including Carrington Street (Stage 2).

The applications, which are the subject of this report, relate solely to Stage 1 of the Concept Approval and are therefore confined to the land between Carrington and George Streets.

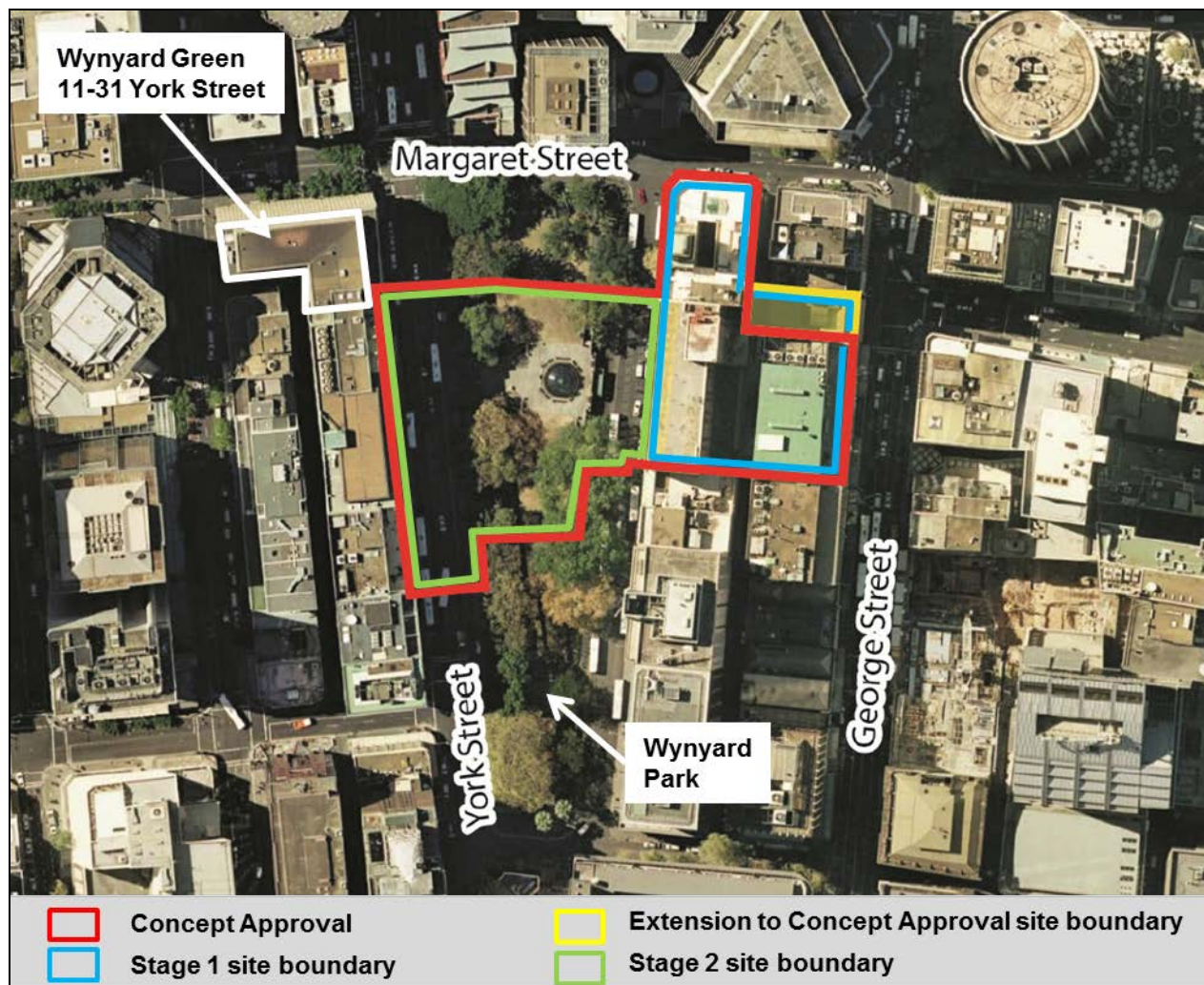


Figure 2: Application site boundaries (Base source: applicant's EIS)

1.2 The Stage 1 site

Stage 1 occupies the eastern side of the Concept Approval site and has an area of 4,452m² (including 285-287 George Street). The site is 'L' shaped and is bound by, and has frontages to, George Street to the east, Carrington Street to the west and Margaret Street to the north. The southern boundary adjoins 309-320 George Street and 30-32 Carrington Street (Lisgar House).

1.2.1 Existing development and site characteristics

The Stage 1 site currently comprises the buildings, laneway and stratum lots as described in Table 1 and shown in Figure 3.

Table 1: Stage 1 existing buildings, laneway and stratum lots

Property	Description
Former Shell House 2-12 Carrington St	An 11 storey commercial office building converted to hotel rooms as an extension to the Menzies Hotel. The building is listed as a heritage item in the Sydney LEP.

Menzies Hotel 14 Carrington St	A 14 storey hotel building. It provides no direct access to Wynyard Station or the retail levels that pass beneath the building.
301 George Street	A 13 storey commercial office building (known as Thakral House) with retail space on basement, ground and first floor levels. Easements providing access to Wynyard Station run through both retail levels.
Wynyard Lane (stratum lots above and below road level)	A one way (south bound) lane located between 301 and 285-287 George Street and Menzies Hotel. The lane connects Margaret Street in the north to Wynyard Street in the south and provides service access to buildings backing onto the laneway. Stratum lots above Wynyard Lane (between 301 George Street and Menzies Hotel) and stratum lots below Wynyard Lane form part of the subject site.
Wynyard Lane (air space above road)	Airspace above Wynyard Lane.
285-287 George Street (proposed additional portion expanded site)	An eight storey commercial building known as the Former Beneficial House with retail use at the basement and ground floor levels (existing GFA of 3,080m ²). The site has an area of 420.1m ² and has frontages to George Street and Wynyard Lane. The building is listed as a local heritage item under the Sydney Local Environmental Plan 2012 (SLEP).

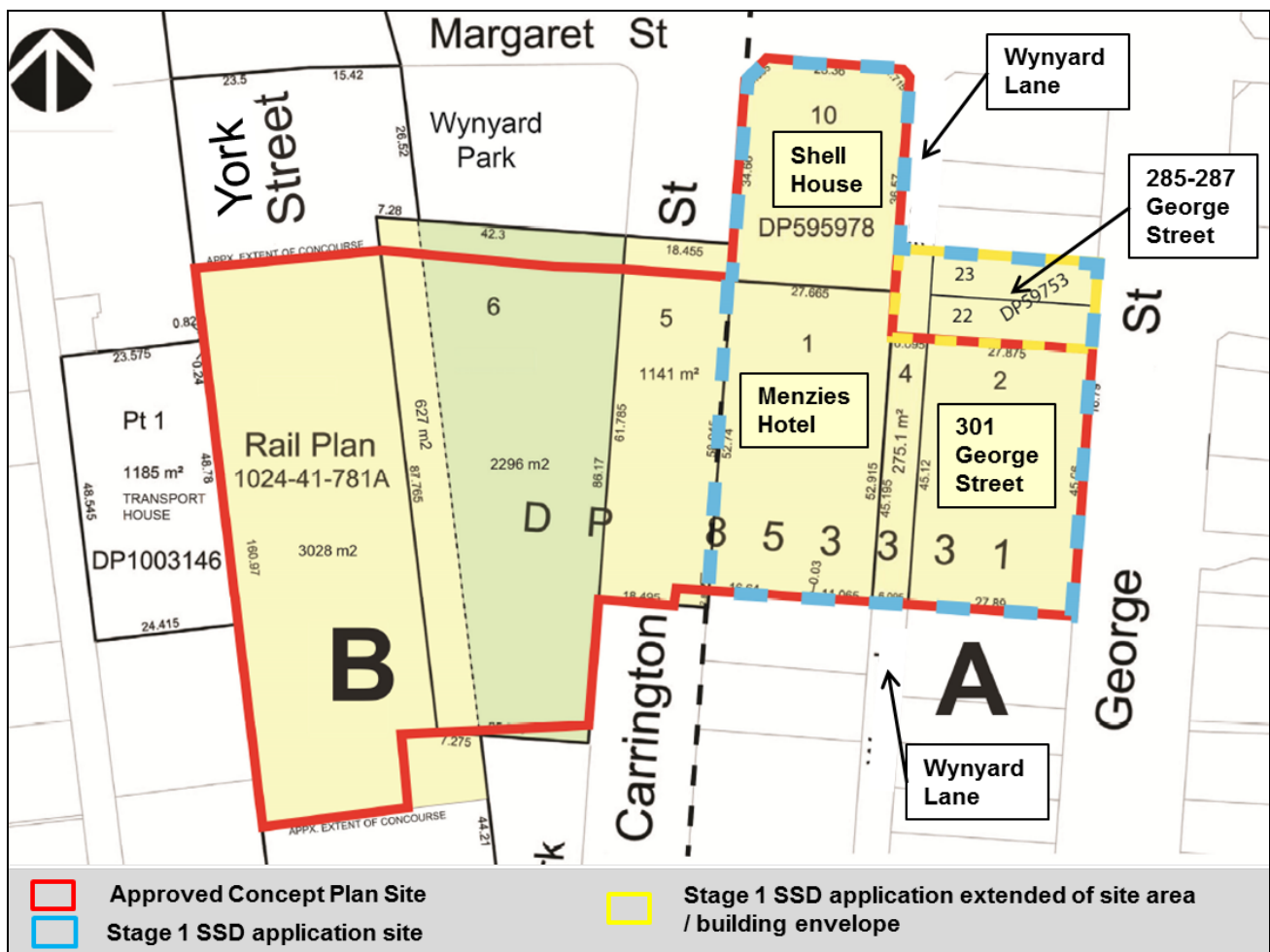


Figure 3: Existing site components and layout (Base source: applicant's application and MP09_0076 MOD2)

The topography of the site is uneven and increases over 5.5 metres in height, from its lowest point at George Street in the east to its highest point at Carrington Street in the west.

The site includes and is located above the George Street pedestrian entrance and eastern accessways to Wynyard station, which provides direct rail services on the North Shore, Northern

and Western Line, Eastern Suburbs and Illawarra Line, Airport Inner West and South Line, and the City Circle Line. The site is also adjacent to the George Street bus corridor and the Carrington Street bus interchange. Circular Quay ferry terminals are located approximately 600 metres to the north east and Darling Harbour ferry wharf is located approximately 550 metres to the west.

A light rail route is approved between Circular Quay and the eastern suburbs, which will pass the site along George Street and terminate at Randwick Racecourse and the University of NSW. Major construction is due to begin in September 2015 and is expected to complete mid-2018. A light rail stop is approved adjacent to Wynyard Station / the site as shown in **Figure 4**, below.



Figure 4: Approved light rail route along George Street, through the CBD (Source: TfNSW Sydney Light Rail News, May 2015)

To the north and east of the site is 283 George Street, a nine storey building commercial building. To the south is 309-320 George Street, a 13 storey commercial building and 30-32 Carrington Street (Lisgar House) a local heritage item. The broader surrounding area is comprised of buildings of various uses, ages, heights, architectural styles and lot configurations providing for a mixed CBD streetscape:

- George Street comprises a diverse mix of street frontages. The subdivision pattern is regular, although allotment sizes vary. Along the section of George Street in the vicinity of the site there is a wide range of building heights (including towers), forms and construction materials;
- Carrington Street runs north south between Margaret and Barrack Streets and includes a lower rise collection of buildings (when compared to the wider CBD context) facing Wynyard park. These buildings have varied heights, architectural styles and finishes; and
- Margaret Street to the north of the site accommodates a range of built forms with greatly varying heights. Directly opposite the Shell House building, on the north side of the street is the Met Centre retail centre and office tower at 60 Margaret Street.

1.3 Approval history

On 3 April 2012, the Planning Assessment Commission (the Commission) approved the concept plan (MP09_0076) subject to modifications and conditions (refer to **Figures 5 and 6**). The Concept Approval comprises the following:

- upgrade of the eastern accessways to Wynyard Station including retail areas and concourse layout;
- indicative building envelope to a maximum height of RL 159.7 AHD on land between Carrington Street and George Street;

- use of site for a mixed use development including commercial offices, business premises, shops, general retail food and drink premises, health/medical centre, public amenities, transport facilities and tenant car parking;
- development of former Shell House including refurbishments for the purpose of commercial and retail use; and
- a VPA between the proponent and TfNSW for the provision of a transit hall and through site link and associated public infrastructure works to an equivalent value of \$20 million and a payment of \$18.5 million towards works within the Wynyard Station Precinct.

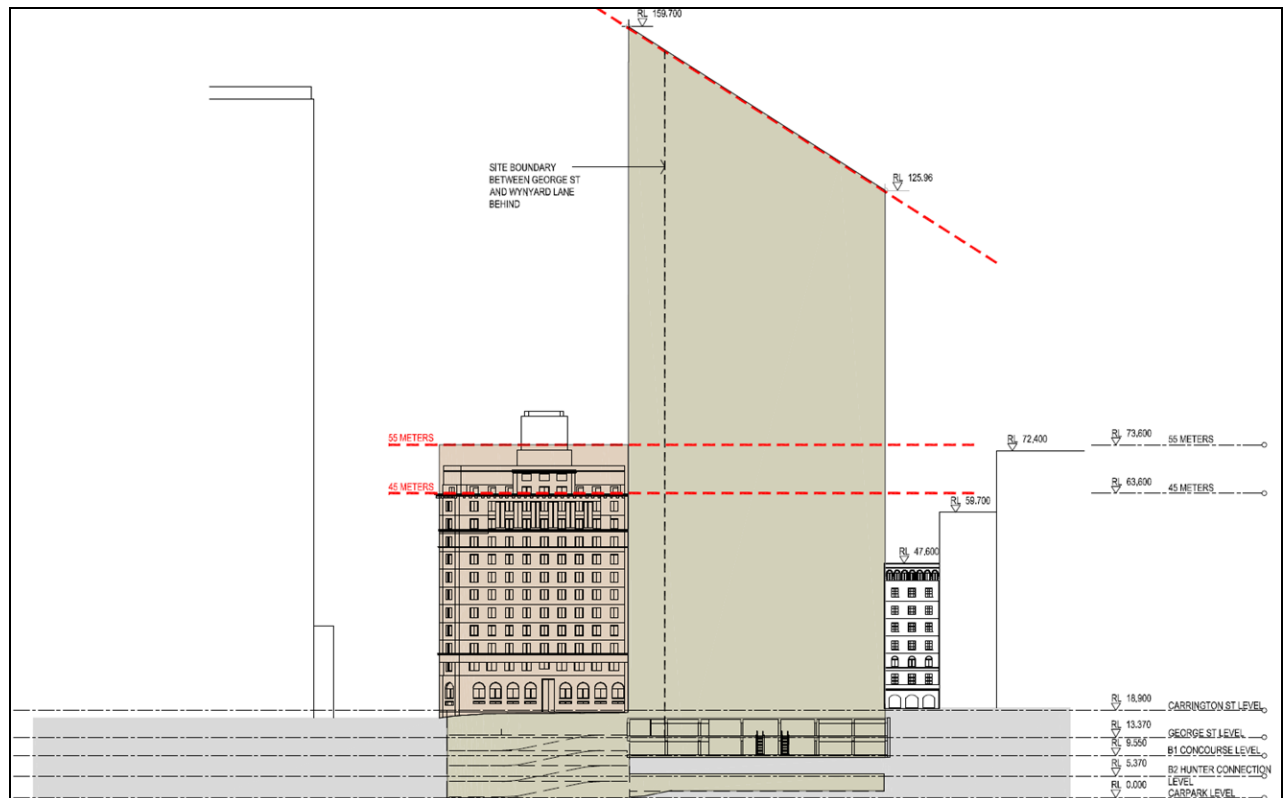


Figure 5: Approved tower and Shell House extension building envelopes (Source: Concept Approval)



Figure 6: Artists impression of the view west from George Street through the approved Transit Hall to Carrington Street (Source: Concept Approval)

On 24 March 2014, the Director, Industry Key Sites and Social Projects approved a modification application (MP09_0076 MOD1), which deferred the requirement for the execution of the VPA from prior to the submission of any future application to prior to the determination of any future application.

2. APPLICATION DESCRIPTIONS

2.1 Summary descriptions

Concept Approval modification description

The proposal as exhibited seeks approval for the incorporation of 285-287 George Street within the site, an increase of the maximum GFA, expansion and cantilever of the tower building envelope over 285 George Street, retention of Wynyard Lane as a one way street and increase in car parking.

One Carrington SSD application description

The proposal as exhibited seeks approval for the redevelopment of One Carrington Street (Stage 1), which includes the demolition of existing buildings, upgrade of the eastern accessways to Wynyard Station, provision of a new transit hall and associated areas, construction of a 27 storey commercial building and ancillary basement car parking and servicing levels and refurbishment and alteration of Shell House and 285-287 George Street.

The SSD application relies on the approval of the amended Concept Approval with regards to modifying the approved site boundary, building envelope, gross floor area (GFA) and other minor changes.

2.2 Response to Submissions

Following the public exhibition of the SSD and modification application, the Department placed copies of all submissions received on its website. The Department requested that the applicant address the issues raised in the submissions as well as a number of specific issues in relation to the VPA, site area calculations, design of the Transit Hall and George Street awning, traffic and pedestrians impacts, bus and light rail operational impacts, construction impacts and the relationship with and alterations of heritage items.

The applicant provided a Response to Submissions (RtS) (**Appendix A**), which contains further information and clarification of the key issues raised by the Department, the public and agencies.

Key changes from the proposals, as exhibited, include:

- a revised public benefit offer and associated amendment to condition A6 of the Concept Approval; and
- amended access arrangements from Wynyard Lane.

2.3 Description of proposals

The key components and features of both proposals (as refined in the RtS) are provided in **Table 2** below and are shown in **Figures 7 to 11**.

Table 2: Key components of the modification request and SSD applications

CONCEPT APPROVAL MODIFICATION (MP09_0076 MOD2)	
Aspect	Description
Site boundary	<ul style="list-style-type: none">• Expansion of the site to include 285-287 George Street and increase of the site area by 420.1m² (from 8,828m² to 9,248.1m²).
GFA	<ul style="list-style-type: none">• Increase in the maximum GFA of Stage 1 by 5,251m² (from 79,370m² to 84,621m²), excluding end of trip facilities.
FSR	<ul style="list-style-type: none">• Increase in the overall FSR from by 0.13:1 (from 9.66:1 to 9.79:1)

Built form	<ul style="list-style-type: none"> Expansion of the northern elevation of the tower building envelope. The extended building envelope: <ul style="list-style-type: none"> is located between RL 53 and RL 154.92; is setback six metres from the George Street front elevation; and cantilevers eight metres over 285 George Street and Wynyard Lane.
Wynyard Lane	<ul style="list-style-type: none"> Retention of Wynyard Lane as a one way street. Lowering the height clearance of part of the Wynyard Lane tunnel by 1.5m (from 6m to 4.5m). Re-grading / lowering the surface level of part of Wynyard Lane by up to 450mm.
Basement	<ul style="list-style-type: none"> Inclusion of an additional basement level beneath the tower. Increase of eight car parking spaces (from 81 to 89 spaces).
Public benefits	<ul style="list-style-type: none"> Revised public benefit offer, which requires the applicant to fund the construction of the Transit Hall and ancillary public infrastructure and cover the cost of 100% of operational and maintenance expenses in perpetuity.

SSD APPLICATION (SSD 5824)

Aspect	Description
Demolition	<ul style="list-style-type: none"> Demolition of: <ul style="list-style-type: none"> the Menzies Hotel, 301 George Street; eastern access ways to Wynyard Station; development above Wynyard Lane; and partial demolition of Shell House and 285-287 George Street.
Built form	<ul style="list-style-type: none"> Construction of a 27 storey tower (maximum height RL 146.70) on the land between Carrington and George Streets. Construction of three basement levels connected by a circular ramp. Upgrade of the eastern access ways to Wynyard Station and provision of a new transit hall, through site link and concourse layout.
Heritage	<ul style="list-style-type: none"> Retention, refurbishment and alteration of Shell House, 285-287 George Street and Wynyard Railway Station arcades. Extension of Shell House providing a two storey (RL 71.24) rooftop glazed pavilion.
Gross floor area	<ul style="list-style-type: none"> Total GFA of 84,621m² comprising: <ul style="list-style-type: none"> 73,860m² commercial GFA; and 10,761m² retail GFA (including concourse, Hunter Connection and George Street concourse).
Use	<ul style="list-style-type: none"> Tower to include the following uses: <ul style="list-style-type: none"> retail at Hunter Connection, Concourse, George and Carrington Streets levels (7,439m² GFA); and commercial at mezzanine level and above (63,791m² GFA). Shell House to include the following uses: <ul style="list-style-type: none"> retail at sub-basement, Carrington Street and level 1 (1,797m² GFA); retail (restaurant/bar) within the rooftop pavilion (1,037m² GFA); and commercial at levels two to ten (7,777m² GFA). 285-287 George Street to include the following uses: <ul style="list-style-type: none"> retail at basement to second floor level levels (1,352m² GFA); and commercial at levels three to six (1,428m² GFA)
Access	<ul style="list-style-type: none"> Provision of the following key station / transport interchange related accesses: <ul style="list-style-type: none"> 25m wide, 13m high transit hall accessed directly from George Street; 22m wide concourse (outside the ticketed area) connecting the transit hall above and Hunter Connection below via escalators; 15m wide pedestrian accessway to the Hunter Connection accessed via escalators from the concourse level; and 8m wide east/west through site pedestrian link suspended over Wynyard Lane connecting George Street, the transit hall and Carrington Street. Provision of separate vehicle entry and exit points to the basement off Wynyard Lane.

Car parking	<ul style="list-style-type: none"> 89 car parking spaces. Seven service vehicle parking bays.
Bicycle parking	<ul style="list-style-type: none"> 446 bicycle parking spaces for employees. 20 visitor bicycle parking spaces within Wynyard Lane.
Public domain	<ul style="list-style-type: none"> Public domain works including landscaping, paving and treatment of Wynyard Lane.
Signage	<ul style="list-style-type: none"> Establishment of signage zones for future business identification signage.

The proposal has a Capital Investment Value (CIV) of \$350,425,580 and is expected to generate 2,000 construction jobs and 6,000 operational jobs once fully developed.

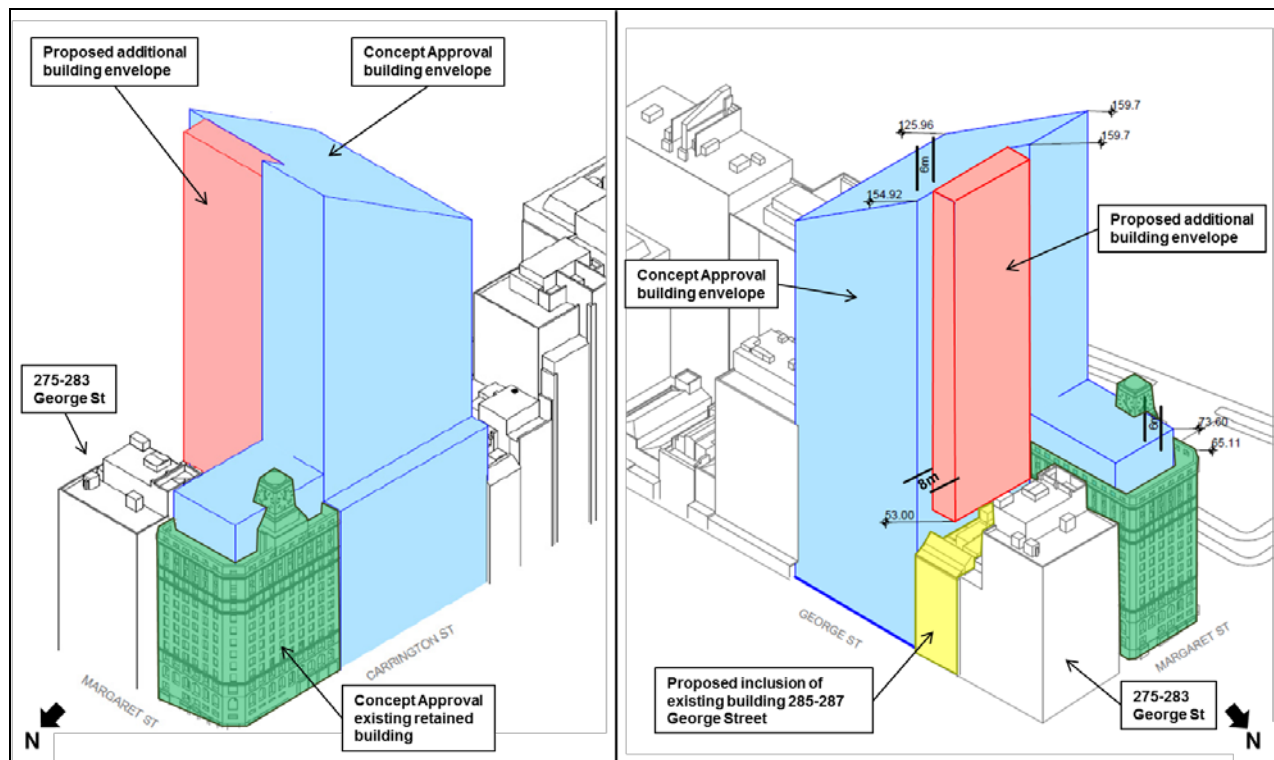


Figure 7: Key modifications to the Concept Approval building envelope and site boundary, additional site shown in yellow and additional building envelope shown in red (Source: Applicant's application)



Figure 8: View east across Wynyard Park towards the tower and Shell House (Source: Applicant's EIS)

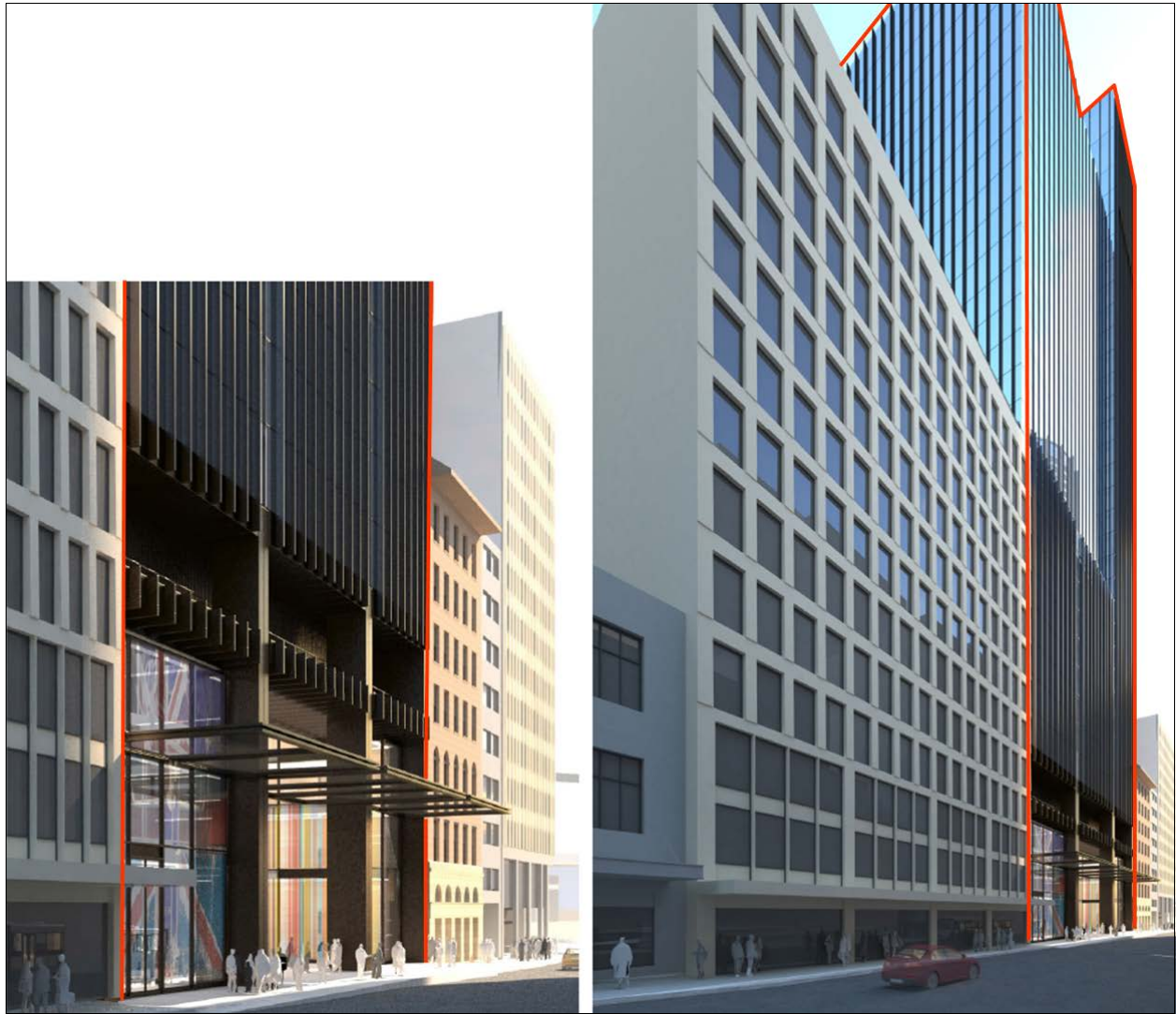


Figure 9: Detail of podium and main entrance (left) and view north along George Street towards the George Street elevation (right) (Source: Applicant's EIS)



Figure 10: East/west sectional perspective (source: applicant's EIS)



Figure 11: View west along Hunter Street towards the George Street tower elevation (and cantilevered component) and 285-287 George Street (Source: Applicant's EIS)

2.4 Project need and justification

NSW 2021

NSW 2021 is the NSW Government's strategic plan setting priorities for action and guiding resource allocation. NSW 2021 is a ten year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability and strengthen the local environment and communities. The proposed additional 73,860m² commercial and 10,761m² retail GFA will contribute to the NSW 2021 goal of growing business investment by 4% annually. The creation of 2,000 construction jobs and 6,000 operational jobs will contribute towards the goal of 1.25% employment growth in Sydney each year. Furthermore, the proposal will contribute to building a liveable city by locating employment floorspace close to a major public transport hub, increasing patronage on public transport and contributing towards the redevelopment and revitalisation of Wynyard Station.

A Plan for Growing Sydney

A Plan for Growing Sydney sets out the NSW Government's vision for Sydney to 2031. The Plan anticipates that the population of Sydney will increase by 1.6 million people by 2031 and this will result in the need for approximately 689,000 new jobs across the metropolitan area.

The Plan aims to accelerate urban renewal across Sydney and encourages growth in both infill and greenfield areas to stimulate balanced growth throughout Sydney. It also aims to make the best use of transport and infrastructure, making Sydney more sustainable and efficient. In planning for growth, the Plan focuses urban renewal in Strategic Centres, areas close to transport hubs and corridors and advocates efficient use of land in infill areas.

The City of Sydney LGA is located within the Central Subregion and the site is located within the Global Sydney Strategic Centre. Key priorities for the Strategic Centre are to maintain the Sydney CBD as Australia's premier location for employment, provide capacity for long-term office growth and support the land use requirements of the financial services knowledge hub in the CBD.

The proposed development supports the strategic aims of the Plan by providing for a significant number of new employment opportunities and the redevelopment of Wynyard Station as part of a large commercial development within the Sydney Global Strategic Centre. The proposal will make use of and improve existing infrastructure and public transport and have excellent access to business, entertainment and leisure opportunities. Its central location within the CBD will encourage walking, cycling and the use of public transport.

3. STATUTORY CONTEXT

3.1. Modification of the Minister's Approval

Section 75W of the EP&A Act provides for the modification of a Minister's approval including '*revoking or varying a condition of the approval or imposing an additional condition on the approval*'.

The Minister's approval for a modification is not required if the proposed as modified will be consistent with the existing approval. However, in this instance the proposal seeks to expand the site boundary and building envelope within the Concept Approval, which requires further assessment and therefore approval to modify the concept plan is required.

3.2. State significant development

The proposal is identified as SSD under clause 19(2)(a) of *State Environmental Planning Policy (State and Regional Development) 2011* as it has a capital investment value (CIV) in excess of \$30 million and is for the purpose of a commercial premises and public transport interchange associated with railway infrastructure.

3.3. Determination under Delegation

In accordance with the Minister's delegation of 16 February 2015, the Executive Director, Infrastructure and Industry Assessments may determine the applications as:

- Council has not objected to the development;
- a political disclosure statement has not been made; and
- there are less than 25 public submissions in the nature of objections.

3.4. Permissibility

Stage 1 of the One Carrington development (which includes the additional property at 285-287 George Street) is on land zoned B8 'Metropolitan Centre' under the Sydney LEP 2012. The proposed commercial premises, comprising business, office and retail uses and passenger transport facilities are permissible within this zone.

3.5. Environmental Planning Instruments

Under Section 79C of the Act, the Secretary's report for a project is required to include a copy of, or reference to, the provisions of any environmental planning instruments (EPIs) that substantially govern the carrying out of a project and that have been taken into account in the assessment of the project. The following EPIs apply to the site:

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

The Department's consideration of relevant EPIs is provided in **Appendix B**. The proposal is consistent with the relevant requirements of the EPIs.

3.6. Objects of the EP&A Act

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

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

The proposal complies with the above objects, particularly (a)(i), (ii) and (v) as the proposal promotes the orderly and economic use of the site and contributes to the enhancement of the social and economic welfare of the community. The proposal includes measures to deliver ecologically sustainable development (**Section 3.7**).

3.7. Ecologically Sustainable Development

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

- the precautionary principle;
- inter-generational equity;
- conservation of biological diversity and ecological integrity; and
- improved valuation, pricing and incentive mechanisms.

The development incorporates ecologically sustainable design initiatives and sustainability measures, including:

- achieving a minimum 5 Star Green Star Office Design v3 Design and As Built rating;
- achieving a minimum 5 star base building NABERS energy rating for continued operational energy efficiency;
- highly efficient façade construction with high performance glazing and automated blinds;
- high efficiency central plant, supplying chilled and hot water and condenser water to commercial and retail units;
- efficient light fittings and all external lighting will be solar (except where required for security reasons);
- installation of energy efficient appliances;
- use of sustainable materials in construction;
- maximised waste recycling rate; and
- excellent access to public transport including train, bus, ferry and future light rail.

The Department has considered the project in relation to the ESD principles. The Precautionary and Inter-generational Equity Principles have been applied in the decision making process via a thorough and rigorous assessment of the environmental impacts of the project. Overall, the proposal is consistent with ESD principles and the Department is satisfied that the proposed sustainability initiatives will encourage ESD, in accordance with the objects of the EP&A Act.

3.8. Environmental Planning and Assessment Regulation 2000

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

3.9. Secretary's Environmental Assessment Requirements

Concept Approval modification

Section 75W(3) of the EP&A Act provides that the Secretary may notify the proponent of the Secretary's Environmental Assessment Requirements (SEARs) with respect to the proposed modification that the proponent must comply with before the matter will be considered by the Minister. No additional requirements were issued with respect to the proposed modifications, as sufficient information was provided to the Department in order to consider the application and the issues raised remain consistent with the key assessment requirements addressed in the original SEARs.

SSD application

On 3 May 2015 the Department notified the applicant of the SEARs for the SSD application. The Department is satisfied that section 4.1 of the EIS adequately addresses compliance with the SEARs to enable the assessment of the application for determination purposes.

4. CONSULTATION AND SUBMISSIONS

4.1. Exhibition

In accordance with Section 89F of the EP&A Act and Clause 83 of the EP&A Regulation, the Department publicly exhibited the applications concurrently for 31 days from 25 May 2014 until 27 June 2014. The applications were publicly available on the Department's website and exhibited at the Department's Information Centre and at the City of Sydney Council office.

The Department also placed a public exhibition notice in the Sydney Morning Herald and Daily Telegraph on the 25 May 2014 and notified adjoining landholders and relevant State and local government authorities in writing. The Department received a total of ten submissions, comprising eight submissions from public authorities and two submissions from the general public objecting to the proposal.

The Department received a further five submissions from public authorities in response to the RtS.

The modification application was re-exhibited for 30 days from 4 June 2015 until 6 July 2015 with the amended VPA. The application was publicly available on the Department's website and exhibited at the Department's Information Centre and at the City of Sydney Council office. The Department also placed a public exhibition notice in the Sydney Morning Herald and Daily Telegraph on the 4 June 2015 and notified previous submitters and relevant State and local government authorities in writing. The Department received a total of two submissions, one from TfNSW and one from Council. No submissions were received from the general public.

Copies of the submissions may be viewed at **Appendix A**. A summary of the issues raised in the submissions is provided below.

4.2. Public Authority Submissions

A total of eight submissions were received from public authorities in response to the exhibition, with Ausgrid and the EPA raising no issues with the proposal. A further three submissions were received in response to the RtS and two in response to the re-exhibited modification application. The issues raised by the public authorities are summarised in the **Table 3** below. The issues raised have been addressed in detail in **Section 5** and/or by way of a recommended condition in the instruments of consent at **Appendix D**.

Table 3: Summary of public authority submissions

City of Sydney (Council)	
Environmental Impact Statement	<p>Council does not object to the modification and SSD proposals. However, it raised the following key issues:</p> <ul style="list-style-type: none">the proposed awning along George Street should be reduced in height to match the awning heights of neighbouring buildings, and provide adequate weather protection;the podium should present a masonry (sandstone) street wall to George and Carrington Streets to fit with the future desired character of the area;additional small scale retail/commercial tenancies should be provided to further activate Wynyard Lane;a draft VPA should be placed on public exhibition concurrently with the assessment of the proposal and the proposals not determined prior to its execution/registration;additional information is required to ensure that there is no adverse impact on heritage items;the site area and GFA calculation (including the exclusion of end of trip facilities) should be consistent with the calculation method in the Concept Approval;bicycle access points from Wynyard Lane to the basement levels should have a minimum 1.8m width; and

	<ul style="list-style-type: none"> • 3D modelling is required to verify overshadowing. <p>Council provided a list of recommended conditions, which include the following key requirements:</p> <ul style="list-style-type: none"> • a development contribution of 1% CIV should be paid to Council prior to the issue of a Construction Certificate; • a wayfinding strategy and retail/commercial signage strategy should be provided; • a public art strategy should be required in accordance with the City's Public Art policy and guidelines; and • preparation of Construction Management Plans and Construction Traffic Management Plans.
Response to Submissions	<p>Council commented that there have been positive refinements to the proposed development. However, it:</p> <ul style="list-style-type: none"> • objected specifically to the proposed awning along George Street, which it said should be reduced in height to match the awning height of neighbouring buildings and provide adequate weather protection and requested the final design be submitted to, and approved by, Council; and • reiterated the podium should present a masonry (sandstone) street wall to George and Carrington Streets, which Council considers to be the predominant characteristic of street wall facades in this precinct of the CBD and the desired future characteristic around the sandstone precinct of Bridge and George Streets.
Re-exhibition of MOD 2	<p>Council stated that it had no further comments to make on the draft VPA and modification application.</p>
Transport for NSW (TfNSW), incorporating comments from Railcorp and Roads and Maritime Services	
Environmental Impact Statement	<p>TfNSW confirmed that it has been involved in the design process for both applications and generally supports the proposal. However, TfNSW raised the following key issues:</p> <ul style="list-style-type: none"> • the interface between the development and existing transport infrastructure, including buses and future projects, has not been addressed; • an independent audit of the pedestrian modelling for pedestrian movements during construction and operation is required; • further information is required regarding construction impacts in particular the cumulative impacts arising from overlap with other projects in the Wynyard Precinct; • the applicant should agree suitable access and mitigation arrangements during construction with TfNSW that allow construction vehicle movements and bus operations to occur harmoniously; • a Construction Traffic Management and Pedestrian Plan is required; • further information is required to ensure that the operational integrity of Wynyard Station is not compromised during construction and in the long term; • details of fire safety measures are required; • details of how existing RailCorp services will be impacted on during construction and operational phases is required; • a pedestrian and traffic assessment is required to identify measures to minimise bus/pedestrian conflicts on Carrington Street during the operation phase; and • clarification and further assessment of potential environmental impacts including heritage, overshadowing, noise and stormwater management.
Response to Submissions	<p>TfNSW has reached agreement with the applicant on recommended conditions to be included should consent be granted. These conditions address TfNSW's original key issues with the proposal.</p>
Re-exhibition of MOD 2	<p>TfNSW stated that the revised public benefit offer is an improvement on the previous offer approved by the Concept Approval. TfNSW did not object to the amendments to Term of Approval A6.</p>
Sydney Water	
Environmental Impact Statement	<p>Sydney Water does not object to the modification and SSD proposals and provided the following comments:</p> <ul style="list-style-type: none"> • a section 73 Compliance Certificate must be obtained from Sydney Water; • permission is required to discharge trade wastewater to Sydney Water's sewerage

	<p>system;</p> <ul style="list-style-type: none"> • water efficient measures should be implemented onsite; and • the development should be fitted with a backflow prevention containment device.
Office of Environment and Heritage (OEH) – Heritage Council of NSW	
Environmental Impact Statement	<p>The Heritage Council does not object to the modification and SSD proposals and provided the following comments:</p> <ul style="list-style-type: none"> • a detailed heritage impact assessment should be submitted in relation to the removal of significant internal elements from Shell House; and • the heritage impact statement should include detailed discussion of potential archaeology on the site and any impacts on this archaeology.
Office of Environment and Heritage (OEH) – Regional Operations (Aboriginal Archaeology)	
Environmental Impact Statement	<p>OEH Regional Operations (Aboriginal Archaeology) does not object to the modification and SSD proposals and provided the following comments:</p> <ul style="list-style-type: none"> • the EIS should address Aboriginal cultural heritage issues; and • the methodology for excavations on site should allow for flexibility and also ensure appropriate mitigation measures.
Response to Submissions	<p>OEH Regional Operations (Aboriginal Archaeology) stated that its previous comments relating to methodology for excavation remain relevant.</p>
Sydney Airport	
Environmental Impact Statement	<p>Sydney Airport does not object to the modification and SSD proposals and noted that the proposed building height (RL 146.70 metres) is less than the maximum building height limitation set by the Federal Department of Infrastructure and Regional Development's determination (RL 159.7 metres).</p>

4.3. Public Submissions

Two public submissions were received during the exhibition of the modification and SSD applications, one from the owner of Wynyard Green, 11-31 York Street, and the other from a member of the public. The submissions are summarised below:

Wynyard Green, 11-31 York Street

- the transit hall space should be redesigned to be an open/grand space;
- excessive height and bulk of building;
- the floor space should not be increased above approved 79,370m²;
- the proposal should cause no additional overshadowing of Wynyard Park and 11-31 York Street;
- Carrington Street frontage should be set back and to continue existing covered colonnade;
- adverse impacts of closure of Wynyard Lane;
- adverse traffic impacts from additional car parking spaces; and
- noise/nuisance from the bar/restaurant proposed on top of Shell House.

Member of the Public

- the building architectural design/treatment is inappropriate and should be more iconic; and
- the building should be taller.

The Department has considered the comments raised in the public submission during the assessment of the application and has given specific consideration to the key issues raised in **Section 5** of this report.

4.4. Applicant's Response to Submissions

The applicant provided a response to the issues raised in submissions, which is included in the RtS document (**Appendix A**) and resulted in a number of minor amendments to the applications as outlined in **Section 2.2**.

The Department is satisfied that the issues raised in all submissions have been addressed through the RtS, this report and the relevant appendices of the EA and EIS.

5. ASSESSMENT

5.1. Key assessment issues

The Department has considered the modification and EIS applications, the issues raised in submissions and the applicant's RtS in its assessment of the proposals. The Department considers the key assessment issues associated with the proposals are:

Concept Approval modification:

- expansion of site;
- increase of GFA;
- built form;
- operation of Wynyard Lane; and
- public benefits.

SSD application:

- Section 79C evaluation;
- consistency with the Concept Approval;
- building height, scale and bulk;
- architectural design quality; and
- construction management and ongoing operation of Wynyard Station.

Each of these issues is discussed in the following sections of this report. Other matters were taken into consideration during the assessment of the applications and are discussed at **Section 5.4**.

5.2. Modifications to the Concept Approval

5.2.1. Expansion of site and increase of GFA

The applicant has acquired 285-287 George Street, which adjoins the northern boundary of the Concept Approval and seeks to include this site into the Concept Plan site boundary. 285-287 George Street has a site area of 420.1m² and contains an eight storey commercial building with an existing GFA of 3,080m².

The Department notes that the inclusion of 285-287 George Street in the Concept Approval site facilitates key improvements to the development envisaged for the site, including the widening of the transit hall, further articulation of the tower building envelope (cantilevered element) and provision of a retail frontage on Wynyard Lane. In light of these benefits the Department is of the view that the expansion of the site boundary is appropriate.

5.2.2. Increase of GFA

The Concept Approval allows a maximum GFA for the site of 85,296m², which equates to a FSR of 9.66:1. Term of Approval A5 divides the apportionment of GFA into two stages, with Stage 1 accommodating 79,370m² and Stage 2 accommodating 5,926m².

Noting the proposed inclusion of the additional site area of 285-287 George Street into the Concept Approval site (420.1m²), the modification seeks to increase the Stage 1 GFA by 5,251m² (refer to **Table 4**). It also proposes to update the Stage 1 GFA figure quoted in Term of Approval A5.

Table 4: Existing and proposed GFA and FSR

	Overall GFA (m ²)	Stage 1 GFA (m ²)	Stage 2 GFA (m ²)	Overall FSR
Concept Approval	85,296	79,370	5,926	9.66:1
Proposed Modification	90,547	84,621**	5,926	9.79:1
Difference +/-	+5,251	+5,251	0	+0.13:1

** Excluding end of trip facilities

The additional GFA (5,251m²) comprises:

- the existing GFA of the eight storey building at 285-287 George Street (3,080m²);
- the proposed tower building envelope and cantilevered over the existing building at 285-287 George Street and Wynyard Lane (2,171m²).

The additional GFA results in a FSR of 9.79:1 for the site (increase of 0.13:1 or 6%). The Department's original assessment noted that the SLEP allows an FSR up to 12.5:1.

Concerns were raised in a public submission that the increase of GFA is excessive.

The Department has considered the concern raised in the submission and is satisfied that the increase in GFA is acceptable, as:

- following the inclusion of 285-287 George Street into the Concept Approval site boundary, the additional GFA would not increase the site-wide FSR above the 12.5:1 SLEP maximum;
- the terms of approval, modifications and Future Environmental Assessment Requirements (FEARs) of the Concept Approval, as amended by this modification application, will ensure that the resulting development is of an acceptable overall design and amenity impact;
- the GFA will be contained wholly within the proposed modified tower building envelope (as amended) and 285-287 George Street, and the tower building envelope has been assessed as compatible with the desired future character of the area (refer to **Section 5.2.3**);
- the additional floorspace would not have an unacceptable impact in terms of traffic generation, as discussed at **Section 5.4**; and
- the exclusion of end of trip facilities from the GFA calculations is consistent with the intent of the SLEP to allow for end of trip facilities to be provided in addition to the maximum FSR permitted by the LEP.

5.2.3. Built form

The height and form of the tower building envelope was a key issue in the Department's assessment of the original concept plan. The Department concluded that the 29 storey tower building envelope (up to RL 159.7), including the podium fronting Carrington Street and a three storey building envelope above Shell House (up to RL 73.6), is consistent with the existing CBD character and would not create any unreasonable impacts.

The Concept Approval does not require any setbacks to George Street. However, the tower is setback six metres from Carrington Street to reinforce the established Wynyard Park street wall height and reduce the visual dominance of the tower component.

The proposed modification application seeks to modify the tower building envelope by expanding the eastern portion of the northern elevation northwards by eight metres between RL 53 and RL 154.92 (cantilevering over 285-287 George Street and Wynyard Lane) (refer to **Figures 7 and 12**).

Concerns were raised in a public submission that the proposal should be reduced in height so as to not cause additional overshadowing of Wynyard Park and 11-31 York Street and that the Carrington Street frontage should be set back to continue existing neighbouring covered colonnade. Separate competing comments were also received in another public submission that the proposal should be more iconic in its design and increased in height.

The proposal does not seek to alter the approved building envelope height or six metre Carrington Street setback. Noting this, the Department has assessed the proposed modification and is of the view that the proposed expansion of the building envelope over 285-287 George Street is acceptable as:

- it provides for further articulation of the northern elevation and the cantilevered element over 285-287 George Street will add visual interest, especially when viewed from George and Hunter Streets;
- it is in line with the approved line/extent of the northern building envelope that faces the southern side of Shell House (refer to **Figure 12**) and it will be set back six metres from George Street;
- it will not overwhelm the setting of 285-287 George Street (a local heritage item) and ensures that that building retains its individual architectural/historic identity;
- it would not result in a noticeable increase in bulk or scale when viewed from Carrington Street or Wynyard Park;
- the Shadow Study submitted with the application indicates that the expansion will not result in any additional overshadowing of the GPO steps / façade, Martin Place or Wynyard Park; and
- the additional GFA is consistent with the SLEP as discussed in **Section 5.2.2**.

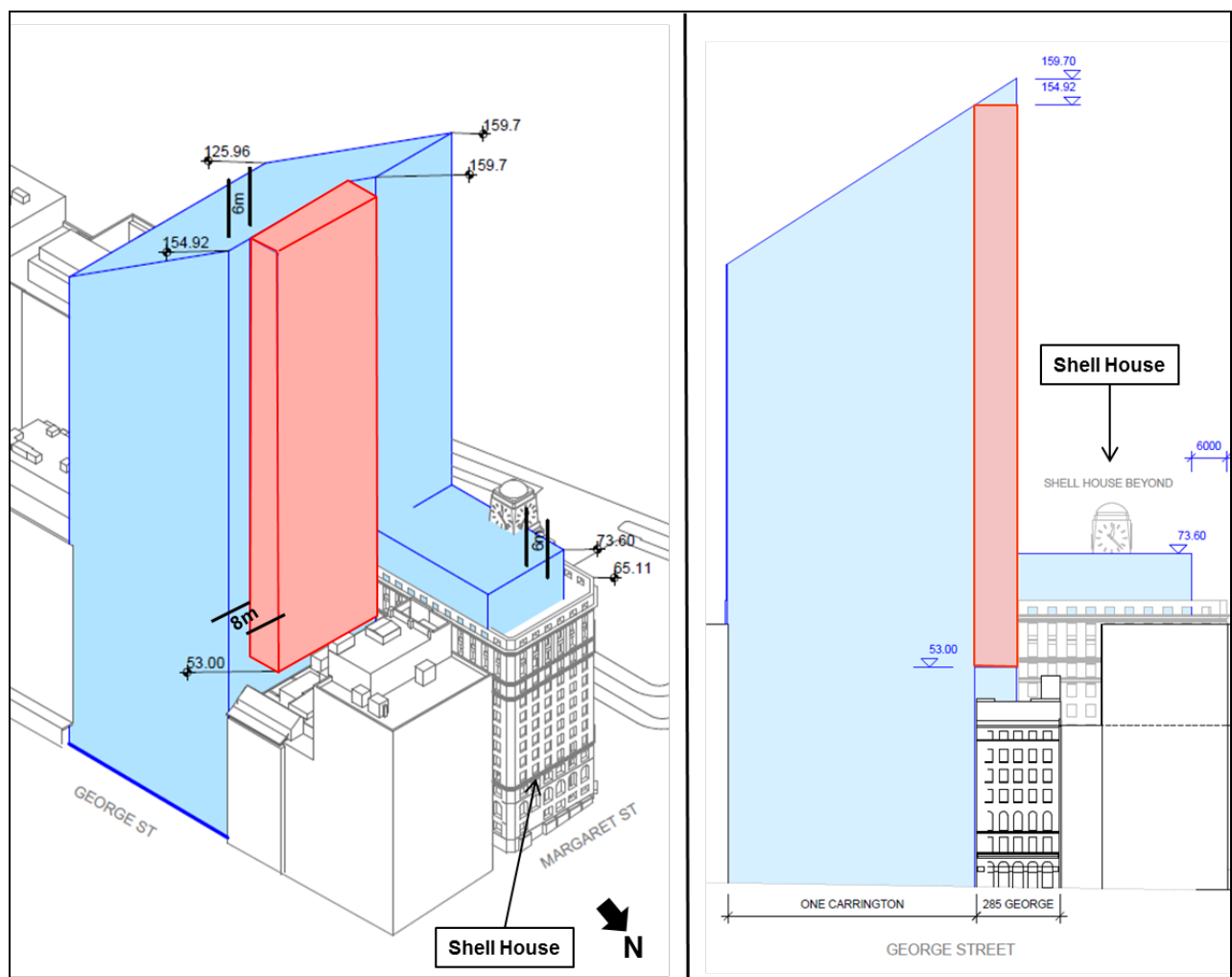


Figure 12: Diagram/elevation showing that the building envelope expansion and it is in line with the approved line/extent of the northern elevation of the Concept Approval building envelope (Base source: applicant's application)

5.2.4. Operation of Wynyard Lane

At present Wynyard Lane operates as a one-way street, with the vehicles entering from Margaret Street to the north and exiting onto Wynyard Street to the south. Wynyard Lane is five metres in

width and predominantly provides for service vehicle access to the properties fronting George and Carrington Streets and access to the Wynyard Lane public car park.

The Concept Approval allowed for the closure of the central portion of Wynyard Lane (except for emergency vehicles) located beneath the tower building envelope and conversion of the remaining two ends of Wynyard Lane into cul-de-sac two-way streets. The purpose of the closure was to allow for the provision of a full width Transit Hall and pedestrian connectivity between George Street and the Wynyard Station concourse. The closure also separates pedestrian movements within Wynyard Station concourse level from vehicles using Wynyard Lane (refer to **Figure 13**). FEAR 3 requires details of how the two remaining sections of Wynyard Lane will operate and be managed.

The proposal seeks to delete FEAR 3 and retain the operation of Wynyard Lane as an unbroken one-way street. East/west pedestrian access between George and Carrington Streets is provided via a bridge over and concourse under Wynyard Lane (refer to **Figure 13**).

Following the detailed design of the proposal and consultation with key stakeholders, including Council and TfNSW, the applicant has found that it is not possible to provide safe two-way operation of the two cul-de-sacs on Wynyard Lane. Further, as a result of the limited width, service vehicles would not be able to pass when turning into or out of Margaret Street, which would cause vehicle queuing on Margaret Street. All stakeholders therefore agreed that the retention of Wynyard Lane as a one-way street is necessary to ensure vehicle safety and prevent queuing.

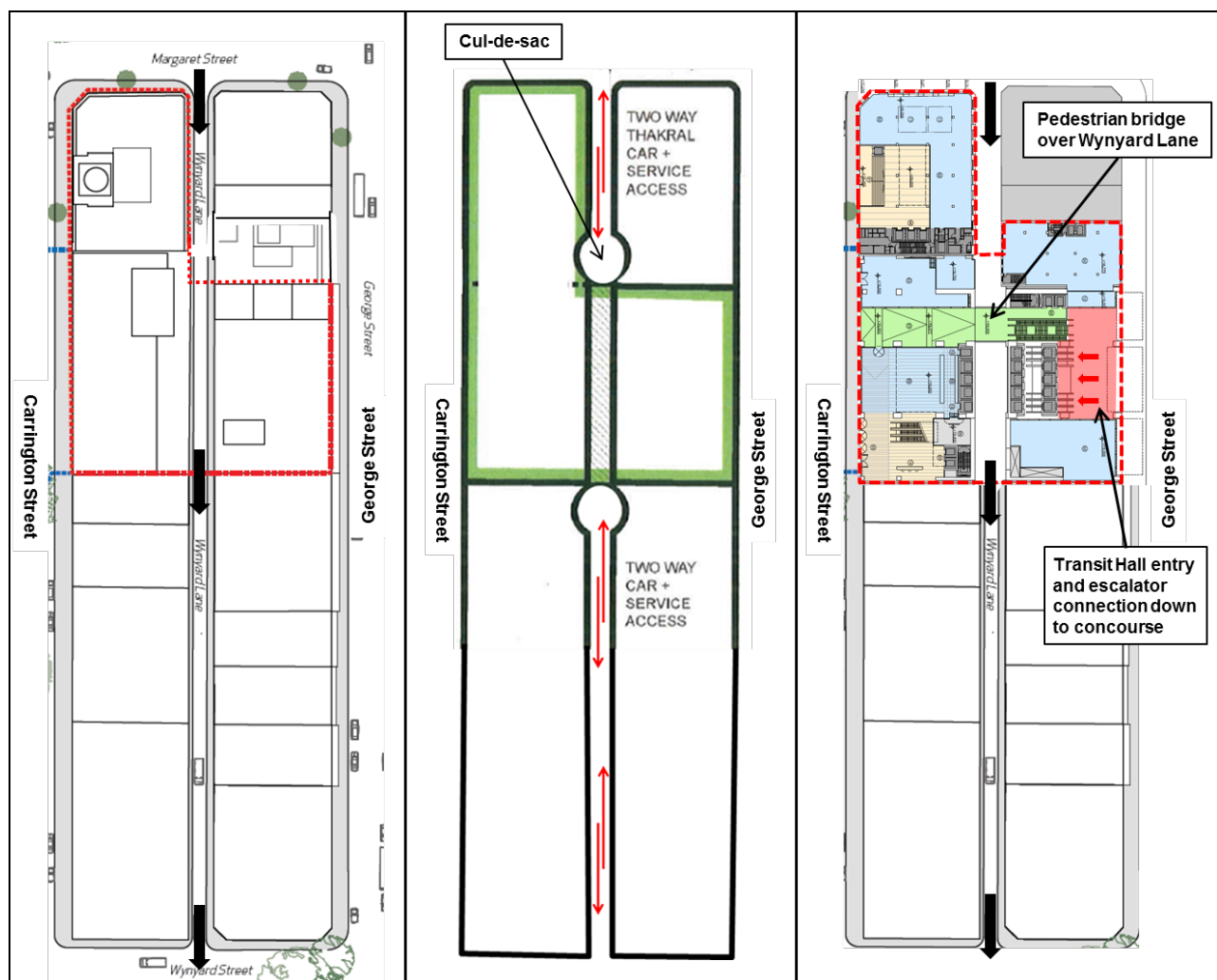


Figure 13: Existing (left), approved (middle) and proposed (right) Wynyard Lane layout and direction of traffic (Base sources: applicant's EIS and MP09_0076)

The retention of Wynyard Lane as a one-way street requires a redesigned Transit Hall and pedestrian connectivity between George and Carrington Streets. Notwithstanding this, the Department has reviewed the proposal in light of the constraints and is satisfied that the revised Transit Hall layout/design and pedestrian access to the concourse level is acceptable as:

- modelling has demonstrated that the revised Transit Hall has been designed to meet pedestrian demand for at least the next 45 years (until 2060);
- east/west pedestrian connectivity between George and Carrington Streets is maintained via the nine metre wide bridge over and concourse under Wynyard Lane, and is entirely separated from traffic;
- a pedestrian line of site is maintained through the Transit Hall between George and Carrington Streets; and
- the incorporation of 285-287 George Street allows for the George Street entrance to be enlarged, which will further contribute to the civic scale of the entrance.

5.2.5. Public benefits

Term of Approval A6 requires that prior to the determination of any future application a VPA must:

- be executed (between the proponent and TfNSW) in accordance with the statement of commitments and the commercial offer dated 2011;
- include as a minimum, the provision of a through site pedestrian transit hall; and
- include as a minimum, the resolution of the detailed design of the transit hall (in consultation with TfNSW).

The approved Statement of Commitments and commercial offer outline that the applicant will provide a new through site link and associated public infrastructure works to an equivalent value of \$20 million and a payment of \$18.5 million towards works within the Wynyard Station Precinct.

The applicant has confirmed, following the detailed design of the development and negotiations with TfNSW, a revised public benefit offer has been agreed. The agreement retains the intent of the Term of Approval A6, however, the financial contribution referenced in the 2011 offer has been redistributed in the applicant's revised offer to the State. This is reflected in the VPA between the applicant and TfNSW that was executed on 7 September 2015. The executed VPA requires the applicant to fund the construction of the Transit Hall and ancillary public infrastructure (at no cost to the government) and to cover 100% of the operational and maintenance expenses for the Transit Hall and ancillary public infrastructure in perpetuity.

The proposal therefore seeks to revise Term of Approval A6 and the Statement of Commitments to reflect the executed VPA.

The Department notes that the executed VPA and overall development of the site will deliver the following key economic and social benefits:

- creation and maintenance of a new contemporary eastern entry and associated Transit Hall;
- improved access to the station, including a minimum 27.7 metre access width from George Street;
- reducing crowding and increasing access capacity (to meet Wynyard Station requirements to 2060); and
- improved station amenities and patronage of public transport as a result of the improved access and amenity and associated general reduction in road congestion.

TfNSW has confirmed that the revised public benefit offer is an improvement on the 2011 offer referenced in the Concept Approval.

Noting the above, and as TfNSW has agreed to the content and nature of the VPA, the Department supports the revisions to Term of Approval A6 and the Statement of Commitments to reflect the executed VPA.

In addition to the public benefits discussed above, the applicant is also required to pay a \$3.5 million development contribution (1% of CIV) to Council in accordance with Section 61 of the *City of Sydney Act 1988*.

5.3. State Significant Development Application

5.3.1. Section 79C Evaluation

Table 5 identifies the matters for consideration under Section 79C of the EP&A Act that apply to State significant development. The table represents a summary for which additional information and consideration is provided for in further sections of the report, relevant appendices or the EIS.

Table 5: Section 79C(1) Matters for Consideration

Section 79C(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies - see Appendix B
(a)(ii) any proposed instrument	Not applicable
(a)(iii) any development control plan	Not applicable *
(a)(iia) any planning agreement	Refer to Section 5.2.5
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The development application satisfactorily meets the relevant requirements of the Regulation, including the procedures relating to Development Applications (Part 6 of the Regulations), public participation procedures for State Significant Developments and Schedule 2 of the Regulation relating to environmental impact statements.
(a)(v) any coastal zone management plan	Not applicable
(b) the likely impacts of that development	Appropriately mitigated or conditioned - refer to Section 5 of this report.
(c) the suitability of the site for the development	Suitable as discussed in Sections 3 and 5 of this report.
(d) any submissions	Refer to Sections 4 and 5 of this report.
(e) the public interest	Refer to Section 5 of this report.
Biodiversity values exempt if: (a) On biodiversity certified land (b) Biobanking Statement exists	Not applicable

* Under clause 11 of the SRD SEPP, development control plans do not apply to state significant development. Notwithstanding, consideration of relevant controls has been given in **Appendix B**.

5.3.2. Consistency with the Concept Approval

The Concept Approval sets out a number of requirements and parameters for future applications in developing the One Carrington site.

As discussed in **Sections 5.2** above, the Department is concurrently considering a modification request to the Concept Approval, with this SSD application. The modification application seeks approval to increase the GFA on the site and modify the building envelopes to facilitate this application.

In this regard, the Department considers it appropriate that the SSD application be assessed in accordance with the Department's final recommendations for the proposed modification application to the Concept Approval. The Department's assessment is set out in detail at **Appendix C**.

An assessment of the key relevant requirements for the site is provided below and includes:

- building height, scale and bulk; and
- architectural design quality.

5.3.3. Building height, scale and bulk

The building envelope (as modified) allows for a maximum 29 storey tower (RL 159.7), with no setback at George Street, a six metre setback above podium level fronting Carrington Street and an eight metre cantilevered component setback six metres from George Street. The building envelope also includes a three storey (RL 73.6 metre) roof extension to Shell House.

The application proposes a 27 storey tower, plus plant levels / roof feature (maximum RL 146.7 metres) and roof extension to Shell House (RL 71.24 metre). Both elements are wholly contained within the modified building envelope, as shown in **Figure 14**.

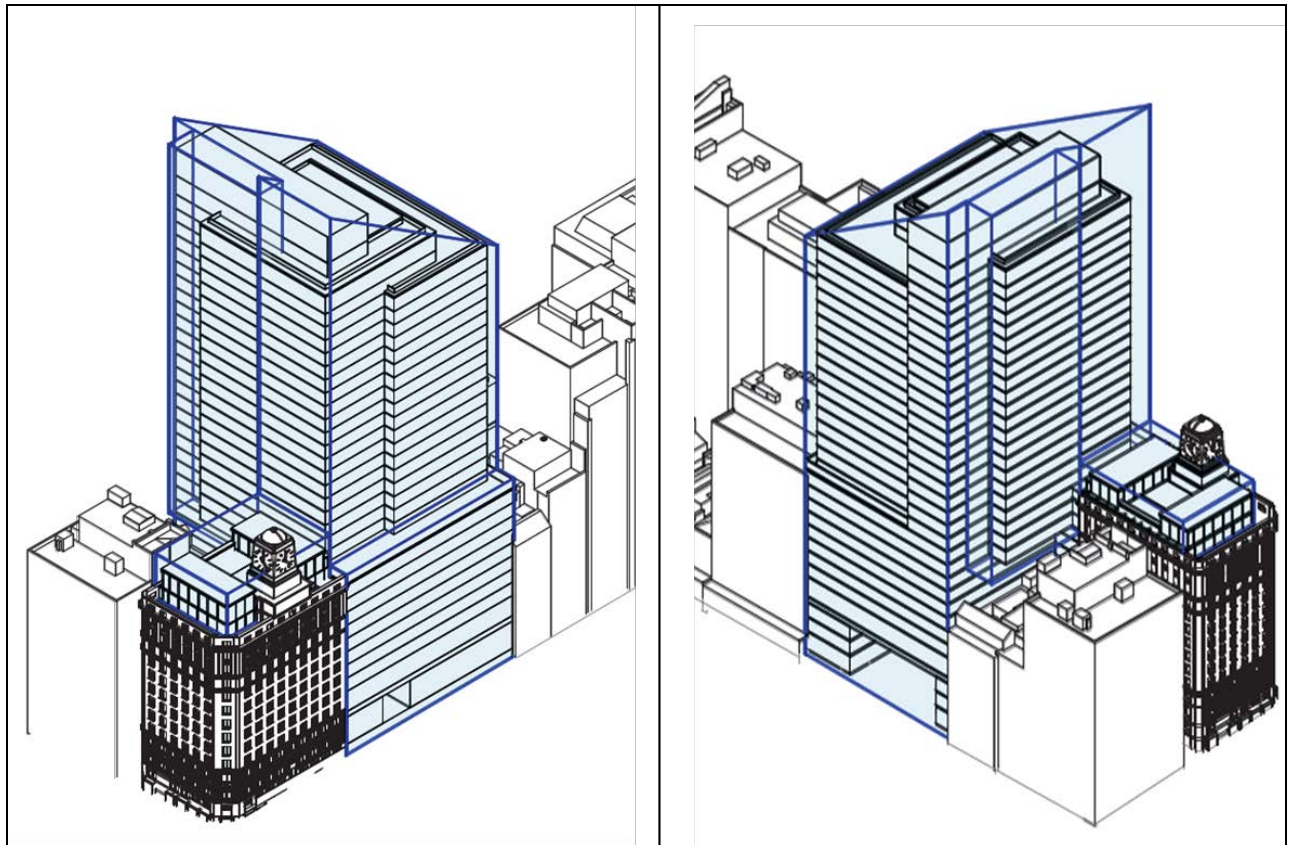


Figure 14: Proposed building is contained wholly within the building envelope, Carrington Street frontage (left) and George Street frontage (right) (Source applicant's EIS)

Concern was raised in a public submission that the proposed tower building was too tall and bulky.

The Department considers that the building bulk, scale, setbacks and articulation of the podium and tower is appropriate as it is wholly contained within the Concept Approval building envelope (as amended), which has been assessed as compatible within the CBD urban context and the unique circumstances of the site (i.e. its principal use as a transport interchange). Furthermore:

- the podium fronting:
 - Carrington Street matches the height of the parapet of Shell House (consistent with modification B2) and therefore reinforces the established human scale of the Carrington Street street wall and appropriately frames Wynyard Park; and
 - George Street is one storey taller than the neighbouring building at 315-323 George Street, which is appropriate given that George Street is characterised by a varied street wall height;
- the tower component is:

- appropriately modulated by the inclusion of setbacks, a cantilevered component, varied heights and the inclusion of a feature roof element. The modulation successfully breaks up the bulk and scale of the elevations; and
- setback six metres from Carrington Street (in accordance with modification B2), reinforcing the primacy and importance of the street wall;
- the two storey roof extension to Shell House is not overbearing and will not adversely impact the historic character of Shell House. The extension is sympathetically setback six metres from Carrington and Margaret Streets and is no taller than the base of the Shell House clock therefore ensuring the clock remains the dominant roof feature of Shell House; and
- the architectural design of the development achieves design excellence as discussed in **Section 5.3.4**

5.3.4. Architectural design quality

The architectural design quality of the proposed building is considered to be another critical component in the Department's assessment of built form. The Department concluded as part of its assessment of the Concept Plan that the future development must provide an appropriate overall external appearance and that the Transit Hall should provide a functional, high quality and distinct entrance to Wynyard Station. Consequently, the Concept Approval requires that the building be subject of a design competition, achieve design excellence and that the Transit Hall meet minimum requirements relating to its width, depth and height and pedestrian capacity.

In this regard, the Department considers the two key issues are:

- External appearance; and
- Transit Hall design

External appearance

Design excellence

The applicant held a competitive design excellence process to select the architect for the development in accordance with the requirements of FEAR 1 of the Concept Approval. The proposed development has been designed by the winning architect Make (London) in conjunction with Architectus Sydney. The design jury selected the scheme put forward by Make architects based on the quality of the tower composition and façade treatments, openness and connectivity of the Transit Hall and its sympathetic consideration of Shell House.

The Department notes that the George and Carrington Street podium elevations are each divided into three vertical bays of varying width and the elevations of the tower above are each divided into two vertical, unequal parts. The upper part of the podium and the same tower elevations are both clad in a full height glazed curtain wall and articulated with bronze coloured anodised aluminium vertical fins that project either 100mm or 300mm from the face of the curtain wall (refer to **Figures 8, 9, 11 and 15**).

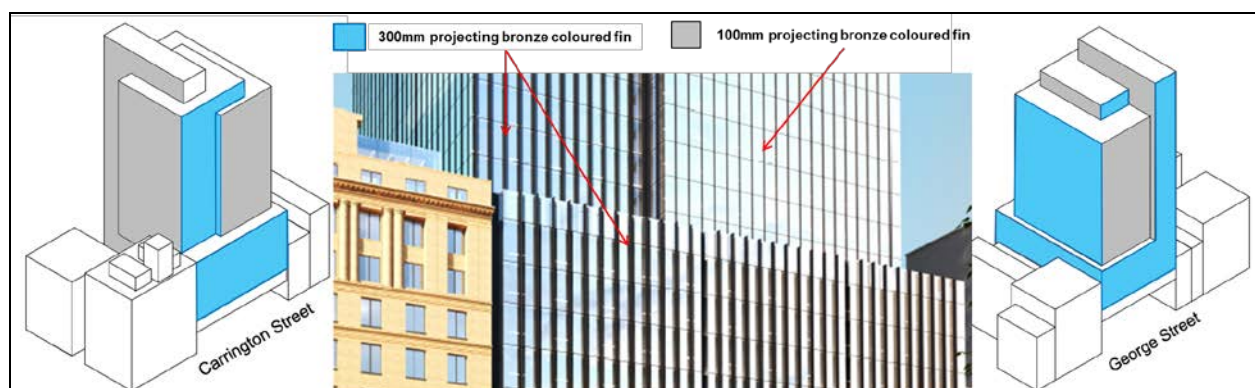


Figure 15: Architectural design of the George and Carrington Street tower elevations (Base source: applicant's EIS and RtS)

The Department considers that the architectural design of the development is of a high standard, consistent with the winning design, and achieves design excellence as:

- the tower building displays a unique architectural identity that will create a landmark for this prominent and important site;
- the elevations have been appropriately articulated through the use of setbacks, varied heights and a cantilevered element;
- the use of vertical fins emphasises the verticality of the elevations and the varied depth of the fins (100mm and 300mm) provide contrast across the facades; and
- the heritage listed Shell House and 285-287 George Street will be respectfully refurbished and incorporated into the broader development.

Podium street wall architectural treatment

Council has stated that it considers that sandstone and masonry are the predominant characteristic of street wall facades in this precinct of the CBD and the desired future characteristic around the sandstone precinct of Bridge and George Streets. Consequently, Council recommended that the podium be redesigned to include masonry and/or sandstone street walls fronting George and Carrington Streets.

The Department has considered Council's recommendation and notes that this design outcome has been achieved as a result of a competitive design process consistent with the best practice approach for major development projects. It also maintains the view that the architectural language of the podium is integrated with that of the tower above and the inclusion of sandstone and/or masonry would disturb this relationship to the detriment of the overall design and appearance of the building. Further, the proposed podium form and materials are considered appropriate as:

- the use street wall materials that are visually different from existing neighbouring buildings will assist in creating a readily identifiable visual marker for the George Street and Carrington Street entrances to Wynyard Station;
- the development has acknowledged and responded to the character and appearance of the immediate area through the proportions of the podium (in terms of its height and division into three bays of varying widths). This design approach is considered to appropriately integrate the development into the existing streetscapes;
- the modern design of the podium elevations do not compete with, or attempt to replicate the heritage qualities of the historic sandstone and masonry facades of the heritage items (Shell House and Lisgar House) fronting Carrington Street;
- other than the ground floor level of 285-287 George Street, there are no sandstone clad buildings within the immediate vicinity of the George Street podium elevation; and
- the use of light-weight materials will provide a successful contrast to the heavy appearance of the masonry and concrete cladding of neighbouring buildings on George Street and will emphasise the site as point of reference for Wynyard Station.

George Street awning

The proposal includes a 9.1 metre high metal/glazed awning that spans the full width (three bays) of the podium fronting George Street (refer to **Figures 9 and 16**).



Figure 16: Proposed George Street awning as viewed from the eastern side of George Street (Source: applicant's EIS)

Council objected to the proposed double storey height of the awning stating that the it should be lowered in height to:

- relate better to the adjoining buildings and predominant streetscape character; and
- provide effective wind and rain weather protection.

Council requested that the Department impose a condition that requires that the final awning design be endorsed by Council.

The applicant considers that the proposed awning is appropriate as it will act as a marker for the entrance of Wynyard Station, provide adequate weather protection and its 9.1 metre height allows for an unobstructed view from the lower concourse levels.

The Department notes that Council's DCP states that awnings should be between 3.2 and 4.2 metres above the pavement, provide continuity in appearance with adjacent awnings and maximise weather protection to the Department for approval.

The existing entrances to Wynyard Station on George Street are covered by a (approximately) 3.2m high awning (refer to **Figure 17**). As the awning is generally consistent with the neighbouring property to the south in terms of height and materials, the entrances to Wynyard Station are significantly understated and not readily identifiable as the principal entrances to one of Sydney's most important railway stations.

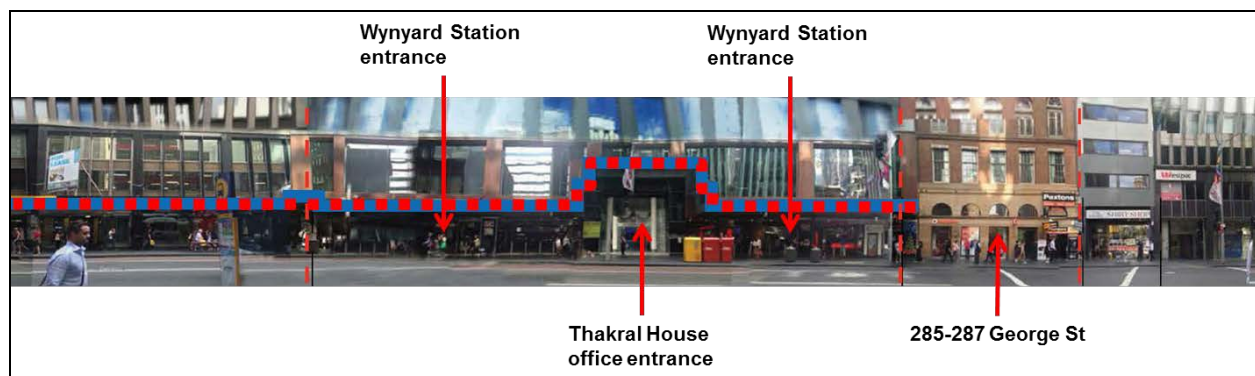


Figure 17: The existing ground and first floor George Street elevation, the line of existing awnings shown as blue/red dashes (Base source: applicant's EIS)

The Department notes that there are presently no awning structures along George Street immediately to the north of the station entrance and no new awning is proposed to the 285-287 George Street heritage elevation. The awning above the Thakral House office entrance is approximately 6.5m in height and the awnings to the south of the site are approximately 3.2m in height.

The Department considers that the proposed deviation of the awning height from the predominant streetscape character to the south is warranted given that the awning will announce the principle station entrance with a uniquely identifiable architectural expression and is consistent with the internal scale of the Transit Hall. Further, the height and design of the awning is integrated into, and visually complements, the overall design of the George Street podium. The Department considers that an awning should not be provided to 285-287 George Street façade as such an addition would be out of keeping with the architectural language/style of this heritage item and is therefore likely to adversely affect its special historic interest.

The Department has considered Council's concerns but is of the view that lowering the height of the awning to match neighbouring awning height would disrupt the vertical proportions of the three podium bays and lessen the perceived height and civic nature of the Transit Hall entrance. Consequently, the Department considers that the proposed 9.1 metre awning provides a more

desirable outcome from an urban design perspective. Notwithstanding this, the Department agrees that the overall height and/or design of the awning should be further considered in terms of its capability to provide an adequate level of weather protection from wind and rain. Consequently, the Department recommends a condition requiring the submission of the weather protection details of the awning and if necessary amendments to the awning design to address weather protection.

Shell House roof extension

The Concept Approval allows for a roof extension of up to RL 73.6 across the top of Shell House that is setback six metres from both the Carrington and Margaret Street Shell House elevations. The roof extension will be visible from Wynyard Park and in long views along Hunter Street.

The proposal includes the provision of a two storey (RL 71.24) roof extension above Shell House, which wraps around the sides and rear of the Shell House clock and is setback six metres from the Carrington and Margaret Street frontages.

The Department initially raised concern that despite its external glazed design, the solid / non-transparent nature of the proposed southern rear elevation of the extension (the south eastern corner) may visually compete with the Shell House clock when viewed from Hunter Street.

In response to the concern raised the applicant has amended the internal layout of the extension to ensure that the southern elevation is unobstructed and transparent (refer to **Figure 18**).



Figure 18 The rear elevation of Shell House and the proposed roof top pavilion as seen above the roof of 285-287 George Street (Source: applicant's EIS)

The Department considers that the amendment addresses the concern raised and the lightweight and transparent nature of the extension will have an acceptable and respectful relationship to Shell House and the Shell House clock.

Transit hall design

The design of the transit hall including the through site link between George Street and Carrington Street was a key consideration in the Department's assessment of the original Concept Plan. The Department concluded that the Concept Approval presented an important opportunity to provide a clearly identifiable station address, east-west sightlines through the precinct and improved pedestrian circulation and movement. The key dimensional requirements of the Concept Approval include a minimum George Street entrance width of 20 metres, depth of 9.8 metres and height of 13 metres (refer to **Table 6**).

The Department notes, when compared to the Concept Approval that there have been a number of key changes, which have impacted the internal design of the transit hall, including:

- retention of Wynyard Lane as a one way street and provision of a pedestrian bridge over the retained, operational Wynyard Lane (as discussed in **Section 5.2.4**); and
- the infill of the void area between Carrington Street and Wynyard Lane at the Carrington Street level;
- the inclusion of 285-287 George Street; and
- the part removal, part reduction of the mezzanine office level.

As a result the proposed Transit Hall and through site link exceeds the minimum entry widths established by the Concept Approval at both the George Street and Carrington Street entrances and meets or exceeds the dimensions in other areas as outlined in **Table 6** and **Figures 10, 19 and 20** and.

Table 6: Comparison between the approved and proposed dimensions

Dimension	Concept Approval	Proposal	Difference +/-
George St entry width	20m	27.7m	+7.7m
Carrington St pedestrian entry width	2.5m (stair) 4m (escalator)	9m	+2.5m
Unobstructed George St entry depth	9.8m	15m	+5.2m
George St internal height	13m	13m	0
Carrington Street internal height	8m	8m	0

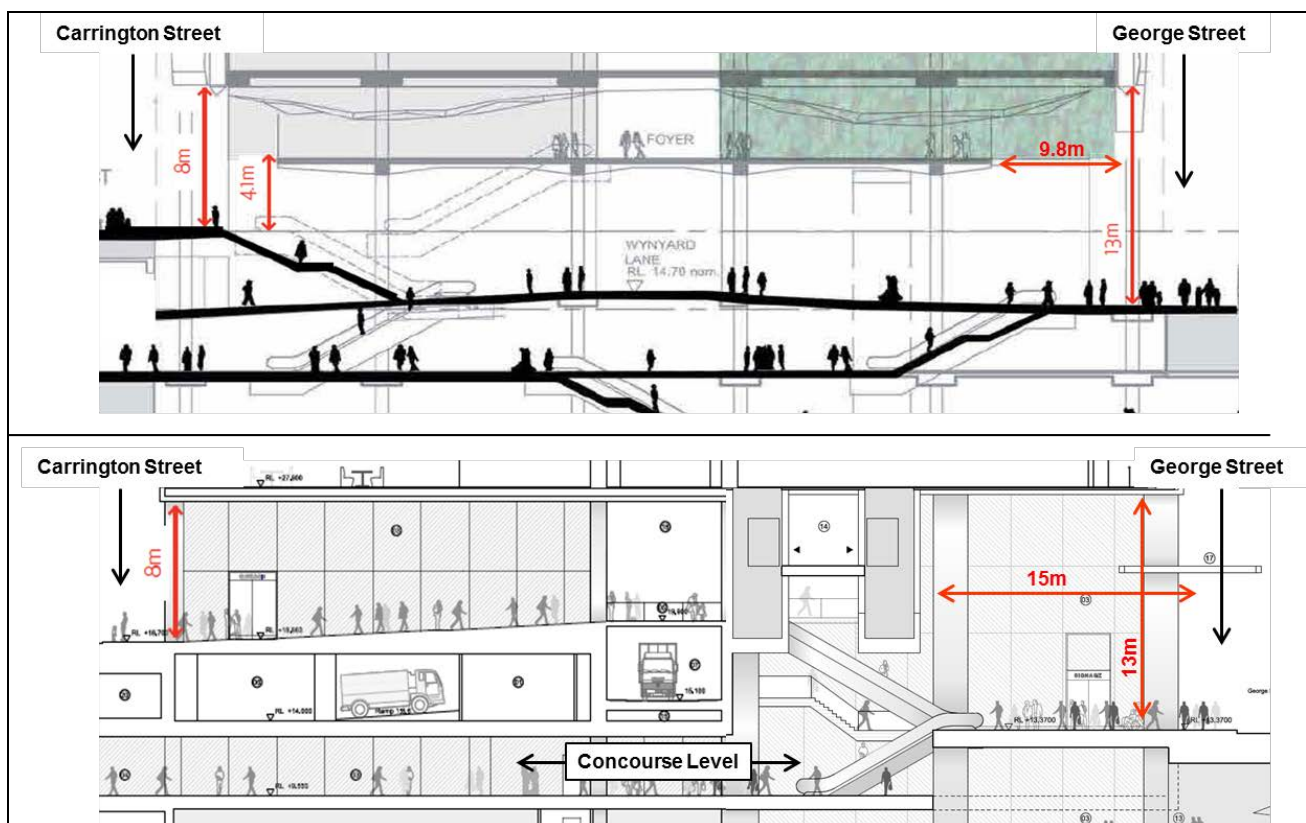


Figure 19: Approved (top) and proposed (bottom) height of transit hall and through site link (Base source: applicant's RtS)

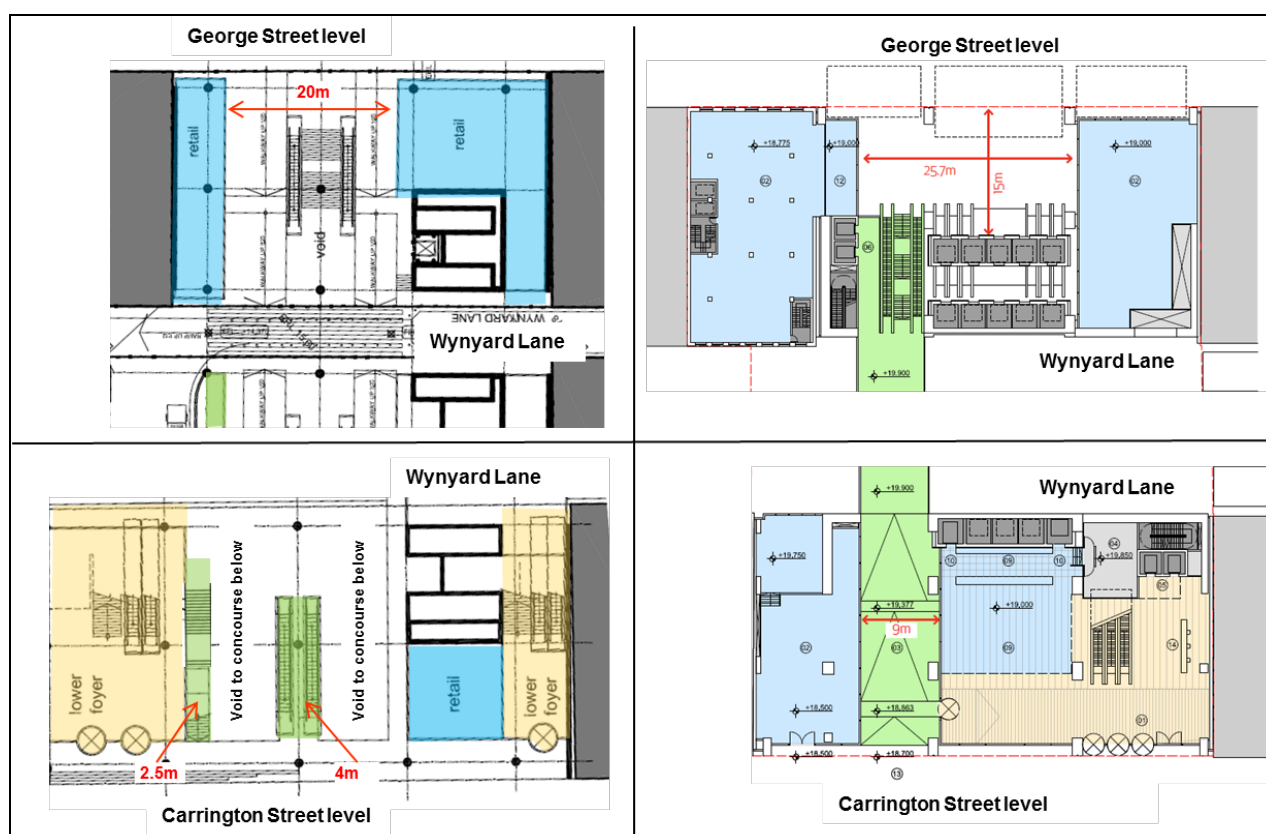


Figure 20: Approved (left) and proposed (right) layout of the transit hall and through site link. Through site link pedestrian area highlighted green, retail blue, office yellow (Base source: applicant's RtS)

Notwithstanding the above noted dimensions, concerns were raised in a public submission that the Transit Hall space should be redesigned to be more open/grand.

The Department notes that the Transit Hall has been designed to be fully architecturally and spatially integrated into the development as a whole and contributes to the proposal achieving design excellence.

Overall, the Department concludes that the proposed Transit Hall will provide a high quality distinct entrance to Wynyard Station and pedestrian connections through the site as:

- the dimensions of the Transit Hall either meet or exceed minimum requirements (refer to **Table 6**);
- the George Street entrance is of sufficient height, width and depth to provide a space with a civic scale and creates a worthy entrance space for one of Sydney's busiest train stations;
- pedestrian modelling has demonstrated that the Transit Hall will have sufficient capacity to meet pedestrian demand for at least the next 45 years (until 2060);
- the increase of the unobstructed depth and width of the George Street entrance allows for more space for congregation, waiting and meeting at the entrance of the station;
- the reduction of the office mezzanine level has increased the depth of the George Street entrance by 5.2 metres, which reinforces the actual and perceived height and scale of the space;
- although the retention of Wynyard Lane as an operational one-way street results in the infill of the void space between Carrington Street and Wynard Lane:
 - it does not diminish the architectural impact and pedestrian experience of the space;
 - a through site link between George and Carrington Street (through the transit hall) is still provided, and consolidated into a generously sized (nine metre) thoroughfare;
 - pedestrians standing at the George Street and Carrington Street entrances will still have a line of sight through to the opposing entrance (refer to **Figure 21**);

- the total separation of Wynyard Lane from the concourse level improves pedestrian and vehicular safety; and
- the retention of Wynyard Lane as an operating one-way street is unavoidable as discussed in **Section 5.3.4**.
- the material composition of the Transit Hall comprises bronze-finish anodised framing, glazing, nickel/bronze finish to the suspended lift cores. Collectively the materials will reinforce the openness and grandeur of the space;
- the George Street entrance and the through site link will be paved with granite pavers to match the City of Sydney's street paving and to reinforce the public/civic nature of the space;
- the building achieves design excellence as discussed in **Section 5.3.4**; and
- the design of the transit hall and the George Street entrance are consistent with the approved Design Criteria for the site.



Figure 21: View from the footpath outside the George Street entrance through to Carrington Street (Source: applicant's RtS)

5.3.5. Concept Plan Design Criteria

The Concept Approval adopted 'Concept Plan Design Criteria', which support the approved building envelope parameter plans and form the basis for assessment of future development on the site. The Design Criteria address key matters relating to building design, articulation, materials, public domain, car parking, access and sustainable design.

Modification B1 requires that the Design Criteria be amended to reflect the setbacks to Carrington Street and other changes required by the Concept Approval (as amended by the Commission) and that the amendments be submitted for approval prior to the determination of any future application on the site.

The Department notes that the applicant has submitted amended Design Criteria as part of the EIS and the revised Design Criteria have incorporated the changes required by modification B1. As discussed in **Section 5.3.4** the proposed building is of a high standard of design and is considered to achieve design excellence.

Given that the Design Criteria have been appropriately amended as part of the EIS and the proposal generally satisfies the recommendations of the Design Criteria, the Department considers that the requirements of modification B1 have been met. The Department recommends

therefore that modification B1 be amended to delete the requirement for amended Design Criteria to be submitted for approval.

5.4. Construction management and ongoing operation of Wynyard Station

There is currently significant pedestrian circulation through and around the site in association with the operation of Wynyard Station and the CBD more generally. Construction management and the ongoing operation of Wynyard Station was therefore a key issue in the Department's assessment of the original Concept Plan. The Concept Approval outlines requirements for the submission of a construction management plan (FEAR 4), and safeguarding of the operational integrity of services (FEAR 6) to ensure that the construction would not jeopardise the ongoing operation of Wynyard Station.

The proposal has been accompanied by a Construction Management Plan (CMP) in accordance with FEAR 4. The CMP demonstrates that the construction of the proposed development would not have an adverse impact on key matters including pedestrian movement through or around the site, Wynyard Station rail and back of house operations, emergency egress, the operation of the bus network (particularly around Wynyard Park), the Light Rail construction project or future operation. The proposal has also confirmed that the operational integrity of the utility services in the area surrounding the station interface will not be affected as a result of the proposal.

The Department notes that the applicant has been working closely with TfNSW to ensure that the proposed construction methodology and impact is minimised and both parties have reached agreement on the requirements to address and mitigate the likely impacts of construction.

In light of the above, the Department considers that appropriate measures will be put in place to ensure that the proposed construction can be carried out without adverse impacts on the ongoing operation of Wynyard Station. The Department recommends the inclusion of TfNSW's recommended conditions (which have been agreed between TfNSW and the applicant).

5.5. Other issues

5.5.1. Heritage Floor Space

Council has applied a heritage floor space (HFS) scheme to central Sydney, which is established by the planning controls in the SLEP (clauses 6.10 and 6.11) and the Council's DCP (section 5.1.9). The purpose of the HFS scheme is to provide an incentive for the conservation and ongoing maintenance of heritage items in central Sydney by allowing owners of heritage listed buildings to sell unused development potential from their site (known as HFS) to a site that requires it (as part of a development application) to increase its FSR above the maximum site allowance stipulated by SLEP.

The EIS as originally exhibited indicated that the development would acquire heritage floor space to address the offset requirements of clause 6.11 of the SLEP. However, following further review of the proposal, the applicant has confirmed that it will no longer seek to acquire heritage floor space as clause 6.11 of the SLEP does not apply to the SSD application (given the floor space approved by the Concept Plan).

The Department is of the view that the proposal does not need to acquire heritage floor space, as:

- the Department assessed the GFA on its merits as part of the original Concept Plan application and concluded that it was acceptable having regard to height, design excellence, ESD and the unique circumstances of the site (i.e. its principal use as a transport interchange);
- the Concept Approval is a transitional Part 3A project, which continues to have effect and the provisions of the SLEP do not have effect to the extent of any inconsistency; and

- the site provides significant public benefits, including a VPA executed between the applicant and TfNSW and a section 61 contribution (condition A9).

5.5.2. Car parking

The proposal seeks to amend modification B3 to provide an increase of eight car parking spaces (from 81 to 89 spaces).

Concerns were raised in a public submission that the additional eight car parking spaces would have a detrimental traffic impact.

The inclusion of 285-287 George Street and the expansion of the tower building envelope (cantilevered over 285-297 George Street and part of Wynyard Lane) results in an overall increase of 5,251m² GFA. The Department notes that a maximum of eight car parking spaces are permitted by the SLEP for the additional GFA.

The Department considers that the proposed increase of eight car parking spaces would not cause unacceptable traffic impacts as:

- the increase is consistent with the maximum car parking controls of the SLEP;
- the Transport Impact Assessment submitted with the application has confirmed that the proposed development would generate approximately 137 vehicles per hour (vph) during peak periods, which is 76vph less than the current level traffic generated by the Menzies Hotel; and
- all car parking will be wholly contained within the dedicated multi-level basement car park accessed from Wynyard Lane.

The application seeks to amend modification B3 to take account of the change in the maximum car parking provision for the site. However, the Department considers that it would be better to cite the car parking rate within a new FEAR and recommends that modification B3 be deleted.

5.5.3. Traffic light system and access from Wynyard Lane

The Department and TfNSW raised concern that the initially proposed traffic lights on Wynyard Lane at the basement entrance would result in significant vehicular queuing that would disrupt the free flow of traffic on surrounding roads.

In response to this concern, the applicant has proposed an amended approach to traffic management, which now omits traffic lights from Wynyard Lane and restricts entry and exit via the southern and northern driveways respectively (refer to **Figure 22**). A traffic light system would operate within the basement to safely control vehicular movements within the basement and particularly up/down the circular ramp that connects all basement levels.

The Department is satisfied that the amended vehicular access arrangements and internal traffic light system are acceptable. The Department recommends a condition that requires the development to implement the amended access arrangements as proposed.

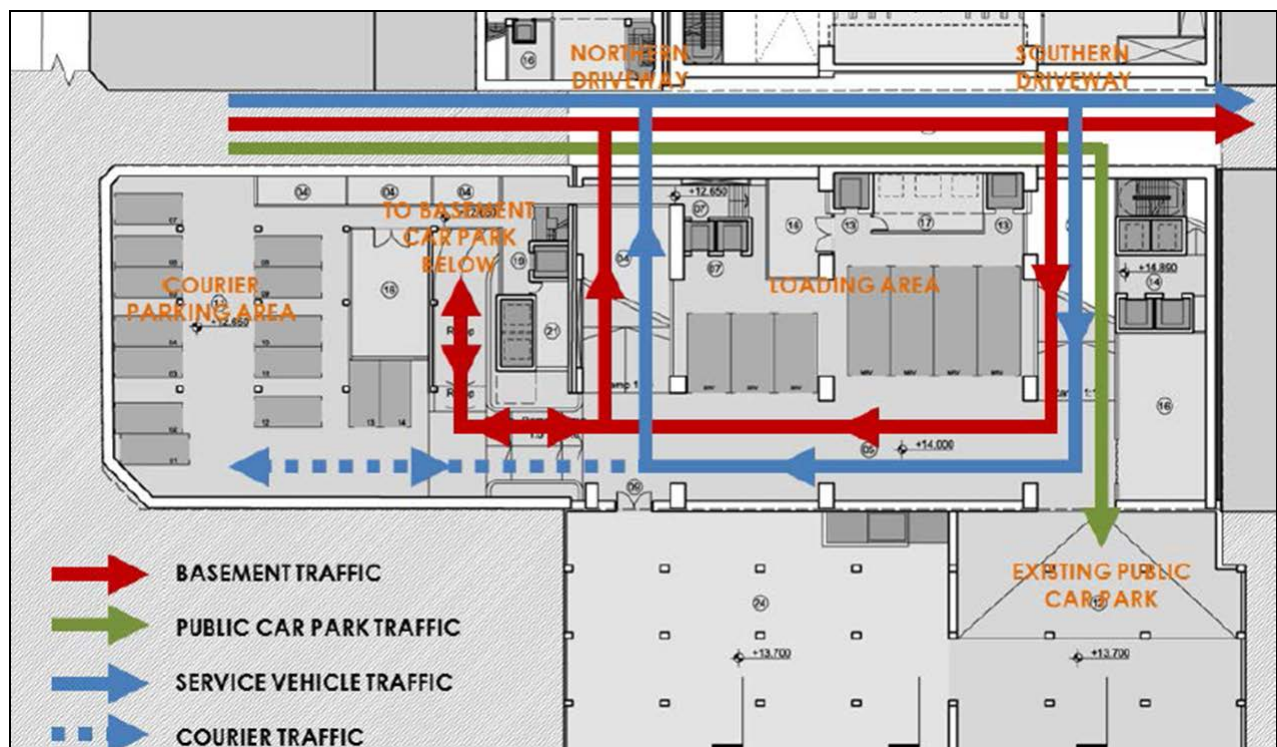


Figure 22: Amended vehicular access arrangement to the proposed basement from Wynyard Lane (Source: applicant's updated RtS)

5.5.4. Retail activation of Wynyard Lane

Council has recommended that the proposal should maximise pedestrian permeability and street level activation of the part of Wynyard Lane within the site.

The applicant has stated that the development optimises activity and animation at Wynyard Lane through the inclusion of two retail frontages and the proposal's service access requirements. In addition, to supplement lane level activity, active uses are provided overlooking Wynyard Lane at first floor level and above (refer to **Figure 23**).

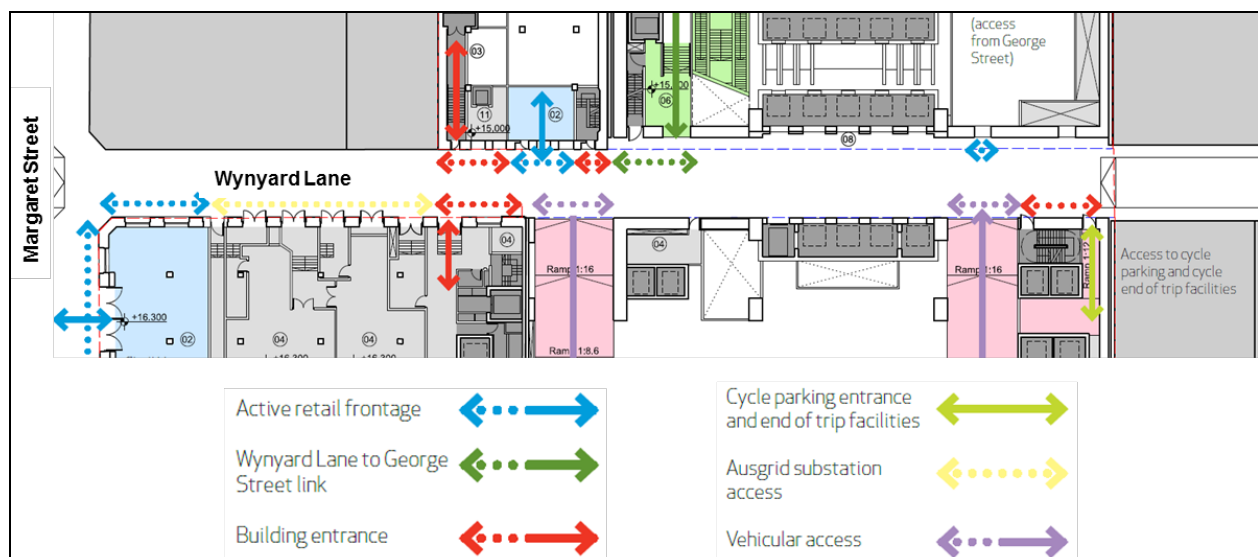


Figure 23: Activation/animation of Wynyard Lane (Source: applicant's RtS)

The Department notes that the Transport Impact Assessment submitted with the application has confirmed that subject to further consultation with TfNSW, Wynyard Lane will be converted into a shared zone including beautification and traffic calming measures.

The Department is of the view that the inclusion of two retail frontages to Wynyard Lane will provide a sufficient amount of street level activation, particularly given the lane's primary function (both within and outside the site) as a service/access road. Furthermore, the conversion of Wynyard Lane into a shared zone may encourage other neighbouring properties with frontages to Wynyard Lane to also provide additional street level activation.

5.5.5. Noise

Concern has been raised in a public submission regarding the potential for noise impact from the Shell House roof top restaurant/bar.

The proposal seeks approval for the construction of the Shell House roof top pavilion and future use as a restaurant/bar. The fit-out and operation of the proposed restaurant/bar will be the subject of separate future development application.

The Department notes that the proposed roof top pavilion has two external terraces. One terrace is located within the six metre setback from Carrington and Margaret Streets and the other is located behind the Shell House clock plinth.

The Department is of the view that the proposal would not result in undue noise nuisance as:

- the terrace fronting Carrington/Margaret Street is located behind the existing sandstone parapet of Shell House, which will act as a buffer to noise;
- the terrace located behind the Shell House clock plinth is enclosed on all four sides, which will direct any noise upwards rather than outwards;
- the development will be operated in accordance with the Acoustic Assessment submitted with the application;
- there are no sensitive receivers (residential and the like) nearby the site; and
- potential noise impacts will be considered in detail as part of the future development application for the fit-out and operation of the roof top restaurant/bar.

5.5.6. Signage zones

The proposal includes the provision of six illuminated business identification signage zones comprising:

- two signage zones (3.4m x 11.5m) at roof level of the east and west elevations;
- two signage zones (3.4m x 16.6m) at roof level of the north and south elevations; and
- two signage zones (500mm x 3m) above each of the entrances to retail tenancies fronting George and Carrington Streets.

The Department notes that a SEPP 64 compliance schedule has been submitted with the application, which indicates that the future signs will be consistent with the design and siting criteria of SEPP 64.

The Department is of the view that the scale of the signage zones is acceptable within the overall context of the building and notes that the proposed signage zones are appropriately located within the façade of the building.

The Department has considered the principle of the proposed signage zones and considers that future signs will be capable of being appropriately positioned, proportioned and integrated into the design of the building and are therefore acceptable.

The Department recommends conditions confirming that separate approval is required for any future signage to be located within the approved signage zones and that the future signage is appropriately designed and maintained.

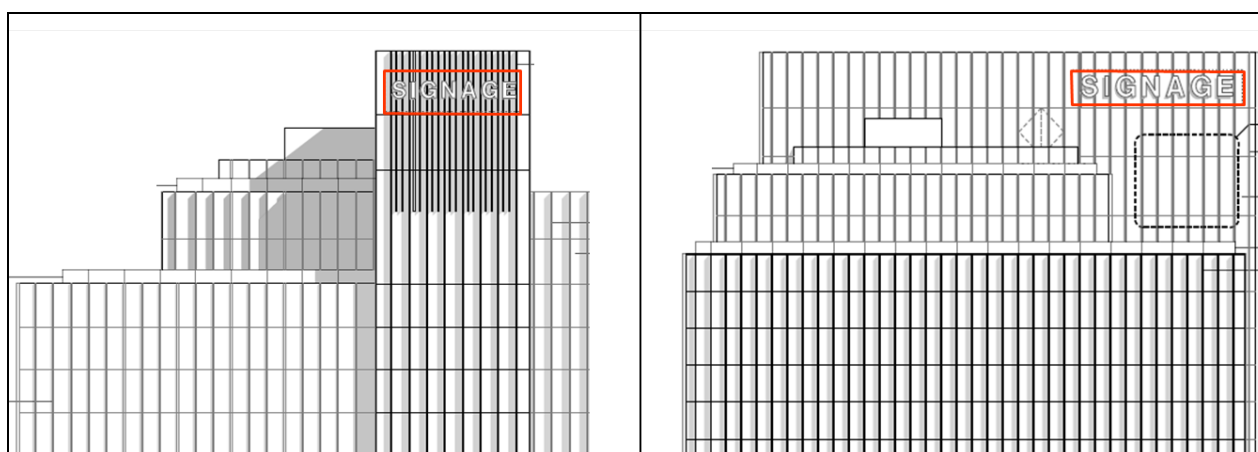


Figure 24: Roof level signage zones on the eastern George Street (left) and southern Wynyard Lane (right) elevations (Base source: applicant's EIS)

5.5.7. Public art

The applicant proposes to submit a public art strategy to Council that nominates artists, artwork and potential locations for art within/on the development. The applicant has compared the cost of public art installed at other recent similar commercial developments in the city and on this basis it proposes a financial cap on public art of \$500,000.

Council has requested that the public art strategy be submitted to Council at an appropriate stage of development after the structure has been commenced. Council stated that it is normal practice that the amount of public art contribution be determined as part of the overall package of developer contributions.

As discussed in previous sections, the development will deliver significant public benefits through the executed VPA with TfNSW for the delivery and maintenance of the Transit Hall. In addition the proposal achieves design excellence and will make a contribution to Council comprising 1% of the CIV (\$3.5 million) in accordance with Section 61 of the *City of Sydney Act 1988*.

In light of size, extent and unique nature of the development and the significant benefits and contributions arising from the proposal, the Department agrees that the appropriate value of the public art installation(s) for the site is \$500,000. The Department recommends a condition requiring the preparation of a public art strategy to be submitted to Council prior to the Construction Certificate for above ground works.

6. CONCLUSION

The Department has assessed the merits of the proposal taking into consideration the issues raised in all submissions and is satisfied that the impacts have been satisfactorily addressed within the proposal and the recommended conditions. The Department considers that the proposal is generally consistent with the Concept Approval for the site and is an appropriate development.

The incorporation of 285-287 George Street into the site and associated increase in GFA is acceptable and facilitates additional public benefits through the enlargement of the Wynyard Station entrance and added visual interest to the overall design of the development. Further, the amendments to the building envelope provide for an acceptable scale of development and would not cause additional overshadowing or adversely impact on heritage items. The retention of Wynyard Lane as a one-way street will have a positive impact on traffic safety and street network operation.

The executed VPA between the applicant and TfNSW will ensure the delivery of the new Wynyard Station transit hall including an enlarged civic scale station entrance and a generously sized east/west through site pedestrian link and access capacity to meet Wynyard Station requirements to 2060. TfNSW has confirmed that the executed VPA provided improved benefits to the State than the previous offer referenced in the Concept Approval. In addition, the applicant will make a \$3.5 million development contribution to Council.

The proposal achieves design excellence and the building displays a unique architectural identity that will create a landmark for this prominent and important site. The new Transit Hall provides a high quality and distinct entrance to Wynyard Station enhanced by the 9.1 metre high awning across the George Street frontage. The Department is satisfied that the awning achieves a high quality design and can provide a suitable level of weather protection, subject to approval of the detailed design as required by a condition of consent.

Overall, the proposal will provide significant public benefits by:

- facilitating the provision of a new Wynyard Station transit hall and east/west through site link and upgrading/revitalising the Wynyard Station eastern accessways;
- providing 84,621m² of commercial and retail accommodation that will complement existing commercial premises in the CBD and broader Sydney region;
- creating a high density mixed use commercial development that has excellent access to public transport (train, bus, ferry and future light rail);
- providing for a new buildings of a high standard of architectural design and appearance that achieve design excellence and complement the existing urban character of the area;
- contributing towards employment growth by providing an estimated 2,000 jobs during the construction phase and 6,000 jobs at the operational stage; and
- providing for new public realm and landscaping that will integrate the development into the CBD and existing surrounding areas.

Subject to the recommended conditions, the Department considers the proposals are in the public interest and recommends the applications for approval.


7. RECOMMENDATION

It is recommended that the Executive Director, Infrastructure & Industry Assessments, as delegate of the Minister for Planning:

- a) **consider** the recommendations of this report;
- b) **approve** the modification application (MP09_0076 MOD2) under section 75W of the EP&A Act, having considered all relevant matters in accordance with (a) above, and **sign** the attached Instrument of Modification at **Appendix D**; and
- c) **approve** the State Significant Development Application (SSD 5824), under section 89E of the EP&A Act, having considered matters in accordance with (a) above, and **sign** the attached development consent at **Appendix D**.

Prepared by: Matthew Rosel
Metropolitan Projects

Endorsed by:



Amy Watson
Team Leader
Metropolitan Projects



Ben Lusher
A/Director
Key Site Assessments

Approved by:



25/9/15

Daniel Keary
A/Executive Director
Infrastructure and Industry Assessments

APPENDIX A RELEVANT SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows.

1. Environmental Impact Statement

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6537
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5824

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6537
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5824

3. Applicant's Response to Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6537
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5824

APPENDIX B CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENT(S)

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of Section 79C(a)(i) of the Act, this report includes references to the provisions of the environmental planning instruments that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the project.

Controls considered as part of the assessment of the proposal are:

- *State Environmental Planning Policy (State & Regional Development) 2011;*
- *State Environmental Planning Policy (Infrastructure) 2007; and*
- *State Environmental Planning Policy No. 55- Remediation of Land.*

COMPLIANCE WITH CONTROLS

State Environmental Planning Policy (State and Regional Development) 2011

Relevant Sections	Consideration and Comments	Complies?
3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development,	The proposed development is identified as SSD.	Yes
8 Declaration of State significant development: section 89C (1) Development is declared to be State significant development for the purposes of the Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	The proposed development is permissible with consent under Sydney Local Environmental Plan. The site is specified in Schedule 1.	Yes
Schedule 1 State significant development - general Clause 19(2) Rail and related transport facilities Development within a rail corridor or associated with railway infrastructure that has a capital investment value of more than \$30 million for any of the following purposes: (a) commercial premises or residential accommodation, (b) container packing, storage or examination facilities, (c) public transport interchanges.	The proposed development is associated with railway infrastructure (Wynyard Station) and has a capital investment value of \$400 million.	Yes

State Environmental Planning Policy (Infrastructure) 2007

Schedule 3 of the SEPP requires referral of applications for traffic generating development to the Roads and Maritime Services (RMS) for concurrence. The Department therefore consulted with RMS (jointly with TfNSW) as part of its consideration of the EIS and RtS. RMS / TfNSW raises no objection with the proposal, subject to conditions.

State Environmental Planning Policy No. 55 - Remediation of Land

The Environmental Site Assessment (ESA) that formed part of the Concept Approval concluded, based on the results of investigations undertaken at that time, that no further investigation into contamination at the site is required.

A Hazardous Materials Survey (HMS) has been prepared, which identifies some potentially hazardous materials which will be managed as part of the demolition process. The Department recommends a condition requiring the demolition/refurbishment works be undertaken in accordance with the recommended mitigation measures of the HMS.

APPENDIX C CONSISTENCY WITH THE CONCEPT APPROVAL

An assessment of the proposal against the relevant Concept Approval Terms of Approval, Modifications and Future Environmental Assessment Requirements is provided below.

Concept Approval (as proposed in MOD 2)	Department Comment
Approval Requirement	
<p>A1. Development Description</p> <p>Concept Plan approval is granted to the development as described below:</p> <ol style="list-style-type: none"> upgrade of the eastern access ways to Wynyard Station including retail areas and concourse layout; indicative building envelope to a maximum height to RL159.7 AHD on the land between Carrington Street and George Street; use of the site for a mixed use development including commercial offices, business premises, shops, general retail food and drink premises, health/medical centre, public amenities, transport facilities; and tenant car parking; development of former Shell House including refurbishments for the purpose of commercial and retail use. <p>Subject to compliance with the modifications of this approval.</p>	<p>The development:</p> <ol style="list-style-type: none"> includes the upgrades of the eastern access ways to Wynyard Station, retail areas and concourse layout; is RL 147 metres tall and is therefore 12.7m less than the maximum height limit; is mixed use and includes the recommended land uses; and includes the retention and refurbishment of Shell House for commercial and retail use.
<p>A5. Maximum Gross Floor Area (GFA)</p> <p>The maximum GFA for the on the site shall not exceed:</p> <ol style="list-style-type: none"> 84,621m² – the section of site being development located east of Carrington Street; and 5,926m² – the section of site being development located west of Carrington Street (excludes the paid ticket area and platform areas). 	<p>The development:</p> <ol style="list-style-type: none"> provides for 84,621m² GFA and therefore does not exceed the GFA maximum; and this application does not relate to Stage 2, being the section of site located west of Carrington Street.
<p>A6. Voluntary Planning Agreement (VPA)</p> <p>Prior to the determination of any future Application, pursuant to this Concept Plan, the Proponent shall provide written evidence to the Secretary that it has executed a Voluntary Planning Agreement with Transport for NSW consistent with terms outlined in the Draft Voluntary Planning Agreement dated May 2015. The Voluntary Planning Agreement shall include at a minimum the following principles:</p> <ul style="list-style-type: none"> Brookfield is to provide a through-site pedestrian Transit Hall linking George Street to the Wynyard Station concourse in accordance with Item 2 of the Statement of Commitments. The resolution of the detailed design of the Transit Hall is to be undertaken in consultation with Transport for NSW in accordance with Items 2(c) and 2(d) of the Statement of Commitments. 	<p>The VPA was executed on 7 September 2015 and is consistent with the requirements of Term of Approval A6.</p>

Modifications	
<p>B2 Podium Height And Upper Level Setback</p> <p>The western façade of the building envelope along the Carrington Street frontage shall provide:</p> <ul style="list-style-type: none"> e. a podium form with a street front height consistent with the existing parapet height of Shell House; and f. a minimum 6 metre setback from the Carrington Street frontage above the existing parapet height of Shell House. The additional level above Shell House itself shall also be setback by a minimum of 6 metres. 	<p>The western façade of the tower provides for:</p> <ul style="list-style-type: none"> a. a podium height consistent with the existing parapet of Shell House; and b. a 6 metre setback from the Carrington Street frontage above the existing parapet height of Shell House. The pavilion above Shell House has been set back six metres.
<p>B3 Tenant Car Parking</p> <p>A maximum 89 tenant car parking spaces are to be provided on the portion of the site on the eastern side of Carrington Street. The existing car parking spaces provided in the Wynyard car park shall remain to be used as public car parking.</p>	<p>A total of 89 car parking spaces are provided.</p>
<p>B4 Bicycle Storage and End of Trip Facilities</p> <p>Bicycle parking and end to trip facilities shall be provided in accordance with the recommendations of the City One Wynyard - Report in Response to Authority Submissions prepared by Halcrow dated March 2011 and submitted with the PPR. These facilities shall be located on the portion of the site to the east of Carrington Street with direct access to Wynyard Lane and to the commercial tower development.</p>	<p>The Halcrow report recommends that 1 bicycle space be provided for every 100 employees. Based on an expected 3,500 employees, 50 bicycle spaces are required.</p> <p>The proposal includes the provision of 446 bicycle spaces and associated end of trip facilities.</p>
FUTURE ENVIRONMENTAL ASSESSMENT REQUIREMENTS	
<p>1. Design Excellence</p> <p>Future applications for any works on the portion of the site to the east of Carrington Street at the George Street level or above, shall be subject to a formal design competition in accordance with the provisions of Sydney LEP 2005 and the City of Sydney Central Sydney DCP 1996 (and any replacement provisions). The design brief for the design competition process shall incorporate the following design aspects of the approved Concept Plan:</p> <ul style="list-style-type: none"> a. CityOne Concept Plan Design Criteria (as modified by Modification B1 in Schedule 2); b. presentation of the building to Carrington Street including street frontage podium and upper level setback arrangements (as Modified by Modification B2 in Schedule 2); c. the revised Statement of Commitments submitted with the PPR referred to in Schedule 4; and d. reduction and reconfiguration of the upper level commercial foyer. 	<p>An invited architectural design competition was carried out in accordance with the City of Sydney's provisions.</p> <p>Make (London) Architects were selected by the Design Competition Jury and this design forms the basis of the SSD proposal.</p>
<p>2. Detailed Pedestrian Modelling</p> <p>Any future application for works east of Carrington Street shall be provided with detailed pedestrian demand</p>	<p>The application includes appropriate pedestrian modelling, which demonstrates</p>

modelling to ensure the necessary exit widths will meet pedestrian demand to 2060 and to demonstrate the performance of proposed access ways and vertical transport (escalators, stairs, lifts etc.).	that the proposal provides for the necessary exit widths to meet pedestrian demand to 2060.
<p>4. Construction Management</p> <p>A Construction Management Plan is to be submitted as part of any future application for the site. The Construction Management Plan shall be prepared in consultation with Transport for NSW and the City of Sydney and is to include consideration of the following:</p> <ol style="list-style-type: none"> timelines and timeframes for staging and completion of works; pedestrian accessibility, legibility, safety and prioritisation; operational integrity of Wynyard Station including the continuity of utility services and goods access to the station complex; and potential impacts on rail, bus and taxi operations. 	A Construction Management Plan has been submitted with the application and addresses the requirements of FEAR 4.
<p>5. Staging Of Development</p> <p>Details of the intended staging of the development are to be submitted with the first stage application to ensure the orderly and coordinated development of the site.</p>	Details of the staging of the development have been submitted with the development and indicate that the project will be divided into four phases.
<p>6. Continuity of Services</p> <p>Any future application for works east of Carrington Street shall identify in detail:</p> <ol style="list-style-type: none"> the organisation of utility services in the area surrounding the station interface point between the Proponent and RailCorp controlled land to ensure that the operational integrity of these systems will not be affected as a result of the proposal; and the location and design of the proposed loading dock that is capable of providing goods and services access to the tenancies west of Carrington Street. 	Details of utility services and the location and design of proposed loading docks have been submitted with the application and are considered acceptable.
<p>8. ESD</p> <p>Any future application for works east of Carrington Street shall demonstrate that any future development will incorporate ESD principles as outlined in the Sustainability Report prepared by Cundall, submitted with the EA in the design, construction and ongoing operation phases of the development, including water sensitive urban design measures, energy efficiency, recycling and water disposal.</p>	<p>The proposal incorporates ESD principles and will achieve a minimum :</p> <ul style="list-style-type: none"> • 5 Star Green Star Office Design v3 Design and As Built rating; and • 5 star base building NABERS energy rating for continued operational energy efficiency.
<p>9. Heritage</p> <p>Any future application for works east of Carrington Street shall demonstrate consistency with the recommendations Section 9 of the Heritage Impact Assessment Report prepared by HBO & EMTB Heritage Pty Ltd dated 12 October 2010 and submitted with the EA except as amended by the Heritage Impact Statement prepared by</p>	<p>The proposal has demonstrated consistency with the heritage requirements of FEAR 9 and includes:</p> <ul style="list-style-type: none"> • preparation of a photographic record; • interpretation of the history of the site integrated into the design of the

Godden Mackay Logan dated March 2014.	<p>development;</p> <ul style="list-style-type: none"> • sensitive construction methods to avoid physical impacts on heritage items; and • recommendations of the Heritage Impact Statement accommodated as part of the detailed design phase.
<p>10. Sydney Airport</p> <p>Any future application for works east of Carrington Street shall demonstrate prior to determination that all necessary approvals have been obtained from Sydney Airport Corporation Limited and any other relevant government authority in relation to air safety matters.</p>	<p>The Department consulted the Sydney Airports Corporation Limited (SACL) as part of the exhibition of the application and the applicant has obtained the necessary approvals from the SACL.</p>
<p>11. No Additional Overshadowing to GPO Building</p> <p>Any future application for the commercial tower east of Carrington Street shall demonstrate that no additional overshadowing to the GPO steps or northern façade shall occur.</p>	<p>A shadow study have been submitted with the application, which demonstrates that the development would not cause additional overshadowing of the GPO steps or northern façade.</p>

APPENDIX D RECOMMENDED CONDITIONS OF CONSENT
