CITY OF SYDNEY

10 March 2025

At the conclusion of the Cultural, Creative and Nightlife Committee

Transport, Heritage and Planning Committee

Agenda

1. **Confirmation of Minutes**
2. **Statement of Ethical Obligations and Disclosures of Interest**
3. **Post Exhibition - Entertainment Sound Management - Sydney Development Control Plan 2012 Amendment and Special Entertainment Precincts Discussion Paper**
4. **Post Exhibition - Planning Proposal - 383-395A Kent Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**
5. **Public Exhibition - Draft Display of Goods on the Footway Local Approvals Policy**
6. **Fire Safety Reports**

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1. Register to speak by calling Secretariat on 9265 9702 or emailing secretariat@cityofsydney.nsw.gov.au before 10.00am on the day of the meeting.

2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.

3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.

4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.

5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

Committee meetings can continue until very late, particularly when there is a long agenda and a large number of speakers. This impacts on speakers who have to wait until very late, as well as City staff and Councillors who are required to remain focused and alert until very late. At the start of each Committee meeting, the Committee Chair may reorder agenda items so that those items with speakers can be dealt with first.

Committee reports are available at www.cityofsydney.nsw.gov.au

Item 1.
Confirmation of Minutes

Minutes of the following meetings of the Transport, Heritage and Planning Committee are submitted for confirmation:

Meeting of 10 February 2025

Item 2.

Statement of Ethical Obligations

In accordance with section 233A of the Local Government Act 1993, the Lord Mayor and Councillors are bound by the Oath or Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of the City of Sydney and the City of Sydney Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their ability and judgement.

Disclosures of Interest

Pursuant to the provisions of the Local Government Act 1993, the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose and manage both pecuniary and non-pecuniary interests in any matter on the agenda for this meeting.

In both cases, the nature of the interest must be disclosed.

This includes receipt of reportable political donations over the previous four years.

Item 3.

Post Exhibition - Entertainment Sound Management - Sydney Development Control Plan 2012 Amendment and Special Entertainment Precincts Discussion Paper

File No: X009155.021

Summary

The City of Sydney is home to a diverse nightlife, with a long history of mixed and lively neighbourhoods. To support the continued growth of the night-time economy while accommodating new housing in well-located areas, the City has developed a planning framework for the management of entertainment sound, alongside a proposed approach to introduce Special Entertainment Precincts to further encourage the nighttime economy and live entertainment.

This report follows the public exhibition of Entertainment Sound Management - Sydney Development Control Plan 2012 and Special Entertainment Precincts Discussion Paper.

The Draft Development Control Plan – Entertainment Sound Management (draft DCP):

(a) establishes acoustic requirements for new residential development near existing venues and late night precincts (mapped areas) to better protect existing venues

(b) establishes acoustic requirements for the design and construction of new and substantially changed venues to provide certainty for venue operation and protect neighbours, and

(c) makes it easier to trade later with longer trial hour increments and removing the initial one-year trial period.

The City received 63 submissions in response to the draft DCP. Responses broadly supported the concept of balancing support for night-time activity with measures to reduce negative impacts to residents, particularly using soundproofing measures and managing late night trading hours. Many responses questioned how the planning controls may affect existing residents and venues. Submissions advocated for the addition and removal of some live music and performance venues, and the associated affected areas in the draft Entertainment Sound Management Maps.

The City also separately consulted through a discussion paper on Special Entertainment Precincts, which if supported, can:

(a) unlock incentives from the NSW Government for liquor licence fee discounts and additional licencing hours;

(b) allow the City to put in place bespoke sound criteria that suit the context of the area and encourage live music and entertainment; and

(c) make it easier for many licenced and unlicenced businesses to trade later without a development application.

The proposed approach is to upgrade the City's long-standing late night trading areas to Special Entertainment Precincts to encourage live music and entertainment.

A total of 271 surveys and 85 emailed submissions were made in response to the discussion paper. There was strong support for the proposal to designate the existing late night trading areas as Special Entertainment Precincts. Most people felt the trading hours are about right for the Local Centre and City Living areas, while the Late-Night area hours are too early. There were specific suggestions of areas to be added, removed, upgraded or downgraded. Proposed amendments to the areas are mapped.

This report describes the outcomes of the exhibition and recommends changes be made to the draft DCP and the approach to Special Entertainment Precincts in response to the submissions.

The draft DCP and approach for Special Entertainment Precincts together presents a comprehensive strategy for the sustainable growth of Sydney’s entertainment and nightlife sectors. By addressing both the construction of new developments and the operation of existing and new venues, these policies are intended to foster a lively cultural scene, encourage investment in entertainment areas, and protect residential amenity in mixed-use precincts.

This report recommends Council approve the draft DCP – Entertainment Sound Management. It also recommends that Council approve the establishment of Special Entertainment Precincts, with the next steps being the preparation of a precinct management plan and a planning proposal to amend the local environmental plan (LEP).

Recommendation

It is resolved that:

(A) Council note the matters raised in response to the public exhibition of the draft Development Control Plan - Entertainment Sound Management as shown in Attachment A to the subject report;

(B) Council approve the draft Development Control Plan - Entertainment Sound Management and maps as shown at Attachment B to the subject report;

(C) authority be delegated to the Chief Executive Officer to make minor amendments to draft Development Control Plan - Entertainment Sound Management and maps to correct any minor errors or omissions prior to finalisation;

(D) Council note the matters raised in response to the public exhibition of the Special Entertainment Precincts Discussion Paper as described in Attachment C to the subject report; and

(E) Council endorse the establishment of Special Entertainment Precincts in late night trading areas identified in Attachment D to the subject report.

Attachments

Attachment A. Draft Entertainment Sound Management DCP - Summary of Submissions

Attachment B. Sydney Development Control Plan 2012 - Entertainment Sound Management and maps

Attachment C. Engagement Report - Special Entertainment Precincts Discussion Paper

Attachment D. Special Entertainment Precincts Maps

Background

1. The City's late night trading planning controls were adopted in 2007. The Development Control Plan (DCP) mapped late night trading areas and established trading hours for venues according to the type of precinct and type of venue. It encouraged greater diversity in Sydney's nightlife with later trading for small bars and good management through trial periods for extended trading hours. The controls were reviewed in 2019 to extend and create new late night trading areas and incentivise live music and performance with additional trading hours.

2. The OPEN Sydney Strategy was adopted in 2013 after extensive consultation with the community and industry and established the City's long term vision for its night-time economy. One of the actions of this strategy is to investigate changes to planning controls to support the night-time economy and support venues.

3. In June 2020, Council endorsed the Open and Creative Planning Reforms to deliver on the planning actions of this strategy. The reforms included acoustic design criteria that would implement the "agent of change" principle, protecting both future residents from sound impacts and future venues from complaints by new development. The reforms were publicly exhibited, and submissions received in response to the sound criteria highlighted technical issues with the controls and the details of their application.

4. Following the City's work from before 2020, in December 2023, the NSW Government introduced the Vibrancy Reforms, which when implemented in July 2024 significantly changed the regulatory environment for entertainment sound. Sound complaints are subject to higher requirements, especially for new residents, Liquor and Gaming NSW have taken over responsibility for handling sound complaints, and council-imposed sound conditions of consent, no longer have an enforceable role in sound complaint management for liquor licensed venues.

5. The Vibrancy Reforms also introduced a new framework for Special Entertainment Precincts, with NSW Government guidelines being finalised in November 2024.

Entertainment Sound Management DCP (draft DCP)

6. The draft DCP includes requirements for new development to manage sound. These requirements will apply to new residential development near existing venues, and to new and expanding venues. It sets baseline entertainment sound requirements for the local government area, over which Special Entertainment Precincts will provide context-appropriate variations in future.

7. The draft DCP includes the following:

    (a) New residential development, also known as 'sensitive receivers', located near existing venues and 24 hour late night trading areas will need to be built to protect new residents from existing entertainment sound in the neighbourhood. This reduces the risk of complaints that could lead to existing venues having to change operations, and protects the amenity of new residents.

    (b) For new and substantially changed venues, the development is to be built to a standard that provides existing residents reasonable sound attenuated amenity. The required sound levels are largely consistent with City's current practice and compatible with Liquor and Gaming NSW conditions.

8. The proposed controls do not apply retrospectively to existing buildings and include clear thresholds for when they will be called up in a development application. They do not apply to existing dwellings in any circumstances. The proposed controls only apply to existing venues that significantly increase their sound impacts, which is defined by certain activities and thresholds.

9. The draft DCP also includes proposed amendments to the operation of trial periods and extended trading hours. The initial trial period of 1 year is proposed to be removed, leaving the 2 year and 5 year trial periods, and the increment of extended trading hours is proposed to increase from 2 hours to 3 hours per trial. Outdoor trading is also proposed to extend to 10pm where it is currently 8pm, and for morning trading from 9am where it is currently 10am.

Summary of submissions

10. Following Council's approval to publicly exhibit the draft DCP in October 2024, the draft DCP together with the Special Entertainment Precincts Discussion Paper was publicly exhibited for an extended period between 21 November 2024 and 20 January 2025.

11. In total 72 submissions were made to the draft DCP exhibition by email and survey response, of which 63 were unique and related specifically to the draft DCP. 53 of these submissions were from individuals, 6 from industry, and 4 from community groups (including one strata owners corporation).

12. A summary of and response to all themes and issues raised in submissions is available at Attachment A. Below are the most significant themes raised in submissions.

Issue 1: Impacts of the Night-Time Economy

13. 7 submissions raised concerns about the night-time economy, objecting to measures supporting nightlife and late-night activities due to potential impacts on residents. These concerns included entertainment sound, vehicle noise (including emergency sirens), noise from people, waste servicing and anti-social behaviour.

14. The draft DCP aims to support the night-time economy's growth while protecting residents' amenity by ensuring new developments and venues have adequate soundproofing and noise attenuation. 8 submissions supported soundproofing for venues and/or new residential developments to mitigate entertainment sound impacts.

15. Growing the night-time economy is a long-term strategic objective for the City of Sydney and a current priority for the NSW Government. Efforts to manage impacts include public domain improvements, street lighting, public toilets, advocating for better night-time transport and policing, and engaging with businesses and community groups through liquor accords, Uptown Districts and Purple Flag accreditation. The City will continue working with the NSW Government, businesses and the community on these ongoing initiatives.

Issue 2: Applicability to Existing Development

16. 7 submissions raised concerns about the draft DCP's impact on existing residential development, particularly for landowners of dwellings identified as "affected by entertainment sound" on the entertainment sound DCP maps. 4 submissions questioned the inclusion of Dawes Point, a state heritage-listed area, on these maps. 2 industry submissions raised concerns about the applicability to existing venues.

17. Submissions highlighted potential impacts on property prices, and the perception of a changed expectation of entertainment sound exposure, affecting residents' ability to make noise complaints and potentially encouraging venues to produce more sound. For venues, industry submissions raised concerns the controls could prevent small-scale cultural performances or minor property amendments due to expensive acoustic upgrades.

18. DCP provisions apply only in the case of a development application. Minor or low-impact activities covered by exempt or complying provisions are not affected. The DCP maps do not influence noise complaint enforcement, and they do not as-of-right allow venues to make more noise.

19. The draft DCP provisions specify when they apply to development applications. For residential development, they only apply if a new dwelling is created. Alterations and additions to existing dwellings do not trigger the provisions. For existing venues, the provisions apply to significant changes, such as expanding the venue by over a third, trading past midnight, or creating new external penetrations.

20. For Dawes Point, state heritage listings limit new development opportunities, so there is limited utility in DCP provisions that only apply to new development. A post-exhibition amendment is proposed to remove Dawes Point from the maps.

21. To prevent misinterpretation of the DCP maps, a post-exhibition amendment is proposed to re-label identified sites as "sensitive receivers" with radius 1 or radius 2. Supporting changes to the DCP will reference these labels.

Issue 3: Trial Periods and Trading Hours

22. Submissions were mixed regarding the proposed changes to trial periods and trading hours. 6 submissions advocated for keeping the existing controls or making them more restrictive, while 5 supported the proposed changes or further relaxations, including removing trial periods altogether.

23. The proposed amendments are minor and based on the City's experience in handling noise complaints, managing entertainment sound impacts, and assessing development applications for extended trading hours and trial period renewals. The City has pursued a balanced approach, finding an opportunity to reduce unneeded administrative burden and restrictions on businesses while limiting the potential for impacts.

Issue 4: Venues Identified on the Entertainment Sound DCP Maps

24. The draft DCP maps identified 151 venues with live music or performance offerings. During the exhibition, the City invited suggestions for venues to be removed or added.

25. Proposed Removals:

    (i) Venues in Dawes Point, Millers Point and Walsh Bay, as they affect state heritage-listed properties unlikely to invoke DCP provisions for new housing development.

26. Proposed Additions:

    (i) The Abercrombie in Chippendale, identified as a significant live music and performance venue.

    (ii) The Loft and The Basement at the University of Technology Sydney, noted for their significant live music and performance offerings.

    (iii) The White Horse in Surry Hills, historically a live music venue and included for its future potential.

27. Other suggestions for venues without notable live music or performance offerings are not proposed for addition.

28. Industry submissions highlighted venues in Central Sydney not identified on the DCP maps. Central Sydney is a Late Night Trading Management area, identified in its entirety on the DCP maps, allowing venues to open and change over time without map updates.

Proposed amendments to the DCP

29. In line with the above, the following post exhibition amendments are proposed to the draft entertainment sound DCP:

    (a) Properties identified on the entertainment sound DCP maps will be labelled as "sensitive receiver" rather than "affected by entertainment sound".

    (b) Walsh Bay and Millers Point will be excluded from the entertainment sound DCP maps.

    (c) The Abercrombie in Chippendale, The White Horse in Surry Hills, and The Loft and the Basement at the University of Technology Sydney will be added to the venues identified on the entertainment sound DCP maps.

Special Entertainment Precincts discussion paper

30. The discussion paper set out the City's proposed approach to designate long-standing late night trading areas as Special Entertainment Precincts. The approach adopts the base hours in the DCP for each area as the precinct plan hour, which will be as-of-right trading hours. Extra hours to incentivise live music and performance will also be available as-of-right. Extended trading hours would continue to be possible through development application approvals. Bespoke sound criteria would also be developed for the precinct plan, informed by sound studies.

Summary of engagement

31. In total, 356 people made submissions about making our late-night trading areas into special entertainment precincts, of which 271 people made survey submissions and 85 people emailed submissions.

32. There is strong support for the proposal. Of survey respondents, 50% support the proposal and 20% support with changes. The main reasons people support the proposal are:

    (a) Support for growth in night life

    (b) Support for cultural and nightlife diversity

    (c) Support for flexibility for businesses

33. 25% were not supportive of the proposal and 5% were not sure.

34. The following themes emerge as the most common concerns:

    (a) Concerns about noise affecting residents

    (b) General noise concerns

    (c) Safety concerns

35. The full engagement report is available at Attachment C.

Issue 1: Boundaries / areas

36. On balance, there was general support for the proposal to designate the late night trading areas as special entertainment precincts.

37. Late night trading areas were designated initially in 2007. The exhibition of the areas in the discussion paper has provided a timely review of the late night trading areas and their boundaries.

38. There were many suggestions for sites or areas to be added, removed, upgraded, or downgraded. These suggestions have been reviewed and evaluated on their merit. There are 4 proposed amendments to the areas:

    (i) The removal of a residential (R1 zoned) section of Crown Street between Devonshire Street and Arthur Street, to align with the use of this area.

    (ii) Changes to the mapped areas of UTS on Broadway, to align with their current use.

    (iii) An upgrade of the arts precincts in Walsh Bay from local centre (red) to city living area (yellow) to better support its offer as a significant cultural destination.

    (iv) The extension of the Oxford Street late night trading area to include the National Arts School (156 Forbes Street) and QTOPIA Sydney (301 Forbes Street) as a City Living area.

39. These proposed amendments can be viewed in the maps in Attachment D.

40. It is proposed that these changes would be made to both the special entertainment precincts and the DCP mapped late night trading areas. The changes would be made in tandem as part of the same future proposal and be subject to future public consultation. They are not recommended for council endorsement as part of this report.

Issue 2: Trading hours

41. The proposed approach adopts the base hours in the DCP for each area as the precinct plan hours, with the addition of extra hours to incentivise live music and performance. The precinct plan hours and the live music and incentive hours can be obtained as-of-right. Extended trading hours would continue to be permitted through development application approvals and successful trial periods.

42. We asked survey respondents to evaluate the spread of hours proposed for each type of precinct and rate them on a sliding scale from too early to too late.

43. Overall, respondents think the trading hours proposed for Local Centres and City Living precincts are right for the areas, and the hours proposed for Late Night precincts are too early.

44. People also provided more specific feedback in their submissions about the appropriateness of the proposed trading hours for the business category and for the locations.

45. The feedback on trading hours will be considered in the development of the future precinct management plan.

Issue 3: Sound criteria

46. While no sound criteria were included in the discussion paper, the survey included a general question on what sound levels should be to support vibrancy, live music and performance. Approximately half of respondents opted for sound levels to be no louder than they are now.

47. Concern about the potential impact of noise was a common theme in the survey and in submissions.

48. This included impacts of potential increased noise on residents such as affecting sleep, disrupting peaceful living and a right to quiet. It often referenced existing issues with venues or areas, patrons leaving venues, music volumes, lack of sound proofing, noise from increased traffic or people in the streets and the need to control or mitigate sound.

49. If the approach is endorsed, the feedback will be considered alongside acoustic advice and sound studies to establish proposed future sound criteria.

Next steps

50. If endorsed, the next step is the preparation of a precinct management plan, including sound studies to identify sound criteria. To designate special entertainment precincts, a report will come back to Council with a planning proposal to amend the local environmental plan. Further consultation on the proposal and precinct management plan would follow. Due to the complexity and extent of the sound studies required by the NSW Government's guidelines, it is expected that a planning proposal and supporting documents will be reported to Council before end of 2025.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

51. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This policy is aligned with the following strategic directions and objectives:

    (a) Direction 1 - Responsible governance and stewardship - The draft DCP demonstrates responsible governance by setting clear entertainment sound controls that balance the needs of a vibrant night-time economy with protecting residential amenity. The controls work in alignment with the NSW Government Vibrancy Reforms without causing confusion for venues or the community. By focusing on venue design and construction standards rather than operational noise enforcement, the DCP defines the City's role in managing entertainment

    (b) Direction 4 - Design excellence and sustainable development - The draft DCP promotes design excellence by requiring consideration of entertainment sound impacts early in the development assessment process. This approach allows developers to proactively address sound management through siting, orientation, and other passive solutions, reducing the need for compromised design outcomes or solutions that impact amenity. By embedding sound performance criteria into the early stages of development, the DCP ensures that new entertainment venues and residential buildings are designed to manage sound effectively, fostering sustainable, well-integrated urban environments.

    (c) Direction 7 - Resilient and diverse communities - The City's proposed approach to Special Entertainment Precincts supports resilient and diverse communities by designating all late-night trading areas within the local area as entertainment precincts. This ensures a wide distribution of venues, promoting diversity in late night activities, entertainment offerings and locations all over the local area, rather than concentrating activity and benefits to a few areas to a select group of venues.

    (d) Direction 8 - A thriving cultural and creative life - The DCP supports a thriving cultural life by protecting live music and entertainment venues from noise complaints, ensuring they can continue to operate while coexisting with nearby residential areas. This policy aligns with the City's goal of growing creative industries and protecting cultural uses and floor space.

    (e) Direction 9 - A transformed and innovative economy - The sound management strategy aligns with the City's vision for an innovative economy by supporting the entertainment and hospitality sectors. It fosters an environment where businesses can thrive, contributing to Sydney's global competitiveness.

Organisational Impact

52. The Entertainment Sound DCP has no organisation impact, nor does the designation of Special Entertainment Precincts. In the next stages of work, consideration should be given towards resourcing for governance of Special Entertainment Precincts.

Risks

53. City staff have undertaken a risk assessment identifying potential risks and mitigation measures.

54. Progressing with the draft DCP and special entertainment precincts proposal is within the City's risk appetite:

    (a) The City encourages employees to engage with the community as guided by the 'Our approach to engaging the community'.

    (b) We aim to strike a balance between achieving our strategic objectives, implementing change and embracing innovation, and protecting our reputation.

    (c) We are committed to conducting our activities in full compliance with applicable laws, regulations and relevant industry standards.

Financial Implications

55. There are no budget implications for Council for an Entertainment Sound Management DCP.

56. Special Entertainment Precincts will require the procurement of acoustic expertise to undertake sound studies and recommend sound criteria. If endorsed, this will be included in the draft budget for the next financial year.

57. NSW Government offers a Special Entertainment Precinct Kickstart Grant Program which provides funding for activities such as for strategic planning activities, preparing acoustic criteria and/or undertaking community engagement. A resolution from Council to establish Special Entertainment Precincts in specific mapped area(s) is an eligibility requirement for the grant.

Relevant Legislation

58. Environmental Planning and Assessment Act 1979.

59. Environmental Planning and Assessment Regulation 2021.

60. Liquor Act 2007.

61. Liquor Regulation 2018.

62. Local Government Act 1993.

Public Consultation

63. Public consultation took place from 21 November 2024 to 20 January 2025 on both the draft DCP and Special Entertainment Precincts.

64. Multi-media communications encouraged people to find out more about the proposals, attend a briefing session and provide feedback through the Sydney Your Say pages. This included:

    (a) 49,034 notification letters, notifying 24,248 owners and 24,786 residents.

    (b) An email newsletter to 938 email addresses.

    (c) Promotion through social media including TikTok, Instagram and Linked In. The Instagram reel was extremely popular at over 46,000 views.

    (d) Over a period of 35 days, the campaign generated approximately 100 media mentions in a range of news sources.

65. Engagement included:

    (a) 271 people made survey submissions on Special Entertainment Precincts

    (b) 85 email submissions on Special Entertainment Precincts

    (c) 63 email submissions on the draft DCP

    (d) 82 people attended community briefing session on 3 December 2024

    (e) 52 people attended a business briefing session on 3 December 2024

    (f) 17 young people attended a briefing for the youth opportunities program

66. Findings are summarised above and described in Attachments A and C.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

Laura Dodds-Hebron, Senior Specialist Planner

Jarrod Booth, Specialist Planner

Attachment A

Draft Entertainment Sound Management DCP – Summary of Submissions

Draft Entertainment Sound Management DCP
Summary of submissions

The draft Entertainment Sound Management DCP was publicly exhibited between 21 November 2024 and 20 January 2025. During this time a total of 72 submissions were made by email and survey response, of which 63 were unique and related specifically to the draft DCP.

The following summarises the topics raised in these submissions and provides a response.

Submissions summary **63 unique submissions**	
Individuals (53)	
Industry (6)	Merivale; Solotel; Night-Time Industries Association; Property Council of Australia; ARUP; University of Technology Sydney.
Community groups (4)	Neighbours of Harbour View Hotel; Millers Point Community Resident Action Group; Chippendale Residents Interest Group; Century Tower Owners Corporation.

Submissions summary **Support and opposition to draft DCP**	**Response**
a) Concern about applicability to existing development *7 submissions* Mapping properties as "affected by entertainment sound" may affect existing properties, including property prices, ability to make a sound complaint, or being subject to higher levels of entertainment sound.	**a) Response** All DCP provisions only apply when a development application is involved, i.e. when development is occurring. The draft DCP includes provisions specifying when it applies. This is only when a new dwelling is created. Nothing in the draft DCP would result in lesser rights or increased sound impacts to properties shown on the Entertainment Sound DCP maps. To avoid misunderstanding, the title of the DCP maps are proposed to change from "affected by entertainment sound" to "sensitive receivers".
b) Questioning utility of controls applying to state listed heritage areas *4 submissions* Dawes Point and Millers Point are extensively covered by state heritage listings. As there is no likely development of new dwellings in these areas, there is no utility to having the Entertainment Sound Management DCP maps applying to properties in this area.	**b) Response** The City acknowledges the state heritage listed areas of Dawes Point and Millers Point are unique and have limited potential for new dwellings to be developed. The potential for misunderstanding the map's application outweighs any potential benefit for capturing new development.

Submissions summary Support and opposition to draft DCP	Response
	Therefore, it is recommended to remove these areas from the Entertainment Sound Management DCP maps.
c) Concern generally about late night noise from cars, emergency vehicles, waste servicing and people out and about, and other non-noise related issues such as antisocial behaviour. *7 submissions* The night-time economy generates impacts beyond entertainment sound emanating from venues. Policies that support the night-time economy will result in a growth in those other impacts.	**c) Response** Growing the night-time economy is a long term strategic objective of the City. Not only is it an important economic sector in its own right, but it also supports Sydney's economy more generally by increasing its attractiveness to workers, students and other groups. The scope of this DCP amendment is managing the impacts of entertainment sound from venues, and other impacts are not within scope.
d) Opposition to relaxing trial periods for extended trading hours *6 submissions* Trial periods for extended trading hours, and the increments of hours per trial period, should be kept as they currently are or reduced.	**d) Response** In the City's experience of handling applications for extended trading hours, it is very unlikely a venue would not have a trial renewed after 12 months, as it is a very short time to allow the venue to respond to complaints and make improvements to their operations. In practice, it takes time to prepare and lodge a development application, so that process begins before the 12 month trial has completed. The proposed change to an initial 2 year trial may result in more opportunity for venues to resolve issues, or otherwise demonstrate they are not likely to resolve issues, within the first trial period. Increasing the increments of trial hours from 2 hours to 3 is necessary to support the lengthening of the first trial, as venues have to wait until the end of their first trial before applying for the next increment.
e) Support for relaxing trial periods for extended trading hours *5 submissions* Trial periods should be relaxed in line with the proposal, even further than the proposal, or abolished altogether.	**e) Response** Trial periods are an important tool for the City to manage impacts of late night trading. This is because trading hour consents sit with the property rather than the current owner or operator of a venue. Permanent extended trading hours, or trial periods that are too long, are not possible to rescind regardless of changes to the venue's operations over time. Trial periods give the City the opportunity to continue to assess impacts from a venue, as

Submissions summary Support and opposition to draft DCP	Response
	operators and offerings change over time, and ensure the extended hours are still appropriate.
f) Ability to retrofit existing dwellings with soundproofing *3 submissions* The City should support residents in soundproofing existing dwellings against entertainment sound, with heritage exemptions, fast tracked planning assessment and grants.	**f) Response** The City acknowledges that heritage and other planning controls can limit the ability for dwellings to implement soundproofing measures. The scope of this DCP only extends to acoustic requirements for new dwellings. Current controls do not stand in the way of sound proofing of existing dwellings. Sound proofing heritage buildings is possible with consideration of the impact on significant fabric.
g) Support for soundproofing of venues and dwellings to reduce impacts to residents *8 submissions* Soundproofing venues and new dwellings is a way to enable growth of the night-time economy and entertainment offering without increasing impacts to residents.	**g) Response** The intent of the DCP is to ensure new venues, and new dwellings near existing venues, are designed and built to attenuate noise as much as possible.
h) Suggested changes to the venues included in the Entertainment Sound Maps *11 submissions* Various suggestions to add and remove existing venues to the Entertainment Sound Maps.	**h) Response** The Entertainment Sound Management Maps are proposed to be amended with some of the suggested venues removed and added. Submissions representing The Abercrombie and the venues at the University of Technology Sydney advocated for their inclusion. These have been included as they are notable late night venues. Submissions representing venues in Central Sydney, which is a Late Night Trading Management Area, advocated their inclusion. However, as this area is subject to frequent changes over time, entire Central Sydney Late Night Trading Management Area is covered by the Entertainment Sound Management Maps. Therefore, it is not necessary to add or remove specific venues in the central area. Members of the community also suggested certain premises for inclusion. The City considered these venues, but determined they

Submissions summary Support and opposition to draft DCP	Response
	do not function as live music and entertainment venues, and do not have a history of doing so, so they have not been included.
i) Concern about the stricter late night sound criteria applying at midnight *2 submissions* The late night sound criteria should apply at 10pm, 9pm or earlier.	**i) Response** The current entertainment noise condition of consent, and the liquor licence condition for entertainment sound used by Liquor and Gaming NSW, both use 7am to midnight for daytime and midnight to 7am as late night. As criteria for building and construction, the DCP will require venues to be designed and built to meet the acoustic criteria that will be enforced by Liquor and Gaming NSW.
j) Electronic gaming machines are also part of entertainment sound *1 submission* The DCP fails to include electronic gaming machines (poker machines) in the definition of entertainment sound.	**j) Response** The City acknowledges electronic gaming machines as a source of disturbance from venues. However, section 209 of the Gaming Machines Act 2001 prohibits any planning instrument or condition of development consent from regulating the installation or operating of approved gaming machines. Any local planning control covering sound from electronic gaming machines would contravene this section of the Act.
k) Opposition to extending outdoor trading hours *2 submissions* The current situation for outdoor trading hours in the Local Centre area, being 8pm base hours and 10pm extended hours, allows for a development application where stakeholders can be heard and impacts assessed. Extending the base hours to 10pm will remove this ability.	**k) Response** Outdoor dining has increased significantly in the city area following the measures put in place as part of Covid-19, including reallocation of road space to outdoor dining areas. This has resulted in outdoor dining tables forming a core part of businesses' operations. The current base hours of 8pm in Local Centre and City Living areas does not allow for a second full dining setting without DAs for trial periods and restricts the utility of outdoor dining. The change is limited to Local Centre and City Living late night trading areas, where outdoor trading to 10pm should be acceptable within the noise profile of main streets. Outside these late night trading areas, where impacts to residents are higher, the base hours for outdoor trading remain at 8pm.

Submissions summary Support and opposition to draft DCP	Response
l) Requests to remove areas from the current late night trading area maps *3 submissions* Areas that are mostly residential should not be mapped for late night trading in the DCP, as there is no possibility for residential and late night trading to co-exist.	**l) Response** Changes to the late night trading area maps are not within the scope of this project. Minor changes to the boundaries of late night trading areas may be considered as part of implementing Special Entertainment Precincts and will be subject to further review and consultation.
m) Concern about internal receiver criteria for venues *3 submissions* New venues should only be subject to external sound criteria as measured outside a dwelling not internal criteria as measured inside a dwelling. It may be costly and difficult to organise testing inside dwellings that may be affected by a new venue.	**m) Response** Internal criteria has long been part of entertainment sound management, including in the current entertainment sound condition of consent applied in the City. Liquor and Gaming NSW use internal sound criteria when enforcing noise complaints. Therefore, it is important for new venues to calculate and plan for sound levels as they may be heard inside a dwelling. Internal sound levels can be forecast and modelled using standard assumptions about sound attenuation.
n) Clarity over whether internal criteria assumes windows and doors open or closed *3 submissions* The DCP does not specify whether the internal sound criteria assumes windows open or closed, or the use of a mechanical or passive ventilation system.	**n) Response** The draft DCP does not require windows and doors to be open or closed, or the use of a mechanical or passive ventilation system, in order to show compliance with sound criteria. Ventilation is a consideration where the noise source is constant, as in the case of road noise and industrial noise. As entertainment sound is transient, ventilation is not a requirement.
o) Sound criteria for non-residential receivers *1 submission* The entertainment sound DCP should contain controls for commercial, tourist and visitor accommodation, and other non-residential receivers.	**o) Response** The priority for the DCP is to protect residential amenity, as there is less opportunity to retrofit and redevelop residential development once it is built. Owners of commercial buildings and tourist and visitor accommodation have a commercial imperative to provide a desirable acoustic environment to their guests and occupants.

Submissions summary Support and opposition to draft DCP	Response
p) Sites with bespoke acoustic master plans *1 submission* Some sites such as Barangaroo, Darling Square and Loftus Lane have bespoke acoustic master plans in place. The DCP provisions should not override these master plans.	**p) Response** In development assessment site-specific controls typically override general DCP controls where they overlap.
q) Mixed-use development with dwellings in the same building as venues *1 submission* The before-midnight internal sound criteria for dwellings in the same building as venues should not be more stringent than other dwellings.	**q) Response** The internal sound criteria where the most affected dwelling is in the same building as a venue are more stringent because of the way sound transfers through the building, rather than from one direction through a facade. This means the impact of the sound is greater even at the same level.
r) Concern about the entertainment sound planning levels for new residential development *1 submission* The DCP requires development to assume a minimum level of entertainment sound, however this assumption may not always be necessary. For example, the case of a single venue being the source of entertainment sound, and that venue having existing noise limits on their conditions of consent or liquor license.	**r) Response** The DCP requires entertainment sound levels to be established with real world measurements, to inform the design, layout and level of acoustic attenuation required for new dwellings. The minimum assumed planning levels are established to ensure new dwellings are designed with sufficient sound attenuation, in the case where measurements are lower than these levels. This can occur because of seasonal variations, temporary operational factors, or the way sound levels are recorded by a proponent. While there may be cases where dwellings are never subject to the amount of sound assumed by the planning levels, the controls are only triggered where a site is identified on the Entertainment Sound Management maps, where it can be reasonably assumed there will be some level of entertainment sound, either now or in the future.
s) Time of day consideration for new residential receivers *1 submission* The DCP should include guidance for whether new residential receivers should build to the pre-midnight or post-midnight criteria.	**s) Response** Post midnight trading is possible in most instances therefore developers will need to build to address that potential noise level.

Submissions summary Support and opposition to draft DCP	Response
t) Technical comments made to the acoustic report and passive ventilation guide *3 submissions* A wide range of comments about specific details in the acoustic report exhibited with the DCP, and the City's alternative ventilation guide not exhibited with the DCP.	**t) Response** There is a lack of absolute consensus in the acoustic industry on certain technical aspects of entertainment sound. The City has engaged qualified and reputable experts in the field of entertainment sound management to inform the draft DCP. Compliance with the draft DCP is possible with a range of approaches and does not require strict consideration of all details in the acoustic report or other documents.
u) Interaction with Special Entertainment Precincts *3 submissions* Special Entertainment Precincts will include sound plans, potentially with different sound criteria to the DCP. The interaction between the DCP criteria and the Special Entertainment Precinct sound plans should be better explained, and the DCP criteria should be delayed until SEPs are implemented.	**u) Response** Special Entertainment Precincts will have sound plans that will be used for managing entertainment sound in the operation of venues, including substantiating noise complaints by Liquor and Gaming NSW. The sound plans may be different to those in the entertainment sound DCP. They may not cover the same criteria or measurement locations. The City has not yet developed any sound plans for use in Special Entertainment Precincts. The DCP includes requirements for the design and construction of new venues and residential development. They are not for operational sound levels or substantiating noise complaints. Preparation of the SEP sound plan and establishment of the SEPs will consider any necessary changes to the DCP.
v) Concern about the controls applying for low impact development *1 submission* The DCP controls include thresholds for when the entertainment sound criteria apply to existing venues. These thresholds may capture low impact and minor amendments.	**v) Response** The DCP does not determine when a development application is required. The DCP provisions will only be applied where a development application is required, and where those provisions are relevant to the development being proposed. Low impact development covered by exempt and complying development provisions in local or state planning instruments, will not result in the entertainment sound criteria applying.

Attachment B

Sydney Development Control Plan 2012 – Entertainment Sound Management

CITY OF SYDNEY

Draft Sydney Development Control Plan 2012: Entertainment Sound Management



The City of Sydney acknowledges the Gadigal of the Eora Nation as the Traditional Custodians of our local area.

Post-exhibition note: Post-exhibition changes are shown with deletions as **~~bold strikethrough~~** and additions as **bold underline**.

Purpose

The purpose of this Development Control Plan (DCP) is to amend various development control plans applying to the City of Sydney local government area by inserting new and amending existing provisions that:

(a) outline sound management requirements for new and significantly altered entertainment venues;

(b) outline sound management requirements for new development that may be affected by entertainment sound;

(c) outline the methodology and matters to be addressed in a Noise Impact Assessment submitted with development applications for entertainment venues and sensitive receivers; and

(d) include new maps to identify land that may be affected by entertainment sound.

Citation

This amendment may be referred to as Sydney Development Control Plan: Entertainment Sound Management.

Land covered by this plan

This amendment applies to the City of Sydney Local Government Area.

Relationship of this plan to other development control plans

This plan amends *Sydney Development Control Plan 2012* as follows:

(a) Insert a new section 3.18 ‘Entertainment sound management’ in accordance with Appendix 1.

(b) Amend section 3.15.4 ‘Trading hours and trial periods’ in accordance with Appendix 2.

(c) Insert new Entertainment sound management maps in accordance with Appendix 3.

This plan amends *Green Square Town Centre Development Control Plan 2012* as follows:

(a) Amend section GSTC 6.10.8 ‘Acoustic and visual privacy’ in accordance with appendix 4.

(b) Insert a new section GSTC 13 ‘Entertainment sound management’ in accordance with appendix 5.

(c) Insert new Entertainment sound management maps in accordance with appendix 3.

Appendix 1

1. Insert a new section after section 3.17 with the following text:

3.18.3. Entertainment sound management

Definitions

Entertainment sound means amplified or live sound associated with music, entertainment and performance, and from patrons while they are inside the development. It does not include other sound associated with the operation of a venue, such as mechanical ventilation, construction and waste management.

Entertainment sound generating activity means performance or activity including live entertainment, musical, film, rehearsal or performance, theatrical, comedy or dance performance that uses live or recorded music provided for the entertainment of patrons, which is typical but not exclusive to the following land uses:

- Entertainment facility
- Pub or registered club
- Restaurant or café
- Small bar

Sensitive receiver means residential accommodation and serviced apartments.

3.18.3.1 Development generating entertainment sound

Objectives

(a) Ensure development is capable of providing diverse entertainment activities without resulting in amenity impacts to existing and future sensitive receivers.

(b) Protect the health and amenity of people by managing entertainment sound ingress to sensitive receivers.

Provisions

(1) This section applies to the following development:

  (a) introducing a new entertainment sound generating activity;

  (b) extending the trading hours of an existing entertainment sound generating activity beyond midnight;

  (c) increasing the patron capacity of an existing entertainment sound generating activity by more than a third of the existing patron capacity;

  (d) changing the external structure containing an existing entertainment sound generating activity by introducing new external penetrations, windows or doors; or

  (e) internal alterations to an existing entertainment sound generating activity, where it is located in a mixed-use development with residential accommodation.

(2) A Noise Impact Assessment prepared by a suitably qualified acoustic consultant is required, detailing the physical noise attenuation and other measures required to meet the requirements of this section, and demonstrating compliance with the sound criteria in Table 1 and 2.

(3) Development specified for this section must comply with the external entertainment sound criteria shown in Table 1 as measured at the most affected property boundary of the nearest existing sensitive receiver. The measurement location is to be 1.5 metres from ground level at the site boundary.

Table 1 External sound criteria as measured at the property boundary of the nearest identified sensitive receiver

Sensitive receiver	Time period	Sound criteria $L_{Zeq\ (15\ minute)}$
Residential accommodation or serviced apartments	7am to midnight	Must not exceed 5dB above RBL in each octave band
	Midnight to 7am	Must not exceed RBL in each octave band

(4) Development specified for this section must comply with the internal entertainment sound criteria shown in Table 2 as measured inside any habitable room of the nearest existing ~~**residential dwelling**~~ **sensitive receiver**.

(5) For Table 1, the rating background level (RBL) is the background L_{Z90} level for each 1/1 octave band from 31.5 Hz to 4 kHz, for the following periods measured in accordance with Fact Sheet B of the NSW Noise Policy for Industry:

(a) 7am to 10pm

(b) 10pm to midnight

(c) midnight to 3am

(d) 3am to 8am

Table 2 Internal sound criteria as measured inside any habitable room of the nearest sensitive receiver

Sensitive receiver	Time period	Sound criteria $L_{Zeq\ (15\ minute)}$
Residential accommodation or serviced apartments	7am to midnight	Must not exceed $L_{Z90\ (15\ minute)}$ in each octave band
	Midnight to 7am	Must not exceed 12dB below $L_{Z90\ (15\ minute)}$ or the threshold of audibility in each octave band
Where the dwelling is inside the same building	7am to midnight	Must not exceed 3dB below $L_{Z90\ (15\ minute)}$ in each octave band
	Midnight to 7am	Must not exceed 12dB below $L_{Z90\ (15\ minute)}$ or the threshold of audibility in each octave band

(6) For Table 2, if the $L_{Z90\ (15\ minute)}$ level in the octave bands 31 Hz to 500 Hz is less than the threshold of audibility values listed in Table 3, the values in that table shall be used.

Table 3 Threshold of audibility by octave band

Octave band	31.5 Hz	63 Hz	125 Hz	250 Hz	500 Hz

L_{Zeq}	51 dB	32 dB	18 dB	9 dB	3 dB

(7) The internal sound criteria in Table 2 and provision (4) prevail to the extent of any inconsistency with the external sound criteria in Table 1 and provision (3).

3.18.3.2 Development affected by entertainment sound

Objectives

(a) Protect the amenity of residents by reducing entertainment sound ingress.

(b) Enable the delivery of housing in mixed-use areas with entertainment sound generating activities.

Provisions

(1) The section applies to development for the purposes of new residential accommodation and/or serviced apartments, or where an alteration to an existing development involves conversion **to** or delivery of additional dwellings, on the following sites:

(a) on land where any part is identified on the *Entertainment Sound Management Map* as ~~**'Land affected by entertainment sound'**~~ **'Sensitive receivers – Radius 1'**;

(b) on land identified on the *Entertainment Sound Management Map* as ~~**'Additional land that may be affected by entertainment sound'**~~ **'Sensitive receivers – Radius 2'**, to the extent that the part of the site or proposed built form has uninterrupted exposure to a mapped 'Existing live music and performance venue'; or

(c) on the same site as an existing entertainment sound generating activity.

(2) A preliminary Noise Impact Assessment prepared by a suitably qualified acoustic consultant is to be submitted with a Site Specific DCP or Concept DA for development specified for this section, demonstrating how exposure to entertainment noise from a mapped existing venue has been reduced with appropriate siting, orientation and built form elements.

(3) Development specified for this section must comply with the internal criteria for sound from any pre-existing, planned or approved entertainment sound generating activities shown in Table 1.

Table 1 Internal criteria for entertainment sound

Residential accommodation $L_{Zeq\ (15\ minute)}$	**Octave Band Centre Frequency dB**							
Bedrooms								
Octave band	31.5 Hz	63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	1 kHz	4 kHz
7am to midnight	60	50	39	30	25	20	15	13
Midnight to 7am	53	43	32	23	18	13	8	6
Other living areas								
Octave band	31.5 Hz	63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz
7am to midnight	65	55	44	35	30	25	20	18

Midnight to 7am	55	48	37	28	23	18	13	11

Note: For reference, the octave bands in Table 1 are approximately equivalent to the dBA levels in Table 2.

Table 2 Approximate dBA equivalent entertainment sound levels of Table 1. Note these are provided for reference only.

Residential accommodation $L_{Aeq\ (15\ minute)}$	
Bedrooms	
7am to midnight	30 dB
Midnight to 7am	23 dB
Other living areas	
7am to midnight	35 dB
Midnight to 7am	28 dB

(4) A Noise Impact Assessment prepared by a suitably qualified acoustic consultant is required for development specified for this section. The assessment is to establish the loudest existing $L_{Zeq\ (15\ minute)}$ sound context for any one hour period during the operation of venues for each 1/1 octave band between 31.5 Hz and 4 kHz. The assessment is to demonstrate attenuation from either the existing $L_{Zeq\ (15\ minute)}$ or the levels in Table 3, whichever is higher per octave band, to the internal sound criteria shown in Table 1.

Table 3 Minimum planned external entertainment noise spectrum

Octave band	31.5 Hz	63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz
L_{Zeq}	69	63	53	49	47	44	42	45

Note: For reference, the octave bands in Table 3 are approximately equivalent to 51 dBA.

(5) For the purposes of (1)(b), “uninterrupted exposure” means a direct line of sight without intervening built form, or facing a street or road corridor with an uninterrupted street wall on both sides between the venue and the site. A preliminary urban design analysis with 3D modelling may be required to establish which parts of the site are exposed and which are protected by existing or proposed built form elements.

(6) To meet the criteria shown in Table 1, development may propose to attenuate the entertainment sound at an existing source. Where this is proposed, the proponent must demonstrate the attenuation measures:

(a) will be effective at meeting the sound criteria in Table 1;

(b) have the consent of relevant parties associated with the source of the entertainment sound; and

(c) will last for the life of the proposed development, or have a management plan to ensure their maintenance and continued use through change of ownership at the source.

Appendix 2

1. Edit the text in section 3.15.4 'Trading hours and trial periods' provisions (1) – (15), with strikethrough representing deletion and underlines addition.

These provisions identify base and extended trading hours within the three late night trading areas and for premises located outside of these areas.

Approvals for late night trading premises will be limited in time to enable Council to assess the ongoing management performance of a premise and its impacts on neighbourhood amenity. These trial periods allow Council the flexibility to review the conditions on development consents and respond to such things as change in the late night character of a neighbourhood and changes in management.

(1) Base and extended hours that apply to particular late night trading areas are identified in Table 3.8 Late night trading hours.

Table 3.8 Late night trading hours

		Category A		**Category B**		**Category C**
		Indoor	Outdoor	Indoor	Outdoor	Indoor
Late Night Management Area	Base	6am to midnight	~~10am~~ 9am to 10pm	6am to 2am	7am to 10pm	24 hours
	Extended	24 hours	9am to 1am	24 hours	7am to 1am	
City Living Area	Base	7am to 11pm	~~10am~~ 9am to ~~8pm~~ 10pm	7am to 1am	7am to ~~8pm~~ 10pm	24 hours
	Extended	7am to 5am	9am to midnight	7am to 5am	7am to midnight	
Local Centre Area	Base	~~10am~~ 9am to 10pm	~~10am~~ 9am to ~~8pm~~ 10pm	7am to 11pm	7am to ~~8pm~~ 10pm	7am to 2am
	Extended	~~10am~~ 9am to midnight	9am to 10pm	7am to midnight*	8am to 10pm	
All other areas	Base	10am to 10pm	10am to 8pm	7am to 10pm	7am to 8pm	7am to midnight
	Extended	10am to midnight	10am to 10pm	7am to midnight	7am to 10pm	

*Refer to (2) below

(2) Notwithstanding Table 3.8, proposals for extended indoor hours of Category B premises in Local Centre Areas up to 2am may be approved but only if Council is satisfied that entry and egress of all patrons will be onto a main street and not onto a laneway which abuts residential properties, or into a predominantly residential area.

(3) Any hours that are beyond base hours will be subject to a trial period.

(4) Council may permit trading hours that exceed extended hours for 'all other areas' if it has considered matters in 3.15.3 and provided that:

(i) The premises is not located in a R1, R2 (residential) or ~~B4~~ MU1 (mixed-use) zone; and

(ii) The premises is located within 800 metres walking distance of the public entrance to rail station or ferry wharf with operating and available services, or 400 metres to the public entrance to a light rail station or platform, or a bus stop with operating and available services.

(5) Council will consider proposals for stand-alone gyms in Local Centres to exceed the trading hours in Table 3.8 if:

(i) the gym is not located in a building with residential accommodation;

(ii) the tenancy within which the gym will be located has no common wall to residential accommodation;

(iii) Council is satisfied that entry and egress of all patrons will be onto a main street and not onto a laneway which abuts residential properties, or into a predominantly residential area;

(iv) no outdoor operation of the gym is proposed;

(v) a Plan of Management is approved addresses noise impacts described in Schedule 3, 3.2(d).

(6) Extended trading hours beyond base hours may be permitted at the initial application stage, but only where the Council has determined that the premises have been or will be well managed, including compliance with an approved Plan of Management.

(7) At the completion of a trial period a new application must be lodged to either renew existing trial hours or to seek an extension of trading hours.

(8) Premises seeking extended trading hours may be permitted up to ~~two~~ three additional operating hours per trial period if a previous trial period is considered by the Council to have been satisfactory, unless eligible for an additional one trial hour under sections 3.15.4 (16) and (17).

(9) Trial periods may be permitted up to the following durations:

(a) First trial – ~~1 year;~~ 2 years;

(b) ~~Second trial – 2 years;~~

(c) ~~Third~~ Second and subsequent trials – 5 years.

(10) Once the full range of extended trading hours is reached an application must be lodged every 5 years to renew trading hours.

(11) Applications for a renewal or extension of trial trading hours should be lodged 30 days prior to the expiry period and applicants will be allowed a period of 'grace' from the termination of the trial period until the new application has been determined. During this period, the premises may continue to trade during existing approved trial hours.

(12) If an application is not lodged 30 days prior to the expiry of the trial period, then approved trading hours will revert to base trading hours.

(13) A renewal or extension of trading hours that are subject to a trial period may only be permitted if Council is satisfied that a late night trading premises has demonstrated good management performance and compliance with a plan of management, following the completion of a satisfactory trial period.

(14) When Council is assessing trial period applications, it will consider whether a venue has demonstrated good management performance, based on matters including but not limited to:

(i) whether the trial period hours have been utilised;

(ii) the nature and extent of any substantiated non-compliances with development consent or liquor license conditions, particularly those relating to public safety and impacts on amenity;

(iii) responses to substantiated complaints, including complaints recorded on the venues complaints register;

(iv) compliance with the approved Plan of Management for the venue;

(v) consideration of complaints to Council and the State licensing authority under the Liquor Act 2007;

(vi) an assessment of inspections by Council Officers during trial periods; and

(vii) consideration of any submission made by Police.

(15) If the Council determines that a trial period has been unsatisfactory then trading hours will revert to the base late night trading hours or whatever hours have been approved as the maximum trading hours prior to the commencement of this DCP. Council will consult with an applicant prior to making such a determination.



Appendix B1

Draft Sydney Development Control Plan 2012 – Entertainment Sound Management - Maps

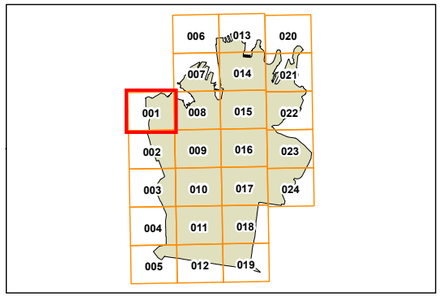
CITY OF SYDNEY

Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 001

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
- Land excluded from this DCP



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File: SDCP2012_ESM.mxd

Inner West Council

SYDNEY LIGHT RAIL

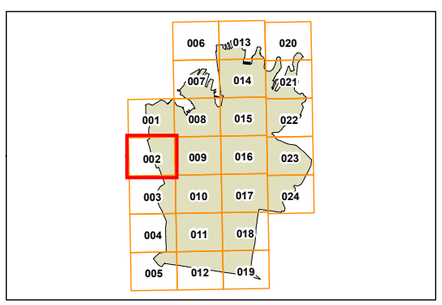
CITY OF SYDNEY

Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 002

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
- Land excluded from this DCP



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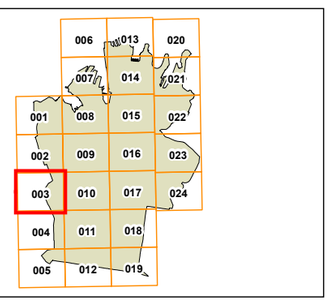
CITY OF SYDNEY

Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 003

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
- Land excluded from this DCP



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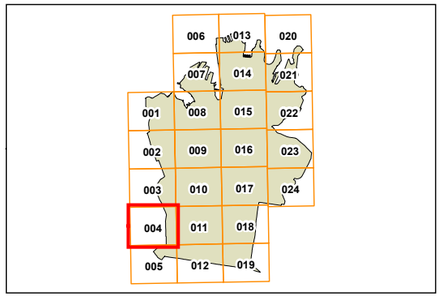
CITY OF SYDNEY

Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 004

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
- Land excluded from this DCP



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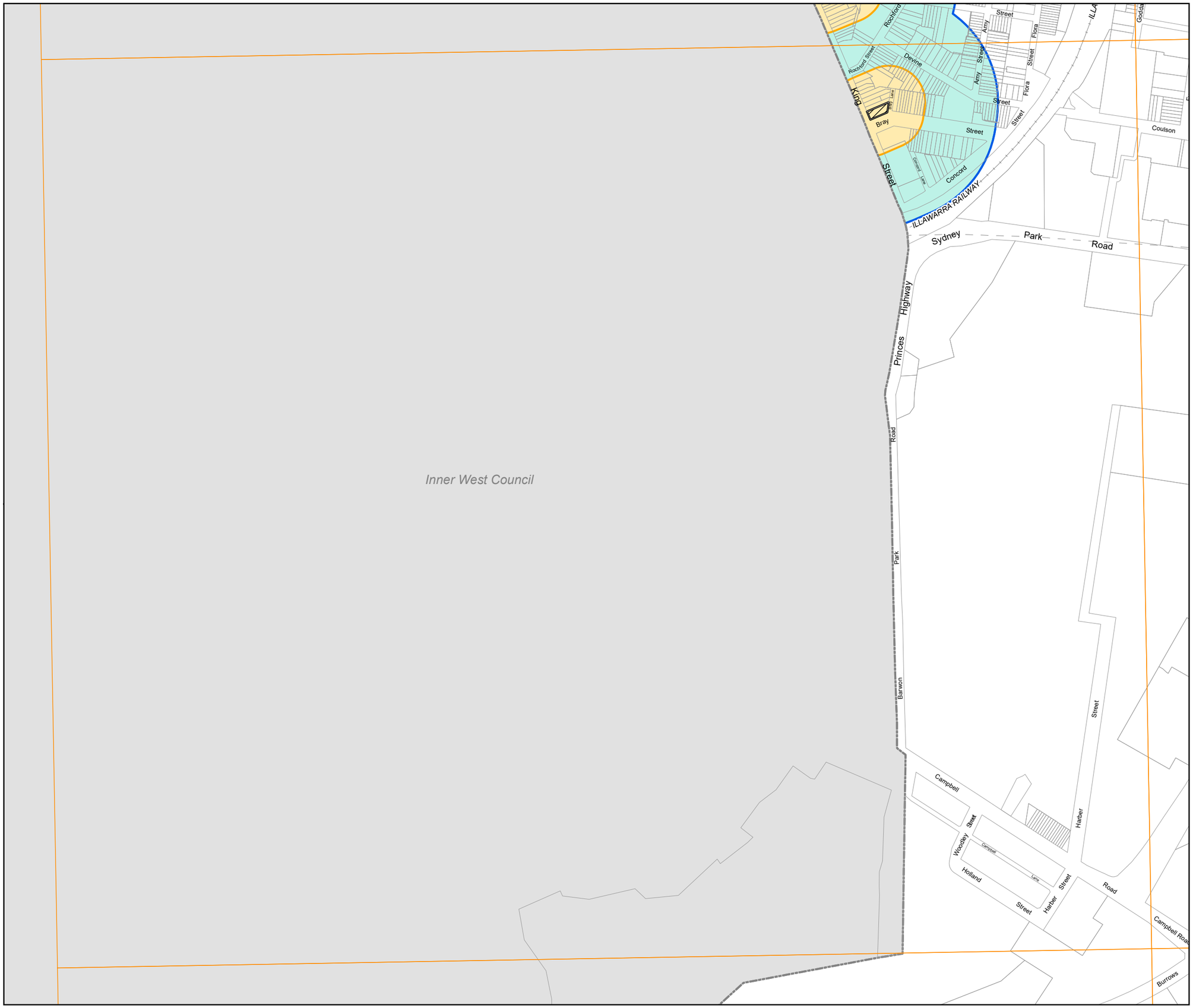
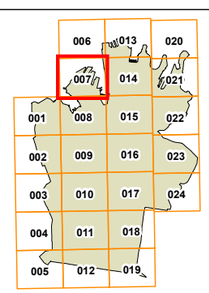


Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 007

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
- Land excluded from this DCP



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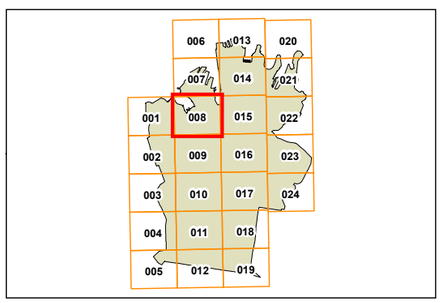
CITY OF SYDNEY

Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 008

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
- Land excluded from this DCP



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CITY OF SYDNEY

Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 009

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
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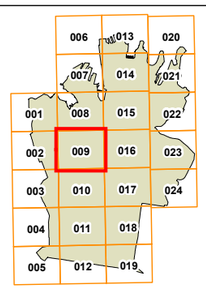

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CITY OF SYDNEY

Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 010

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
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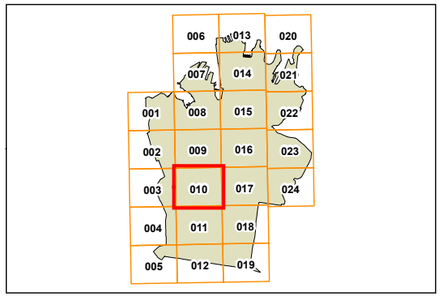

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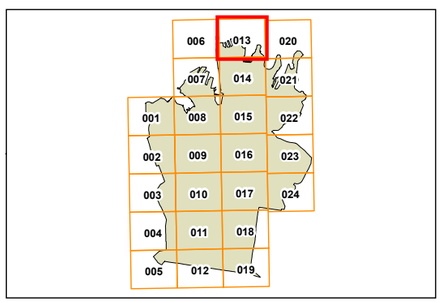
Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 013

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
- Land excluded from this DCP



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CITY OF SYDNEY

Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 014

Legend

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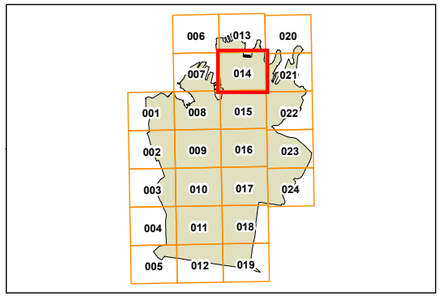
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
- Land excluded from this DCP



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CITY OF SYDNEY

Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 015

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
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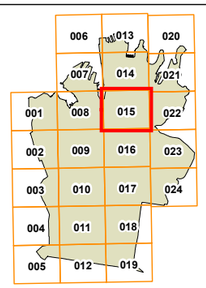

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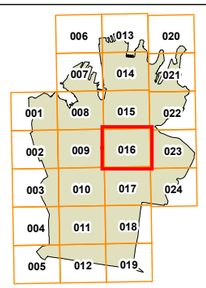
CITY OF SYDNEY

Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 016

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
- Land excluded from this DCP



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CITY OF SYDNEY

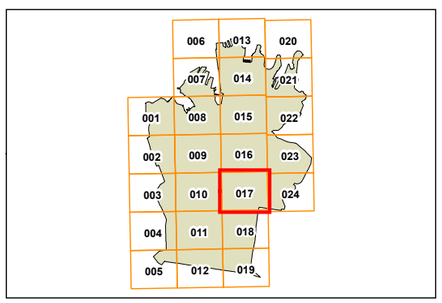
Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 017

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
- Land excluded from this DCP





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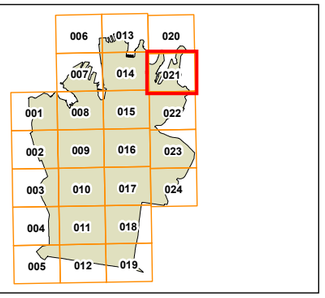
Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 021

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
- Land excluded from this DCP



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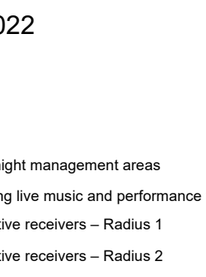
Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 022

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
- Land excluded from this DCP



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CITY OF SYDNEY

Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 023

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
- Sensitive receivers – Radius 2
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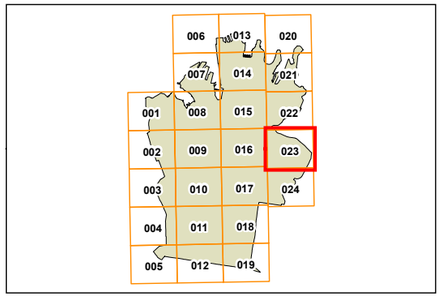

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CITY OF SYDNEY

Sydney Development Control Plan 2012

Entertainment sound management map
Sheet 024

Legend

- Late night management areas
- Existing live music and performance venues
- Sensitive receivers – Radius 1
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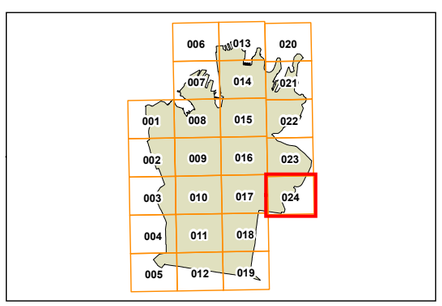

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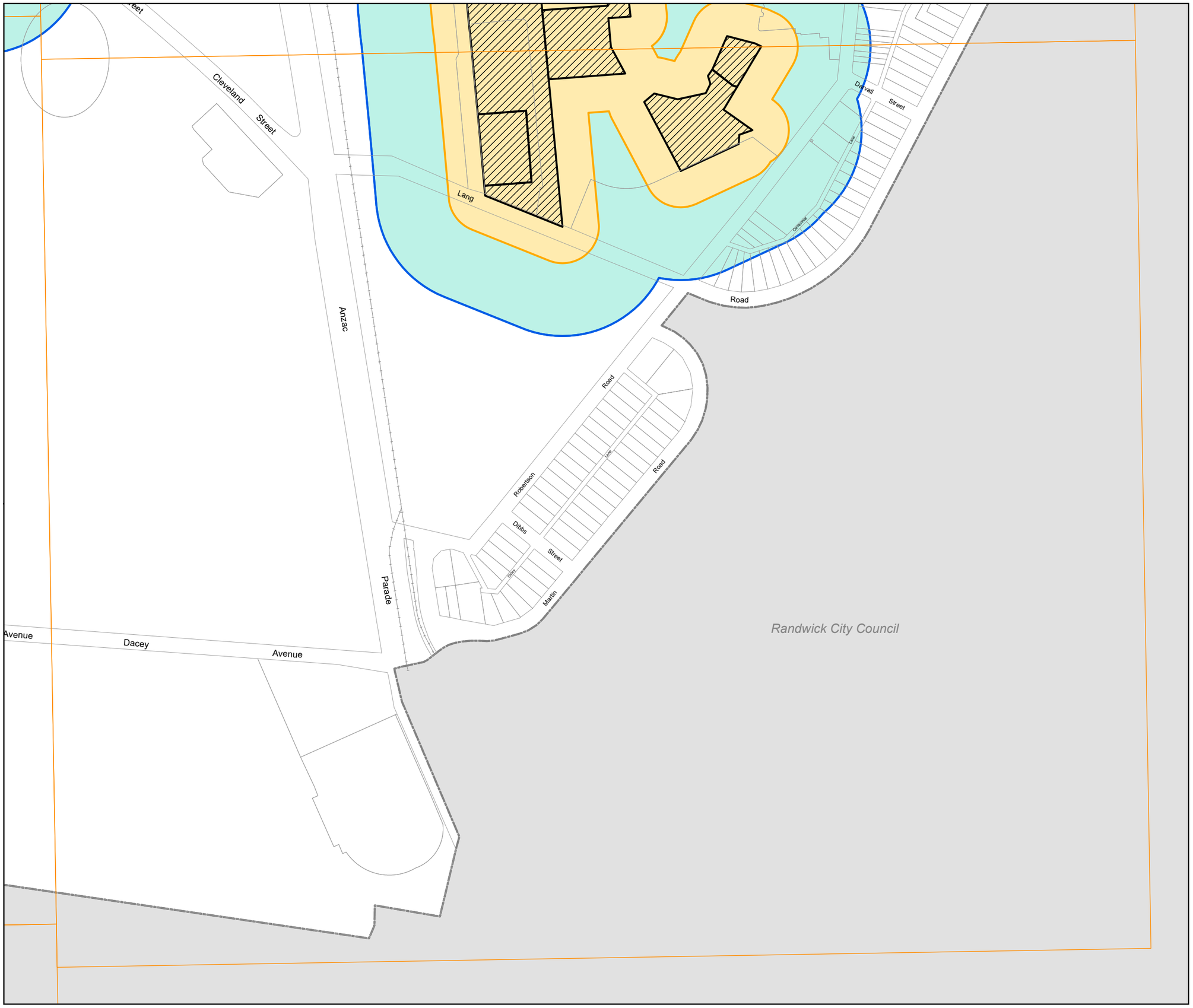

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Attachment C

Engagement Report - Special Entertainment Precincts Discussion Paper

CITY OF SYDNEY

Engagement report – special entertainment precincts discussion paper



Engagement report
February 2025

Green Global Connected

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Overview

Background

Special entertainment precincts are part of the NSW Government's vibrancy reforms. These precincts support live entertainment through extended trading hours and sound controls that provide operational certainty for businesses and neighbouring residents. Councils can establish special entertainment precincts in their local areas.

Special entertainment precincts can:

- encourage businesses to provide live music and performance
- make it easier and reduce costs for licensed and unlicensed businesses, such as bookshops and cafes, to trade late without a development application
- give businesses access to the NSW Government's 80% reduction in liquor licence fees and extended licensing hours for live performance, and
- allow a council to set sound criteria that suits the context of the area and encourage live music and performance.

In consultation for Sustainable Sydney 2030—2050 Continuing the Vision, our communities told us they want a vibrant, lively city with diverse shopping, dining and entertainment options. In recent consultations about the late-night economy, young people told us that they want safer, alcohol-free activities and recreation options available at night.

Designating special entertainment precincts within our existing late-night trading areas is part of our ongoing commitment to supporting a thriving, balanced night-time economy.

Engagement summary

From **21 November 2024 to 20 January 2025,** we invited the community to share their thoughts about making our late-night trading areas special entertainment precincts.

The consultation provided an opportunity for community members to give their feedback on the areas, boundaries, and trading hours proposed for the special entertainment precincts. We asked people to tell us about their current nightlife experience, whether they support the proposal, and the reason for their level of support.

We asked business owners/operators if the proposal would encourage them to stay open later or host live music more often, and we asked everyone about their general tolerance for sound levels in late night precincts.

This report outlines the community engagement activities that took place and summarises the key findings from the consultation.

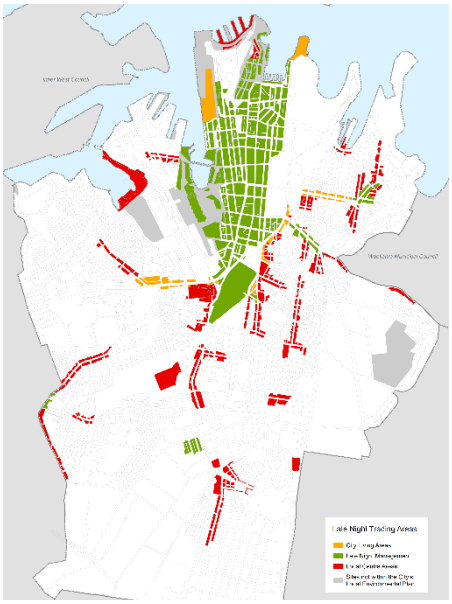


Figure 1. Late-night trading areas

Purpose of engagement

1. **Inform** stakeholders about the proposed framework for establishing Special Entertainment Precincts (SEPs).
2. **Consult** with the community, including business operators, residents, and visitors, on the suitability of the current late-night trading precinct areas and whether these areas are appropriate for SEP designation or should be expanded or reduced.
3. **Understand** community perspectives on the current trading hours within these precinct areas, gathering insights on whether these hours should be extended, reduced, or remain unchanged to balance nightlife opportunities with community amenity.
4. **Collaborate** with stakeholders to ensure the SEP framework reflects a shared vision that supports a vibrant night-time economy while addressing community needs and concerns.

Participation

In total, 4,507 people engaged with the consultation by viewing the webpage, attending a community briefing, completing a survey or sending feedback by email.

We received a total of 356 submissions during the consultation period.

Figure 1. Summary of engagement activity

Quantity	Description of activity
4507	**Total engagements**
4001	Sydney Your Say webpage visits
1135	Discussion paper downloads
82	People attended community briefing session
52	People attended a business briefing session
17	Young people attended a briefing for the youth opportunities program
271	Survey submissions
85	Emailed submissions, 18 of which were from groups or organisations

Snapshot of survey respondents

- 271 people surveyed

- 95% respondents completed the survey as a community member, 5% as a business owner/operator
- 92% speak English at home
- 54% are male
- 80% live in the City of Sydney
- 53% of respondents live in a late-night trading area
- 60% go out after 8pm at least once a week
- 45% go out in an area walking distance from their home
- Respondents represent a good mix of ages.
    - 22% are 18 to 34,
    - 23% are 35 to 44
    - 15% are 45 to 54
    - 17% to 55 and 65
    - 20% are over 65

The survey responses provide a good representation of community opinion related to the night-time economy in the City of Sydney area. Feedback was collected from a diverse range of respondents, including residents, those who work and visit the city, people who live in late-night trading areas and people who don't. These perspectives included those who went out at night frequently for various reasons to those that went out less often.

The consultation received a very low rate of response from business owners and operators. It is recommended that further consultation is done with business owners and operators in late-night trading areas during the development phase of this project.

Key findings

Overview of key findings

Overall, there is clear support for the special entertainment precincts proposal however some are seeking changes. The key findings are:

- Strong support for a more vibrant nightlife and diverse entertainment options, overall and especially from younger people
- Overall support for the proposed trading hours being right for the area or too early.
- Most objections relate to noise concerns and potential impacts to residents.
- Lots of suggestions about changes around specific streets, areas and hours for the project team to consider
- Around half of respondents felt sound levels should be no louder than they are now.
- Most people like to go out close to home
- People choose to go out to places with a choice of places to eat and drink, vibrant atmosphere, and live music and cultural activities.

Special Entertainment Precincts proposal

People were asked if they support the proposal to designate late-night trading areas as special entertainment precincts.

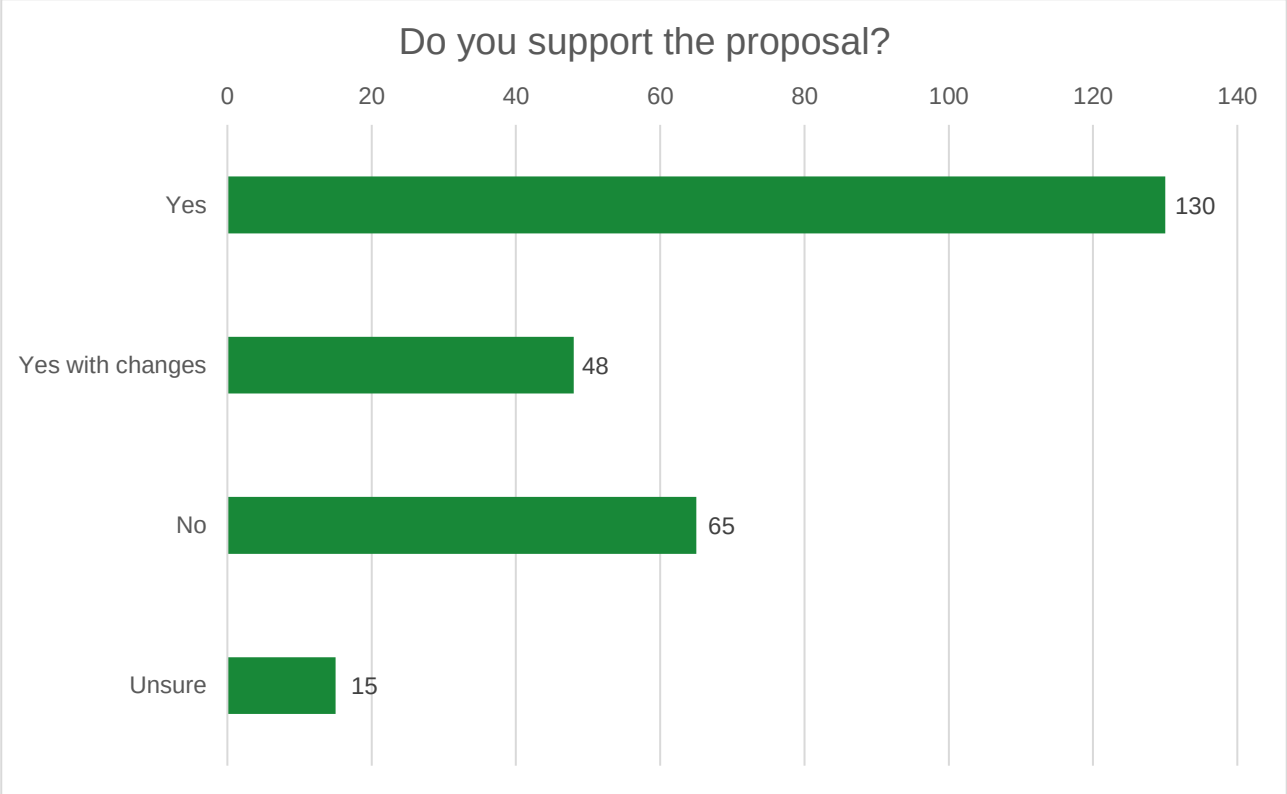
Overall, 70% were supportive or supportive with some changes while 24% were not and 6% were unsure.

The majority of people aged greater than 55 were unsupportive.

Most of those who live in one of the three late night trading areas were supportive or supportive with some changes.

55% of business owners and operators were supportive or supportive with some changes.

The below displays the overall response:



Reason for level of support

Respondents were asked to comment on why they do, or do not, support the proposal.

From 271 responses, the following themes emerged as the most common reasons that people support the proposal:

- Support for night life growth (80 comments)
- Support for cultural and nightlife diversity (30 comments)
- Support for flexibility for businesses (24 comments)

Additionally, 43 comments expressed general support for the proposal, without a specific reason.

The following themes emerged as the most common concerns about the proposal:

- Concerns about noise affecting residents (50 comments)
- General noise concerns (16 comments)
- Safety concerns (13 comments)

Additionally, 9 comments expressed a general objection to entertainment precincts, without a specific reason.

People who said they support the proposal with some changes told us they would prefer a change to the areas or hours proposed. Some comments from these respondents expressed concern about noise, and some mentioned the importance of balancing residential, business and nightlife needs.

Reasons for support

The following topics were frequently mentioned by people in support of the proposal.

Support for nightlife growth

Many comments spoke about a strong desire to see Sydney's nightlife return and grow. Many of these comments expressed dissatisfaction with the current offering, especially in comparison to other cities. There were frequent mentions of the need for revitalisation and recovery from previous periods such as when lock-outs laws were in place.

> "A vibrant nightlife will encourage tourism and boost the local economy which enables a rich and diverse range of restaurants, bars and clubs to succeed"
>
> "Sydney needs to become a true international city which means 24 hours trading should be available"
>
> "Sydney's nightlife needs a boost and should be on par with other global metropolises."

General support for the proposal

Many comments expressed general support for the overall concept, positive sentiment for the purpose of establishing special entertainment precincts, support for change, and support for the role of special entertainment precincts in enhancing nightlife and vibrancy.

> "The proposal strikes the right balance between a vibrant city nightlife and noise concerns"
>
> "We need to make these changes quickly please"
>
> "It is time that Sydney had dedicated areas - if you choose to live in these areas, you cannot expect them to be as quiet as a suburban area"

Support for cultural and nightlife diversity

Many people said they were supportive of the proposal because they would like an increase in Sydney's offerings at night to improve cultural experience. Comments mentioned the need for a variety in venues, access to shops with later trading, diverse entertainment, supporting the arts and making Sydney a more attractive destination. The comments showed enthusiasm for expanding nightlife opportunities.

> "I want my community to be a vibrant and energetic area that supports the arts, including live-performers, and allows people to enjoy themselves."
>
> "There is no commerce or night life after work. I need to cram in all my errands on the weekends"
>
> "We need more night entertainment spaces in Sydney"
>
> "More opportunities to experience different kinds of music and culture without having to travel far"

Support and flexibility for businesses

Many people cited the need for supporting businesses and reducing regulation as their reason for supporting the proposal. They said the contribution of businesses to Sydney's nightlife is important,

and expressed support for reducing 'red tape', making it easier for businesses to operate and encouraging later trading.

"The development application process is just one more burden for new live music venues starting up"

"There should be freedom to choose when businesses run so that people can enjoy Sydney as a proper 24hr city"

"We need to liven up the city. Businesses should be supported to make this happen."

"We need to allow venues to grow and new places to open with less restrictive laws." Reasons for support with change

Reasons for concern

The following topics were frequently mentioned as concerns about the proposal.

Concerns about noise affecting residents

Many people expressed concern about the impact of nighttime noise on residents. They raised concerns about noise affecting sleep and disrupting peaceful living. These comments often referenced existing issues with venues or areas, patrons leaving venues, music volumes, lack of sound proofing, noise from traffic or people in the streets and the need to control or mitigate sound.

"Residents… should not have to hear venues (Pubs, clubs etc...) noise in their own homes with doors and windows shut"

"Noise pollution is detrimental to human health, not just mental health but physical health."

"There is already too much noise with people screaming, yelling, playing loud music on their phones outside residences"

"With more apartment living, it is important not to create areas into late night trading areas when people need to sleep"

General noise concerns

Some comments expressed concern about noise in the city generally, and some comments expressed concern about noise at night. This includes comments about noise from cars, dogs, and noise from existing venues.

"We already live in a noisy city. Dogs barking and car hooning"

"Some venues already are too loud and run all night."

"Concerned about noise from patrons leaving premises late at night "

Safety concerns

Some comments raised a concern about safety at night. People expressed a concern that they would not feel safe at night in an area with late night venues. These comments mentioned the risk of anti-social behaviour and the risk of an increase in crime.

"It will lead to an increase in crime"

"There are so many residences on Darlinghurst Road and it would feel unsafe going into those buildings if the street turned into late night venues."

Proposed trading areas and precinct boundaries

On the consultation webpage we published maps showing the boundaries of the proposed special entertainment precincts and a discussion paper that included tables of trading hours proposed for each type of business in each type of precinct. The boundaries and the hours align with existing late-night trading areas. These areas already support extended trading hours, which can be accessed by businesses through Development Applications (DAs).

We asked survey respondents to evaluate the table of hours proposed for each type of precinct and rate the table on a sliding scale from too early to too late.

Overall, respondents think the trading hours proposed for Local Centres and City Living precincts are right for the areas, and the hours proposed for Late Night precincts are too early.

Business owners and operators said the proposed hours were right for all three precincts.

People who said they live in Local Centre precincts had mixed opinions about the proposed hours being right for the area or too late.

Most people who said they live in a City Living precinct think the hours proposed for those precincts are a bit late or too late.

Those who said they live in Late Night precincts had differing opinions about the proposed hours with most being too late, closely followed by too early.

A strong majority of younger people (between 18 and 34) think that the proposed hours are early:

- 75% think the hours proposed for Late Night precincts are a bit early or too early
- 63% think the hours proposed for City Living precincts are a bit early or too early
- 59% think the hours proposed for Local Centre precincts are a bit or too early

People aged over 65 think the hours proposed for Late Night and City Living precincts are too late. When it came to Local Centres, they were evenly split between right for the area and too late.

The tables in figure 2 give a breakdown of the overall responses for each precinct:

Figure 2. Responses to the survey question 'To support vibrancy, live music, and performance in your area, do you think sound levels should be'

Local Centre precincts		
Rating of proposed hours	No. of responses	% of responses
Too early	65	24%
A bit early	35	13%
Right for the area	**84**	**31%**

Local Centre precincts		
A bit late	32	12%
Too late	56	21%

City Living precincts		
Rating of proposed hours	No. of responses	% of responses
Too early	63	23%
A bit early	39	14%
Right for the area	**79**	**29%**
A bit late	33	12%
Too late	58	21%

Late night precincts		
Rating of proposed hours	No. of responses	% of responses
Too early	**72**	**26%**
A bit early	43	16%
Right for the area	63	23%
A bit late	36	13%
Too late	58	21%

Adding or removing precincts

Survey respondents were asked if they felt any areas should be added or removed from the proposed precincts, including which streets/addresses and why. Maps of the precinct boundaries were included on the Sydney Your Say webpage to reference.

139 responses were received by way of a free text comment box.

9 respondents expressed support for the proposed areas and 14 suggested places to add such as several streets in the Surry Hills area. 42 suggested places to remove such as Walsh Bay and Hickson Road, and Crown Street between Arthur St and Devonshire St

There were 24 suggestions to add a place that were already in the proposal, while 9 noted locations to be removed which were already excluded from the proposal.

A full breakdown of suggestions has been included in appendix A.

Precinct type changes

Feedback was requested on whether areas should be included in a different precinct type. This could be a Local Centre that has become more suitable for nightlife and should be changed to a City Living precinct. Respondents were asked to include streets/addresses, which precinct type they should become and why.

101 responses were received by way of a free text comment box.

Surry Hills/Crown Street was suggested to go up a tier the most with six responses. The area south of Hyde Park bordered by Liverpool Street, Elizabeth Street and Wentworth Ave received 4 responses to go down a tier.

A full breakdown of suggestions has been included in appendix B.

Sound levels

The survey included a question on what sound levels should be to support vibrancy, live music and performance. People were asked to rate levels as: no louder than they are now, a little bit louder, much louder or they are not sure.

The majority of people opted for sound levels to be no louder than they are now with those living in one of the three precincts feeling the same.

80% of people aged between 18 and 34 thought it should be a bit louder or much louder, while all other age demographics said no louder than they are now.

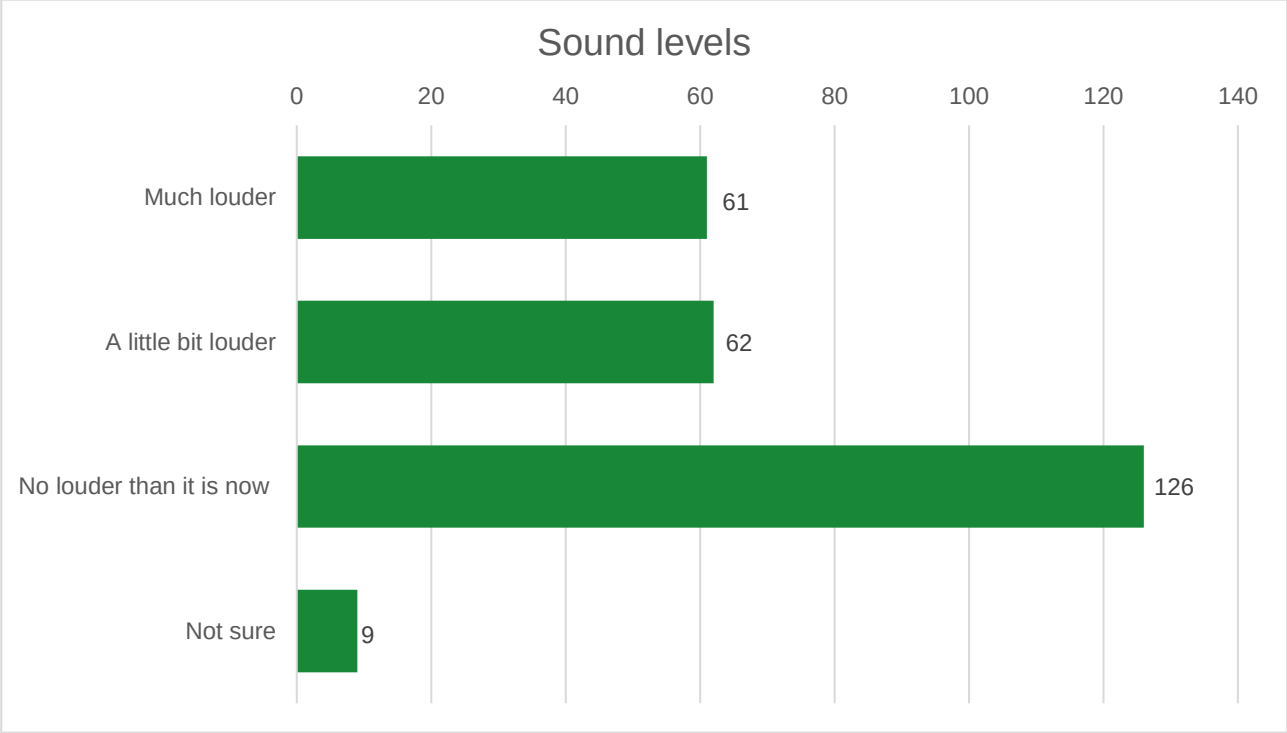
Most businesses thought it should be a little bit louder, noting the low response rate from this group.

People who didn't live in one of the three precincts were even across the options:

- 33% think sound levels should be much louder
- 31% think it should be a little bit louder
- 31% think it should be no louder than it is now
- 6% were not sure

Figure 3 shows the overall response volumes.

Figure 3. Responses to survey Q6. ‘To support vibrancy, live music, and performance in your area, do you think sound levels should be:’



Business owners and operators

The response from business owners and operators was very low. Only 13 responses (5% of the total survey responses) were from business owners or operators, and these respondents did not answer all questions. Five responses were received from licensed businesses, and 2 from unlicensed businesses.

We asked if a special entertainment precinct designation encourages your business to trade later than your current hours. Four respondents said yes, three said they already trade as late as they want and two said the hours wouldn’t allow them to trade later.

We asked if special entertainment precinct designation would encourage your business to host more live music performances or cultural activities?
Six respondents said yes, two said no.

We then asked respondents to tell us why they chose that answer.

Business respondents who said yes they would host more live music told us it was because their business had the spaces and facilities suitable for live music, events and entertainment, because it would bring more people to the area, and because they felt more venues encouraged by the change would help them with access and connection to community.

Of the two business respondents who said no, one already hosts live music and cultural events 7 nights per week, and the other is an accommodation provider concerned about noise disturbing guests.

We asked if business respondents had any other comments about the special entertainment precincts proposal. The six responses expressed support for Oxford Street, support for small

retailers, general support for special entertainment precincts, and one expressed a concern around over-regulation.

Reasons for going out

People were asked how far they travelled when going out after 8pm and were asked to select three main reasons. There were 11 options given that ranged from family-friendly spaces and things to do, to safe spaces and transport options.

A choice of places to eat and drink was the most common reason, followed by a vibrant atmosphere, then live music or cultural activities.

Business respondents told us the main reasons people go out in their areas are bars, restaurants and licensed premises being open later, and a choice of places to eat and drink.

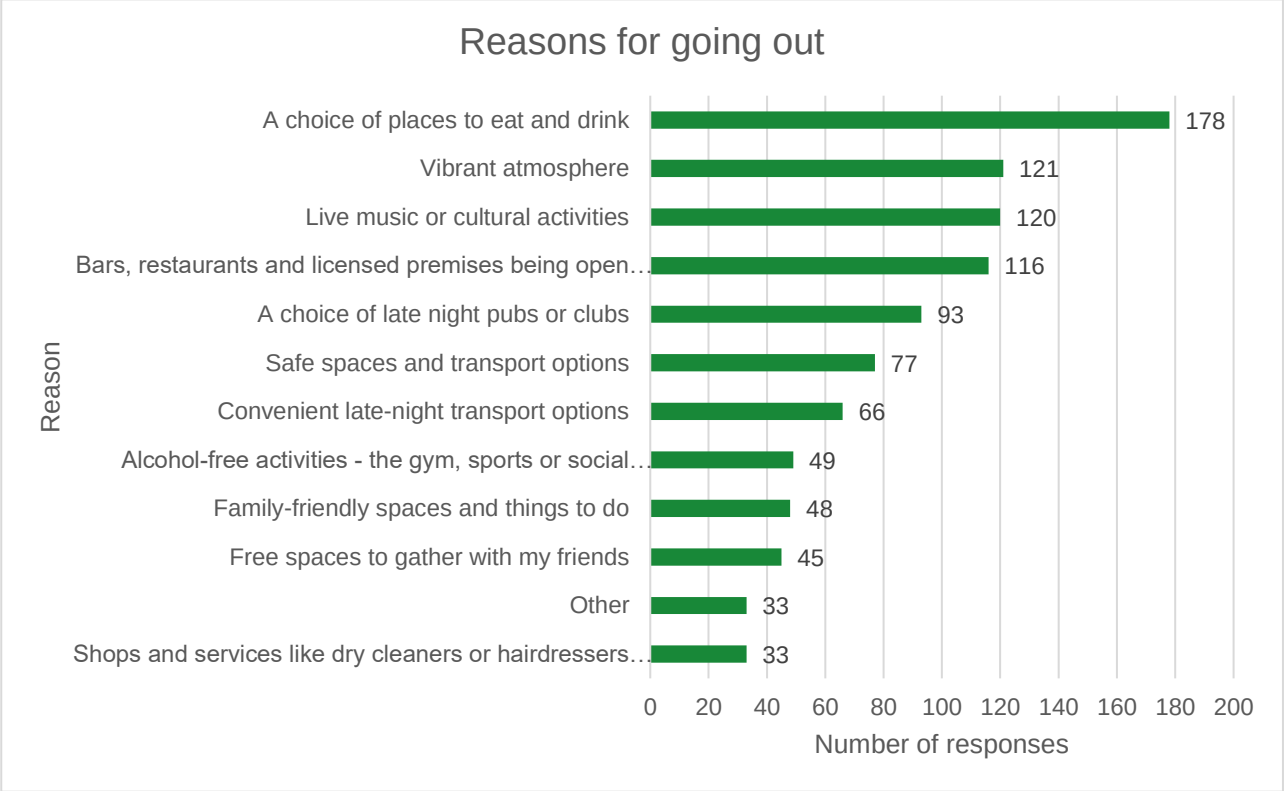
Figure 5 summarises the top three reasons people told us that they choose an area to go out in, based on how far people travel to go out after 8pm.

Figure 4. Summary of the top 3 reasons why people choose an area grouped by where they go out after 8pm

Distance travelled	% of responses	Top three reasons
Walking distance from home	48%	• A choice of places to eat and drink • Vibrant atmosphere • Bars, restaurants and licensed premises being open later
10-20 minutes away by car or public transport	31%	• A choice of places to eat and drink • Live music or cultural activities • Vibrant atmosphere
20-30 minutes away by car or public transport	12%	• A choice of places to eat • Live music or cultural activities • Bars, restaurants and licensed premises being open later
More than 30 minutes away by car or public transport	9%	• Live music or cultural activities • Bars, restaurants and licensed premises being open later • Vibrant atmosphere

Figure 6 shows the full list of reasons that people could select an answer from, and the total number of people who selected each reason.

Figure 5. Responses to survey question 12: What are the main reasons you choose that area? (select up to 3)



Other comments

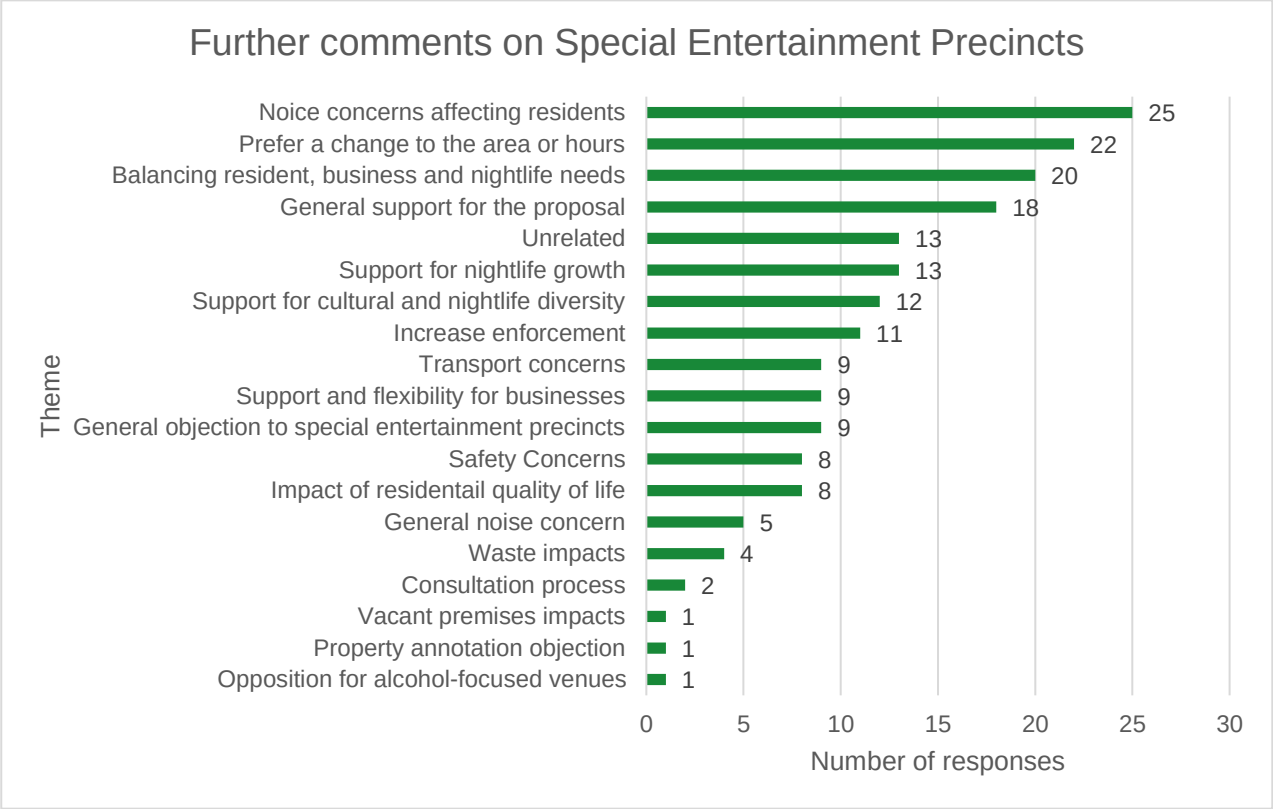
Respondents were asked at the end of the survey if they had any other comments about the proposed special entertainment precincts. Many respondents repeated opinions from their comments earlier in the survey.

The most common themes in these comments were

- Concerns about noise affecting residents (25 comments)
- Prefer a change to the area or hours (22 comments)
- Balancing resident, business and nightlife needs (20 comments).
- General support for the proposal (18 comments)

Figure 7 shows the full list of topics mentioned in other comments.

Figure 6. Themes from responses to the survey question ‘Do you have any other comments about the proposed special entertainment precincts?’



Emailed responses

There were 85 emailed responses from a variety of residents, resident action groups, government entities and commercial organisations.

Email submissions reflected a mixed response to the proposal, with a good level of support for the special entertainment precinct proposal and a similar level of objection.

The topics raised in email submissions align with the feedback received in survey submissions.

The sentiment from those in support is that special entertainment precincts promote a more vibrant, diverse and global city. Many noted the economic and cultural benefits.

Noise concerns affecting residents was often mentioned. Many people who expressed concern about noise also said they would prefer a change to the area or hours. The key change requested was removing specific streets from the proposed areas, stating it wasn’t appropriate for their area or due to the high volume of residents that may be negatively impacted. Some submissions noted ongoing issues with specific venues.

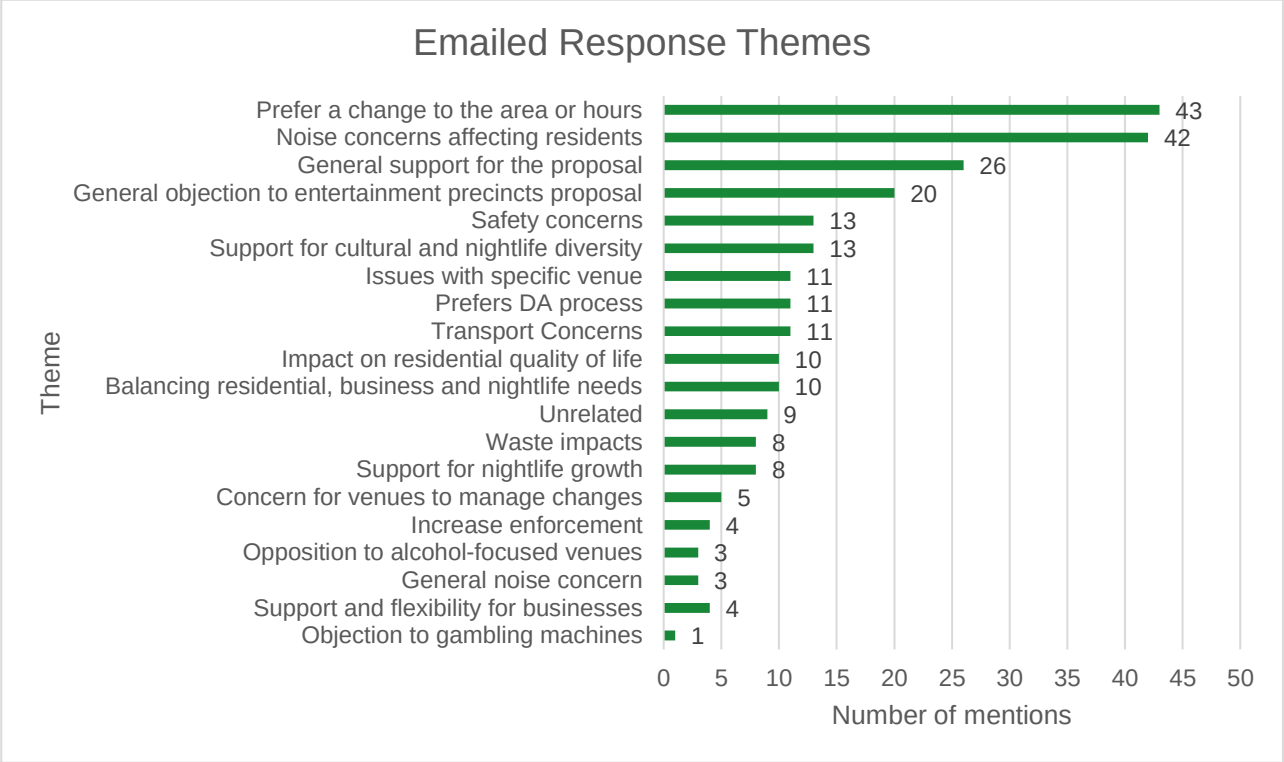
Multiple email submissions mentioned Walsh Bay, with some people objecting to the proposal and others expressing support. Similarly, multiple email submissions mentioned Crown Street, suggesting the section between Devonshire Street and Arthur Street is residential and should be removed.

Some responses suggested that Council (or businesses) should cover the costs to insulate resident's properties against increased noise brought on by special entertainment precincts designation.

Safety, street cleanliness, and transport concerns were also clear themes with the potential for increased anti-social behaviour and current lack of late-night transport options.

Figure 8 gives a breakdown of the number of times topics were mentioned from emailed submissions.

Figure 7. Topics from emailed responses



Email response topics

The following describes the top 5 topics with comments from responses.

Prefer a change to the area or hours

This talked to requests, suggestions or feedback to change the boundaries of a precinct or the hours that are permitted.

Verbatim comments include:

"it is suggested the Special Entertainment Precinct be limited to Broadway (where appropriate) with the rest of the proposed area for the SEP, continue to be classified as Late Night Areas vs making wholesale changes as part of a Special Entertainment Precinct."

"deeply concerned at the proposal for late night, live music entertainment, and especially the impact of departing patrons in the creation of an "entertainment hotspot" in Walsh Bay"

<On Walsh Bay> "expansion of trading hours allowed under the controls is required. This expansion would be best achieved by changing the late trading classification of the precinct from 'Local Centre Area' to 'City Living Area'"

"The changes proposed to base trading hours in Town centres such as Crown st and Foveaux st Surry Hills that are mixed use with high residential occupancies on, adjacent and behind these streets are not in the interest of the residents and will have adverse effects on local amenity"

Noise concerns affecting residents

This covered people's thoughts on the potential increase in noise from special entertainment designation and how this would disrupt their lives.

Verbatim comments include:

"Any increase in noise would make for a worsened living environment for the people living in these designated zones"

"The quiet hours that many residents depend on would be compromised"

"Noise from late night pedestrian traffic leaving venues is a real threat to the amenity enjoyed by residents of our area"

"Impacts from any future noisy late-night activity at Central Barangaroo also need to be carefully considered with respect to its impacts on the huge number of residential dwellings in the vicinity"

General support for the proposal

These comments endorsed the overall concept and alignment of late-night trading areas as special entertainment precincts, recognizing the approach as suitable for the city's nighttime economy.

Verbatim comments include:

"I support council's broad approach being to align their current 'Late Night Trading Areas' with the new state government SEP mandate"

"The CoS proposal to overlay existing late-night trading areas as Special Entertainment Precincts (SEPs) is a sensible measure"

"I support the establishment of entertainment precincts and amendments to the DCP but believe more areas should be identified"

"The proposed model for nighttime economy's in SEP's in the city is commendable. It provides a bespoke approach that relates to the distinctive character of the neighbourhoods and CBD"

General objection to the proposal

These objections spoke to those that are unsupportive of the proposal, suggesting it isn't appropriate or what was needed.

Verbatim comments are:

"Think again and broaden your perspective to include other age groups and what might appeal to them"

"We strongly urge the responsible authorities to prioritise the rights and quality of life of existing residents by rejecting this proposal."

"I am writing to formally object to the proposal to designate Walsh Bay as a Special Entertainment Precinct"

"I'm of the belief that the encouragement of high concentrations of late night venues within any given area is a planning failure"

Safety Concerns

This talked to the potential for increased crime or anti-social behaviour that could make an area less safe.

Verbatim comments included:

"Increase the presence of law enforcement officers in nightlife precincts to ensure public safety and deter disruptive behaviour"

"The quiet hours that many residents depend on would be compromised, making the area less safe, particularly for vulnerable groups"

"encourages excessive alcohol consumption, drug taking and associated bad behaviour that can be a danger for people and property"

"I feel safe at night walking around this area and I don't want that amenity to disappear, which could well happen"

Group submissions

Groups submissions were received from a variety of organisations, both in government and private including community groups, commercial entities and resident action groups. The below table provides a summary of these submissions.

Organisation	Submission summary	
ARUP	Highlights the relationship between the Entertainment Sound DCP and future special entertainment precinct sound criteria. Also, the challenge of allowing post-midnight base hours without a DA when midnight tends to be the typical threshold for nighttime sound criteria.	The Entertainment Sound DCP will be reviewed for alignment as part of the special entertainment precinct planning proposal process. In the roll out, communication with businesses will be key to ensure they understand their requirements.
Australian Hotels Association	Supports the proposal. Suggests including routes between key precincts, for example Foveaux, Devonshire and Albion Streets. Suggests Category A are treated the same as Category B.	The suggested routes have been reviewed, however there are very few venues or businesses on these streets to participate in a special entertainment precinct.
Chippendale Residents Interest Group	Highlights challenges with impacts from existing venues. Concern about inclusion of streets south of Broadway in a special entertainment precinct and the impact on residents in a mixed-use environment.	Local Centre areas often include residents in a mixed-use environment. The trading hours were set with this in mind, and similarly, the sound controls will seek to balance vibrancy with residential amenity.

Organisation	Submission summary	
	Suggests trading hours be capped at 10pm where there are residential apartments. Suggests a 12-month trial period.	We can confirm there will be a year long trial of the precinct management plan.
Clubs NSW	Supports the proposal, particularly the incentive hours and the sound criteria to balance live entertainment and residential amenity.	Noted.
Create NSW	Supports the proposal. Wants increased vibrancy and activation for the Walsh Bay Arts Precincts and Roslyn Packer Theatre. Suggests 'City Living' hours would be more appropriate, given the proximity to Central Sydney the importance of the arts precinct. This would help support a better after-show offer. Suggests program incentive hours be applied to outdoor trading.	The 2 wharves in the Walsh Bay Arts Precinct are proposed to be upgraded from Local Centre to City Living area to better support an after-show offer. Outdoor trading is not proposed to be included in the incentive hours due to the impact of sound outdoors.
Hatch	Support for the approach providing more flexibility and support to businesses. Would like the proposal to incentivise an improved offer and diverse experience, not just bars and clubs. Suggests Purple Flag accreditation for the precincts. Highlights the need for special entertainment precincts to be compatible with existing and new residential development.	Noted. The City is supportive of a diverse night-time offer and will support precincts with Purple Flag accreditation. The sound plan will seek compatibility with residents. The proposed Entertainment Sound DCP addresses new residential development.
Kent Street Residents Group	Concerned about impacts on amenity and quiet enjoyment of their homes. Suggests the section of Kent Street with their residential buildings be excluded from the proposal.	Central Sydney is a mixed-use environment and a main nightlife hub. Our approach to special entertainment precincts seeks to balance vibrancy with the need for amenity for residents. A precinct management plan including sounds levels will be set at the next stage.
Lendlease	As the developer of Barangaroo south, notes the site-specific acoustic masterplan that was developed in collaboration with the City. Would like to be consulted as the proposal progresses.	Noted. The City will continue to engage key stakeholders.
Merivale	Supports Council's proposal for Special Entertainment Precincts on the basis that, as stated in the Discussion Paper, no business will be disadvantaged. Looks forward to the detailed sound work and would like to be consulted.	Noted. The City will continue to engage key stakeholders.
Millers Point Community	Strong opposition to increase in noise and disturbances. Carried out a survey of Millers Point, Dawes Point, Walsh Bay and	Noted. As a major arts precinct, Walsh Bay is well suited to becoming a special entertainment precinct. Sound studies will

Organisation	Submission summary	
Resident Action Group	The Rocks residents. Cautious / moderate support for designating Barangaroo and The Rocks, with measures to manage noise and antisocial behaviours. Suggests Walsh Bay be excluded from the special entertainment precincts, with concern about potential impacts of noise, traffic and anti-social behaviour in the heritage context.	be undertaken, and sound levels will be set in the next stage of work. The precinct management plan and on-going governance will monitor and manage potential impacts.
National Art School (NAS)	As a long-standing cultural and creative institution, expresses support for and requests inclusion in the special entertainment precinct proposal. NAS is a 600-student arts school and a regular host of live music, performance and events. Designation would allow them to expand their offerings, providing more opportunities for public participation and cultural enrichment.	National Arts School is proposed to be added as a City Living area.
Night Time Industries Association	Supports the proposal and support for the sector. Suggests amendments to the areas: • upgrade Barangaroo and William Street to late night • upgrade Crown Street to City Living • match Category A base hours to Category B to make it commercially viable for larger venues to trade later • increase base hours in Local Centres to midnight	The suggested amendments have been reviewed. Taken in balance with the potential impacts and mixed feedback, these were not pursued.
Placemaking NSW	Supports the proposal. Would like to collaborate on the development of the precinct management plan. Suggests extension of hours also be applied earlier in the day. Suggests the parts of The Rocks designated as Local Centre be upgraded to City Living, to allow businesses to trade later without a DA and to align with tourist and customer expectations.	Noted. The City will continue to engage key stakeholders. Much of The Rocks is already designated a Late-Night Management Area. The Local Centre area will be investigated and any proposed changes would be exhibited.
Port Authority NSW	Supports Circular Quay and the Overseas Passenger Terminal's inclusion in the proposal. Looks forward to consultation at the next stage, including on sound criteria.	Noted. The City will continue to engage key stakeholders.
Property Council of NSW	Supports the proposal. Suggests base hours for Category C be reviewed,	Noted. Category C hours will be reviewed in the next stage.

Organisation	Submission summary	
	particularly alignment between the DCP and precinct management plan.	
Qtopia Sydney	Requests inclusion in the special entertainment precinct proposal. Qtopia Sydney offers exhibitions and performances across the Loading Dock Theatre and The Substation. Being included would allow for more performances, visitors and a greater platform for LGBTQIA+ artists and their stories.	Qtopia is proposed to be added as a City Living area.
Solotel	Supports the proposal for Special Entertainment Precincts on the basis that, as stated in the Discussion Paper, no business will be disadvantaged. Looks forward to the detailed sound work and would like to be consulted. Emphasises the importance of alignment with the legislative framework (Vibrancy Reforms) for sound management.	Noted. The City will continue to engage key stakeholders.
Sydney Opera House	Supports the proposal which would better support vibrant cultural experiences. Notes the Sydney Opera House has a unique planning framework, being a state significant site with site-specific exempt development and heritage provisions that apply. Expresses interest in the benefits a special entertainment precinct may offer given this context.	Noted. Aside from trading hours, special entertainment precincts also offer benefits in terms of liquor license fees and being part of a late-night precinct.
Walsh Bay Precinct Association	Recognises potential benefits, while also highlighting the range of community views. Reflects concern from residents about noise, anti-social behaviour and the strain on amenities. Expresses support from residents for new bars, cafes and restaurants, more cultural and artistic offer, and everyday retail. Expresses support from businesses for more flexibility and streamlining of processes. Suggests the current approach to Walsh Bay does not acknowledge the different uses and contexts in Walsh Bay (arts precinct vs residential vs commercial).	The 2 wharves in the Walsh Bay Arts Precincts are proposed to be upgraded from Local Centre to City Living area to better align the designation with the varied use in the precinct. The precinct management plan, including sound criteria, will be set to manage potential impacts.

Briefing sessions

Supporting Sydney's nightlife: Special Entertainment Precincts community and business briefing sessions

On Tuesday 3 December we hosted briefing sessions for business owners and operators (3pm – 4.30pm) and for the wider community (5.30pm - 7pm) in the Lower Town Hall. The business owners and operators' session was attended by 52 people, the community session was attended by 82 people.

Both forums featured presentations on our proposed approach to establishing special entertainment precincts, including the benefits for businesses, residents, and the night-time economy. The presentations gave details about proposed hours, managing entertainment sound and how the proposal aligns with Sydney's late-night trading.

Both briefings were hosted by the Lord Mayor of Sydney, Clover Moore AO. The Hon. John Graham, Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism spoke at the business session about the NSW Government Vibrancy Reforms.

Following the presentations, attendees could visit information stations to speak directly with City of Sydney planners to ask questions and share feedback. Liquor and Gaming NSW and the Office of the 24-Hour Economy Commissioner also staffed information stations to answer questions on sound compliance and vibrancy reforms.

Key feedback themes and issues raised

1. **Support for vibrant nightlife and entertainment,** including requests to include additional areas and sites in the proposed precincts.
2. **Requests for clear communication and planning,** including requests for more details on future noise levels and timelines for the proposal to be implemented.
3. **Stronger enforcement and sound mitigation:** A consistent feedback theme was strong requests for effective enforcement of noise and soundproofing measures, and consideration of how noise from waterways can be regulated.
4. **Resident inclusion and equity:** Concerns about the negative impacts on residential areas, with a focus on protecting the rights of long-term residents in both designated precincts and adjacent areas.

Youth opportunities group briefing

The City of Sydney youth opportunities program enables young people aged 15 to 24 to build transferrable professional skills, increase confidence and make a real impact in the local area through program design.

On Tuesday 14 January we presented an overview of the special entertainment precincts proposal at the group's monthly workshop and asked for feedback on the proposal. We also asked the group about their experience going out after 8pm.

Key feedback themes and issues raised

1. **Support for vibrant nightlife and entertainment.**
   The group were generally in favour of the proposal, especially the efforts to increase live music and cultural performances. They had no feedback on precinct boundaries. Some expressed a hope that their regular venues in Potts Point would consider staying open later than 10pm.
2. **Support for more diverse nighttime options.**
   The group agreed with the statement that young people would like more diverse options for places to go at night, including alcohol free options, low-cost options and venues that are easy to travel to and from. Some group members are under 18. They enjoy going to pool halls and out to eat.
3. **Concerns about safety.**
   When asked what influences their decision to go out at night, the group expressed a strong concern for safety. Several members raised concerns about paths to walk home not being well lit and streetlights being out. Others expressed concern that the poor condition of paving prevented them from safely walking or riding a bike home at night. Some mentioned they felt safer in busy areas and suggested that venues could be encouraged to have more outdoor activity and curb side seating, as the crowd on the street creates a sense of safety.
4. **Concerns about transportation**

   The group asked questions that showed a desire for improved transport options to and from the proposed precincts. They asked if the proposal would include improving public transportation and suggested making alternative transport, like bike sharing, more available in the precincts.
5. **High level support for increased noise levels and the entertainment sound DCP**
   In discussing noise, the group expressed support to allow more noise in the precincts to create a more vibrant nightlife. One member expressed a concern that new venues could disturb residents. The group expressed general support for the proposed protections in the entertainment sound DCP.

Marketing activities

Overview of communications

The following is a snapshot of outcomes from marketing and communications activities undertaken to support the consultation. Activities reached a range of audience segments existing through City of Sydney channels.

Sydney Your Say webpage

A Sydney Your Say webpage was created. The page included an electronic copy of the discussion paper, link to the survey and other key information about the consultation.

Sydney Your Say e-news

The consultation was included in the Sydney Your Say e-newsletter sent on 27 November 2024 to 5122 subscribers.

Consultation letter

A letter was posted to residents, inviting them to attend the briefing session and give feedback on the proposal. 49,034 letters were distributed.

Consultation email

An email was sent on 25 November to 938 known key stakeholders, including business chambers and community groups, inviting them to attend the briefing session and to give feedback on the proposal.

Community briefings

Two briefing sessions were held on 3 December in the Lower Town Hall.

Marketing and communications

There were a range of marketing and communications activities undertaken to support the consultation. Activities reached different audiences through paid advertising and existing City of Sydney channels.

The consultation and information sessions were promoted across multiple channels on LinkedIn, TikTok and Instagram.

The Instagram reel created was extremely popular at over 46,000 views. It was produced to prompt interest from young people specifically and create awareness of the consultation and the proposed changes. It was highly engaging leading to a spike in webpage visits and survey completions and high levels of engagement and shares on the post itself.

Through our sponsorship of Sydney Festival, the City of Sydney is given opportunities to place content in their e-newsletter. We promoted the special entertainment precinct consultation in their 2 January 2025 edition. It prompted 112 referrals to the SYS webpage.

Examples of the content has been included in appendix C.

Media

Over a period of 35 days, the campaign generated approximately 100 media mentions across a diverse range of platforms, demonstrating strong public and media interest. Coverage spanned commercial television networks, ABC television and radio, as well as print and digital publications. Notably, the Daily Telegraph provided front-page coverage along with an in-depth editorial, amplifying the campaign's visibility to a broad readership.

The total potential audience reach was estimated at 11.4 million, with the majority of this engagement occurring through online channels. The widespread media attention contributed to increased awareness and engagement with key messages.

A detailed breakdown of media coverage by type, including specific outlets is in Appendix D.

Appendices

Appendix A: Adding or removing precincts

Respondents suggested the following places should be added:

Number of respondents	Suggested addition	City of Sydney response
4	More of Surry Hills - Campbell Street, Burton Street, Albion Street between Riley and Elizabeth, more of Cleveland Street, Reservoir Street and Commonwealth Street intersection	Much of Surry Hills is already designated and beyond those areas, there are very few venues or businesses to participate in a special entertainment precinct.
2	Entertainment Quarter	NSW Government is undergoing an open tender process to shape the future of the Entertainment Quarter.
2	More of Ultimo	It is unclear which parts of Ultimo are being put forward for inclusion. Broadway is already designated.
2	More side streets around Oxford Street, Ryder Street near Little Oxford Street	Much of Darlinghurst is already designated and beyond those areas, there are very few venues or businesses to participate in a special entertainment precinct.
1	Extend Darlinghurst Road and Bayswater Road Kings Cross	Much of Kings Cross / Potts Point is already designated and beyond those areas, there are very few venues or businesses to participate in a special entertainment precinct.
1	Extend Glebe Point Road	There are very few venues or businesses to participate in a special entertainment precinct.
1	Gadigal Avenue north of O'Dea around The Cannery and Rosebery Engine Yards in Rosebery	There are very few venues or businesses to participate in a special entertainment precinct.

Respondents suggested the following places should be removed:

Number of respondents	Suggested removal	City of Sydney response
8	Walsh Bay and Hickson Road, Pier 4/5, Pier 8/9	Walsh Bay is a significant arts precinct and therefore appropriate for inclusion. Our approach to special entertainment precincts seeks to balance vibrancy with the need for amenity for residents. A precinct management plan including sounds levels will be set at the next stage.
8	Crown Street, between Arthur St and Devonshire St	This section of Crown Street is residential and designated R1. It is not mixed use. Proposed to be removed.
7	Parts of Kings Cross / Potts Point / Elizabeth Bay– Darlinghurst Street, Earl Place, Orwell Street, Llankelly Place, Springfield Mall and Lane, Victoria Street, Macleay Street, Bayswater Road and Ward Ave	The streets are mixed use. Our approach to special entertainment precincts seeks to balance vibrancy with the need for amenity for residents. A precinct management plan including sounds levels will be set at the next stage.
3	Hunt Street / Commonwealth Street / Reservoir Street / Hollywood Quarter Quay Street, Ultimo Road, Thomas Street and Hay Street	The streets are mixed use. Our approach to special entertainment precincts seeks to balance vibrancy with the need for amenity for residents. A precinct management plan including sounds levels will be set at the next stage.
2	North end of King Street Newtown	King Street is mixed use. Quay Street, Ultimo Road, Thomas Street and Hay Street. A precinct management plan including sounds levels will be set at the next stage.
2	Alexandria	The area identified is industrial. Our approach to special entertainment precincts seeks to balance vibrancy with the need for amenity for residents nearby. A precinct management plan including sounds levels will be set at the next stage.
1	Bathurst Street, Pyrmont, Chippendale, The Rocks, Riley Street, South Eveleigh	The streets / areas are mixed use. Our approach to special entertainment precincts seeks to balance vibrancy with the need for amenity for residents. A precinct management plan including sounds levels will be set at the next stage.
1	Surry Hills Village development, 4 Cornwallis Street, 64 Foveaux Street	Noise complaints relating to specific venues should be dealt with through L&GNSW. Venues with a poor compliance history will not be eligible for dedicated venue benefits.

Some respondents suggested places be added which are already included in the proposal. This helps to confirm the approach:

- Surry Hills (3 respondents)
- Darling Harbour (3 respondents)
- Redfern / Regent Street (3 respondents)
- Barangaroo (2 respondents)
- Circular Quay (2 respondents)
- Newtown (2 respondents)
- Chippendale (2 respondents)
- Erskineville
- Darling Square
- South Eveleigh
- Alexandria
- Green Square
- Zetland
- Glebe

Similarly, some respondents suggested places be removed which are already excluded from the proposal. This helps to confirm our approach:

- Millers Point and Dawes Point (8 respondents)
- Chippendale Hotel

Appendix B: Precinct type changes

Respondents suggested the following places go up a tier (Local Centre to City Living, or to Late-Night):

Number of respondents	Suggested upgrade of tier	City of Sydney response
6	Surry Hills / Crown Street	On balance and given mixed feedback, current tier seems appropriate.
5	King Street, Newtown	Given the number of venues and significance as a night-life destination, the upgrade of King Street, Newtown will be further investigated, and any proposed changes would be exhibited.
4	Kings Cross/ Victoria Road / Macleay Street Broadway	On balance, current tier seems appropriate.
2	Regent Street Waterloo/Green Square/Zetland/Rosebury Elizabeth Street	On balance, current tier seems appropriate.

Number of respondents	Suggested upgrade of tier	City of Sydney response
	William Street	
1	Redfern Street Stanley Street Chippendale Pyrmont Walsh Bay	On balance, current tier seems appropriate.

Respondents suggested the following places go down a tier (Late Night to City living, or City Living to Local Centre):

Number of respondents	Suggested upgrade of tier	City of Sydney response
4	South of Hyde Park bordered by Liverpool Street, Elizabeth Street and Wentworth Ave	Central Sydney is a night life hub and a mixed-use environment. Our approach to special entertainment precincts seeks to balance vibrancy with the need for amenity for residents.
3	North Alexandria	North Alexandria is industrial and one of the few areas of the city without residential. Our approach to special entertainment precincts seeks to balance vibrancy with the need for amenity for residents. Nearby residents will be considered when sound levels are set.
2	William Street	Suggested for both upgrade and downgrade. On balance, its current tier seems appropriate.
1	Broadway Haymarket and Darling Quarter Kent Street Wentworth Avenue CBD fringes	On balance, current tier seems appropriate.

Appendix C: Marketing

City of Sydney
58,275 followers
1mo •

Find out how we aim to support vibrant nightlife by incentivising live music and performance, simplifying processes for businesses and balancing the needs of residents, visitors and operators.

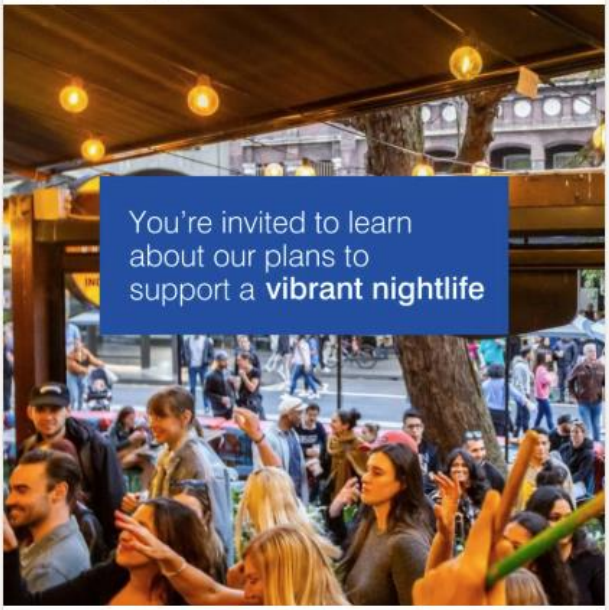
Join Clover Moore AO to learn about our proposal for special entertainment precincts in existing late-night trading areas. Be part of the discussion and bring your questions too.

Where?
Lower Town Hall – Sydney Town Hall
Tuesday 3 December

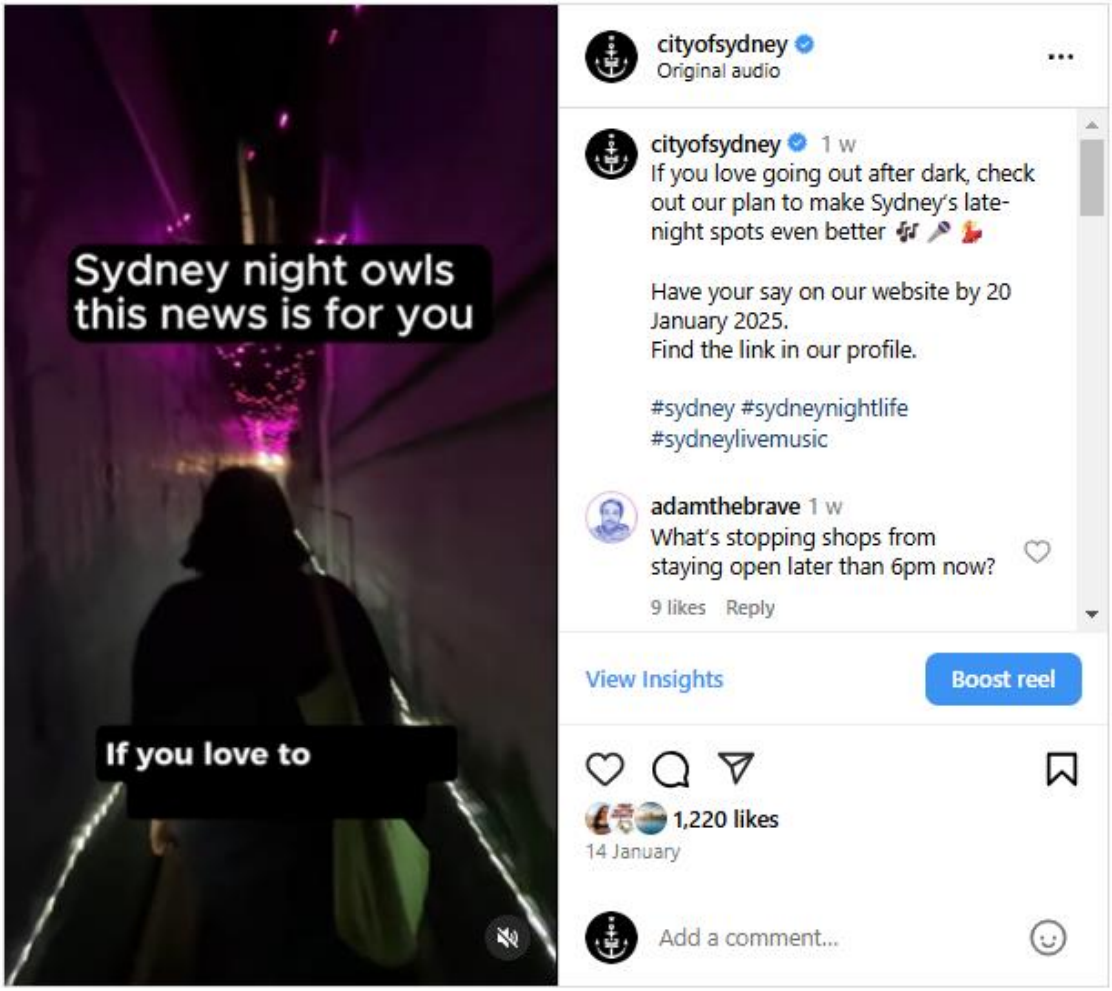
Register online here:
- Business session 3pm-4:30pm: https://lnkd.in/giVgSqRJ
- Community session: 5:30pm-6:30pm: https://lnkd.in/gpXY3a46

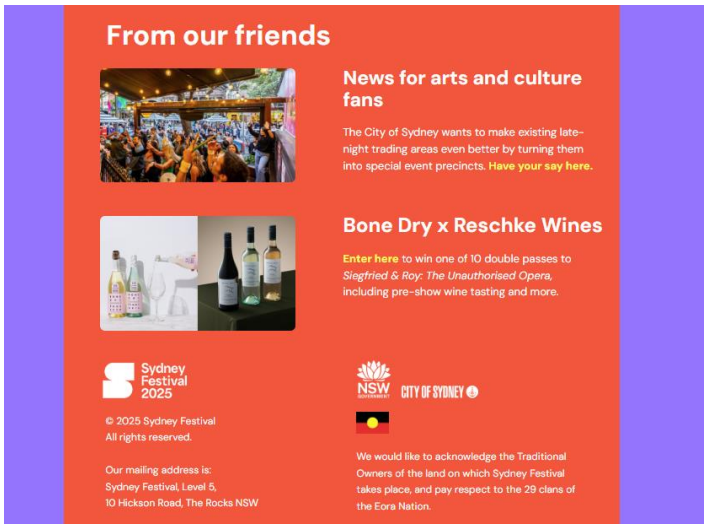
[Image description: a bustling scene filled with people. There are bright lights overhead. In the background there are lots more people walking around. White text on a blue background says 'You're invited to learn about our plans to support a vibrant nightlife'.]

#sydneybusiness #sydney



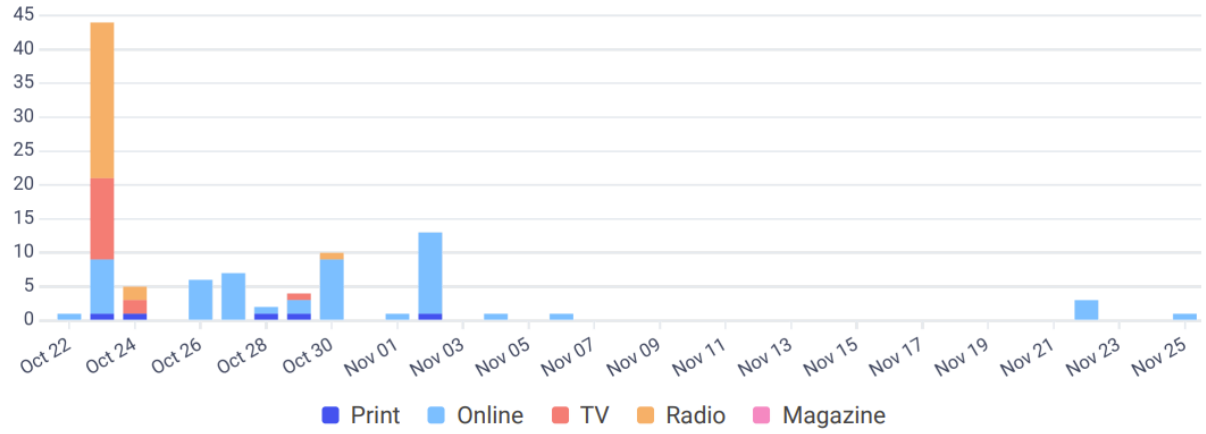
Julie Prentice and 32 others 2 comments · 4 reposts


Sydney night owls this news is for you
If you love to
cityofsydney
Original audio
cityofsydney 1 w
If you love going out after dark, check out our plan to make Sydney's late-night spots even better
Have your say on our website by 20 January 2025.
Find the link in our profile.
#sydney #sydneynightlife #sydneylivemusic
adamthebrave 1 w
What's stopping shops from staying open later than 6pm now?
9 likes Reply
View Insights
Boost reel
1,220 likes
14 January
Add a comment...


From our friends
News for arts and culture fans
The City of Sydney wants to make existing late-night trading areas even better by turning them into special event precincts. Have your say here.
Bone Dry x Reschke Wines
Enter here to win one of 10 double passes to Siegfried & Roy: The Unauthorised Opera, including pre-show wine tasting and more.
Sydney Festival 2025
© 2025 Sydney Festival
All rights reserved.
Our mailing address is:
Sydney Festival, Level 5,
10 Hickson Road, The Rocks NSW
NSW GOVERNMENT
CITY OF SYDNEY
We would like to acknowledge the Traditional Owners of the land on which Sydney Festival takes place, and pay respect to the 29 clans of the Eora Nation.

Appendix D: Media coverage

A breakdown of mentions by media type displayed over the selected coverage period.



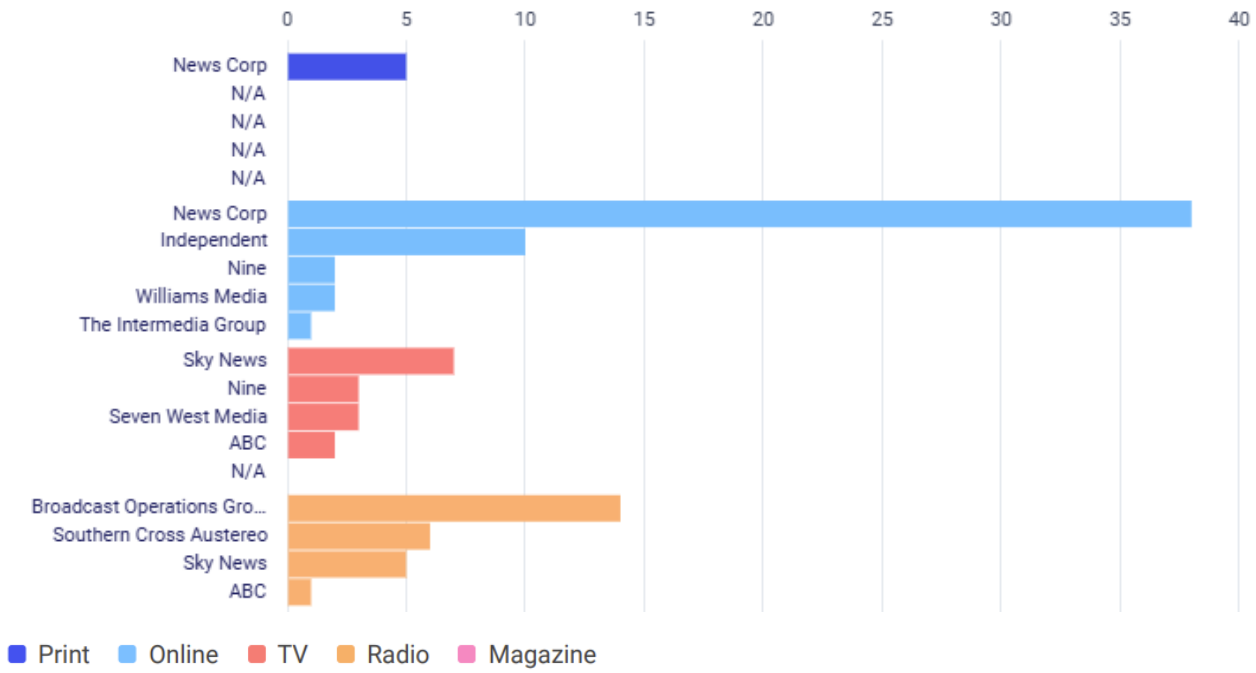
Coverage by Media Type

Total mentions by media type over the selected coverage period.



Leading Media Outlets

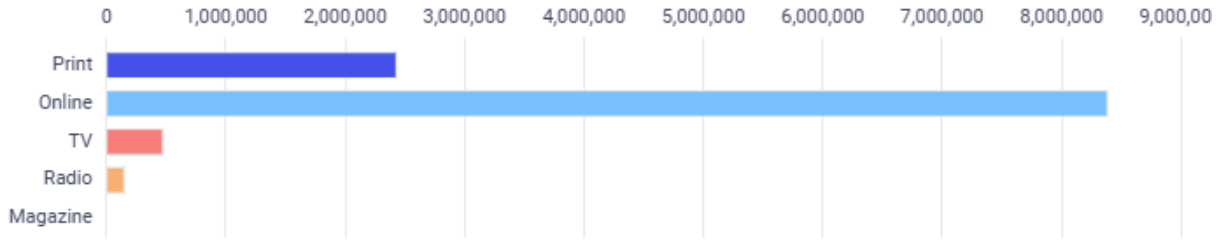
Top 5 Media Groups over the selected coverage period.



Potential Audience Reach

11,463,600 over 35 days

Cumulative potential audience reach by media type for the selected coverage period.



Appendix E: Inclusion in Sydney Your Say enewsletter on 27 November

Sydney Your Say CITY OF SYDNEY



Image: Katherine Griffiths

Your say on special entertainment precincts

We'd like to hear your thoughts about making our late-night trading areas into special entertainment precincts. These precincts aim to support vibrant nightlife by incentivising live music and performance, simplifying processes for businesses and balancing the needs of residents, visitors and operators.

Register for the briefing session on 3 December to learn more or read the discussion paper with full details of the proposal.

Consultation closes Monday 20 January 2025.

Read more

Appendix F: Consultation emails sent 25 November

CITY OF SYDNEY

Have your say on special entertainment precincts

We propose to introduce special entertainment precincts in existing late-night trading areas. This proposal aims to simplify processes for businesses, encourage live music and performances, and support a vibrant night-time economy.

We invite you to a briefing for business owners and operators hosted by Lord Mayor of Sydney, Clover Moore AO to discuss the proposal, its potential benefits and how it could support you.

You'll hear from expert planners and have an opportunity to ask questions and share your feedback.

You'll also hear about our proposed changes to manage entertainment sound and trading hours. Our plan complements late-night trading and provides certainty for venues while protecting their neighbours.

Tuesday 3 December
3pm–4pm
Lower Town Hall, Sydney Town Hall

Register

Have your say online

You can read the special entertainments precinct discussion paper and the draft development control plan for entertainment sound management at our Sydney Your Say page: city.sydney/consultations

Have your say by Monday 20 January 2025.

The City of Sydney acknowledges the Gadigal of the Eora nation as the Traditional Custodians of our local area.

CITY OF SYDNEY

Have your say on a new proposal for Sydney's nightlife

We propose to introduce special entertainment precincts in existing late-night trading areas. These precincts aim to support vibrant nightlife, make processes simpler for businesses and balance community needs.

We invite you to a community briefing hosted by Lord Mayor of Sydney, Clover Moore AO to learn more about the proposal, ask questions and share your thoughts.

You'll also hear about our proposed changes to manage entertainment sound and trading hours. Our plan complements late-night trading and provides certainty for venues while protecting their neighbours.

Tuesday 3 December
5:30pm–6:30pm
Lower Town Hall, Sydney Town Hall

Register

Have your say online

You can read the special entertainments precinct discussion paper and the draft development control plan for entertainment sound management at our Sydney Your Say page city.sydney/consultations

Have your say by Monday 20 January 2025.

The City of Sydney acknowledges the Gadigal of the Eora nation as the Traditional Custodians of our local area.



Attachment D

Special Entertainment Precincts Maps

N

Woollahra Municipal Council

Inner West Council

Randwick City Council

Bayside Council

Late Night Trading Areas

Proposed amendments

New and upgraded City Living areas

Removed Areas

0 150 300 600

metres

Projection: MGA Zone 56
Datum: GDA2020
Printing Date: February 19, 2025
File: LNTA_LGA_120225.mxd

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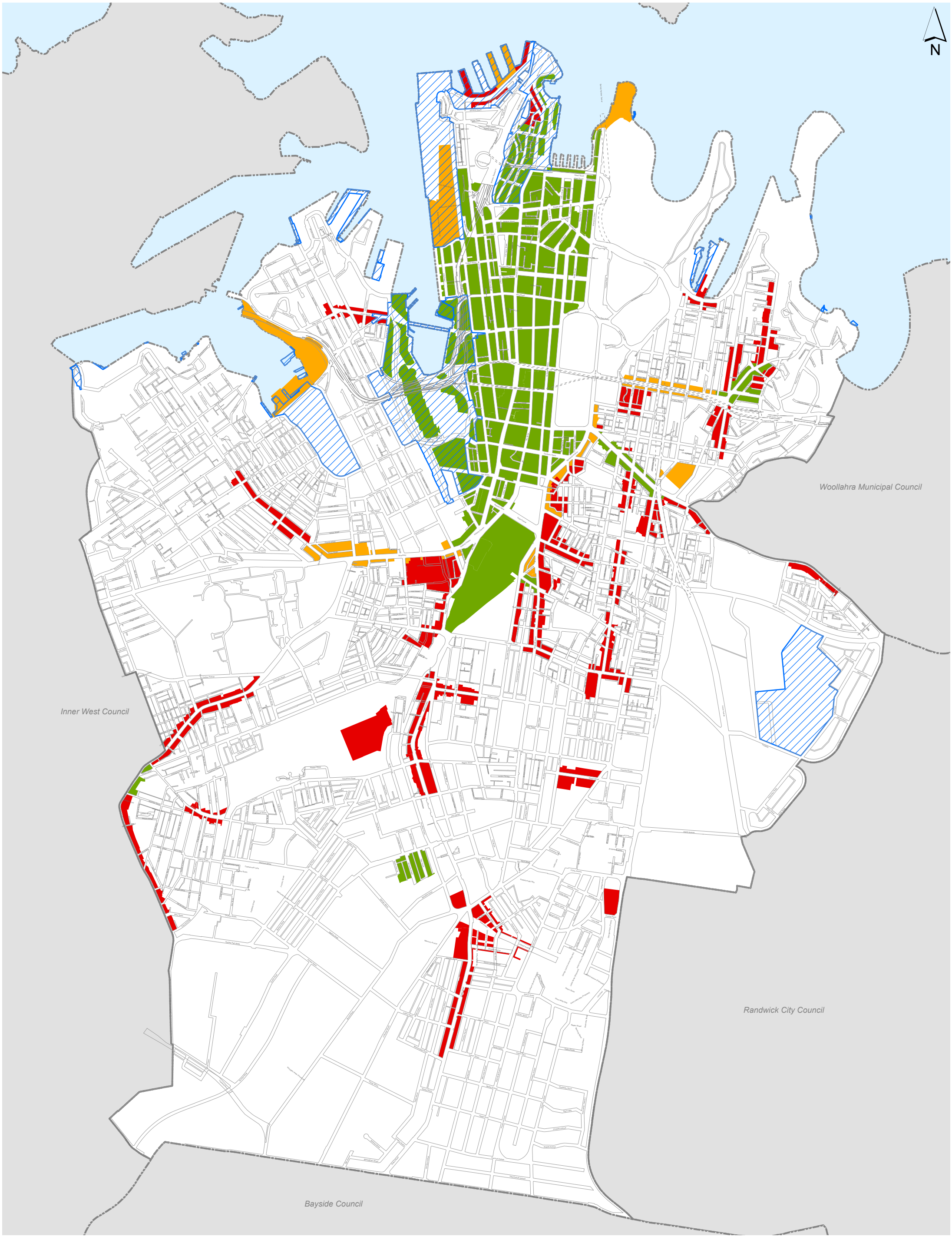
CITY OF SYDNEY



Revised Late Night Trading Areas

- City Living Areas
- Late Night Management
- Local Centre Areas
- Sites not within the City's Local Environmental Plan

0 150 300 600
metres

Projection: MGA Zone 56
Datum: GDA2020
Printing Date: February 19, 2025
File: LNTA_LGA_120225.mxd

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CITY OF SYDNEY

Item 4.

Post Exhibition - Planning Proposal - 383-395A Kent Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

File No: X091069

Summary

The Central Sydney Planning Strategy is a 20-year growth strategy that recognises Central Sydney's role in metropolitan Sydney, NSW and Australia, and the need to maintain and grow its status as a global city with a dynamic economy and high quality of life. The Strategy prioritises employment growth with increased capacity, ensures development takes place in areas that can accommodate greater building height, protects Central Sydney's heritage and public places, encourages pedestrian connections and the use of public transport, and moves towards a more sustainable city.

This report recommends approving the planning proposal recently exhibited for 383-395A Kent Street, Sydney. The planning proposal seeks to amend the building height and floor space controls for the site. These changes will support the delivery of a 42-storey commercial development with ground floor retail, representing more than 73,000 square metres of new office space. In addition, any redevelopment need to remove an existing 800 space commercial car park and deliver a new pedestrian through-site link connecting Kent and Sussex Streets and a shared precinct loading dock for the use of surrounding businesses.

The planning proposal for 383-395A Kent Street and a draft development control plan were approved for public exhibition by the Central Sydney Planning Committee and Council on 9 and 13 May 2024 respectively. Council also noted the preparation of a draft planning agreement which was to be exhibited concurrently. The Department of Planning, Housing and Infrastructure issued a Gateway Determination on 30 August 2024.

The planning proposal, draft development control plan and voluntary planning agreement were exhibited from 8 November to 6 December 2024. 10 submissions were received. 3 were supportive, one raised concerns about the loss of the commercial car park and the walking distance to public transport, and 6 government agencies provided feedback.

No material changes are recommended to the planning proposal as a result of submissions received. Minor amendments have been made to the planning proposal document to update the project timeline and respond to feedback from the electrical supply authority regarding an easement on site. Minor amendments have been made to the development control plan to clarify provisions regarding the shared precinct loading dock.

This report recommends approval of the planning proposal and draft development control plan, without substantive change following public exhibition, and notes the City will enter into the planning agreement.

Recommendation

It is resolved that:

(A) Council note the matters raised in response to the public exhibition of Planning Proposal - 383-395A Kent Street, Sydney, the draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, and draft Voluntary Planning Agreement, as shown in Attachment D to the subject report;

(B) Council approve Planning Proposal - 383-395A Kent Street, Sydney, as shown at Attachment A to the subject report, and request the relevant local plan making authority make the planning proposal as a Local Environmental Plan under section 3.36 of the Environmental Planning and Assessment Act 1979;

(C) Council approve the draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, as shown at Attachment B to the subject report, noting the approved Development Control Plan will come into effect on the date of publication of the subject Local Environmental Plan;

(D) authority be delegated to the Chief Executive Officer to make any minor amendments to the Planning Proposal - 383-395A Kent Street, Sydney, and the draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, to correct any minor errors or omissions prior to finalisation; and

(E) Council note the draft Voluntary Planning Agreement, as shown at Attachment C to the subject report, will be executed under delegation of Council in accordance with the Environmental Planning and Assessment Act 1979.

Attachments

Attachment A. Planning Proposal - 383-395A Kent Street, Sydney and appendices

Attachment B. Draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney

Attachment C. Voluntary Planning Agreement

Attachment D. Summary of Submissions

Attachment E. Resolutions of Council and Central Sydney Planning Committee

Attachment F. Gateway Determination

Attachment G. Alteration of Gateway Determination

Background

1. Charter Hall, represented by Ethos Urban and architects fjcstudio, lodged a request to prepare a planning proposal for 383-395A Kent Street, Sydney ('the site'), in March 2024. The site is identified in Figure 1.



Figure 1: Land affected by this planning proposal

2. The site is located within the Western Edge tower cluster in Central Sydney. As outlined in the Central Sydney Planning Strategy, tower clusters are locations capable of accommodating increased height and density while taking advantage of existing infrastructure and minimising overshadowing to important public places.

3. The site has an area of 3,606sqm. Existing development on the site consists of 10 storeys of commercial car park with 800 spaces and 11 storeys of offices containing almost 18,000sqm of commercial floor space, in a 19-storey building. The commercial car park was constructed in 1976, and the office tower was built above the car park in 1998. Images of the site with the affected buildings outlined in red are shown at Figures 2 and 3.

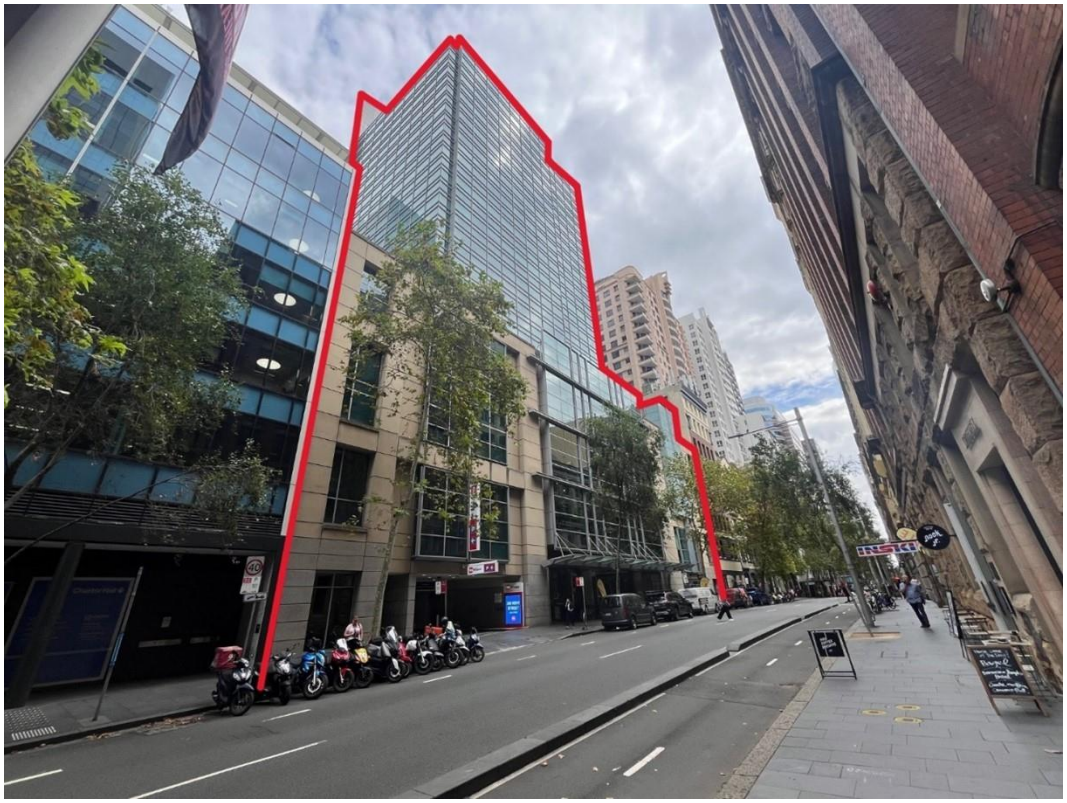

Figure 2: 383-395A Kent Street, Kent Street frontage, outlined in red



Figure 3: 383-395A Kent Street, Sussex Street frontage, outlined in red

Proponent requested changes to height and floor space controls to enable a commercial development, pedestrian through-site link, and shared precinct loading dock

4. The proponent requested a planning proposal to facilitate redevelopment in line with the Central Sydney Planning Strategy. The proposal included:

   (a) a 42-storey future workspace building up to a maximum height of RL189.90m (approximately 180m on Sussex Street);

   (b) approximately 73,000sqm of new commercial workspace with ground floor activation;

   (c) a new pedestrian through-site link connecting Kent Street and Sussex Street;

   (d) a shared precinct loading dock for the use of the subject site and surrounding businesses; and

   (e) removal of the 800 bay commercial car park.

5. An image prepared by the proponent of the indicative development scheme is at Figure 4.



Figure 4: Artistic representation of reference design - Kent Street perspective

The City prepared a planning proposal to increase the height and floor space controls for a commercial development

6. The planning proposal details the proposed amendments to the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) by inserting new site-specific provisions. The provisions are to:

   (a) permit a maximum building height of RL 189.90m (180m), an increase from the current control of 110m;

(b) increase the maximum floor space ratio control from 15.75:1 to 20.3:1 inclusive of design excellence, shared loading dock facility floor space and end of journey floor space;

(c) deliver a pedestrian through-site link connecting Kent Street and Sussex Street;

(d) ensure the building would not cause additional overshadowing of Sydney Square, Town Hall Steps and future Town Hall Square; and

(e) ensure the resulting building would not be used for the purposes of either:

(i) Residential accommodation or serviced apartments; or

(ii) A commercial car park.

7. Further explanations of the provisions can be found in section 4 of the Planning Proposal (Attachment A).

Changes to the Development Control Plan will ensure the development fits within the area, protects amenity and improves access and activation

8. A draft site-specific Development Control Plan (draft DCP) is at Attachment B and provides further guidance for development facilitated by this planning proposal. The draft DCP provisions include:

(a) a maximum building envelope including setbacks, street wall heights and maximum height as shown at Figure 5;

(b) a pedestrian through-site link with a minimum clear width of 6m and minimum height of 10m to be provided connecting Kent Street and Sussex Street;

(c) active frontages to be provided along Kent Street, Sussex Street and both sides of the through-site link;

(d) requirements for access and operation of the shared precinct loading dock;

(e) a design excellence strategy; and

(f) requirements for sustainability and public art.

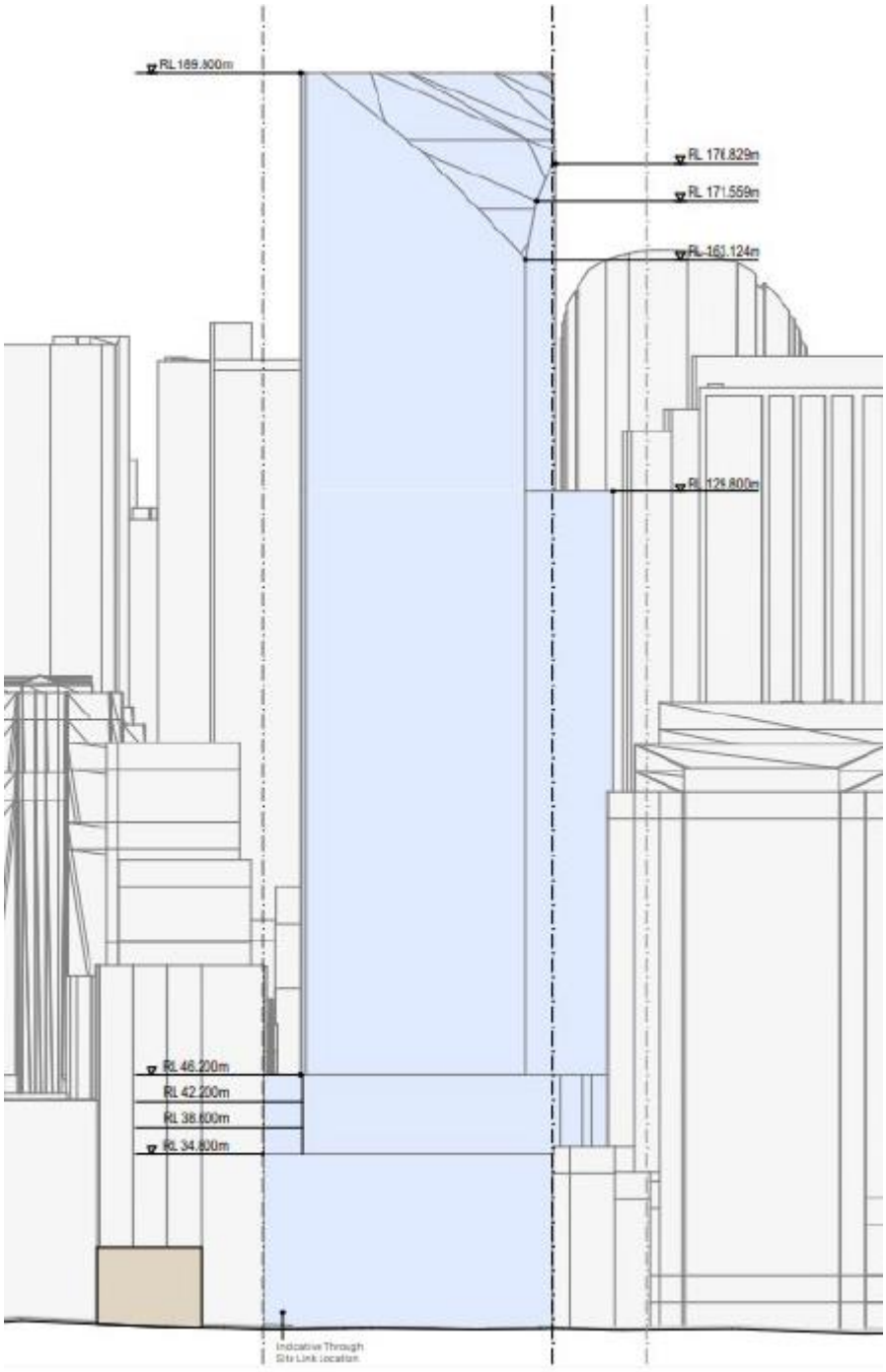

Figure 5: Proposed maximum building envelope - Sussex Street perspective

A voluntary planning agreement is required to deliver the through-site link, shared precinct loading dock and additional sustainability outcomes

9. The proponent offered to enter into a Voluntary Planning Agreement (VPA) with Council to deliver public benefits as part of this planning proposal. The VPA has been publicly exhibited.

10. The public benefit offered in conjunction with this planning proposal is:

    (a) the delivery of a pedestrian through-site link connecting Kent Street and Sussex Street, secured via easement registered on the land title for unrestricted public access;

    (b) the delivery of a shared precinct loading dock, referred to as a 'Logistics Hub', providing shared loading facilities to the adjoining area, secured via a public positive covenant and right of carriageway registered on the land title; and

    (c) sustainability commitments in addition to the requirements of Sydney DCP 2012 for energy efficiency in non-residential developments.

11. The VPA does not offset local infrastructure contributions required under a contributions plan (section 7.12 of the Environmental Planning and Assessment Act 1979 ['the Act']), and housing and productivity contributions (division 7.1, subdivision 4 of the Act).

The planning proposal received gateway determination and was placed on public exhibition

12. The planning proposal was approved to be submitted to the Minister for Planning and Public Spaces with a request for gateway determination, and approved for public authority consultation and public exhibition with any conditions imposed under the gateway determination, by the Central Sydney Planning Committee on 9 May 2024 and by Council on 13 May 2024. The Council also approved the draft DCP for public authority consultation and public exhibition with the planning proposal.

13. The planning proposal was sent to the Department of Planning, Housing and Infrastructure for a gateway determination on 20 May 2024. Gateway determination was received from the Department on 30 August 2024 and is provided at Attachment F. On 31 January 2025 an Alteration of gateway determination was issued which updated the deadline for making the amendment to the Sydney LEP to be consistent with timeframes in NSW guidelines. This alteration is at Attachment G.

14. Council also noted that the Chief Executive Officer would prepare a draft VPA in accordance with the letter of offer received from the proponent and the requirements of the Act, which would be exhibited in accordance with the Act and concurrently with the planning proposal. The exhibited draft VPA is at Attachment C.

15. The planning proposal, draft DCP and draft VPA, was on public exhibition from 8 November to 6 December 2024.

Key Implications

We received 10 responses to the public exhibition of the Planning Proposal

16. The following activities were undertaken to support the public exhibition:

    (a) a webpage and survey were created for people to review the planning proposal and supporting documentation, and provide their feedback;

    (b) 938 notification letters were letterbox dropped to property owners and occupiers within a 75m radius of the site boundary;

(c) the project was included in the November 2024 edition of the Sydney Your Say eNews; and

(d) the planning proposal was referred to Transport for NSW, Sydney Water, Ausgrid, Sydney Airport Corporation, Civil Aviation Safety Authority and the federal Department of Infrastructure, Transport, Regional Development, Communications and the Arts, for consultation and comment as required by the gateway determination.

17. A total of 10 submissions were received in response to the exhibition. 3 of these submissions were supportive, one provided feedback without a position, and all 6 government agencies provided comment.

18. The City's response to the issues raised in submissions are discussed below and in the summary of submissions at Attachment D.

Supportive submissions focused on the appropriateness of the location for increased density and the provision of a shared loading dock

19. All 3 supportive submissions focused on the appropriateness of the location for increased density, noting its location within Central Sydney and proximity to public transport options. One submission indicated support for the provision of a shared loading dock for the use of neighbouring buildings. One submission supported the proposal to remove the commercial car park currently located on site as it would reduce reliance on private vehicles.

20. One submission was received raising concerns regarding the loss of the commercial car park currently located on site and the lack of on street parking, increasing the walking distance for people located in neighbouring buildings.

Response:

21. The site is located 400m from the QVB light rail stop, 500m from Town Hall railway station, and Wynyard railway station and Barangaroo wharf is also located within walking distance. Sydney Buses service Kent and Sussex Streets with connections to the Inner West and Eastern Suburbs.

22. The removal of a commercial car park on this site is consistent with the objectives of the Greater Sydney Region Plan, Eastern City District Plan, City Plan 2036, Sustainable Sydney 2030-2050: Continuing the Vision, and the Central Sydney Planning Strategy, all of which seek to reduce private vehicle trips and encourage walking and the use of public transport. The reduction in parking spaces could also result in a potentially significant reduction in traffic in this part of Central Sydney.

Government agencies provided in principle support

23. Sydney Airport Corporation, the Civil Aviation Safety Authority (CASA), and the federal Department of Infrastructure, Transport, Regional Development, Communications and the Arts raised no objections to the planning proposal, with CASA noting that the proposed development would be shielded in Aviation Airspace terms considering its location within Central Sydney where there are existing taller buildings. The proposed height of the development is higher than the prescribed airspace in this location, so compliance with relevant regulations including approval of any construction equipment and cranes, will be considered as part of any future Development Application.

24. Transport for NSW reviewed the planning proposal and had no specific requirements as the proposed development would not, in their opinion, pose significant impacts to the transport network. They noted that the removal of the commercial car park, with potential traffic generation of 320 vehicles per hour, could result in a significant reduction in traffic volumes in this part of Central Sydney. They supported the number of car parking spaces and end of journey facilities proposed for the new development.

25. Ausgrid, as the electrical supply authority, noted that the subject site contains an easement. This triggers the application of section 2.48 of the State Environmental Planning Policy (Transport & Infrastructure), requiring the consent authority to give written notice to Ausgrid before determining any future development application or modification.

Planning proposal is consistent with the City's strategic vision

26. The Central Sydney Planning Strategy is a 20-year growth strategy that facilitates opportunities for additional height and density for jobs growth where balanced with environmental sustainability initiatives and excellence in urban design. This planning proposal aligns with the Central Sydney Planning Strategy by:

    (a) prioritising employment growth and increasing capacity to enable 73,191sqm of new office space in the Western Edge tower cluster area, providing for up to 6,000 jobs;

    (b) ensuring future development is responsive to its context within the Kent Street Special Character Area with appropriate street frontage heights and setbacks, in addition to a built form which causes no additional overshadowing to important public places such as Sydney Square, Town Hall Steps and future Town Hall Square;

    (c) improving and enhancing the pedestrian network of Central Sydney with a new east-west connection, while reducing demand for private vehicle trips and encouraging walking and the use of public transport with the removal of the commercial car park;

    (d) achieving the City's 2026 performance standards for net zero energy buildings, in particular a minimum 5.5-star NABERS Energy rating +25% and 100% renewable energy provision; and

    (e) reaffirming the commitment to design excellence with future development on site facilitated by this planning proposal subject to a full competitive design process, with the site-specific DCP including a design excellence strategy.

27. The City's Local Strategic Planning Statement, City Plan 2036, sets out the 20-year vision for land use planning in the city and the planning priorities and actions needed to achieve the vision. This planning proposal gives effect to City Plan 2036 by facilitating a commercial development that delivers additional capacity for economic and employment growth, that is well-positioned to connect to existing and future transport infrastructure, and that delivers improved street life and activation with opportunities for new retail and food and drink premises along Kent Street, Sussex Street and the through-site link. This will enhance the character and walkable nature of the western edge of the CBD.

28. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This planning proposal is aligned with the following strategic directions and objectives:

    (a) Direction 5 - A city for walking, cycling and public transport - the site is well positioned to take advantage of existing and future transport infrastructure, including rail, light rail, Metro and ferry connections in Central Sydney, as well as the Kent Street cycleway. The provision of a new pedestrian through-site link and east-west connection enhances the existing pedestrian permeability of the CBD. The removal of the commercial car park will reduce the demand for private vehicle trips, encouraging walking and the use of public transport.

    (b) Direction 9 - A transformed and innovative economy - this planning proposal supports employment growth in Central Sydney, helping to maintain the city's position locally, nationally and globally as a destination for business, investment and talent.

29. The Community Strategic Plan Delivering Sustainable Sydney 2030-2050 implements Sustainable Sydney 2030-2050 Continuing the Vision. This planning proposal is aligned with Direction 4: Design excellence and sustainable development, where productivity will be supported by planning for jobs, innovation and enterprise activities. The site is located within Central Sydney and will deliver new jobs and employment floor space, helping to reach the target of 200,000 new jobs by 2036.

30. Further information regarding the alignment of the Planning Proposal with the strategic planning framework can be found in section 5.3 of the Planning Proposal at Attachment A.

Risks

31. City staff have undertaken a thorough assessment of the planning proposal and found that it demonstrates strategic and site-specific merit in accordance with NSW Government guidelines. The NSW Government also assessed and issued a Gateway Determination. The planning proposal is consistent with Sustainable Sydney 2030-2050 Continuing the Vision.

32. Progressing the planning proposal is within the City's risk tolerance and appetite.

33. The planning proposal has demonstrated that development will be capable of complying with relevant environmental and planning laws, regulations and industry standards and is within the City's minimal appetite for non-compliance with environmental laws, regulations and industry standards.

34. Proceeding with the planning proposal will meet the City's minimal appetite for disruption to our regulatory functions as decisions will be within the timeframes set in the NSW Government's Statement of Expectations Order 2024.

Relevant Legislation

35. Environmental Planning and Assessment Act 1979

36. Environmental Planning and Assessment Regulation 2021

37. Environmental Planning and Assessment (Statement of Expectations) Order 2024

Critical Dates / Time Frames

38. The gateway determination requires that the amendment to the Sydney LEP 2012 is completed by 20 June 2025.

39. The gateway determination authorises Council to exercise its delegation and liaise directly with Parliamentary Counsel to draft and make the local environmental plan. If the planning proposal is approved by the Central Sydney Planning Committee and Council, the City will commence this process. Once the process is complete and the plan is made, the amendment to the Sydney LEP 2012 will come into effect when published on the NSW Legislation website.

40. If approved by Council, the draft DCP will come into effect on the same day as the amendment to the Sydney LEP 2012.

41. The Voluntary Planning Agreement is to be executed prior to the finalisation of the amendments to the Sydney LEP 2012 and Sydney DCP 2012.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

James Dirickx-Jones, Planner

Attachment A

Planning Proposal - 383-395A Kent Street, Sydney and appendices

CITY OF SYDNEY

Planning Proposal: 383-395A Kent Street, Sydney



The City of Sydney acknowledges the Gadigal of the Eora Nation as the Traditional Custodians of our local area.

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Figure 4. 383-395A Kent Street, viewed from the north, outlined in red (Kent Street frontage) 9

Figure 5. 383-395A Kent Street, viewed from the south, outlined in red (Sussex Street frontage) 9

Figure 6. 383-395A Kent Street, viewed from the east, outlined in red, (Sussex Street frontage) 10

Figure 7. 383-395A Kent Street, viewed from the north, outlined in red, (Sussex Street frontage) 10

Figure 8. Extract from zoning map in Sydney LEP 2012 11

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Executive summary

The City of Sydney (the City) has prepared this planning proposal for 383-395A Kent Street, Sydney (the site) in response to a request from the applicant, Charter Hall, for the City to prepare a planning proposal for the site.

The planning proposal will enable development consistent with the objectives and priorities of the Greater Sydney Region Plan, Eastern City District Plan, the City's Local Strategic Planning Statement and the Central Sydney Planning Strategy. This proposal seeks to increase the maximum building height and floor space ratio to support future redevelopment delivering the following key benefits:

– The delivery of 73,191 square metres of replacement and new commercial office space in Central Sydney responding to demand, helping to promote development, investment and business opportunities in a centre supported by existing infrastructure;

– Increasing height and floor space in an identified tower cluster area, permitting greater development and density while preserving public amenity as required by the Central Sydney Planning Strategy;

– Helping to enhance the amenity of Central Sydney through the provision of a new through-site link connecting Kent Street and Sussex Street, acting as a new east-west connection facilitating ground floor activation and pedestrian permeability;

– The removal of a large commercial car park with approximately 800 spaces, reducing the demand for private vehicle trips and encouraging walking, cycling and the use of public transport;

– The delivery of a shared precinct loading dock for the use of surrounding businesses, encouraging a more efficient use of space, supporting local business and improving logistics and productivity;

– A built form that will minimise overshadowing to nearby public places, while forming a good contextual fit with neighbouring buildings on Kent and Sussex Streets, protecting daylight access and reducing adverse wind impacts to the public domain.

The site

The site has a total area of 3,606 square metres with street frontages to Kent Street along the eastern boundary and Sussex Street along the western boundary. Existing development on the site consists of a 19-storey building with a 10-storey commercial public car park containing approximately 800 car spaces and 11 storeys of commercial office space. To the south, the site is adjoined by 397-409 Kent Street (alternatively known as 2-18 Market Street), a 22-storey commercial office building. To the north, the site is adjoined by two commercial properties – an 8-storey commercial office building at 379 Kent Street and a 14-storey commercial office building at 160-166 Sussex Street. To the west, across Sussex Street, is the Hyatt Regency Hotel, with buildings ranging from 15- to 25-storeys for hotel and commercial purposes. To the east, across Kent Street, are a number of several commercial adaptive warehouse buildings ranging from 5 to 10-storeys.

Existing development controls

Under the existing LEP controls, the site is zoned SP5 Metropolitan Centre permitting a broad range of uses including office, retail and residential. The site has a maximum floor space ratio of 15.75:1 and a maximum building height of 110m.

The planning proposal – Sydney Local Environmental Plan 2012 controls

The City has prepared this planning proposal following a detailed review of the proponent's planning proposal request and accompanying documentation.

This planning proposal seeks to insert a new site-specific clause in Division 5 of the LEP to:

- increase the maximum building height from 110m to RL 189.8m (approximately 180m)
- increase the maximum floor space ratio from 15.75:1 to 20.3:1 inclusive of design excellence, shared loading dock facility floor space and end of journey floor space
- prevent development consent being granted under this clause unless the consent authority was satisfied that the resulting building would:
  - deliver a pedestrian through-site link connecting Kent Street and Sussex Street
  - deliver a shared precinct loading dock for the use of the subject site and surrounding businesses
  - remove the existing commercial car park resulting in a significant reduction in private parking spaces
  - not be used for the purpose of residential or serviced apartments.

Draft site-specific Development Control Plan

The City has prepared a draft site-specific amendment to the Sydney Development Control Plan 2012 (draft DCP) to help ensure the objectives and intended outcomes of this planning proposal are achieved. The draft DCP includes controls relating to the built form of the proposed development, maximum building envelope dimensions, pedestrian through-site link dimensions and requirements for ground floor activation, standards for acceptable wind conditions, access and operation of the shared loading dock, a design excellence strategy, and sustainability and public art requirements. The City intends to publicly exhibit the draft DCP with this planning proposal.

This planning proposal has been amended, new text is shown in bold italics and deleted text is shown as ~~bold strikethrough~~.

1. Site Identification

1.1. Site Identification

The address and lot reference affected by this planning proposal are collectively referred to as ‘the Site’. The site is located at 383-395A Kent Street, Sydney and the lot reference is Lot 1 in DP 778342. A map of the site, outlined in red, is shown at Figure 1.

Figure 1. Land affected by this Planning Proposal



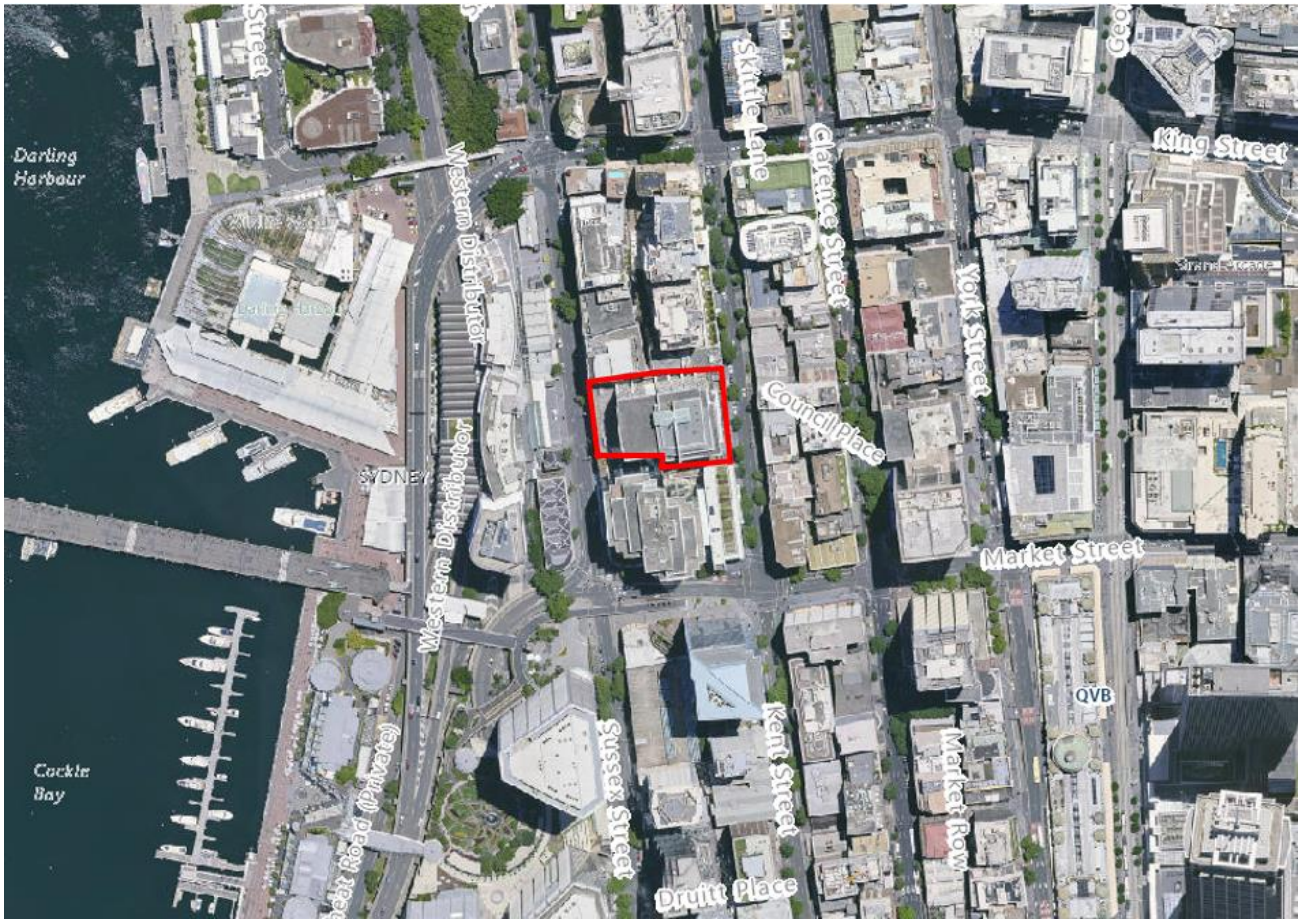
1.2. Site location

The site is located in Central Sydney within the City of Sydney Local Government Area. It fronts Kent Street to the east and Sussex Street to the west.

The site is approximately 500m away from Town Hall Rail Station with intercity, suburban, light rail and bus connections. A two-way cycleway is located across from the site on Kent Street. The QVB light rail station is approximately 300m away while Wynyard Station is approximately 800m away. The site is also located approximately 800m to Barangaroo Wharf which provides connection to locations along Sydney Harbour and the Parramatta River.

An aerial photo of the site and surrounding area is shown at Figure 2.

Figure 2. Aerial photo of the site



1.3. Site characteristics

The site has a total area of 3,606m^2. The Kent Street frontage is approximately 53m and the Sussex Street frontage is approximately 43m. The distance between Kent and Sussex Streets is approximately 73m. The site has a sloping topography with a level difference of approximately 10m between Kent Street and Sussex Street.

Existing development on the site consists of a 19-storey building with a 10-storey commercial public car park containing approximately 800 car spaces and 11 storeys of commercial office space. The site contains 17,928m^2 of commercial office space between levels 8 and 18. The commercial car park dates from 1976. A development application to build a commercial office tower above the car park was lodged in 1998 and construction was completed in the early 2000s.

Current vehicular access to the car park and loading dock is off Sussex Street, and the lobby for the office tower is accessed via Kent Street.

To the south, the site is adjoined by 397-409 Kent Street (alternatively known as 2-18 Market Street), a 22-storey commercial office building. To the north, the site is adjoined by two commercial properties – an 8-storey commercial office building at 379 Kent Street and a 14-storey commercial office building at 160-166 Sussex Street. To the west, across Sussex Street, is the Hyatt Regency Hotel, with buildings ranging from 15 to 25-storeys for hotel and commercial purposes. To the east, across Kent Street, are a number of several commercial adaptive warehouse buildings ranging from 5 to 10-storeys.

Figure 3. 383-395A Kent Street, viewed from the south, outlined in red (Kent Street frontage)

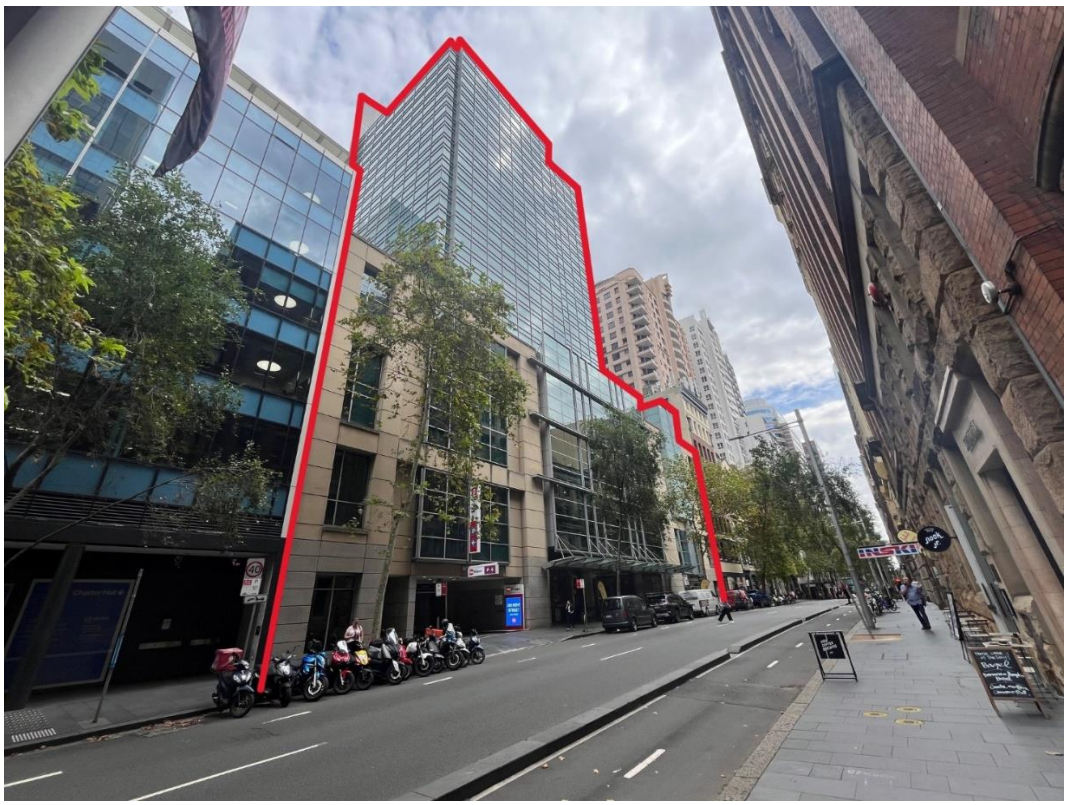


Figure 4. 383-395A Kent Street, viewed from the north, outlined in red (Kent Street frontage)

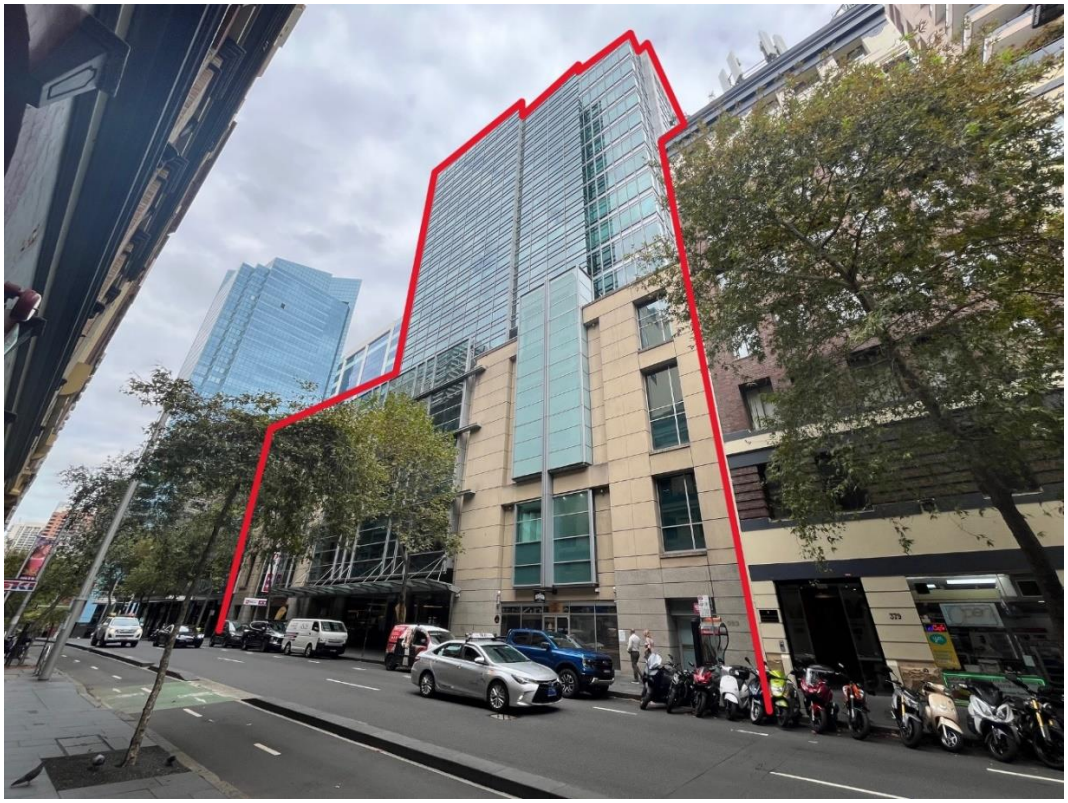


Figure 5. 383-395A Kent Street, viewed from the south, outlined in red (Sussex Street frontage)

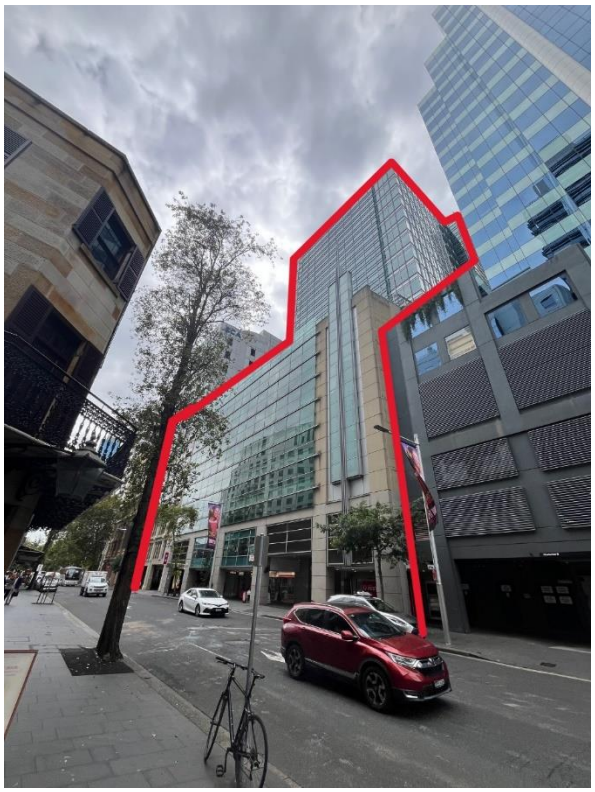


Figure 6. 383-395A Kent Street, viewed from the east, outlined in red, (Sussex Street frontage)

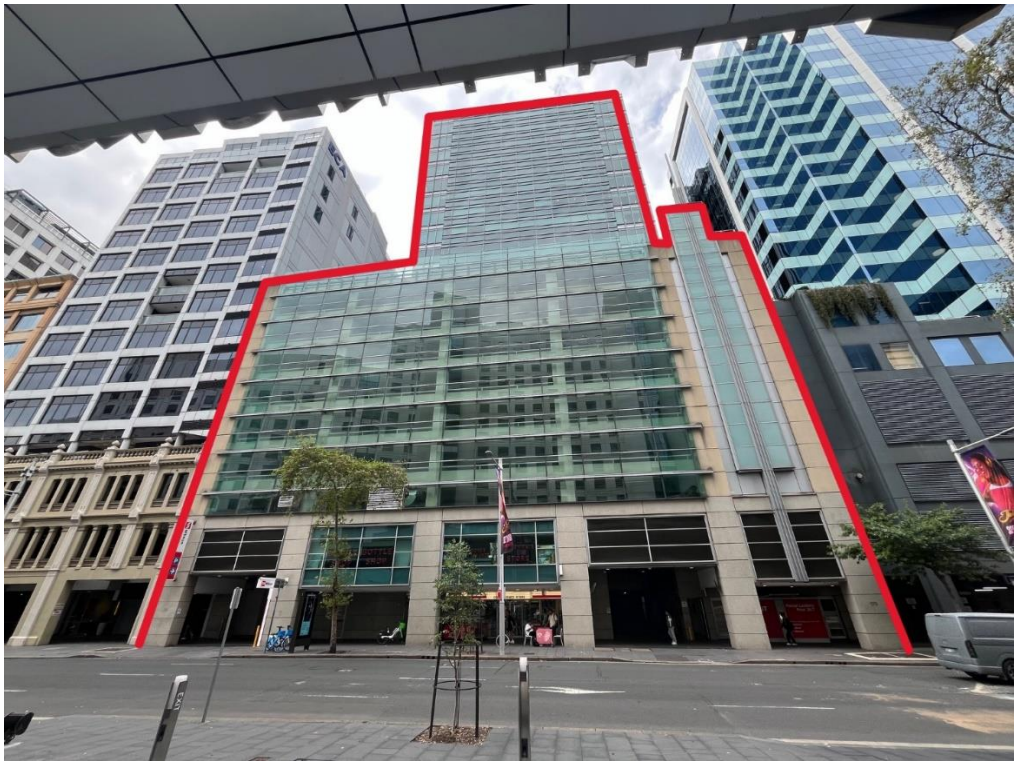


Figure 7. 383-395A Kent Street, viewed from the north, outlined in red, (Sussex Street frontage)

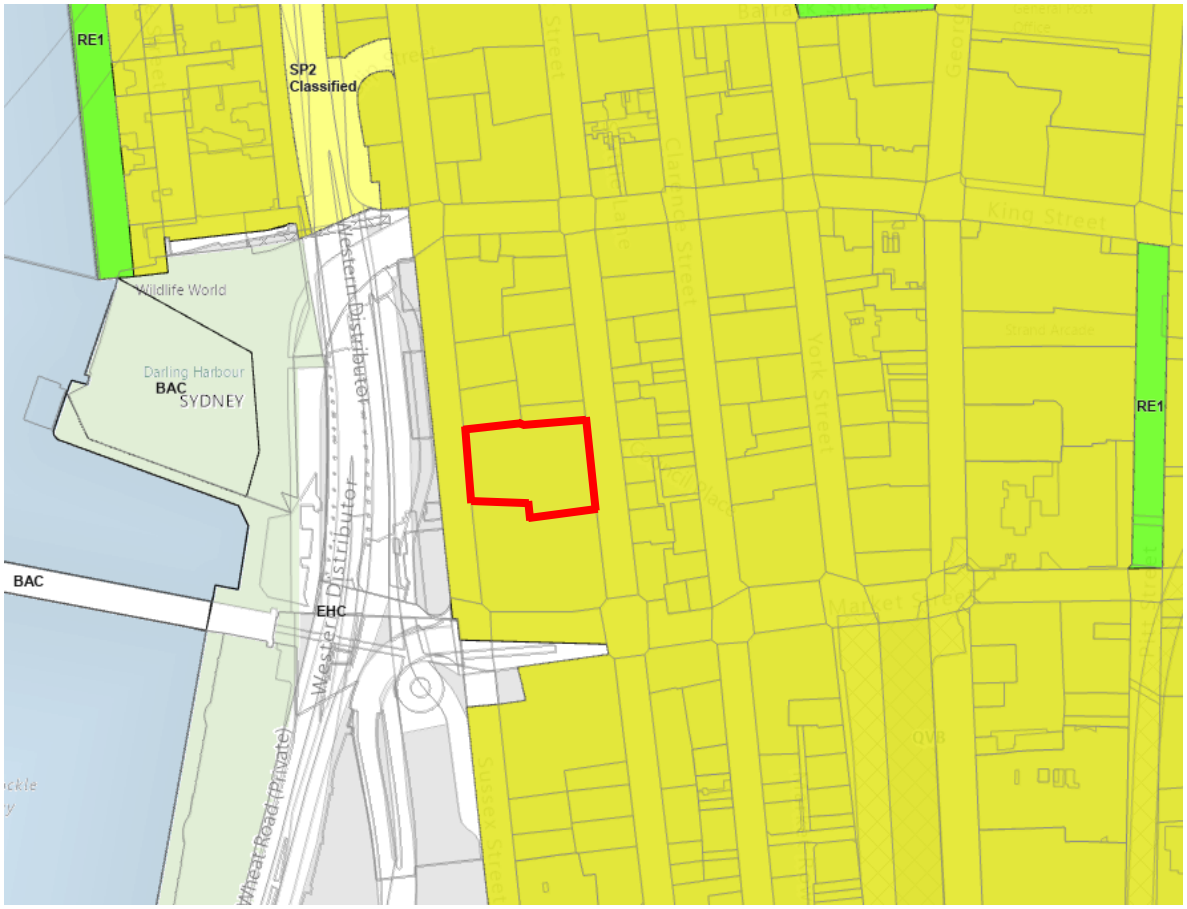


2. Existing planning controls

2.1. Zoning

The site is located within the SP5 ‘Metropolitan Centre’ Zone. The objectives of this zone are to provide a diversity of business, office, retail, entertainment and tourist land uses to provide opportunities for an intensity of land uses compatible with Sydney’s global status.

Figure 8. Extract from zoning map in Sydney LEP 2012

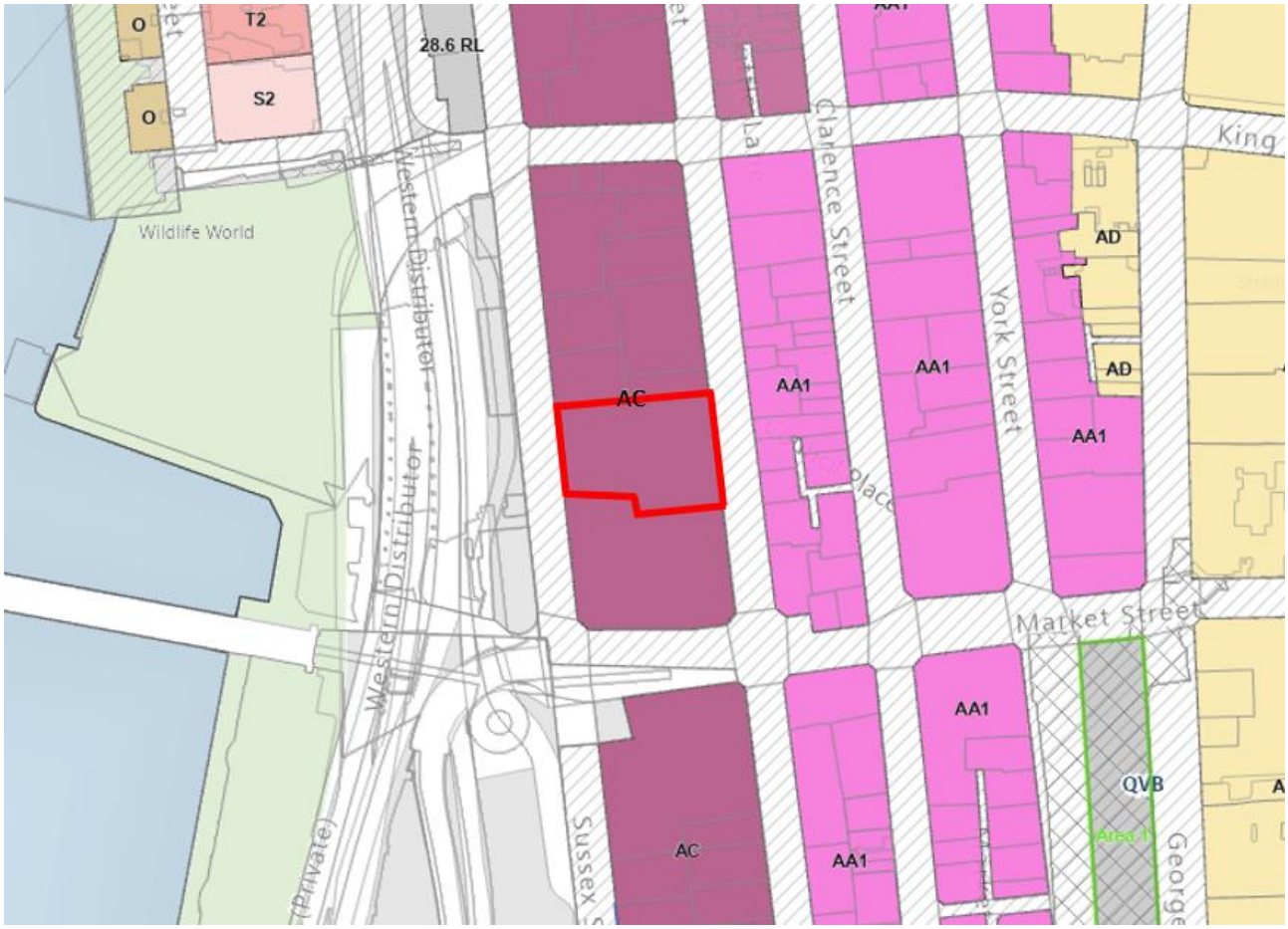


2.2. Building height

The maximum building height for the site is 110m, represented by ‘AC’ and the purple shading in Figure 9.

The site is also subject to the no additional overshadowing controls of Sydney Square, Sydney Town Hall and future Town Hall Square during the control periods, as outlined in section 6.18 of the Sydney LEP.

Figure 9. Extract from Height of building map in Sydney LEP 2012



2.3. Floor space ratio

The maximum floor space ratio for the site is 8:1, as indicated by 'AC' and the purple shading in Figure 10. The site is located in Area 3 which, under clause 6.4 of the Sydney LEP, means the site is eligible for accommodation floor space of up to 2.5:1 for business, office or retail premises. In addition, the site is located in a tower cluster area which, under clause 6.21E of the Sydney LEP, means the site may be eligible for additional floor space of up to 50% if the consent authority is satisfied that the building demonstrates design excellence as the winner of an architectural design competition carried out in accordance with the City of Sydney Competitive Design Policy.

In total, a commercial development on the site can achieve a maximum FSR of 15.75:1.

Figure 10. Extract from floor space ratio map in Sydney LEP 2012



2.4 Heritage

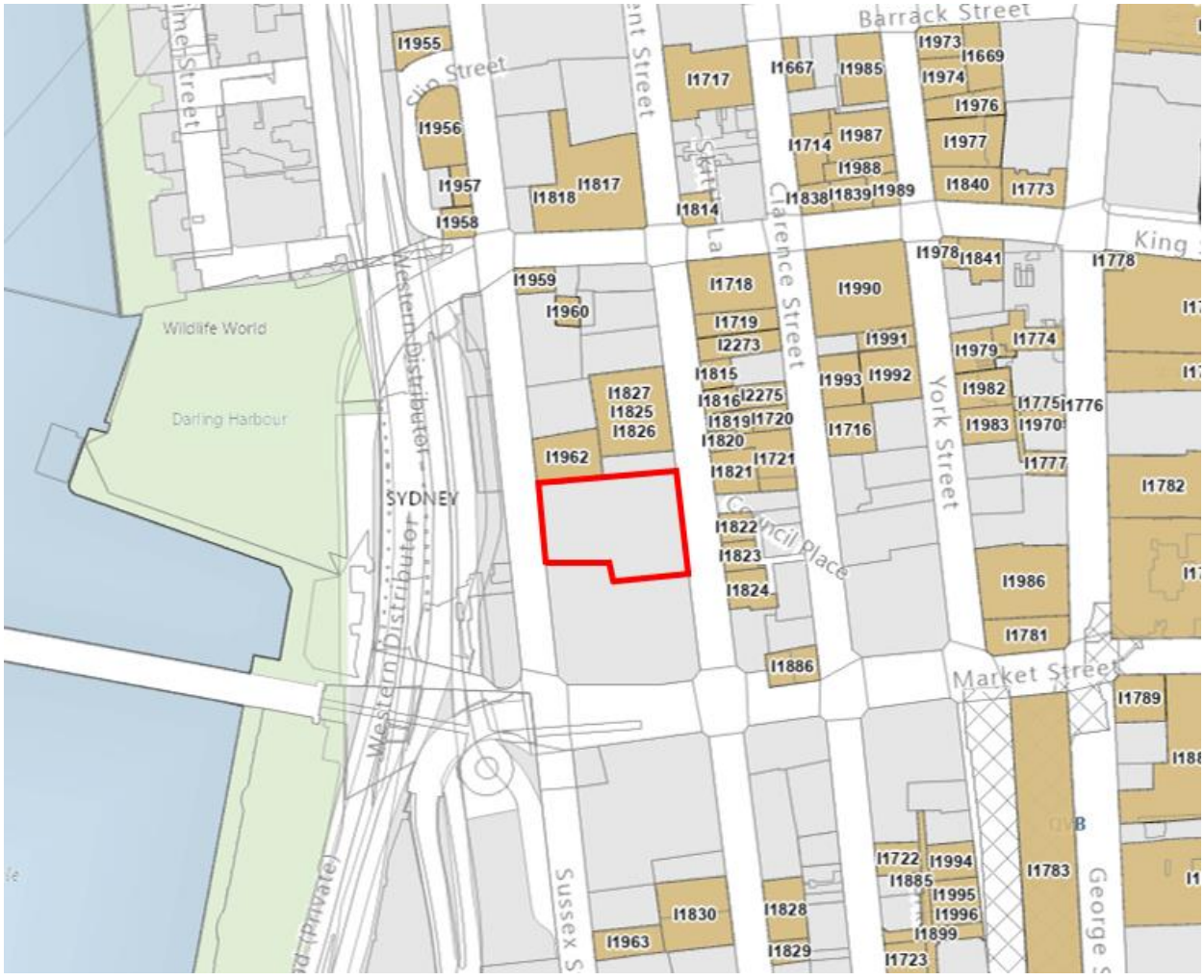
The site is not heritage listed but is located in close proximity to a number of local and state listed heritage items. The site is partially located within the York Street Special Character Area including Clarence Street and Kent Street in the Sydney DCP. York Street and the streets and lanes surrounding it contain evidence of one of the early warehousing areas in Sydney that developed due to its proximity to Darling Harbour and the City Markets. The area is characterised by nineteenth and early twentieth century warehouse development interspersed with hotels that flourished in association with the wharves as well as a number of banks. The warehouse stock generally comprises masonry buildings, 3-8 stories in height and robustly articulated.

Adjoining the site to the north is a locally listed heritage item at 160-166 Sussex Street, the façade of a former maritime building known as 'CMC House'. Also north of the site are three locally-listed former warehouse facades at 365, 367-371 and 373-377 Kent Street.

East of the site across Kent Street are a number of locally-listed former warehouses with the listing including the interiors and, in some cases, cartways and courtyards. West of the site across Sussex Street are a number of state-listed heritage items adjoining the Hyatt Regency Hotel including the former Hunter River Steamship Navigation Company Office and warehouses at 139-153 Sussex Street, Dundee Arms Hotel at 171 Sussex Street and Corn Exchange at 173-185 Sussex Street.

A map showing the site and the locally-listed heritage items can be found at Figure 11.

Figure 11. Extract from heritage map in Sydney LEP 2012



3. Objectives and intended outcomes

3.1. Objectives

This planning proposal will enable the redevelopment of 383-395A Kent Street, Sydney to deliver:

- a future workspace tower of approximately 180m while preventing any additional overshadowing of Sydney Square, Town Hall Steps and future Town Hall Square;
- 73,000 sqm of commercial and retail floor space in a tower cluster area, aligning with the strategic direction of the Central Sydney Planning Strategy;
- a built form which protects and enhances the amenity of the public domain, particularly sun access and wind conditions;
- a built form which is responsive to the surrounding streetscape and character of Kent Street and the western edge of the CBD;
- a built form capable of achieving design excellence and acceptable sustainability outcomes;
- a pedestrian through-site link connecting Kent Street and Sussex Street;
- the removal of a large 10-storey, approximately 800 space, commercial car park; and
- the provision of a shared precinct loading dock facility for the use of surrounding businesses.

The draft DCP accompanying the Planning Proposal will provide more detailed guidance for the site.

A Voluntary Planning Agreement (VPA) will be exhibited to secure public access to the pedestrian through-site link, to establish principles for the access to and operation of the shared precinct loading dock, and to provide commitments for sustainability targets exceeding the Sydney DCP 2012.

4. Explanation of provisions

4.1. Sydney Local Environmental Plan 2012

To achieve the objectives and intended outcomes, this planning proposal seeks to amend the Sydney Local Environmental Plan by inserting a new site-specific clause under Division 5 Site Specific Provisions to:

- permit a maximum building height of RL 189.8 metres;
- permit a maximum floor space ratio of 20.3:1, inclusive of the following:
  - the maximum floor space ratio as shown on the Floor Space Ratio Map (under clause 6.4);
  - the maximum accommodation floor space ratio (under clause 6.4), to which the City's heritage floor space scheme will apply;
  - shared loading dock facility floor space (under clause 6.5A);
  - end of journey floor space (under clause 6.6); and
  - additional floor space, of up to 10%, if the building demonstrates design excellence (under clause 6.21D(3)(b)).
- prevent development consent being granted under this clause unless the consent authority was satisfied that the resulting building would comply with clause 6.18 "Overshadowing of certain public places".
- prevent development consent being granted under this clause unless the consent authority was satisfied that the resulting building:
  - would not be used for the purpose of residential or serviced apartments;
  - would not be used for the purpose of a commercial car park;
  - would include a pedestrian through-site link connecting Kent Street and Sussex Street, and
  - would include a shared loading dock facility, in addition to the site's own requirements, for the use of surrounding businesses.

The total floor space ratio calculated under the subclauses above must not exceed 20.3:1.

Clause 6.21D(3)(a) should not apply to these site specific controls, no additional building height should be available to exceed the maximum set at RL 189.8 metres.

Section 4.6 exceptions can only apply to parts of the envelope not affected by overshadowing of certain public places controls, as outlined in clause 4.6(8)(ce).

Appendix 1 of this Planning Proposal provides some example clauses of the proposed controls. The final version of the clauses to be inserted into Division 5 would be subject to drafting and agreement by the Parliamentary Counsel's Office.

4.2. Sydney Development Control Plan

To ensure future development is consistent with the objectives of the planning proposal, site specific provisions for the DCP will be drafted to ensure a high-quality built form and public domain. These provisions include:

– maximum building envelope dimensions;

– pedestrian through-site link dimensions and requirements for ground floor activation;

– controls regarding the access and operation of the shared precinct loading dock;

– a design excellence strategy; and

– sustainability and public art requirements.

A draft of the new site specific provisions for the DCP, also to be placed on public exhibition, can be found at Attachment B.

5. Justification

5.1 Landowner request

The applicant Charter Hall, supported by Ethos Urban and fjcstudio, lodged a formal request to prepare a planning proposal in March 2024. The intended use of the site is for a commercial development. The reference design depicts retail tenancies at the Kent Street and Sussex Street levels and through-site link, and offices on all upper levels.

Figure 12. Artistic representation of indicative design – Kent Street perspective



Figure 13. Artistic representation of indicative design – western perspective



5.2 Need for the planning proposal

Is the planning proposal a result of an endorsed LSPS, strategic study or report?

This planning proposal is the result of a request from the landowner to change the planning controls that relate to the site in response to the Central Sydney Planning Strategy.

The landowner has provided a Planning Proposal Justification Report and a number of studies in support of the request, including an Urban Design Report prepared by fjcstudio. Together they describe how the proposal is consistent with the Central Sydney Planning Strategy and demonstrate how the site is capable of accommodating growth in employment generating floor space through amending building height and floor space ratio controls without unacceptable impacts on public domain and amenity.

The supporting documents commissioned by the applicant to support their request are attached as the following Attachments to this planning proposal:

- Attachment A1: Planning Proposal Justification Report – Ethos Urban
- Attachment A2: Urban Design Report – fjcstudio
- Attachment A3: Urban Design Report Appendices – fjcstudio
- Attachment A4: Detailed Site Survey – Beveridge Williams
- Attachment A5: Draft Site Specific DCP as suggested by proponent – Ethos Urban
- Attachment A6: Design Excellence Strategy – Ethos Urban
- Attachment A7: ESD Report – LCI
- Attachment A8: Connecting with Country Strategy – Yerrabingin
- Attachment A9: Initial Connecting with Country Concepts – Yerrabingin
- Attachment A10: Pedestrian Wind Environment Study (Maximum Planning Envelope) – Windtech
- Attachment A11: Pedestrian Wind Environment Study (Reference Design Scheme) – Windtech
- Attachment A12: Pedestrian Comfort Assessment – Movissian
- Attachment A13: Traffic and Transport Assessment – Stantec
- Attachment A14: Preliminary Aeronautical Impact Assessment – Avlaw
- Attachment A15: Heritage Impact Assessment – Urbis
- Attachment A16: Geotechnical Desktop Investigation – Douglas Partners
- Attachment A17: Preliminary Site Investigation (Contamination) – Douglas Partners
- Attachment A18: Preliminary Acid Sulfate Soils Study – Douglas Partners
- Attachment A19: Operational Waste Management Plan – Foresight Environmental
- Attachment A20: Civil Engineering Report – TTW
- Attachment A21: Vision and Values Statement – Charter Hall

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This planning proposal seeks to insert new site-specific provisions into the LEP for the site. The resultant conditions have been assessed to ensure any future built form is appropriate and does not result in any unacceptable impacts on adjoining properties or the public domain. The amended controls would facilitate the delivery of additional employment generating floor space consistent with the objectives of the Local Strategic Planning Statement and Central Sydney Planning Strategy.

5.3 Relationship to the strategic planning framework

Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy?

A Metropolis of Three Cities – The Greater Sydney Region Plan

The planning proposal gives effect to the following objectives of the Greater Sydney Region Plan:

- Objective 12: Great places that bring people together – Improving accessibility, connectivity and amenity through the provision of a pedestrian through-site link connecting Kent Street and Sussex Street, prioritising a people-friendly public realm and introducing fine grain urban form.
- Objective 14: Integrated land use and transport creates walkable and 30-minute cities – The site is located in Central Sydney, within 300m of the QVB light rail stop, 500m of Town Hall Station, 800m of Wynyard Station and Barangaroo Wharf, and nearby bus connections and cycleways provide additional linkages with the metropolitan transport network. The location within the Metropolitan Centre Zone and proximity to residential areas in the CBD and Pyrmont promotes the vision of a 30-minute city. The removal of the commercial car park reduces the use of private vehicle trips and encourages walking and the use of public transport.
- Objective 18: Harbour CBD is stronger and more competitive – The site's location within the Harbour CBD and the provision of additional commercial office space, helps to achieve the strategies for an internationally competitive commercial sector to support an innovation economy.
- Objective 22: Investment and business activity in centres – The site is located within the metropolitan centre of the Eastern Harbour City, supporting the economic significance of the Harbour CBD.

Eastern City District Plan

The planning proposal gives effect to the following Planning Priorities of the Eastern City District Plan:

- Planning Priority E1: Planning for a city supported by infrastructure - To refresh and renew the offering of commercial floor space in this area of the Harbour CBD, this planning proposal would facilitate the delivery of new office space on a site well-positioned to take advantage of existing and planned transport infrastructure, maximising the efficient use of rail, light rail, Metro, ferry and bus services.
- Planning Priority E6: Creating and renewing great places and local centres, and respecting the District's heritage – This planning proposal would contribute to the improvement of accessibility, connectivity and amenity through the provision of a pedestrian through-site link connecting Kent Street and Sussex Street, while respecting the existing heritage streetscape of Kent Street.
- Planning Priority E7: Creating a stronger and more competitive Harbour CBD – Central Sydney is at the core of the Harbour CBD. This planning proposal will facilitate new commercial office space, contributing to the goals to strengthen the international competitiveness of the CBD and supporting an innovation economy.
- Planning Priority E10: Delivering integrated land use and transport planning and a 30-minute city – Any redevelopment of the site under the controls made by this planning proposal would be designated for employment uses, which would be well-positioned to take advantage of the metropolitan transport network, including rail, light rail, Metro and ferry connections as well as nearby bus services and cycleways. The removal of the commercial car park reduces the use of private vehicle trips and encourages walking and the use of public transport.
- Planning Priority E11: Growing investment, business opportunities and jobs in strategic centres – This site is located within the metropolitan centre of the Eastern City District (Harbour CBD) and any redevelopment facilitated by controls made by this planning proposal would provide

new commercial floor space to support employment growth, while being well-positioned to take advantage of existing services and transport connections.

Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

City Plan 2036 (local strategic planning statement)

The planning proposal gives effect to the following priorities of City Plan 2036:

- Priority I1: Movement for walkable neighbourhoods and a connected city – This planning proposal would facilitate a commercial development well-positioned to integrate with existing and future transport connections while encouraging increased walking, especially through the provision of a new pedestrian through-site link and the removal of the commercial car park.
- Priority I2: Align development and growth with supporting infrastructure – This planning proposal would facilitate the development of new commercial office space well-positioned to take advantage of existing infrastructure, including rail, light rail, Metro and ferry connections, as well as nearby bus services and cycleways.
- Priority L5: Creating great places – This planning proposal would deliver improved street life and activation by creating a new pedestrian through-site link connecting Kent Street and Sussex Street which, in addition to new opportunities for new retail and food and drink premises, would further enhance the character and walkable nature of the western edge of the CBD.
- Priority P1: Growing a stronger, more competitive Central Sydney – This planning proposal supports growth in Central Sydney by facilitating future development that will deliver additional capacity for economic and employment growth.

Sustainable Sydney 2030-2050: Continuing the vision

- Direction 5: A city for walking, cycling and public transport – the site is well positioned to take advantage of existing transport infrastructure, including rail, light rail, Metro and ferry connections as well as bus routes and cycleways. The provision of a new pedestrian through-site link enhances the existing pedestrian permeability of the CBD. The removal of the commercial car park reduces the demand for private vehicle trips and encourages walking and the use of public transport.
- Direction 9: A transformed and innovative economy – this planning proposal supports employment growth in Central Sydney, helping to maintain the city's position locally, nationally and globally as a destination for business, investment and talent.

Central Sydney Planning Strategy

This planning proposal gives effect to the following key moves of the Central Sydney Planning Strategy:

- 1. Prioritise employment growth and increase capacity – This planning proposal will facilitate redevelopment of the site in the form of a new commercial office tower, delivering new employment floor space and increasing capacity and space within Central Sydney.
- 2. Ensure development responds to context – This planning proposal is accompanied by a site-specific DCP to ensure future development takes place within a maximum building envelope demonstrating appropriate setbacks and separation, and with a built form responsive to the Kent Street Special Character Area.
- 4. Provide for employment growth in new tower clusters – The subject site is located in the Western Edge tower cluster area where additional height may be accommodated.
- 5. Ensure infrastructure keeps pace with growth – Development facilitated by this planning proposal is subject to the Central Sydney Development Contributions Plan 2020 and City of Sydney Affordable Housing program.

- 6. Move towards a more sustainable city – Development facilitated by this planning proposal will be required to achieve the City's 2026 performance standards for net zero energy buildings by delivering a minimum 5.5-star NABERS Energy rating +25% and 100% renewable energy provision. The removal of the commercial car park reduces demand for private vehicle trips and encourages walking and the use of public transport.
- 7. Protect, enhance and expand Central Sydney's heritage and public places – this planning proposal delivers additional building height while retaining no additional overshadowing protections to Sydney Square, Town Hall Steps and future Town Hall Square.
- 8. Move people more easily – The site is located within easy walking distance of multiple public transport services and will deliver a pedestrian through-site link as a new east-west connection in the city. The removal of the commercial car park reduces demand for private vehicle trips and encourages walking and the use of public transport.
- 9. Reaffirm commitment to design excellence – Future development on site facilitated by this planning proposal will be subject to a full competitive design process, with the site-specific DCP to include a design excellence strategy.

Is the planning proposal consistent with any other applicable State or regional studies or strategies?

Not applicable.

Is the planning proposal consistent with applicable SEPPs?

The following table (Table 1) outlines the consistency of this planning proposal with applicable State Environmental Planning Policies (SEPPs).

Table 1. Consistency with applicable SEPPs

SEPP	Comment
SEPP (Biodiversity and Conservation) 2021	This planning proposal is consistent. The site is located within the Sydney Harbour Catchment area but not within the Foreshores and Waterways Area. The proponent has prepared a Civil Engineering Report, attached to this planning proposal at Attachment A20, which has modelled existing and proposed conditions regarding stormwater, enclosed correspondence with Sydney Water, and made recommendations regarding the proposed point of connection and required water quality treatment to meet the City's pollutant reduction targets. The site is located in both the City Area Catchment and Darling Harbour Catchment, and in neither catchment is the site considered to be impacted by mainstream flooding, with peak flood depths in the 1% AEP flood event and PMF flood event able to be contained within the kerb and gutter. The report recommends that as part of a future detailed design Development Application, a 1 in 70 rise from the site boundary to the crest of the basement ramp should satisfy the worst-case flood planning level and protect the basement levels. The proponent has prepared a Geotechnical Investigation and Preliminary Site Investigation (Contamination), attached to this planning proposal at Attachment A16 and

SEPP	Comment
	A17 respectively, which finds that the permanent groundwater level is likely to be at a depth below neighbouring basement levels. These documents make recommendations for further investigation as part of any detailed Development Application. These documents show that the proposed building envelope is capable of hosting a development which complies with the requirements of the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	This planning proposal is consistent.
SEPP (Housing) 2021	This planning proposal is consistent.
SEPP (Industry and Employment) 2021	This planning proposal is consistent.
SEPP (Planning Systems) 2021	This planning proposal is consistent.
SEPP (Precincts – Eastern Harbour City) 2021	This planning proposal is consistent.
SEPP (Resilience and Hazards) 2021	This planning proposal is consistent. The City has considered the potential for contamination reflecting the history of the site, and the proponent has prepared a Preliminary Site Investigation (Contamination), which is attached to this planning proposal at Attachment A17. Further investigation regarding potential contamination and remediation will be undertaken as part of any future development application process. The site is not located within the Coastal Environment Area nor the Coastal Use Area.
SEPP (Resources and Energy) 2021	This planning proposal is consistent.
SEPP (Sustainable Buildings) 2022	This planning proposal is consistent.
SEPP (Transport and Infrastructure) 2021	This planning proposal is consistent. As the site subject to development is on land shown as 'Zone B' on a rail corridors map and involves the penetration of ground to a depth greater than 2m below existing ground level and has an estimated development cost of more than $200,000 and involves the erection of a structure that is 10 or more metres high, the consent authority must give written notice of the application to the relevant rail authority and the Secretary of the Department of Transport within 7 days of receiving any development application, in accordance with section 2.101 of the SEPP. As the future indicative scheme will be considered a 'traffic generating development' for the purposes of the SEPP as over 10,000 m^2 of commercial floor space is proposed, any

SEPP	Comment
	future development application will be required to be referred to Transport for NSW within 7 days of receiving any development application, in accordance with section 2.122 of the SEPP. ***As the site subject to development is within or immediately adjacent to an easement for electricity purposes, before determining a development application the consent authority must give written notice to the electricity supply authority (Ausgrid) inviting comments and take into consideration any response to the notice, in accordance with section 2.48 of the SEPP.***

The following SEPPs are not applicable to this planning proposal:

- SEPP (Precincts – Central River City) 2021, SEPP (Precincts – Regional) 2021, SEPP (Precincts – Western Parkland City) 2021, SEPP (Primary Production) 2021

Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

The following table (Table 2) outlines the consistency of this planning proposal with applicable Ministerial Directions

Table 2. Consistency with Ministerial Directions

Ministerial Direction	Comment
1.1 Implementation of Regional Plan	This planning proposal is consistent, as demonstrated in section 5.3 of this document.
1.3 Approval and Referral Requirements	This planning proposal is consistent. No provisions are being proposed that would require the concurrence, consultation or referral of development applications to a Minister or public authority, nor identify the development as designated development.
1.4 Site Specific Provisions	This planning proposal is consistent. The planning proposal does not unnecessarily restrict the permitted uses on the land. The planning proposal provides development uplift for a range of commercial uses. This is consistent with strategic priorities established in the relevant regional and district plan and LSPS. Development that does not make use of the uplift provided by the planning proposal can continue to make use of the full range of uses permitted in the SP5 zone.
3.1 Conservation Zones	This planning proposal is consistent. The site is not located within an environmentally sensitive area, a conservation zone nor land otherwise identified for environment conservation/protection purposes.

Ministerial Direction	Comment
3.2 Heritage Conservation	This planning proposal is consistent. There are no heritage-listed items on the site, and the site's location within a Special Character Area and proximity to heritage items are fully considered by the planning proposal. A Heritage Impact Statement, provided by the proponent, is attached to this document at Attachment A15.
3.5 Recreation Vehicle Areas	This planning proposal is consistent. The site is not being developed for the purpose of a recreation vehicle area.
3.7 Public Bushland	This planning proposal is consistent. The site does not contain any urban bushland.
3.9 Sydney Harbour Foreshores and Waterways Area	This planning proposal is consistent. The site is not located within the Foreshore and Waterways Area.
3.10 Water Catchment Protection	This planning proposal is consistent. The site is located within the Sydney Harbour Catchment but outside the Foreshore and Waterways Area Boundary. The planning proposal does not conflict with the objectives of the Direction and the proponent has provided a Geotechnical Desktop Investigation, Preliminary Site Investigation (Contamination) and Civil Engineering Report, attached to this document at Attachments A16, A17 and A20 respectively.
4.1 Flooding	This planning proposal is consistent. The proponent has identified flood risk in alignment with the objectives of the Direction and provided a Civil Engineering Report, attached to this document at Attachment A20, showing that the site is capable of hosting a development which complies with all flood planning levels.
4.2 Coastal Management	This planning proposal is consistent. The site is not located within the coastal environment area or coastal use area.
4.4 Remediation of Contaminated Land	This planning proposal is consistent. The possibility of land contamination has been considered and the site will be suitable for all proposed land uses. The proponent has prepared a Preliminary Site Investigation (Contamination), which is attached to this planning proposal at Attachment A17. Further investigation regarding potential contamination and remediation will be undertaken as part of any future development application process.
4.5 Acid Sulfate Soils	The planning proposal is consistent. The site is located within areas classified as Class 1 & 2 under section 7.14 of the Sydney LEP and any development facilitated by

Ministerial Direction	Comment
	this planning proposal would result in the intensification of land uses on the site. An acid sulfate soil study was provided by the proponent, attached to this document at Attachment A18, which proposes works to identify if acid sulfate soils are present on the site and, if so, preparation for a formal acid sulfate soils management plan to be required as part of any future development application. It is anticipated that this matter will be referred to Water NSW in line with any conditions of a future gateway determination.
5.1 Integration Land Use and Transport	This planning proposal is consistent. The site is located in an area that is well serviced by existing public and private transport options.
5.3 Development near Regulated Airports and Defence Airfields	This planning proposal is not consistent. The proposed maximum height of RL 189.80 metres of the planning proposal would exceed the Obstacle Limitation Surfaces (OLS) for Sydney Airport. As the surface will be penetrated both permanently by the building and temporarily by two cranes, each will be classified as a 'controlled activity' and will require aeronautical assessment and approval. Provision 2 of Local Planning Direction 5.3 requires the planning authority to obtain permission from the Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow development that would constitute a controlled activity, and that this permission must be obtained prior to undertaking community consultation. The City will undertake consultation and receive permissions from relevant public authorities as part of the public exhibition process following the issue of a gateway determination. This will include consultation with the Sydney Airport Corporation, Airservices Australia and the Civil Aviation Safety Authority. Following consultation with these agencies, the planning proposal will be amended where necessary and reported back to Council and the Central Sydney Planning Committee for final approval prior to the drafting of the relevant amendments to the LEP. It is not anticipated that this planning proposal will compromise the effective and safe operation of Sydney Airport, considering the large number of buildings taller than the proposed development nearby in Central Sydney. The proponent has prepared a Preliminary Aeronautical Impact Assessment, attached to this document at Attachment A14.

Ministerial Direction	Comment
6.1 Residential Zones	This planning proposal is consistent. The planning proposal does not prevent a residential use from occurring on the site under the current zoning and development standards. It introduces additional standards to encourage commercial uses.
6.2 Caravan Parks and Manufactured Home Estates	This planning proposal is consistent. It provides an alternative set of planning controls for the commercial redevelopment of the site. It is not a suitable zone or location for the provision of a caravan park.
7.1 Employment Zones	This planning proposal is consistent. It will encourage employment growth in a suitable location, as well as protect and support the viability of an area identified in the relevant regional and district plans and LSPS for commercial uses.

The following Ministerial Directions are not applicable to this planning proposal:

– Ministerial Direction 1.2 Development of Aboriginal Land Council Land, 1.4A Exclusion of Development Standards from Variation, 1.5 Parramatta Road Urban Transformation Strategy, 1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan, 1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan, 1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan, 1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor, 1.10 Implementation of the Western Sydney Aerotropolis Plan, 1.11 Implementation of Bayside West Precincts 2036 Plan, 1.12, Implementation of Planning Principles for Cooks Cove Precinct, 1.13 Implementation of St Leonards and Crows Nest 2036 Plan, 1.14 Implementation of Greater Macarthur 2040, 1.15 Implementation of the Pyrmont Peninsula Place Strategy, 1.16 North West Rail Link Corridor Strategy, 1.17 Implementation of the Bays West Place Strategy, 1.18 Implementation of the Macquarie Park Innovation Precinct, 1.19 Implementation of the Westmead Place Strategy, 1.20 Implementation of the Camellia-Rosehill Place Strategy, 1.21 Implementation of the South West Growth Area Structure Plan, 1.22 Implementation of the Cherrybrook Station Place Strategy, 3.1 Conservation Zones, 3.3 Sydney Drinking Water Catchments, 3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs, 3.6 Strategic Conservation Planning, 3.8 Willandra Lakes Region, 4.3 Planning for Bushfire Protection, 4.6 Mine Subsidence and Unstable Land, 5.2 Reserving Land for Public Purpose, 5.4 Shooting Ranges, 7.2 Reduction in non-hosted short-term accommodation period, 7.3 Commercial and Retail Development along the Pacific Highway, North Coast, 8.1 Mining, Petroleum Production and Extractive Industries, 9.1 Rural Zones, 9.2 Rural Lands, 9.3 Oyster Aquaculture, 9.4 Farmland of State Regional Significance on the NSW Far North Coast.

5.4 Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The planning proposal applies to a site in Central Sydney, currently occupied by a commercial car park and office tower without any vegetation within its boundaries. Any redevelopment would be an intensification of commercial uses and similar to surrounding buildings. It is highly unlikely for any adverse impact on a critical habitat or threatened species, population or ecological community to take place as a result of this proposal.

Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

Floor Space Ratio

This planning proposal will insert site-specific floor space ratio (FSR) controls in the LEP for the site, 383-395A Kent Street. These FSR controls are specific to the building envelope outlined in this planning proposal, and have been tested to ensure that it is possible to accommodate the proposed FSR within the dimensions of the proposed building envelope while applying standard assumptions contained in the Guideline for Site-Specific Planning Proposals in Central Sydney. These include floor-to-floor heights, plant floors, core efficiencies, architectural articulation and roof zones. In addition, the location of the site within a tower cluster area means that it is a location that has been identified by the city through the Central Sydney Planning Strategy as being capable of accommodating increased height and density while taking advantage of existing infrastructure and minimising adverse impacts to important public places.

The planning proposal increases the maximum FSR on the site from 15.75:1 to 20.3:1, inclusive of design excellence, accommodation floor space, shared loading dock floor space and end of journey floor space. A Planning Proposal Justification Report and Urban Design Report, prepared by Ethos Urban and fjcstudio on behalf of the landowner are attached to this document at Attachment A1 and A2 respectively, details how the desired density is consistent with the City's vision for tower cluster areas and will result in additional commercial floor space without significant adverse impacts.

To be eligible for the proposed development controls, future development on the site is to meet the site-specific requirements in the LEP, such as restricting future development on site to non-residential uses only, provision of a pedestrian through-site link, removal of the commercial car park and provision of a shared loading dock to accommodate the servicing needs of the development and surrounding businesses.

Urban design

The planning proposal will insert site-specific building height controls in the LEP. The increase in the maximum building height from 110m to RL 189.80 would facilitate the increase in FSR while remaining consistent with the objectives of the Central Sydney Planning Strategy of permitting taller buildings in identified tower cluster areas.

The site will remain subject to the no additional overshadowing controls as outlined in section 6.18 of the Sydney LEP 2012. In particular, no additional overshadowing is permitted to:

– Sydney Town Hall Steps, from 14 April to 31 August, between 10.30am and 4pm;

– Sydney Square, from 14 April to 31 August, between 11am and 4pm; and

– Future Town Hall Square, all year, between midday and sunset.

Proposed site-specific DCP controls will establish a maximum building envelope, demonstrating the maximum permitted height when considering the above restrictions, along with maximum street wall heights, setbacks and tapering.

Figure 14. Proposed maximum building envelope – 3D view from the south-west

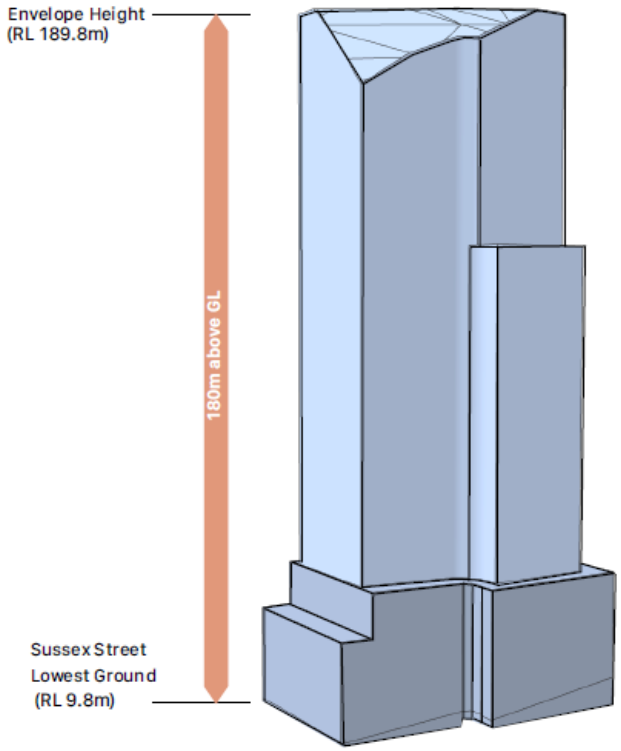
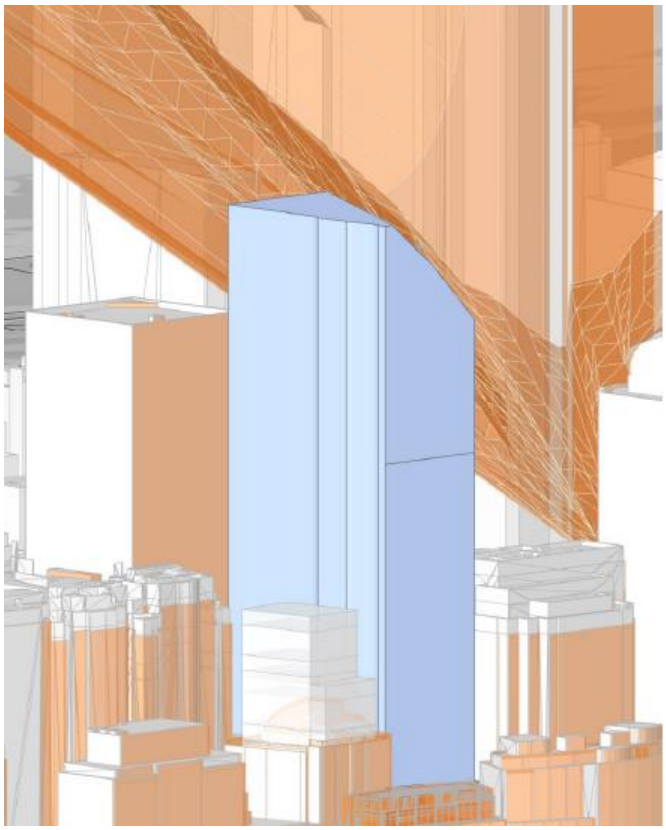


Figure 15. Proposed maximum building envelope with relevant no additional overshadowing controls illustrated



The proposed podium envelope has been designed to respond to the 10-metre height difference between Kent Street and Sussex Street, with an upper and lower podium, while responding to the prevailing street wall character and height along Kent Street and Sussex Street. The podium will be built to the boundary at both street frontages and side elevations.

At the Sussex Street frontage, the lower podium envelope form has a maximum street wall height of RL 34.8m (approximately 25m above the Sussex Street ground level), which is consistent with the provisions of section 5.1.1.1 of the Sydney DCP 2012. It would read as a 6-storey podium when viewed from the west. The northern podium envelope setback at the Sussex Street elevation also includes a gradated stepped form to ensure a safe and comfortable wind environment can be achieved in the Sussex Street public domain. More information on the wind environment can be found on page 35.

At the Kent Street frontage, the upper podium envelope has a maximum street wall height of RL 46.20m (approximately 27m above the Kent Street ground level), which is consistent with the provisions of the York Street/Clarence Street/Kent Street Special Character Area as outlined in section 5.1.1.2 of the Sydney DCP 2012. It would read as a 5-storey podium when viewed from the east.

Figure 16. Podium envelope diagram showing gradated stepped form along the northern setback



The maximum height of the tower is RL 189.80m, which is approximately 170m above Kent Street and 180m above Sussex Street. The tower envelope features an 8m setback from both Kent Street and Sussex Street. Setbacks from the northern boundary vary between 5.71m and 5.95m, and setbacks from the southern boundary vary between 5.075m and 5.423m. This is to maintain adherence to section 5.1.1.3 of the Sydney DCP which requires side setbacks for buildings between 120m and 240m to represent 3.33% of the total height of the building. Because the height of the building will vary to prevent overshadowing of Sydney Square, Town Hall Steps, and future Town Hall Square, the side setbacks will vary accordingly.

Figure 17. Tower envelope diagram showing street and side setbacks



The step visible in the tower envelope at RL 129.80m reflects the DCP requirement under section 5.1.1.4(3) for the Building Envelope Area above Street Frontage Height between 120m to 240m to occupy no more than 90% of the site area less any setbacks.

Figure 18. Proposed maximum building envelope – Sussex Street perspective

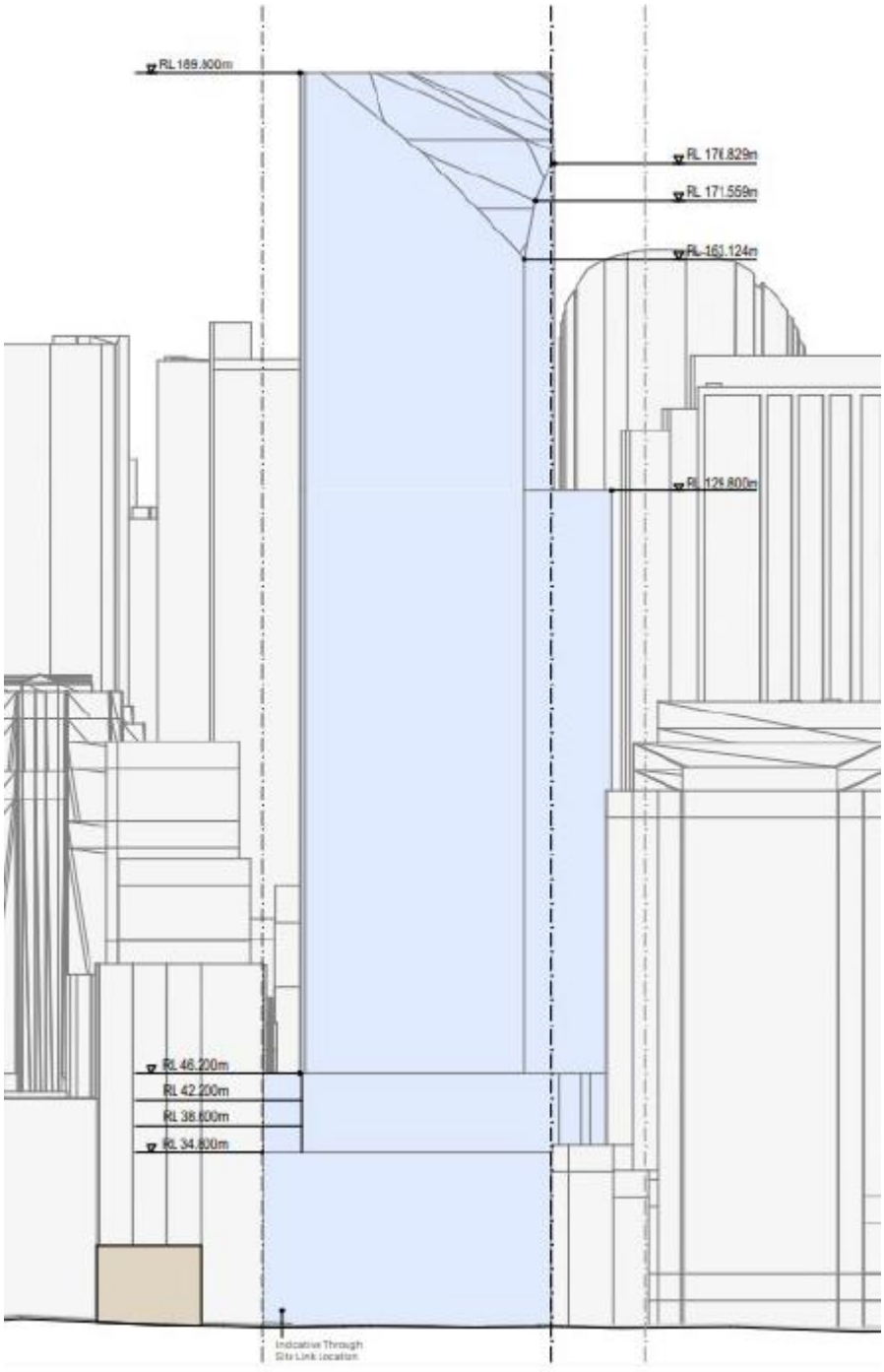
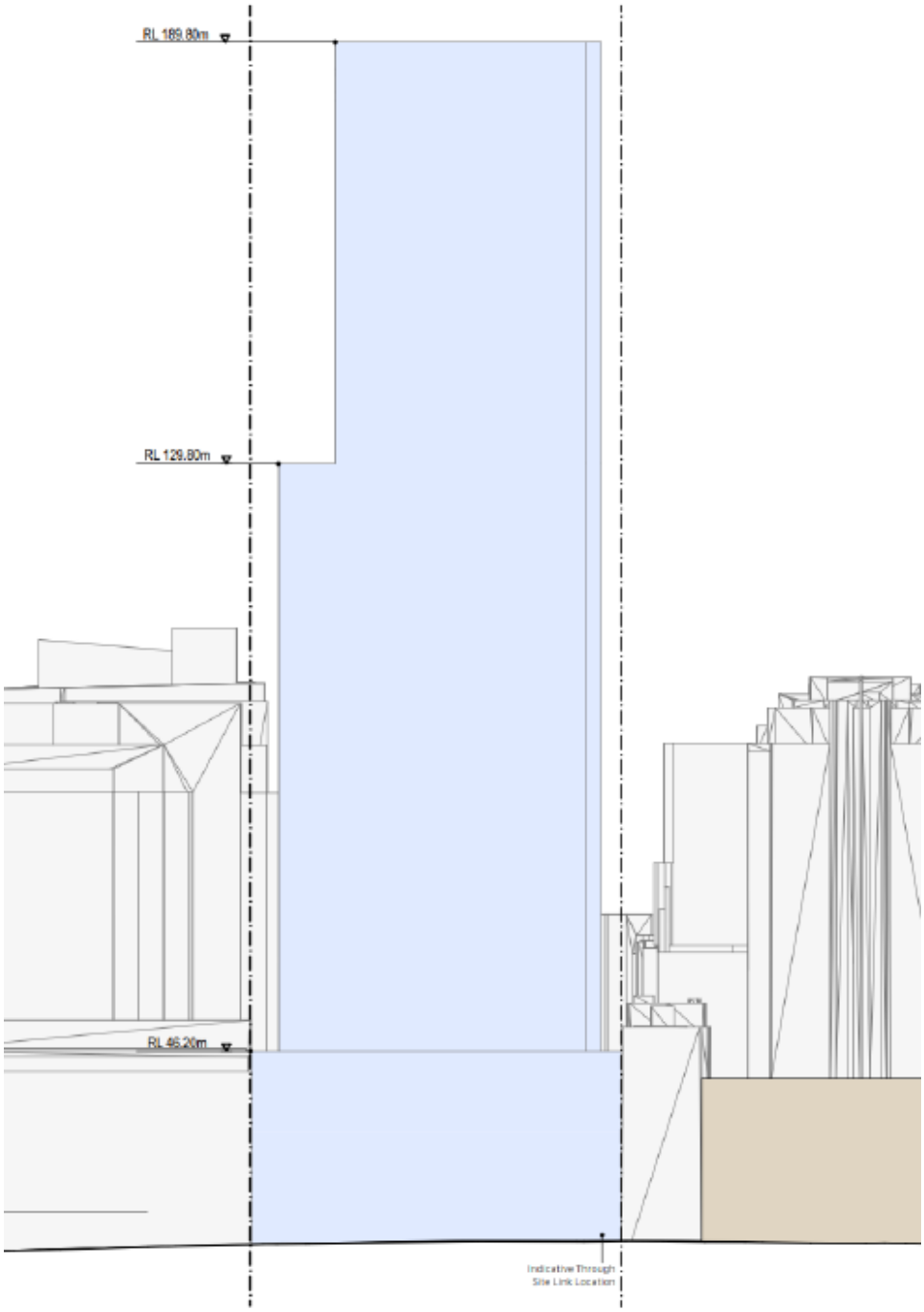


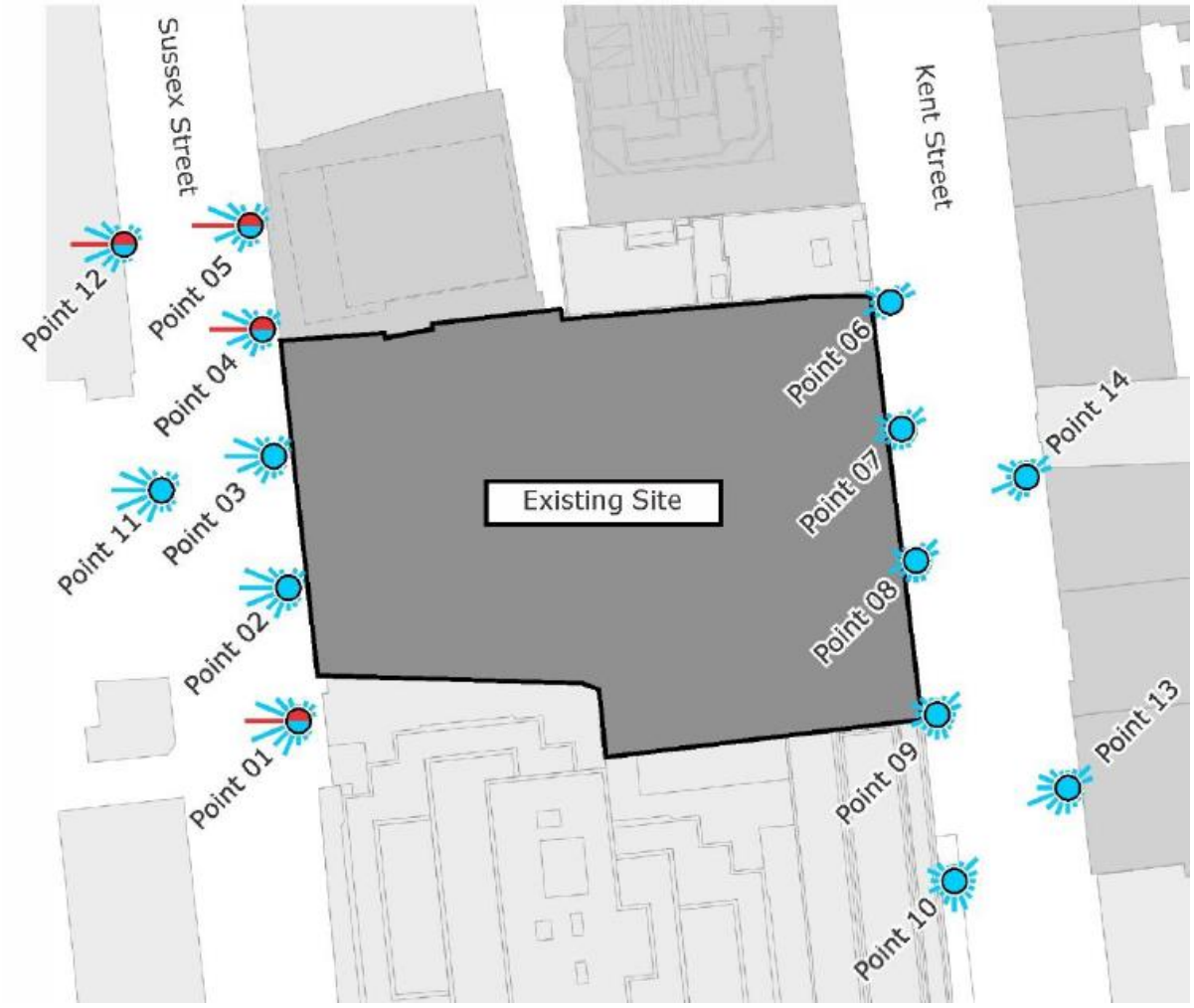
Figure 19. Proposed maximum building envelope – Kent Street perspective



Wind

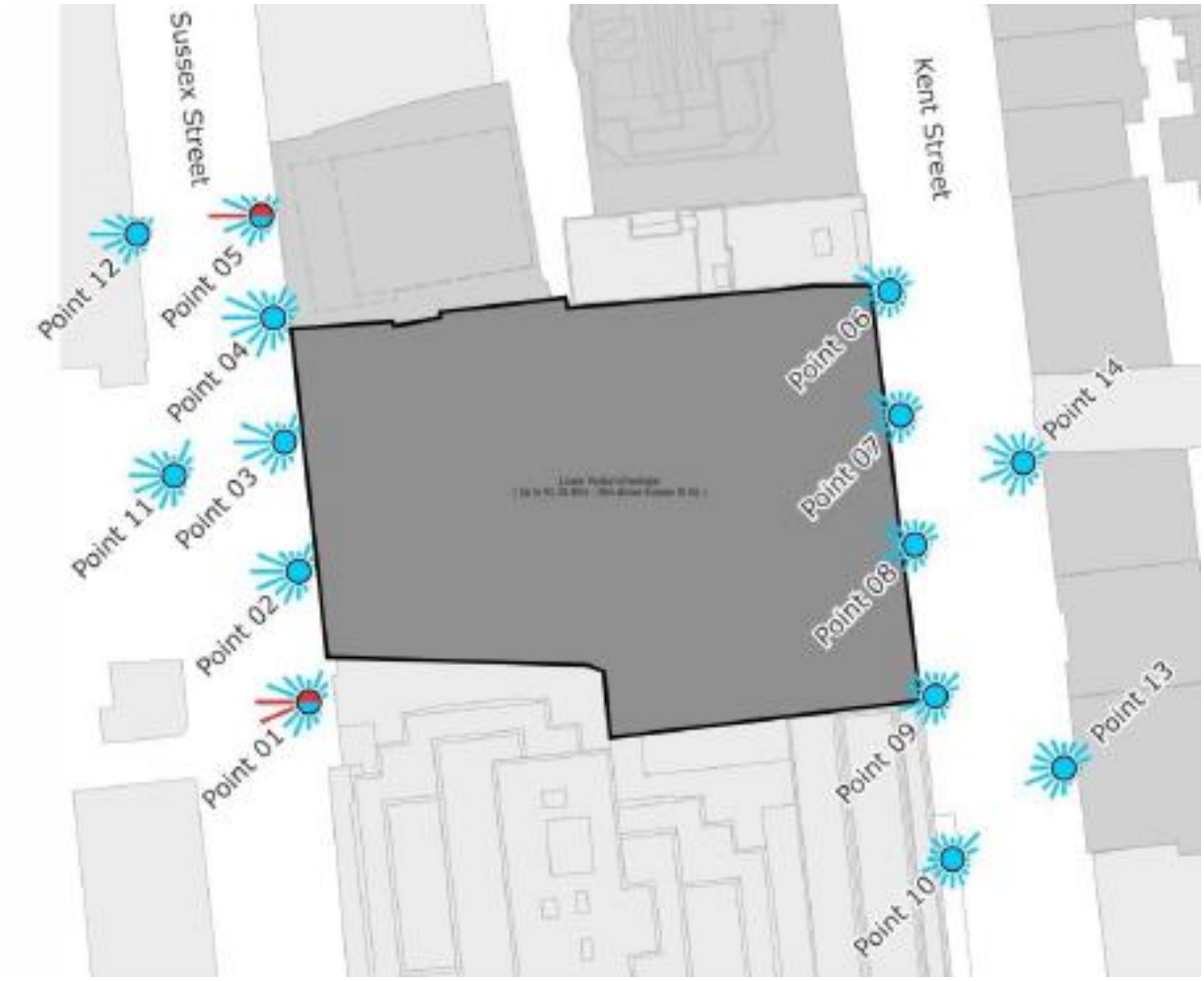
The proponent provided a Pedestrian Wind Environment Study (quantitative wind effects report), as required by section 5.1.9 of the Sydney DCP 2012 and attached to this planning proposal at Attachment A10. This report illustrated how the existing wind conditions on Sussex Street currently fail the City of Sydney's Wind Safety Standard, which is a measurement of the annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm Eastern Standard Time of 24 metres per second. These exceedances occur from the prevailing westerly winds which downwash off the façade and funnel along the Sussex Street frontage at ground level. The DCP requires development not to worsen (by increasing spatial extent, frequency or speed) an existing wind speed that exceeds the Wind Safety Standard.

Figure 20. Wind tunnel test results of existing building (red lines indicating points of exceedance and associated wind direction)



Wind tunnel testing of the proposed building envelope demonstrates that the proposal reduces the number of points of safety exceedance on Sussex Street due to the setback of the tower from the Sussex Street frontage and the gradated stepped form of the podium along the northern boundary.

Figure 21. Wind tunnel test results of proposed building envelope (red lines indicating points of exceedance and associated wind direction)



The proposed development does not cause wind speeds that exceed the wind comfort standard for walking along Kent Street and Sussex Street. Additional wind tunnel testing will take place following the design competition to assess the winning detailed building design and the City will need to be satisfied that wind conditions are acceptable as part of any development application. The site-specific DCP will contain provisions regarding wind conditions in the public domain.

The proponent also provided a Pedestrian Wind Environment Study (Reference Design Scheme), attached to this planning proposal at Attachment A11, which demonstrates how the reference design was altered with potential mitigation measures to further improve wind conditions. It also found that the proposed pedestrian through-site link satisfied wind requirements.

Overshadowing

The proponent conducted an overshadowing analysis of nearby residential buildings to assess any adverse impacts, the results of which can be found in the appendices to the Urban Design Report attached to this planning proposal at Attachment A3. Two residential buildings, 25 Market Street and 222-228 Sussex Street, were found to be impacted by the proposal requiring further investigation.

25 Market Street is a 22-storey mixed use building, containing 127 apartments between Level 7 and Level 22. Of the 95 apartments along the northern elevation which currently receive more than 2 hours of midwinter sun access, 5 of those apartments have their sun access reduced to 1 hour

and 45 minutes at midwinter. This represents a reduction from 74.8% of apartments receiving more than 2 hours of midwinter sun access to 70.9%. As a result, the proposal aligns with Objective 4A-1 of the Apartment Design Guide for the living spaces of at least 70% of apartments in a building to receive a minimum of 2 hours direct sunlight at midwinter.

Figure 22. Sun access analysis of 25 Market Street

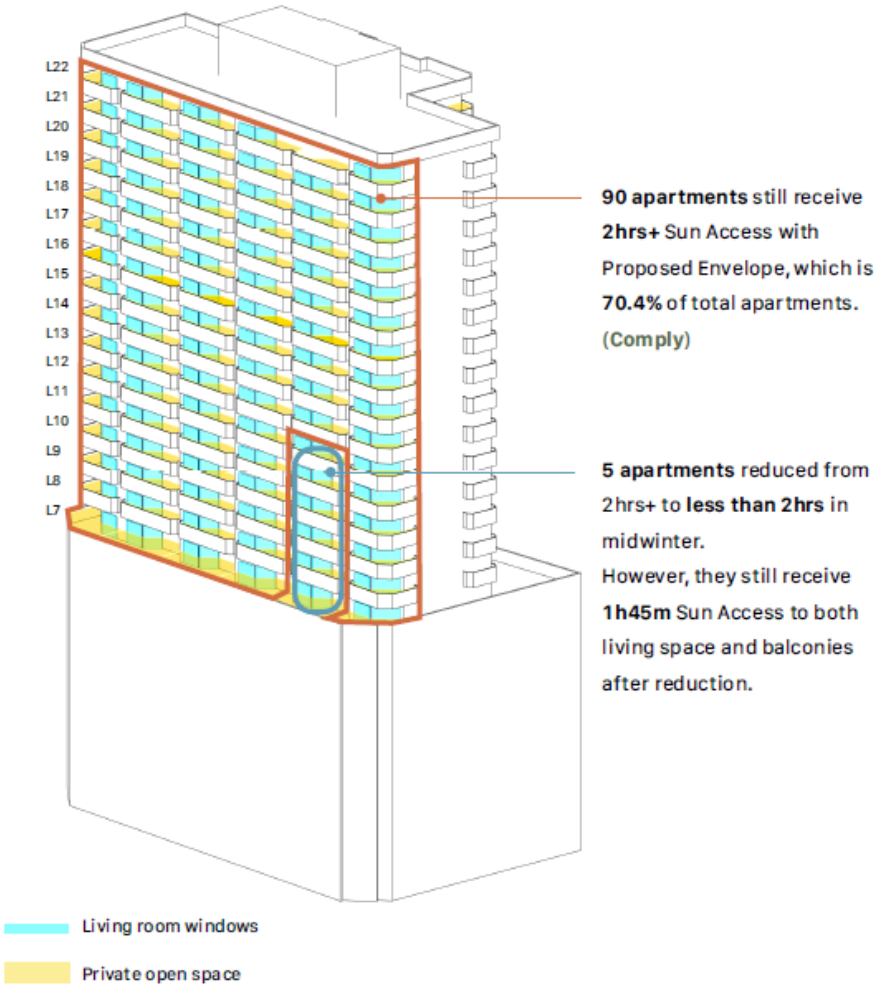


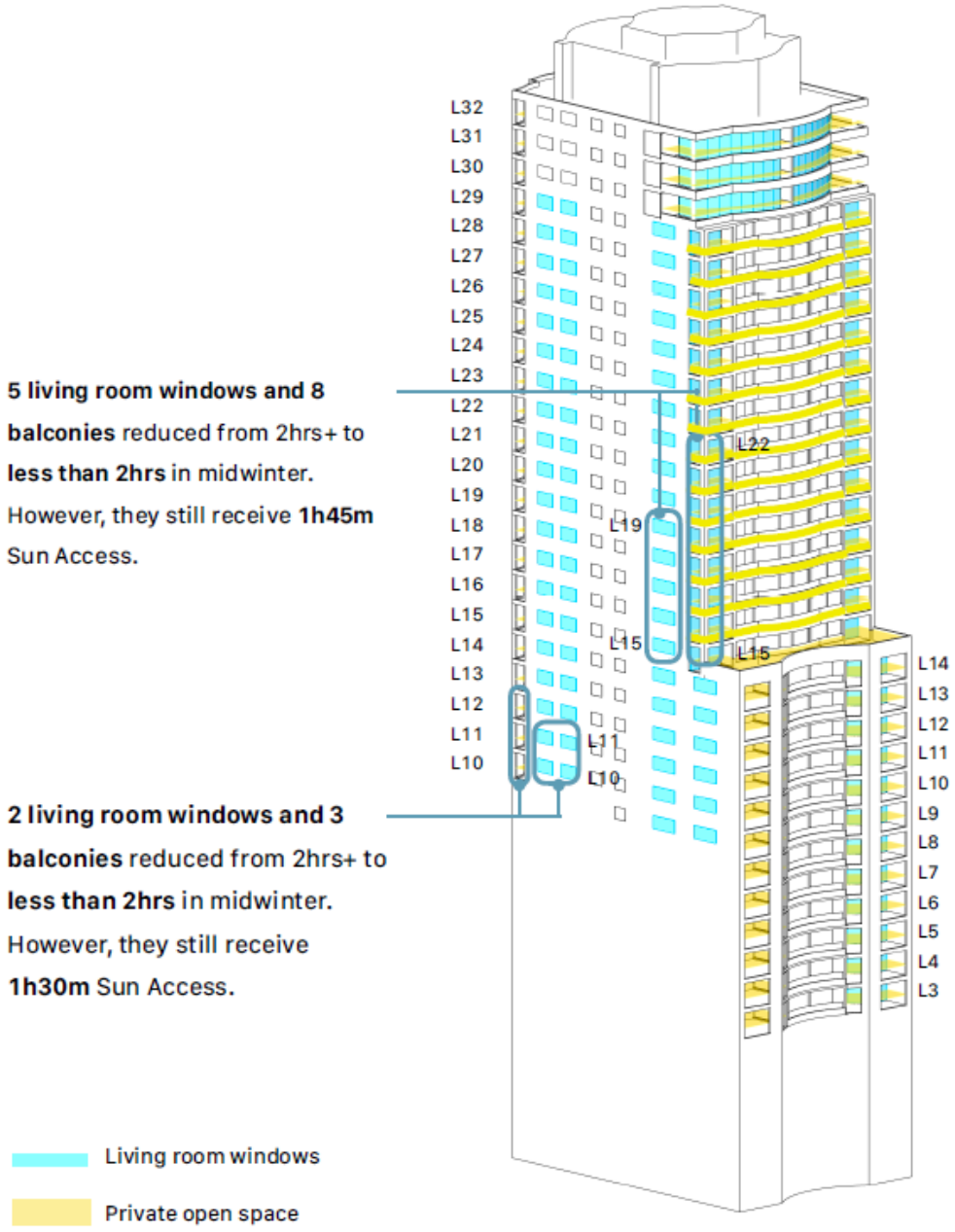
Table 3. Sun impact summary for 25 Market Street

Living spaces	0 hrs of sun access	<2 hrs of sun access	>2 hrs of sun access
Existing	32 (25.2% of apartments)	0	95 (74.8% of apartments)
Proposed	32 (25.2% of apartments)	5 (3.9% of apartments)	90 (70.9% of apartments)

222-228 Sussex Street is a 32-storey residential building with 114 apartments. The proposal is likely to impact living spaces along the northern elevation. Of the 44 apartments which currently

receive more than 2 hours of midwinter sun access, 7 of those apartments have their sun access reduced to between 90 and 105 minutes at midwinter. However because the building in question has been built to the boundary with no setback from neighbours, meaning windows access supplementary light and air across the neighbouring property, there is a covenant on title that requires any windows along the northern boundary to be bricked up at council's direction. The assessment shows that the windows are not the sole sources of light and air to the affected spaces, which have direct access to balconies. As a result, these windows are considered non-essential and the proposal can be considered to align with the objectives of section 5.1.2 of the Sydney DCP 2012.

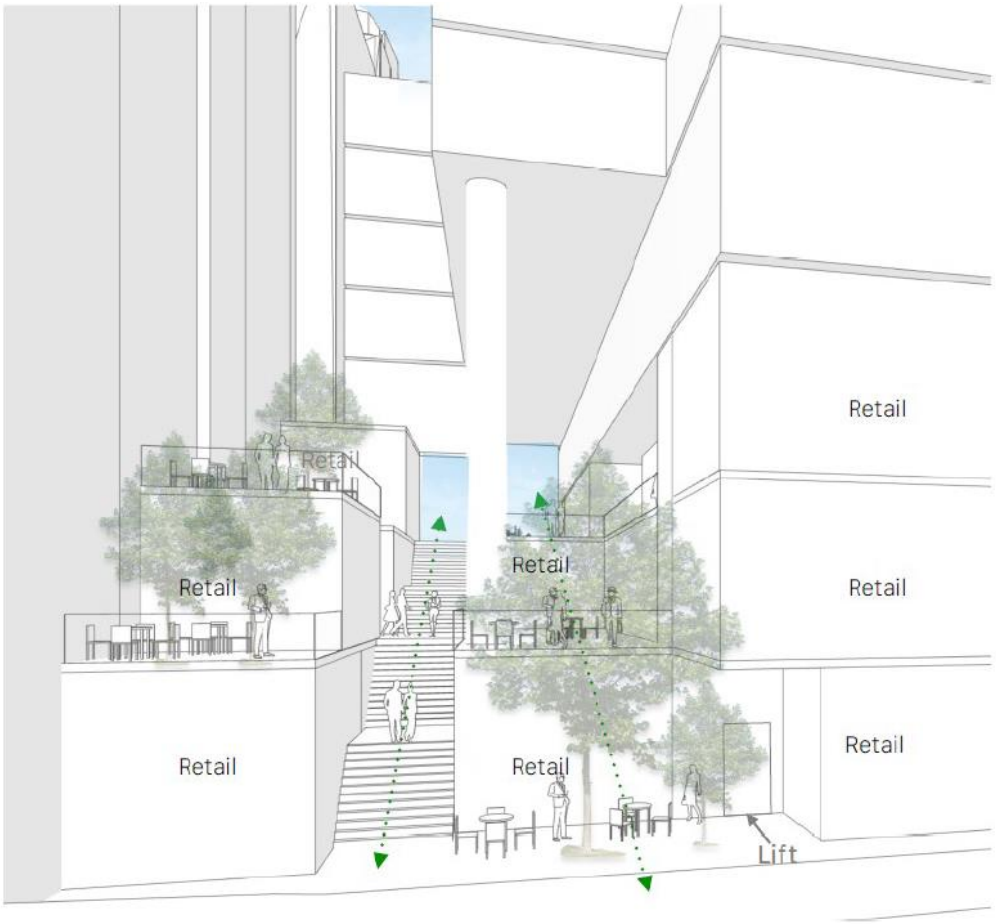
Figure 23. Sun access analysis of 222-228 Sussex Street



Through-site link and ground floor activation

This planning proposal requires the delivery of a pedestrian through-site link connecting Kent Street and Sussex Street in order for the increase in building height and floor space ratio to be awarded in any future development application. The proponent has provided the design of a potential through-site link as part of their reference design, which can be viewed in the Planning Proposal Justification Report and Urban Design Report attached to this planning proposal at Attachment A1 and A2 respectively. The through-site link aligns with a key move of the Central Sydney Planning Strategy to increase the number of east-west connections in Central Sydney.

Figure 24. Indicative design of pedestrian through-site link – Sussex Street elevation



Additional controls for the through-site link are included in the site-specific DCP for 383-395A Kent Street, attached to this planning proposal at Attachment B. These controls include:

- A minimum clear access width of 6m;
- A minimum height of 10m and a minimum width of 10.5m at the Kent Street entry,
- A minimum height of 20m and a minimum width of 12.5m at the Sussex Street entry,
- A portion of the through-site link should be ‘open to sky’ with no built form above,
- active frontages are to be provided on both sides of the link
- the link is to be publicly accessible at all times
- the link must ensure a clear line of sight is visible between Kent Street and Sussex Street while negotiating the 10m height difference between the two ends.

The site-specific DCP also includes controls regarding ground floor activation, requiring opportunities for retail or food and drink premises to be maximised, and for the commercial lobby for the tower to be accessed via Kent Street or the through-site link.

Transport and servicing

The site currently features a 10-storey commercial car park with approximately 800 parking spaces. This planning proposal requires the removal of any commercial car parking and the delivery of a shared loading dock in order for the increase in building height and floor space ratio to awarded in any future development application. This public loading dock will be secured by way of a Voluntary Planning Agreement (VPA) between the City and the landowner. Controls for the public loading dock will also be contained within the site-specific DCP (Attachment B).

Figure 25. Indicative design of shared loading dock – Sussex Street ground level



The Traffic and Transport Assessment, prepared by Stantec on behalf of the proponent and attached to this planning proposal at Attachment A13, shows that the seven loading bays proposed are sufficient to accommodate the loading demand from neighbouring retail and commercial businesses on Kent and Sussex Streets that do not currently have adequate loading facilities. In addition, the loading dock will still need to accommodate all servicing requirements for the subject site and meet existing requirements in the Sydney DCP 2012. The indicative design has proposed two basement levels with 21 loading bays and 72 car parking spaces. This is in accordance with the Sydney LEP and DCP. The indicative design also features end of journey facilities, located in basement and ground floor levels.

The Assessment also provides analysis of the current and predicted traffic environment, showing the removal of the commercial car park is considered likely to significantly reduce traffic volumes generated by the site, even when considering the trips generated by the new shared loading dock.

A Pedestrian Comfort Assessment, prepared by Movissian on behalf of the proponent and attached to this planning proposal at Attachment A12, analyses current and likely future pedestrian flows. It finds that the proposed redevelopment including through-site link significantly increases pedestrian comfort and amenity, and provides a series of recommendation for improving the Level of Service of the footpaths further.

More detailed assessments would be included as part of any future development application for the site.

Geotechnical assessment

A Geotechnical Desktop Investigation, Preliminary Site Investigation and Acid Sulfate Soils Desktop Study Review have been prepared by Douglas Partners on behalf of the proponent and are attached to this planning proposal at Attachments A16, A17 and A18 respectively. Together these documents assess the suitability of the site for the proposed commercial development and the potential for contamination and acid sulfate soils. Recommendations for further testing and investigation were proposed for a later stage, including a more detailed soil and groundwater investigation which will be required as part of any future development application.

The Acid Sulfate Soils Desktop Study Review identifies the site as having an extremely low to low risk of acid sulfate soils. However, the site is located within areas classified as Class 1 & 2 under section 7.14 of the Sydney LEP and any development facilitated by this planning proposal would result in the intensification of land uses on the site. An Acid Sulfate Soils Management Plan will be required as part of any future development application.

The investigation notes the site's location above the future CBD Rail Link, with an 'Up and Down' tunnel currently identified below Kent Street and Sussex Street as an easement. It is located approximately 10m below the anticipated bulk excavation level of the site. Any development application for this site will need to be referred to Transport for NSW in accordance with SEPP (Transport and Infrastructure) 2021.

Site specific Development Control Plan

A site specific Development Control Plan (DCP) will be exhibited alongside this planning proposal. It includes a maximum building envelope and appropriate objectives for a high quality built form, additional dimensions and controls for the pedestrian through-site link, a design excellence strategy, and provisions for vehicle access, servicing, sustainability and public art.

The DCP also has additional requirements for the operation of the shared loading dock including:

– a minimum of 7 loading dock bays for 1 Medium Rigid Vehicle (MRV), 2 Small Rigid Vehicles (SRV), and 4 vans;

– the hours of operation to be consistent with on-street advertised loading provisions;

– any charges for use to be equivalent to or no more than Council's charges for on street loading in Kent Street from time to time; and

– a loading dock management plan which outlines the systems and processes in place to manage bookings, access, security and maintenance.

Has the planning proposal adequately addressed any social and economic effects?

Economic impact

This planning proposal provides an opportunity for the redevelopment of the subject site, located in an identified tower cluster area where additional building height can be accommodated with acceptable amenity impacts. This is in alignment with the key moves of the Central Sydney Planning Strategy and the priorities of the Local Strategic Planning Statement and Eastern City District Plan to grow a stronger, more competitive Central Sydney.

The planning proposal will facilitate more than 73,000m^2 of employment-generating floor space, which equates to approximately 6,000 operational jobs and 411 construction jobs. These jobs would be located on a Central Sydney site well-positioned to take advantage of existing transport and social infrastructure.

The removal of the approximately 800-bay commercial car park represents a more appropriate and efficient use of land in Central Sydney, replacing the parking with employment generating floor space, significantly reducing private vehicle trips and encouraging the use of public transport and walking in the CBD. The delivery of a shared loading dock for neighbouring businesses also represents a more efficient use of land and will enhance local logistics and productivity. The provision of a through-site link connecting Kent Street and Sussex Street will support retail tenancies in the area thanks to improved pedestrian accessibility, ground floor activation and public domain amenity.

Heritage

The site is not heritage-listed but is located in the York Street / Clarence Street / Kent Street Special Character Area. A Heritage Impact Statement was prepared by Urbis on behalf of the landowner and is attached to this planning proposal at Attachment A15.

The statement found none of the existing structures on site to be more than 50 years old nor of heritage significance, indeed they represent a poor interface with the existing streetscape and nearby heritage items. There would be no material impact on nearby heritage items and no identified views of significance to nearby heritage items would be affected by the proposed planning control changes.

The proposed building envelope features street wall heights and setbacks which are consistent with the controls for Special Character Areas in section 5.1.1.2 of the Sydney DCP 2012, maintaining appropriate visual separation from nearby heritage items and other tall-scale forms.

Any future development application would be required to satisfy the principles of the Special Character Area as outlined in section 2.1.1 of the Sydney DCP 2012, including to respond to the historic warehouse and commercial typologies and materiality, notably face brick materiality, along Kent Street.

5.5 Infrastructure (Local, State and Commonwealth)

Is there adequate public infrastructure for the planning proposal?

The site is located in Central Sydney, with numerous rail, light rail, ferry and bus services in close proximity. A two-way cycleway passes the site on Kent Street. The site is within walking distance of public spaces such as Sydney Square, Hyde Park, Darling Harbour and Wynyard Park. The site is already serviced by public utilities including water, sewer and stormwater, electricity and telecommunications.

Any development application on the site will be subject to section 7.12 development contributions as outlined in the Central Sydney Development Contributions Plan 2020.

There is adequate public infrastructure to support this planning proposal.

5.6 State and Commonwealth interests

What are the views of the state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The gateway determination will advise the public authorities to be consulted as part of this planning proposal process. Any issues raised will be incorporated into this planning proposal following consultation in the public exhibition period.

6. Mapping

The planning proposal does not include any amendments to maps.

No change will be made to any maps contained in the LEP as part of this planning proposal, instead additional floor space ratio is proposed to be included through new site-specific provisions under Division 5 as discussed earlier in this planning proposal.

7. Community consultation

This Planning Proposal is to be exhibited in accordance with a Gateway Determination issued by the Department of Planning, Housing & Infrastructure.

~~**It is anticipated that the Gateway Determination will require public exhibition for a period of not less than 28 days in accordance with the Environmental Planning and Assessment Act 1979 and the Local Environmental Plan Making Guideline.**~~

~~**Notification of the public exhibition will be consistent with the Gateway Determination and the City's Community Engagement Strategy and Participation Plan and include publication on the City of Sydney website and notification to surrounding owners and occupiers.**~~

~~**Consultation with relevant NSW agencies, authorities and other relevant organisations will be undertaken in accordance with the Gateway Determination.**~~

The consultation period ran from 8 November to 6 December 2024. It was run in accordance with the Environmental Planning and Assessment Act 1979 and Local Environmental Plan Making Guideline, the City's Community Engagement Strategy and Participation Plan, and the conditions of the Gateway Determination.

938 notification letters were letterbox dropped to property owners and occupiers within a 75-metre radius of the site boundary, and a webpage and survey created for people to review the planning proposal and supporting documentation and provide their feedback. The planning proposal was referred to Sydney Airport Corporation; Civil Aviation Safety Authority; the federal Department of Infrastructure, Transport, Regional Development, Communications and the Arts; Transport for NSW; Sydney Water; and Ausgrid for consultation and comment as required by the Gateway Determination.

8. Project timeline

The anticipated timeframe for the completion of the planning proposal is as follows:

Stage	Timeframe
Commencement / Gateway Determination	~~**July 2024**~~ ***30 August 2024***
Government agency consultation	~~**August – September 2024**~~ ***November – December 2024***
Public exhibition	~~**August – September 2024**~~ ***November – December 2024***
Consideration of submissions	~~**September – October 2024**~~ ***December 2024 – January 2025***
Post exhibition consideration of proposal	~~**November – December 2024**~~ ***February – March 2025***
Draft and finalise LEP	~~**December – January 2025**~~ ***April – May 2025***
LEP made	~~**February – March 2025**~~ ***May – June 2025***
Plan forwarded to the Department of Planning, Housing & Infrastructure	~~**February – March 2025**~~ ***May – June 2025***

Appendix 1

Example clauses

The final version of the clauses to be inserted into Division 5 would be subject to drafting and agreement by the Parliamentary Counsel's Office, but may be written as follows:

Part 6 Local provisions – height and floor space

Division 5 Site specific provisions

6.XX 383-395A Kent Street, Sydney

(1) The objectives of this clause are to:

(a) prevent development for the purposes of residential accommodation or serviced apartments on land to which this clause applies, and

(b) encourage development that complements the surrounding area, and

(c) require the removal of commercially operated car parking, and

(d) provide a publicly accessible pedestrian through-site link connecting Kent Street and Sussex Street, and

(e) provide a shared loading dock facility for use by surrounding business operators.

(2) This clause applies to 383-395A Kent Street, being Lot 1 DP 778342.

(3) The maximum height for a building on the land to which this clause applies is RL 189.8 metres.

(4) The maximum floor space ratio for a building on the land to which this clause applies is 20.3:1, which includes:

(a) the floor space ratio shown for the land on the Floor Space Ratio Map, and

(b) any additional floor space for which the building is eligible under clauses 6.4, 6.5A, 6.6, and 6.21D(3)(b).

(5) Subclauses (3) and (4) do not apply unless the consent authority is satisfied the development complies with clause 6.18.

(6) Subclauses (3) and (4) do not apply unless the consent authority is satisfied the development will:

(a) not be used for the purposes of:

(i) residential accommodation, or

(ii) serviced apartments, or

(iii) commercially operated car parks, and

(b) result in a publicly accessible pedestrian through-site link connecting Kent Street and Sussex Street, and

(c) results in the provision of a shared loading dock facility of at least 7 loading bays for use by surrounding business operators.

(7) Clauses 6.21D(3)(a) and 6.21E do not apply to a building on the land to which this clause applies.

(8) In this clause:

building demonstrating design excellence has the same meaning as in Division 4.

Attachment A1

Planning Proposal Justification Report

Planning Proposal Justification Report

383 Kent Street, Sydney

Amendments to the *Sydney Local Environmental Plan 2012* – Height of Buildings and Floor Space Ratio Development Standards, and concurrent Development Control Plan Amendments

Submitted to the City of Sydney
on behalf of Charter Hall Holdings Pty Ltd



Ethos Urban

Prepared by Ethos Urban

21 February 2024 | 2200484



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

Contact:	Andrew Duggan Director	aduggan@ethosurban.com

This document has been prepared by:		**This document has been reviewed by:**	
Lachlan Jones, Julia Moiso	21 February 2024	Andrew Duggan	21 February 2024

Version No.	Date of issue	Prepared by	Approved by
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3.0 (FINAL)	14/02/2024	LJ, JM	AD

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R.	**Vision and Values Statement**	*Right Angle*
S.	**Site Specific DCP**	*Ethos Urban*

Executive Summary

This Planning Proposal Justification Report (Planning Proposal) supports the proposal for a new commercial tower at 383 Kent Street, Sydney, and is prepared by Ethos Urban on behalf of Charter Hall Holdings Pty Ltd (Charter Hall). It is submitted to the City of Sydney (the City or Council) to request amendments to the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) to introduce new maximum building height and maximum floor space (FSR) controls for 383 Kent Street, Sydney (the site).

This Planning Proposal will facilitate the development of a new commercial tower on the site (3,606m^2) up to a height of RL 189.80, approximately 170m above Kent Street and 180m above Sussex Street. It will also facilitate a total Floor Space Ratio (FSR) of 20:1 above ground 0.30:1 below ground, enabling a total gross floor area (GFA) of 73,191m^2 across the site. The proposed amendments result in a planning envelope which complies with the key built form controls of the *Sydney Development Control Plan 2012* (Sydney DCP), and achieves the outcomes envisaged in the *Central Sydney Planning Strategy* (CSPS), with the site identified as being within a tower cluster area. Achievement of these outcomes will further strengthen and protect the commercial core of global Sydney.

In line with the City's *Guideline to Preparing a Site Specific Planning Proposal Requests in Central Sydney* amendments to the Sydney DCP are also proposed as they are required to facilitate the new commercial tower and its proposed controls.

This Planning Proposal seeks to realise Charter Hall's vision for 383 Kent Street, which is to provide a world-leading tower that will become a new focal point for sustainable commercial development and will redefine the western edge of the Sydney Central Business District (CBD) and its place in further strengthening the commercial core of global Sydney. It will provide a new standard of workplace that responds to the new ways of modern flexible city life and will embody sustainability at the core of its ethos. The new tower will be embedded with industry leading sustainable design and construction principles for a changing climate, including the opportunity for substantial architectural articulation, and a target sustainability rating of 6 Star Green Star Buildings v1 (including 20% reduction in embodied carbon).

The proposal will facilitate the delivery of numerous public benefits including a new energised public domain that creates a connection between Kent Street and Sussex Street via a new pedestrian through-site link lined with new retail offerings. Furthermore, a new shared loading dock (to be known as the Kent Street Logistics Hub) will support the future viability of retail and commercial offerings within the surrounding precinct, improve pedestrian safety and amenity, minimise on-street loading activities and reduce vehicular crossovers. The proposal will also remove an existing 10-storey car park on site, replacing over 800 car parking spaces and removing vehicular cross-over access from Kent Street, thereby encouraging pedestrianisation of the ground plane and use of active transport opportunities within the vicinity of the site.

This Planning Proposal is prepared in accordance with the *Guideline for Site Specific Planning Proposals in Central Sydney* and the accompanying *Central Sydney Infrastructure Plan*. It has also been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, and describes the site, the proposed amendments to the Sydney LEP 2012 and provides an environmental assessment of the proposed height and FSR controls, planning envelope and indicative tower, consistent with the strategic intent of the CSPS.

Vision

Charter Hall is one of the largest and most active owners of investment-grade property assets within Central Sydney and recognises the important role that Central Sydney plays in supporting Sydney more broadly as a true global city. Charter Hall strongly supports the City's CSPS vision for Central Sydney and views itself as an important partner in delivering its vision. This has resulted in the acquisition and this subsequent Planning Proposal for 383 Kent Street, Sydney.

Charter Hall seeks to evolve 383 Kent Street to ensure its enduring success for future generations by creating a new commercial and retail destination. The existing development on the site is uninspiring, unsustainable and does not contribute positively to the Sussex or Kent Street streetscapes. Further, it contains a built form and land use that is not fit for purpose for the changing office market, in addition to the existing 10-storey car park on the site that includes over 800 car spaces; a feature which is not aligned with the location of the site and its strategic context. 383 Kent Street presents an opportunity to revitalise and revolutionise the western edge for city workers, with the transformative development a welcome first step in its repositioning.

383 Kent Street will offer many experiences in one place, promising to inspire and motivate talent who demand a modern, healthy and flexible workplace in a living building. The proposal will provide sustainable and landscaped design solutions as an integral part of the building's future identity. Further, 383 Kent Street will make a significant contribution to the City's target to unlock additional capacity for economic and employment growth. The progression of this Planning Proposal represents a significant step for Charter Hall to deliver on the City's aspirations for Central Sydney.

This Planning Proposal establishes the planning framework to deliver on this vision for a world leading commercial precinct, which will:

- Reinforce Sydney's role as Australia's global city and economic engine room by delivering a new world class, environmentally sustainable office tower, and providing in-demand premium grade commercial floor space that can support significant employment growth;
- Deliver on the vision established by the CSPS cementing Central Sydney's western edge as an employment location to further strengthen and protect the commercial core of global Sydney and deliver a tower with a focus on sustainability and public spaces.
- Create a next generation workplace environment that realises the opportunities that are emerging in future work practice, wellbeing and sustainability, communication and digital technologies, and security;
- Provide a world class destination at ground level, by leveraging off the site's existing linear street frontages to provide an improved and invigorated street level outcome, supporting fine-grain activation and permeability;
- Be of the highest standard of architectural, urban and landscape design, and provide a recognisable and high quality contribution to the skyline of the Sydney CBD's western edge, reinforcing Sydney's status as a global city; and
- Provide sustainability initiatives of the highest level, supporting the improved environmental performance of commercial development in Central Sydney and allowing Charter Hall to become leaders in environmental building performance.
- Deliver a Kent Street Logistics Hub that will support the future viability of retail offerings in the precinct, improve pedestrian safety and amenity, minimise on-street loading activities and reduce vehicular crossovers.
- Deliver an integrated ground plane through a missing through-site link connecting Kent Street and Sussex Street, retail tenancies and public amenity including green space and partially open to the sky through-site link.
- Remove an existing 10-storey car park on the site containing over 800 car spaces and remove vehicle access from Kent Street encouraging pedestrianisation of the ground plane and use of active transport and public transport in proximity to the site.

Central Sydney Planning Strategy

The future redevelopment of the site within the framework established by this Planning Proposal is in full alignment with the objectives and intended outcomes of the *Central Sydney Planning Strategy*. In particular, it delivers uplift in employment floor space in an area specifically identified as unconstrained and suitable for density and height in accordance with the strategy. Through significant consultation to date with the City and the Design Advisory Panel the proposal is reflective of Charter Hall's support for the *Central Sydney Planning Strategy* and their commitment to working together with the City in implementing the strategy.

The proposal constitutes a large single lot along the CBD's western edge that is identified within a tower cluster area. It unlocks latent, highly optimal and unconstrained land capable of delivering significant employment generation and public benefits whilst minimising environmental impacts and not compromising the amenity of the city's streets, parks and valued public spaces. The site also benefits from proximity to existing and future planned public transport in a prominent position along the CBD's western edge.

Consultation

This Planning Proposal has been the subject of extensive pre-lodgement workshops held between the City and the project team, including reviews of the proposal by the City's Design Advisory Panel (DAP) and discussion regarding the provisions of the various public benefit offers such as the Kent Street Logistics Hub, pedestrian through-site link and how the site can implement perceivable sustainability measures into its future detailed design.

The intent of the consultation held to date has been to determine how to most effectively unlock the full employment generating potential of the site with an appropriate built form, while providing a strong public domain outcome and an appropriate environmental outcome.

The Proposal

The proposed amendments to the Sydney LEP 2012 maximum Height of Building and FSR controls are the result of detailed planning envelope testing to determine the new controls. A preferred envelope was developed following comprehensive urban design and environmental impact testing, pedestrian comfort analysis, wind testing and visual impact analysis and has been designed to respond to the outcomes of consultation with the City and the DAP.

This Planning Proposal is the first stage of the redevelopment program for the site which will ultimately enable the delivery of a new commercial office tower. Specifically, this Planning Proposal seeks to amend the Sydney LEP 2012 to enable:

- A maximum Height of Building for RL 189.80, compliant with the No Additional Overshadowing control for the future Town Hall Square; and
- A maximum FSR of 20:1 above ground and 0.30:1 below (inclusive of mapped FSR, accommodation FSR, site specific FSR and design competition bonus FSR), equating to a total GFA of 73,191m^2 across the site.

Site specific amendments to the Sydney DCP are also proposed to support this Planning Proposal and the redevelopment of the site.

Public Benefit Offer

A Public Benefit Offer prepared by Charter Hall is provided with this Planning Proposal, prepared in accordance with the Guideline. The public benefit offer has been prepared with the intent to enter into a Voluntary Planning Agreement (VPA) with the City of Sydney for the purposes of section 7.7(3) of the EP&A Act.

The offer comprises the following:

- Delivery of a Kent Street Logistics Hub that will be accessed via Sussex Street to provide a central loading facility for the public (particularly to those located within the immediate precinct that are constrained by existing shortfalls in quality loading provisions), to be delivered as a works-in-kind arrangement;
- Delivery of a new pedestrian through-site link connecting Kent Street to Sussex Street through the site to be delivered as a works-in-kind arrangement; and
- Sustainability commitments to achieve:
  - 6-star Green Star Design & As Built v1.0 certified rating, including 20% embodied carbon reduction;
  - 5.5 Star NABERS Energy rating (Commitment Agreement);
  - 4 Star NABERS Water rating (Target);
  - 5 Star NABERS Waste rating (Target);
  - WELL Core Platinum (Target); and
  - 100% renewable energy in operation.

It is proposed that a draft VPA in accordance with the Public Benefit Offer would be prepared and exhibited with the subject Planning Proposal. A detailed breakdown of the value of the Public Benefit Offer is provided in **Appendix D**.

Environmental Assessment

This Planning Proposal provides an environmental assessment of the proposed planning envelope, and a reference design reflecting the proposed maximum Height of Building and FSR development standards. It also provides a summary of the detailed environmental investigations undertaken. It includes:

- A detailed urban design and architectural study of the scheme, prepared by FJC;
- A design excellence strategy outlining the proponent's intention to undertake a design competition;
- Ecologically Sustainable Development Strategy;
- Connection with Country Framework including draft design principles;
- Wind impact assessment;
- Pedestrian comfort assessment;
- Traffic, transport and loading assessment;

- Airport operations impact assessment;
- Heritage assessment;
- Geotechnical and contamination studies; and
- Economic contribution analysis.

The findings of the environmental assessment conclude that the proposed planning controls are acceptable, with the site and proposal capable of delivering significant employment generation and public benefits whilst minimising environmental impacts and not compromising the amenity of the city's streets, parks and valued public spaces.

Conclusion

Following the City's endorsement of this Planning Proposal, the project will progress through to an invited architectural design competition and the winning building design will form part of a development application to Council thereafter. This Planning Proposal demonstrates strategic and site-specific merit and will achieve a number of positive outcomes for the site, the Sydney CBD and wider region more broadly. It will also:

- Set the framework for Charter Hall's vision for the CBD western edge by delivering a new premium grade commercial development.
- Facilitate 73,191m^2 of employment generating floor space, which equates to approximately 6,000 operational jobs and 411 construction jobs), resulting in a transit-oriented development, reflecting a scale and density appropriate for a site within Central Sydney that is within proximity to existing heavy rail and multiple future Metro Stations.
- Implement sustainability initiatives of the highest level, supporting the improved environmental performance of commercial development in Central Sydney consistent with the City's vision and Charter Hall's principles.
- Achieve the City of Sydney's vision for the Sydney CBD to accommodate global office towers within an identified area (i.e. tower cluster area) considered suitable for uplift and additional employment generating floor space above the existing controls.
- Capitalise on an unconstrained and large single site to facilitate a great opportunity for additional employment floor space, thereby promoting the more efficient use of land within an identified tower cluster area already considered suitable for greater uplift.
- Deliver significant public benefits including an improved pedestrianised focus by way of a new pedestrian through-site link connection between Sussex Street and Kent Street, and a Kent Street Logistics Hub to enhance local logistics and support neighbouring retail or commercial tenancies.
- Further strengthen and protect the commercial core of global Sydney.
- Establish a framework for a future building to achieve design excellence and for the delivery of best-practice sustainable design.

The proposal will contribute to the achievement of a number of the goals, targets and actions outlined within state, regional and local strategic plans. The proposal will also help to reinforce Sydney's global competitiveness through the provision of high-quality office space and increased employment opportunities.

383 KENT STREET

A NEW PLACE FOR SYDNEY'S WESTERN EDGE

Charter Hall's vision for 383 Kent Street is to deliver a world-leading tower that will form a focal point for commerce and a benchmark for city life and sustainability along the Sydney CBD's Western Edge

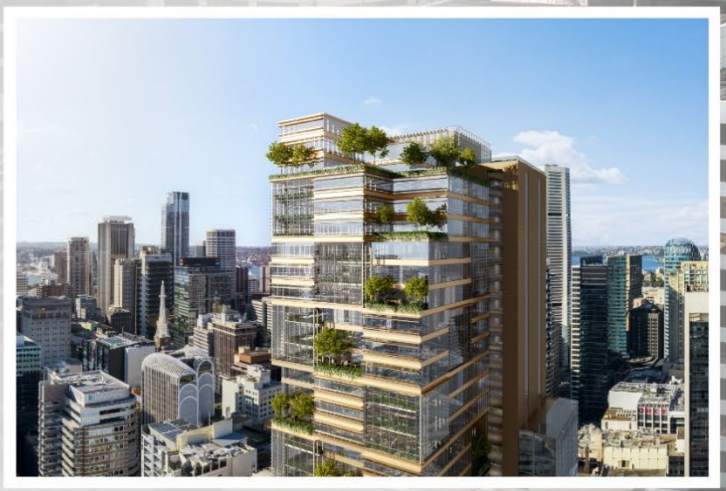
6,411 Jobs

411 Construction Jobs
6,000 Operational Jobs

World Class Sustainability Commitments and a Target of 6 Star Green Star

73,191m²

Unlock 73,191m² of GFA across 42 Storey's





The Proposal will:

Set a New Standard and Revitalise the Sydney CBD's Western Edge

Architecturally Contribute to the Western Edge's prominent Skyline

Deliver a Premium-Grade Commercial Tower that provides Next-Gen Workspace and Amenities

★★★★★★
Target 6 Star Green Star Building v1 Certified Rating
&
★★★★★½
Achieve 5.5 Star NABERS Energy

Embody Sustainability with a target of WELL Core Platinum and a commitment of 100% Renewable Energy in Operation

★★★★
Target 4 Star NABERS Water
&
★★★★★
Target 5 Star NABERS Waste

Deliver a Kent Street Logistics Hub to support surrounding development that is constrained by Heritage

Connect Kent Street and Sussex Street via a Pedestrian Through-Site Link Strengthing the CBD's East-West Connections

Intergrate the Podium and Public Domain Interface with the surrounding Heritage Context

1.0 Introduction

This Planning Proposal Justification Report (Planning Proposal) is submitted to the Council of the City of Sydney (the City or Council) for amendments to the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) relating to 383 Kent Street, Sydney (the site). Ethos Urban has prepared this Planning Proposal Justification Report on behalf of Charter Hall Holdings Pty Ltd (referred to as Charter Hall or the Proponent).

The purpose of this request for a Planning Proposal is to introduce new Height of Building and Floor Space Ratio (FSR) development standards for the site. Collectively, these amendments will unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the *Central Sydney Planning Strategy* (CSPS). The proposal will also deliver significant public and city-building benefits through activation and embellishment of the public domain, creating a new pedestrian through-site link lined with retail offerings, while also delivering a world-class sustainable building and retaining and protecting the special character of Kent Street. An indicative tower form which could be delivered by the proposed controls is provided in **Figure 1** and **Figure 2**.

This Planning Proposal is the first stage of the redevelopment program for the site which will ultimately enable the delivery of a new commercial tower. Specifically, it seeks to amend the Sydney LEP 2012 to enable:

- A maximum Height of Building of RL 189.80, consistent with the No Additional Overshadowing control for the future Town Hall Square; and
- A maximum FSR of 20:1 above ground and a maximum below ground FSR of 0.30:1, equating to a total GFA of 73,191m^2 across the site.

Amendments to the *Sydney Development Control Plan 2012* (Sydney DCP) are also proposed to support this Planning Proposal and proposed redevelopment. These amendments will address key design and development outcomes, including provisions related to the future built form, the through-site link, design excellence, the shared loading dock (to be known as the Kent Street Logistics Hub) and ecologically sustainable development standards for the site.

This Planning Proposal describes the site, the proposed amendments to the Sydney LEP 2012 and provides an environmental assessment of the proposed height and FSR controls, planning envelope and indicative tower. The report should be read in conjunction with the Design Report prepared by FJC (**Appendix A**) and specialist consultant reports appended to this proposal (refer Table of Contents).

As required by Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), this Planning Proposal includes:

- A statement of the objectives or intended outcomes of the proposed instrument and an explanation of the provisions that are to be included in the proposed instrument;
- The justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under Section 9.1 of the EP&A Act); and
- Details of consultation.

This Planning Proposal is prepared in accordance with the *Guideline for Site Specific Planning Proposals in Central Sydney* (the Guideline) and the *Central Sydney Infrastructure Plan 2020*. The Guideline provides the framework for planning proposals to give effect to the goals and objectives of the CSPS and sets a prescriptive procedure which the development of this Planning Proposal has followed.

Further, this Planning Proposal has been prepared having regard to '*A guide to preparing planning proposals*' published by the (then) Department of Planning and Environment in September 2022, and addresses the following:

- Part 1 – Objectives and intended outcomes;
- Part 2 – Explanation of provisions;
- Part 3 – Justification;
  - Need for the Planning Proposal.
  - Relationship to strategic planning framework.
  - Environmental, social and economic impact.
  - State and Commonwealth interests.
- Part 4 – Mapping; and
- Part 5 – Community Consultation.



Figure 1 Aerial view of the Indicative Reference Design as viewed from the south-west

Source: Virtual Ideas



Figure 2 View of the Indicative Reference Design podium as viewed from Kent Street Ground Level

Source: Virtual Ideas

1.1 Project Vision

Charter Hall is one of the largest and most active owners of investment-grade property assets within Central Sydney and recognises the important role that Central Sydney plays in supporting Sydney more broadly as a truly global city. Charter Hall strongly supports the City's CSPS vision for Central Sydney and views itself as an important partner in delivering on this vision. Moreover, Charter Hall recognises the importance of the western edge to the commercial core of Central Sydney and the importance of 383 Kent Street as a leading supporting proponent. This has resulted in the acquisition and subsequent Planning Proposal for 383 Kent Street, Sydney.

Charter Hall's vision for 383 Kent Street is to provide a world-leading tower that will form a focal point for commerce and a benchmark for city life and sustainability along the Sydney CBD's western edge. The existing development on the site is uninspiring, unsustainable and does not contribute positively to the Sussex or Kent Street streetscapes. Further, it contains a built form and land use that is not fit for purpose for the changing office market, in addition to an existing 10-storey car park on the site that includes over 800 car spaces. A feature which is not aligned with the location of the site and its strategic context.

The redevelopment of 383 Kent Street promises to be a transformative project that will contribute to the ongoing revitalisation of the western edge of Sydney's CBD, creating a sustainable, vibrant, and inclusive urban environment that reflects the city's progressive vision for the future. 383 Kent Street will strengthen Sydney as a global city of economic and cultural activity, and to deliver an iconic building that will diversify the commercial office landscape for the western edge, while delivering on the social and environmental amenity expected in a new premium work environment.

383 Kent Street will offer many experiences in one place, promising to inspire and motivate talent who demand a modern, healthy and flexible workplace in a living building that will focus on creating an environment embellished with perceivable sustainable design solutions. Further, 383 Kent Street will make a significant contribution to the city's target to unlock additional capacity for economic and employment growth. Specifically, 383 Kent Street is unrestricted by heritage and fragmented land ownership constraints unlike other neighbouring sites within this tower cluster zone along the western edge, further emphasising the importance for 383 Kent Street to deliver and lead the vision for renewal in this part of Central Sydney, as established under the CSPS. The progression of this Planning Proposal represents a significant step for Charter Hall to deliver on the City's aspirations for Central Sydney.

Charter Hall sees the redevelopment of the site as an opportunity for an alternative, intelligent and generous response to the site delivered through the City's Design Excellence program. This approach will ensure that 383 Kent Street becomes an architectural exemplar for the city that proves the potential for great development in the western edge and aligns firmly with the City's Design Excellence Strategy.

Charter Hall recognises the importance of providing public benefits in tandem with uplift. On top of the significant improvements to the public realm and employment workspace, Charter Hall has proposed a Public Benefit Offer (PBO) which includes a Kent Street Logistics Hub, pedestrian through-site link connecting Kent Street and Sussex Street and world leading sustainability targets including 6 Star Green Star and As Built v1.0 certified rating target.

This Planning Proposal establishes the planning framework to deliver on this vision for a world leading commercial precinct, which will:

- Reinforce Sydney's role as Australia's global city and economic engine room by delivering a new world class, environmentally sustainable office tower, and providing in-demand premium grade commercial floor space that can support significant employment growth;
- Deliver on the vision established by the CSPS cementing Central Sydney's western edge as an employment location to further strengthen and protect the commercial core of global Sydney and deliver a tower with a focus on sustainability and public spaces.
- Create a next generation workplace environment that realises the opportunities that are emerging in future work practice, wellbeing and sustainability, communication and digital technologies, and security;
- Provide a world class destination at ground level, by leveraging off the site's existing linear street frontages to provide an improved and invigorated street level outcome, supporting fine-grain activation and permeability;
- Be of the highest standard of architectural, urban and landscape design, and provide a recognisable and high quality contribution to the skyline of the Sydney CBD's western edge, reinforcing Sydney's status as a global city; and
- Provide sustainability initiatives of the highest level, supporting the improved environmental performance of commercial development in Central Sydney and allowing Charter Hall to become leaders in environmental building performance.

- Deliver a Kent Street Logistics Hub that will support the future viability of retail offerings in the precinct, improve pedestrian safety and amenity, minimise on-street loading activities and reduce vehicular crossovers.
- Deliver an integrated ground plane through a missing through-site link connecting Kent Street and Sussex Street, retail tenancies and public amenity including green space and partially open to the sky through-site link.
- Remove an existing 10-storey car park on the site containing over 800 car spaces and remove vehicle access from Kent Street encouraging pedestrianisation of the ground plane and use of active transport and public transport in proximity to the site.

A Vision and Values Statement has been prepared by urban strategy and placemaking consultant Right Angle, and is appended to this report at **Appendix R**.

1.2 Connecting with Country

This request for a Planning Proposal seeks to enliven the site's strategic location within the western corridor of the Sydney CBD. It will aspire to include appropriate design principles as they relate to a Connecting with Country framework that is suitable for this part of Central Sydney. The future design of the proposal will adopt a Country-centred approach to various elements of the building and will look to amplify an Indigenous voice in the design process for this part of Central Sydney, which is dominated by physical reminders of the place's European heritage. It will ensure the Traditional Owners of the land's voices and stories are incorporated into the project.

The proposal considers the following Designing with Country principles that can be factored into a reference scheme:

- **Topography + Geology** – Acknowledging and taking inspiration from the layers of Country, recognising the undulated topography as the site steps down to the west, which holds powerful historical meaning, regarding the natural orientation of place as it leads to the western water source.
- **Connection to Water and Sky** – Opening up a partially open air pedestrian through-site link which provides both a connection to the water's edge at Darling Harbour and the sky above. These connections to natural elements instil an onsite appreciation of the importance of the relationship of water and connection to life.
- **Materiality** – Utilising material diversity to provide visual interest, warmth and engaging places – an invitation to reconnect, to dwell supported by amenity inspired by the very essence of Country.
- **Landscape** – The indicative reference scheme creates an opportunity to foster a rich ecosystem of endemic and Indigenous species of Country on the site via perceivable landscaping opportunities that can form part of the façade identity and breathe new life into the western edge of Central Sydney. Contemporary landscapes must restore, remediate and replenish Country, reinforcing the need to provide a place of pause and respite.

Connecting with Country is a key principle informing this request for a Planning Proposal and will be embedded throughout the future stages of the project and is supported by a Connecting with Country Strategy and Concept at **Appendix F** and **G** respectively.

1.3 Central Sydney Planning Strategy

The CSPS was first released in 2016 and sets out a 20-year land use vision, planning priorities and actions to achieve a place-led and people-led vision for growth in Central Sydney. The CSPS were endorsed by Council on 14 December 2020 and amendments to the Sydney LEP 2012 were gazetted in December 2021, with subsequent amendments to the Sydney DCP.

The central aim of the CSPS is to support good growth while balancing the need to protect and enhance the public places that make the city unique. It provides the strategic direction to continue to position and strengthen Central Sydney as Australia's most productive and strategically important employment centre. Through 10 key moves, the CSPS balances opportunities for development to meet demands and achieve Council's job targets through to 2036, being 100,000 jobs unlocked through an additional 2.9 million square metres of employment generating floor space. Importantly, the CSPS includes opportunities for increased height and density in key locations, balanced with environmental sustainability initiatives and sets criteria for excellence in urban design.

The CSPS identifies 'tower clusters' which are intended to create growth opportunities for employment floor space, to support a more efficient use of land and encourage innovative design. The tower cluster zones largely reflect the City's capacity studies supporting the CSPS and identify sites capable of accommodating uplift without compromising public amenity in terms of sun access. The site is identified within a tower cluster area as illustrated in **Figure 3**, and as such will directly deliver additional employment generating floor space in a highly serviced and unconstrained site in Central Sydney, as anticipated under the CSPS.

The proposed amendments result in a planning envelope which complies with the key built form controls of the Sydney DCP, and achieves the outcomes envisaged in the CSPS, with the site identified as being within a tower cluster area.

This Planning Proposal seeks to realise the vision established by the CSPS through the innovative renewal of the site which comprises an enhanced pedestrian and human focused design. It will strengthen the western edge as an employment location that is able to further strengthen and protect the commercial core of global Sydney, while also delivering a scheme focused on sustainability and the prioritisation of enhanced public spaces in the CBD. In addition, the site represents one of few tower cluster sites along the western edge capable of realising the vision of the CSPS and therefore represents a unique and important opportunity.

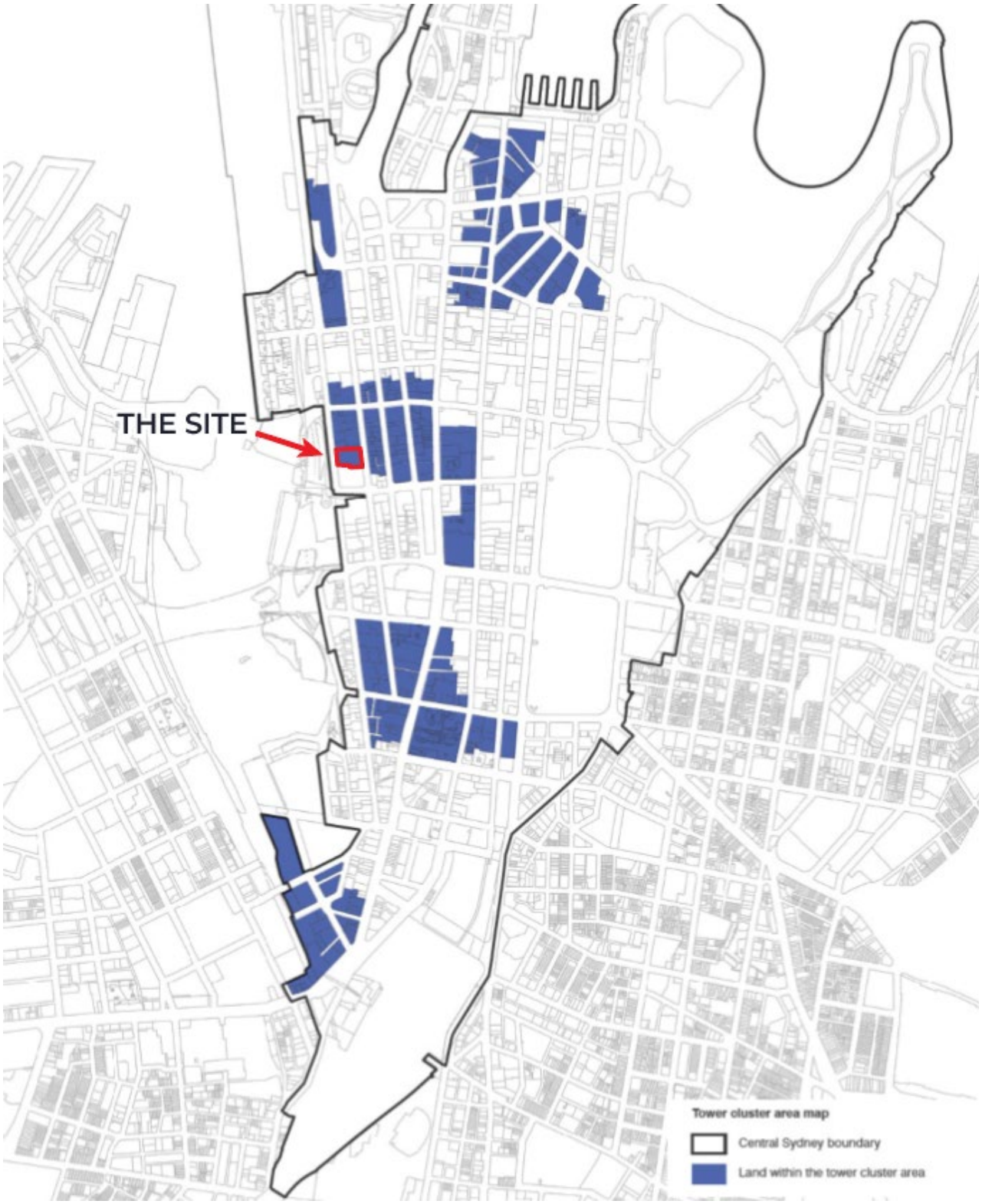


Figure 3 CSPS Tower Cluster Area Map

Source: City of Sydney, edits by Ethos Urban

1.4 Guideline for Site Specific Planning Proposals

The Guideline was prepared to guide the preparation of site-specific planning proposals to determine additional height and floor space achievable in tower cluster areas. In December 2020, Council adopted the guideline as the primary guide for the preparation of planning proposals in Central Sydney.

The Guideline outlines the methodology for determining a possible maximum planning envelope as well as the minimum submission requirements for a Planning Proposal. This Planning Proposal has been prepared in accordance with the Guideline, including the establishment of the planning envelope and proposed height and FSR, which has followed the procedures established in the Guideline, as set out in **Section 8.0** of this Planning Proposal Justification Report.

1.5 Consultation with the City of Sydney

This Planning Proposal has been the subject of extensive pre-lodgement workshops between the City of Sydney, the DAP, and the proponent team since August 2022. The proposal was presented to the DAP and the City in November 2022, with their subsequent review and supportive endorsement to submit a request for planning proposal. Following a draft submission and extensive pre-formal lodgement consultation with the City regarding key matters, the City endorsed the formal lodgement of request for Planning Proposal.

This Planning Proposal has taken into account feedback from the City of Sydney, responding to the guidance relative to FSR and building articulation targets, pedestrian through-site link design provisions, shared loading dock strategy and pedestrian wind environment, as well how the site could incorporate ESD design solutions that assist the City in achieving their net zero policy targets.

The indicative reference scheme as presented in this Planning Proposal constitutes an exemplary outcome for the site that is in alignment with the City's requests. This Planning Proposal is therefore considered to constitute a built form outcome which effectively unlocks the full employment generating potential of the site and is underpinned by direct guidance from the City of Sydney Council to deliver on a strong and sustainable development outcome for the western edge of the Sydney CBD.

2.0 Site Context and Description

2.1 Site Context

The site is located on Gadigal Land within the Eora Nation and is situated within the City of Sydney Local Government Area (LGA). The site constitutes a single lot under a single ownership structure. It has dual frontages, being orientated to Kent Street at the east and Sussex Street at the west. It is located along the CBD's western edge and is positioned centrally on an existing established block bound by King Street to the north and Market Street to the south. The site's locational context in its Central Sydney setting is illustrated in **Figure 4**.

The Sydney CBD is Australia's global gateway to the international economy through its role as a financial hub with a high density and concentration of economic activity. The Sydney CBD's western edge is characterised by commercial buildings comprising ground floor retail with commercial land uses above that mainly entail office space for professional services (particularly financial and insurance services) which represent almost 65% of employment in the precinct (CSPS, 2022). More broadly, the western edge includes a number of key existing commercial buildings such as Darling Park, Westpac Place and Barangaroo, all of which have cumulatively improved the overall amenity of the western edge and lifted its market profile.



Figure 4 Site Context Map

Source: Ethos Urban

2.2 Site Description

The site, identified as 383-395A Kent Street, Sydney, has a legal description of Lot 1 in DP 778342. It contains a total site area of approximately 3,606m^2, is irregular in shape and has dual frontages to Kent Street (approximately 53m) and Sussex Street (approximately 43m). Notably, the site has a sloping typography with a level difference of approximately 10m from Kent Street sloping west towards to Sussex Street. An aerial map of the site is provided in **Figure 5** below.



Figure 5 Aerial Map

Source: Nearmap, edits by Ethos Urban

2.2.1 Site History

A 10-storey public car park was built on the site in the late 1970s, as illustrated on the right of frame in **Figure 6** and **Figure 7** below. In the early 2000's, a 14 storey commercial tower comprising approximately 20,000m^2 of employment generating GFA was constructed and integrated on top of the existing car park. This built form reflects the current development on the site, as explained in **Section 2.2.2** below.



Figure 6 View of along Sussex Street (1996)

Source: City of Sydney Archives

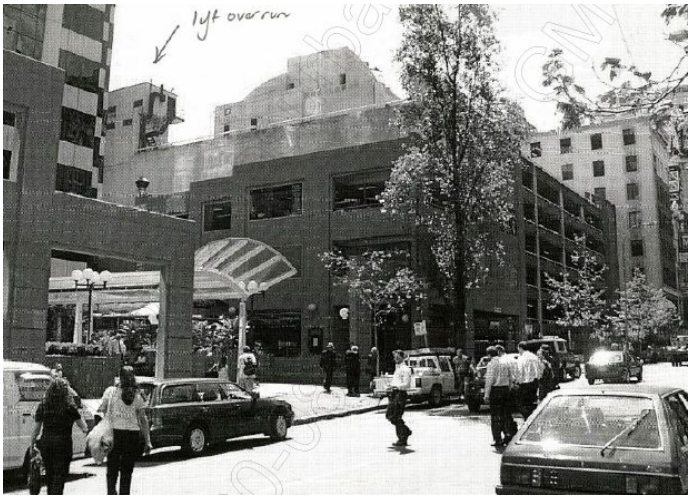


Figure 7 View along Kent Street (mid-late 1990's)

Source: City of Sydney records

2.2.2 Existing Development

The site contains a 19 storey building with ground level access at Kent Street. It includes approximately 18,000m^2 net lettable office floor space area between Levels 8 and 18, underpinned by the 10 storey car park below. The car park comprises existing Basement 3 to Level 6 and comprises over 800 car spaces, with Level 7 housing plant and other mechanical services. The car park operates as a paid public car park, with some spaces reserved exclusively for the commercial office tenants of the building. Vehicle ingress and egress to the car park is currently available from both Kent Street and Sussex Street.

The site has a primary frontage to Kent Street where the main pedestrian access is fostered. The Kent Street ground floor frontage of the site is characterised by an existing lobby, including concierge, lift core circulation spaces and a café tenancy. The podium fronting Kent Street is perceived as a four (4) storey street wall. An existing view of the site from Kent Street is provided in **Figure 8** below.

The site has a secondary street frontage to Sussex Street which is characterised by the vehicular point of ingress and egress to the existing basement loading dock, and also includes an existing retail tenancy. The podium fronting Sussex Street is perceived as a 10-storey streetwall, which features a ground floor colonnade with glass façade concealing the existing car park above. An existing view of the site from Sussex Street is provided in **Figure 9** below.

As noted in **Section 2.2.1**, the existing tower form was constructed in the early 2000's above the existing 800 car space car park that was constructed in the late 1970's (refer to **Figure 14**). The tower form is significantly set back along its Sussex Street frontage, with a smaller tower setback above the podium facing Kent Street. In addition, the tower form is positioned to the south with a greater northern tower setback. The existing tower captures views of its surrounds, most notably to the west (refer to **Figure 10** to **Figure 13** below).



Figure 8 View from Kent Street looking north-west

Source: Ethos Urban



Figure 9 View from Sussex Street looking east

Source: Ethos Urban



Figure 10 Panoramic view to the west from the existing tower rooftop

Source: Ethos Urban



Figure 11 View from the existing roof looking east

Source: Ethos Urban



Figure 12 View from Level 14 looking south-east

Source: Ethos Urban



Figure 13 View from Level 14 looking south-west

Source: Ethos Urban

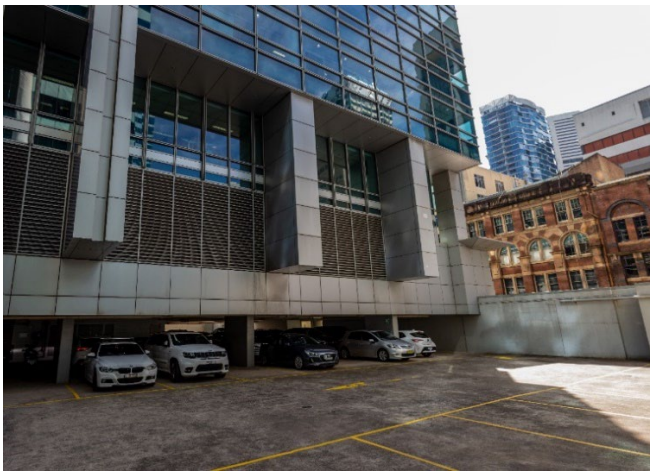


Figure 14 View from the Level 6 (existing car park) looking north-east

Source: Ethos Urban

2.3 Heritage Context

The site does not contain any local or State heritage items. However, the surrounding area, and particularly Kent Street, has a rich heritage context. Nearby heritage items comprise of both State heritage items listed under the *Heritage Act 1977* and S.170 Register, as well as local heritage items listed under Schedule 5 of the Sydney LEP 2012. Further, the site is identified within the '*York Street Special Character Area including Clarence Street and Kent Street*', as denoted in the Sydney DCP.

The heritage items that surround the site are illustrated visually in **Figure 15** below and are also documented in **Table 1**.

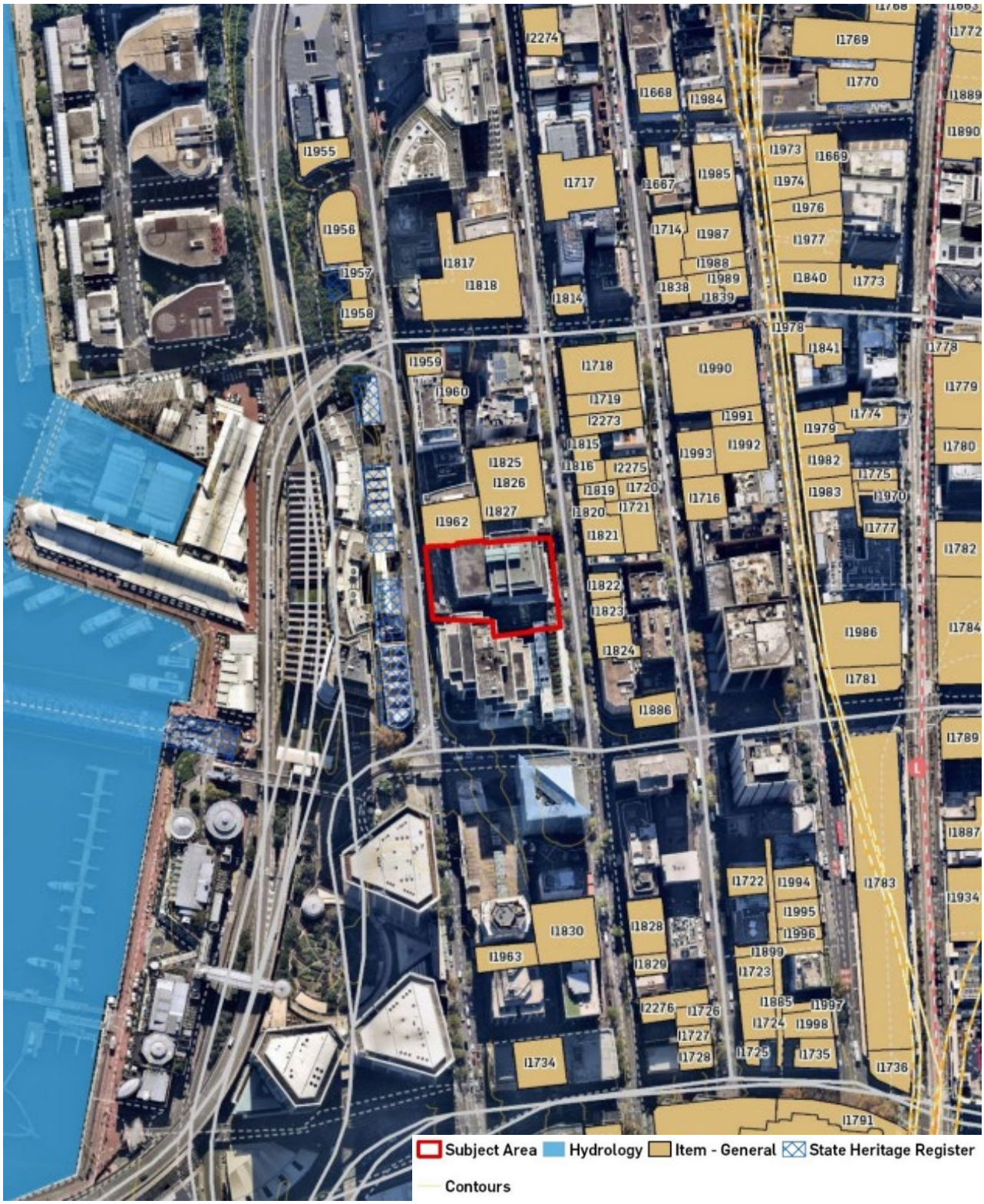


Figure 15 Heritage Context Map

Source: Urbis

Table 1 Heritage Items within the vicinity of the site

Significance	Item No.	Item Name	Address
State	**SHR 00413**	Warehouses (former) and Hunter River Steamship Navigation Company Office	139-153 Sussex Street
	SHR 00414	Building	161 Sussex Street
	SHR 00415	Terrace Houses	163-169 Sussex Street
	SHR 01619	Corn Exchange	173-185 Sussex Street
	SHR 00416	Dundee Arms Hotel	171 Sussex Street
	SHR 4500361	Shelbourne Hotel	200 Sussex Street
Local	**I1962**	Former "CMC House" facade	160–166 Sussex Street
	I1827	Former warehouse facade (373–377 Kent Street)	365–377 Kent Street
	I1826	Former warehouse facade (367–371 Kent Street)	365–377 Kent Street
	I1825	Former warehouse facade (365 Kent Street)	365–377 Kent Street
	I1824	Former warehouse including interior and cart docks	364–372 Kent Street
	I1823	Former "Hordern" warehouse including interiors	360–362 Kent Street
	I1822	Former warehouse including interiors	352–358 Kent Street
	I1821	Former warehouse including interiors, cartway, courtyard and interior	346–348 Kent Street
	I1820	Former warehouse including interiors	342–344 Kent Street
	I1819	Former warehouse including cartway, courtyard and interior (formerly 340 Kent Street)	338 Kent Street

2.4 Surrounding Context

The site is located within a CBD context and as such is characterised by a range of high density buildings, predominantly containing retail, commercial office and hotel land uses. The site sits within the western edge of the Sydney CBD and is perceived from a western view catchment as shown in **Figure 16** below.

Figure 15 depicts the skyline of the CBD's western edge and existing surrounding development. The site appears behind the Hyatt Regency Hotel with Sydney Tower and 25 Martin Place buildings viewable in the distance. The western edge skyline is characterised by buildings such as 275 Kent Street, 321 Kent Street, 347 Kent Street, Hyatt Regency Hotel, 1 Market Street, Darling Park and Barangaroo International Towers and Crown Sydney.



Figure 16 View of the western edge of the Sydney CBD from Darling Harbour identifying the site

Source: Ethos Urban

2.4.1 North

To the immediate north of the site fronting Kent Street is an 8-storey commercial office building. Further north of the site, also fronting Kent Street (No. 365), is a 23-storey residential building known as 'Windsor on Kent', comprising former warehouse facades along the Kent Street frontage, which are identified as local heritage items (I1825, I1826 and I1827) with the residential tower located above. Refer to **Figure 17**.

To the immediate north of the site along Sussex Street is a 14-storey commercial office building, comprising the heritage listed former "CMC House" façade (I1962) with a commercial building located above. Refer to **Figure 18**.



Figure 17 View along Kent Street to the north

Source: Ethos Urban



Figure 18 View along Sussex Street to the north

Source: Ethos Urban

2.4.2 East

To the immediate east of the site, on the eastern side of Kent Street are several commercial adaptive warehouse buildings ranging from 5-10 storeys (refer to **Figure 19** below). The context of this part of Kent Street is described below (from north to south):

- 346-348 Kent Street comprises a 5-storey commercial office building, it is a local heritage item (I1821) identified as a 'former warehouse including interiors, cartway, courtyard and interior';
- 350 Kent Street comprises a 10-storey commercial office building;
- 352-358 Kent Street comprises an 8-storey commercial office building, it is a local heritage item (I1822) identified as a 'former warehouse including interiors';
- 360-362 Kent Street comprises an 8-storey commercial office building, it is a local heritage item (I1823) identified as the 'Former "Hordern" warehouse including interiors'; and
- 364-372 Kent Street comprises a 6-storey commercial office building with restaurant and café at the ground floor, it is a local heritage item (I1824) identified as a 'former warehouse including interior and cart docks'.



Figure 19 View to the east of the site along Kent Street looking upwards

Source: Ethos Urban

2.4.3 South

To the immediate south of the site is 2 Market Street. It comprises a 24-storey commercial tower including a car park and has frontages to Market Street, Kent Street and Sussex Street (refer to **Figure 20** and **Figure 21** below). Further south of the site is the 1 Market Street tower (**Figure 22**) and Darling Park (**Figure 23**).



Figure 20 View of 2 Market Street looking north-east

Source: Ethos Urban



Figure 21 View 2 Market Street looking north-west

Source: Ethos Urban



Figure 22 View of 1 Market Street looking south-west

Source: Ethos Urban



Figure 23 View of Darling Park looking south-west

Source: Ethos Urban

2.4.4 West

To the immediate west of the site on the western side of Sussex Street is the Hyatt Regency Hotel. Fronting Sussex Street is a porte cochere and hotel lobby positioned across from the site (refer to **Figure 25**). Other buildings which characterise the western side of Sussex Street are various heritage items including the Dundee Arms Hotel (a small three-storey pub listed as a State heritage item (Item 00146), a Warehouse (former) and Hunter River Steamship Navigation Company Office (State heritage Item 00413) and the Corn Exchange building (State heritage Item 00416).

The Hyatt Regency Hotel buildings are set back from Sussex Street with buildings ranging from 15-storeys in its northern portion and 25-storeys at its southern portion. The southern tower was recently completed in 2016 and comprises 231 hotel rooms associated with the Hyatt Regency and also includes approximately 5,775m^2 of commercial floor space. The western context and surrounding development is illustrated in **Figure 24**, **Figure 25** and **Figure 26**.



Figure 24 View of The Dundee Arms and Hyatt Regency looking south-west

Source: Ethos Urban



Figure 25 View of the Hyatt Regency looking west

Source: Ethos Urban



Figure 26 View of the Hyatt Regency looking north-west

Source: Ethos Urban

2.4.5 Future Surrounding Context

In a post Covid-19 context, the Sydney CBD is undergoing a period of evolution and change. There have been a number of recently completed commercial projects that now form part of the character of the Sydney CBD. Additionally, and in response to the vision contained within the CSPS, there have been a number of significant projects both proposed and approved that will significantly contribute to Sydney's future context. These new future developments will be supported from recent State Government investment through the new Metro infrastructure works. Once complete, the Sydney CBD will be enhanced as a rich transit-orientated place.

The future context of the Sydney CBD is illustrated in **Figure 27** below, which highlights key sites that are under-construction, have been approved, or are within their initial planning phases, for new tower developments.



Figure 27 Future Surrounding Development Map

Source: Nearmap, edits by Ethos Urban

3.0 Current Planning Controls

3.1 Sydney Local Environmental Plan 2012

The Sydney LEP 2012 is the principal environmental planning instrument applying to the site. The key controls relating to the site and Planning Proposal are identified in the following sections.

3.1.1 Land Zoning

The site is zoned SP5 Metropolitan Centre. Development for the purpose of 'Commercial premises' is permissible with development consent.

3.1.2 Height of Buildings

The site has a maximum height limit of 110m under clause 4.3 of the Sydney LEP 2012 (**Figure 28**). Further, the site is not affected by existing sun access planes under Schedule 6A of the Sydney LEP 2012. The site does not affect any Sun Access Planes identified in clause 6.17 of the Sydney LEP 2012.

Under 'Clause 6.18 – Overshadowing of certain public spaces', development of the site must not result in additional overshadowing of the following sites during the following control periods:

- **Sydney Square** – between 14 April to 31 August, during the hours of 11am to 4pm;
- **Sydney Town Hall Step**s – between 14 April to 31 August, during the hours of 10:30am to 4pm; and
- **Future Town Hall Square** – All year, between midday to sunset.



Figure 28 Sydney LEP 2012 – Height of Buildings Map

Source: City of Sydney, edits by Ethos Urban

3.1.3 Floor Space Ratio

Under clause 4.4 of the Sydney LEP 2012, the mapped FSR control for the site is 8:1 (**Figure 29**). As the site is identified within Area 3 under clause 6.4 of the Sydney LEP 2012, it is eligible for the following additional FSR bonuses:

- 2.5:1 FSR bonus for: business premises, educational establishments, entertainment facilities, function centres, health services facilities, information and education facilities, light industries, office premises or retail premises.
- 3.5:1 FSR bonus for: centre-based child care facilities, community facilities or hotel or motel accommodation.

In addition, the site may also be potentially eligible for additional floor space under clauses 6.5A and 6.6 of the Sydney LEP 2012:

- Clause 6.5 allows for existing car parking floor space to be allowed when it is replaced by a community loading dock facility or shared loading dock facility.
- Clause 6.5A allows for additional floor space equal to the area of community or shared loading dock facility provided with the development.
- Clause 6.6 allows for a maximum of 0.3:1 of additional FSR when a building used only for the purposes of commercial premises includes end of journey facilities, including showers, change rooms, lockers and bicycle storage areas.

Clause 6.21D of the Sydney LEP 2012 enables up to 10% of additional floor space if a competitive design process is undertaken and design excellence is demonstrated. As the site is within a mapped tower cluster zone, clause 6.21E of the Sydney LEP 2012 enables up to 50% of additional floor space on top of the base FSR and accommodation floor space and is discussed further in **Section 3.1.4** below.

As such, clause 6.21E of the Sydney LEP 2012 enables the maximum permissible FSR of 15.75:1 for a building which proposes commercial uses on the subject site.



Figure 29 Sydney LEP 2012 – Floor Space Ratio Map

Source: Sydney Local Environmental Plan 2012, edits by Ethos Urban

3.1.4 Tower Cluster Area

Clause 6.21E of the Sydney LEP 2012 stipulates a tower cluster design excellence process for sites within designated tower cluster zones. Under this Clause, the site is located within a designated tower cluster zone (refer to **Figure 30** below) and is eligible for additional floor space under this clause if the consent authority is satisfied that the building demonstrates design excellence, designed by a winner of an architectural design competition carried out in accordance with the City of Sydney Competitive Design Policy.

Under the provisions of Clause 6.21E, up to an additional 50% floor space bonus (calculated on the base FSR and any accommodation floor space) could be granted by a consent authority if the site meets the following criteria:

- The site is mapped within a tower cluster zone;
- The unencumbered area of the site is greater than 2,000m2, excluding areas occupied by:
  - heritage items;
  - public places (streets, lanes, parks, squares);
  - areas above or below major infrastructure including bridges and viaducts used for rail, vehicle and pedestrian purposes;
  - major utility infrastructure; and
  - publicly accessible open spaces, easements, common access areas and privately owned lanes.
- Must only contain commercial premises, centre-based child care facilities, community facilities, educational establishment, entertainment facilities, function centres, health services facility, hotel or motel accommodation, information and education facilities, light industries and ancillary uses such as parking, utilities and storage (that is, the proposed development cannot contain residential accommodation or serviced apartment uses).

As per the above criteria stipulated in Clause 6.21E of the Sydney LEP 2012, the site is located within a tower cluster area, has a site area greater than 2,000m^2 and will contain commercial premises. Accordingly, the proposal qualifies as being able to achieve a tower cluster design excellence planning pathway (subject to an architectural design competition), as outlined in the City of Sydney Competitive Design Policy. A total FSR of 15.75:1 could theoretically be achieved through this pathway.

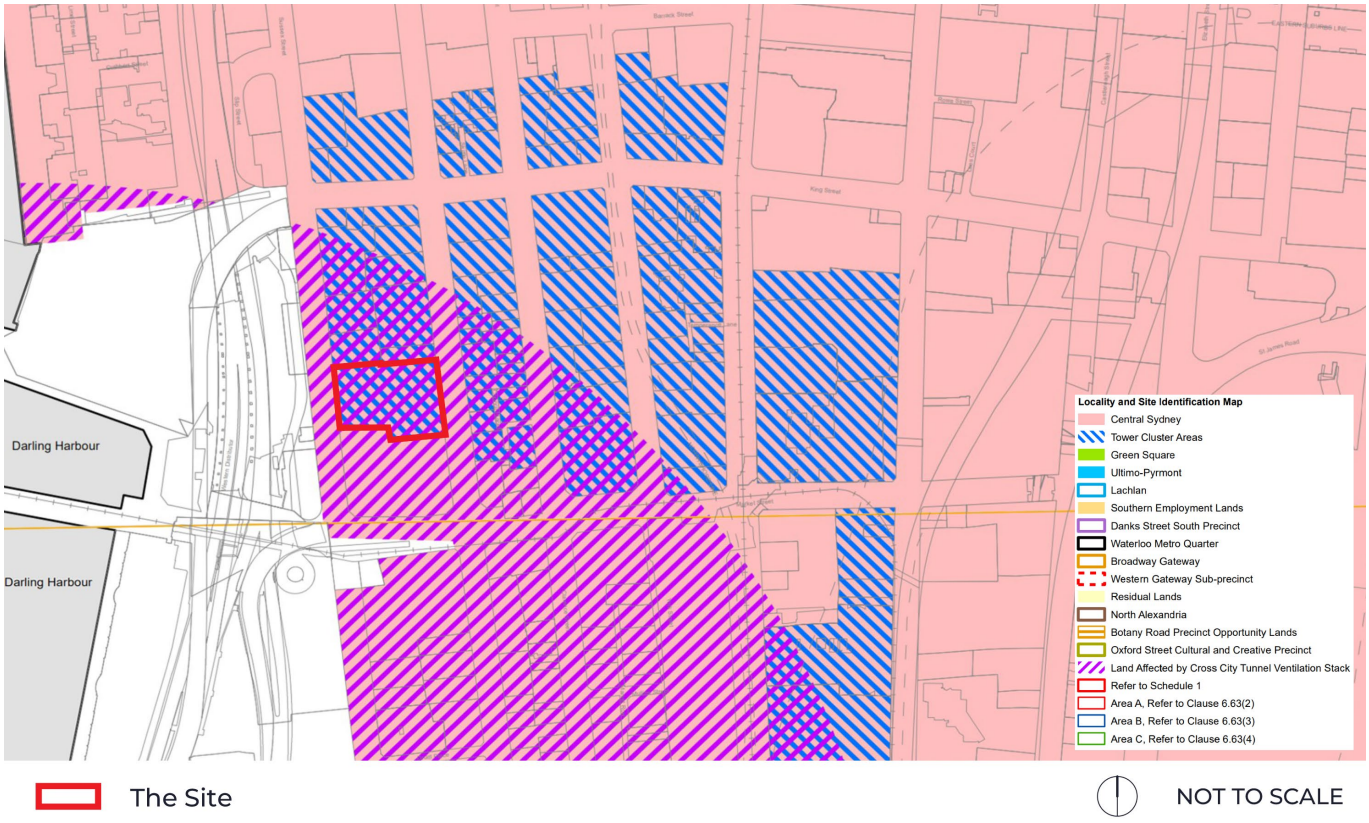


Figure 30 Sydney LEP 2012 – Locality and Site Identification Map

Source: Sydney Local Environmental Plan 2012, edits by Ethos Urban

3.1.5 Sustainability Requirements for certain Large Commercial Development

Clause 7.33 of the Sydney LEP 2012 was gazetted in July 2023 and will apply to the proposal. Specifically, clause 7.33(2) requires the Consent Authority to consider whether the development:

(a) is designed to optimise energy efficiency and the use of renewable energy generated on-site, and

(b) for a development application made on or after 1 January 2026—will also achieve net zero emissions from energy used on-site, including by using renewable energy generated on-site and off-site.

Regardless of a future detailed DA being lodged prior or after to 1 January 2026, the proposal (as described in **Section 4.0**) is capable of achieving compliance with the requirements of clause 7.33 of the Sydney LEP 2012 (refer to **Section 4.5**).

3.2 Sydney Development Control Plan 2012

The Sydney DCP provides additional detailed design guidance which builds upon the provisions of the Sydney LEP 2012. The site is located within Central Sydney as identified in the Sydney DCP 2012, meaning it is subject to built form controls relating to street frontage heights, setbacks, building bulk, facades and sun access planes.

To give effect to the CSPS, a number of amendments were made to the Sydney DCP in relation to locality statements, building street frontage heights, street setbacks, building separation and amenity/outlook, tapering and wind, which are represented in Schedule 11 of the Sydney DCP.

More generally, the Sydney DCP establishes a number of controls that are relevant to the site and proposal, these are identified in **Table 2**.

Table 2 Sydney DCP Relevant Controls

Provision	Relevant Control
Locality Statement	
York Street Special Character Area (including Clarence Street and Kent Street)	The eastern half of the site fronting Kent Street is located within the York Street Special Character Area which also includes areas along Clarence Street and Kent Street, as illustrated in **Figure 31**. Development in this area must achieve and satisfy the locality statement principles, which are as follows: *b. Maintain and reinforce the urban character and scale of the area by requiring development to:* *i. Have street frontage heights and building setbacks above street frontage heights, consistent with the prevailing scale and form of heritage items.* *ii. Respond to the historic warehouse and commercial typologies and materiality in the area.* *iii. Ensure new development is designed and sited to enhance the views and settings of heritage items within the area.* *iv. Maintain and enhance the historic fine grain subdivision pattern.* *v. In Barrack Street, ensure new development is limited in height to the prevailing height of buildings, and enhances solar access to the public domain.* *c. Conserve and enhance the heritage significance of warehouses and associated cartways and courtyards and ensure solar access to courtyards is maintained and enhanced in the design of new development.* *d. Conserve and enhance the historic pattern of streets and lanes, and encourage fine grain pedestrian permeability through the longer street blocks. Conserve early sandstone and woodblock street pavements that is known to survive within the area beneath later pavements.* *e. Enhance the character of the lanes by protecting solar access, and encourage active uses, where compatible with the significance of aligning buildings. Ensure development provides appropriate streetwall heights and high quality designed active frontages.* *f. Conserve and enhance existing significant views between the area and Darling Harbour and Pyrmont, higher level views north to the Harbour Bridge and the significant vistas terminated by the QVB building, Sydney Town Hall, and the General Post Office building beyond the area.* *g. Maintain and enhance the visual relationship between Darling Harbour and heritage items historically associated with the maritime and trading functions.*

Provision	Relevant Control

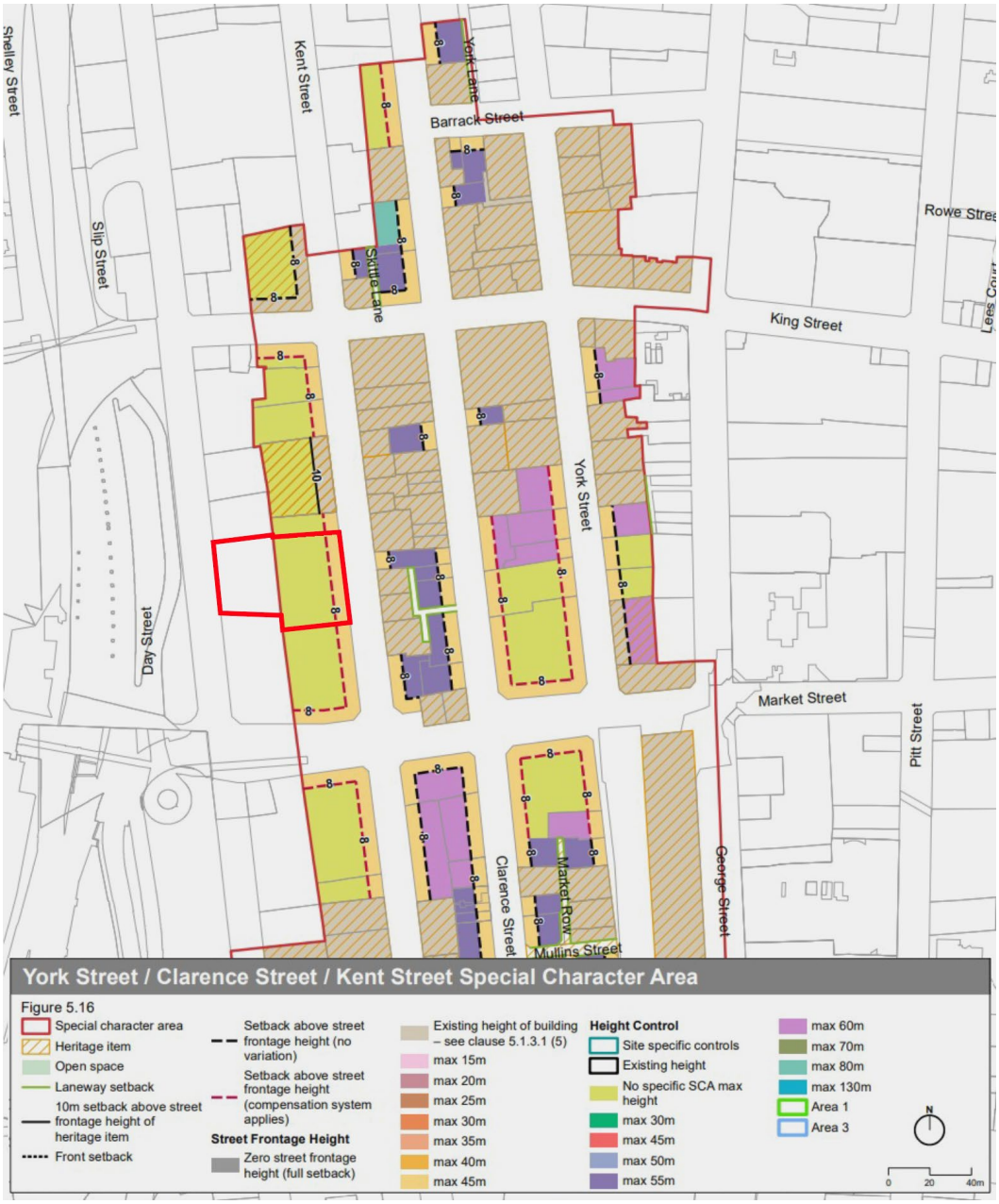


Figure 31 York Street / Clarence Street / Kent Street Special Character Area Map

Source: Sydney Development Control Plan 2012, edits by Ethos Urban

Street Frontage Heights	
Kent Street	Maximum street frontage of 45m as per **Figure 31**.
Sussex Street	20-25m as the proposed total maximum height is greater than 120m.
Building (Tower) Setbacks	
Kent Street	8m setback above the podium as per **Figure 31**.
Sussex Street	8m as the proposed development is greater than 120m.
Side setbacks	3.33% of the proposed total height of the building.
Building Form Massing, Tapering and Maximum Dimensions	
Maximum horizontal dimension	Above the street frontage height, the maximum horizontal dimension of a building including all external elements measured in any direction cannot exceed 100 metres.

Provision	Relevant Control
Tapering	Above the street frontage height, the total planning envelope area may occupy the following proportion of the site area less any areas of heritage items and required DCP setbacks: • 100% up to 120m above ground; • 90% above 120m up to 140m above ground; and • 80% above 240m above ground.
Heritage Items, Warehouses and Special Character Areas	
Development adjacent to heritage items	1. *New development adjacent to a heritage item should respect and reinforce the historic scale, form, modulation, articulation, proportions, street alignment, materials and finishes that contribute to the heritage significance of the adjacent heritage item.* 2. *Consideration must be given to the impact of adjacent development on the significance, setting, curtilage, landmark values and ability to view and appreciate the heritage item from Public Places.*
Sun Protection of Public Parks and Places	
No Additional Overshadowing	The Sydney LEP 2012 requires buildings to maximise sunlight access to Public Places by establishing No Additional Overshadowing (NOA) for 8 major public areas. The NOA affecting the site are outlined in **Table 3** below.

Table 3 Summary of NOA areas affecting the Site

Park or Place	NOA Dates	NOA Times
Sydney Town Hall Steps	14 April–31 August	10.30am–4:00pm
Sydney Square	14 April–31 August	11:00am–4:00pm

Through-Site Links

The site is identified on the Sydney DCP Through-Site Links Maps, as illustrated in **Figure 32** below. It includes a proposed pedestrian through-site link between Kent Street and Sussex Street.



Figure 32 Sydney DCP – Through-Site Links Map

Source: Sydney Development Control Plan 2012, edits by Ethos Urban

4.0 Proposal

This section describes the proposed amendments to the Sydney LEP 2012 and Sydney DCP, including a description of the proposed planning envelope and the indicative design prepared to support this envelope. Included within this section is a discussion of the background analysis completed by the proponent's design team to identify an appropriate envelope on the site, including consideration of the existing and proposed planning framework as set out in **Section 3.0** above.

4.1 Site Opportunities and Considerations

In undertaking a review of the site's development potential, key site opportunities and considerations have been identified to shape the proposed redevelopment. These opportunities and considerations have contributed to shaping a planning envelope, and ultimately the proposed amendments to both the Sydney LEP 2012 and Sydney DCP which will guide the future redevelopment outcome.

The key opportunities and considerations that have informed the exploration of design opportunities for the proposal are outlined below.



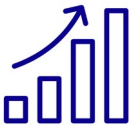
Site

The site represents a singular lot under independent ownership with a total area of 3,606m^2, which exceeds the minimum area for a tower cluster site (2,000m^2) and can allow for sufficient building setbacks to be achieved.



Reduction of car parking in Central Sydney

The redevelopment of the site presents the opportunity to remove a car dependent structure from Central Sydney, removing capacity for 800 car parking spaces and thereby discouraging private vehicles trips to the Sydney CBD, and encouraging public and active transport options.



Setting a New Standard for Sustainability along the Western Edge

The development of a new commercial tower on the site presents an opportunity to set a new standard of sustainability along the western edge. The site's prominent location enables the site to deliver a sustainable tower that will form part of the western edge CBD skyline, building on the proof that Central Sydney can be a true green global city.



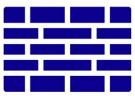
Maximum Building Height

The overall building height is determined by no additional overshadowing controls protecting sun access to key prominent civic spaces.



Tenant Workplace Drivers

The market-based parameters used to identify building quality as set out within *A Guide to Office Building Quality* must be considered, including the achievement of reasonably sized floor plates to attract and maintain key tenants, including large contiguous and subdivisible spaces.



Balancing European and Non-European Heritage Considerations

The proposed streetwall heights are consistent with the surrounding architectural heritage context along Kent Street with regard to podium height. There is also an opportunity to consider bringing a fresh new balance to the context of nearby European heritage items within the York Street Special Character Area to provide design solutions that make space for Connecting with Country design initiatives to be factored into a future design for this new place.



Pedestrian Through-Site Link

The provision of a pedestrian through-site link is identified for the site within the Sydney DCP. The site represents a significant opportunity to provide a through-site connection between Kent Street and Sussex Street and facilitate the final piece of the puzzle in connecting George Street to Darling Harbour via through-site links between King Street and Market Street. This will further provide an opportunity to activate the public domain and bring pedestrian focus to the site.

4.2 Preliminary Options Explored

FJC was engaged by Charter Hall to review the development potential of the site and investigate options to redevelop the site in line with Council's policy intent under the CSPS. The options set out below were explored, tested and formed part of the consultation material with Council for discussion prior to lodgement. Each option considered during a preliminary planning phase is elaborated on below.

4.2.1 Do Nothing

A 'do nothing' approach and retaining the existing planning controls on the site would represent a significant missed opportunity, preventing the opportunity to realise the highest and best use of the site consistent with it being identified within a tower cluster area under the CSPS.

The continued use of the site for a 10-storey car park comprising over 800 parking spaces is inconsistent for traditional office space use and with the future vision for Central Sydney, which at its core, seeks to encourage active and public transport to create a more liveable and sustainable city. The building in its current form contributes to existing congestion within the Sydney CBD and prioritises car dependency above pedestrian amenity. The site is supported by existing public transport with future capacity to be delivered via the Sydney Metro City and South-West, and Metro West projects and is capable of accommodation uplift.

The site is identified within a tower cluster area under the CSPS, which identifies sites that are intended to create growth opportunities for employment floor space, to support a more efficient use of land and encourage innovative design. The central aim of the CSPS is to support good growth while balancing the need to protect and enhance the public places that make the city unique. As such, a 'do nothing' approach would represent a missed opportunity that is inconsistent with the aims of the *Central Sydney Planning Strategy*.

Further, the retrofit or internal upgrade of the existing building does not represent a feasible option or an option consistent with the City's vision. The existing building on the site contains a purpose built 10-storey car park constructed in the 1970's that is unable to be converted into usable floor space as a result of reduced floor to floor heights, limited residual design life, unsustainable infrastructure (including existing compromised structure), undesirable design and amenities and will not result in any significant improvement to amenity at the ground plane or any substantial public benefit.

4.2.2 Complying LEP / DCP Scheme

A complying envelope limited by the existing provisions of the Sydney LEP 2012 and Sydney DCP (as outlined in **Section 3.0**) would fail to capitalise on the site's unique attributes as a large single allotment, in a prominent position within the CBD's western edge, as well as its highly valued identification as a tower cluster site as nominated by the CSPS. Such a proposal would be limited to 15.75:1 FSR through the tower cluster DA process, which would not feasibly justify the demolition of the existing building, and would also fail to achieve the objectives of the CSPS and aforementioned benefits.

A scheme that represents a complying envelope under the existing controls is not considered to facilitate the highest and best use of the site, as it would not be capable of delivering the best outcome in regard to providing a genuine public benefit on site that is capable of creating meaningful change to the surrounding area.

4.2.3 Summary

An analysis of a 'do nothing' scenario, or act on a compliant scheme utilising the existing mechanisms for growth under the Sydney LEP 2012 and Sydney DCP has determined that these options would not be able to maximise on the opportunity for greater floor space capacity at the site. Therefore, these options have not been considered as they would not deliver on the vision and key directions of the CSPS. In summary these scenarios were discounted as:

- The planning envelopes do not maximise the floor space capacity of the site, resulting in a sub-optimal quantum of floor space being delivered, misaligned with the vision and intent of the CSPS.
- The resulting building able to be delivered within either of these envelopes would not meet the needs and aspirations of the commercial office market and tenants, reducing the quality of the outcome and missing the opportunity to achieve one of the key objectives of the CSPS to ensure Sydney remains a globally competitive city.

As such, the proposed planning envelope outlined in **Section 4.3**, together with the reference design detail in **Section 4.4** form the highest and best use of the site enabling redevelopment of the site and revitalisation of the western edge.

4.3 Proposed Planning Envelope

The proposed planning envelope constitutes a podium and tower form, consistent with the prevailing character of buildings in Central Sydney and as guided by the provisions of the Sydney DCP and the CSPS. The planning envelope delivers on the objectives of the CSPS, providing additional employment floor space to meet the anticipated development needs of the foreseeable future, and has been developed taking into account the site-specific opportunities and considerations as explained in **Section 4.1**. The scheme has been developed following feedback from Council and the DAP and provides a strong contextual response to both the character of the surrounding area as well as the desired future outcome for the immediate vicinity.

The proposed planning envelope constitutes a podium and tower form, consistent with podium characteristics along Kent Street and providing a tower form that is in alignment with other tall buildings in Central Sydney, as guided by the provisions of the Sydney DCP. It will provide a maximum height of up to RL 189.80m, with a podium height of up to RL 34.80m on Sussex Street and up to RL 46.20m on Kent Street. The key elements of the envelope are described in detail below and are illustrated in the Design Report, as prepared by FJC and included at **Appendix A**.

4.3.1 Basement

A basement envelope is proposed across the site. The basement envelope will accommodate two (2) levels from the Kent Street streetscape ground floor (RL 19.2m) to the lowest basement level at RL 6.8m.

4.3.2 Podium

The proposed podium envelope responds to the prevailing streetwall character and height along Kent Street and Sussex Street and has been designed to be built to the boundary at both streetscapes and side elevations.

At the Kent Street frontage, the upper podium envelope form (refer to **Figure 33**) has been informed and designed to align with the existing heights of the podiums of adjoining development along Kent Street. This has resulted in a Kent Street streetwall height of up to RL 46.20m (approximately 27m above the Kent Street public domain ground floor plane) and will read as a five (5) storey podium when viewed from the east (refer to **Figure 38**), which is respectful of the prevailing street wall height in the streetscape.

At the Sussex Street frontage, the lower podium envelope form (refer to **Figure 34**) has been designed to height up to RL 34.80m (approximately 25m above the Sussex Street public domain ground floor plane) and will read as a six (6) storey podium when viewed from the west (refer to **Figure 39**). The northern podium envelope setback at the Sussex Street elevation also includes a gradated stepped form so to ensure that a comfortable wind environment can be achieved at the Sussex Street public domain (refer to **Figure 39** below, as well as **Section 9.8** of this report).

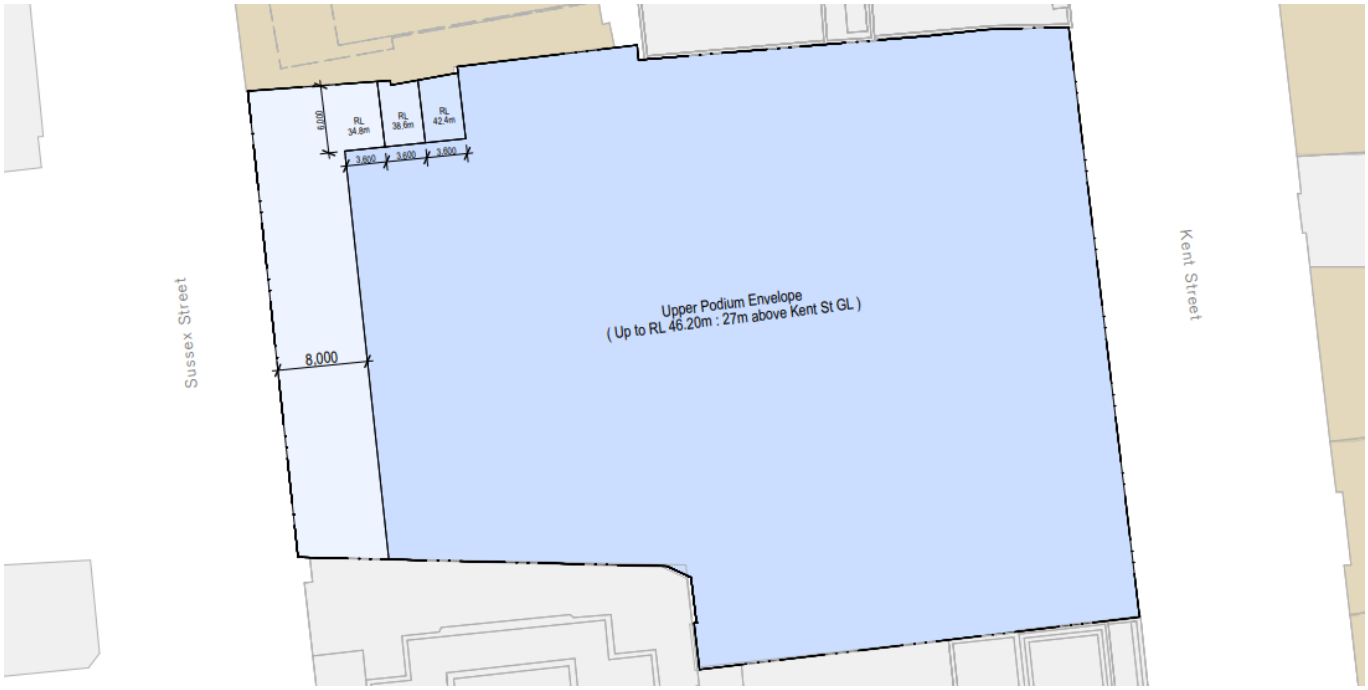


Figure 33 Upper Podium Envelope

Source: FJC

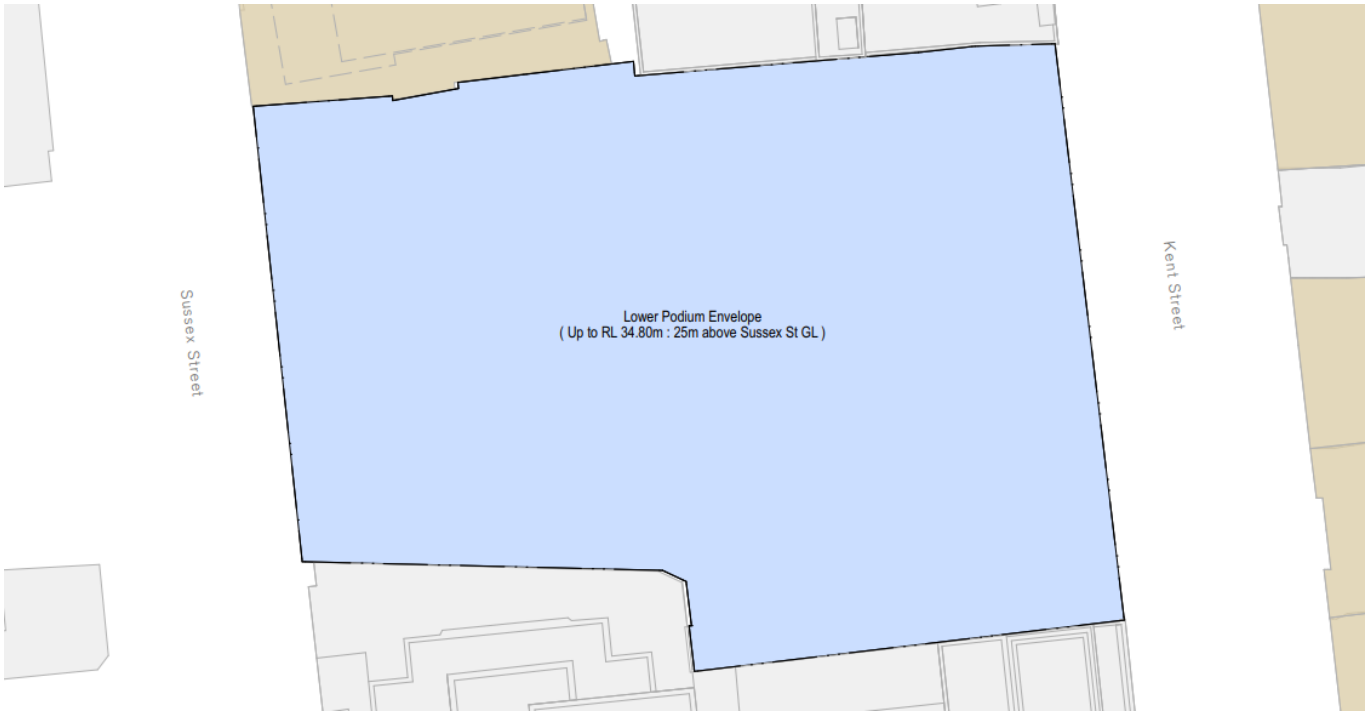


Figure 34 Lower Podium Envelope

Source: FJC

4.3.3 Tower

The maximum height of the tower envelope is RL 189.80m. which is approximately 170m above Kent Street and 180m above Sussex Street. The tower envelope reflects a regular and linear floor plate with the following setbacks above the podium (refer to **Figure 37**):

- A minimum of 8m from Kent Street;
- A minimum of 8m from Sussex Street;
- Between 5.71m and 5.95m from the northern boundary; and
- Between 4.92m and 5.39m from the southern boundary.

The proposed Kent Street tower setback is consistent with the 8m York Street / Clarence Street / Kent Street Special Character Area requirement identified under Section 5.1.1.1 of the Sydney DCP, and is therefore compliant. The proposed Sussex Street tower setback is consistent with the 8m street setback requirement for buildings with a height of greater than 120m, identified within Table 5.2 of Section 5.1.1.1 of the Sydney DCP, and is therefore compliant.

The side tower setbacks have been developed in accordance with Table 5.4 of Section 5.1.1.3 of the Sydney DCP, which requires that side and rear setbacks above the street frontage height for buildings between 120m and 240m should represent 3.33% of the total height of the proposed building. Additionally, the proposed northern and southern setbacks also utilise the flexibility of Section 5.1.1.3 (5) which enables slight variations to side and rear setbacks where the top of the building has been designed with varied heights.

The proposed side setbacks for the tower form above the podium heights are compliant with this DCP provision and (due to the east-west sloping topography of the site) results in varied side setbacks of between 5.71m and 5.95m applied to the northern elevation and 4.92m and 5.39m applied to the southern elevation.

As the height of the proposed building is governed by the no additional overshadowing solar access plane controls, the calculation of the southern side setback has derived from the extrapolation of the proposed height of the building at six (6) key points as they respond to the limits of the solar access plane in these locations. This has resulted in the slightly varied side setback at the southern elevation, as shown in **Figure 35** below.



Figure 35 Proposed Tower Envelope Drawings

Source: FJC

As briefly mentioned above, the top of tower envelope complies with the sun access controls that impact the site so that key public areas being Sydney Square and Town Hall Steps are protected from additional overshadowing caused by development. To achieve compliance, the south-west portion of the height of the tower envelope is chamfered to align with the sun access plane (refer to **Figure 36**), while the north-west portion retains a height of RL 189.80 (refer to **Figure 35**). As illustrated in **Figure 39**, the chamfered envelope extends down to RL 163.124.

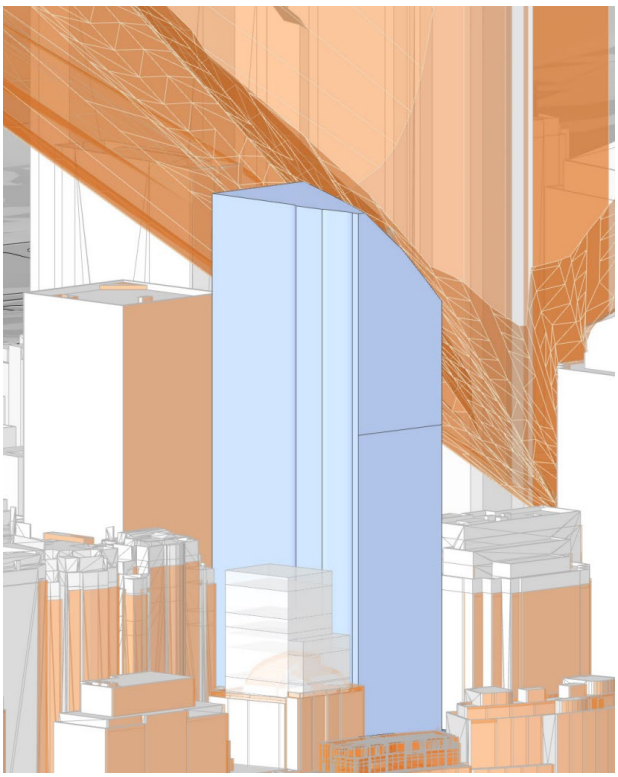


Figure 36 Proposed Planning Envelope with Applicable Overshadowing Controls Illustrated

Source: FJC

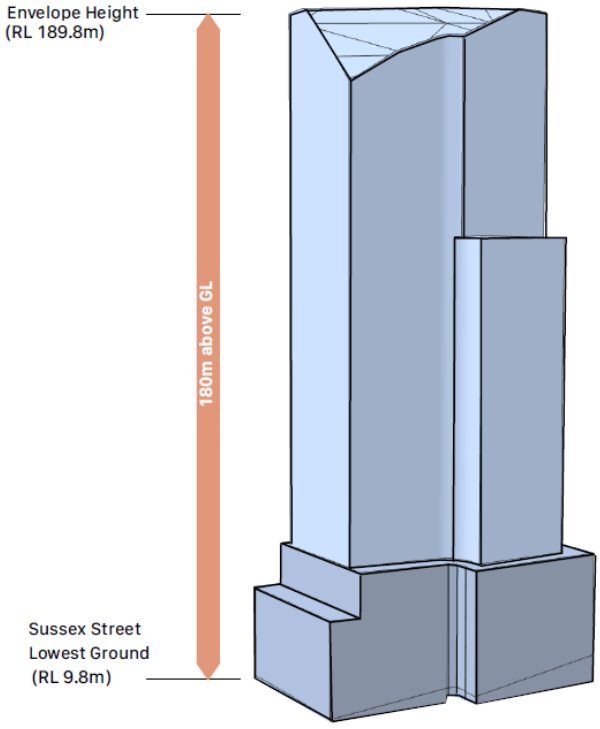


Figure 37 Proposed Planning Envelope – 3D View from the south-west

Source: FJC

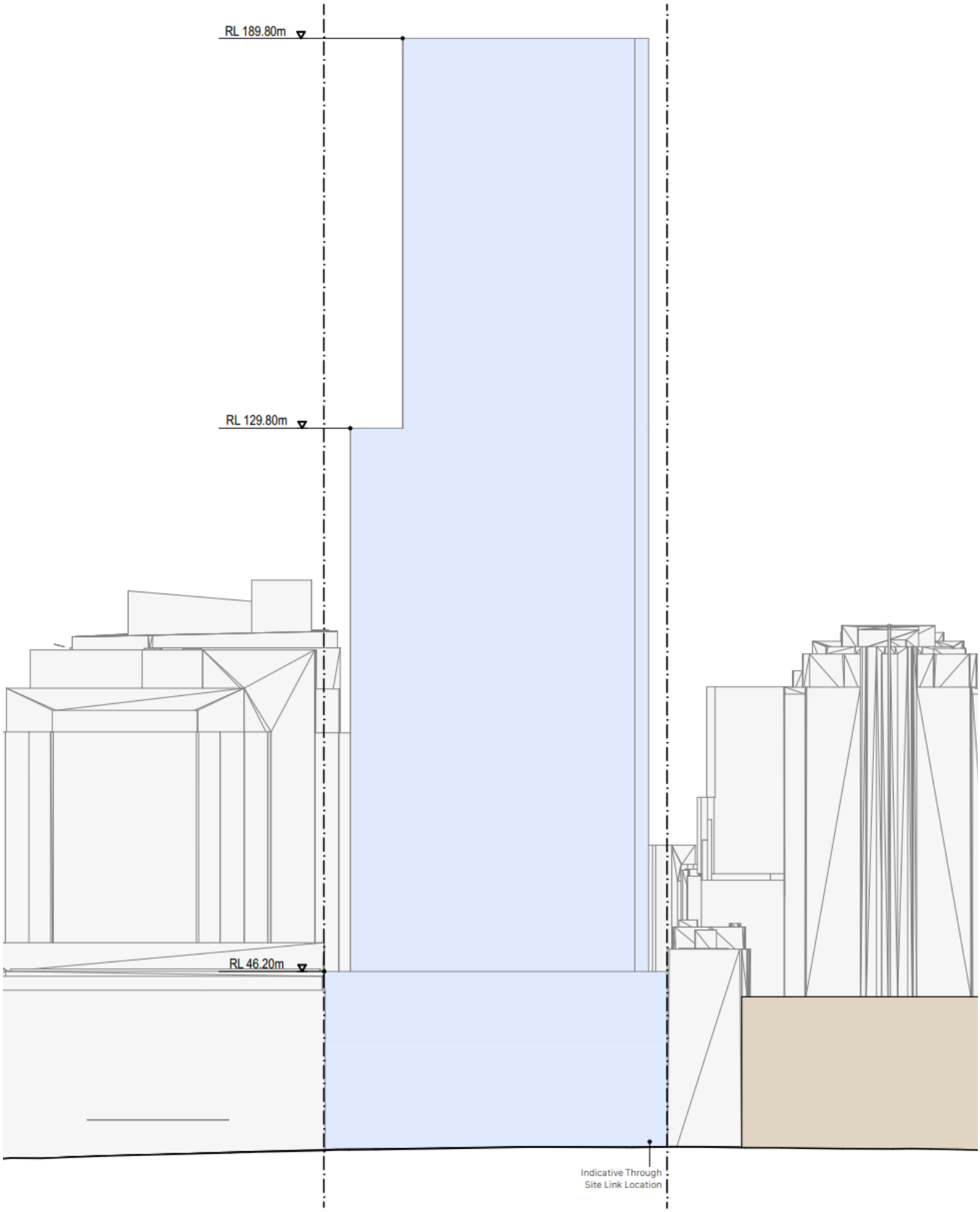


Figure 38 Proposed Planning Envelope Elevation at Kent Street

Source: FJC

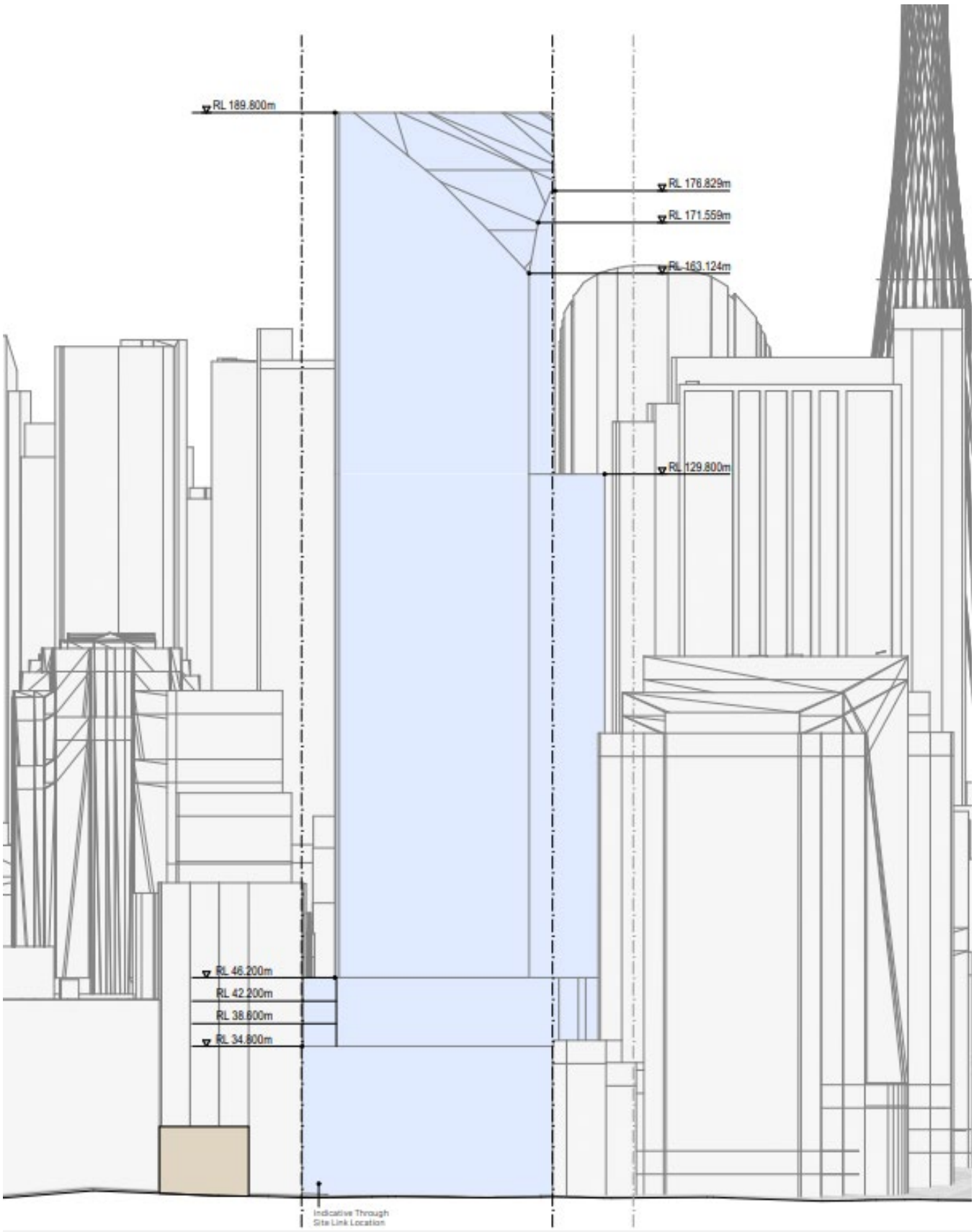


Figure 39 Proposed Planning Envelope Elevation at Sussex Street

Source: FJC

4.4 Indicative Concept Scheme / Reference Design

In order to demonstrate that the proposed planning envelope can deliver a feasible commercial office tower, FJC have developed an indicative reference scheme, demonstrating a 'proof of concept' building for the site to support the amendments to the Sydney LEP 2012 and Sydney DCP. Further details regarding the development outcome capable of being supported through the amendments is provided in the Design Report at **Appendix A**.

It should be noted that the scheme as presented in **Appendix A** is indicative only, and has been prepared to demonstrate that the proposed planning envelope can deliver a viable scheme that tests the proposed amended planning controls. The proposal will progress to an invited architectural design competition (refer to **Section 9.4**) to ensure the highest standard of architectural, urban and landscape design is achieved within the envelope. A summary of the reference design is provided in the following sections.



Figure 40 View of the Indicative Reference Design tower form from the east

Source: Virtual Ideas

4.4.1 Basement

A basement proof of concept is provided in the reference design, incorporating two levels of basement and including mezzanine level that responds to the topography of the site. The basement levels will include:

- End of trip facilities (1,070m^2);
- Wellness / fitness amenities (609m^2);
- Substation, plant room and other mechanical services;
- Waste and storage spaces;
- Precinct retail shared loading dock and retail goods lift; and
- Private basement car parking (72 car spaces).

Basement Level 1 incorporates 72 car parking spaces in accordance with Council requirements and is accessed via a vehicle entrance from Sussex Street. Sussex Street Ground Level incorporates a spatial layout that has been developed to accommodate a Kent Street Logistics Hub that is able to facilitate shared loading, available for public use. The Kent Street Logistics Hub will also include an isolated vertical circulation core that is exclusively dedicated to a goods lift which is able to support the intended function and logistics of the shared loading dock.

4.4.2 Sussex Street Ground Floor

Basement ingress / egress will be accommodated via a singular driveway cross-over at Sussex Street, with no Kent Street vehicular access provided. It also accommodates 218m^2 of end of trip facilities (compartmentalised beneath the Kent Street elevation) and 138m^2 worth of retail GFA that fronts the Sussex Street streetscape (refer to **Figure 41** below).



Figure 41 Sussex Street Ground Level Plan

Source: FJC

4.4.3 Sussex Street Mezzanine

The Sussex Street Mezzanine Level provides below ground end of trip facilities (852m^2) which is located within the eastern portion of the site (refer to **Figure 42**). Within the western portion of this level is a significant void space to the Sussex Street ground floor which benefits the Kent Street Logistics Hub, providing double height ceilings to the shared loading facility, the vehicular ingress, and to the retail tenancies that front Sussex Street in this location.

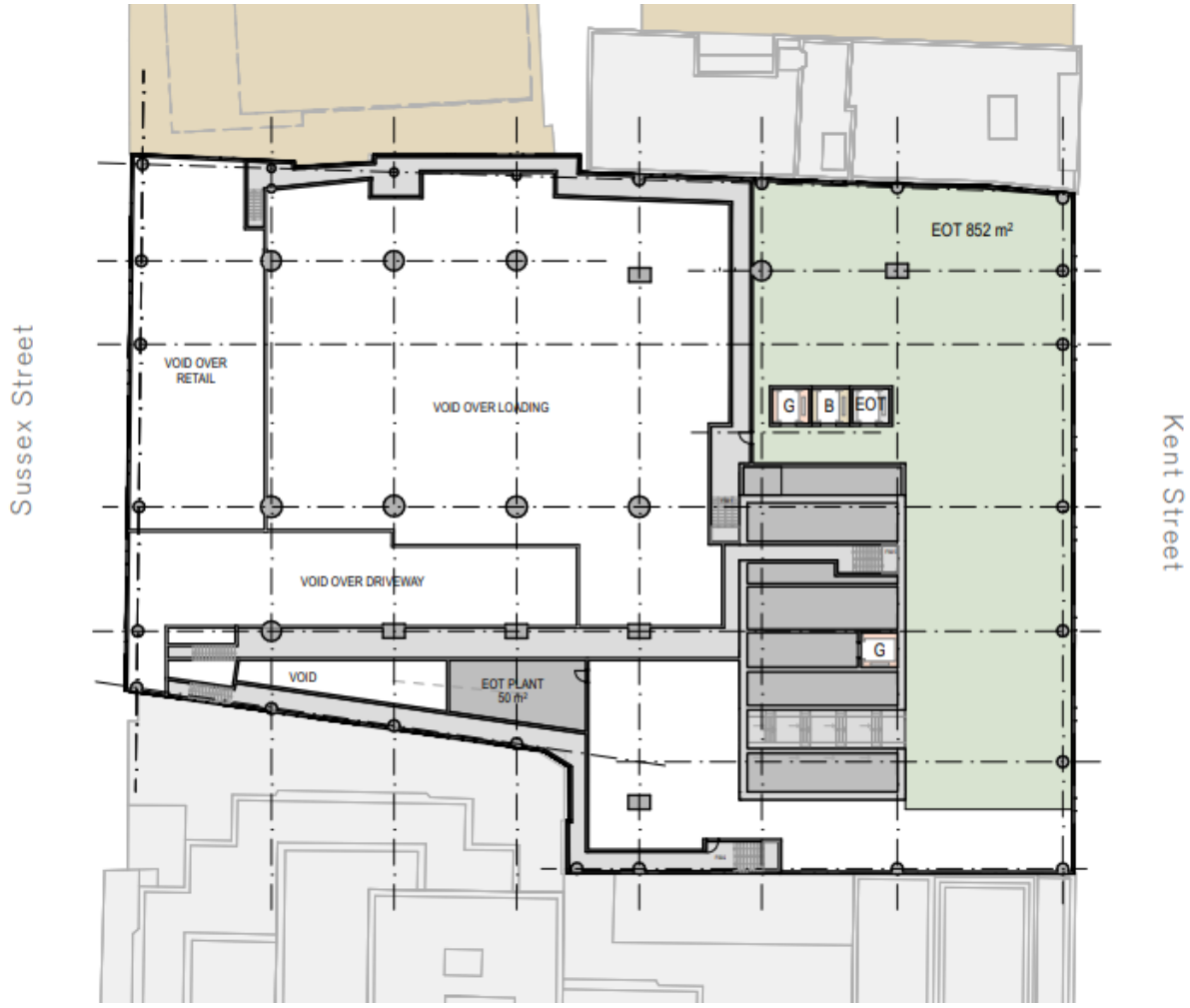


Figure 42 Sussex Street Mezzanine Plan

Source: FJC

4.4.4 Lower Ground Level

The lower ground level of the podium has been designed to concentrate land-uses in a manner that responds to the dramatic topography of the site. The eastern portion of the site at this floor level includes plant services, back of house areas, substation and wellness amenities below ground (refer to **Figure 43**).

This level also comprises a wellness/fitness centre (604m^2), and two retail tenancies (135m^2 collectively) which signify the location of the through-site link that extends to the Kent Street upper ground floor above. The base of the through-site link in this location has been designed to incorporate an 'open to the sky' design feature, with a 39m void space above the through-site link ceiling that is able to provide access to light and air to penetrate this portion of the lower ground floor.

Commercial uses are also introduced at this level as the majority of the western portion of this floor plate seeks to accommodate 1,1570m^2 of office GFA in this location.



Figure 43 Lower Ground Level Plan

Source: FJC

4.4.5 Kent Street Ground Level and Podium

The Kent Street ground level of the indicative scheme incorporates a significant activation strategy, with the lobby forming an interior extension of the public domain associated with the proposed through-site link that will characterise this upper ground level (refer to **Figure 42**). The Kent Street frontage is defined by a lobby edge that extends to the entrance of the through-site link which will be lined by retail offerings, landscaping and public art opportunities.

The podium, which forms the base of the tower, is designed to provide a visually appealing and comfortable pedestrian experience, incorporating elements such as public seating, green spaces, and active street frontages. As previously mentioned, the podium envelope has been developed to meet the prevailing streetwall character along Kent Street and Sussex Street. The indicative reference design has incorporated a design that aligns with the prevailing architectural character, scale, and materials of the area, to illustrate that the new development positively contributes to the streetscape while preserving the historical integrity and visual coherence of Kent Street (refer to **Figure 45**).

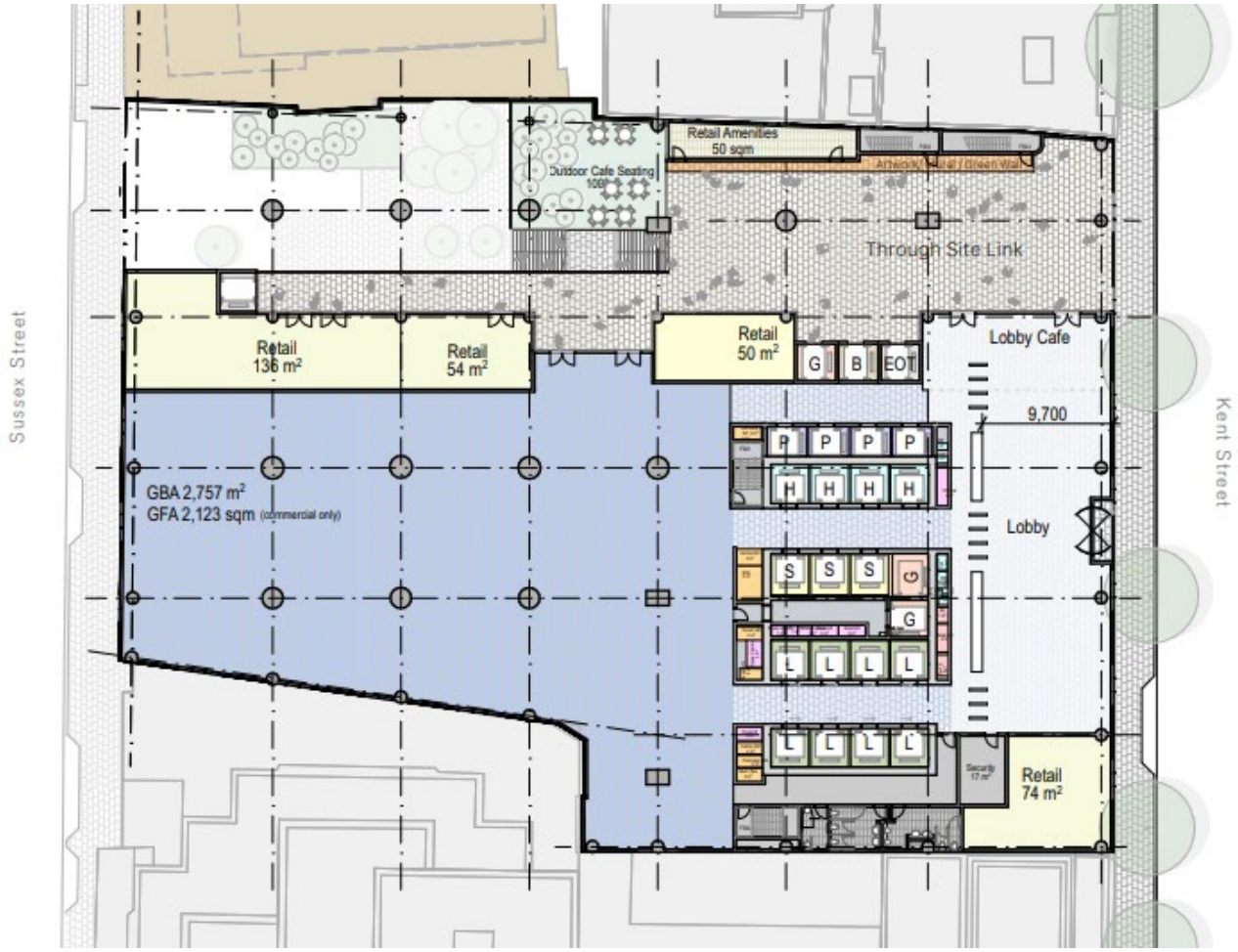


Figure 44 Kent Street Ground Level

Source: FJC



Figure 45 View of the Indicative Reference Design podium as viewed from Kent Street Ground Level

Source: Virtual Ideas

4.4.6 Through-Site Link

As mentioned in **Section 4.4.4** and **4.4.5** above, the podium has been further articulated through the provision of a generous laneway through-site link, connecting Sussex Street and Kent Street. This through-site link has been designed to conform to the dramatic slope between Kent Street in the east and Sussex Street in the west and incorporates a gradual stepped form that is broken up by staircases and landings, and activated by landscaping and retail spaces that line its perimeter (refer to **Figure 46** to **Figure 49**).

Furthermore, the configuration of the through-site link has been designed in principle with FJC and as a result, maximises several design features of this link, including:

- Adopting a width of 13m to prioritise pedestrian movement and facilitate a meeting place;
- Include generous ceiling heights by proposing a 10m height to the ceiling at the Kent Street elevation, and extending to a ceiling height of 20m at the Sussex Street elevation;
- Incorporates a 39m wide 'open to the sky' approach at the Sussex Street elevation by utilising 41% of through-site link space as being an open void that maximises on light, air and visual connection through to Sussex Street;
- Enables clear lines of sight between Kent Street and Sussex Street, in accordance with Section 3.1.2.2 of the Sydney DCP.
- Integrated lift access between Kent Street, Lower ground and Sussex Street levels; and
- Retail tenancy activation at the Kent Street ground, lower ground and Sussex Street Ground Level's and landscaping.



Figure 46 View of the Indicative Reference Design as viewed from Kent Street Ground Level

Source: Virtual Ideas

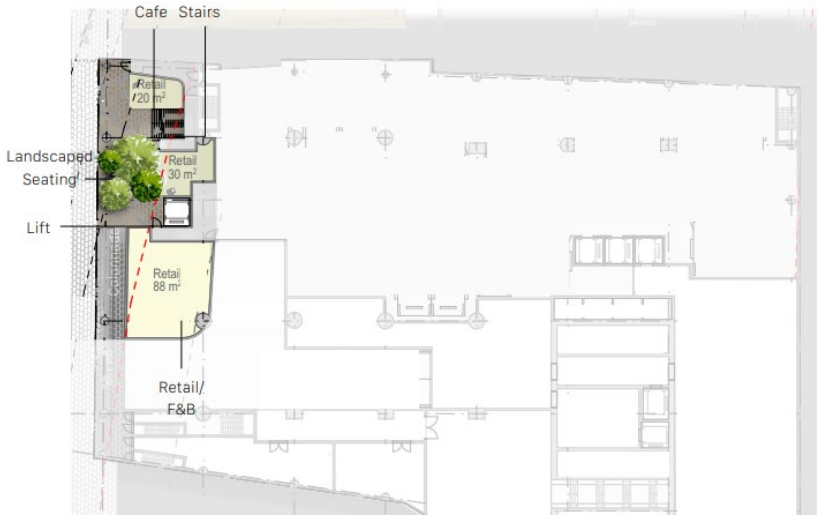


Figure 47 Indicative Through-Site Link Design – Sussex Street Ground Level

Source: FJC



Figure 48 Indicative Through-Site Link Design – Lower Ground Level

Source: FJC



Figure 49 Indicative Through-Site Link Design – Kent Street Ground Level

Source: FJC

4.4.7 Tower

The reference design includes the lift and service cores in the south-east corner of the tower, and within the low rise portion of the tower there is the potential for permeable façades with strong vertical and horizontal shading elements (refer to **Figure 50**). A vertical wintergarden concept is proposed throughout the tower form (concentrated predominantly at the western elevation) which provides opportunities to 'green' the tower as part of an articulated design response. The stepped form of the planning envelope in this location allows for open space balconies and winter gardens to form a key feature of the façade, providing a tangible greening benefit through perceivable landscaping opportunities (refer to **Figure 51** and **Figure 52**).

The low rise component of the tower begins above the podium (Level 6) and extends to Level 26 where the southern tower element finishes (refer to **Figure 53**). Level 15 comprising a plant room with terraces and wintergardens to the west. The mid-rise component of the tower includes Levels 27 to 37 (refer to **Figure 54**).

The high rise component of the tower includes Level 38 to 40 and includes large terraces and wintergardens with a setback south-western corner to comply with the proposed planning envelope which is determined by the relevant clause 6.18 Sydney LEP solar restrictions to key public places. Level 41 and 42 of the tower are designated as plant areas (refer to **Figure 55**).



Figure 50 Elevated view of the indicative reference design along Kent Street looking north-west

Source: Virtual Ideas



Figure 51 View of Indicative Reference Design roof terraces looking north-east

Source: Virtual Ideas



Figure 52 Render of typical office floor with access to terrace and interconnecting stairs

Source: FJC

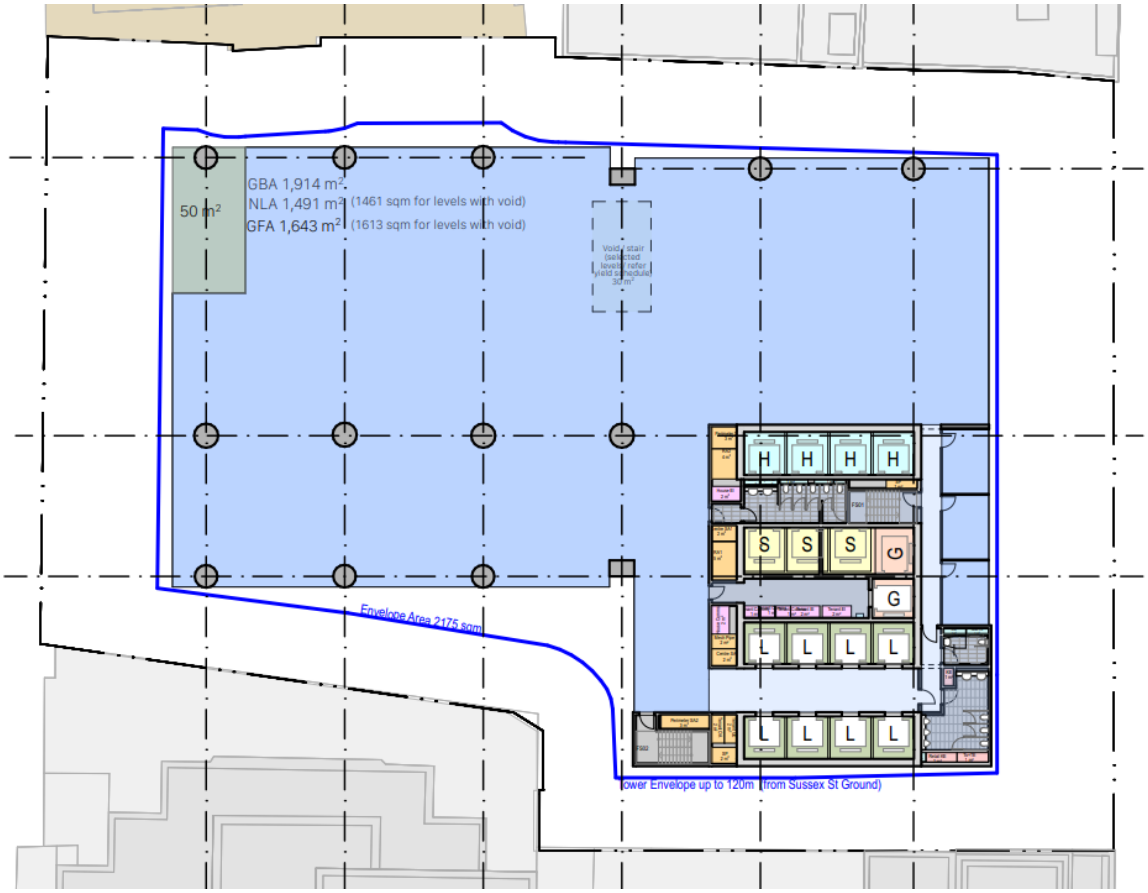


Figure 53 Typical Low Rise Level Plan

Source: FJC

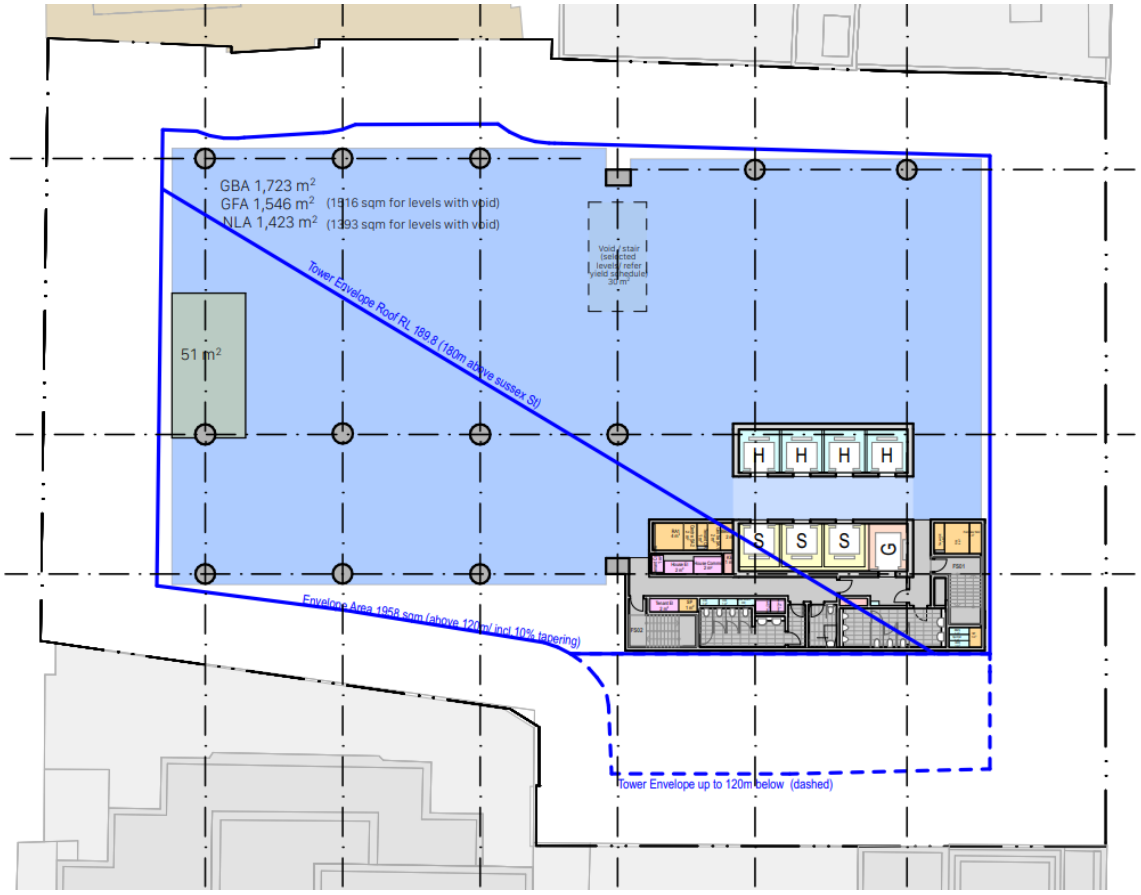


Figure 54 Typical Mid Rise Level Plan

Source: FJC

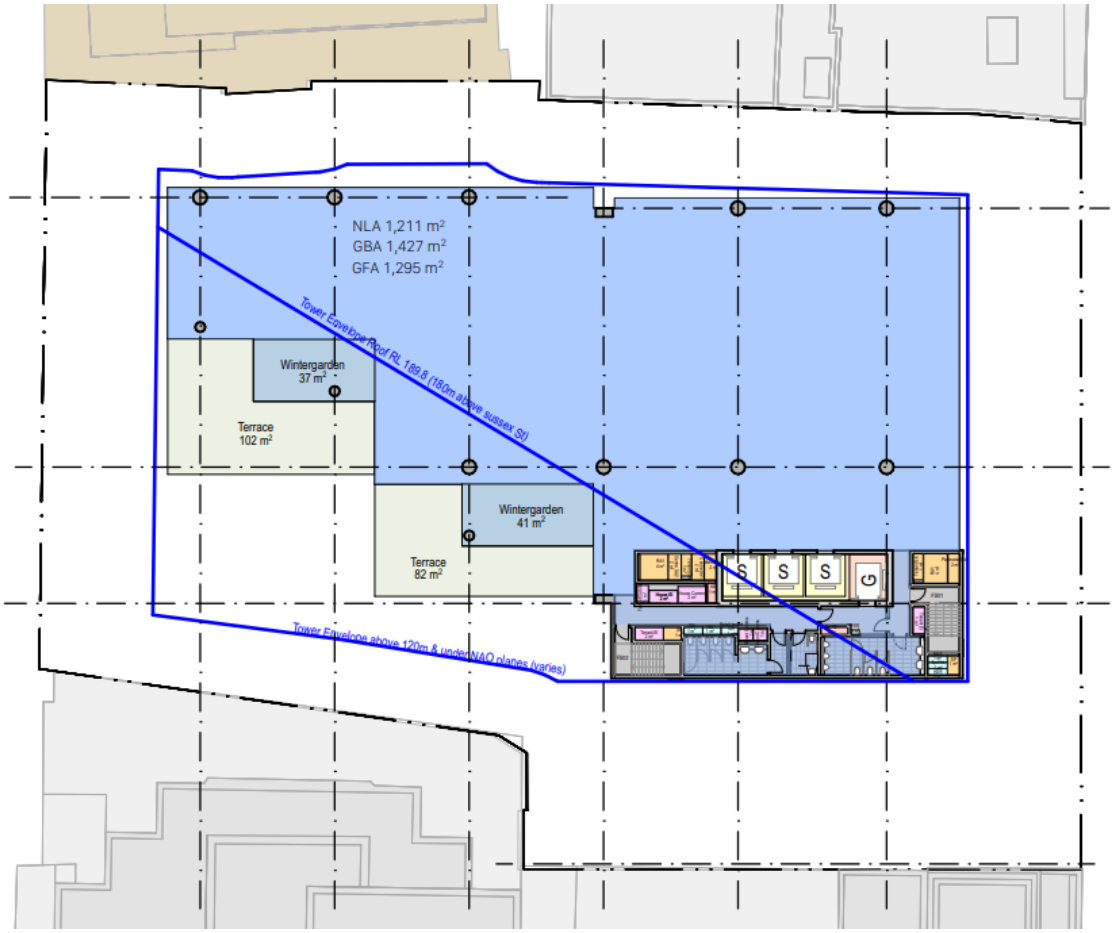


Figure 55 Typical High Rise Level Plan (Level 40)

Source: FJC

4.5 ESD Infrastructure

Ecologically sustainable development (ESD) principles form a key part of this proposal. A vital piece of Charter Hall's vision for the proposal is to showcase proven industry-leading performance in sustainable design, construction and operation. An extensive amount of research and analysis has been undertaken to establish and integrate sustainable design principles into the indicative reference scheme, consistent with the City's sustainability targets and Charter Hall's own Office ESG Targets.

This Planning Proposal has established sustainability targets that exceed the City's sustainability requirements for certain large commercial development with the proposal expected to be 100% renewable in operation, supported by high energy efficiency and energy generation. The indicative reference design has been formulated as a benchmark that demonstrates the ability for a future tower on the site to achieve the sustainability targets.

The sustainability targets form part of the Public Benefit Offer and include:

- 6-star Green Star Design & As Built v1.0 certified rating target, including 20% reduction in embodied carbon;
- 5.5 Star NABERS Energy rating (Commitment Agreement);
- 4 Star NABERS Water rating (Target);
- 5 Star NABERS Waste rating (Target);
- WELL Core Platinum (Target); and
- 100% renewable energy in operation.

The building will target a 6 Star rating with the new Green Star Buildings v1 tool. The Green Star rating tool was updated in 2020 replacing the Green Star Design and As Built v1.3 tool and the new tool is significantly more stringent and challenging when compared with the previous tool. The proposed sustainability strategy is set out in detail within the ESD Report prepared by LCI Consultants (**Appendix E**).

The indicative reference design has considered the operational impact of the building and has sought to reduce energy and water usage through careful consideration of passive design features of the building façades, and services design. The reference scheme has also sought to be a desirable workplace for individuals through the project's holistic ESD approach which also addresses indoor environmental quality, material selections, transport, ecology and access to nature and fresh air, and the development's overall sense of community.

Specifically, the reference scheme has incorporated the following elements to contribute towards the sustainability strategy:

- Façade with high performing glazing and external shading elements where appropriate;
- A high efficiency HVAC system including electric heat pumps will assist in targeting the aspirational 5.5 Star NABERS Base Building Energy rating;
- Consideration of rooftop photovoltaic (PV) solar system and façade integrated PV panels to reduce carbon emissions;
- Biodiversity and Connection to Nature strategy through inclusion of outdoor terraces to select floors;
- LED lighting throughout the building;
- Renewable energy procurement for a period of at least 5 years equivalent to be "net zero energy" in operation;
- High efficiency fixtures and rainwater harvest and storage used in a dual reticulation strategy to minimise potable water consumption;
- Daylight to floor plates on the perimeter;
- Bike facilities and end of trip facilities to promote active modes of transport;
- Removal of the existing paid public car park, provision of significantly fewer parking spaces, and provision of electric vehicle infrastructure; and
- 20% Reduction in Embodied Carbon and 90% construction waste diverted from landfill.

Given this project is being designed for its lifecycle, and given the rapid advancements in ESD infrastructure, flexibility is required to allow the project to respond to changing infrastructure solutions and tenant demands in Central Sydney. The exact technology, or combination of technologies, will be determined as part of the future detailed Development Application (DA) process.

4.6 Kent Street Logistics Hub

In order to support Council's objective of removing on street loading as articulated in the *Central Sydney Infrastructure Plan 2020* and to support surrounding businesses that are not afforded adequate loading capacity, Charter Hall is proposing a Kent Street Logistics Hub to be delivered as part of works-in-kind agreement. It is formalised by a Public Benefit Offer included as part of this Planning Proposal at **Appendix D**, and discussed in **Section 4.7** below.

Charter Hall sees the renewal of the site as an opportunity to provide a common loading facility to streamline neighbouring logistics for retail and commercial uses along Kent Street, consistent with the vision set by the CSPS. It will deliver a select number of shared spaces within the basement loading dock for use by neighbouring business tenancies along Kent Street which are unable to achieve adequate access to loading dock facilities due to site constraints such as heritage buildings.

The Kent Street Logistics Hub will help minimise the general impacts of loading and unloading on the Kent Street streetscape, where these services compete with short term parking, bike lanes and pedestrian activity. The primary principle for this facility is to unlock retail opportunities within the precinct that are currently constrained by inadequate loading facilities. It has the added benefit of putting pedestrians first by isolating vehicular access to Sussex Street only, resulting in greater ground plane activation and amenity for Kent Street.

The Kent Street Logistics Hub will deliver 7 shared loading bays comprising 1 MRV bay, 2 SRV bays and 4 courier bays which has been informed through a loading dock assessment prepared by Stantec (refer to **Appendix J**). Access to the shared loading dock is located at the Sussex Street ground level and will be enabled by a singular point of vehicle ingress and egress at the Sussex Street frontage as illustrated in **Figure 41** and discussed further at **Section 9.10.4**.

4.7 Public Benefit Offer

A Public Benefit Offer (PBO) has been prepared by Charter Hall and included at **Appendix D**. It has been prepared in accordance with the Guideline with the intent to enter into a Voluntary Planning Agreement (VPA) with the City of Sydney for the purposes of section 7.7(3) of the EP&A Act. The proposed PBO comprises:

- **Works-in-kind**
- **Kent Street Logistics Hub** –
  - The Kent Street Logistics Hub is shared loading dock designed to provide a central loading facility for the public, particularly to those located within the immediate precinct that are constrained by the heritage nature of the area. With service vehicles accounting for up to 60% of all on street parking demand on Kent Street alone, the Kent Street Logistics Hub will not only provide shared loading facilities to the public, but benefit the City long term by:
    - Minimising on-street loading activities and reducing driveway crossovers, therefore promoting pedestrian and cyclist safety first;
    - Increasing the future viability of nearby business offerings currently constrained by inadequate loading facilities;
    - Facilitating the removal of kerbside parking, enabling the extension of footpaths for pedestrians and further, offering space for outdoor dining/ seating; and
    - Enabling adjacent laneways and rear courtyards to be adapted from service lanes to future outdoor public amenity.

    As a works in kind offer, the Kent Street Logistics Hub will consist of 7 spaces (1 MRV + 2 SRVs + 4 vans) and will be accessed via Sussex Street. Managed by Charter Hall, users will be able to transport goods from Sussex Street or Kent Street via a goods lift. Loading hours will be in line with Council's current arrangement with a system to accommodate bookings and access implemented by Charter Hall, including a process to manage after-hours access as required.

    The Kent Street Logistics Hub will be secured via a public positive covenant under s88E of the Conveyancing Act and will be linked to the conditions of the final Development Approval. The public positive covenant will be registered on title in favour of the City. The Covenant will reflect the following principles:
    - Number of bays: 7 x loading dock bays (1 MRV + 2 SRVs + 4 vans)
    - Loading arrangements will be in line with the Council's existing conditions on Kent Street being 6am to 6pm weekdays, 7am to 10am Saturday with maximum 30-minute duration of stay to encourage turnover.
    - Charges for use will be equivalent to or no more than Council's charges for on street loading in Kent Street from time to time, (or if Kent Street loading is not provided by Council in the future, an equivalent street in Central Sydney).
    - A system will be provided by the owner to accommodate bookings and access, including a process to manage after-hours access if required.
    - Spatial requirements including vertical clearance of the loading bays will meet requirements of Section 3.11.13 of the Sydney DCP.
    - Sufficient space will be provided to each bay for the purpose of providing temporary set down areas for the duration of stay.
    - Drivers must adhere to the requirements of the loading dock management plan and its intended use, including completing any required security details to manage access.
    - The upkeep remains the responsibility of the owner without creating further burden on the City's resources.
  - **Pedestrian Through-Site Link** – Construction of a pedestrian through-site link to facilitate a new east to west pedestrian link, connecting Kent Street to Sussex Street through the site. This through-site link will be secured via an easement registered on the land title for unrestricted public access, but will remain in private ownership, ensuring its upkeep remains the responsibility of the owner without creating further burden on the City's resources. The specific details of the pedestrian through-site link will be subject to detailed design development, which will be supported by an easement plan clearly outlining the parameters of this works in kind contribution.
- **Sustainability commitments**
  - In accordance with the Planning Proposal, Charter Hall is committed to delivering the following:
    - 6-star Green Star Design & As Built v1.0 certified rating, including 20% embodied carbon reduction;

- 5.5 Star NABERS Energy rating (Commitment Agreement);
- 4 Star NABERS Water rating (target);
- 5 Star NABERS Waste rating (target);
- WELL Core Gold (Commitment Agreement);
- WELL Core Platinum (Target); and
- 100% renewable energy in operation.

5.0 Part 1 – Objectives and Intended Outcomes

This Planning Proposal has been prepared in accordance with Section 3.33 of the EP&A Act and *'A Guide to Preparing Planning Proposals'*, which requires the following matters to be addressed:

- **Part 1** – A statement of the objectives and intended outcomes of the proposed instrument.
- **Part 2** – An explanation of the provisions that are to be included in the proposed instrument.
- **Part 3** – The justification for those objectives, outcomes and the process for their implementation.
- **Part 4** – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies.
- **Part 5** – Details of the community consultation that is to be undertaken on the planning proposal.
- **Part 6** – A project timeline outlining the key steps and timeframes of implementing the changes.

The following section outlines the objectives and intended outcomes and provides an explanation of provisions in order to achieve those outcomes. The justification and evaluation of impacts is set out in **Section 6.0** of this report.

Objectives

The intent of this Planning Proposal is to make a site-specific amendment to the Sydney LEP 2012 to permit additional height and floor space on the site to accommodate employment generating floor space. More specifically, the objectives and intended outcomes of this Planning Proposal are to:

- Deliver Charter Hall's vision for the site and project as a premium grade office tower, providing a new benchmark for quality and sustainability within the CBD's western edge.
- Implement Council's vision for the Sydney CBD to accommodate global office towers within an identified area (i.e. tower cluster area) considered suitable for uplift and additional employment generating floor space above the existing controls;
- Capitalise on an unconstrained and large single lot at the western edge of the Sydney CBD to facilitate a great opportunity for additional employment floor space, thereby promoting the more efficient use of land on a site that is strategically and site specifically suitable for greater uplift;
- Provide a significantly improved urban design and pedestrian experience at ground level creating enhanced street activation and the protection of sunlight and appropriate wind conditions;
- Deliver a pedestrian through-site link between Kent Street and Sussex Street that will contribute to a more permeable and walkable Sydney CBD and provide a key east-west link;
- Remove existing 10-storey car parking (comprising approximately 800 car spaces) and Kent Street vehicle ingress/ egress, greatly improving pedestrian amenity and introduction of new retail activation at the ground plane, encouraging further use of surrounding streetscapes for social connection and encouragement of public transport utilisation.
- Deliver a Kent Street Logistics Hub to support the surrounding precinct as a tower cluster site not restricted by heritage buildings or land ownership conflict.
- Further strengthen and protect the commercial core of global Sydney; and
- Establish a framework for a future building to achieve design excellence and for the delivery of best-practice sustainable design.

Through the proposed amendments, this Planning Proposal will enable a commercial office tower to be developed on the site at a maximum height of RL 189.80 and 73,191m^2 of GFA, including office premises and retail premises floor space, with an FSR of 20:1 above ground and 0.30:1 below ground.

6.0 Part 2 – Explanation of Provisions

The overarching purpose of this Planning Proposal is to facilitate the redevelopment of the site for a premium grade office tower which achieves the highest standard of design, provides valuable, usable public benefits, delivers strategic employment floor space and meets world-class sustainability objectives in line with the vision of the CSPS.

The objectives and intended outcomes identified in Part 1 (**Section 5.0**) are intended to be achieved by permitting more height and floor space on the site through a new site-specific clause within the Sydney LEP 2012 and amendments to the Sydney DCP, as set out below.

6.1 Amendments to the Sydney Local Environmental Plan 2012

The amendments proposed to the Sydney LEP 2012 will be in the form of a new site-specific clause in Division 5 (site specific provisions). The proposed new site-specific clause will be required to nominate:

- That the site is as follows:
  - 383 Kent Street, Sydney, being Lot 1, in DP 778342.
- To permit a maximum height of RL 189.80.
- To permit a maximum FSR of 20:1 above ground and 0.30:1 below ground.

The proposed new site-specific clause is set out below:

Clause X – 383 Kent Street, Sydney

(1) The objectives of this clause are to:
- *a) encourage land uses other than residential accommodation or serviced apartments.*
- *b) encourage new development which complements the surrounding area.*
- *c) require the removal of commercially operated car parking.*
- *d) The provision of a pedestrian connection connecting Kent Street and Sussex Street.*

(2) This clause applies to 383 Kent Street, Sydney, being Lot 1, DP 778342.

(3) Despite any other provision of this plan, a building on the land to which this clause applies may have a maximum height of RL 189.80 metres.

(4) Despite any other provision of this plan, a building on the land to which this clause applies may have a maximum FSR of 20:1 at or above ground level, comprising:
- *a) mapped floor space ratio under clause 4.4, and*
- *b) accommodation floor space under clause 6.4, and*
- *c) end of journey floor space under clause 6.6, and*
- *d) an amount of site specific floor space, and*
- *e) an amount of additional floor space to be determined by the consent authority, of up to 10% if the building demonstrates design excellence within the meaning of clause 6.21D(3)(b).*

(5) The maximum floor space ratio for a building on the land below ground level (existing) to which this clause applies is 0.30:1.

(6) Clause 6.21D(3)(a) does not apply to the development on the subject land to which this clause applies.

(7) Development consent must not be granted for development under subclause (3) unless the consent authority is satisfied that the building will:
- *a) include a pedestrian through-site link connecting Kent Street and Sussex Street, and*
- *b) not be used for the purposes of residential accommodation or serviced apartments, and*
- *c) not be used for the purposes of a commercial car park.*

6.2 Amendments to the Sydney Development Control Plan 2012

To provide certainty of the built form and design outcomes, a Site-Specific DCP has been prepared and is provided at **Appendix S**. The Site-Specific DCP will provide further detail and guide the proposal's built form and other design details in line with those outlined in this Planning Proposal. This section also satisfies clause 7.20 of the Sydney LEP 2012, which requires a Site-Specific DCP to be prepared for development for the purpose of a new building.

7.0 Part 3 – Justification

7.1 Section A – Need for a Planning Proposal

7.1.1 Q1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

Central Sydney Planning Strategy

The CSPS is the guiding strategic document for Central Sydney over the coming 20 years. The Strategy responds accordingly with 10 key moves and an overall emphasis to position and strengthen Sydney as Australia's leading global city.

This Planning Proposal aims to give effect to the priorities and actions of the endorsed CSPS through the cementing of the western edge as an employment location further strengthening and protecting the commercial core of global Sydney, while also delivering a scheme focused on sustainability and public spaces.

Specifically, this Planning Proposal:

- Supports increased capacity for economic and employment growth intended in Central Sydney, and assist in reaching its prescribed job targets (given it is intended to provide for a full commercial development) (**Action 1.1**);
- Supports the vision and implementation of Council's CSPS, given it supports greater height and floor space for employment generating uses in line with the sites identification within a nominated tower cluster zone (**Action 2.1**) (**Action 3.1**);
- Protects the overshadowing of significant public places consistent with the No Additional Overshadowing controls (**Action 4.7**);
- Delivers a Kent Street Logistics Hub that will support the future business viability of the precinct by providing loading dock facilities to surrounding heritage and small sites along Kent Street that are not afforded adequate loading space (**Action 19.1**);
- Provides a significant improvement in pedestrian circulation at the ground plane through the provision of a pedestrian through-site link which will activate the ground plane and provide an important link between Kent Street and Sussex Street (**Action 21.6**); and
- Contributes to a Central Sydney landscape that genuinely embodies better buildings and places that reduce energy and water usage and increases energy generation to achieve best practice targets (**Action 26.4**).
- Provides in excess of the required articulation percentage.

City Plan 2036 – City of Sydney LSPS

This Planning Proposal aims to give effect to several planning priorities and actions within *City Plan 2036* – the City of Sydney Local Strategic Planning Statement (LSPS). Council's LSPS was endorsed by Council on 17 February 2020, and represents Council's 20-year vision and strategy for the LGA's future direction on infrastructure, liveability, productivity and sustainability.

The LSPS implements the planning priorities and actions identified in the Greater Sydney Regional Plan and Eastern City District Plan at the local level. It is also informed by Council's platform policy Sustainable Sydney 2030, CSPS and Employment Lands Strategy. Importantly, it will underpin any future changes to Council's Local Environmental Plan and Development Control Plan.

The LSPS sets an LGA jobs target of 200,000 by 2036. Central Sydney will accommodate 101,800 of these additional jobs through the implementation of the CSPS and the capacity above the existing planning controls identified within that Strategy expected to deliver 47,000 of these jobs.

This Planning Proposal is in alignment with the LSPS and jobs target, delivering 6,000 jobs in operation and 411 during construction, representing a significant increase above the potential capacity of the existing commercial buildings on the site or what would be achievable within the existing planning controls.

Council has within its LSPS outlined its strategic and site-specific 'principles for growth' that it will use as a guide in considering planning proposals for additional development capacity. This Planning Proposal is consistent with the strategic policy context which confirms consistency with the strategic principles for growth (refer to **Section 7.2**).

In terms of the site-specific principles for growth, this Planning Proposal is also consistent with the LSPS given:

- The site is located in walking distance to several existing and future public transport services;
- The proposal will achieve industry leading sustainability standards, including:
  - 6 Star Green Star Design & As Built v1.0 certified rating target, including 20% embodied carbon reduction;
  - 5.5 Star NABERS Energy rating (Commitment Agreement);
  - 4 Star NABERS Water rating (Target);
  - 5 Star NABERS Waste rating (Target);
  - WELL Core Gold (Commitment Agreement);
  - WELL Core Platinum (Target); and
  - 100% renewable energy in operation.
- Any negative external impacts that may arise as a result of the sites redevelopment can be appropriately mitigated (refer to environmental assessment in **Section 9.0**);
- The proposal contains employment-generating floor space, capitalising on the site's location in the commercial core of the Sydney CBD; and
- The proposal will provide public benefit through the provision of perceivable ESD infrastructure, improved pedestrian accessibility and amenity, public art activation and will achieve design solutions for environmental excellence.

7.1.2 Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This Planning Proposal is considered the best way of achieving the objectives and intended outcomes because:

- It seeks to amend the Sydney LEP 2012 to respond to Council's position and framework on unlocking additional height and commercial floor space in Central Sydney for employment generating land uses, at nominated tower cluster locations;
- It will deliver the highest and best use on a site that is unconstrained as identified by the CSPS which is demonstrated throughout this Planning Proposal;
- It will give both Council and the landowner certainty as to the development outcomes expected on the site; and
- The site under the existing controls is limited to an FSR of 15.75:1. Given the single large lot and landholding and unconstrained nature of the site, redeveloping under the current controls is not considered to achieve, or most appropriately utilise the site for:
  - Deliver a global office tower within an identified tower cluster area as nominated in the Central Sydney Planning Strategy;
  - Strengthen and protecting the commercial core of Global Sydney;
  - Provide greater supply of A-grade (or higher) commercial floor plates in a location with very high public transport accessibility;
  - Deliver on the public benefit offers and provide perceivable sustainability initiatives in line with recent City of Sydney policy to create climate positive change.

7.2 Section B – Relationship to Strategic Planning Framework

7.2.1 Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Greater Sydney Region Plan – A Metropolis of Three Cities

The *Greater Sydney Region Plan* is the overarching strategy for growing and shaping the Greater Sydney Area. It sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters. The plan was adopted in March 2018, and seeks to reposition Sydney as a 'Metropolis of Three Cities', comprising the Western Parkland City, the Central River City, and the Eastern Harbour City. In the same vein as the former *A Plan for Growing Sydney*, the Plan provides 10 high level policy directions supported by 40 objectives that inform the District Plans, Local Plans and planning proposals which follow in the planning hierarchy.

The proposal is consistent with the directions under the Plan outlined in **Table 4** below, which govern growth and development in Sydney.

Table 4 Consistency of the proposal with the Directions of the Greater Sydney Region Plan

Direction	Consistency of the Proposal with the Direction
A City Supported by Infrastructure	• The proposal supports the delivery of higher capacity development in line with recent infrastructure investment being undertaken by local and State government (i.e. Sydney Metro and Light Rail).
A City for the People	• The proposal will support development capable of achieving high sustainability standards, including: – 6 Star Green Star Design & As Built v1.0 certified rating target, including 20% embodied carbon reduction; – 5.5 Star NABERS Energy rating (Commitment Agreement); – 4 Star NABERS Water rating (Target); – 5 Star NABERS Waste rating (Target); – WELL Core Gold (Commitment Agreement); – WELL Core Platinum (Target); and – 100% renewable energy in operation. • The proposal supports people to walk, cycle and use public transport through improved pedestrian connections (including new through-site link), end of trip facilities and new bicycle parking.
Housing the City	• The proposal seeks to facilitate future commercial development, not residential. • The development seeks to continue the existing use of the site as a destination for employment and retail. • The proposal is in full alignment with Council's key policy direction to deliver increased employment opportunities within Central Sydney, reinforcing the City's role as Australia's economic engine and Australia's only global city.
A Well-Connected City	• The proposal will seek to deliver additional commercial floor space, and in doing so will connect new jobs to high-capacity transport. This will take advantage of substantial investment in public transport infrastructure, and support the achievement of a '30-minute city'. • In addition, the provision of a pedestrian through-site link connecting Kent Street and Sussex Street will further increase pedestrian permeability and interconnectivity in Central Sydney.
Jobs and Skills for the City	• The proposal seeks to significantly increase the density of commercial floor space on the site, while also delivering premium-grade office floor space. It will significantly contribute to jobs and skills for the city with an estimated 6,000 operational jobs and 411 construction jobs generated from the proposal. • In conjunction with commercial office floor space, associated retail will also be delivered that support the diversity of functions in the CBD and encourage activity at the ground plane and support the activation of the pedestrian through-site link.
A City in its Landscape	• The proposal seeks to establish sustainability at its core which includes greening of the tower with the reference scheme comprising wintergardens. The public domain will also be designed to incorporate planting. • The proposal also seeks to establish its connection to country through the establishment of the Connecting with Country Strategy prepared by Yerrabingin (**Appendix F**), discussed in **Section 9.7**.
An Efficient City	• A key initiative of the proposal is to deliver an exemplar sustainable with commitment towards high sustainability targets that will raise the bar for sustainability along the CBD's western edge.
A Resilient City	• The proposal has sought to minimise exposure to natural hazards by ensuring that future development is not affected by flooding. • The environmental initiatives implemented through the development will contribute to enhanced environmental outcomes and seek to mitigate impacts related to climate change and urban heat.

Eastern City District Plan

The *Eastern City District Plan* underpins the *Greater Sydney Region Plan* and sets the 20-year vision for the District through 'Planning Priorities' that are linked to the Region Plan. Under this Plan, the site is strategically located within the CBD of the Eastern City and the Eastern Economic Corridor (refer to **Figure 56** below). Key priorities of the District Plan which this Planning Proposal gives effect to are elaborated below.

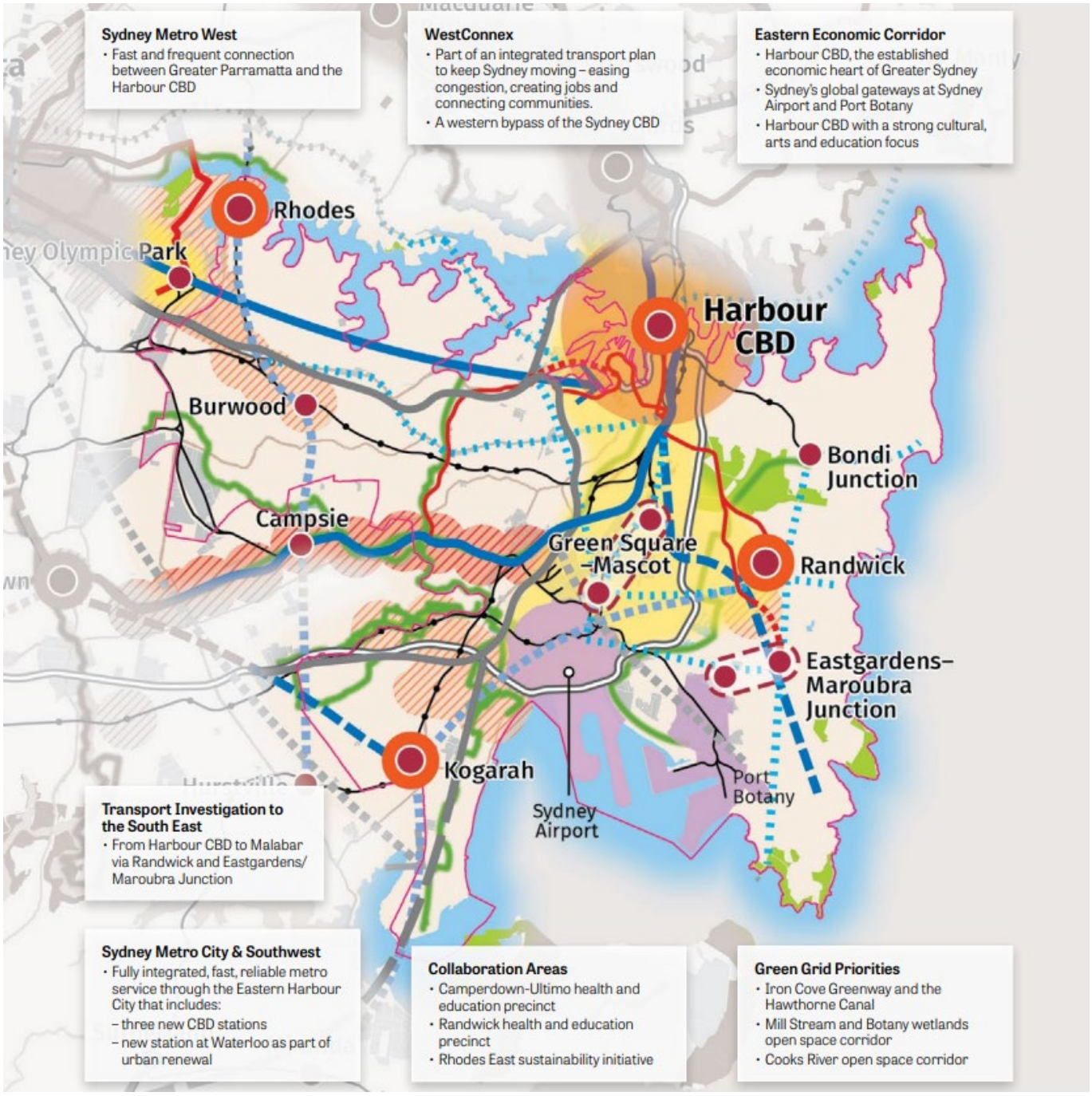


Figure 56 Eastern City Structure Plan

Source: Greater Sydney Commission

Planning Priority E1 – Planning for a city supported by infrastructure

Objective 4 – Infrastructure use is optimised

Aligning land use and infrastructure planning ensures that infrastructure is maximised, and that growth and infrastructure provision are aligned. The development will comprise employment generating floor space in a strategic location that is aligned with an achievement of facilitating transit oriented development. It will support and be supported by recent additional public transport that has been delivered, and is currently being delivered by local and state government.

The site is within close proximity to existing public transport infrastructure such as Wynyard and Town Hall Stations as well as the future Sydney Metro City and South West due to open in late 2024, which will provide stops approximately 600m (Pitt Street Station) and 900m (Martin Place Station) from the site. In addition, Sydney Metro West will connect Sydney CBD to Parramatta CBD via Metro services, and is due to open in 2030. Advantageously, the site is within walking distance proximity (approximately 850m) to both the future Pyrmont and Hunter Street Metro Station.

Further, the strategic location of the site along the western edge of the CBD means that it is able to benefit from existing nearby pedestrian and transport infrastructure. The site is within proximity to Sydney Light Rail services and is located near the QVB Station located at George Street (approximately 300m from the site) as well as the Pyrmont Bay Station located at the western terminus of the Pyrmont Bridge at Union Street (approximately 600m from the site).

Further, the site provides a micro-infrastructure offering to facilitate a Kent Street Logistics Hub that will support retail tenancies within buildings along Kent Street (located between Market Street and King Street) which have limited access to loading docks. Charter Hall sees the renewal of the site as an opportunity to provide a common loading facility to streamline neighbouring logistics and minimise the general impacts of loading and unloading on the Kent Street streetscape, where these services compete with short term parking, bike lanes and pedestrian activity. It is also seen as an opportunity for retail uses in the precinct to thrive, encouraging activation of the public domain.

This Planning Proposal is also supported by a monetary contribution consistent with the Section 7.12 contributions framework (being the *Central Sydney Development Contributions Plan 2020*), which Council may use for the provision of infrastructure.

Planning Priority E7 – Growing a stronger and more competitive Harbour CBD

Objective 18 – Harbour CBD is stronger and more competitive

The proposal will heighten the role and recognition of Sydney as a global business district. It will contribute a new cutting edge workplace that achieves high sustainable targets and provides an interactive ground plane that will bring back pedestrian activity to the western edge of Central Sydney. The proposal seeks to remove existing car parking infrastructure on site that accommodates approximately 800 car parking spaces. The removal of car parking facilities, and replacement with premium commercial and retail land-uses, supported by an activated pedestrian through-site link and reclaimed pedestrian public domain has potential to increase economic activity within the western edge, which will contribute positively to an overall stronger and more competitive Sydney CBD. This is consistent with the Planning Priority that seeks to safeguard the competitiveness of Sydney in both a domestic and international context

The proposal will also act to dismiss the protracted effects on business confidence and office vacancy rates in cities created by the consequences of Covid-19. It will stand as a very visible and distinctive asset which will signal a new key landmark along the CBD's western edge that will illustrate quality, sustainability and wellness.

The District Plan also notes that the Harbour CBD is Australia's financial and business capital, contains the largest proportion of headquarters for multinational and national companies, and contains Australia's most significant finance industry cluster. The concentration of this large and specialised financial cluster attracts global talent and investment, but is constrained by the limited capacity for the Sydney CBD to expand and deliver Prime Grade office space, particularly at a more affordable price point benefited by its location in the western edge. Accordingly, the District Plan recommends that commercial development is supported within the CBD to assist in meeting the 45,000-80,000 future jobs that have been forecast for this region.

Planning Priority E10 – Delivering an integrated land use and transport planning and a 30-minute city

Objective 14 – A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities

The '30-minute city' model is a long-term aspiration for metropolitan Sydney whereby jobs and services and strategic/metropolitan centres are accessible within 30 minutes by public transport. This proposal is placed to benefit the '30-minute city' model, by providing employment floor space within a highly accessible location and thereby improving access to jobs. The site is considered accessible because it is located:

- Approximately 500m from Town Hall Station and 800m walk from Wynyard Station, which form part of the Sydney Trains network provide access throughout metropolitan Sydney;

- Approximately 300m walk the Sydney Light rail network, with the closest stop being QVB Station positioned to the east of the site along George Street, providing further connectivity south towards Randwick and Kingsford, and west towards Dulwich Hill. Further, approximately 600m from the site, is Pyrmont Bay Station that forms part of the inner-west light rail line;
- Approximately 800m from Barangaroo Ferry Wharf providing connectivity to locations along Sydney Harbour and the Parramatta River;
- Within the 600m walking catchment of the future Sydney Metro Pitt Street Station and within the 900m walking catchment area of the future Martin Place Station due to open in 2024. Additionally, the future Pyrmont and Hunter Street Stations are located approximately 850m from the site and is due to open in approximately 2030; and
- Directly adjacent to several existing bus stops including along Sussex Street, Clarence Street and York Street.

Planning Priority E11 Growing investment, business opportunities and jobs in strategic centres

Objective 22 – Investment and business activity in centres

The site is located in the Harbour CBD which is identified as a Metropolitan Centre. Employment growth is the principal economic goal for metropolitan and strategic centres. The proposal supports this goal through the provision of new premium commercial floor space for significant growth in jobs along the CBD's western edge.

Planning Priority E19 – Reducing Carbon Emissions and Managing Energy, Water and Waste Efficiently

Objective 33 – A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change

The proposal seeks to achieve a high standard of sustainability and exceeds the City's strong vision for sustainability and achieving net zero buildings by 2030. The proposal provides for future design initiatives that will aim to achieve a 6 Star Green Star rating with the new Green Star Buildings v1 tool, as well as targets other ESD solutions such as utilising 100% renewable energy in operation (refer to **Section 4.5**).

Further, the proposal seeks to remove existing car parking infrastructure on site that accommodates approximately 800 car parking spaces. The removal of car parking facilities, and replacement with sustainable and premium commercial and retail land-uses will contribute positively to the City's vision for Sydney to be a leader in sustainability. It could also significantly reduce traffic volumes generated by the site and contribute towards reducing vehicle trips into Sydney CBD. It has been estimated that the traffic generation of the existing 10-storey car park could be as high as 320 vehicles per hour, while the proposal is only expected to generate up to 125 vehicles per hour. Therefore, the removal of the 10-stroey car park from the site represents a significant benefit to the City that will encourage meaningful shifts in travel behaviour to more sustainable and pedestrian orientated travel modes.

NSW State Infrastructure Strategy 2018

The *NSW State Infrastructure Strategy 2018-2038* brings together the infrastructure investment and land use planning of the *Future Transport Strategy 2056* and the *Greater Sydney Region Plan*, and is underpinned by the *State Infrastructure Strategy 2018–2038: Building Momentum* that established a pipeline of investment for infrastructure that is underway or in advanced planning. The Strategy sets out the NSW Government's vision for infrastructure over the next 20 years, focussing on aligning investment with sustainable growth. For Metropolitan NSW, the primary goal is to provide residents with access to jobs and services within 30 minutes, known as the '30-minute city' model.

The Strategy sets out six directions for infrastructure in NSW, of which the following are relevant:

- **Better integrating land use and infrastructure** – The proposal will deliver additional jobs in line with the delivery of Sydney Metro, so that capital investment keeps pace with new jobs.
- **Making our infrastructure more resilient** – The proposal will deliver a building with sustainability at its core, which has been set-out through the provision of sustainability targets under a public benefit offer and a reference scheme that ensure the targets can be met and that the tower is able to be a visual representation of sustainability along the CBD's western edge. The creation of sustainable and premium buildings will ensure its longevity and resilience to future challenges.

7.2.2 Q3a. Does the proposal have strategic merit?

The proposal is considered to have strategic merit. This is because it is consistent with the applicable strategic planning framework set by the State and by Council. Specifically, this Planning Proposal will facilitate development which:

- Directly delivers on key policy directions and objectives under the Greater Sydney Region Plan and Eastern City District Plan. It will facilitate a premium commercial development along the CBD's western edge which will provide significant jobs for the city, contributing to a stronger, more competitive Harbour CBD. The site is also located in a Metropolitan Centre which is intended to support and prioritise employment growth. The proposal directly unlocks additional commercial floor space solely for employment generating land uses.
- Supports job growth in a centre already supported by strong public transport, and by direct proximity, will support the expansion of new infrastructure such as the Sydney Light Rail and Sydney Metro.
- Will unlock additional employment generating land uses in full accordance with both the LSPS and CSPS.
- Provides a new commercial tower that aims to achieve the sustainability requirements for certain large format commercial development set out in Clause 7.33 of the Sydney LEP 2012 , resulting in the delivery of the high sustainability targets as proposed.
- Delivers a through-site link between Kent Street and Sussex Street, consistent with Section 3.1.2.2 of the Sydney DCP, significantly improving ground plane amenity and creating an east-west connection across the site, providing pedestrian access through from Central Sydney to the water's edge.
- Delivers a Kent Street Logistics Hub that will support nearby businesses within buildings along Kent Street (located between Market Street and King Street) which have limited access to loading docks. This is consistent with the Key Move 8 and Action 19.1 of the CSPS that outlines the need to deliver precinct solutions to waste, car parking, loading and site servicing through growth sites to contribute to the servicing of small or heritage sites within the precinct.
- Remove a large car park along the CBD's western edge that is supportive of private vehicle trips to the Sydney CBD. Clause 6.5 of the Sydney LEP 2012 provides an FSR bonus for the conversion of car parking to any other use in Central Sydney, outlining the City's vision for reduced private vehicle usage in Central Sydney. Consistent with the City's vision, the removal of approximately 800 car spaces from the site will reduce the reliance on private vehicles and encourage public and active transport that is supported by the aforementioned new public transport infrastructure being delivered.
- Is of a scale to have a positive and catalytic economic impact for the Sydney CBD's growth and economic output and which will serve an anchor for the green economy.

7.2.3 Q3b. Does the proposal have site-specific merit?

The proposal is considered to have site-specific merit because:

- The proposed planning controls (and planning envelope) have been subject to significant testing and are considered suitable for the specific characteristics of the site and its shape. The maximum height is sought having regard to all sun protection clauses in the LEP (including sun access planes and no additional overshadowing controls) as well as aviation controls, and is based on detailed environmental testing and indicative testing. The proposed FSR is also sought following detailed environmental testing in addition to testing of the indicative scheme. The envelope has had regard to various environmental factors and is considered to provide an appropriate outcome in terms of wind and pedestrian comfort factors.
- It will revitalise the ground plane of the site and the surrounding area through a new pedestrian through-site link connecting Kent Street and Sussex Street that is supported by retail offerings. The through-site link will open up the ground plane and provide public space for people to move, connect and enjoy, significantly improving the amenity of the site and surrounding area overall. Further, the pedestrian through-site link provides a missing link in connecting Central Sydney to the water's edge at Darling Harbour through city blocks between King Street and Market Street.
- It will deliver a Kent Street Logistics Hub that will enable retail businesses along Kent Street to benefit from a shared loading facility where they are currently constrained and limited to on-street loading provisions. This will contribute to a better amenity environment along Kent Street and will further support the potential for the wider area to become more activated and further encourage pedestrian activity.
- It seeks to remove existing car parking infrastructure on site that accommodates approximately 800 car parking spaces. The removal of car parking facilities, and replacement with sustainable and premium commercial and retail land-uses, supported by an activated pedestrian through-site link and reclaimed pedestrian public domain has a deep potential to increase economic activity within the western edge, which will contribute positively to an overall stronger and more competitive Sydney CBD.

- It will embody sustainability at its core as well as visually. The provision of sustainability targets included as part of a public benefit offer help ensure the success in reaching the goal of creating a truly sustainable tower along the western edge. The envelope and proposed site controls allow for spaces such as wintergardens (as demonstrated in the reference scheme) that will emphasize and represent the tower as being a hallmark of sustainability along the CBD's western edge.
- It will deliver a significant increase in quality and quantity of commercial floor space on the site through delivery of sustainable and premium-grade commercial floor space that will further strengthen Sydney as a global city attracting large national and international institutions. This will significantly contribute to the economic activity and development of the CBD's western edge with an estimated 6,000 operational and 411 construction jobs.
- In addition to the above, the proposed envelope has been subject to a broader environmental assessment, as outlined in **Section 9.0**. It outlines that the site is adequately capable of supporting the future development of the reference scheme.
- The proposal has been respectfully designed with its heritage context in mind, ensuring a future building design is capable of respecting and complementing heritage items and heritage context within the vicinity of the site.

7.2.4 Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

This Planning Proposal will give effect to Council's Local Strategic Planning Statement, Sustainable Sydney 2030, Council's community strategic plan, and Council's CSPS. It is also consistent with the relevant statutory framework.

Central Sydney Planning Strategy

The CSPS is the guiding strategic document for Central Sydney over the coming 20 years. Along with this Strategy accompanied a Planning Proposal which subsequently amended the Sydney LEP 2012 and the Sydney DCP to convert the intent of the CSPS into formulated statutory controls and development guidelines.

Council identified a jobs gap of some 40,000-85,000 under the previous development controls, which equated to some 800,000sqm to 1.7million sqm of lost floor space potential. The Strategy responds accordingly with 10 key moves and an overall emphasis to position and strengthen Sydney as Australia's leading global city. This Planning Proposal responds directly to the CSPS and supports a number of these key moves:

Key Move 1 – Prioritise employment growth and increase capacity

This Planning Proposal will facilitate the delivery of premium commercial floor space. It does not propose floor space intended for residential or serviced apartment use. This Planning Proposal therefore supports the delivery of new commercial floor space for employment use, to support the anticipated jobs growth in Central Sydney.

Key Move 4 – Provide for employment growth in new tower clusters

The site is located within a tower cluster area which seeks to give effect to the CSPS (refer to **Figure 30**). The tower cluster sites are less constrained by sun access planes and are considered capable of achieving greater height and density than the planning controls would ordinarily permit. The aim is to create growth opportunities for employment floor space, promote the efficient use of the land and encourage innovative design.

This Planning Proposal will support a significant commercial floor space which enables increased growth opportunities for employment floor space. Given it provides floor space above that available which would be ordinarily available to the site, it is considered an efficient use of the site.

The intent is to undertake a competitive design process on the site (refer to **Appendix C**) to create a highly innovative and sustainable building.

Key Move 5 – Ensure infrastructure keeps pace with growth

The investment made by the NSW State Government with both the Sydney Light Rail and the Sydney Metro projects will cut travel times, reduce congestion and deliver substantial and long lasting economic and social benefits. These projects respond to historic growth pressures across Sydney and seek to strengthen Sydney as a true Global city. This Planning Proposal supports this investment by concentrating jobs close to these investments and through the delivery of community infrastructure to support a growing employment population and provide visitor attractions.

In addition, the provision of a Kent Street Logistics Hub will improve the capacity of local infrastructure and support the surrounding buildings along Kent Street (located between Market Street and King Street) that are not afforded adequate loading space and are constrained, encouraging the sharing economy.

Key Move 6 - Move towards a more sustainable city

This Planning Proposal will facilitate a highly sustainable commercial tower. The sustainable strategy will have minimum targets of a 6-star Green Star Design and v1 certified rating targeted), 5.5 Star NABERS Energy rating (Commitment Agreement), 4 Star NABERS Water rating (Target), 5 Star NABERS Waste rating (Target), WELL Core Gold (Commitment Agreement), WELL Core Platinum (Target) and 100% renewable energy in operation. This will provide a precinct response to ESD infrastructure through initiatives identified within the ESD Report (**Appendix E**).

The proposed planning envelope enables the provision of wintergardens that enables perceivable greening in addition to the sustainable strategy. There is a key opportunity for the site through the design excellence process to incorporate perceivable greening that highlights the sustainability embodied, as demonstrated in the reference scheme. In addition, the proposal also seeks to reclaim the site for public and pedestrian usage with the proposed removal of the existing car park on the site approximately 800 car spaces replaced with a pedestrian through-site link and more open site encouraging pedestrianisation and reduction of private vehicle usage in Central Sydney.

Key Move 9 – Reaffirm commitment to design excellence

Charter Hall has a strong commitment to achieving design excellence. This will be achieved through a competitive design process (invited architectural design competition) as detailed within the Design Excellence Strategy included at **Appendix C**. The design excellence process will provide ample opportunity for competitors to produce a scheme considered to be of design excellence. The proposed planning envelope is unique and responds to the site's characteristics with the topography, podium, mid-stepped tower form, chamfered tower envelope and spaces for wintergardens enabling potential defining tower that forms part of the western edge which is a key skyline view catchment corridor.

City Plan 2036 – City of Sydney Local Strategic Planning Statement

The City of Sydney's LSPS, *City Plan 2036* was prepared to provide strategic direction for the City of Sydney's land use planning in the Sydney LGA. This document provides five areas of strategic direction, of which three are relevant to this Planning Proposal. These are discussed further below:

- **Infrastructure** – This strategic direction seeks to ensure that physical and social infrastructure is provided where it is needed most across the LGA, which will in turn improve accessibility and resilience of our built environments. Specifically, this Planning Proposal aligns with priority I2 – Align development and growth with supporting infrastructure. This Planning Proposal seeks to deliver employment floor space uplift in the vicinity of the future Sydney Metro stations, as well as the existing transport infrastructure network available in Central Sydney. It also includes the provision for a Kent Street Logistics Hub that will support surrounding businesses.
- **Productivity** – This strategic direction is seeking to increase productivity and protect employment lands and uses in the Sydney LGA. Specifically, P1 – Growing a stronger, more competitive Central Sydney is the strategic direction most relevant to this Planning Proposal. In-line with this direction, this proposal will deliver the potential for flexible commercial floor plates which will increase quality and quantity of commercial floor space available in Central Sydney, promoting diverse economic uses. The commercial floor space will be aligned with post-covid market demands and will include opportunities to incorporate spaces such as wintergardens and flexible workspaces, which will deliver wellness benefits to users.
- **Sustainability** – This strategic direction intends to ensure that sustainability and efficiency are considered as part of all strategic directions going forward. S2 – Creating better buildings and places to reduce emissions and waste and use water efficiently directly relates to this Planning Proposal, as the envelope is designed to be able to meet the high sustainable targets proposed. The proposed planning envelope will also encourage perceivable green of the façade through wintergardens that will help deliver the vision for the tower to be sustainable.

Sustainable Sydney 2030–2050

Sustainable Sydney 2030 is Council's vision for the sustainable development of the City to 2030 and beyond. It includes ten specific targets to achieve a sustainable Sydney, as well as 10 strategic directions to guide the future of the City. The achievement of a number of the targets and strategic directions are supported by this Planning Proposal.

Sustainable Development and Design

This Planning Proposal will support a more ecologically sustainable development on the site. It will support development with a target of achieving 6-star Green Star Design As Built v1.3 certified rating, 5.5 Star NABERS Energy rating (Commitment Agreement), 4 Star NABERS Water rating (target), 5 Star NABERS Waste rating (target) and Climate Active Carbon Neutral Building Certification.

The proposal is consistent with the principle of transit oriented development in that new employment is provided in a highly accessible location and the proposal subsequently enables the redevelopment of the site which will include removal of the existing 10-storey car park on the site, thus reducing reliance on the private motor vehicle and in-directly reducing greenhouse gases. This Planning Proposal also encourages the use of perceivable green space in the tower to further illustrate and solidify the sustainable focus of the tower, and assist in reducing emission in the City.

This will support the following targets and strategies within the Plan:

- **Target 1** – The City will reduce greenhouse gas emissions by 70% by 2030 and achieve a net zero emissions city by 2050.
- **Target 2** – The City will have 50% of electricity demand met by renewals, zero increase in potable water use from 2006, and increased canopy cover of 50 per cent from 2008.
- **Strategic Direction 2** – A Leading Environmental Planner:
  - *Objective 2.1* – Greenhouse gas emissions are reduced across the city.
  - *Objective 2.3* – Across the city, potable water use is reduced through efficiency and recycling and gross pollutant loads to waterways are reduced.
- **Strategic Direction 9** – Sustainable development, renewal and design.

Job Growth

The proposal will significantly increase employment with an estimated 6,000 operational and 411 construction jobs, directly aiding the job targets in the Plan (97,000 additional jobs in the city). It will support a future high-quality urban design outcome that will provide new employment opportunities including through the provision of retail offerings at the ground plane. The investment into the site will help contribute to make Sydney and specifically the western edge an attractive destination to national and international businesses, helping to ensure its part in solidifying Sydney as a global city.

This will support the following targets and strategies within the Plan:

- **Target 5** – 97,000 additional jobs in the City.
- **Strategic Direction 1** – A Globally Competitive and Innovative City:
  - *Objective 1.2* – The city economy is competitive, prosperous and inclusive.
  - *Objective 1.5* – The city enhances its global position and attractiveness as a destination for people, business and investment.

Walking and Cycling

This Planning Proposal will utilise and complement the existing cycling infrastructure within the Sydney CBD through the addition of bicycle storage and end of trip facilities to support the commercial development. Further, the proposal will encourage the use of active transport by removing the existing 10-storey car park on the site and providing a new pedestrian connection between Kent Street and Sussex Street.

This will support the following targets and strategies within the Plan:

- **Target 7** – At least 10 percent of city trips will be made by bicycle and 50 per cent by pedestrian movement.
- **Strategic Direction 4** – A City for Walking and Cycling:
  - *Objective 4.4* – Businesses in the city encourage their staff to walk and cycle more often.

Activation

The increase of commercial floor space and ground plane retail in combination with the improved amenity and pedestrian through-site link will significantly improve the level of interaction around the site and the wider western edge. The provision for public art to be established in addition to the through-site link and retail offerings in place of car parking will significantly enhance the activation of the site and surrounding area.

This will support the following targets and strategies within the Plan:

- **Target 8** – Every resident will be within reasonable walking distance to most local services, including fresh food, childcare, health services and leisure, social, learning and cultural infrastructure.
- **Strategic Direction 5** – A lively and engaging city centre.
  - *Objective 5.2* – The city centre provides diversity of built form, uses and experiences.
  - *Objective 5.3* – Innovative, creative, retail, hospitality, tourism and small business activity is supported in the city centre.

7.2.5 Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Better Placed

The Government Architect NSW has established seven distinct objectives to define key design considerations. Achievement of these objectives from this early stage of the project, through to the detailed design and construction stage will ensure the development will be healthy, responsive, integrated, equitable, and resilient. The reference design's consistency with the objectives are outlined in **Table 5** below.

Table 5 Consistency with the Objectives of GANSW's Better Placed

Objective	Assessment
Better Fit *contextual, local and of its place*	The reference design has been informed by the site and its surrounding context. As per the proposal vision, the proposal will form a new place that will help evolve and progress the Sydney CBD's western edge to becoming a thriving area.
Better Performance *sustainable, adaptable and durable*	Sustainability is core to the proposal due to the importance for Sydney as a global city to lead the way in responding to significant environmental challenges. The sustainability framework establishes the base for the future building to be sustainable, adaptable and durable through an invited architectural design competition and following detailed design.
Better for Community *inclusive, connected and diverse*	The proposal seeks to create welcoming open space for all people through the provision of a pedestrian through-site link and retail offerings that will make 383 Kent Street a place people can interact with. The proposed Kent Street Logistics Hub will benefit surrounding businesses but also benefit the wider community with the opportunity to reduce on-street loading and prioritise pedestrianisation of Sydney's streets.
Better for People *safe, comfortable and liveable*	The reference design has been designed to demonstrate how the proposal will create a place for people through welcome spaces that are permeable, active and are afforded natural light. The proposed pedestrian through-site link will significantly enhance the ground plane to be more open, active and safe.
Better Working *functional, efficient and fit for purpose*	The proposal will feature workspace amenities that are expected of premium grade office space to contribute to the next generation of office workspace. The commercial floor space will include opportunities to incorporate spaces such as wintergardens and flexible workspaces, which will deliver wellness benefits such as natural light, fresh area and end of trip facilities to users.
Better Value *creating and adding value*	The proposal is to develop a new high-quality sustainable commercial tower that will significantly increase the value standard along the Sydney CBD's western edge.
Better Look and Feel *engaging, inviting and attractive*	The proposal will revive and redefine its immediate surrounding area by creating an active and permeable ground plane through a new pedestrian through-site link and retail offerings, and a future welcoming design of high aesthetic quality.

Future Transport 2056

Future Transport 2056 establishes the 40-year vision, directions and principles for mobility in NSW, guiding transport investment over the longer term. It was first released in 2018 and prepared collaboratively by Transport for NSW, Greater Cities Commission, Infrastructure NSW and the Department of Planning and Environment to ensure NSW's overarching strategies for transport and land use planning align and deliver an integrated vision for the State. Since its initial release, the strategy has been updated and is no longer a static document.

The proposal will give effect to Future Transport 2056 and provide significant employment opportunities which can be serviced through the existing network of existing and future transport infrastructure which is and will be in immediate proximity to the site. The proposal will encourage the use of active transport with the site

supported by infrastructure such as the Pyrmont Bridge and direct connection to the Sydney cycle network with a dedicated cycle lane along Kent Street. The proposal will also encourage public transport usage due to its proximity to the existing public transport network including heavy rail, light rail, bus network, ferry services and future Sydney Metro City and Southeast, and Sydney Metro West.

7.2.6 Q6. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The compliance of the proposal with the relevant State Environmental Planning Policies (SEPPs) is discussed in **Table 6** below.

Table 6 Consistency with applicable State Environmental Planning Policies

SEPP	Comment
State Environmental Planning Policy—(Resilience and Hazards) 2021	*State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) seeks to ensure that contaminated land is remediated prior to development, to reduce health hazards or potential harm resulting from contamination. As per the Resilience and Hazards SEPP, it is required that when considering rezoning land, remediation works meet certain standards. The site has been occupied by a public car park since the late 1970's with the existing tower on the site constructed on top of the existing car park in the early 2000's. The Resilience and Hazards SEPP will be addressed accordingly during the detailed DA process as it is no longer a matter for consideration for Planning Proposals.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Clause 2.122 and Schedule 3 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) will apply to a future proposal as it will exceed 10,000m^2 of commercial floor space. Any application proposing development will need to be referred to TfNSW as traffic generating development. Given the site's proximity to existing rail corridors and the future Metro rail corridors, it is considered that Section 2.98 of the Transport and Infrastructure SEPP will apply when excavation and basement works are proposed. Concurrence will be required by Sydney Metro Authority prior to the determination of the detailed DA.

7.2.7 Q7. Is the Planning Proposal consistent with the applicable Section 9.1 Directions?

The proposal is consistent with applicable Ministerial Directions, identified as s.9.1 directions. An assessment of this Planning Proposal against applicable section 9.1 Directions is set out in **Table 7** below.

Table 7 Consistency of this Planning Proposal with the relevant Section 9.1 Directions

Ministerial Direction	Consistency			Comment
	Yes	No	N/A	
1. Planning Systems				
1.1 Implementation of Regional plans	✓			As demonstrated in **Section 7.2.1**, this Planning Proposal is consistent with the Greater Sydney Regional Plan.
1.2 Development of Aboriginal Land Council Land			✓	Not applicable.
1.3 Approval and Referral Requirements	✓			This Planning Proposal complies with this direction.
1.4 Site Specific Provisions	✓			This Planning Proposal will not result in any unnecessarily restrictive site-specific planning controls.
1. Planning Systems Place-based				
1.5 Parramatta Road Corridor Urban Transformation Strategy			✓	Not applicable.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan			✓	Not applicable.

Ministerial Direction	Consistency			Comment
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor			✓	Not applicable.
1.10 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable.
1.11 Implementation of Bayside West Precincts 2036 Plan			✓	Not applicable.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct			✓	Not applicable.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan			✓	Not applicable.
1.14 Implementation of Greater Macarthur 2040			✓	Not applicable.
1.15 Implementation of the Pyrmont Peninsula Place Strategy			✓	Not applicable.
1.16 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable.
1.17 Implementation of the Bays West Place Strategy			✓	Not applicable.
1.18 Implementation of the Macquarie Park Innovation Precinct			✓	Not applicable.
1.19 Implementation of the Westmead Place Strategy			✓	Not applicable.
1.20 Implementation of the Camellia-Rosehill Place Strategy			✓	Not applicable.
1.21 Implementation of the South West Growth Area Structure Plan			✓	Not applicable.
1.22 Implementation of the Cherrybrook Station Place Strategy			✓	Not applicable.
3. Biodiversity and Conservation				
3.1 Conservation Zones			✓	Not applicable.
3.2 Heritage Conservation	✓			The objective of section 9.1 direction 2.3 is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. Whilst there are no listed heritage items on the site itself, there are a number of local and state heritage items located in close proximity. The reference scheme provides for further built form outcomes that respond to this, including the alignment of the street wall to Kent Street and podium design consistent with the existing character. The heritage context of Kent Street will form a key consideration as part of a future invited architectural design competition brief.

Ministerial Direction	Consistency			Comment
3.3 Sydney Drinking Water Catchments			✓	Not applicable.
3.4 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs			✓	Not applicable.
3.5 Recreation Vehicle Areas			✓	Not applicable.
3.6 Strategic Conservation Planning			✓	Not applicable.
3.7 Public Bushland			✓	Not applicable.
3.8 Willandra Lakes Region			✓	Not applicable.
3.9 Sydney Harbour Foreshores and Waterways Area			✓	Not applicable. The site is located outside of the boundary to the Sydney Harbour Foreshores and Waterways Area.
3.10 Water Catchment Protection			✓	Not applicable.
4. Resilience and Hazards				
4.1 Flooding	✓			A Civil Engineering Report has been prepared by TTW (**Appendix Q**), which includes an assessment of the existing flooding conditions on the site and required establishment of a flood planning level and stormwater management. At the time of any future DA, the site levels and the building will be designed (where relevant) to ensure that the development will not be adversely impacted during a flood, the development will not adversely impact the flood behaviour or result in any other adverse environmental impacts. Mitigation measures to address flooding impacts will be investigated during the detailed design phase. For further discussion, refer to **Section 9.15**.
4.2 Coastal Management			✓	Not applicable.
4.4 Planning for Bushfire Protection			✓	Not applicable.
4.5 Remediation of Contaminated Land	✓			A Preliminary Site Investigation has been prepared by Douglas Partners (**Appendix N**). It concludes that there are not likely to be any significant contamination risks, and that the site can be made suitable for future redevelopment (subject to further detailed site investigation).
4.6 Acid Sulfate Soils	✓			The site is classified as part Class 1, part Class 2 and part Class 5 Acid Sulfate Soils under the Sydney LEP 2012. An Acid Sulfate Soils Desktop Study Review has been prepared by Douglas Partners (**Appendix O**) which, based on previous investigations and current mapping, is unlikely to contain acid sulfate soil. However, in order to confirm the presence of acid sulfate soils, an on-site investigation will be undertaken in accordance with **Appendix O** at a later stage.
4.7 Mine Subsidence and Unstable Land			✓	Not applicable.
5. Transport and Infrastructure				
5.1 Integrating Land Use and Transport	✓			This Planning Proposal will take advantage of the site's strategic context within the Sydney CBD

Ministerial Direction	Consistency			Comment
				providing new employment in a highly accessible location. This site will utilise the existing transport network, including active transport infrastructure and future surrounding Sydney Metro stations.
5.2 Reserving land for public purposes			✓	Not applicable.
5.3 Development Near Regulated Airports and Defence Airfields	✓			This Planning Proposal supports the development of a tower up to RL 189.80. As this would encroach into the Obstacle Limitation Surface (OLS), direction 3.5 applies. This direction requires that Council must obtain permission from the relevant Department of the Commonwealth, or their delegate, prior to undertaking community consultation. The proposed development would require two separate controlled activity applications because of the penetration of the OLS by the building and temporary tower cranes required to facilitate the construction of the tower. The proposed building and crane heights at the site would be below other taller buildings within the Sydney CBD and therefore is considered acceptable. This Planning Proposal is considered to be supportable/justified given that there are a significant number of towers surrounding the site that already, or will, protrude into the OLS.
5.4 Shooting Ranges			✓	Not applicable.
6. Housing				
6.1 Residential zones			✓	Whilst residential uses are permissible in the zone, no residential uses are proposed as a commercial use is more appropriate for this tower cluster site and in alignment with the objectives of the SP5 zone which promotes the primary role of Central Sydney as a centre for employment, and only permitting residential accommodation where it may complement employment generating uses.
6.2 Caravan Parks and Manufactured Home Estates			✓	Not applicable.
7. Industry and Employment				
7.1 Business and Industrial Zone	✓			In accordance with the objectives of the direction, this Planning Proposal will facilitate the development of a commercial tower that will: • Significantly increases the employment opportunity of the site located in Central Sydney in close proximity to existing and future public transport. • Protect employment land in employment zones for decades to come with the vision for the tower to be a sustainable and premium-grade office tower that achieves design excellence and forms part of the long-term future of the CBD's western edge. • Protect the viability of the CBD's western edge for commercial development to ensure that the western edge contributes to Central Sydney as a global city attracting national and international business for decades to come.
7.2 Reduction in non-hosted short term rental accommodation period			✓	Not applicable.

Ministerial Direction	Consistency			Comment
7.3 Commercial and Retail Development along the Pacific Highway North Coast			✓	Not applicable.
8. Resources and Energy				
8.1 Mining, Petroleum Production and Extractive Industries			✓	Not applicable
9. Primary Production				
9.1 Rural Zones			✓	Not applicable.
9.2 Rural Lands			✓	Not applicable.
9.3 Oyster Aquaculture			✓	Not applicable.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast			✓	Not applicable.

7.3 Section C – Environmental, Social and Economic Impact

7.3.1 Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. This Planning Proposal is unlikely to result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats, given the site's CBD and urban location. The site is devoid of any vegetation.

7.3.2 Q9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

A detailed assessment of the environmental effects as a result of this Planning Proposal is identified in **Section 9.0** of this justification report. Relevant management measures are identified where appropriate and, on this basis, no unacceptable impacts are likely to result from this Planning Proposal or future development on the site.

7.3.3 Q10. Has the planning proposal adequately addressed any social and economic effects?

Yes. The social and economic impacts arising from this Planning Proposal is identified in **Section 9.16** of this justification report. The proposal will contribute towards strengthening Sydney's role as a globally competitive city, raising the bar for amenity, quality and sustainability along the CBD's western edge. It will enable significant positive social and economic impact through the provision of improved and new public space including retail and of premium-grade commercial GFA.

The proposal is estimated to generate 6,000 operational and 411 construction jobs. It would result in improved accessibility, amenity and experience, replaces car parking with people, contributes to Sydney as a globally competitive CBD and will entice the green economy delivering significantly positive social and economic impact. For further discussion, refer to **Section 9.16**.

7.4 Section D – State and Commonwealth interests

7.4.1 Q11. Is there adequate public infrastructure for the planning proposal?

This Planning Proposal will see the delivery of a commercial development on the site. Given the site's location, it is expected that the site's infrastructure is capable of accommodating, or can be augmented to accommodate, such development.

The proposed development will give effect to the Future Transport Strategy 2056 and provide significant employment opportunities which can be serviced through the existing network of existing and future transport infrastructure which is and will be in immediate proximity to the site. This includes the Sydney Light Rail network and the future Sydney Metro City and Southeast, and Sydney Metro West. Furthermore, the *Central Sydney*

Development Contributions Plan 2020 also identifies that significant infrastructure has already been delivered in Central Sydney, with the proposal being part of the planning growth this plan was prepared for.

The proposal also includes delivery of public benefits that will offset the additional demands of the development on local infrastructure and will be subject to contributions to support the provision of infrastructure arising from the development.

The proposal will provide a new publicly accessible pedestrian through-site link that will open up the ground plane and provide additional area for people, encouraging pedestrianisation in a part of Central Sydney dominated by private vehicles. Further, it will take advantage of the light rail infrastructure nearby the site and also leverage off the future Sydney Metro.

7.5 Section E – State and Commonwealth Interests

7.5.1 Q12. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Given the nature of this Planning Proposal, it is not expected that referral to any State or Commonwealth agency would be required.

Input from Transport for NSW (for traffic generating purposes – Transport and Infrastructure SEPP clause 2.122) will be required as part of the determination of any future development application for the site.

Where necessary, further consultation with relevant authorities will be undertaken as required in accordance with the Gateway determination. State and Commonwealth authorities will have the opportunity to provide comments on this Planning Proposal as part of its formal exhibition.

8.0 Guideline for Site Specific Planning Proposals in Central Sydney

The Guideline was prepared to guide the preparation of site-specific planning proposals to determine additional height and floor space accessible consistent with the CSPS's nine aims. In December 2020, Council adopted the Guideline as the primary guide for the preparation of planning proposals in Central Sydney.

The Guideline outlines the methodology for determining a possible maximum planning envelope as well as the minimum submission requirements for a Planning Proposal including requirements for:

- Understanding the unique opportunities of the proposition;
- Using land efficiently;
- The walking space guide; and
- Site testing (including wind and daylight).

This section provides an assessment of the proposal against the guideline.

8.1 Minimum Site Tests

An assessment of the proposal against the minimum site tests of the guideline is provided in **Table 8** below.

Table 8 Assessment Against The Guideline's Minimum Site Tests

Minimum site test	Assessment	Complies
Land use *Proposed new buildings cannot contain residential or serviced apartment floor space*	No residential or serviced apartment uses are proposed.	Yes
Erection of a tall building *Have a minimum Site Area of 1,000 square metres*	The site area is 3,606m^2.	Yes
Height of buildings	The proposed envelope height has been developed in accordance with the procedures in the guideline, as discussed in **Section 4.0**.	Yes
Protection of public views	The proposed envelope does not impact on any public view protection planes.	Yes
Floor space ratio	The proposed FSR has been rigorously tested and developed in accordance with the procedures in the guideline, as discussed in **Section 4.0**.	Yes
Ecologically sustainable Development (ESD) *Must drive net zero emissions, zero waste and water efficient outcomes*	As outlined in **Section 4.5**, the proposal includes high and achievable sustainability targets that meet the sustainability requirements of the Guideline, and includes a number of project specific initiatives to go over and above the Guideline.	Yes
Heritage floor space	The additional site specific floor space the subject of this Planning Proposal will not be subject to heritage floor space requirements as per clause 6.10 and 6.11 of the Sydney LEP 2012. HFS will be allocated in accordance with the LEP for accommodation floor space and design competition floor space.	Yes
Heritage conservation	The proposal does not contain a heritage item.	Yes
Design excellence	A full invited architectural design competition is proposed. Refer to the Design Excellence Strategy (**Appendix C**).	Yes
Car parking	The proposal envisages parking compliance with the Sydney LEP 2012.	Yes
Affordable housing	A condition may be imposed by Council at DA stage in accordance with Clause 7.13 of the LEP requiring a contribution to affordable housing.	Yes

Minimum site test	Assessment	Complies
Section 61 contributions or Central Sydney Contributions Plan 2020	The development will be subject to the payable contributions to be paid at CC stage, following discussions with the City of Sydney (refer to **Appendix D**).	Yes

8.2 Height

The CSPS provides opportunities for tall buildings to be built to greater heights on appropriate sites where no additional overshadowing will occur to identify public spaces during protected times and where the safe and efficient operation of Sydney Airport is maintained. The Guideline requires proponents to undertake site testing through an envelope analysis to address overshadowing, public view impact, Sydney Airport Prescribed Airspace, wind and daylight impact, which are discussed in **Section 9.0**.

The proposal provides all required analyses and studies as required by the guideline as set out in **Table 9** below.

Table 9 Guideline Submission Requirements

Analysis	Proposal
Overshadowing of Protected Public Spaces	The site is located within a tower cluster area, which largely reflect the City's capacity studies supporting the CSPS and identify sites capable of accommodating uplift without compromising public amenity in terms of sun access.
Public View Protection Planes	The site is encumbered by shadow controls to protected certain public places under clause 6.18 of the Sydney LEP 2012, including: • Sydney Square – between 14 April-31 August and 11am–4pm; • Sydney Town Hall Steps – between 14 April-31 August and 10:30am–4pm; and • Future Town Hall Square – All year – Midday–sunset. As outlined in **Section 4.3**, the proposed envelope has been designed in accordance with the above overshadowing controls.
Sydney Airport Prescribed Airspace	Clause 7.16 of Sydney LEP requires that the consent authority must not grant development consent if the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface and should not be constructed. In effect, the consent authority will require the federal Department of Infrastructure and Regional Development to authorise the penetration of the Obstacle Limitation Surface (OLS) prior to determination of the DA. The applicable OLS applying across the Sydney CBD is 156m AHD. The proposed amended building height control will result in a tower that will penetrate the OLS and therefore will require approval as a controlled activity under the Airports Act 1996. Given that the existing LEP already enables a potential tower of 110m on the site and in light of surrounding development such as the Sydney Tower Eye, it is considered that approval for construction and operation of the building and installation of temporary tower cranes can be achieved.
Wind Tunnel Testing	A Pedestrian Wind Environment Study prepared by Windtech (**Appendix H**) supports this Planning Proposal. The measured wind conditions for the various critical outdoor trafficable areas around the subject development are compared against the criteria presented in the Sydney DCP. The results indicate acceptable conditions to the public domain following the introduction of the proposal. Refer to **Section 9.8** for further discussion.
Wind and Daylight Equivalence Test	The proposal does not seek a variation to the Sydney DCP built form controls and provides a compliant planning envelope. Therefore, the provisions of Schedule 12 to provide a 'base case' scenario are not required to be tested or analysed to support the proposed planning envelope.

8.3 Floor Space Ratio

The Guideline enables sites to increase their maximum FSR as determined in compliance with a number of matters for consideration as set out in the guideline. These matters constitute a process which is to be followed to determine an FSR control. An assessment of the proposal against the matters for consideration in establishing an FSR control as set out in the guideline is provided in **Table 10** below.

Table 10 Guideline Submission Requirements

Matters for consideration	Proposal
Podium and tower forms *Towers are to have podium form with a Street Frontage Height in accordance with the Sydney DCP unless otherwise justified by an equivalency variation test*	The proposed podium envelope constitutes a compliant Sydney DCP design.
Roof/construction zones *Where the maximum height of the building is determined by a sun or view control – a 15 metre roof/construction zone should be provided below the control height.* *Where the maximum height of the building is determined by Sydney Airports Prescribed Airspace - at least 30 metres roof/construction zone should be provided below the control height with construction methodology provided for constructing the upper floors without cranes penetrating Sydney Airports Prescribed Airspace.* *Or an amount as demonstrated by best practice and a reference design.*	The proposed height of the tower envelope is situated below Sydney Airport's Prescribed Airspace. The proposed envelope represents a compliant DCP scheme and the drafted LEP control as nominated in **Section 6.1** of this report will ensure that future detailed design of the building will not exceed the sun access plane. Constructing methodologies will be explored as part of a future DA to minimise impacts.
Floor to floor heights *5 metres clear floor to floor for ground and first floors, and allowances for new pedestrian links and public domain improvements supported by urban design analysis.* *3.8 metres floor to floor for typical commercial floors and structural transfer zones at steps in the building massing.* *3.3 metres floor to floor for typical hotel floors and structural transfer zones at steps in the building massing.*	The indicative scheme maintains an open and active ground plane and podium through elevated public open spaces and a 5m floor to floor height for the Ground Floor and Level 1. The reference design assumes 3.80m floor to floor for typical commercial floors throughout the scheme. The reference design also includes a comprehensive public domain strategy involving publicly accessible spaces such as the pedestrian through-site link. Together these spaces demonstrate that the reference design as a proof of concept is highly activated at ground level.
Vehicle access, servicing and services at ground level *Floor space configuration and calculations are to be precedent based on reference examples.*	The reference design proposes a consolidated and single vehicular access point from Sussex Street providing access to the loading dock and basement.
Plant *A full floor plant level for every 20 occupied levels at minimum 6 metres high floor to floor should be provided for.*	The top two building levels (Level 41 and 42) include full floors of building plant, and are illustrated in the reference design (**Appendix A**). These plant levels assume floor to floor heights of 5m, which will adequately provide for the required plant. Detailed services planning has been conducted to inform the spatial requirement for plant rooms and on-floor servicing.
Architectural articulation *A minimum proportion of the entire design envelope for architectural articulation and external façade depth and external sun shading (not occupied by floor space) of 8.0% plus 0.5% for each 10 metres in height above 120m up to a maximum value to 16% articulation.*	The reference scheme constitutes approximately 88% of the planning envelope, with a minimum of 12% floor by floor tower architectural articulation and an average 12.8% volumetric application of articulation. This represents an exceedance of the 11% Guideline articulation requirement for a tower envelope of its proposed height.

Matters for consideration	Proposal
Note: the proportion (percentage) is established according to the maximum building height, this proportion is then applied to the whole envelope. *120 metres – 8%* *160 metres – 10%* *200 metres – 12%* *240 metres –14%* *280 metres – 16%*	The proposed architectural articulation percentage is significant and will provide ample opportunity for competitors through the invited architectural design competition to achieve design excellence.
Core *Minimum 16% floor space exclusions associated with the core.*	The reference design constitutes an efficient floor plate with an average 87% efficiency (GBA/GFA). However, allowance has also been made within the floor plate for balconies and voids, as discussed below. Refer to the Design Report at **Appendix A** for more information.
Balconies *Balconies, voids or other areas not counted as floor space (including voids for vertical villages) should be determined from a reference design.*	The reference design includes wintergardens along the western elevation to maximise the site's exposure to the west and to provide perceivable landscaped design solutions to the western façade. These areas have been excluded from GFA calculations.

9.0 Environmental Assessment

This section provides an environmental assessment of the proposed planning controls and the indicative development the controls are capable of accommodating.

9.1 Built Form and Urban Design

The proposed envelope is well suited to the prominent location of the site and appropriately responds to the site's size and dimensions, the surrounding built form development context, and the heritage context. The proposed envelope achieves a balance between providing for internal functionality and external aesthetics that will significantly improve the existing streetscape and deliver on the aspirations of the CSPS.

The Design Report prepared by FJC (**Appendix A**) details the design approach to the redevelopment of the site and describes the key built form parameters which are outlined further below.

9.1.1 Podium

The proposed envelope comprises a traditional podium and tower form, with the podium mass informed by the Sydney DCP provisions and the site's surrounding built form context, which is characterised by a variety of heritage street frontage heights along the Kent Street elevation. The eastern section of the subject site falls within the Sydney DCP prescribed York Street Special Character Area (SCA) which also includes areas of Clarence Street and Kent Street.

A shown in **Figure 57**, the proposed podium height to Kent Street achieves a contextually appropriate response of 5 storeys to Kent Street. The top of the proposed podium envelope parapet in this location sits at RL 44.4m, and represents a height of 25.2m when measured from the existing Kent Street ground floor to the top of the indicative podium height parapet, representing compliance with the 45m SCA podium height control. As stipulated by Table 5.3 of Section 5.1.1.2 of the Sydney DCP, the minimum street frontage height for the SCA is 20m, thus demonstrating a compliant indicative reference design for streetwall height in this context.

The western portion of the site is excluded from the boundary of the SCA, and as such, is governed by the permissible range of streetwall heights under Table 5.1 of Section 5.1.1.2 of the Sydney DCP which stipulates that buildings exceeding a total building height of 120m are to have a street frontage height ranging from 20-25m. As illustrated in **Figure 57**, the proposed podium height to Sussex Street achieves a contextually appropriate response of 23.2m when measured from the existing Sussex Street ground floor to the top of the indicative podium height parapet at this elevation. The approach ensures a contextual response to the surrounding built form context, ensuring the podium relates in scale to the buildings surrounding it.

The proposed podium form provides a respectful and contextual response presenting an appropriate podium height for the site. In particular, the podium creates a consistent and legible built form response to the heritage character of the SCA and adapts to the dramatic topography for the land.



Figure 57 Elevated view of the indicative reference design along Kent Street looking north-west

Source: Virtual Ideas

9.1.2 Through-Site Link

The site benefits from dual streetscape frontages that provide an opportunity to increase pedestrian connectivity and permeability through the site. In accordance with the Sydney DCP Through-Site Links Map (Map 14), the site is identified to provide part of a through-site link that is publicly accessible. The reference design accommodates a through-site link scheme that fulfills this DCP intent in a manner that is able to provide a public benefit in that it will be enhanced by retail offerings, landscaping, public art activation and opportunities for light and air.

The provided indicative reference scheme provides a through-site link that maintains a sense of openness and connection to both streetscapes where it is previously not afforded (refer to **Figure 58**). It also enables clear lines of sight between Kent Street and Sussex Street, in accordance with Section 3.1.2.2 of the Sydney DCP. The configuration of the connection is generous, but is also of a human scale, and enables the achievement of a comfortable street environment for pedestrians with high levels of daylight, a sense of enclosure and wind mitigation (as discussed further in **Section 9.8**).

A render of the indicative reference scheme provided in **Figure 57** illustrates an elegant and attractive podium design with through-site link can emerge within the proposed envelope to befit the prominence of this Central Sydney block, greatly improving on the current site situation.

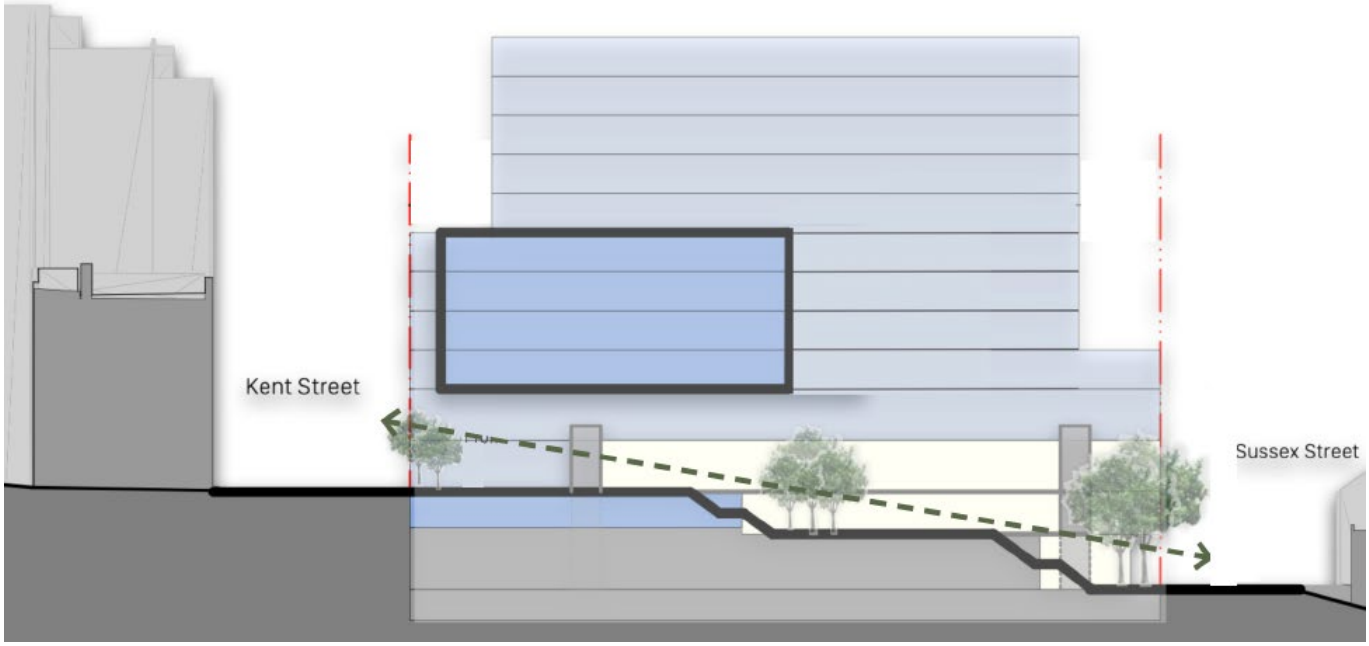


Figure 58 Through-Site Link Section Drawing

Source: FJC

9.1.3 Tower Setbacks

The tower setbacks have been developed through a detailed analysis of the Sydney DCP, the Sydney LEP, the CSPS and the surrounding architectural context and built form within the locality. The proposed setbacks have been driven by the project's vision to deliver a premium, contemporary workplace with viable floor plates that maximise the opportunity to deliver employment floor space in a highly accessible location, and one that contributes to the vision of the CSPS for Sydney to be a globally competitive city.

As illustrated in FJC's site context analysis at **Appendix A**, the tower setbacks of surrounding existing and approved buildings offer a variety of responses, taking into account heritage buildings, various street setback responses to contemporary buildings and differing land-uses in this part of the city, such as to nearby residential towers. As such, while the proposal must have regard to the numeric amended Sydney DCP setback provisions, there are a variety of existing contextual cues that require a merit-based approach to defining the tower envelope.

In alignment with Section 5.1.1.1 of the Sydney DCP, a compliant 8m setback above the podium height from the eastern and western (street) boundaries is provided. The northern and southern (side) tower setbacks have also been developed in accordance with Table 5.4 of Section 5.1.1.3 of the Sydney DCP; where it is required that side and rear setbacks above the street frontage height for buildings between 120m and 240m represent 3.33% of the proposed total height of the proposed building. The side setbacks have been determined based on the height of the top of the building (as varied) down to the podium height, resulting in a range of side setbacks of between

4.29m and 5.95m. These side setbacks have been determined in accordance with the flexibility that Section 5.1.1.3 (5) of the Sydney DCP enables to side and rear setback where the top of the building has been designed with varied heights.

The setbacks of the tower also achieve sufficient separation distances to existing neighbouring buildings at its northern and southern boundaries. To the north, the tower setback achieves a separation distance of 24m to 365 Kent Street which is a residential building, in alignment with the provisions of the ADG relative to building separation (refer to **Figure 59**). At the south, the tower envelope achieves a separation distance of between 8.5m and 10.9m to 2 Market Street.



Figure 59 Tower setback separation distance from 365 Kent Street to the north

Source: FJC

As such, the tower setback represents a contextually appropriate response that respects the development potential and privacy of neighbouring buildings, promotes access to light and air which is able to penetrate the streetscape and allows an appropriate level of airspace between buildings so as to not intensify the impact of the built form when perceived from other buildings. Additionally, the proposed tower setbacks have been designed to be consistent with the objectives of the York Street SCA and Central Sydney.

9.1.4 Tower Height and City Skyline

The Planning Proposal seeks to facilitate a tower form that can achieve design excellence and make an outstanding architectural contribution to the Central Sydney skyline within an identified tower cluster location primed for growth and change. The tower massing strategy has been informed by the endorsed CSPS and the

site's location within a tower cluster zone where significant uplift is anticipated, as well as the evolving context of the site with a variety of new tall towers as described in **Section 2.4.5**.

With the construction of Sydney Metro infrastructure in proximity to the site, as well as the approval of the Cockle Bay Wharf development, coupled with the recent investment into employment generating space at Barangaroo, there is a fundamental responsibility and expectation that land in this area of Central Sydney will be used more efficiently and deliver higher density, particularly on sites that are not overly constrained by external factors. The subject site provides one such opportunity as it can accommodate more floor space whilst protecting the amenity of the city's important public spaces, and manage its impacts to the surrounding environment.

The key planning parameter limiting the tower envelope height is the protection of solar access to certain key public places including the Future Town Hall Square, Town Hall Steps and Sydney Square, detailed within Appendix F of the CSPS. These places are currently subject to existing 'No Additional Overshadowing' controls with dates set for between 14 April and 31 August between 10am and 4pm. The site is not subject to any Clause 6.17 Sun Access Plane restrictions.

The result is a tower which, whilst taller than the existing building and buildings immediately surrounding it, sits well within the overall tower skyline which includes much taller buildings (refer to **Figure 60**, **Figure 61**, **Figure 62** and **Figure 63**. The tower's form, whilst still of a commercially viable scale, still achieves an overall slenderness, which will be well articulated following a competitive design process. The indicative reference design in the context of the existing Sydney skyline is illustrated in **Figure 64** and **Figure 65**.

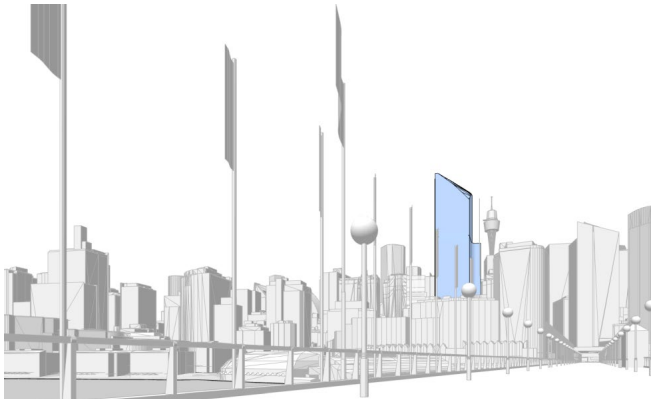


Figure 60 View from Pyrmont Footbridge

Source: FJC

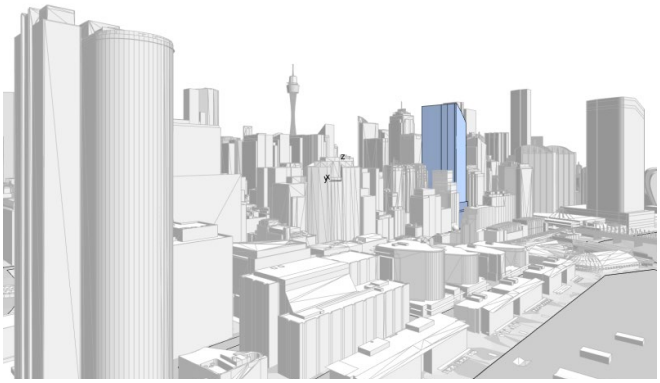


Figure 61 High level view over Barangaroo

Source: FJC

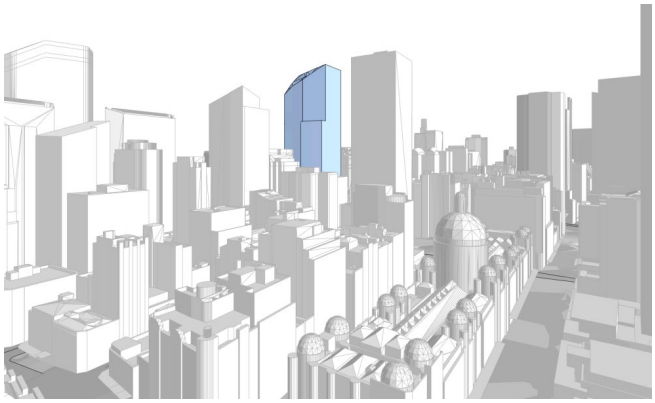


Figure 62 High level view over the QVB

Source: FJC

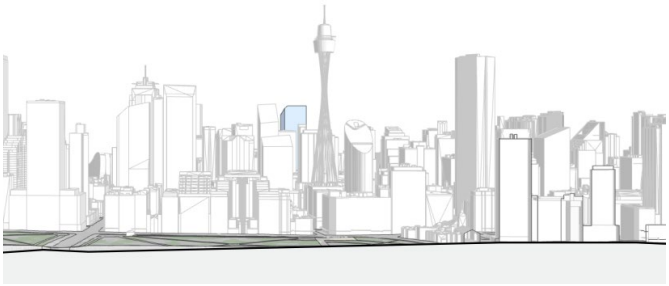


Figure 63 View across Hyde Park

Source: FJC



Figure 64 Aerial view of the Indicative Reference Design as viewed from the north

Source: Virtual Ideas

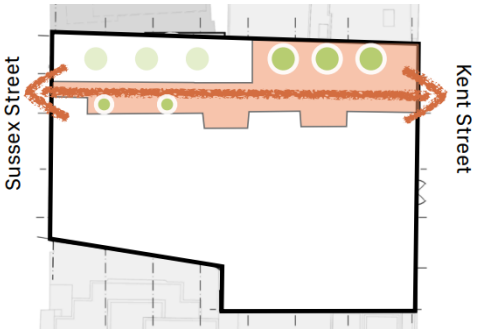


Figure 65 Aerial view of the Indicative Reference Design as viewed from the south-west

Source: Virtual Ideas

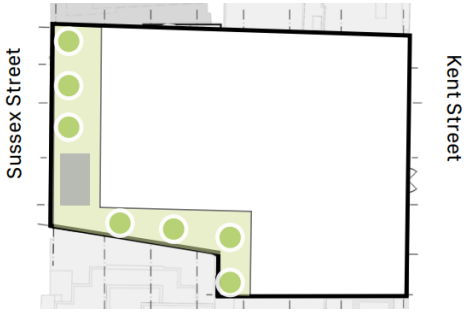
9.1.5 Landscape Strategy

A Landscape Strategy has been prepared by FJC and is included at **Appendix A**, outlining the opportunities within the proposed planning envelope for landscaping and incorporated in the indicative reference design. It identifies the following opportunities:



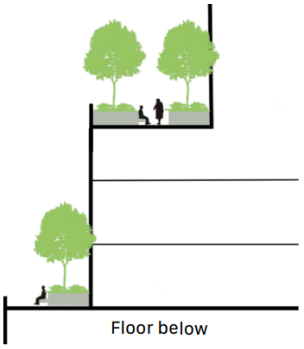
Through Site Link

The through-site link will continue east to connect with an existing and planned through site link network, and west towards Darling Harbour. It aligns with breaks between buildings and must be accessible 24 hours a day, direct with clear height of at least 6m, and provides bike access. The through site link presents an opportunity to create a safe, active, and well connected green space.



Podium Terraces

Larger tenant terraces to be provided on various podiums and roof levels to create generous accessible outdoor space for landscaping. It offers key opportunities to increase tree canopy coverage within the site, and incorporate outdoor meeting collaborative spaces and various amenities for events and functions.



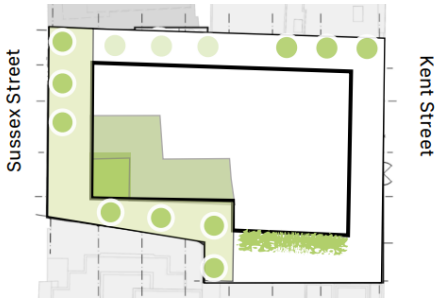
Roof Garden

A series of green roofs and green atriums / wintergardens will be orientated towards the west where prime views and outlooks are afforded from the city. 100% naturally ventilated spaces, integrated inter-floor stairs and no-touch control on all building operations, fixtures and doorways combined encourage easy and healthy movement and collaboration.



Water Sensitive Urban Design (WSUD)

Planting in podium terraces and rooftop gardens assist in creating a sustainable WSUD system. The site will offer a generous vegetation coverage of least 30% which will occupy available rooftop space. The green roof will include facilities for water collection infrastructure. Green facades will be covered with climbing plants that are liveable and resilient to urban climate.



Canopy Coverage

In accordance with the City of Sydney 'Greening Strategy' and 'Urban forest', 15% canopy targets for the central business district (i.e. Sydney CBD) should be provided on site mainly within podium and terraces.

The 'Green Star Targets' states that the development should provide 15% of horizontal or vertical landscaping. 5% of building is allocated to horizontal or vertical gardens easily accessible to occupants. The development aims to meet such target across the site within 10 years of completion of the development.

9.2 Suitability for Increased Density

As detailed throughout **Section 4.0** and in **Section 9.1** above, the proposed planning envelope and accompanying reference scheme were both carefully and thoughtfully designed, tested and analysed to achieve a proposal that demonstrates its suitability for increased density. In doing so, the framework that the proposal considered included:

- Characteristics of the site and its surroundings;
- Objectives and findings of the CSPS;
- Objectives of the Sydney LEP 2012;
- Requirements of the Guideline;
- Various environmental constraints; and
- Feedback from the City of Sydney and the DAP.

Considering the factors above, the proposal was refined and sculpted to form the highest and best use of the site. The result is a planning envelope that reaches a height of RL 189.80 and accommodates an above ground FSR of 20:1 and below ground FSR of 0.30:1. An assessment of the site's suitability for increased density is provided in the following sections.

9.2.1 Characteristics of the Site and its Surroundings

The site represents a large single allotment located in a prominent position along the western edge of the Sydney CBD. It benefits from its mostly linear shape and dual frontages to streets, which contribute to its unconstrained nature that allows for uniform setbacks and a podium height consistent with the surrounding street wall. Importantly, the most valuable characteristic of the site is that it has been identified within a tower cluster area as it has the capacity for additional density, without compromising the amenity of surrounding key public places (as identified in the Sydney LEP 2012, including Sydney Square, Sydney Town Hall Steps, and future Town Hall Square). Subsequently, the height and planning envelope as proposed in the indicative reference scheme has been designed to conserve solar amenity to these key places, as outlined in **Section 4.3**.

9.2.2 Objectives and Findings of the CSPS

Specifically, this Planning Proposal is consistent with the methodology and approach under the CSPS and represents a fundamental shift away from the setting of a generic fixed FSR number in isolation of site and locality-specific environmental context and impacts. This approach recognises the unconstrained nature of the site, being a large allotment under single ownership with two key street frontages. This approach is also adopted in Council's Development Capacity Study, and is a more contextual approach that allows a merit based FSR allocation (irrespective of its numerical value) to be established on a site-specific basis, and which is the product of urban design feasibility and environmental testing. In this instance, the FSR proposed provides an appropriate environmental outcome and supports a strong contextual response to the precinct.

The proposal is also directly consistent with the stated objective of providing "*an intensity of development that is commensurate with the capacity of existing and planned infrastructure*". The proposed density is in line with the floor space envisaged to be brought to market over the next 30 years by the CSPS and will be supported by existing heavy rail, bus, light rail and ferry infrastructure available in the city, as well as incoming infrastructure including Sydney Metro City and South West, and the West Metro.

9.2.3 Objectives of the Sydney LEP 2012

This Planning Proposal is also considered appropriate having regard to the objectives of the *SP5 Metropolitan Centre* zone within the Sydney LEP 2012. The proposal directly responds to these objectives by providing employment floor space through a new sustainable and premium-grade office tower that will contribute to Sydney's global status as an economic powerhouse.

The proposal will enable the demolition of the existing 10 storey car park on the site (subject to a future DA) which is directly consistent with the objectives of the SP5 zone which seeks "*To encourage the use of alternatives to private motor vehicles, such as public transport, walking or cycling*". This Planning Proposal seeks to enhance pedestrian connectivity on site by facilitating a through-site link that will contribute to the pedestrianisation of Central Sydney and will be supported EOT facilities to encourage bicycle usage.

9.2.4 Requirements of the Guideline

As outlined in **Section 8.0**, the proposal is consistent with the Guideline which was prepared to guide the preparation of site-specific planning proposals to determine additional height and floor space accessible consistent with the CSPS's nine aims. The proposal has considered the requirements of the Guideline throughout the development of the proposal, which has resulted in it demonstrating compliance with the Guideline.

9.2.5 Various Environmental Constraints

To accurately assess the various environmental constraints and impacts of the proposal, detailed studies have been undertaken including urban and architectural design testing and environmental analysis.

This design testing established the appropriate maximum planning envelope in terms of its impacts and the site's environmental constraints (especially in relation to wind and overshadowing). From there, the planning envelope was further refined to be capable of accommodating a tower form appropriate to the market and context, and designed in a manner responsive to the site's locational context and environmental constraints.

Following this, an indicative reference scheme wholly within the planning envelope was prepared, that complies with the height parameters dictated by overshadowing constraints, setbacks as determined by DCP controls, podium heights that respond to the existing streetwall character and heritage context, and a through-site link that responds to the topography of the site.

9.2.6 Feedback from the City of Sydney

In addition to responding to the parameters as set out in **Section 9.2.5** above, the proposed planning envelope and accompanying reference design has been shaped further by feedback from the City of Sydney and the DAP. The proponent team met with the City of Sydney on three separate occasions to discuss the development and public benefit opportunities that this planning proposal could facilitate. Site-specific matters that were discussed with the City included the form of the envelope, the proposed shared loading dock strategy, the design of the through-site link and how the site can implement perceivable sustainability measures into its future detailed design.

As a result, the proposed indicative reference scheme has incorporated the following attributes that will form part of a future DA:

- Adoption of a 20:1 above ground, and 0.30:1 below ground FSR;
- Commitment to providing a Kent Street Logistics Hub to be used by local couriers and logistical businesses to service the immediate locality and reduce on-street loading activities at Kent Street;
- A pedestrian through-site link that is supported by activated retail and is partially open to the sky; and
- An opportunity to incorporate outdoor landscaping features that are perceivable from the western catchment view corridor. This is provided by way of the indicative reference scheme incorporating wintergardens, terraces and balconies at the western elevation which will contribute to an overall tower 'greening' at the western facade.

9.2.7 Conclusion

Considering the above factors, this Planning Proposal has demonstrated that the proposal is suitable for an increase in density, which in-turn will contribute achieving the City's vision for Central Sydney. This Planning Proposal will deliver on an investment that improves on quality, sustainability and amenity along the Sydney CBD's western edge.

9.3 Articulation Allowance

The indicative reference scheme demonstrates how an allowance of 12.8% for the proposed tower envelope can be delivered as architectural articulation. This exceeds the City of Sydney's Guideline for Site Specific Planning Proposals which incorporates a sliding scale for articulation based on the height of a building, as demonstrated within the Design Report (**Appendix A**).

As illustrated in **Figure 66** below, the proposed planning envelope includes a 12% floor by floor articulation, and a 12.8% overall volumetrically applied articulation allowance which exceeds the requirement of 11% set out in the Guideline. This ensures that articulation opportunities are provided for the future design competition process and takes into account the external depth and sun shading (not occupied by floor space) into the future design.

A 12% allocation for an articulation zone applied to the tower envelope up to a height of 180m above Sussex Street ensures that a range of architectural forms can emerge within the proposed planning envelope and assumed tolerances, allowing sufficient flexibility for future competitors to deliver varied architectural outcomes in the architectural design competition.

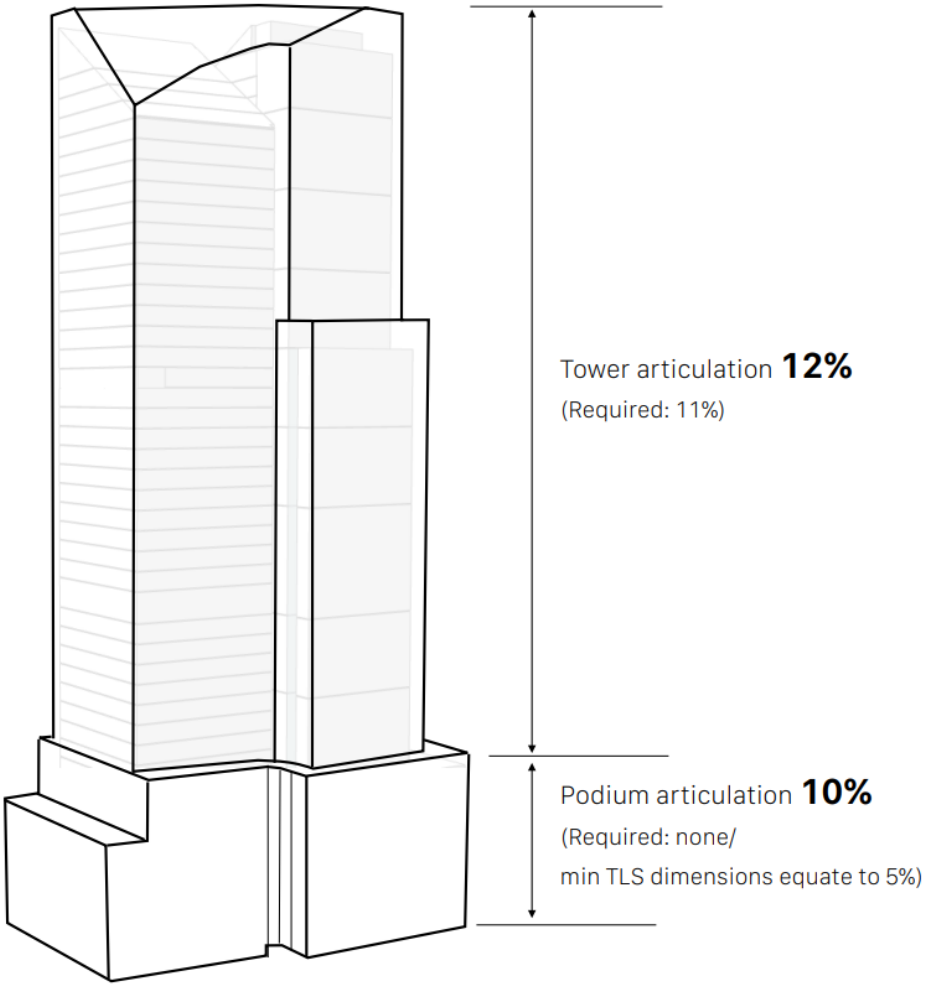


Figure 66 Articulation Allowance Diagram

Source: FJC

9.4 Design Excellence

A Design Excellence Strategy has been prepared and is included in **Appendix C**. It details the process and approach Charter Hall proposes to adopt in achieving the objectives and requirements of Division 4 of Sydney LEP 2012. The strategy seeks to establish a framework with minimum requirements to ensure that a fair, transparent and facilitative Invited Architectural Design Competition can be completed to ensure the achievement of design excellence and the highest sustainability outcomes.

The proponent has elected to conduct a single Invited Architectural Design Competition for the project. The process is to be undertaken prior to the lodgement of a detailed DA for the proposal. The Invited Architectural Design Competition will be conducted primarily in accordance with the Policy and Competitive Design Model Brief, however it will also draw on efficiencies supported within the City of Sydney Competitive Design Policy.

9.5 Overshadowing and Solar Access

9.5.1 Overshadowing of Public Places

Important Public Places (No Additional Overshadowing)

Under the CSPS, additional height and floor space must be balanced with the protection of sensitive and important public spaces to ensure solar access to these areas is not unreasonably compromised. Specifically, the proposed Height of Building complies with controls governing the protection of solar access to certain public places as stipulated by Clause 6.18 (Overshadowing of certain public places) of the Sydney LEP, which requires:

- No additional overshadowing between 14 April and 31 August to Sydney Square, which is protected between 11:00am and 4:00pm;
- No additional overshadowing between 14 April and 31 August to Sydney Town Hall Steps, which is protected between 10.30am and 4.00pm; and
- Full sun access to the Future Town Hall Square all year round between midday and sunset.

The overshadowing study (as demonstrated by FJC) has illustrated that the proposed envelope:

- Complies with both the Sydney Square and Sydney Town Hall Steps No Additional Overshadowing control and is therefore compliant with the intended periods of protection;
- Does not cast any shadow to the land identified as the Future Town Hall Square during the prescribed time of midday to sunset, all year round;
- Given the above, the objectives of Clause 6.18 of the Sydney LEP 2012 are thereby deemed to have been satisfied. These objectives are:
    - *a) to prevent additional overshadowing of valued public places that are used as areas for passive recreation by the public, workers and visitors in Central Sydney, and*
    - *b) to protect significant, new and planned public places from future overshadowing*.

The proposed planning envelope compliance with clause 6.18 of the Sydney LEP 2012 is demonstrated in **Figure 67** below.

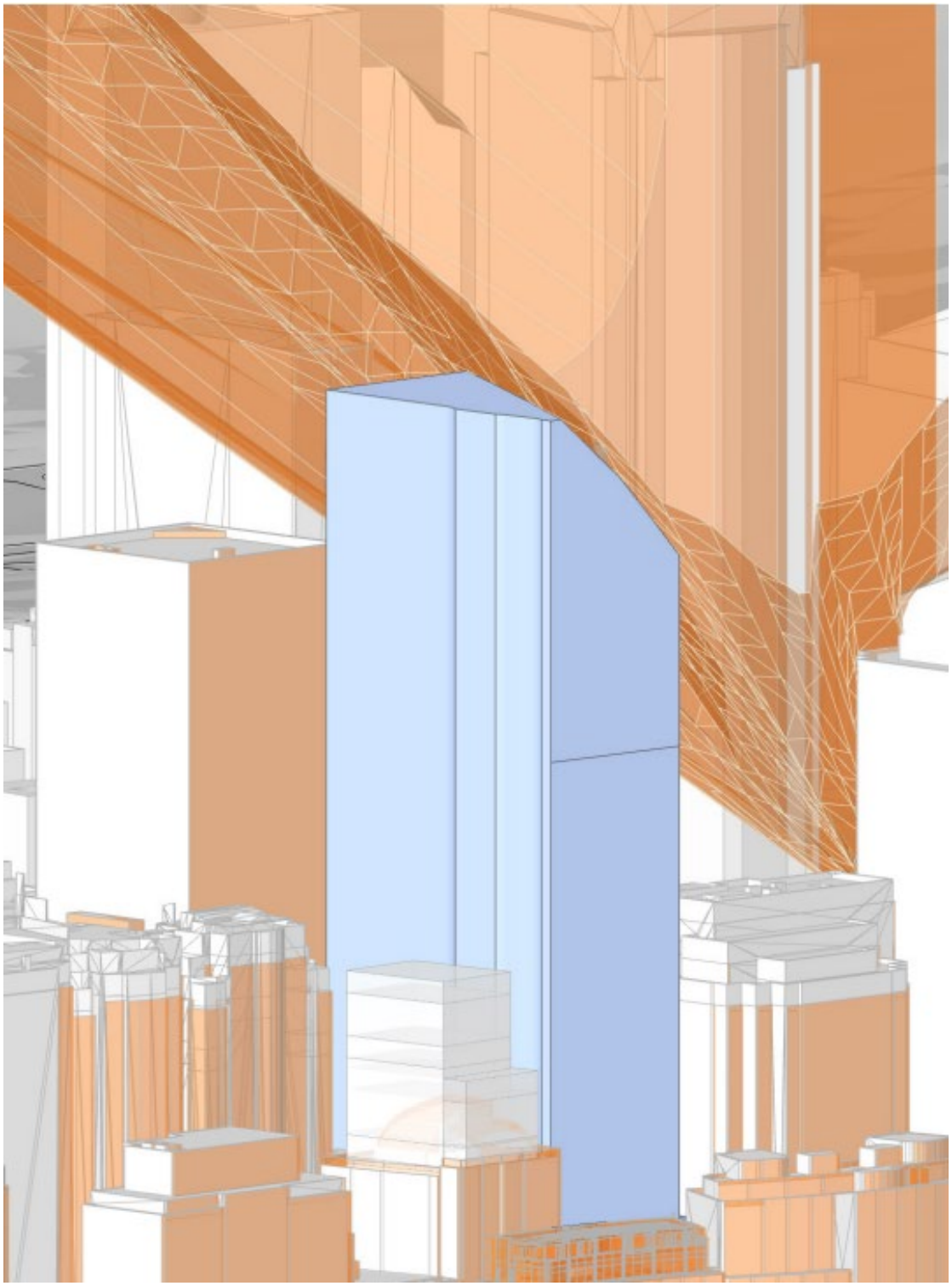


Figure 67 Proposed Planning Envelope with the No Additional Overshadowing Controls

Source: FJC

Overshadowing of the City's Streets

As shown in the shadow diagrams, the proposed planning envelope results in some additional overshadowing of various city streets compared to the existing situation. This additional shadow is generally fairly minor given the existing built up nature of the city.

In the context of a growing global city, some reduction in sunlight to public spaces is inevitable as smaller, older buildings are replaced with new buildings designed to the City's prescribed height limits and sun access planes. The City's expanded floor space capacity and its success in terms of economic output, job creation and the vitality will affect solar access to some degree, especially during winter months, to some extent. The City of Sydney has undertaken years of extensive work, however, to ensure that upper limits are prescribed and the most important public spaces are protected at the necessary times throughout the year.

It is in this context that the proposed planning envelope has been carefully designed in accordance with the CSPS and the Sydney LEP 2012 solar access and overshadowing controls that aim to protect certain public places. The future detailed design of the building will be articulated within the planning envelope and therefore will likely result in a reduced shadow impact. A detailed solar access and overshadowing analysis will be included as part of any detailed development application.

9.5.2 Overshadowing of Residential Buildings

Some residential buildings are located within the site's shadow catchment, as illustrated in **Figure 68**. To understand any potential shadow impacts to these residential properties, FJC has undertaken an impact analysis of the proposal on these properties (**Appendix A**). The two most relevant buildings that are likely to be impacted by the proposed building envelope are 25 Market Street to the south-east of the site, and 222-228 Sussex Street to the south of the site. The impacts of the proposed building envelope have been considered in the subsequent sections below.



Figure 68 Surrounding Residential Buildings

Source: FJC

25 Market Street, Sydney

25 Market Street is an existing 22 storey mixed use building, containing 127 apartments between Level 7 to Level 22. Sun eye analysis diagrams prepared by FJC found that the proposed building envelope would have an impact on some apartments contained at the northern elevation. Specifically, it was found that:

- 90 apartments will continue to receive 2hrs + sun access with the proposed envelope which equates to 70.4% of apartments.
- 5 apartments were found to have a reduced access to solar access where they will not receive a minimum of 2hrs of solar during mid-winter. However, solar studies prepared by FJC found that this impact reduced the amount of solar access to a total of 1 hour and 45 minutes during winter, representing a reduction. Refer to **Figure 69**.

Accordingly, the proposal achieves compliance with Council's overshadowing guideline.

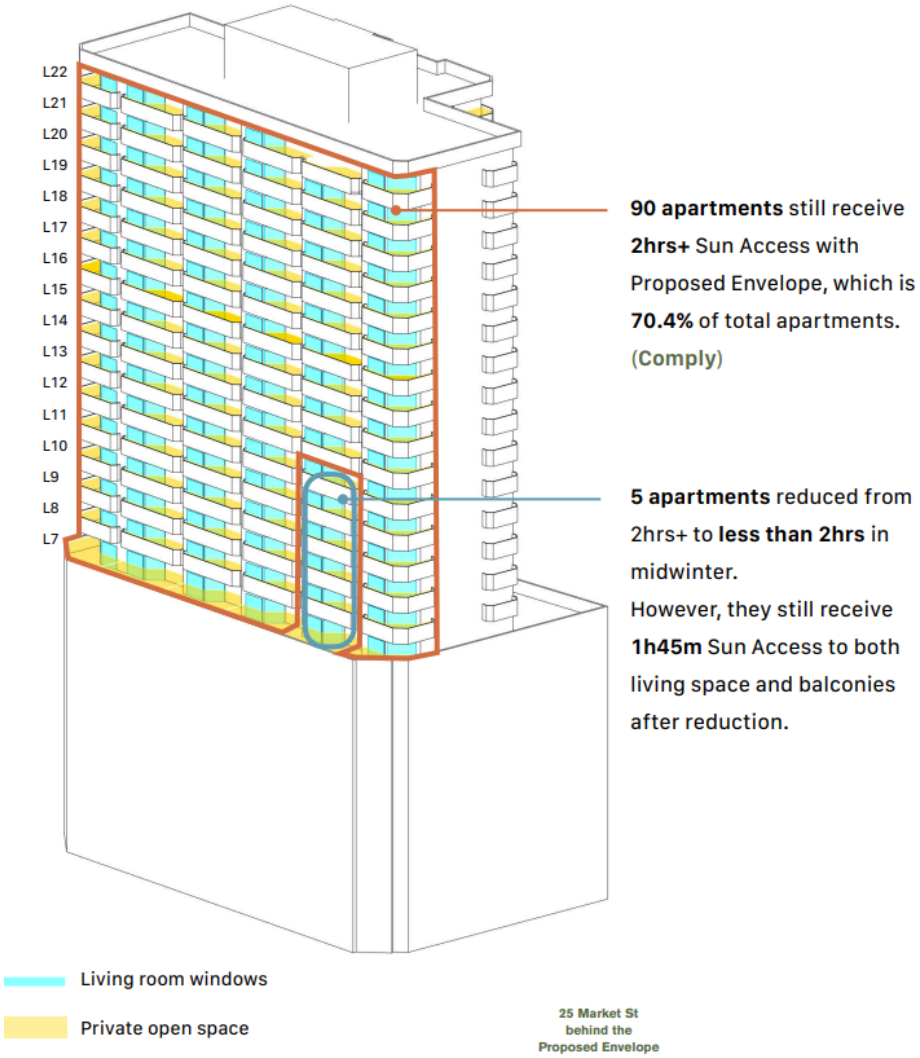


Figure 69 Impact to 25 Market Street, Sydney

Source: FJC

222-228 Sussex Street, Sydney

222-228 Sussex Street is a 32 storey residential building that contains a 114 residential apartments. FJC's solar analysis identifies that there may be an impact to northern oriented habitable spaces at 222-228 Sussex Street, as demonstrated in **Figure 70**.

The detailed sun eye view analysis of 222-228 Sussex Street undertaken by FJC found that:

- No high-level apartments are impacted. However, three (3) balconies of podium level apartments are affected, as the proposed building envelope is likely to reduce solar access from 2hrs+ to less than 2hrs during midwinter. However, they will still receive 1 hour 30 minutes of solar access during midwinter.
- The three (3) affected apartments were found to maintain between 1h 30min and 1 hour 55 min hours of sunlight to their respective balconies, with a slight reduction to the 2h solar access requirement benchmark set in the Apartment Design Guide (ADG).

Uniquely, there is an existing covenant on the 222-228 Sussex Street title that requires owners of podium level apartments (at the northern façade) to 'brick up' any north-facing windows, should a future structure be built within 12 metres of the affected windows. Given this requirement, the impact of solar access to the northern façade of this is considered negligible, as these balcony windows are considered 'non-essential'.

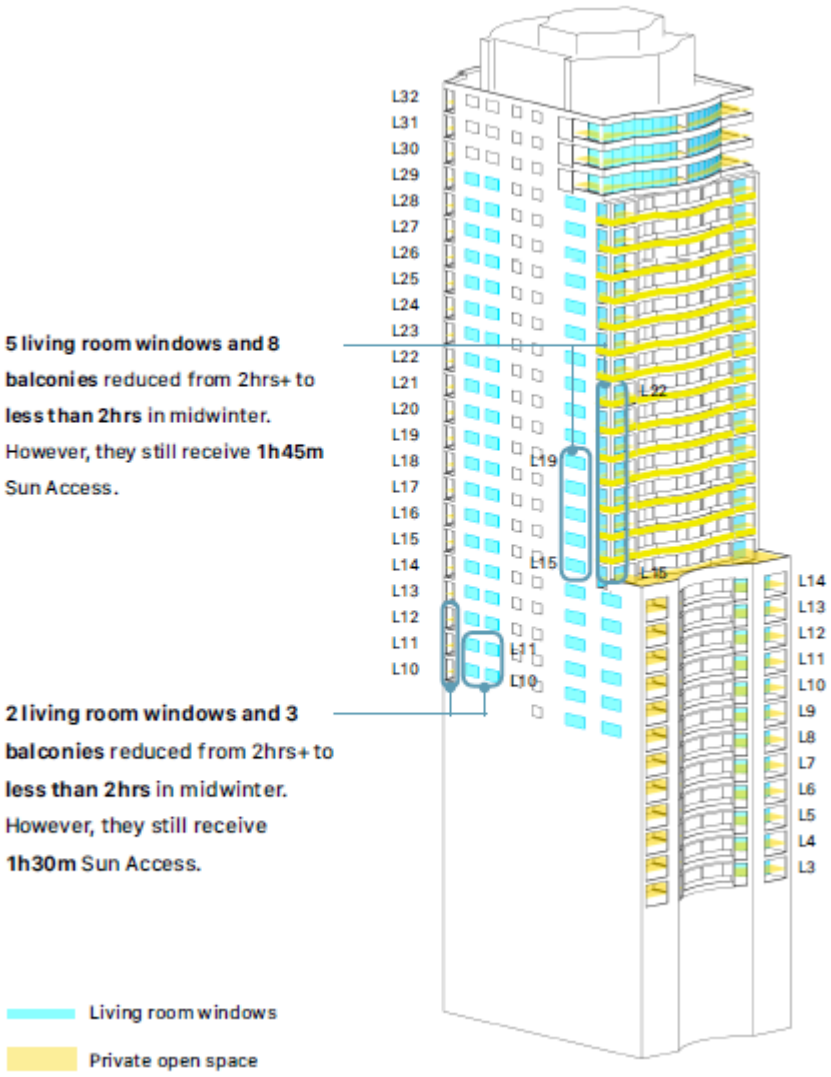


Figure 70 Detailed Sun Eye View Impact Assessment – 222-225 Sussex Street, Sydney

Source: FJC

In summary, the impact is considered to be very minimal (affecting only 3.5% of apartments) and considered reasonable in the context of the Central Sydney CBD. Further, Section 5.1.2 (6) of the Sydney DCP outlines:

> *When considering the likely impacts of a development on surrounding developments any adverse impacts on existing private views, visual privacy, solar and daylight access are considered reasonable where compliance with Section 5.1.1 and 5.1.2(1), (2) and (3) has been achieved.*

The proposal is compliant with *Section 5.1.1 and 5.1.2(1), (2) and (3)* and therefore can be considered acceptable.

9.6 Sustainability

An ESD Report has been prepared by LCI Consultants and is provided at **Appendix E**. It outlines the proposal's sustainability targets and initiatives that will form part of the future invited architectural design competition and Detailed DA.

The proposal will meet and exceed the latest City of Sydney net-zero energy development requirements introduced in January 2023 and proposes to target the following environmental certifications:

- 6-Star Green Star Building v1 certified rating targeted, including 20%embodied carbon reduction;
- 5.5 Star NABERS Energy rating (Commitment Agreement);
- 4 Star NABERS Water rating (Target);
- 5 Star NABERS Waste (Target);
- WELL Core Gold (Commitment Agreement);
- WELL Core Platinum (Target); and

- 100% renewable energy in operation.

The framework for achieving the sustainability aspirations is detailed in **Table 11** below.

Table 11 Framework to Reflect Best Practice Sustainable Design Principles

Framework	Compliance
Sydney DCP Ecologically Sustainable Development	Section 3.6 of the Sydney DCP provides detailed guidance for developments. The project has, and will continue to consider initiatives, that address Sydney DCP in the project design across the following areas: • Energy efficiency through passive design measures and HVAC considerations to reduce energy consumption; • Water efficiency through the selection of water efficient fixtures, rainwater harvesting and HVAC considerations to reduce cooling tower water consumption; • Investigation of onsite renewable technology; and • Continued careful selection of materials and building components to minimise embodied carbon and improve indoor quality for occupants.
Green Star Buildings – 6 Star Target	The development will be registered with the Green Building Council of Australia and will target a 6 Star Buildings v1 rating. Green Star Buildings v1 is a recently updated holistic building sustainability rating tool. A 5 Star Rating is considered current Australian excellence while a 6 Star Rating is considered current world excellence. As the lifecycle of the building is expected to commence in 2030, the project team will continue to investigate and aspire to target a 6 Star Green Star Building v1 certified rating target (minimum 5 Star to be delivered). The sustainability strategy measures would adapt and evolve with the technology and as methodology for achieving this targets evolves and changes.
NABERS Operational Sustainable Building Rating Scheme	The National Australian Building Energy Rating Scheme (NABERS) is a performance-based tool used to measure the operational impacts in existing buildings. The NABERS rating scheme rates energy, water, waste and indoor environment quality, with the project design targeting achievement with the following parameters: • **NABERS Energy** – The City of Sydney's new Net Zero Energy Developments requirement includes a peer-reviewed NABERS Energy Commitment Agreement of at least 5.5 Stars prior to CC approval. The commercial office portion of the proposed development will target a 5.5 Star NABERS Office Base Building Energy rating, which will be developed as part of the design competition and subsequent detailed design stages so that this is achieved in line with the technology available at this time in a future context. • **NABERS Water** – The commercial office portion of the proposed development will target a 4 Star NABERS Office Water rating. The building will include dual reticulation of potable and non-potable water to allow the development to access any recycled water network in the future Recycled Water Scheme which will deliver an immediate and measurable improvement in NABERS Water rating. • **NABERS Indoor Environment** – The commercial office portion of the proposed development will target a 5 Star NABERS Office Indoor Environment rating. The building will include high levels of outdoor air, CO2 sensing control, and low VOC material selection to minimise internal pollutant levels and keep air fresh in operation, demonstrated through regular onsite testing.
International WELL Building Institute – WELL Rating Scheme	The project is aspiring to pursue a WELL Core Platinum rating with a minimum of WELL Core Gold to be achieved. This requires not just healthy design and material selection but also the provision of employee policies and benefits that promote ongoing health and wellbeing. A portfolio approach to WELL will be considered where Charter Hall's operational processes and policies combined with project-specific design solutions and onsite testing will deliver a WELL rating as an attractor to tenants.
National Construction Code – Section J: Energy Efficiency	The building is seeking to meet and exceed the National Construction Code (NCC) Volume 1, 2022. Section J of the NCC outlines performance requirements so that the building and its services facilitate the efficient use of energy. During the detailed design stage, the architectural design will be assessed to develop thermal requirements for all the aspects of the building's envelope, such as glazing performance, façade and roof colouring, shading and insulation.

Source: LCI Consultants

In the context of the existing building and land uses on the site, the Planning Proposal will unlock the site's ability to deliver significantly improved environmental performance and sustainability outcomes. Importantly, the proposal will enable the site to evolve from its existing arrangement that facilities a 10-storey car park with approximately 800 car spaces, to a site that encourages active transport and embodies sustainability measures in a holistic sense. Further details regarding the proposed overall ESD strategy to be pursued for the redevelopment of the site are provided within **Appendix E**.

9.7 Connecting with Country

9.7.1 Connecting with Country Strategy

A Connecting with Country Strategy has been prepared by Yerrabingin and is provided at **Appendix F**. It explains how we understand, Acknowledge and Connect to Country, and provides an overview of the site from First Nations, geological and botanical perspectives.

The Strategy is outlined in **Table 12** below and provides an overarching assessment framework for how a future detailed DA can incorporate the goals of achieving Connecting with Country design solutions. These guiding goals (as provided by Yerrabingin) to inform future detailed design approaches have been formed with the Government Architect NSW (GANSW) *Designing with Country discussion paper* and the *GANSW draft Connecting with Country framework*. GANSW Designing with Country discussion paper introduces the importance of engagement with First Nations persons and organisations in the design process to achieve the best design outcomes that explore the Aboriginal worldview of Country.

Each strategic goal entails preliminary indicators for success specific to the proposal that will be used to assess the extent to which Country can inform a future design on site. The indicators will help guide the creation of a space that works with, and acknowledges Country (refer to **Appendix F**). The Connecting with Country Strategy (**Table 12**) outlines four (4) strategic goals, high-level indicators (italicised) with site specific indicators (dot-points) developed to assess Country focused design in this project.

Table 12 Connecting with Country Strategic Framework

Strategic Goal 1	**Country is acknowledged by exploring the elements of Country (Water, Wind, Sky, Forest, and Deep Country) and the interconnected nature of these elements. The design is developed in response to the unique expression of Country at the site.**
Preliminary Indicators for Success	*Built form and landscape are influenced by/reflect Country at the site. The design has considered the interconnected nature of all of the elements of Country.* • Reference the natural geology and topography of the site. • Consider the movement of wind throughout the site. • Create a physical connection to sky on site. • Reference the endemic vegetation of the landscape. • Consider the movement of people and animals across the site.
Strategic Goal 2	**Impacts of natural events such as fire, drought, and flooding, exacerbated by unsustainable land- and water-use practices, will be reduced.**
Preliminary Indicators for Success	*Increased programs to monitor the health of Country (with a view to measuring health of Country and community in the future).* • Celebrate the natural movement of water across the site. • Consider the impacts of natural events such as fire, drought, and flooding on the site. • Incorporate sustainable land- and water-use practices on the site. • Incorporate naturally sourced and sustainable materials.
Strategic Goal 3	**Aboriginal cultural knowledge will be valued and respected. Aboriginal knowledge-holders will co-lead design and development of all NSW infrastructure projects.**
Preliminary Indicators for Success	*Improved cultural competency (across teams and individuals within agencies)* • Co-design with Aboriginal community members from the area. • Incorporate significant local Aboriginal stories and narratives into the design. • Incorporate references to local Aboriginal cultural knowledge and practices into the design to educate users of the space about Aboriginal life and culture on site.
Strategic Goal 4	**Aboriginal people will have access to their homelands so they can continue their responsibility to care for Country and protect sensitive sites.**
Preliminary Indicators for Success	*Demonstrated commitment by client agencies to build direct relationships with relevant Aboriginal communities on Country Increased Aboriginal participation in lead consultant teams as well as in project codesign, decision-making, and governance Increased awareness of, and protection for, cultural values and Aboriginal knowledge (Aboriginal culture and*

heritage as well as intellectual property) Demonstrated co-design of engagement processes with community on Country.

- Create a culturally safe space for local Aboriginal people to gather on site.
- Consider and incorporate future employment and business opportunities for local Aboriginal people.
- Respect the local Aboriginal cultural and land uses of the site.

Furthermore, Yerrabingin have provided initial Connecting with Country design concepts that the indicative reference design can accommodate and be further developed as part of any future detailed design DA. Specific reference has been made with regards to future draft design provisions that can be accommodated as part of the proposal, including the through-site link and the 'greening' of the western elevation façade, with specific suggestions being:

- Highlighting views of Country by enabling views to western water sources or to the sky.
- Use of interpretive wayfinding that references the natural shoreline and movement of water.
- Utilisation of sculptural rendering techniques that emulate references to Country or contribute to Storytelling as part of façade or through-site link wall designs.
- Use of natural eco-tones and natural sustainable materials in the palette of materials and colours conjured as part of any future design development.
- Prioritisation of seasonal endemic planting schemes as part of the western elevation terrace gardens.

It is envisaged that these draft design principles be incorporated in the Design Excellence process along with the City.

9.7.2 Connecting with Country Concept

Initial Connecting with Country indicative design concepts have been prepared by Yerrabingin and are included at **Appendix G**. It identifies preliminary opportunities for Connecting with Country influenced design that the indicative reference design could adopt and fully realise during a future DA stage. It identifies that the through-site link, stepped façade formation, outdoor terraces and internal void spaces as key opportunities within the future development to incorporate designing with Country principles on site. Refer to the following sections where this is further outlined.

Through-Site Link

A future through-site link on the site connecting Kent Street and Sussex Street anticipates a high pedestrian utilisation and is an opportunity to reconnect two diverse ecologies. The site sits between the saltwater environment of the eastern shore of Tumbalong, and the freshwater environment of the Tank Stream valley catchment. As illustrated in **Figure 71** below, there is opportunity to highlight the natural forms, colours, and features of Country to allow people to further experience the natural landscape and develop a further understanding and appreciation of Indigenous life on site, and how the site has changed over time. A further landscaping scheme will be prepared as part of a future DA stage for the site and will outline in depth the landscaping concept for the site.

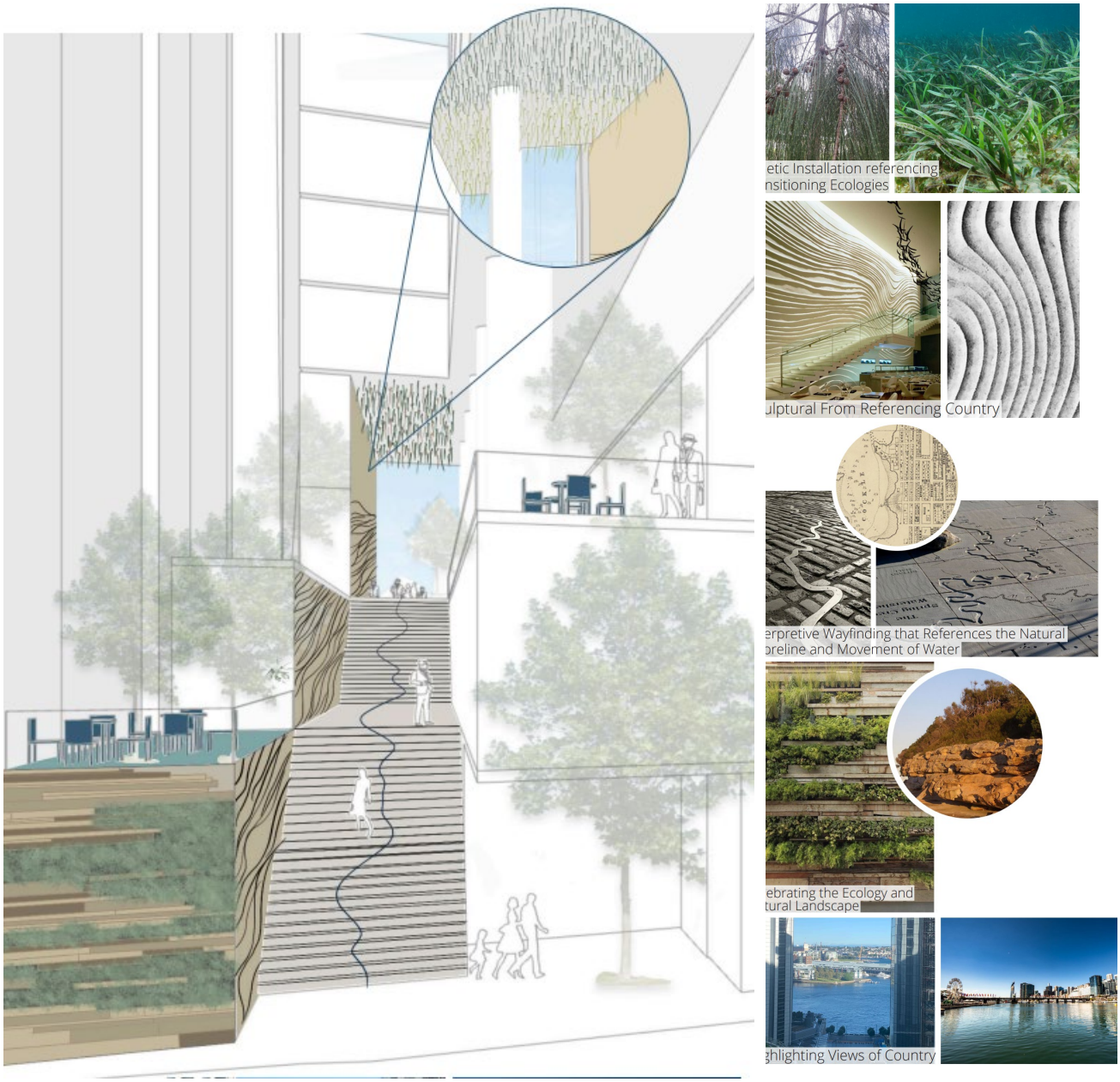


Figure 71 Initial Connecting with Country Opportunity – Through-Site Link

Source: Yerrabingin

Green Façade, Terraces and Internal Voids

The prominent location of the site along the CBD's western edge provides an opportunity for the façade to celebrate the diverse ecologies of Wanne and Cadi countries through materiality, colour and planting. As illustrated in **Figure 72** below, there is opportunity to explore the different qualities of the neighbouring Countries through colour and materiality on different faces on the building. Opportunities for biodiversity at the site can be increased by adding seasonal plantings to encourage non-human kin back to the site. In addition, the implementation of sustainable water management at the site and using sustainable materials will help to improve the health of Country.



Figure 72 Initial Connecting with Country Opportunity – Green Façade and Terraces

Source: Yerrabingin

9.8 Pedestrian Wind Environment

Pedestrian Wind Environment Studies has been prepared by Windtech and is provided at **Appendix H**. The studies consisted of the following scenarios:

- Existing building massing (existing case).
- Maximum Planning Envelope (envelope case); and
- Reference Design Scheme (massing case);

As illustrated in **Figure 73**, wind tunnel testing was carried out using a 1:300 scale model of the existing, envelope and massing cases and surrounding building models. The study model incorporated all necessary architectural features on the façade of the development to ensure an accurate wind flow is achieved around the model. The effect of nearby buildings and land topography was accounted for through the use of a proximity model, which represents a radius of 375m from the development site. The models were tested without the effect of any forms of wind ameliorating devices such as screens, balustrades, awnings or any vegetation, all excluded from the testing.



Figure 73 Wind Tunnel Modelling – Proposed Planning Envelope viewed from the west

Source: Windtech

A total of twenty-two (22) study points were selected for analysis in the wind tunnel. This includes fourteen (14) location points at various pedestrian footpath areas along both Kent Street and Sussex Street, and eight (8) study points within the through-site link (for testing of the reference design only), as demonstrated in **Figure 74** below.



Ground Floor Plan (Street Frontages for the Massing, Envelope and Existing Cases)



Lower Ground Floor Plan (Massing Case only)



Ground Floor Plan (Massing Case only)

Figure 74 Wind Study Point Locations

Source: Windtech

The wind study indicates that wind conditions from the proposed planning envelope (Envelope Case) results in better than or equivalent to existing conditions at all points. **Table 13** below outlines a comparison of the results at each street frontage as tested.

Table 13 Street Frontages Wind Tunnel Result Comparison (exceedances highlighted in grey)

Point	GEM (5% exceedance) (Criterion = 8.0) (m/s)			Annual Gust (Criterion = 24) (m/s)		
	Existing Case	Envelope Case	Massing Case	Existing Case	Envelope Case	Massing Case
Point 1	7.5	7.8	7.2	25	25	23
Point 2	6.8	7.0	6.9	24	23	24
Point 3	6.4	7.1	7.2	23	24	24
Point 4	6.7	7.8	7.4	25	22	24
Point 5	7.3	6.9	7.3	27	25	27
Point 6	4.1	5.5	5.0	13	18	14
Point 7	4.3	5.6	6.3	13	17	23
Point 8	4.2	5.6	5.5	13	17	18
Point 9	4.5	5.5	5.3	13	17	17
Point 10	4.8	5.6	5.4	13	16	15
Point 11	7.1	6.9	7.5	23	21	22
Point 12	6.9	6.4	8.5	25	23	27
Point 13	5.6	6.3	6.2	20	21	21
Point 14	4.9	6.8	6.3	17	23	21

Source: Windtech

The results indicate that the locational points that exceed the relevant wind criteria relate to Sussex Street locations in all scenarios. The exceedances occur from the prevailing westerly winds which downwash off the podium façade and side-stream/funnel along the Sussex Street façade at ground level. However, the impact of downwash from the tower section of the proposed envelope is reduced due to the effective setback of the tower form from the western podium edge. This is demonstrated in the illustration of the Existing Case and Envelope Case wind tunnel testing results provided in **Figure 75** below which demonstrates an improved wind outcome.



Existing Case *Envelope Case*

Figure 75 Street Frontage Wind Tunnel Testing Results – Existing vs Envelope Case

Source: Windtech

The Existing Case comprises four (4) areas that exceed the safety criterion on Sussex Street (Points 1, 4, 5 and 12). The Envelope Case also comprises two (2) areas that exceed the safety limit which are either equivalent to or better than the existing site wind conditions and not worsened with the inclusion of the proposed planning envelope. In reference to Section 5.1.9(2) of the Sydney DCP, a development subject to a quantitative wind effects

report must not cause a wind speed that exceeds the Wind Safety Standard or Wind Comfort Standing for walking, except where the existing wind speeds exceed the standard. In applying these controls, the proposed planning envelope thereby complies as it does not worsen the existing condition.

In regard to the reference design (Massing Case):

- The wind study indicates that the wind conditions for the majority of the trafficable outdoor locations are within the assigned walking comfort criterion and safety limit.
- The through-site link (Points 15-22) was also found to satisfy the criterion, rendering it is suitable for short duration stationary activities such as café seating. The wind conditions along Kent Street also satisfy the assigned comfort criterion of Walking and are within the safety limit.
- A marginal exceedance in the safety limit is observed at Point 05, however, this is equivalent to the wind speed values recorded at the existing site and hence, the development does not worsen the wind conditions at this location, in alignment with the intention of provisions contained within Section 5.1.9(2) of the DCP.
- Exceedances in the walking comfort criterion and safety limit are observed at Point 12. Various mitigation measures were tested in efforts to ensure compliance with the Sydney DCP criterion, including the exploration of a building recess along the Sussex Street frontage (refer to **Figure 76**) which is a viable option to consider as part of any reference scheme prepared for the site. The results of this potential reference scheme building recess mitigation measure resulted in a reduction at Point 12 from 8.5 to 7.9 for gust equivalent mean (GEM) and from 27 to 25 for annual gust. As such, the potential mitigation measure results in the reference design achieving the target comfort criterion, being equivalent to the existing site wind conditions for safety and not worsened.

It is noted that the future detailed design will undergo further wind tunnel testing to maximise the pedestrian wind environment improvement.

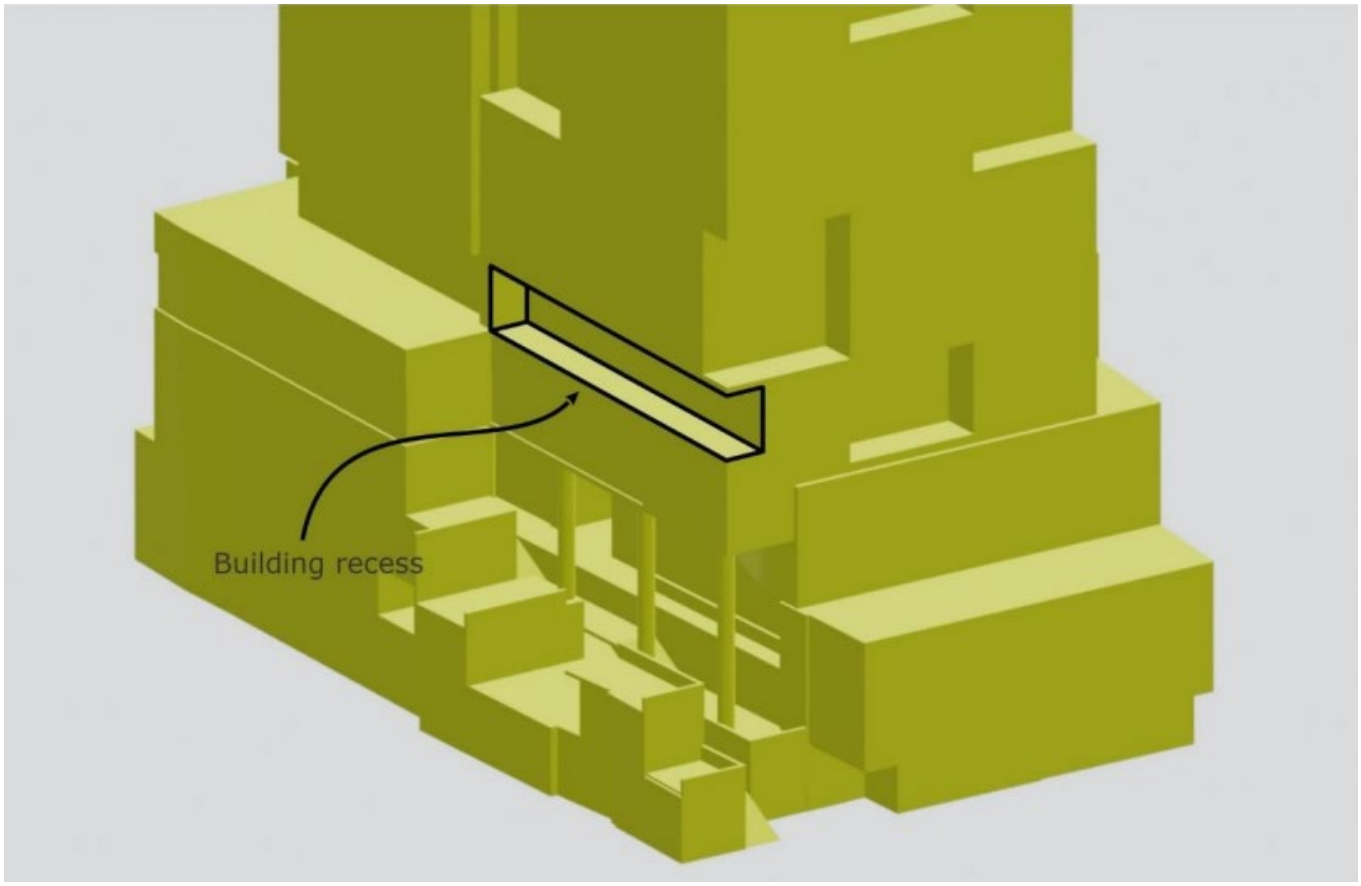


Figure 76 Treatments Tested – Perspective View

Source: Windtech

9.9 Pedestrian Comfort

A Pedestrian Comfort Assessment has been prepared by Movissian and is provided at **Appendix I**. The assessment analyses the existing and likely future pedestrian flows and behaviours on the footpaths in the vicinity of the site.

Site visits and a pedestrian survey were conducted by Movissian between 23 and 29 November 2022 to inform the pedestrian comfort assessment and comprises of the following scenarios:

1. **2022 Existing** – Existing (post Covid-19) conditions based on recorded observations and data. This scenario sets the baseline for analysis.
2. **2042 Existing Development, Future Background Flows** – This scenario considers the future 2042 performance including background growth due to employment (@0.4% per annum). This sets the baseline for future analysis.
3. **2022 Future Development, Existing Background Flows** – This scenario considers the proposal in operation as of 2022 with existing background flows. This assumes a similar occupancy/profile as of 2022.
4. **2042 Future Development, Future Background Flows** – This scenario considers the future 2042 performance including background growth due to employment and the net impact of the proposal. This scenario assumes a proxy (i.e. a return to pre-covid behaviours), but still reflects a shift to a more flexible arrival profile than is evident today.

The assessment of the scenarios is summarised as follows:

- The east side of Kent Street has a modal performance of Level of Service C, but does have narrowing around trees/furniture that create the Walking Space metric of Level of Service D-E.
- The 383 Kent Street property itself has very few obstructions and fronts to parked cars along the length of the title boundary. As such, for all scenarios, Level of Service C can be provided if 3.7m of width is maintained and assumes parked vehicles are retained (or even better, the parking lane is returned to pedestrians).
- Away from the development, several localised narrowing of the pavement due to trees, poles, phone booth, parking meter, benches and one bus stop exists along the western side. The Walking Space analysis indicates these are considered Level of Service F – even at existing demand levels. This holds true for Scenarios 2 and 3. The Walking Guide indicates that, to achieve Level of Service C, a clear channel (excluding the obstructions and recognising areas adjacent to moving vehicles) of 3.7m. The total width of the pavement is approximately 3.7m.
- For the future Scenario 4, where behaviours are moving towards pre-covid levels, the south-west side (south of 383 Kent Street) is estimated to be within a Type 5 classification, and therefore puts pressure on pavement widths and the ability to maintain the bus stop at the existing location.
- For Sussex Street, the existing classification is Type 3 and expected to remain Type 3 even with the development. A width of 3m is therefore sufficient to maintain Level of Service C performance.

As a result of the above assessment, Movissian has provided a series of recommendations that can be adopted to further assist in improving the Level of Service for better pedestrian amenity at the streetscape. Considering the pedestrian comfort outcomes and improvements as a result of the indicative reference design massing, the redevelopment of the site is shown to significantly increase pedestrian comfort amenity and wind conditions for human trafficable sections. a 10m wide through-site link, supported with landscaping and retail tenancies, as well as the removal of vehicular access from Kent Street, and the elimination of the existing 10-storey car park on site will contribute to a greater pedestrian amenity outcome. Further to this, Movissan have made additional recommendations to further increase the pedestrian comfort at the ground plane (refer to **Table 14** below).

Table 14 Pedestrian Comfort Recommendation of Improvements

Recommendation	Responsibility
Short-term	
Removal of Telstra Booth along Kent Street	City of Sydney
Removal of parking meter directly outside of 383 Kent Street lobby entrance.	City of Sydney
Static survey around the public bench (location #4) at the north-west of Kent Street – to understand usage and whether this is better placed elsewhere. This is only because observations showed little	City of Sydney

Recommendation	Responsibility
usage of the bench, and its adjacency to both the signalised intersection and moving traffic would indicate extra width in this location would be better value for pedestrians.	
Long-term	
Removal of parked vehicles and extend the footpath all the way to the Market Street and Kent Street intersection.	City of Sydney
Relocation of the bus stop to the indent in the public domain in front of 379 Kent Street.	City of Sydney, Transport for NSW
Installation of a zebra crossing to encourage greater usage of both sides of Kent Street and to manage the arrival and departure demand across both sides of Kent Street. This should be considered in the location of the through-site link, in alignment with the Section 3.1.2.2 of the Sydney DCP which highlights the location of through-site links.	City of Sydney, Transport for NSW

Source: Movissian

9.10 Transport, Traffic and Loading

A Traffic and Transport Assessment has been prepared by Stantec (**Appendix J**). It outlines the existing traffic and transport context of the site, and provides an assessment of the likely traffic outcomes and impacts resulting from the future development anticipated from this Planning Proposal.

9.10.1 Existing Conditions

The existing transport and traffic conditions have been reviewed by Stantec, including a review of the existing public transport, pedestrian and cycling facilities and local road network conditions. It was found that:

Walking and Cycling

- Walking is the primary travel mode within the local area, with the surrounding streetscape fostering a high level of connectivity within the locality.
- The site has good cycling accessibility, with a dedicated bicycle lane along Kent Street that provides connections to the wider Sydney CBD and LGA cycling network.

Public Transport

- The site is well serviced by existing public transport, such as:
  - **Heavy Rail** – Town Hall Station is an approximate 500m walk and Wynyard Station is an approximate 800m walk from the site;
  - **Light Rail** – QVB Station is an approximate 300m walk and Wynyard Station is an approximate 800m walk from the site; and
  - **Ferry** – Barangaroo Wharf is an approximate 800m from the site.
- The site will also benefit from investment into other high accessibility transport options and is located in proximity to future Sydney Metro Stations nearby the site, including:
  - **Sydney Metro City and South West** – Due to open in 2024 is Pitt Street Station (approximately 600m walk from the site) and Martin Place Station (approximate 900m walk from the site); and
  - **Sydney Metro West** – Due to open by 2030 is Hunter Street Station (approximately 850m walk from the site) and Pyrmont Station (approximately 850m walk from the site).

Vehicular Access

- The site has strong vehicular connections with Kent Street, Sussex Street, Market Street and King Street, all forming key access routes through the Sydney CBD and beyond.
- Existing traffic volume surveys were completed on Kent Street between 7 and 13 September 2022. The results show distinct peak hours commencing at 8:00am on weekday mornings and 5:00pm on weekday afternoons, generating traffic movement of around 600 vehicles per hour. During the interpeak period, the hourly volumes were around 400 to 500 vehicles.
- The site includes a public car park that comprises over 800 spaces, which operates 24 hours, 7 days a week.

9.10.2 Parking and Access

Car Parking

The future proposal would comply with the Sydney LEP 2012 parking rates, limiting private vehicle use and encouraging access via public transport, walking and cycling. As per the provisions of the Sydney LEP 2012, a maximum of 72 car parking spaces (70 Office, 2 Retail/Gym) would be permitted as part of a future redevelopment. The indicative reference scheme provides for a singular basement level dedicated to private vehicle parking and will accommodate a total of seventy-two (72) car parking spaces, which includes four (4) accessible car parking spaces plus three (3) car share parking spaces.

Final parking layout and specific provisions will be subject to confirmation as part of subsequent detailed design to inform a future DA on site.

Bicycle Parking

End-of-trip facilities have been accommodated into the indicative reference scheme and will provide on-site amenities for use by the end users of the building, in this case, staff and visitors. The provisions of Section 3.11.3 of the Sydney DCP require the following end of trip facilities to be provided on site:

- 479 bicycle spaces for staff in secure locations;
- 186 bicycle spaces for visitors in publicly accessible locations;
- 665 lockers and 68 showers and change room facilities.

A total of 1,070m^2 is proposed to be dedicated to end-of-trip facilities and will be included below ground at the Kent Street frontage. In this regard, the indicative reference scheme is able to accommodate sufficient end of trip infrastructure to support compliance with the rates as stipulated in Section 3.11.3 of the Sydney DCP.

9.10.3 Trip Generation

Vehicle Trip Generation

Vehicle trip generation of the site is expected to be influenced by the parking and loading provided at the basement levels. The proposed Kent Street Logistics Hub is expected to be responsible for the majority of trips generated on the site and is likely to generate up to 125 vehicle trips during peak hours.

Considering the site currently has a public car park that houses over 800 spaces and is accessed via both streetscapes (thereby contributing to traffic generation within the locality), applying the same traffic generation rate of 0.4 vehicle trips per space suggests that the public car park could generate up to 320 vehicles trips per hour. This Planning Proposal seeks to remove the existing 10 level car park and re-instate a singular basement level that Stantec forecasts to generate 30 vehicles per hour both to and from the site, accessed via Sussex Street only.

On this basis, as a result of the removal of the over 800 space car park on site, the proposal has the ability to significantly reduce traffic volumes generated by the site and contribute towards reducing vehicle trips into the Sydney CBD, thus further encouraging a meaningful shift in travel behaviour towards a more sustainable outcome on site.

9.10.4 Loading and Servicing

Overview

The Traffic and Transport Assessment (**Appendix J**) provides an overview of the loading dock and is supported by a Loading Dock Memo at Appendix C of the Traffic and Transport Assessment. The loading dock will be located at the Sussex Street Ground Level and will be designed to accommodate vehicles up to 8.8 metre MRVs. The Sydney DCP provides requirements for service vehicle parking for various land uses and mandates a provision of 21 loading bays required to accommodate the loading demands associated with the proposal.

The reference design includes the provision of 28 loading bays and includes spaces for:

- 3 x MRV bays,
- 7 x SRV bays; and
- 18 x car, van and ute bays (B99).

The loading bays are to be designated either for the development itself or as part of the Kent Street Logistics Hub as outlined in **Table 15** below and illustrated on **Figure 77** following.

Table 15 Loading Dock Breakdown

Loading Vehicle Type	383 Kent Street Loading Dock	Designated Shared Loading Dock Spaces	Total
MRV	2	1	3
SRV	5	2	7
B99	14	4	18
Total	**21**	**7**	**28**

The surplus provision of seven (7) additional loading bays above the Sydney DCP requirement is deliberately intended to cater for any such additional loading demand generated by neighbouring businesses located between King Street and Market Street as part of the Kent Street Logistics Hub strategy. This surplus has been based on the assessment undertaken by Stantec discussed in the following section. An extract of the Kent Street Logistics Hub basement level is provided in **Figure 77** and illustrates the 7 indicative shared loading dock spaces to be designated.



Figure 77 Sussex Street Ground Level Plan

Source: FJC

Swept path analysis have also been completed for the reference vehicular access and shared loading dock design. The swept paths considered the size of a range of vehicle types including B99, SRVs and MRVs. The swept paths are attached to the Loading Dock Memo at Appendix C of **Appendix J** which illustrates that servicing vehicles can enter and exit the site in a forward direction and that there is adequate manoeuvring area within the reference loading dock design for the vehicles to enter and exit loading bays.

As outlined in **Section 4.6**, the proposal includes the provision for a Kent Street Logistics Hub to support the surrounding development that are not afforded adequate loading capacity and contribute towards removing on street loading as articulated in the *Central Sydney Infrastructure Plan 2020*.

The key benefits to the Kent Street Logistics Hub include:

- **Supporting the future viability of retail offerings** – The proposed shared loading dock has the potential to 'unlock' more efficient use of space within the Precinct, allowing laneways and other existing rear courtyard loading areas to be converted for other uses (e.g., public domain space, increased outdoor dining and entertainment net-lettable area).

- **Improving pedestrian safety and amenity and the heritage streetscape** – Should the Kent Street on-street parking and loading zones and temporary stopping restrictions be removed by City of Sydney, there is opportunity to improve the heritage streetscape, pedestrian safety, and amenity by reclaiming the space for pedestrian and cyclist manoeuvrability, thereby increasing public domain amenity.
- **Minimising on-street loading activities** – Any removal of on-street parking could increase retail activation along Kent Street by increasing visibility to the retail tenancies given the absence of vehicles, especially rigid trucks operating at the kerbside.
- **Reducing vehicular crossovers** – Gradients across the site means a Sussex Street access naturally lends itself best to on-site basement level loading arrangements. Isolating loading dock site access to Sussex Street improves Kent Street activation and consolidates service vehicles to the periphery of the CBD.

The existing loading availability within the established extended catchment is depicted in **Figure 78**. It includes Kent Street (between King and Market Streets), and sites on the western side of Clarence Street and eastern side of Sussex Street (also between King and Market Streets). As illustrated in **Figure 78**, at least five (5) sites within this catchment do not benefit from any existing loading dock provision, and at least twelve (12) are serviced by informal docks which likely do not meet the demand required by those buildings (many of which are constrained by the heritage value of the land and cannot accommodate sufficient loading areas).



Figure 78 Kent Street Shared Loading Catchment Area

Source: FJC

The seven (7) proposed designated shared loading bays are able to service up to 7,500m^2 of retail GFA, or 4,000m^2 of retail GFA and 15,000m^2 of commercial GFA, based on the application of TfNSW's Urban Freight Forecasting Model methodology (refer to Loading Dock Memo at Appendix C of **Appendix J**).

Loading Dock Management

The loading dock will be accessed via vehicle driveway crossover on Sussex Street which will accommodate space for one vehicle to enter and exit at any given time (refer to **Figure 77**). This vehicular crossover will also provide access to the car parking and end-of-trip facilities. There is good separation between service vehicles and light vehicles with the single driveway crossover, which will ensure a minimisation of impacts to the Sussex Street frontage and will act as a traffic calming device to encourage vehicles to slow down upon ingress and egress.

A dedicated goods lift will provide direct access from the loading dock to Kent Street via the public through site link, with a separate goods lift for the tower also provided, as illustrated in **Figure 79** below.

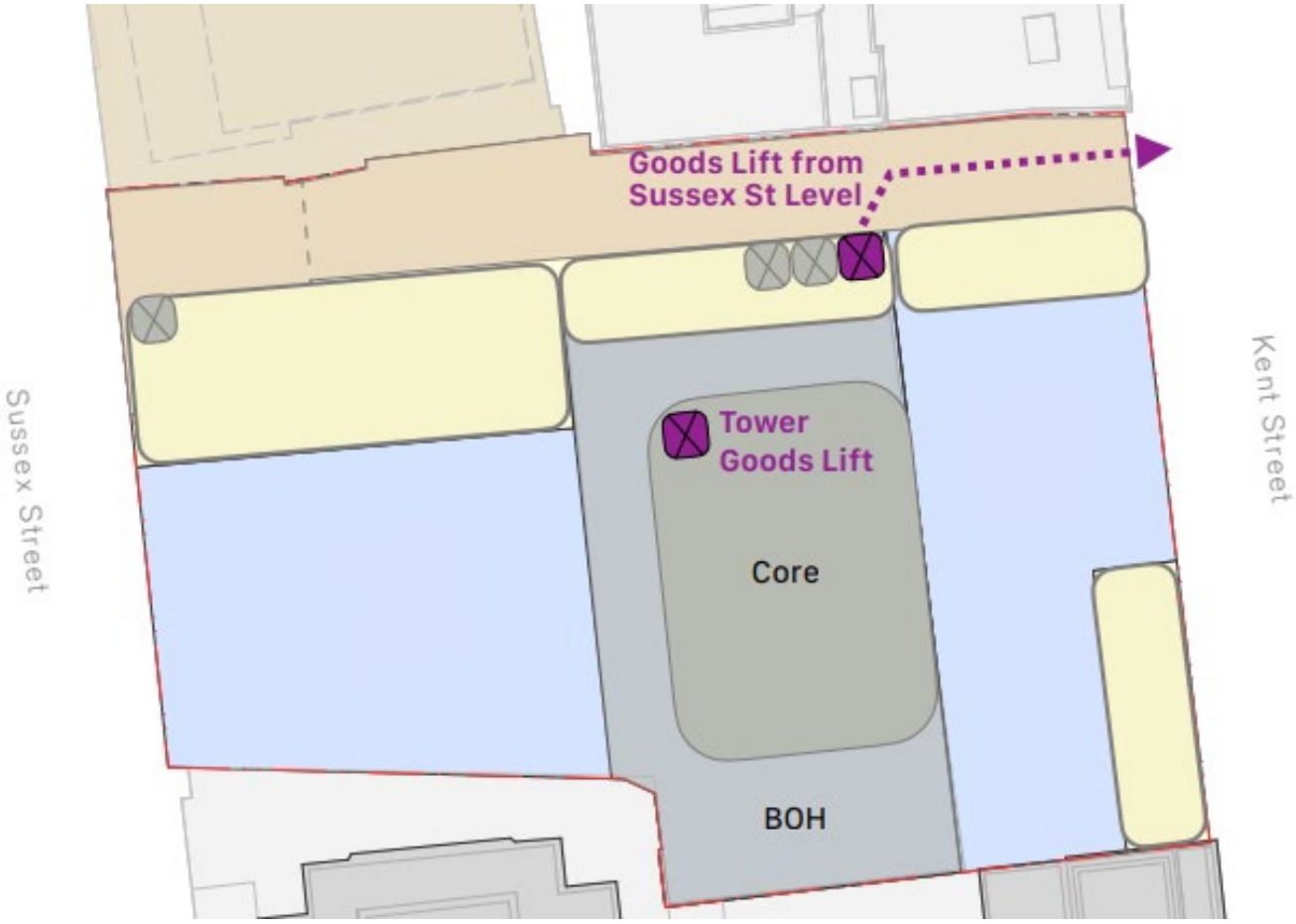


Figure 79 Loading Access – Kent Street Ground Floor

Source: FJC

The loading dock will be available for service vehicle access during standard building operating hours, with arrangements for after hours and weekend access. A detailed loading dock management plan will be prepared at a later stage to tailor the operational management of the loading dock. The loading dock will likely be managed through a booking system that will require users to book prior to arrival. Unauthorised vehicles would be instructed to exit the site, enforced by future signage displayed to inform all delivery couriers of such booking management arrangements.

9.11 Airport Operations

Clause 7.16 of Sydney LEP 2012 requires that the consent authority must not grant development consent if the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface and should not be constructed. While approval is not required at the Planning Proposal stage, a Preliminary Aeronautical Impact Assessment has been prepared by Avlaw Aviation Consulting (Avlaw) (provided at **Appendix K**) which communicates that the likelihood of future approval is attainable.

In effect, the consent authority will require the federal Department of Infrastructure and Regional Development to authorise the penetration of the Obstacle Limitation Surface (OLS), typically as a condition of consent of a future DA. The applicable OLS applying across the Sydney CBD is 156m AHD.

The proposed planning envelope will penetrate the OLS and therefore will require approval as a controlled activity under the Airports Act 1996. The Preliminary Aeronautical Impact Assessment concludes that:

- As the proposal will penetrate the OLS both permanently by the building and temporarily by two cranes, each will be classified as a "controlled activity" and will require aeronautical assessment and approval by aviation stakeholders. Avlaw has determined that the penetration of the OLS by the building and cranes in this instance is acceptable because the site is clear of the approach and take-off areas for all of Sydney Airport's runways, as well as well as being "shielded" by Sydney Tower (Centrepoint) to a height of 280m AHD at the site.
- The vertical distance between the proposed building height of 189.80m AHD and the next lowest airspace protection surface (i.e. PANS-OPS at 283.8m AHD) is 94m, providing a generous buffer for temporary crane activity before any other airspace protection surfaces are penetrated. However, if shielding is to be applied,

then the 94m vertical buffer would be reduced to 90.2m AHD. This conclusion is based on the findings of Avlaw's independent modelling of the airspace over site, rather than relying solely on the charts published by Sydney Airport, which show the PANS-OPS surfaces at a greater height.

- With respect to helicopter operations in proximity to the site, Avlaw has determined that the airspace protected under the National Airport Safeguarding Framework (NASF) – Guideline H for Strategic Helicopter Landing Sites does not limit the currently proposed building and crane heights. This is due to the fact the site is laterally clear of the airspace protected under the guideline and in any case, approaches and departures at the nearest helipad (i.e. Royal Prince Alfred Hospital) are clear of the site. The proposed development is also shorter in height than that of existing surrounding buildings.

In summary, Avlaw's assessment concludes that the proposed building and associated crane activity should receive aviation approval.

9.12 Heritage Assessment

A Heritage Impact Statement (HIS) has been prepared by Urbis and is provided at **Appendix L**. It assesses the potential impact of the proposal in the context of the surrounding heritage context. As outlined in **Section 2.3**, the site is not a heritage item, nor is it located within a Heritage Conservation Area, however, it is located adjacent to and in the vicinity of a number of heritage items of local and state significance.

The HIS found that the proposal is supportable on heritage grounds for the following reasons:

- There will be no material impacts on any nearby heritage items.
- There are no identified views of significance to nearby heritage items which would be affected by the proposed planning control changes for the site.
- Future development envisioned as part of this planning proposal facilitates the removal of a multi-storey carpark which currently demonstrates a poor interface with the streetscape and heritage items in the site's vicinity. New development as envisioned in the reference design scheme would allow for more useable / habitable floorplates at the podium, which would allow for an improved streetscape outcome.
- The new development is for commercial purposes, which is consistent with the significance of the surrounding area, as described in the Sydney DCP.
- The reference scheme shows a podium design that responds to the existing character of street wall heights at Kent and Sussex Streets (respectively) and, therefore, will maintain the consistency of built forms with respect to the pedestrian experience within the Special Character Area.
- The new tower form will include setbacks at all sides from the property boundary and podium below, in order to maintain appropriate visual separation from the nearby heritage items and other tall-scale forms in the locality. Extant development on site (being an amalgam of a lower scale podium building (1976) and tower (1998)) is not of heritage significance and its demolition is supported on heritage grounds.
- This planning proposal allows for an intensification of development on a site which is of no heritage significance and has no further impact on the setting of the vicinity heritage items or the Character Area.

Notwithstanding the above, any works are subject to a further DA and future development should consider an appropriate design response having regard for proximate heritage items, the York St/Clarence St/Kent St Special Character Area and the predominance of face brick materiality. In addition, the future development on the site should be designed in a manner which responds to the predominant characteristics and detailing of surrounding heritage items, with particular reference to the podium scale and materiality.

9.13 Geotechnical Assessment

A Geotechnical Desktop Investigation, Preliminary Site Investigation and Acid Sulfate Soils Desktop Study Review have been prepared by Douglas Partners and are provided at **Appendix M**, **N** and **O** respectively. The purpose of the investigations has been to infer the likely geotechnical subsurface conditions from a desktop review of available information, assess the potential for contamination at the site based on the historical and current land uses and comment on whether further investigation is needed to enable a statement on the suitability of the site for the proposed commercial development.

The investigations confirm the site is located above the future CBD Rail Link (CBDRL), with an 'Up and Down' tunnel currently identified below Kent Street and Sussex Street as an easement. It located approximately 10m below the anticipated bulk excavation level of the site.

The investigations also determine that the site appears to be underlain by Hawkesbury Sandstone of Triassic age, comprising medium to coarse grained quartz sandstone with minor shale lenses. The Hawkesbury Sandstone

typically is pale to mid grey in colour, when fresh, and has strength properties mainly in the medium to high strength range. The rock is prone to weathering with red brown or brown iron staining common in the upper beds.

Douglas Partners note that the permanent groundwater level is likely to be at a depth that is below the neighbouring basement levels. However, it is likely that groundwater seepage will occur along the relevant soil/rock interface and bedding planes, joints, and faults, particularly after wet weather events.

The site is identified as having an extremely low to low risk of acid sulfate soils. In addition, the western portion of the site is identified as being disturbed terrain indicating that a soil investigation is needed to establish whether ASS exists at the site or not. To confirm if acid sulfate soil is on the site, an on-site investigation is proposed to be undertaken in accordance with **Appendix O**.

The investigations confirm that the site can be made suitable for the proposed development. Based on the investigations undertaken, the following geotechnical investigations were recommended to be undertaken at a later stage when the site is able to be made available for uninterrupted testing:

- Geotechnical Investigation:
  - Geotechnical investigation of the site comprising diamond core drilling to at least 4m below the bulk excavation level at four (4) locations across the proposed basement footprint, with two of the cored boreholes extending below the invert level of the proposed CBDRL tunnels along Sussex Street and Kent Street;
  - Installation and monitoring of water levels across the basement footprint. Minimum three temporary groundwater monitoring wells required to triangulate groundwater flow;
  - Slot inspections in the existing basement walls to determine shoring requirements;
  - Footing investigation of any adjacent buildings to determine footing type(s), founding depths and conditions;
  - Full details of the proposed CBDRL tunnels should be obtained from Sydney Trains so that their location can be plotted (plan and section) in relation to the basement excavation. A registered surveyor will be required to prepare/certify a cross section showing the tunnel positions at the closest point to the excavation.
- Preliminary Site Investigation:
  - Hazardous Building Materials – Removal of Hazardous Building Material (HBM) as per the Hazardous Materials Management Plan and Register by Dexus Property Group;
  - Soil and Groundwater Investigation – As the current assessment was limited to desktop study and site walkover only, a conclusive statement on the contamination status of the soil and groundwater cannot be provided in the absence of quantitative data. Therefore, a detailed site investigation is recommended to assess the potential contamination status of soil and groundwater within the site; and
  - Waste Classification – Any material requiring disposal offsite (either as a result of surplus or assessed to be unsuitable), should be waste classified in accordance with reference to the Waste Classification Guidelines, Part 1: Classifying Waste (NSW EPA, 2014) and disposed off-site to a suitably licensed landfill.
- Acid Sulfate Soils Desktop Study Review:
  - A preliminary ASSMP will be formalised, after conducting intrusive soil sampling in accordance with **Appendix O** which will allow adoption of appropriate management procedures to mitigate the potential environmental risks associated with ASS if present.

9.14 Waste

An Operational Waste Management Plan has been prepared by Foresight Environmental and is provided at **Appendix P**. It addresses the likely waste generation as a result of the operation of the future commercial development. An indicative summary of the estimated waste generated from the commercial and retail uses combined are outlined in **Table 16** below.

Table 16 Estimated Operational Waste Generation

Waste Stream	Kg (per week)	Volume (Litres)	Tonnes (per month)
Dry	1,784	25,490	7.7
Landfill	728	6,933	3.2

Waste Stream	Kg (per week)	Volume (Litres)	Tonnes (per month)
Paper	1,467	16,302	6.4
Organics	1,572	5,614	6.8
Mixed Recycling	577	9,618	2.5
Cardboard	829	23,673	3.6
Other	201	2,278	0.9
Total	**7,157**	**89,907**	**31**

Source: Foresight Environmental

An assessment of the required number of waste bins to manage the estimated future operational waste generation has been undertaken. The assessment determined that 49.3m^2 of waste bins are required, considering additional space for manoeuvring (+50%), the total estimated space required for waste management on site is approximately 74m^2.

Based on the indicative design, all bins would be able to be stored in a waste room on the Lower Ground Level (Sussex Street), with adequate area provided for access and collection. The reference design includes a 196m^2 waste and storage area that is expected to provide a suitable amount of space for waste storage. The estimated number of times these bins would need to be collected per week has been estimated by Foresight Environmental, the bins would be collected by a private contractor to manage capacity.

9.15 Flooding

A Civil Engineering Report has been prepared by TTW and is provided at **Appendix Q**. It identifies the relevant flood requirements and guidelines, assesses the existing flood conditions, and determines the flood immunity requirements of the proposal.

The Sydney LEP 2012 does not permit development which may adversely affect flood behaviour or results in detrimental increases in the potential flood affectation to other developments or neighbouring properties. TTW has confirmed that there are no adverse flood impacts anticipated as result of the development which cannot be appropriately managed.

9.15.1 Existing Conditions

The site is split between the City Area Catchment to the east and Darling Harbour Catchment to west. Peak flood depths in the 1% AEP flood event were found to not exceed 50mm in locations immediately adjacent to the site and are able to be contained within the kerb and gutter in an existing scenario. Peak flood depths in the PMF flood event do not exceed 100mm in Kent Street and 50mm in Sussex Street adjacent to the site and are able to be contained within the kerb and gutter in an existing scenario.

As a result of the above, the site is not considered to be impacted by mainstream flooding with only minor gutter flow present in the vicinity of the site.

9.15.2 Flood Planning Levels

The future proposal must comply with the City of Sydney Interim Floodplain Management policy. It outlines that commercial business developments can adopt a flood planning level of the 1% AEP flood level on a merits-based approach. Considering this, and given that the site is located at the crest between two catchments, the 1% AEP flood level is considered appropriate in this scenario.

To satisfy the flood planning levels, fall needs to be provided away from building threshold levels to the existing top of kerb on Kent Street and Sussex Street. These falls need to achieve a minimum of 1 in 100 and a maximum of 1 in 40 falls for drainage and accessibility compliance respectively. Given the 1% AEP flow is contained with the kerb and gutter, the finished floor levels (FFL) provided within the indicative reference scheme will meet the flood planning requirements for the site.

Flood planning levels for a below ground car park are more onerous due to the inherent risks of water ingress. These are either the greater of the:

- 1% AEP flood level + 0.5m; or

- the PMF if impacted by flooding; or
- 300mm above the surrounding surface if outside the floodplain.

TTW recommended that as part of a future detailed design DA, the adoption of crest levels of 10.05m to the future basement ramp should satisfy the worst-case flood planning level that Council could require. Based on the reference design, TTW believe this can be achieved by adopting an approximately 1 in 70 rise from the site boundary to the crest of the basement ramp.

9.16 Social and Economic Impact

The proposal will contribute towards strengthening Sydney's role as a globally competitive city, raising the bar for amenity, quality and sustainability along the CBD's western edge. It will enable significant positive social and economic impact through the provision of an improved and additional public space including employment generating premium-grade commercial GFA. Specifically, the proposal will deliver key social and economic benefits as outlined below.

9.16.1 Improved Accessibility, Amenity and Experience

The future building will include improved accessibility, amenity and experience through the future delivery of a scheme that will revitalise the ground plane and redefine the western edge skyline. The proposed through-site link will establish a visual and publicly accessible link between Kent Street and Sussex Street and will reclaim space on site for retail activation and pedestrian movement, contributing to greater public domain amenity. Further, these additions together will enable development of a scheme that exhibits design excellence, which will generate significantly improved experiences in and around the site.

9.16.2 Reducing Car Dependency

The existing development includes approximately 800 car parking spaces provided for across a 10-storey above ground public car park accessible from both Kent Street and Sussex Street. It represents an inappropriate and inefficient use of space within a CBD context and does not align with the City's vision for Central Sydney. It currently represents a missed opportunity for the site to maximise on surrounding public transport infrastructure and connectivity amenity. Further, it provides a land use that encourages private vehicle usage for travel to Central Sydney, contributing to trip generation within the City which is inconsistent with the City's sustainability vision.

The future development will remove the existing public car park on the site and will deliver:

- Usable public spaces that prioritise pedestrian comfort, safety and amenity, supported by a ground floor through-site link that is partially open to the site and enhanced with public art and retail activation;
- Premium-grade employment generating commercial floor space;
- Significantly reduce the private vehicle trips generated by the site leading to a contribution in the overall reduction of private vehicle trips to the Sydney CBD and encouraging sustainable travel methods.
- Worker amenity, including end-of-trip facilities and a building that is shrouded in perceivable 'greening' opportunities; and
- A building that promotes the local sharing economy as it provides a consolidated basement shared loading dock that is intended to be used by surrounding local businesses for loading and servicing, thereby removing on-street loading dangers from Kent Street.

The existing building currently provides suboptimal street front activation. The public benefits resulting from the proposal will result in significant improvement to the social amenity of the surrounding area, supporting the replacement of private vehicle usage for a place that prioritises pedestrian amenity, retail activation and injects additional public art and landscaping opportunities on site, contributing to the City's vision for sustainability.

9.16.3 Globally Competitive Sydney CBD

The proposal will significantly contribute to Central Sydney as a globally competitive city as it seeks to deliver a new commercial tower that will provide premium grade office space, capable of facilitating a new generation of workplace. The proposal recognises that workplace design and strategy is constantly evolving, as such floor plates must be future-proofed to attract and maintain key tenants. The proposal enables floor plates that have considered opportunities that are emerging in future work practice, wellbeing and sustainability, communication and digital technologies, security and mixed-use development. The proposal will enable a high standard of architectural and urban design to provide a recognisable and high-quality contribution to the Sydney skyline at the western edge, reinforcing Sydney's status as a global city.

10.0 Part 4 – Mapping

This Planning Proposal does not include any amendments to maps. No change will be made to any maps contained in the Sydney LEP 2012 as part of this Planning Proposal. Instead, additional Height of Building and FSR is proposed to be included through a new site specific Sydney LEP 2012 clause as discussed earlier in this Planning Proposal document. A range of figures / maps will be prepared in relation to required amendments to the Sydney DCP.

11.0 Part 5 – Community Consultation

The Proponent has and continues to consult and keep a dialogue with key adjoining and adjacent landowners. Formal public consultation will also take place in accordance with sections 3.34 and 3.35 of the EP&A Act. This is likely to involve notification of the proposal:

- On Council's website;
- In newspapers that circulate widely in the City of Sydney Local Government Area; and
- In writing to the adjoining and nearby landowners; relevant community groups; and the surrounding community in the immediate vicinity of the site.

It is noted that confirmation of the public exhibition period and requirements for this Planning Proposal will be given by the Minister as part of the LEP Gateway determination. Any future DA for the site would also be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

12.0 Indicative Project Timeline

An indicative timeline for this Planning Proposal is provided in **Table 17** below.

Table 17 Indicative Project Timeline

Milestone	Timing
Draft Submission of Planning Proposal	Jun 2023
Formal Submission of Planning Proposal	Feb 2024
Reporting of Planning Proposal to CSPC	Jun 2024
Referral to Minister for Gateway Determination	Jul 2024
Date of Gateway determination	Aug 2024
Commencement and completion dates for public exhibition period	Nov-Dec 2024
Timeframe for government agency consultation (pre-and post-exhibition as required by Gateway determination)	Nov-Dec 2024
Timeframe for consideration of submissions	Jan-Feb 2025
Reporting of exhibition of Planning Proposal to CSPC	Mar 2025
Date of submission to the Department to finalise the LEP	May 2025
Anticipated date RPA will make the plan (if delegated)	Aug 2025
Anticipated date RPA will forward to the department for notification	Aug 2025

13.0 Conclusion

This Planning Proposal justification report is submitted to the City of Sydney seeking amendments to the Sydney LEP 2012 and includes an accompanying site-specific amendment to the Sydney DCP. It is the first stage of the redevelopment program for the site which will ultimately enable the delivery of a new premium grade commercial office tower.

This Planning Proposal directly implements the CSPS adopted by Council in December 2020, by unlocking additional employment generating floor space within a designated tower cluster. Specifically, this Planning Proposal seeks to amend the Sydney LEP 2012 to include the following at the site:

- A maximum height of RL 189.80 (being a height above the Kent Street ground level of approximately 180m) consistent with the Sun Access Plane coordinates for Town Hall Square, as set out in the *Planning Proposal: Central Sydney 2020*; and
- A maximum Floor Space Ratio (FSR) of 20:1 above ground and 0.30:1 below ground, equating to a total Gross Floor Area (GFA) of 73,191m^2 across the entire site.

This Planning Proposal relates to a significant 3,606m^2 single lot site along the Sydney CBD's western edge. Specifically, 383 Kent Street is unrestricted by heritage items and land ownership constraints unlike other tower cluster sites along the western edge further emphasising importance for the site to deliver and lead the vision of the western edge of Central Sydney as established under the CSPS. The progression of this Planning Proposal represents a significant step for Charter Hall to deliver on the City's aspirations for Central Sydney.

In addition, the existing development on the site is underutilised and does not reflect the potential for the site or the western edge of Sydney's CBD. Accordingly, where there is a site opportunity to deliver significant employment generating floor space without unreasonably compromising public amenity, this should be encouraged, as is the case with the subject Planning Proposal which has been made in response to the specific objectives of the CSPS..

Charter Hall's vision for 383 Kent Street is to provide a world-leading tower that will form a focal point for commerce and a benchmark for city life and sustainability along the Sydney CBD's western edge. The redevelopment of 383 Kent Street promises to be a transformative project that will contribute to the ongoing revitalisation of Sydney's CBD, creating a sustainable, vibrant, and inclusive urban environment that reflects the city's progressive vision for the future. 383 Kent Street will strengthen Sydney as a global city of economic and cultural activity, and to deliver an iconic building which offers diversity of workplace while delivering the social and environmental amenity expected in a new premium work environment.

This Planning Proposal will establish the planning framework to:

- Deliver on the vision established by the CSPS cementing Central Sydney's western edge as an employment location to further strengthen and protect the commercial core of global Sydney and deliver a tower with a focus on sustainability and public spaces.
- Deliver Charter Hall's vision for a significant CBD block along the Sydney CBD's western edge, in the form of true city-building project which will provide premium-grade office floor space to facilitate a new generation of flexible workplace in a building with sustainable and green infrastructure opportunities, showcasing a perceivable alignment with a global sentiment around addressing climate change and resilience.
- Facilitate approximately 73,000m^2 of employment generating floor space which equates to approximately 6,000 operational jobs and 411 construction jobs), resulting in a development that is consistent with best practice transit-oriented development, to reflect the scale and density appropriate for a site within Central Sydney in proximity to existing heavy rail and multiple future Metro Stations.
- Implement sustainability initiatives of the highest level, supporting the improved environmental performance of commercial development in Central Sydney exceeding the City's vision and Charter Hall's principles.
- Achieve the City of Sydney's vision for the Sydney CBD to accommodate global office towers within an identified area (i.e. tower cluster area) considered suitable for uplift and additional employment generating floor space above the existing controls.
- Capitalise on an unconstrained and large single lot site to facilitate a great opportunity for additional employment floor space, thereby promoting the more efficient use of land within an identified tower cluster area already considered suitable for greater uplift.
- Deliver a new pedestrian through-site link that connects Kent Street and Sussex Street, activated by retail offerings, landscaping and public art opportunities provide significant public benefit through increased amenity and activation.

- Deliver a Kent Street Logistics Hub that will support surrounding local businesses, enabling more efficient logistic operations and trading The site provides a real benefit for local retail offerings to succeed as it opens up the opportunity to increasing pedestrian activity and amenity by reducing on-street loading and removing the car centric nature of the site by eliminating the 10 storey car park.
- Further strengthen and protect the western edge's role as part of the commercial core of Global Sydney
- Establish a framework for a future building to achieve design excellence and for the delivery of best-practice sustainable design.

383 Kent Street represents a sizeable, latent, highly optimal and unconstrained city block along the Sydney CBD's western edge. This Planning Proposal demonstrates that it can suitably accommodate Charter Hall's vision for a new western edge tower providing additional and premium office floor space whilst also minimising environmental impacts, not compromising the amenity of the city's streets, parks and valued public spaces and providing. This Planning Proposal has demonstrated the strategic merit of the proposal and is in alignment with the actions and intended outcomes of the strategic planning framework established by the State and the City of Sydney.

For these reasons, we have no hesitation in recommending this Planning Proposal for Gateway Determination.

Attachment A2

Urban Design Report (Part 1)

fjcstudio
formerly fjmtstudio

We would like to acknowledge the Gadigal of the Eora Nation, the traditional custodians of this land and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

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Project Name		383 Kent Street	
Project Code		CH383	
Document Name		Urban Design Report	
Document ID		CH383 PP Urban Design Report	
Revision	**Date**	**Comment**	**Approved**
01	19.07.23	Draft Lodgement	KS
02	05.02.24	PP Lodgement	KS

I—Executive Summary

— Purpose

— Vision

— Proposal

Purpose

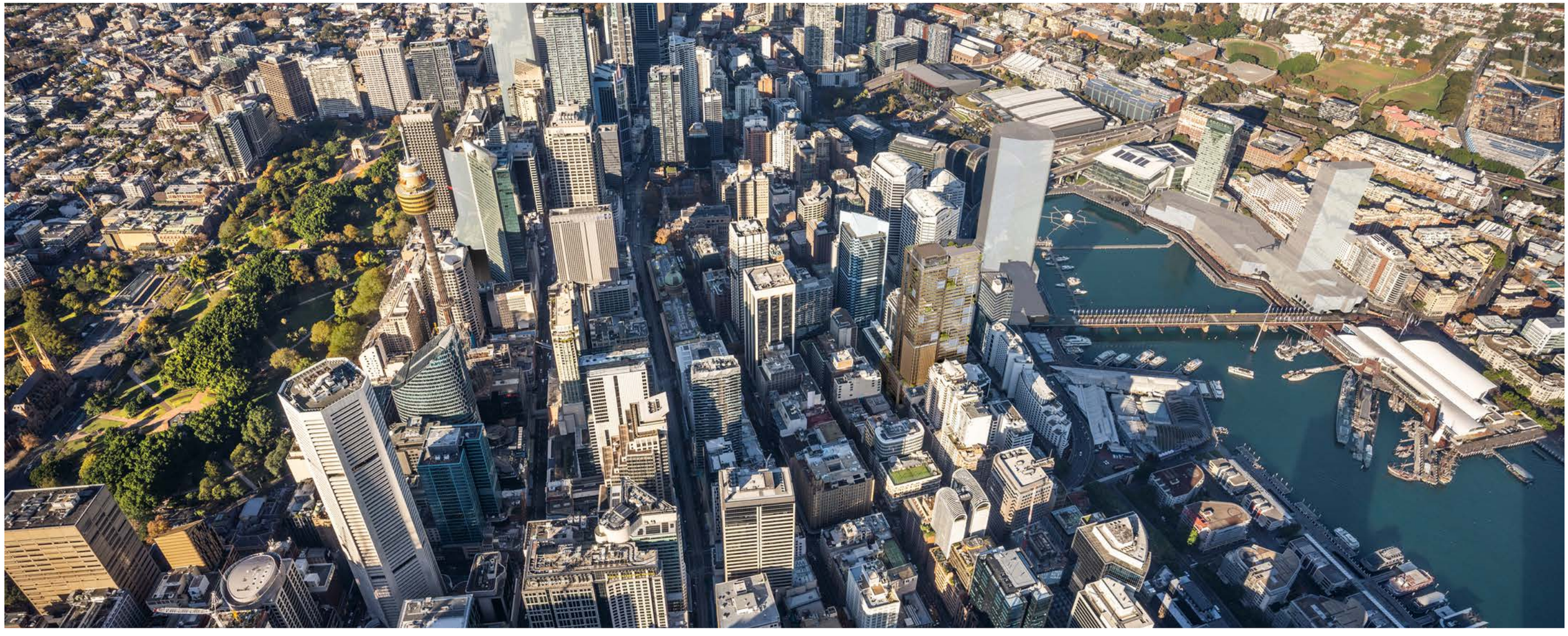
The purpose of this report is to support and justify the 383 Kent Street planning proposal which has been developed through a careful analysis of the existing and future character of the site, its context and the urban renewal which is occurring throughout the western corridor of Sydney CBD.

The submission of this report follows an extensive period of collaboration and engagement with City of Sydney Council (Council).

By adopting the criteria set out in council's vision for the CBD we have developed a building envelope based on detailed urban design studies and with entirely compliant DCP setbacks.

Following this analysis, a set of appropriate urban design and public domain principles were developed which informed the development of the planning envelope and the indicative design.

The resulting building envelope, as demonstrated in this planning proposal, delivers the possibility for a commercial office tower that provides employment area appropriate to the precinct, a precinct loading dock that will support the future retail amenity on Kent Street and a through site link which will strengthen the connection between the western waterfront and the Sydney CBD and provide areas for people to pause, dwell and rest.



/ Aerial View

Vision

383 Kent Street presents a unique opportunity for Sydney's CBD, as it emerges from the challenges of the Covid-19 pandemic and aims to position itself as not just Australia's premier business hub, but also a vibrant, sustainable, and diverse metropolis, in line with the City of Sydney's 2050 Vision.

The current building at 383 Kent Street, with its 11 storeys of office space and 10 storeys of car parking accommodating 801 car spaces, is uninspiring and unsustainable, reflecting outdated design and a lack of public benefits that the City of Sydney is actively addressing in its CBD strategic plans.

Charter Hall recognizes the potential of the site and aims to deliver an intelligent and innovative response through the City's Design Excellence program. The vision is to transform 383 Kent Street into an architectural landmark that sets a new benchmark for city living, commerce and sustainability along the CBD's Western Edge, aligning with the City's Design Excellence Strategy.

The re-imagined 383 Kent Street will become a focal point for business and a catalyst for urban revitalization in the Western Corridor. The scale and location of the project present an exceptional opportunity to transform the perception of this area, turning it into a lively and coveted slice of the CBD.. By embracing the eclectic character of the city and creating a blended precinct of public amenities, boutique retail, and sustainable office spaces, 383 Kent Street will become a publicly activated and charismatic building that exemplifies the story of renewal, rejuvenation, and reinstated relevance for Sydney's west-side.

The redevelopment of 383 Kent Street promises to be a transformative project that will contribute to the ongoing revitalization of Sydney's CBD, creating a sustainable, vibrant, and inclusive urban environment that reflects the city's progressive vision for the future.



/ Aerial View from West

Proposal

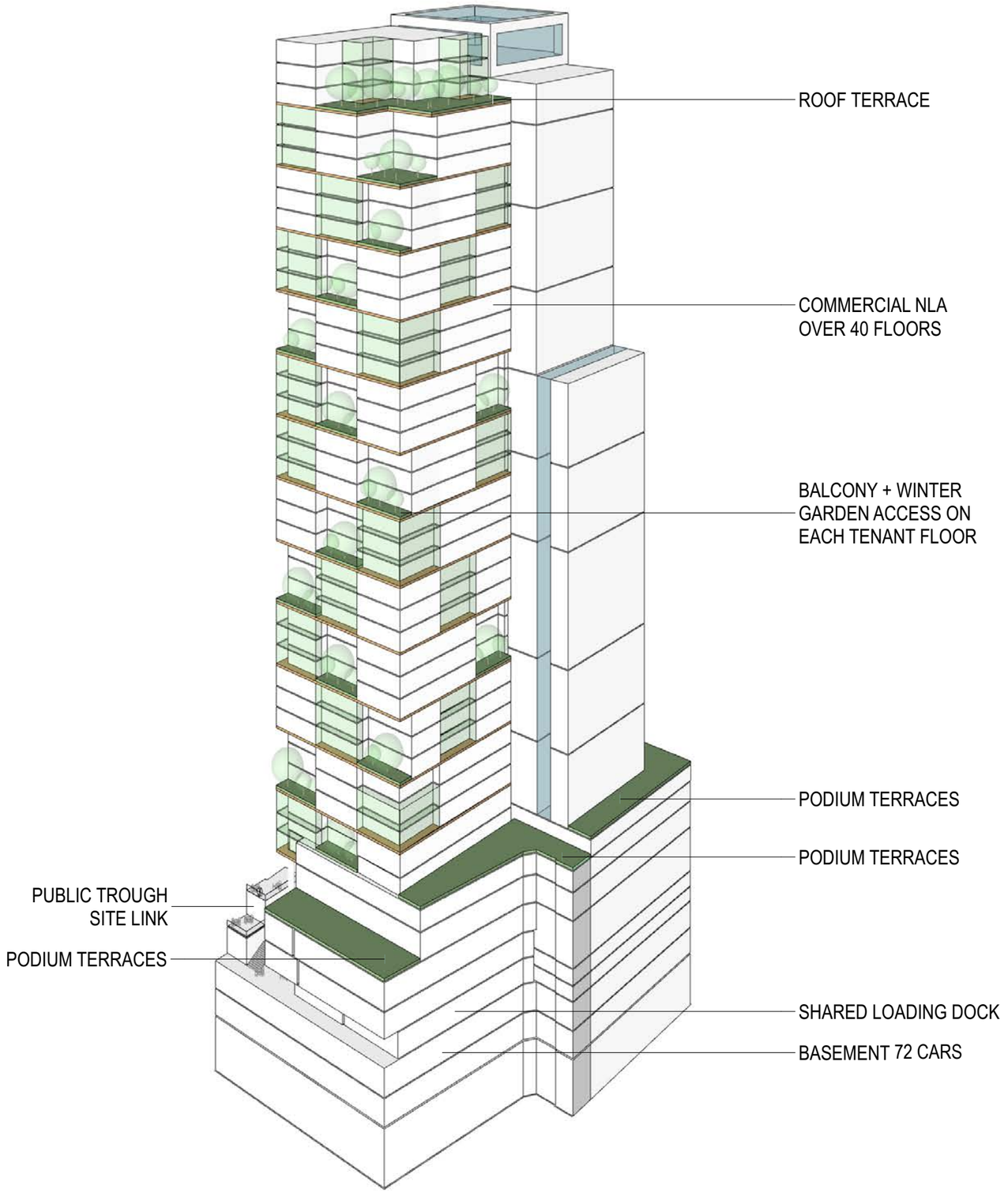
The proposal outlined in this report comprises 72,121 sqm of building GFA (above ground) over 42 levels.

Beyond the commercial offering the proposal features a precinct loading dock, around 600 sqm of retail gathered around a generous through site link , and more than 1,000 sqm of state of the art EOT and wellness facilities plus an abundance of terrace and outdoor spaces with lush greenery.

All of these features will be delivered in a fully DCP compliant envelope that is unmatched in its scale in the western corridor.

A very experienced and dedicated project team developed the envelope and the indicative design presented in this proposal. The core team is listed below:

Client/ Developer:	**Charter Hall**
Planner:	**Ethos Urban**
Architect:	**fjcstudio**
Project Management:	**Touchstone Partners**
Structure:	**TTW**
Services & ESD	**LCI**
First Nation:	**Yerrabingin**



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II—Site Analysis

— Location

— Existing Building

— Solar Access & Winds

— Views

— Proximity to Transport

— Tower Cluster

— Heritage Context

— Western Corridor Renewal

— Connecting with Country

Location

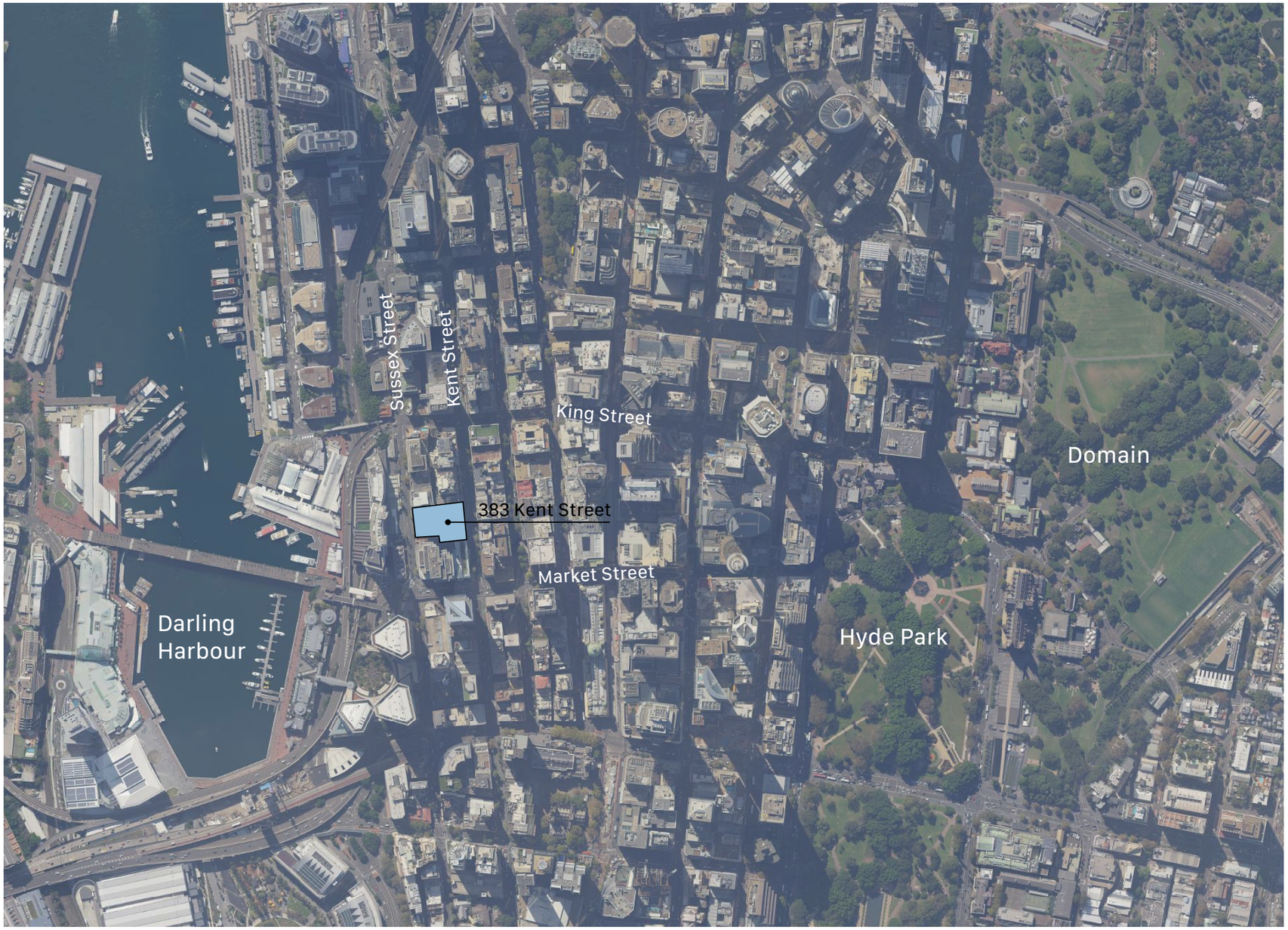
383 Kent Street is a prime location situated in the bustling heart of Sydney's Central Business District (CBD). The site is located on the western side of Kent Street, between King Street and Market Street, making it easily accessible by public transport and by car.

The area is highly sought after by businesses due to its proximity to major transport links, including Wynyard Station and Town Hall Station, which is just a short walk away. The location also offers easy access to the Sydney Harbour Bridge and the Western Distributor, making it convenient for commuters from all parts of the city.

In addition to its convenient location, 383 Kent Street is surrounded by an abundance of amenities, including some of Sydney's best restaurants, cafés, and bars. There are also plenty of retail and entertainment options nearby, with shopping centres such as the Queen Victoria Building and Pitt Street Mall just a short stroll away.

The area is known for its vibrant and dynamic atmosphere, with plenty of events and activities taking place throughout the year. The nearby Darling Harbour is home to numerous cultural and entertainment venues, including the Australian National Maritime Museum and the Sydney Aquarium.

383 Kent Street offers the perfect location for businesses looking for a prestigious address in the heart of Sydney's CBD. Its excellent transport links, abundance of amenities, and exciting atmosphere make it an ideal destination for companies looking to establish a presence in one of the world's most dynamic and cosmopolitan cities.



Connecting with Country

The 383 Kent St site sits in a unique location close to Tumbalong which has been known to be a shared space of the Gadigal and Wangal, as well as a transition space between two extremely diverse ecologies, casuarina swampland and harbour foreshore.

The site is on a sandstone rise, with the Tank Stream valley catchment to the east and the Darling Harbour / Barangaroo shoreline to the west. The site would have been very close to the original shoreline, as much of the land west from about Sussex Street is reclaimed land along that coastline.

Pre colonisation the shoreline was close to the current Sussex Street, with a semi-circular rise or promontory along the eastern coastline of Darling Harbour close to 383 Kent Street. This would have been a place to view across the water to Pirrama (Pyrmont) and beyond to Wanne Country (from Darling Harbour along the western harbour shore towards Parramatta) as well as back eastwards into the Tank Stream valley in Cadi Country.



Figure 1: Tank Stream valley catchment area within Sydney CBD area. The dotted black line is the 1788 shoreline and the solid black line is the current shore line. The catchment area for the Tank Stream, the marsh at the head of the Stream, the Tank Stream itself (centre) are shown in blue. The approximate site location is at the red rectangle (Source: Yerrabingin)

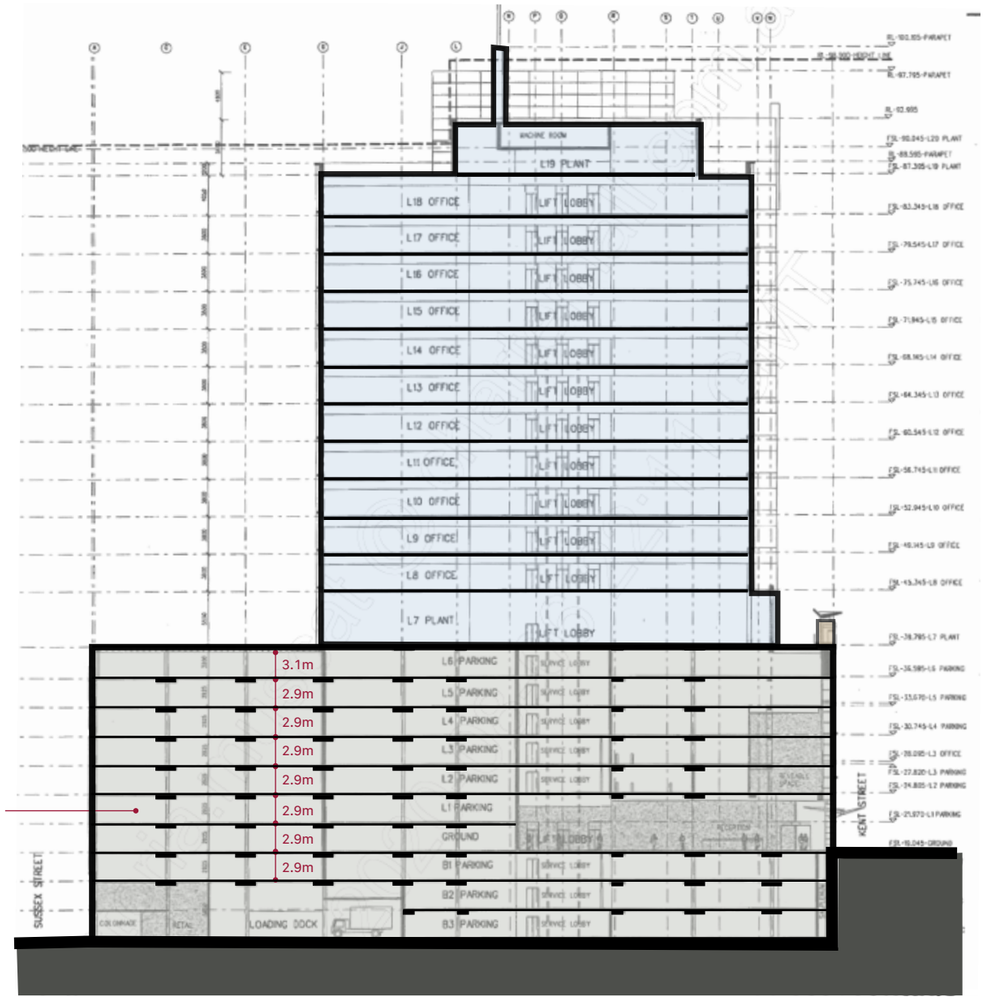




/ Text and imagery supplied by Yerrabingin

Existing Building

The existing building at 383 Kent Street provides 11 storeys of office comprising 17,928m2 net lettable area with two street frontages, Kent Street and Sussex Street).
The office tower sits above a 10-level (801 bay) car park which was originally constructed in the late 1970's.
Vehicular access is from both Kent Street and Sussex Street.



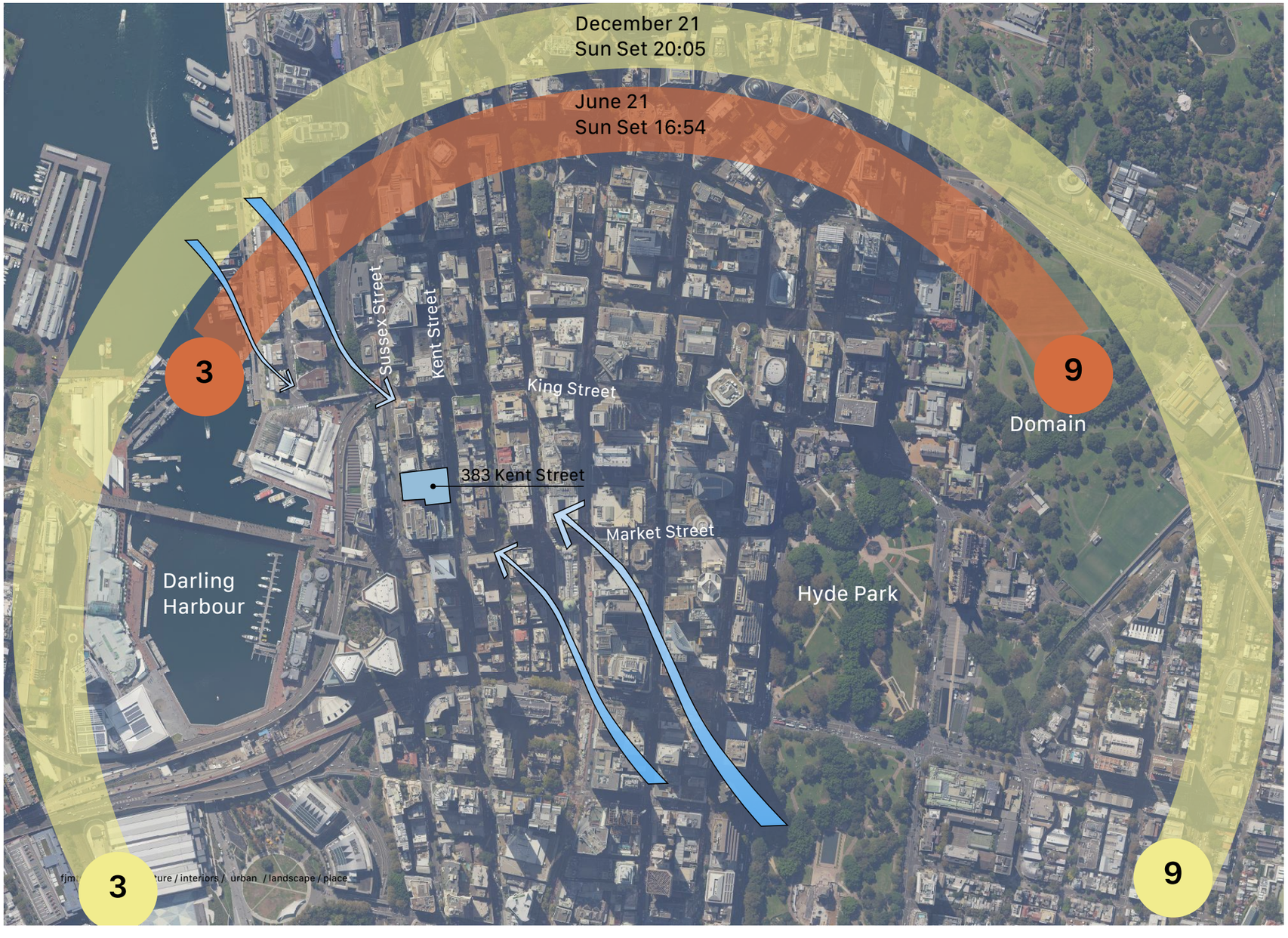
/ East-West Section of existing Building



/ Photo of Existing Building/ Sussex St

Solar Access & Prevailing Winds

The site has a North- South Orientation and enjoys good solar access. Prevailing winds are from North West and South East.



383 Kent Street Site

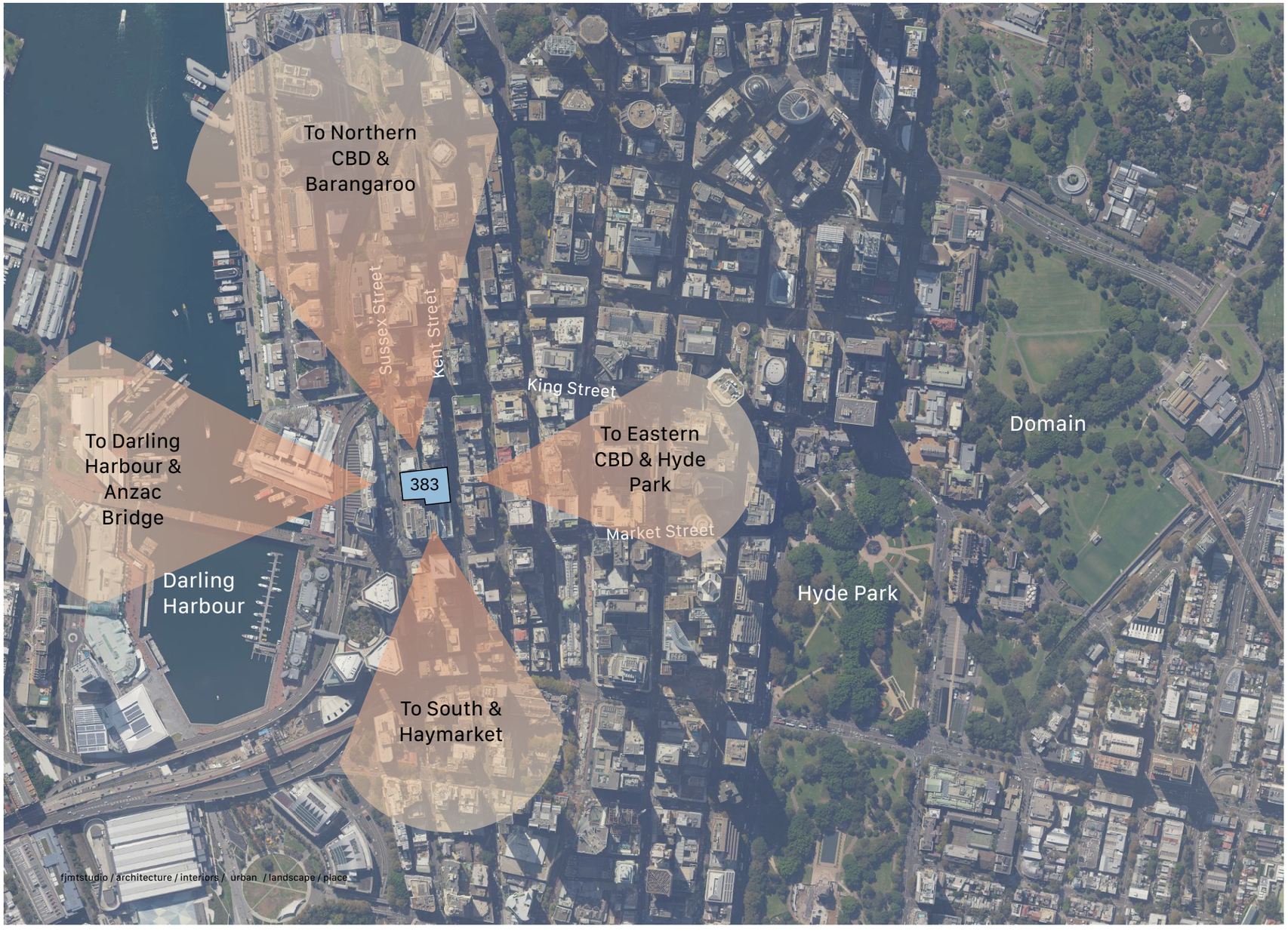
Wind Direction

Winter Sun Path

Summer Sun Path

Views

The site has extensive view opportunities, in particular to the North - to northern CBD and Barangaroo, and the West - over Darling Harbour and Anzac Bridge and from upper levels it enjoys additional views to the East towards Hyde Park and the South towards Haymarket.



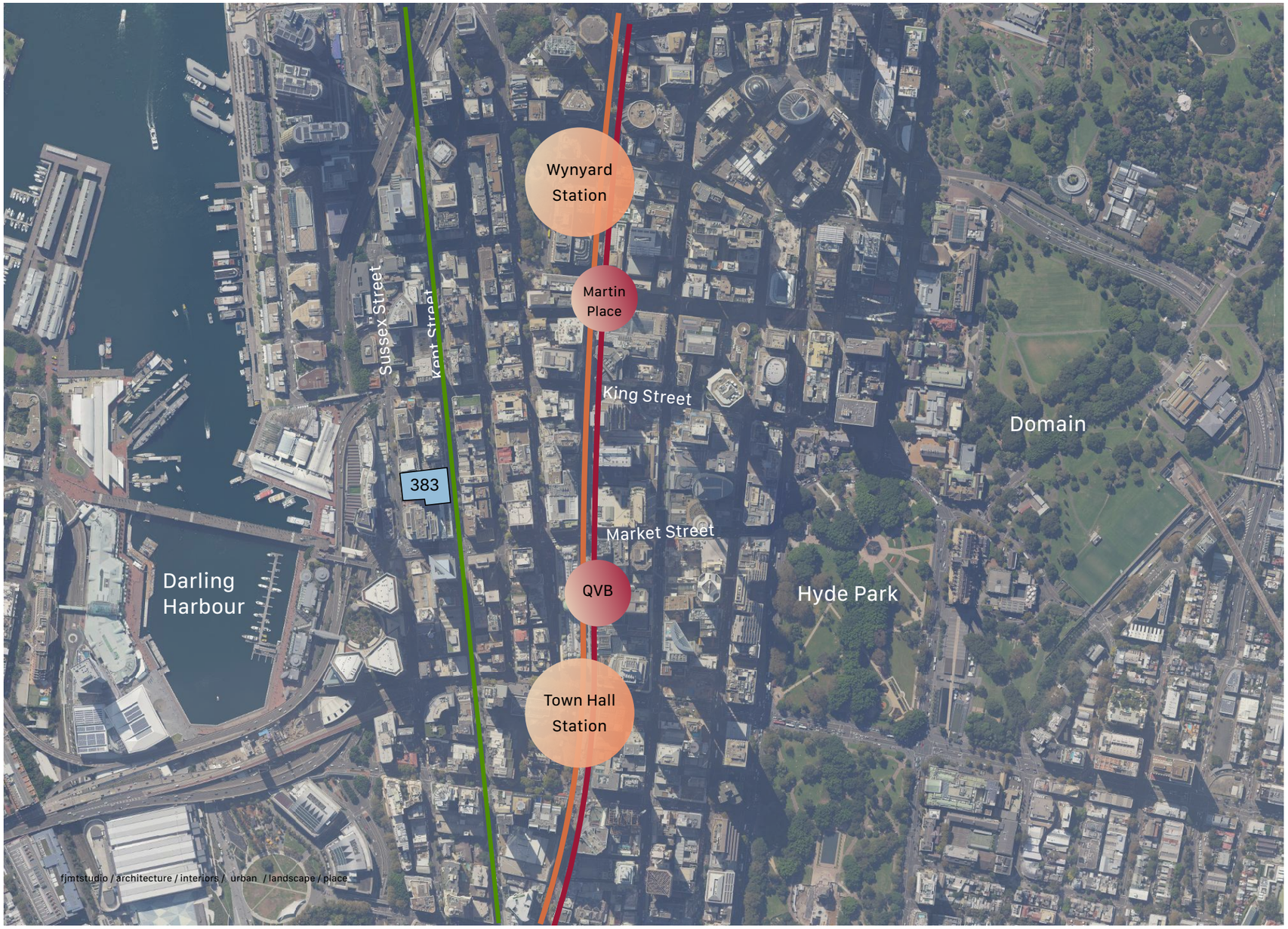
383 Kent Street Site

View Angle

Proximity to Transport

The site is well connected to public transport with multiple train and light rail stations within short walking distance.

The busy two way Kent Street bike path goes directly past the site and connects the Southern and Northern parts of the CBD and beyond.



383 Kent Street Site

Train Station

Light Rail Station

Train Line

Light Rail Line

Dedicated Bike Path

Tower Cluster Map

The site is located within a tower cluster - a feature of the Central Sydney Planning Strategy (CSPS).

The CSPS introduced the Tower Clusters in July 2016, to provide an indication of where potential uplift may be achievable in less environmentally constrained parts of the CBD. Clusters of skyscrapers potentially up to 330m high, were identified and mapped by the City of Sydney to provide an indication of where additional commercial growth could be accommodated.

These traverse a range of locations, including the traditional 'core' at the northern end of the CBD, as well as Haymarket, Chinatown and Central Station Precincts to the south of the CBD and the western corridor in which the subject site is located.



383 383 Kent Street Site

Tower Cluster

Heritage Context

While the existing building itself is not heritage listed the surrounding area and in particular Kent Street has a high density of heritage buildings.

Kent Street and the lanes surrounding it contain evidence of one of the early warehousing areas in Sydney that developed due to its proximity to Darling Harbour and the City Markets. The area is characterised by nineteenth and early twentieth century warehouse development interspersed with a hotels that flourished in association with the wharves as well as a number of banks.



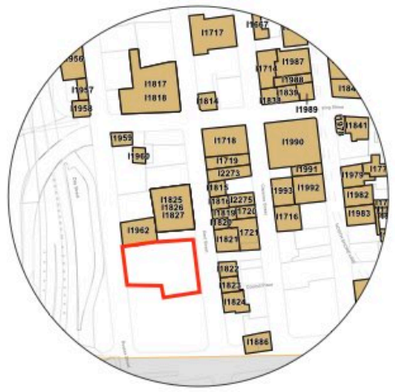
383 Kent Street Site

Heritage Buildings

200

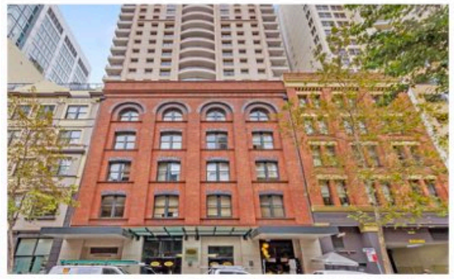
Heritage Context

Heritage Map



Item - General

Kent Street

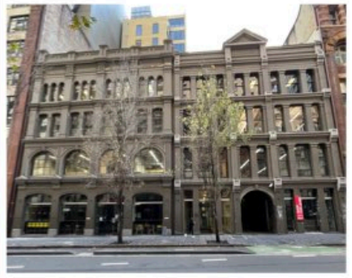


Heritage Item I1825, I1826, I1827

Building Name
Three Star House, Bruck Fabrics, McNally House, Metropolitan Business College
Former Warehouse Façade

Building Address: 367-371 Kent Street SYDNEY NSW 2000

Endorsed Significance
Local

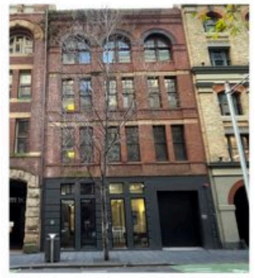


Heritage Item I1815, I1819

Building Name
Merchant & Partners building at 332-338 Kent Street
Former Warehouse Including Cartway, Courtyard and Interior (formerly 340 Kent Street)

Building Address: 332-338 Kent SYDNEY NSW 2000

Endorsed Significance
Local



Heritage Item I1820

Building Name
Royston House
Former Warehouse Including Interiors

Building Address: 342-344 Kent Street SYDNEY NSW 2000

Endorsed Significance
Local

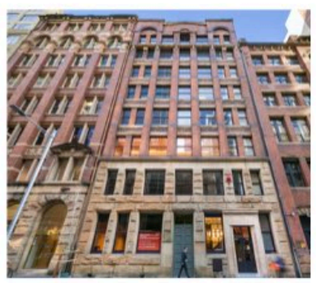


Heritage Item I1822

Building Name
Ame House, Gideon House, Norton House
Former Warehouse Including Interiors

Building Address: 352-358 Kent Street SYDNEY NSW 2000

Endorsed Significance
Local

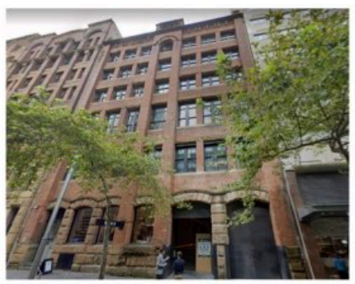


Heritage Item I1823

Building Name Century House

Building Address: 360-362 Kent Street SYDNEY NSW 2000

Endorsed Significance
Local



Heritage Item I1824

Building Name
J A D Gibson & Co House, Kelco House
Former Warehouse Including Interiors and Cart Docks

Building Address: 364-372 Kent Street SYDNEY NSW 2000

Endorsed Significance
Local

Sussex Street

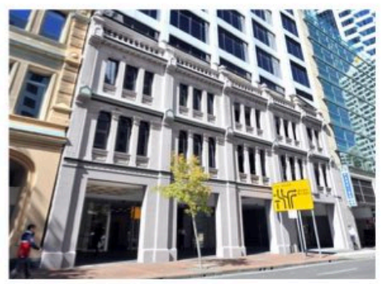


Heritage Item I1959

Building Name
Windermere Chambers, City Bank of Sydney Western Branch & King Street Post Office.

Building Address: 138 Sussex Street SYDNEY NSW 2000

Endorsed Significance
Local



Heritage Item I1962

Building Name
P & O Building
Former "Cmc House" Façade

Building Address: 160-166 Sussex Street SYDNEY NSW 2000

Endorsed Significance
Local

Western Edge Transformation

The western corridor of Sydney's CBD has undergone significant redevelopment and transformation in recent years, with major urban renewal projects, infrastructure upgrades, and changes to the built environment.

These developments have aimed to enhance the liveability, accessibility, and sustainability of the area, and to support economic growth and cultural vibrancy.

The planning proposal for 383 Kent Street will be a landmark development supporting the strategies set out in the CSPS and a catalyst for further positive transformation of this area.



41-45 Erskine St

Submitted DA
17 storey Residential

301&305 Kent

Approved SSDA Stage 1 Hotel
Envelope height up to RL 95.9



82-84 Sussex

Approved DA
7 Storey Addition, Mixed Use

160 Sussex

Approved Stage1 DA
Commercial



Cockle Bay Redevelopment

SSDA Under Assessment
43 Level Commercial Building



Barrack Place

Built
Commercial

333 Kent

Approved DA
14-storey Commercial

Substation 164

Built
Commercial

1 Market

DA Submitted
Commercial

200 Sussex

SEARs Lodged
Commercial podium with residential tower above
RL 152.0



III—Existing Planning Framework

— Sydney LEP 2012

— Sydney DCP

— Central Sydney Planning Strategy

Sydney LEP 2012

Tower Cluster Site
Affected by Cross City Tunnel Ventilation Stack

Site Identification Map



/ Tower cluster Area

/ Land affected by Cross City Tunnel Ventilation Stack

Height Limit 110m

Height of Buildings Map



AC / 110

/ Land affected by Clause 6.17, 6.19 and proposed public view protection planes provisions

Site Floor Space Ratio 8:1
Area 3

Floor Space Ratio Map



AC / 8:1

Not a Heritage Item

Heritage Map



/ Item General

Special Character Area

The site is located within the 'York Street Special Character Area including Clarence Street and Kent Street'.

The DCP outlines the following principles for any new development in this area..

(A) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(B) Maintain and reinforce the urban character and scale of the area by requiring development to:

(i) Have street frontage heights and building setbacks above street frontage heights, consistent with the prevailing scale and form of heritage items.

(ii) Respond to the historic warehouse and commercial typologies and materiality in the area.

(iii) Ensure new development is designed and sited to enhance the views and settings of heritage items within the area.

(iv) Maintain and enhance the historic fine grain subdivision pattern.

(v) In Barrack Street, ensure new development is limited in height to the prevailing height of buildings, and enhances solar access to the public domain.

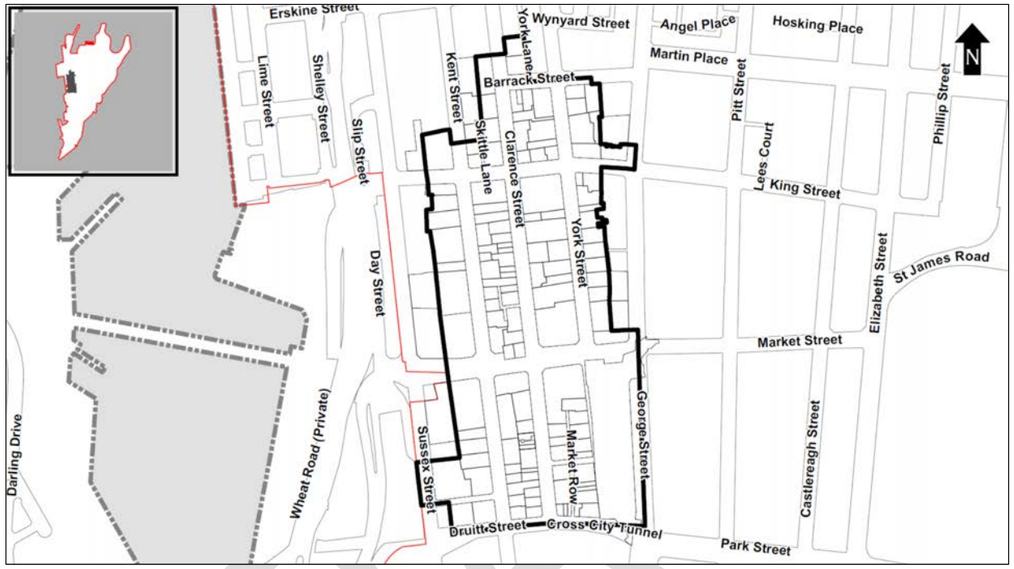
(C) Conserve and enhance the heritage significance of warehouses and associated cartways and courtyards and ensure solar access to courtyards is maintained and enhanced in the design of new development.

(D) Conserve and enhance the historic pattern of streets and lanes, and encourage fine grain pedestrian permeability through the longer street blocks. Conserve early sandstone and woodblock street pavements that is known to survive within the area beneath later pavements.

(E) Enhance the character of the lanes by protecting solar access, and encourage active uses, where compatible with the significance of aligning buildings. Ensure development provides appropriate street wall heights and high quality designed active frontages.

(F) Conserve and enhance existing significant views between the area and Darling Harbour and Pyrmont, higher level views north to the Harbour Bridge and the significant vistas terminated by the QVB building, Sydney Town Hall, and the General Post Office building beyond the area.

(G) Maintain and enhance the visual relationship between Darling Harbour and heritage items historically associated with the maritime and trading functions.



Locality Statement

York Street and the streets and lanes surrounding it contain evidence of one of the early warehousing areas in Sydney that developed due to its proximity to Darling Harbour and the City Markets. The area is characterised by nineteenth and early twentieth century warehouse development interspersed with a hotels that flourished in association with the wharves as well as a number of banks. The warehouse stock generally comprises masonry buildings, 3-8 stories in height, and robustly articulated. The architectural emphasis of the buildings located at street intersections are a distinctive characteristic of this area. The network of lanes, internal cartways and courtyards, uniform block pattern with narrow frontages and west-east transport links represent the progressive development of the area, past and present commercial and retail character.

Barrack Street, at the northern end of the area, is one of the finest urban places in Sydney being defined on all four sides, for the most part, by heritage items of exceptional quality.

With the completion of the Sydney Harbour Bridge in 1932, York Street became the main arterial road into the City Centre. Its character altered as higher scale development incorporating retail and commercial office uses was constructed on key street corners, such as the Grace building, ACA House and Asbestos House. In the post WWII period, the value of the warehouse stock diminished as the shipping trade at Darling Harbour declined, whilst the land value and the need for commercial office space increased. As a result, a considerable number of warehouses were either demolished or their facades retained as podiums to high rise development, changing the skyline of the area.

The site is partially located within the 'York Street Special Character Area including Clarence Street and Kent Street'.

Different controls apply to the Kent Street and Sussex Street frontage as extracted below.

Street Frontage Height & Front Setbacks - Kent Street



For the Kent street side the following DCP controls of the special character area apply

Max Street frontage height: 45m
Tower Setback: 8m

Street Frontage Height & Front Setbacks - Sussex Street

Table 5.1: Permissible range of Street Frontage Heights

Permissible range of Street Frontage Heights			Proposed total height of building		
			Up to 55m	Greater than 55m up to 120m	Greater than 120m
Context	Non-heritage items outside Special Character Areas	Frontage adjacent to a Public Place with a width greater than 8m wide	**20-35m* Or 20-45 for street block corner sites less than 1000sqm**	**20-35m***	**20-25m***
		Frontage adjacent to a Public Place with a width up to 8m wide (eg lanes)	**20-45m**	**20-45m**	**20-25m***
	Heritage items outside Special Character Areas		**Existing height**	**Existing height**	**Existing height**

Minimum Street Setbacks			Proposed total height of building		
			Up to 55m	Greater than 55m up to 120m	Greater than 120m
Context	Non-heritage items outside Special Character Areas	Frontage adjacent to Public Places with a width greater than 8m wide	**8m or 6m where adjoining sites Street Setbacks are less than 6m**	**8m***	**8m***
		Frontage adjacent to Public Places with a width up to 8m wide (eg lanes)	**2m**	**8m***	**8m***
	Heritage items outside Special Character Areas		**10m to Public Places greater than 8m wide (streets). 2-10m on Public Places up to 8m wide (lanes) determined by heritage values and context.**		

For the Sussex street side the following general DCP controls (for sites outside of special character areas) apply.

Max Street frontage height: 20-25m
Tower Setback: 8m

Side & Rear Setbacks - General

Table 5.4: Minimum Side and Rear Setbacks and Building Form Separations

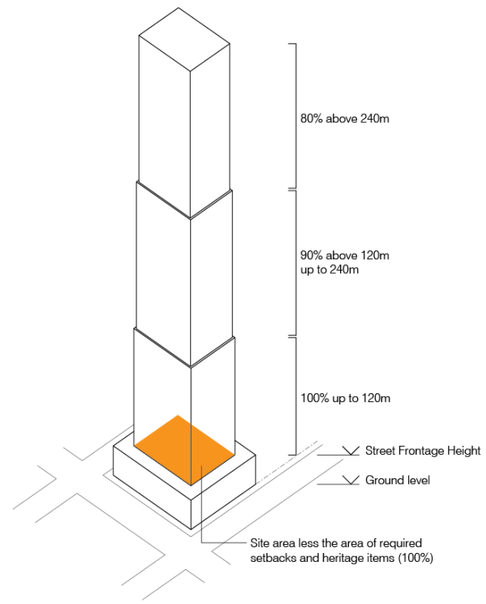
Minimum Side and Rear Setbacks and Building Form Separations	Proposed total height of building			
	Up to 55m	Greater than 55m up to 120m	Greater than 120m up to 240m	Greater than 240m
Side and Rear Setback above Street Frontage Height	**0m**	**4m**	**3.33% of the proposed total height of building**	**8m**
Building Form Separations on the same site	**0m**	**8m**	**6.66% of the proposed total height of building**	**16m**

Note: For separation on the same site use the lower building form height to determine the required separation.

Generally side setbacks will be:

3.33% of the proposed total height of the building

Tapering/ Max BEA - General



Above the Street Frontage Height the total Building Envelope Area may occupy the following proportion of the site area less any areas of heritage items and required DCP setbacks:

(a) 100% up to 120m above ground;
(b) 90% above 120m up to 240m above ground; and
(c) 80% above 240m above ground.

Height Control

The ultimate height limitations for the site are defined by the following 3 solar access planes

No Additional Overshadowing (NAO)

- Sydney Square
- Sydney Town Hall Steps
- Future Town Hall Square

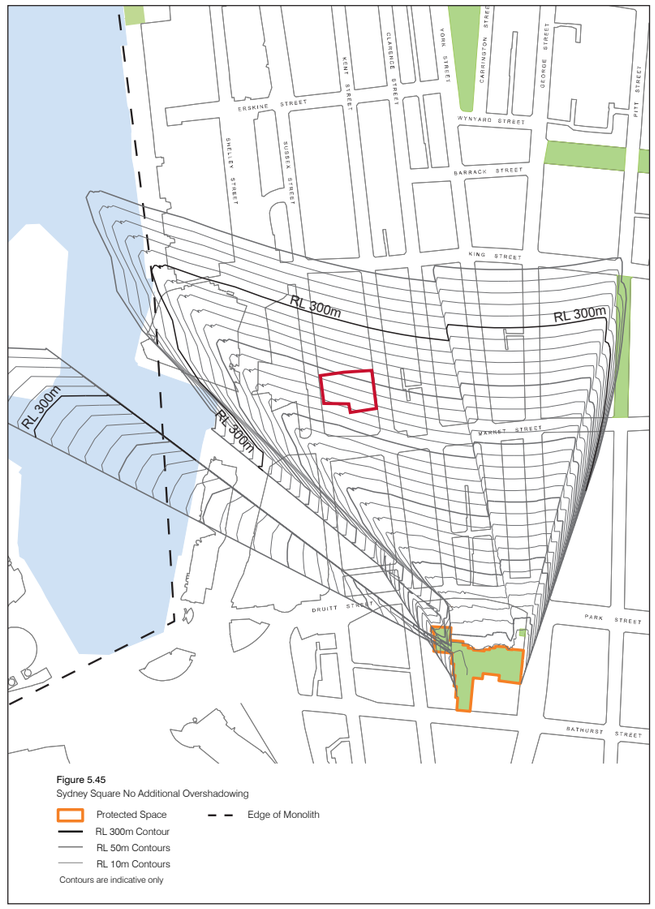


Figure 5.45
Sydney Square No Additional Overshadowing

Protected Space
Edge of Monolith
RL 300m Contour
RL 50m Contours
RL 10m Contours
Contours are indicative only

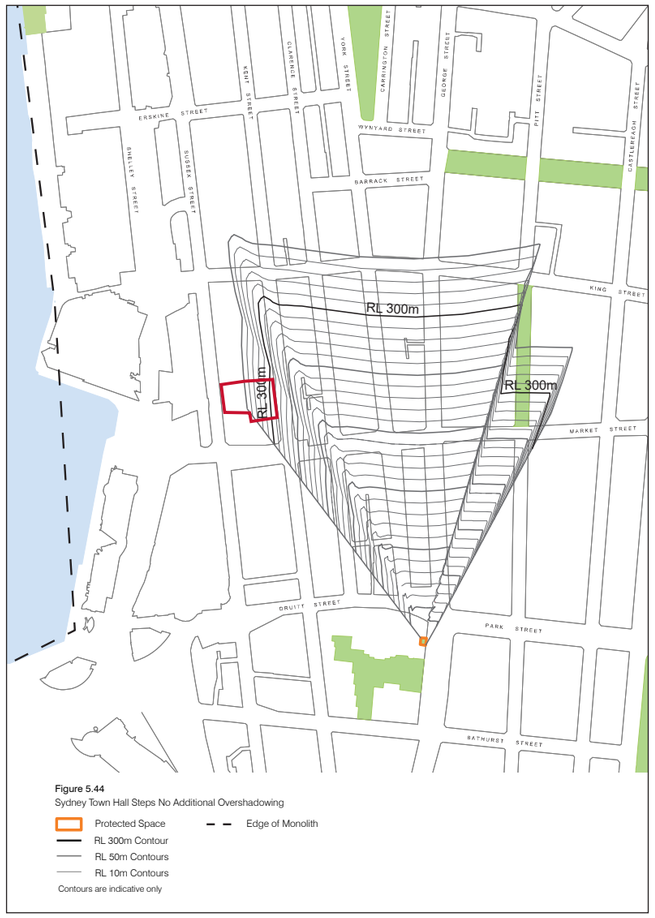


Figure 5.44
Sydney Town Hall Steps No Additional Overshadowing

Protected Space
Edge of Monolith
RL 300m Contour
RL 50m Contours
RL 10m Contours
Contours are indicative only

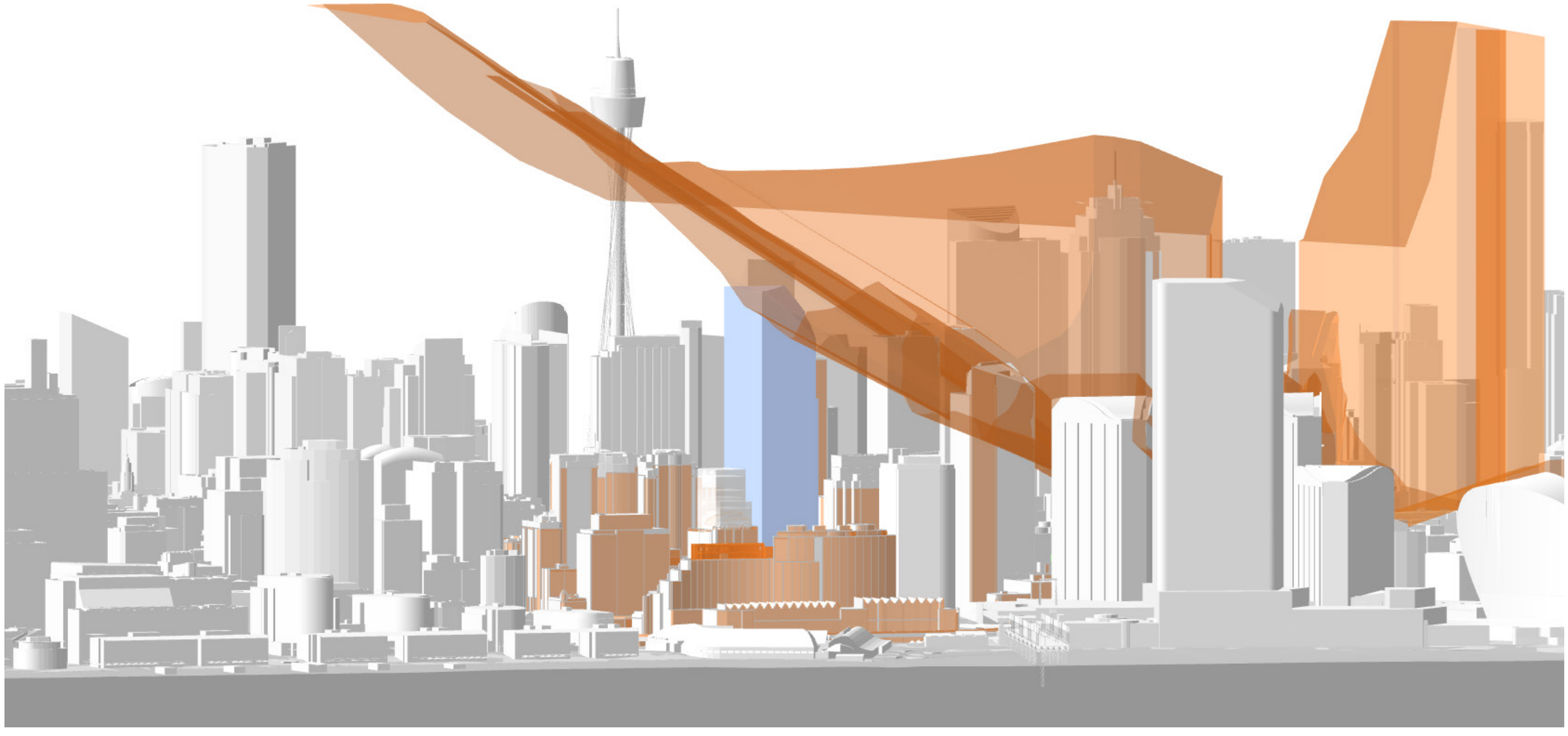


Figure 5.46
Future Town Hall Square No Additional Overshadowing

Protected Space
Edge of Monolith
RL 300m Contour
RL 50m Contours
RL 10m Contours
Contours are indicative only

Height Control

Envelope with NAO planes (in orange) applied



IV—Urban Analysis

— Groundplane & Through Site Link

— Groundplane & Colonnade

— Podium & Streetscape Context

— Tower & Precinct Context

Ground Plane & Through Site Link

The Sydney DCP proposes a through site link for the 383 Kent St site. Once completed It will become part of a significant East-West link that connects Hyde Park with Darling Harbour, Pyrmont and Ultimo.

The DCP outlines the following requirements for Through Site Links:

Through-site links are to be provided on sites:

(a) greater than 5,000sqm in area;

(b) with parallel street frontages greater than 100m apart, and

(c) where the consent authority considers one is needed or desirable.

Through-site links are to be an easement on title unless identified in a contributions plan for dedication to Council.
Through-site links are to be designed to:

(a) generally have a minimum width of 4m, or 6m where bike access is provided, and have a clear height of at least 6m;

b) be direct and accessible to all, have a clear line of sight between public places and be open to the sky as much as is practicable;

(c) align with breaks between buildings so that views are extended and there is less sense of enclosure;

(d) be easily identified by users and include signage advising of the publicly accessible status of the link and the places to which it connects;

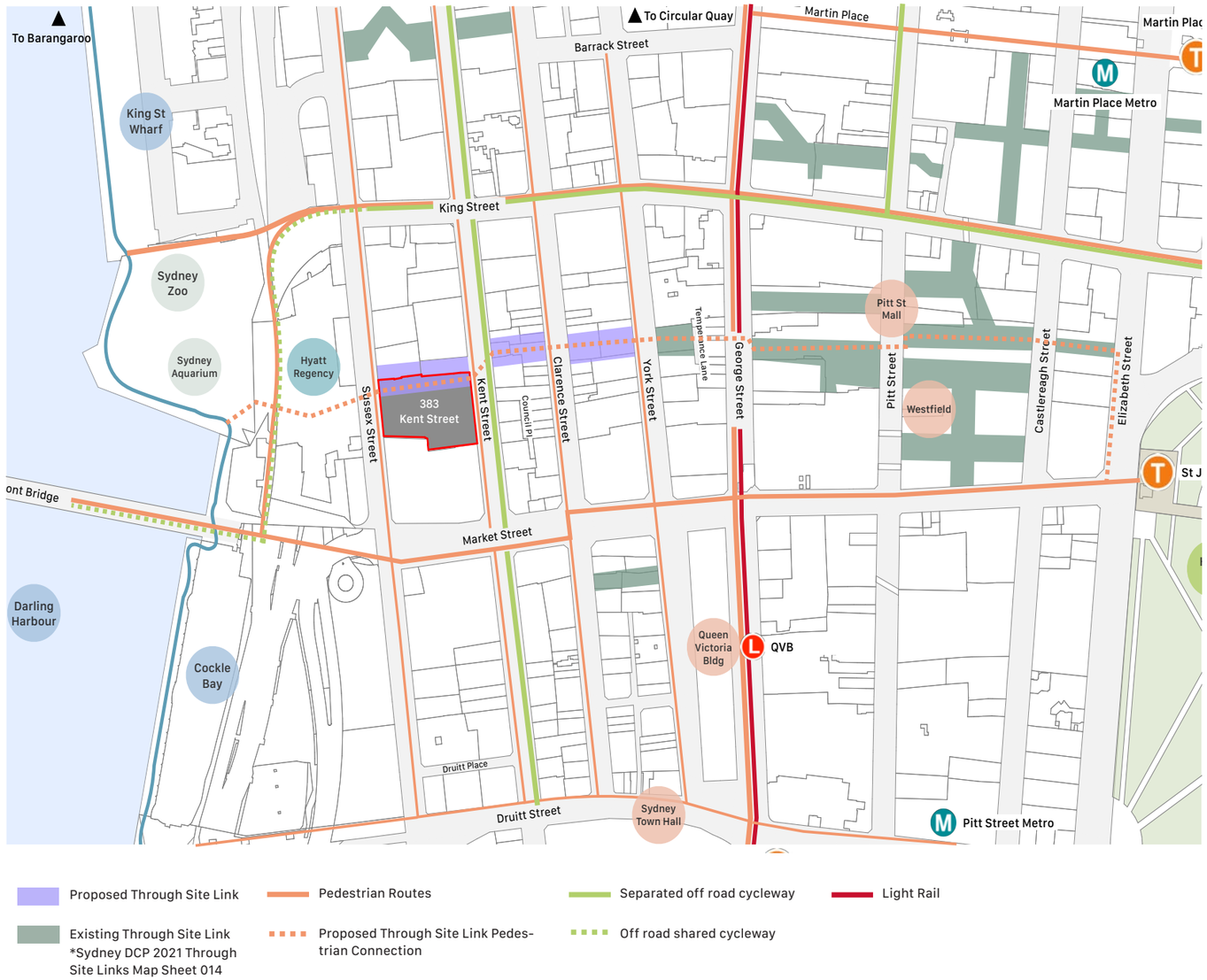
(e) be clearly distinguished from vehicle accessways, unless they are purposely designed as shareways;

(f) include materials and finishes such as paving materials, tree planting and furniture consistent with adjoining streets and public spaces and be graffiti and vandalism resistant;

(g) be clear of obstructions or structures, such as electricity substations, or car park exhaust vents;

(h) include landscaping to assist in guiding people along the link while enabling long sight lines; and

(i) be fully accessible 24 hours a day.



Attachment A2

Urban Design Report (Part 2)

Ground Plane & Colonnades

Colonnades were a common architectural feature in the late 19th century and are part of the streetscape character of Sussex Street.

They offer pedestrians a sheltered pathway, shielding them from rain or harsh sun, and add a touch of grandeur to the streetscape.

The Sydney DCP proposed to retain and reinstate colonnades along this part of Sussex Street.

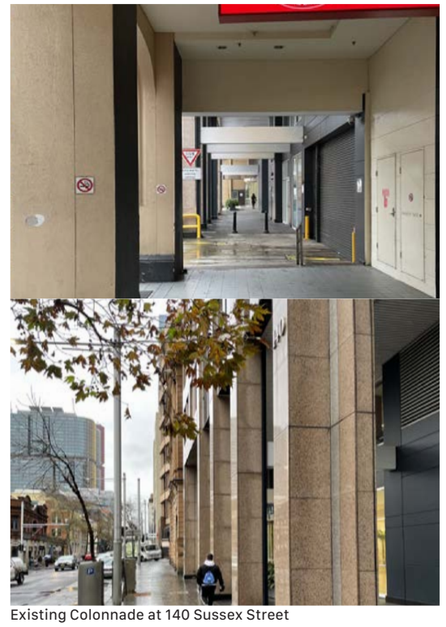




Photo of existing colonnade at Sussex Street



Existing Colonnade at 138 Sussex Street



Existing Colonnade at 140 Sussex Street

Podium & Streetscape Context

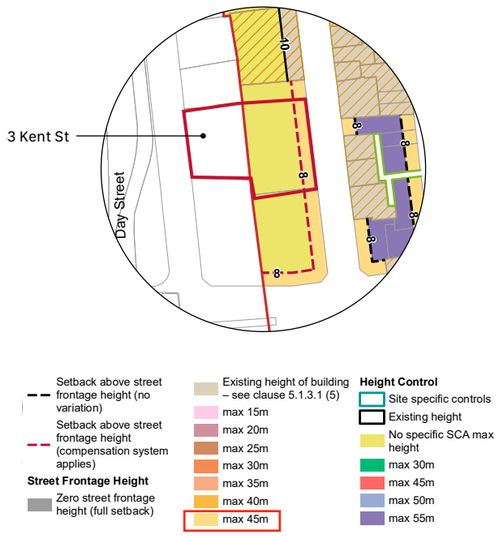
An extensive analysis has been undertaken to examine the existing streetscape and podiums. A particular focus was given to the comparison with the current DCP controls for these items and the relationships to existing heritage items

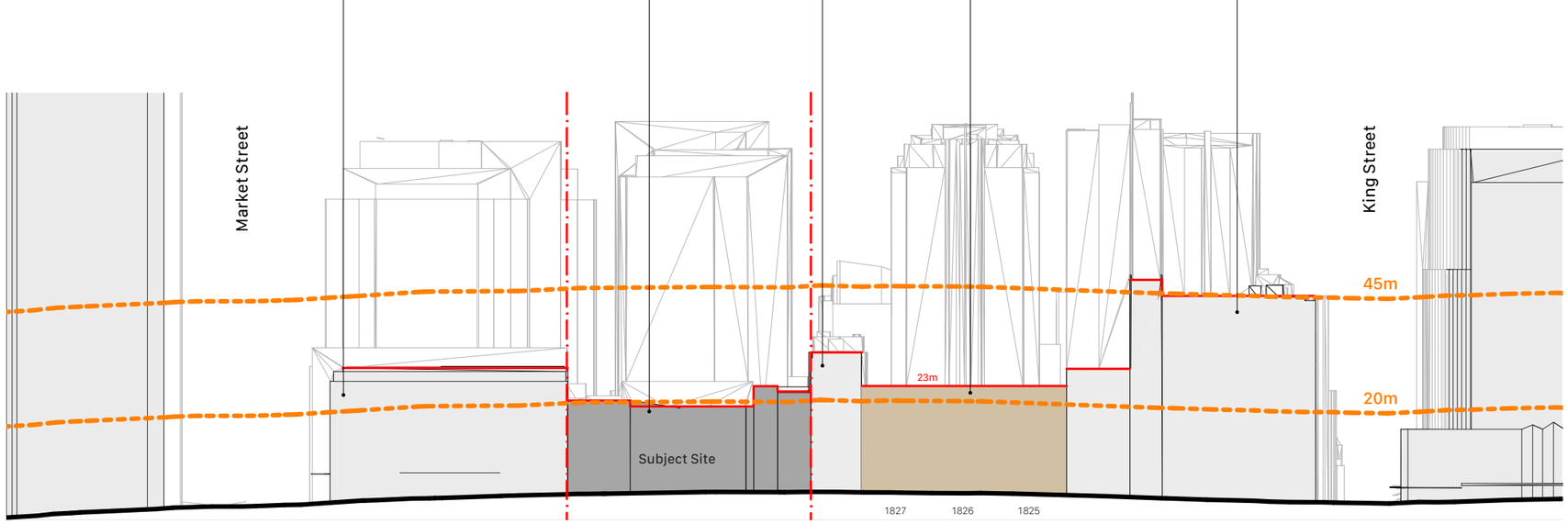
Kent Street West

The Kent Street street frontage of the subject site is located along the western side of Kent Street. Podium forms are generally within the DCP street frontage height controls. The only heritage building in this strip has a podium height of 23m which puts it at the lower end of the height range.



Sydney DCP 2012
York Street/ Clarence Street/ Kent Street
Special Character Area





Kent Street West Elevation

Heritage Building

/ 1827 Heritage Item Number

Permissible DCP Street frontage height range

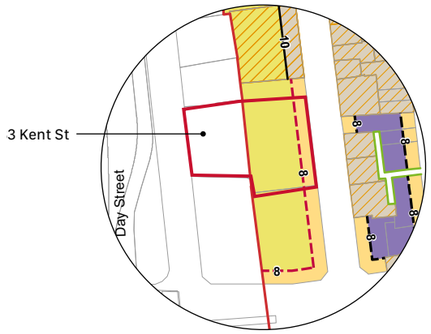
Podium & Streetscape Context

Kent Street East

Kent Street East consists predominantly of heritage buildings. They do not feature tower forms and their overall building height equals the street frontage height. Heights are generally within the DCP street frontage height controls.



Sydney DCP 2012
York Street/ Clarence Street/ Kent Street
Special Character Area

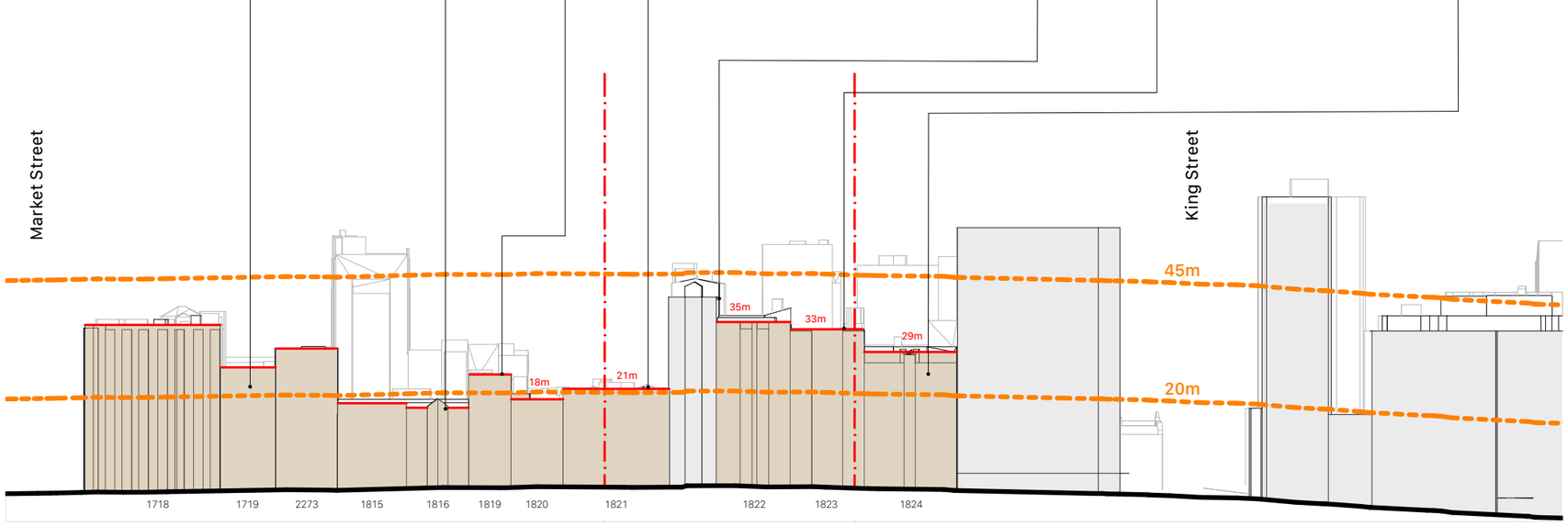


Setback above street frontage height (no variation)
Setback above street frontage height (compensation system applies)

Street Frontage Height
Zero street frontage height (full setback)

Existing height of building – see clause 5.1.3.1 (5)
max 15m
max 20m
max 25m
max 30m
max 35m
max 40m
max 45m

Height Control
Site specific controls
Existing height
No specific SCA max height
max 30m
max 45m
max 50m
max 55m



Kent Street East Elevation

Heritage Building

/ 1827 Heritage Item Number

Permissible DCP Street frontage height range

Podium & Streetscape Context

Sussex Street East

The Sussex Street frontage of the subject site is located along the Eastern side of Sussex Street. The permissible of street frontage heights are between 20-25m. However, the majority of buildings have taller street frontages - some more than 40m.

There are two heritage building along this side. Both are below 20m.

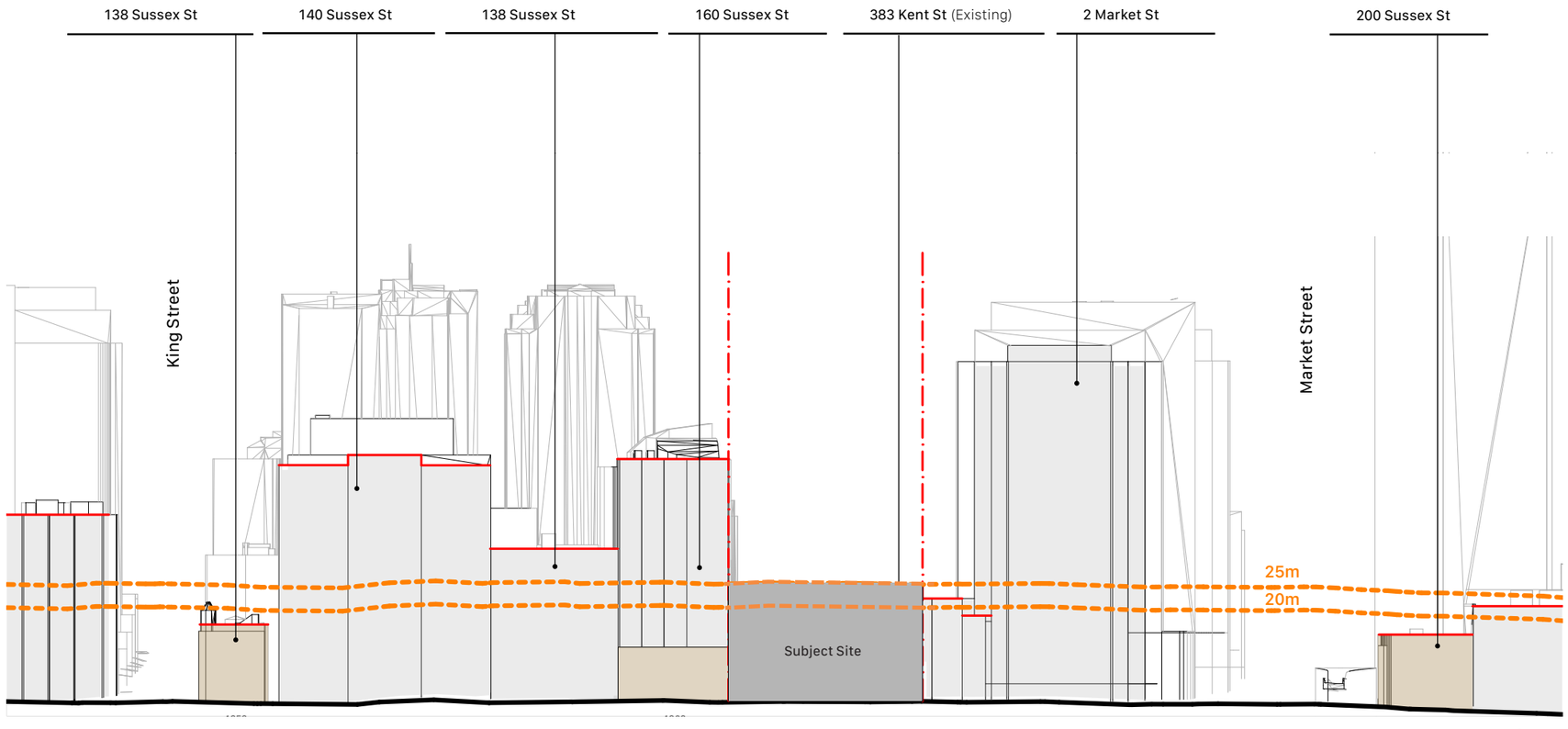
Sydney DCP 2012
5.1 Central Sydney - Permissible Range of Street Frontage Heights

Table 5.1: Permissible range of Street Frontage Heights

Permissible range of Street Frontage Heights			Proposed total height of building		
			Up to 55m	Greater than 55m up to 120m	Greater than 120m
Context	Non-heritage items outside Special Character Areas	Frontage adjacent to a Public Place with a width greater than 8m wide	20-35m* Or 20-45 for street block corner sites less than 1000sqm	20-35m*	20-25m*
		Frontage adjacent to a Public Place with a width up to 8m wide (eg. lanes)	20-45m	20-45m	20-25m*
	Heritage items outside Special Character Areas		Existing height	Existing height	Existing heig

* up to 45m subject to Section 5.1.1.1(2)





Sussex Street East Elevation

Heritage Building

/ 1827 Heritage Item Number

Permissible DCP Street frontage height range

Podium & Streetscape Context

Sussex Street West

Sussex Street West consists predominantly of one two storey buildings of between 5 & 10m height which is well below the permissible range .

Some taller tower forms sit behind those street frontage buildings. However, they are generally separate building with access from Sussex Street via laneways/ easements.



185 Sussex St

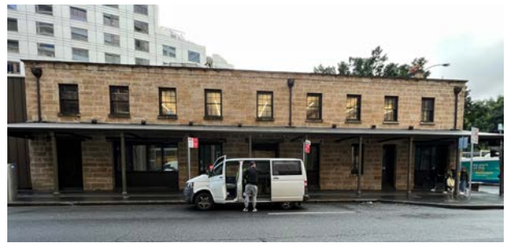


178 Sussex St

161 Sussex St (Hyatt)



134-151 Sussex St



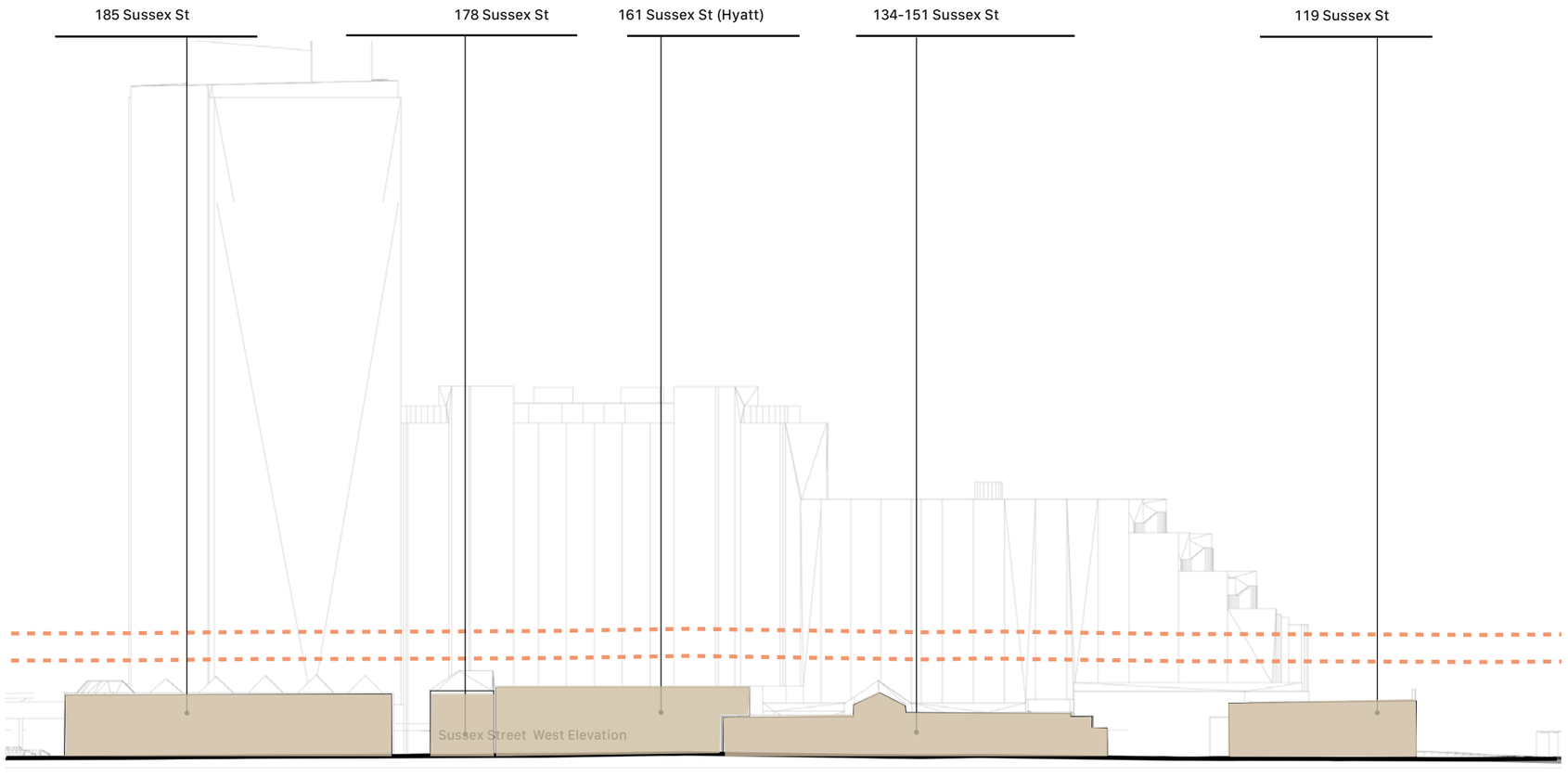
119 Sussex St

Sydney DCP 2012
5.1 Central Sydney - Permissible Range of Street Frontage Heights

Table 5.1: Permissible range of Street Frontage Heights

Permissible range of Street Frontage Heights			Proposed total height of building		
			Up to 55m	Greater than 55m up to 120m	Greater than 120m
Context	Non-heritage items outside Special Character Areas	Frontage adjacent to a Public Place with a width greater than 8m wide	20-35m* Or 20-45 for street block corner sites less than 1000sqm	20-35m*	20-25m*
		Frontage adjacent to a Public Place with a width up to 8m wide (eg. lanes)	20-45m	20-45m	20-25m*
	Heritage items outside Special Character Areas		Existing height	Existing height	Existing heig

* up to 45m subject to Section 5.1.1.1(2)



Sussex Street West Elevation

Heritage Building

/ 1827 Heritage Item Number

Permissible DCP Street frontage height range

Tower & Precinct Context

Future Tower Developments

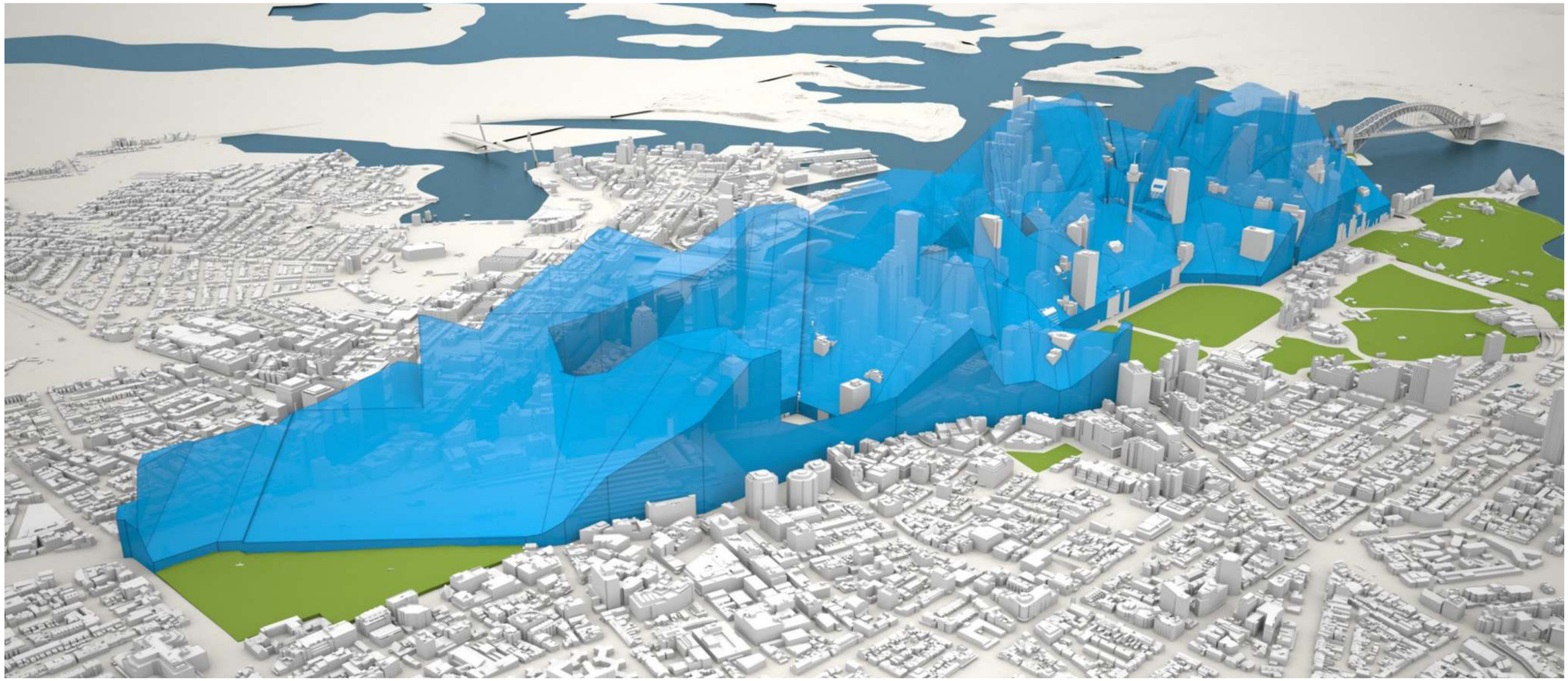
For the development of a tower of this scale it is important to understand the impact it might have on the local streetscape and how it might shape the precinct context.

To determine what a future precinct context could potentially look like we have applied and interrogated the CSPS Built Form capacity study.

The CSPS Built form capacity study provides an understanding of the potential employment floorspace that can be developed in Central Sydney under the current planning controls , suitable development locations, and site types and gives and insight into what the future built form might look like.

We have established a study zone that encompasses the western corridor and immediately adjacent areas and applied the principles of the built form capacity study to understand the likelihood and locations of any future towers in the area and how they might shape the precinct and the city skyline.

The findings of this study indicate that a large number of identified capacity sites are in fact too small to be developed and that there is likely only going to be one additional site in the vicinity of 383 Kent Street that has potential to be developed as a commercial tower.



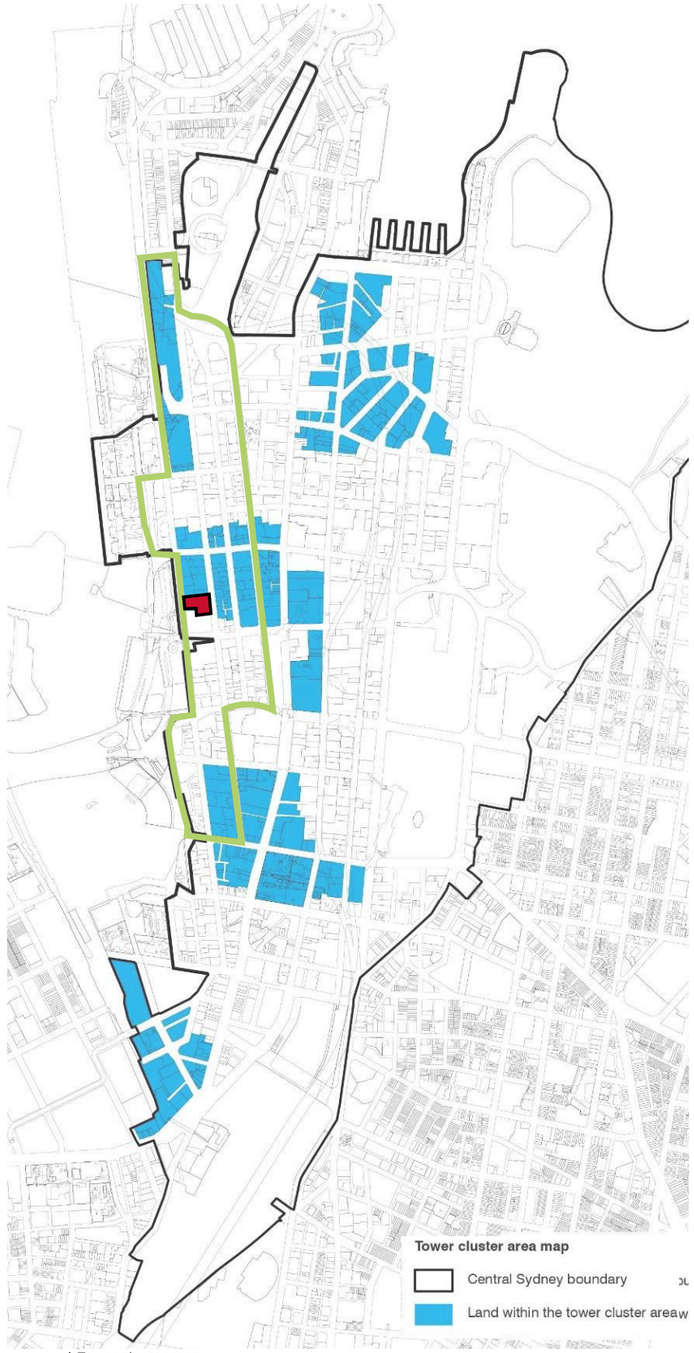
/ Sydney Central Height Control Diagram (blue Massing showing the sum of all solar access planes and pans ops applied)

Tower & Precinct Context

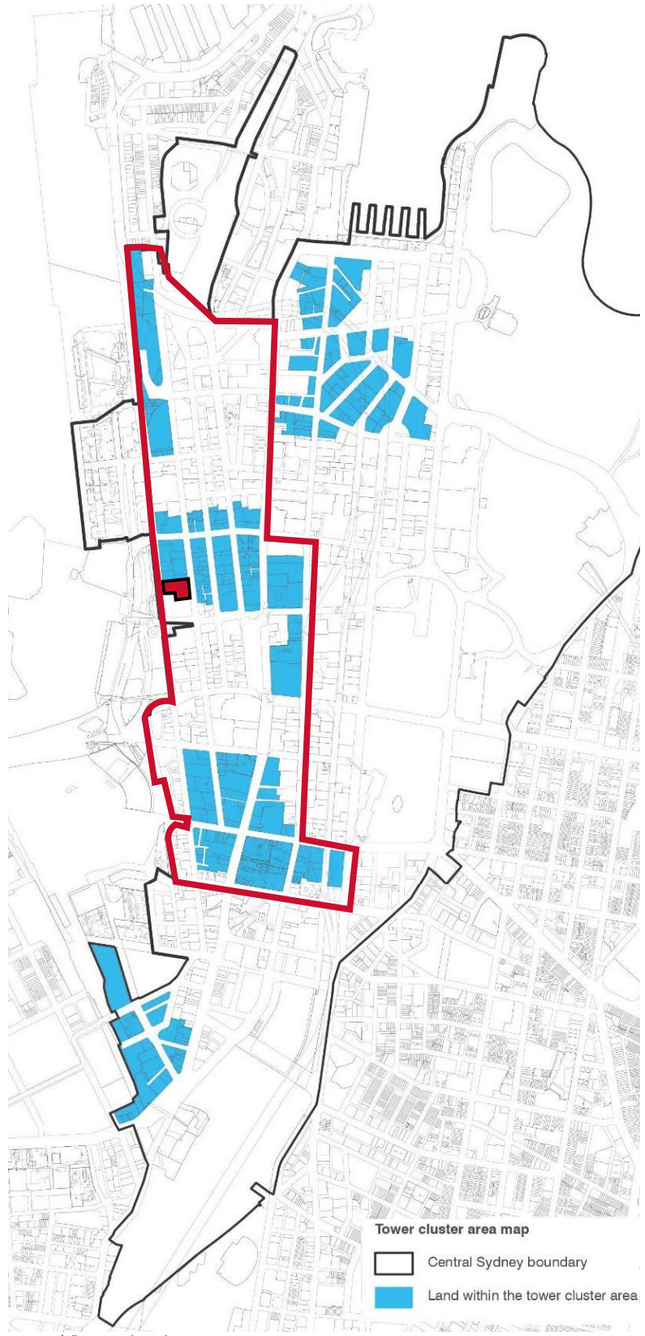
Study Area



/ Site Location and Western Precinct



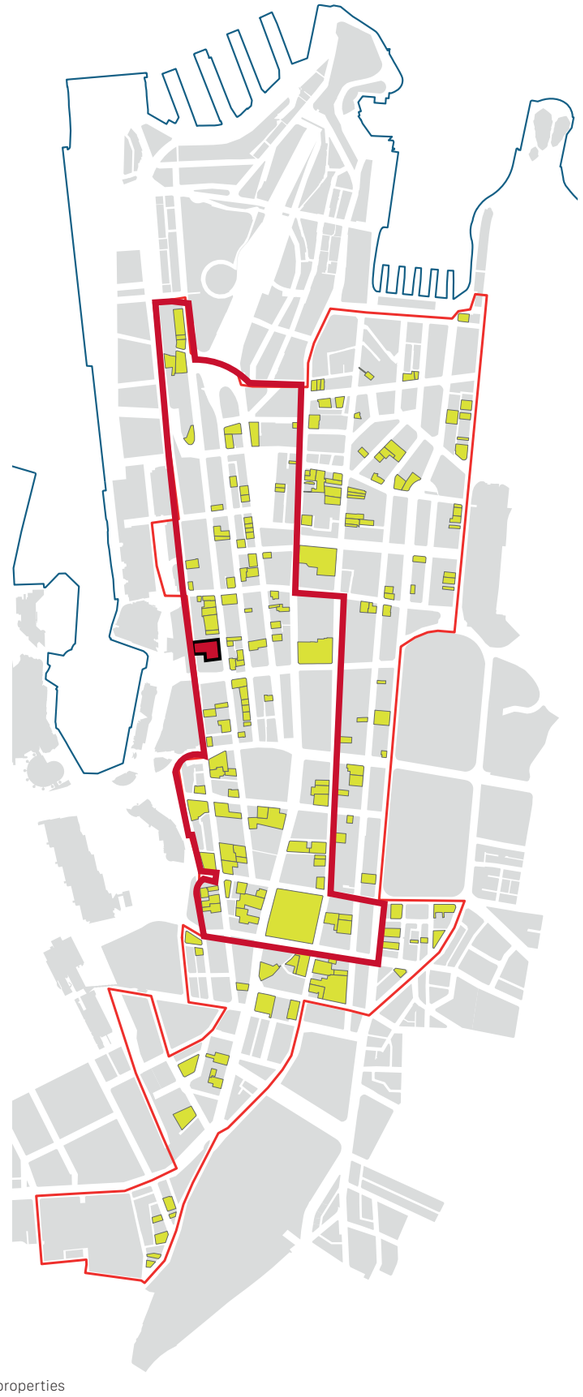
/ Tower cluster map



/ Proposed study area

Tower & Precinct Context

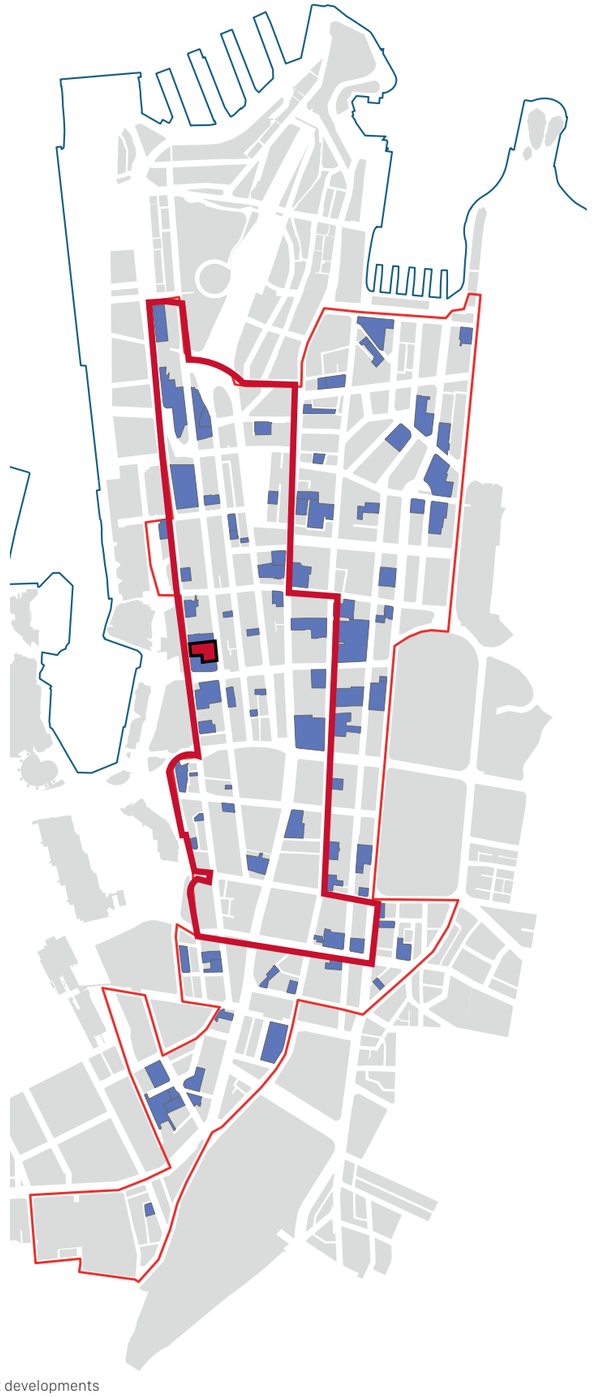
Constrained Properties within Study Area



/ Strata properties



/ Heritage Properties



/ Recent developments

220

Tower & Precinct Context

Sites with capacity

<u>Capacity Site 1</u>

=> already developed
=> no further capacity

<u>Capacity Site 2</u> (Height Control: Future Town Hall Square NA0// 190m)

=> site area 730 sqm => floorspace bonus under tower cluster provisions not available for sites under 2000 sqm
=> no realistic capacity

<u>Capacity Site 3</u> (Height Control: Future Town Hall Square NA0/ / 230m)

=> site area 941 sqm => floorspace bonus under tower cluster provisions not available for sites under 2000 sqm
=> no realistic capacity

<u>Capacity Site 4</u> (Height Control: Future Town Hall Square NAO/ / 240m)

=> site area 1360 sqm => floorspace bonus under tower cluster provisions not available for sites under 2000 sqm
=> no realistic capacity

<u>Capacity Site 5</u> (Height Control: Future Town Hall Square NAO/ max height190m)

=> site area 2567 sqm => floorspace bonus under tower cluster provisions IS available
=> site with realistic development potential

Of the 5 capacity sites within the study area that are also within the tower cluster area only capacity site 5 - **44 Market Street** - has realistic development potential.

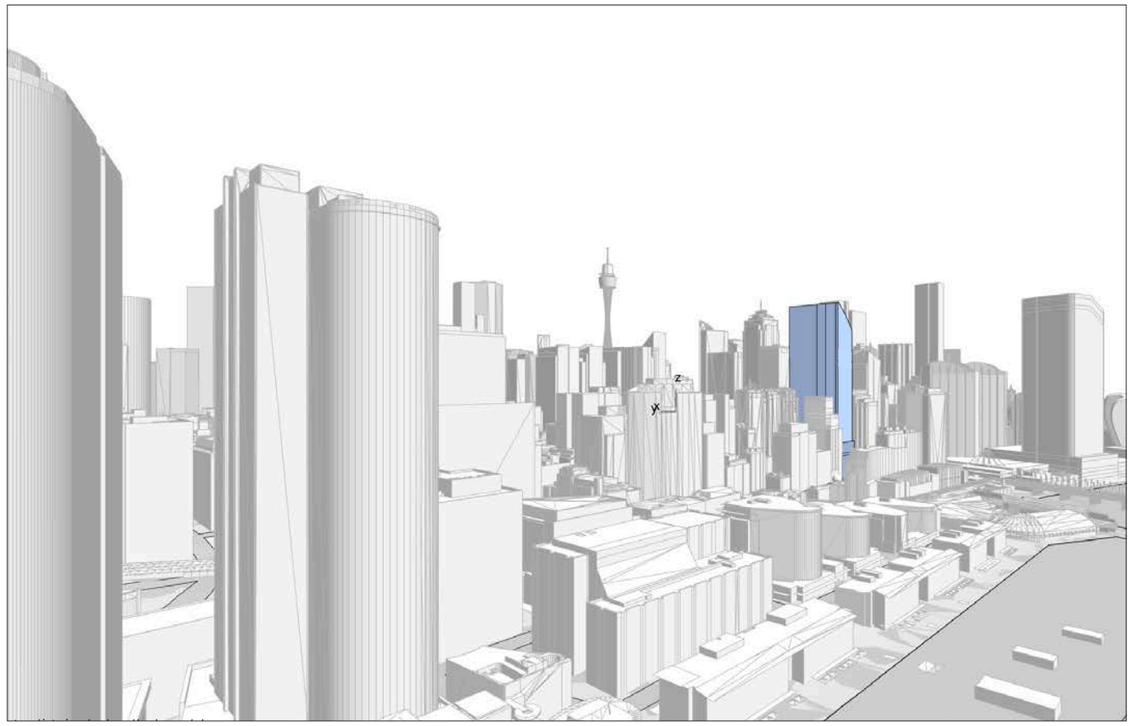


/ Capacity sites within tower cluster

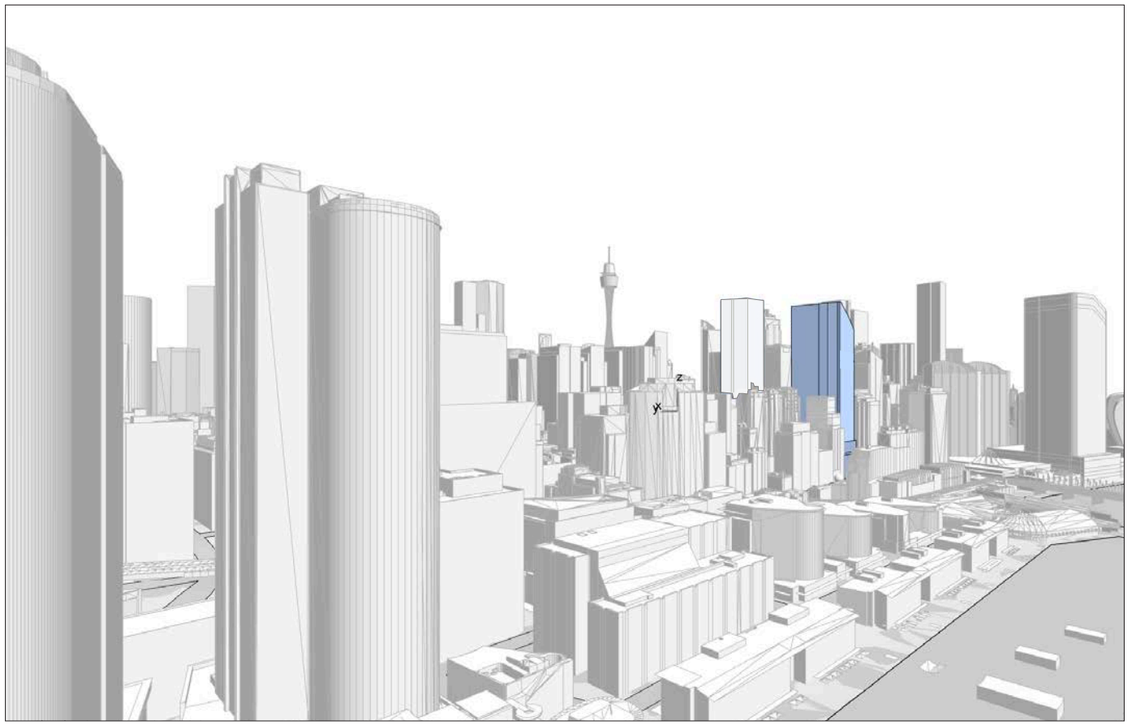
Tower & Precinct Context

High Level View over Barangaroo

The following 3d studies portray a likely future tower context featuring the subject site - 383 Kent Street - and the additional identified capacity site



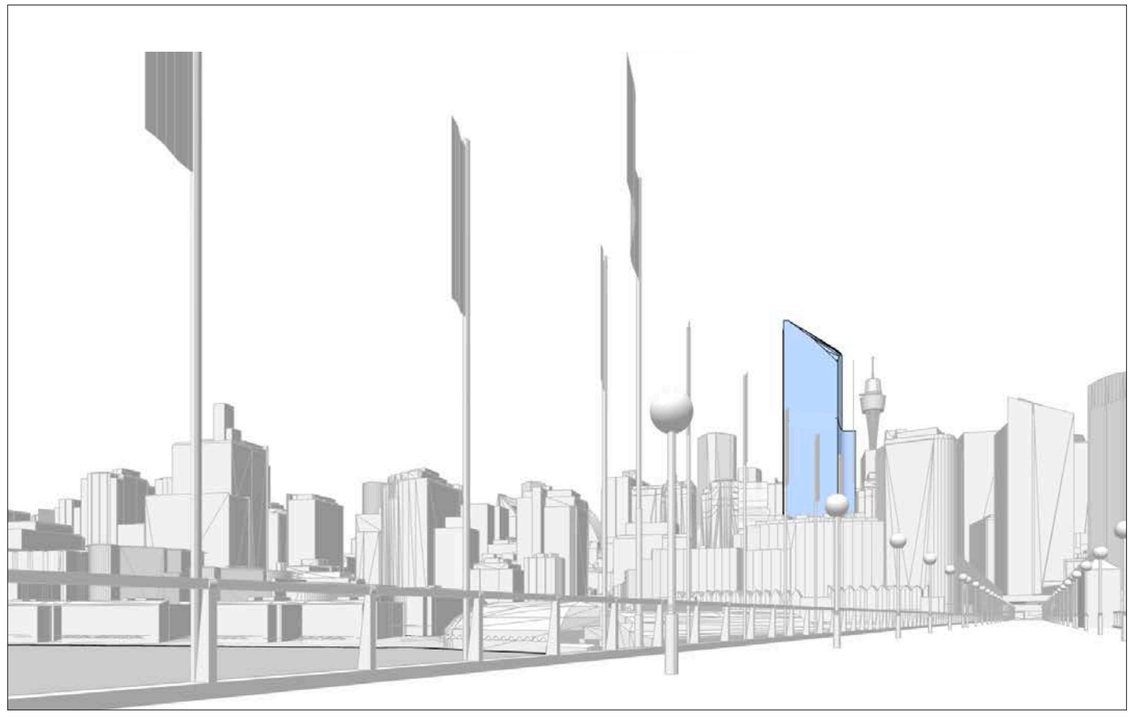
/ High level view over Barangaroo - Context with proposed envelope for 383 Kent Street



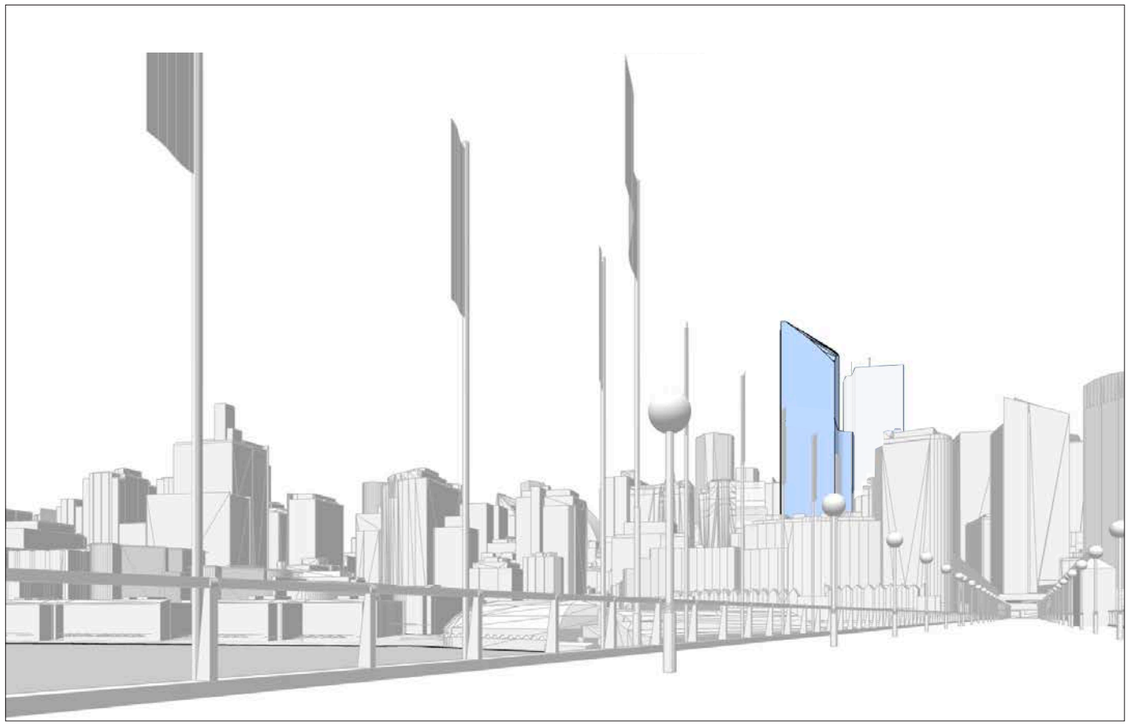
/ High level view over Barangaroo - Context with proposed envelope for 383 Kent Street and potential future towers

Tower & Precinct Context

View from Pyrmont Bridge



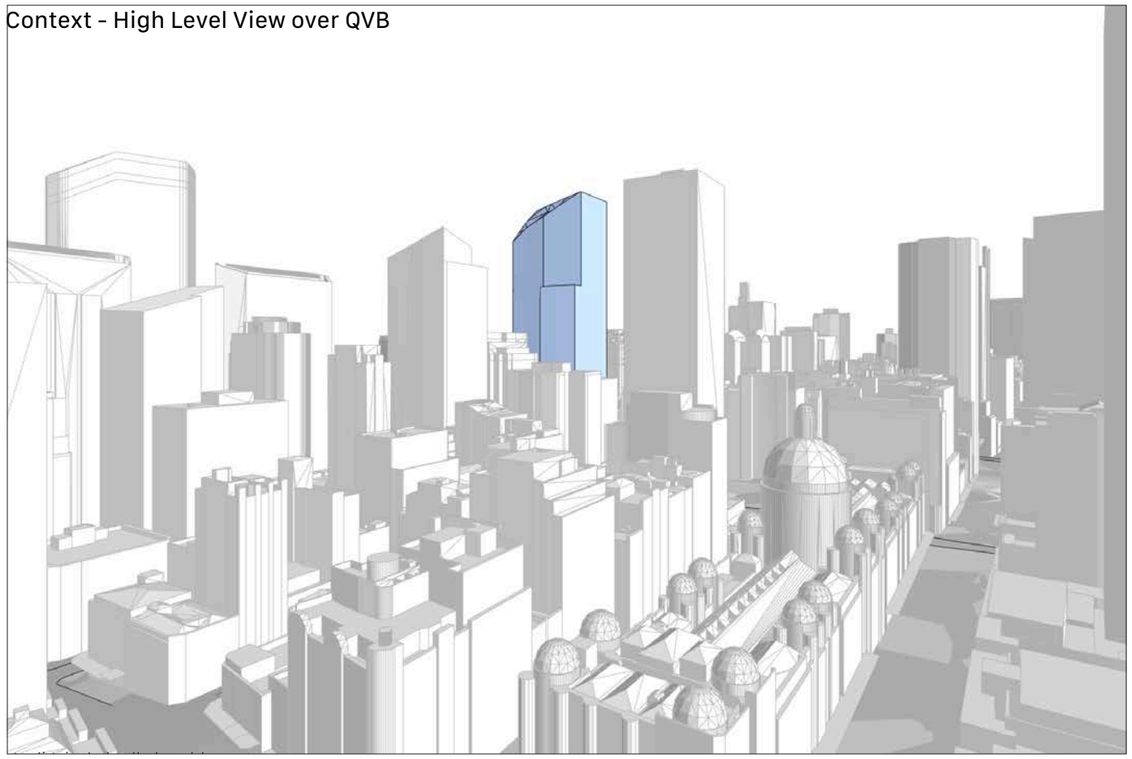
/ View from Pyrmont Footbridge - Context with proposed envelope for 383 Kent Street



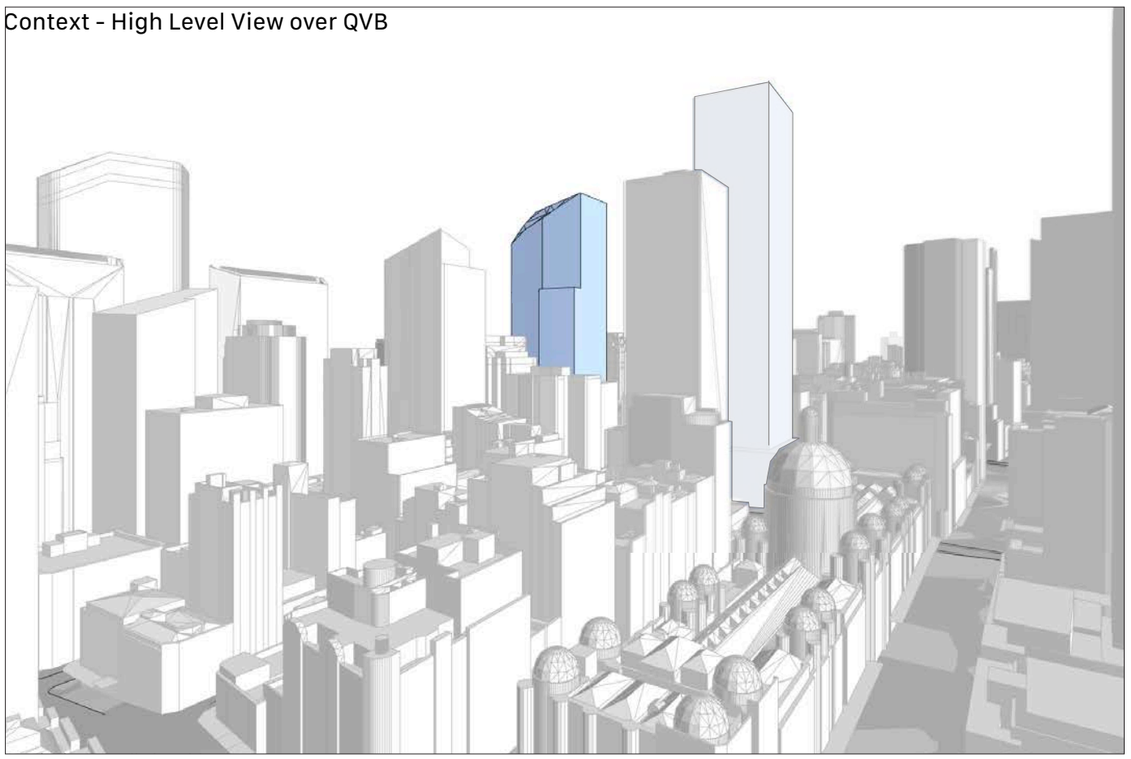
/ View from Pyrmont Footbridge - Context with proposed envelope for 383 Kent Street and potential future towers

Tower & Precinct Context

High Level View over QVB



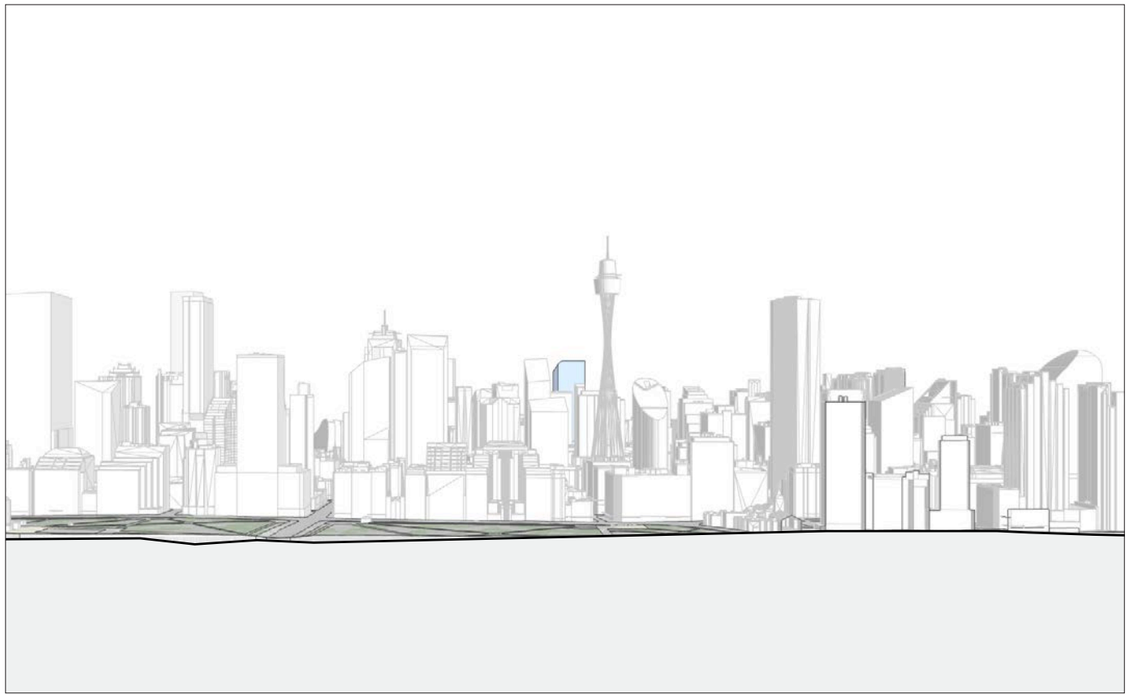
/ High level view over QVB - Context with proposed envelope for 383 Kent Street



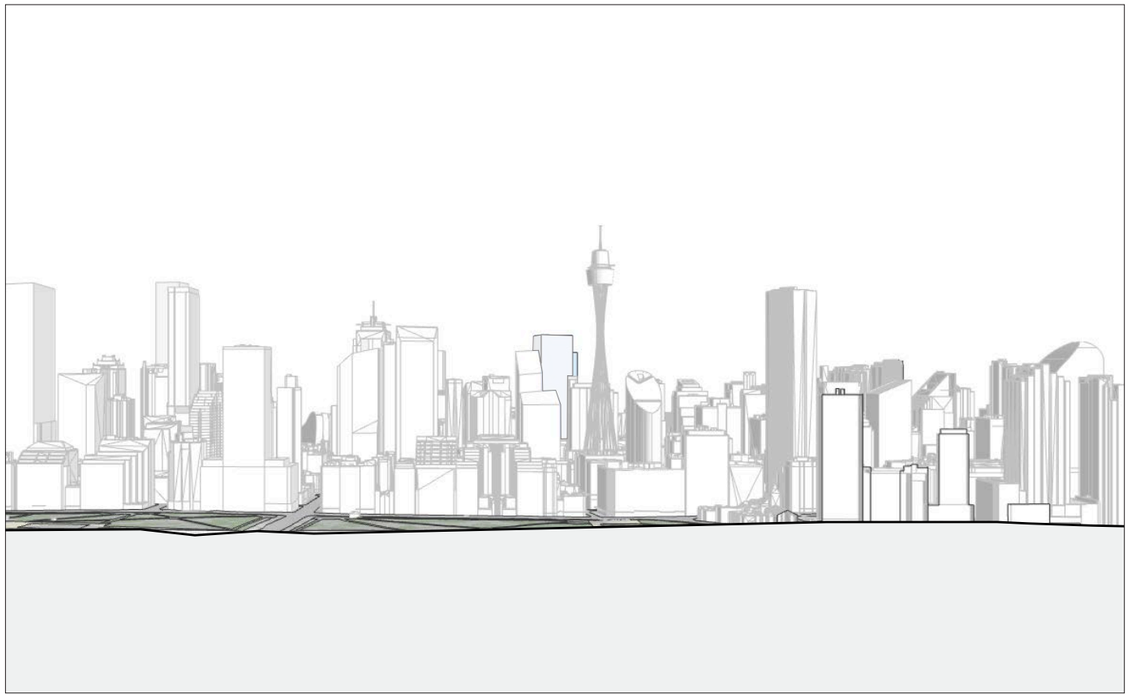
/ High level view over QVB - Context with proposed envelope for 383 Kent Street and potential future towers

Tower & Precinct Context

View across Hyde Park



/ View across Hyde Park - Context with proposed envelope for 383 Kent Street



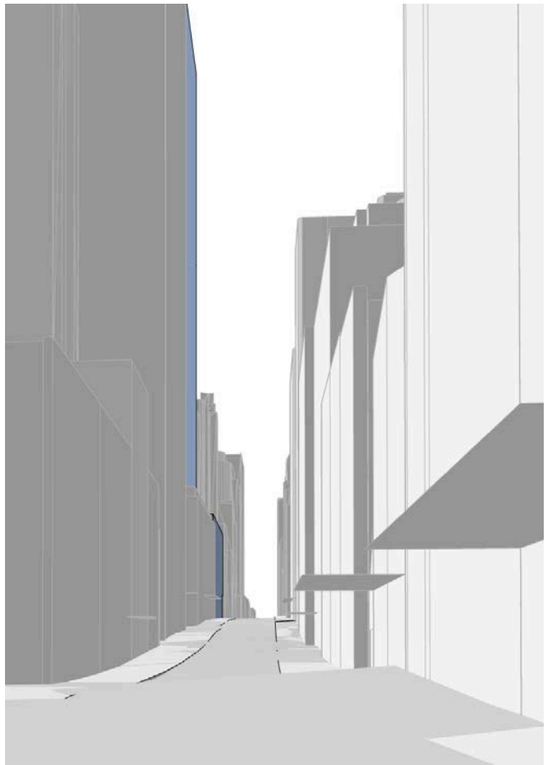
/ View Across Hyde Park - Context with proposed envelope for 383 Kent Street and potential future towers

Tower & Streetscape Context

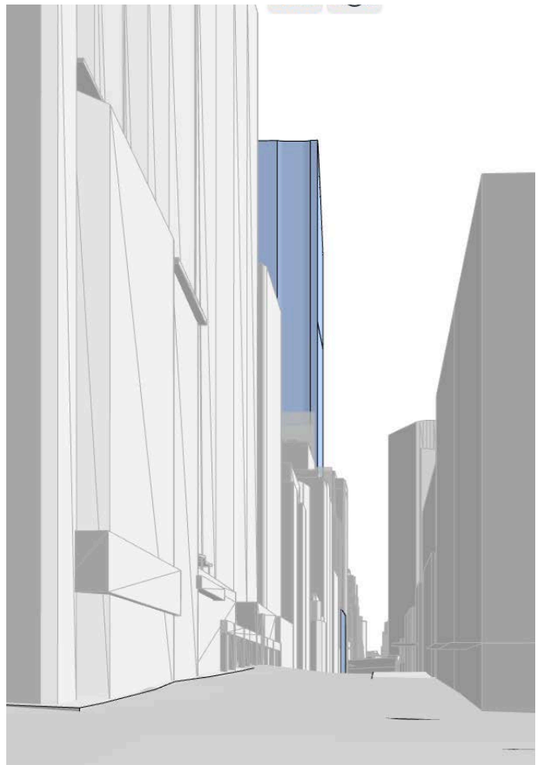
Street Views



/ View from Kent Street North with proposed envelope for 383 Kent Street



/ View from Kent Street South with proposed envelope for 383 Kent Street



/ View from Sussex Street North with proposed envelope for 383 Kent Street



/ View from Sussex Street South with proposed envelope for 383 Kent Street

V—Envelope

— Podium Height

— Tower Setbacks & Tapering

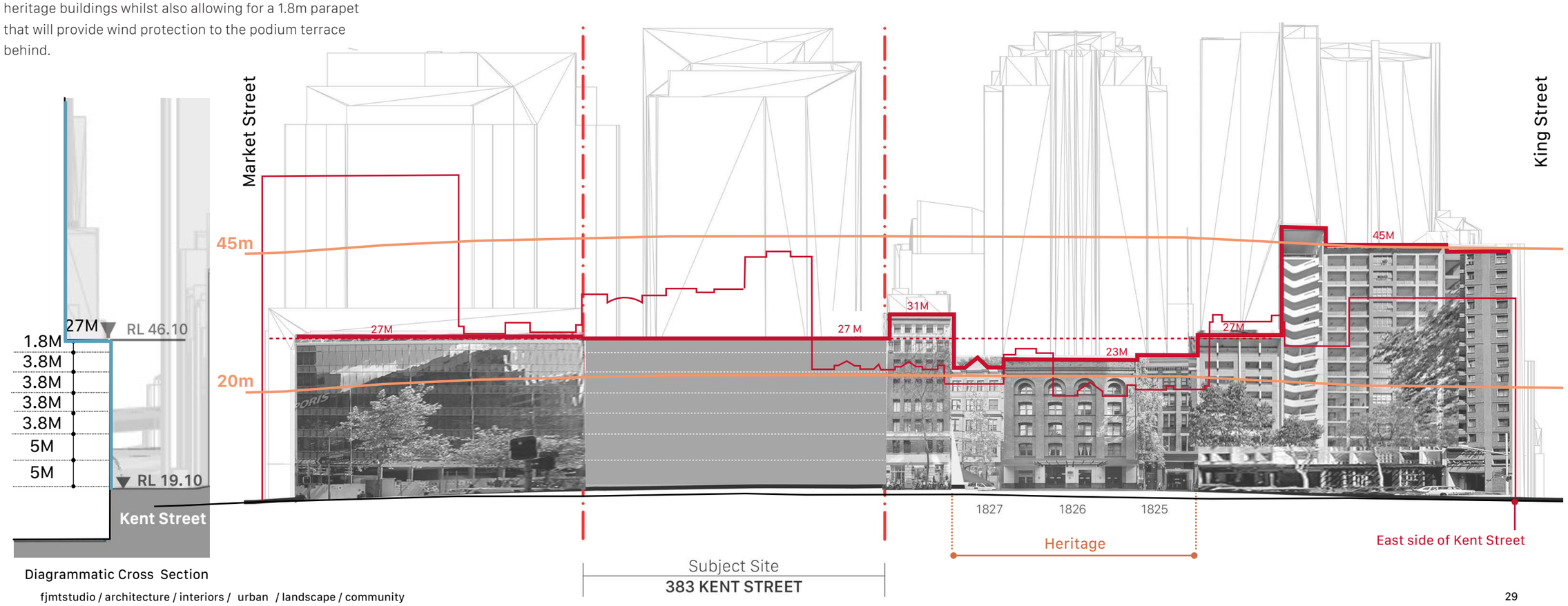
— Tower Height

— Articulation

Podium Height

Podium Height Study
The permissible DCP street frontage height range for Kent Street is between 20-45m. As this range is quite substantial a detailed height study has been undertaken to determine the appropriate datum for the podium. A photographic survey of the existing streetscape was carried out to reveal predominant and fine grain datum lines, alignments with heritage features etc. Both sides of Kent Street were examined.
Kent Street East datum lines have been superexposed onto the Western side in the elevation diagram below.

Kent Street
The photographic survey revealed an average datum height for both sides of around 25-30m. The 27m datum was determined to be the most appropriate height for the Kent Street context as it broadly aligns with the top of the heritage buildings whilst also allowing for a 1.8m parapet that will provide wind protection to the podium terrace behind.

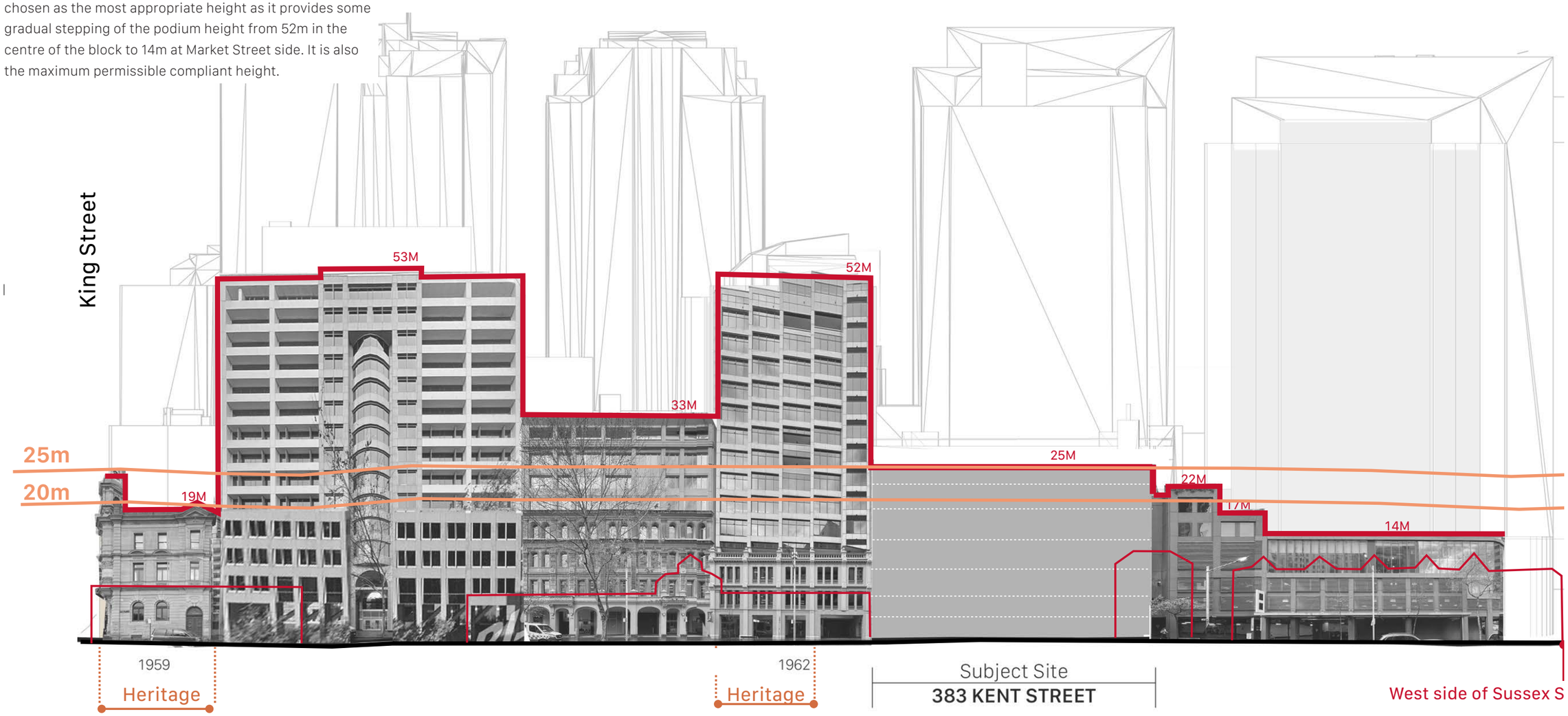


Diagrammatic Cross Section

Podium Height

Podium Height Study
The permissible DCP street frontage height range of Sussex Street is between 20-25m with the majority of buildings along Sussex Street East and West outside that range. Sussex Street West datum lines have been superexposed onto the Eastern side in the elevation diagram below.

Sussex Street
The photographic survey revealed an average datum height for both sides of around 25m with the Eastern side generally being much higher than that and the Western side being much lower than that. The 25m datum was chosen as the most appropriate height as it provides some gradual stepping of the podium height from 52m in the centre of the block to 14m at Market Street side. It is also the maximum permissible compliant height.

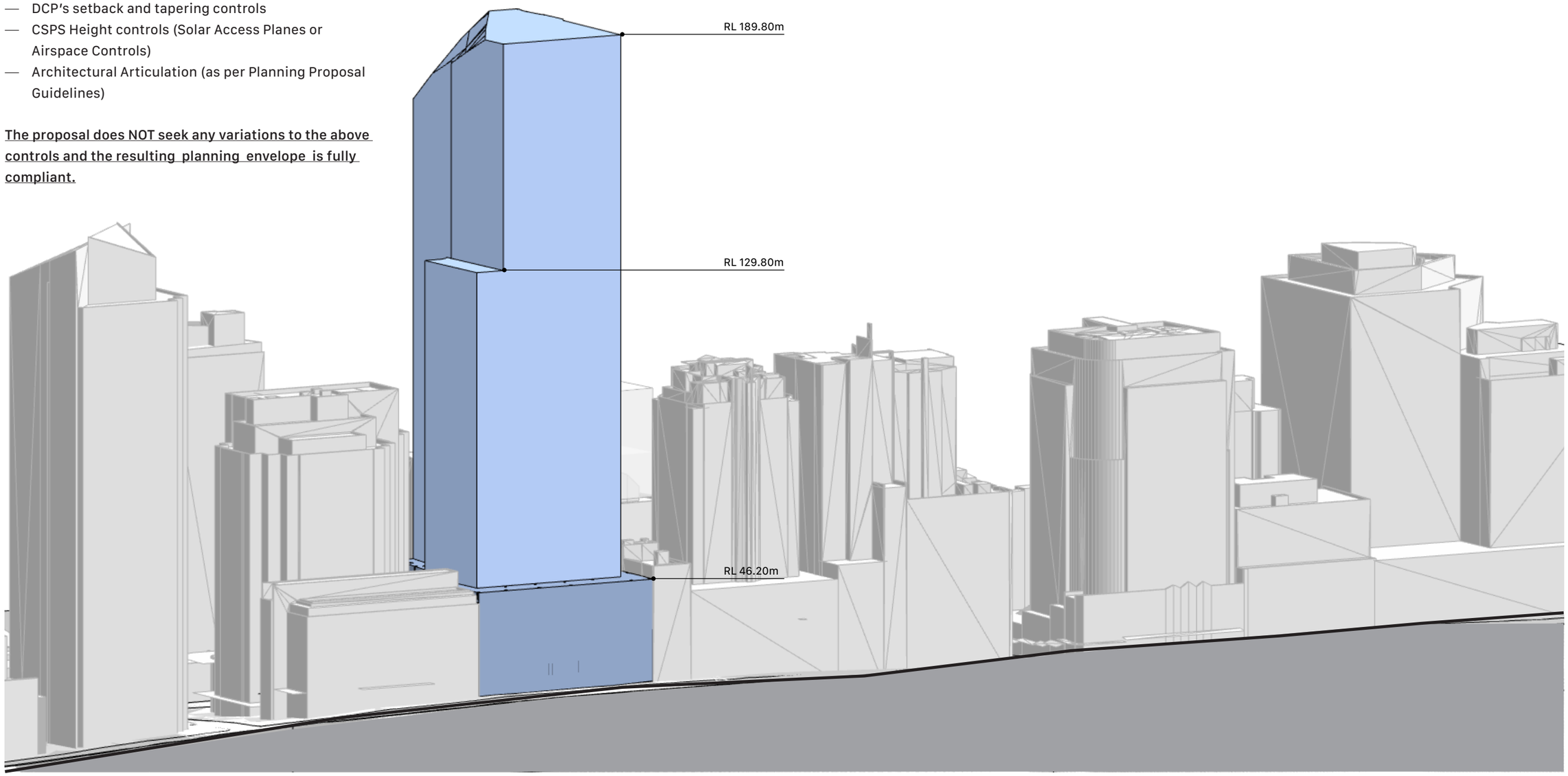


Tower

The tower portion of the envelope is defined by the following controls:

— DCP's setback and tapering controls
— CSPS Height controls (Solar Access Planes or Airspace Controls)
— Architectural Articulation (as per Planning Proposal Guidelines)

The proposal does NOT seek any variations to the above controls and the resulting planning envelope is fully compliant.



/ Envelope for 383 Kent Street in Kent street context

Tower Setbacks & Tapering

DCP Setback Controls
(Please also refer setback diagram over)

Minimum Street Setback
Kent Street: 8m
Sussex Street: 8m
(Greater than 120m)

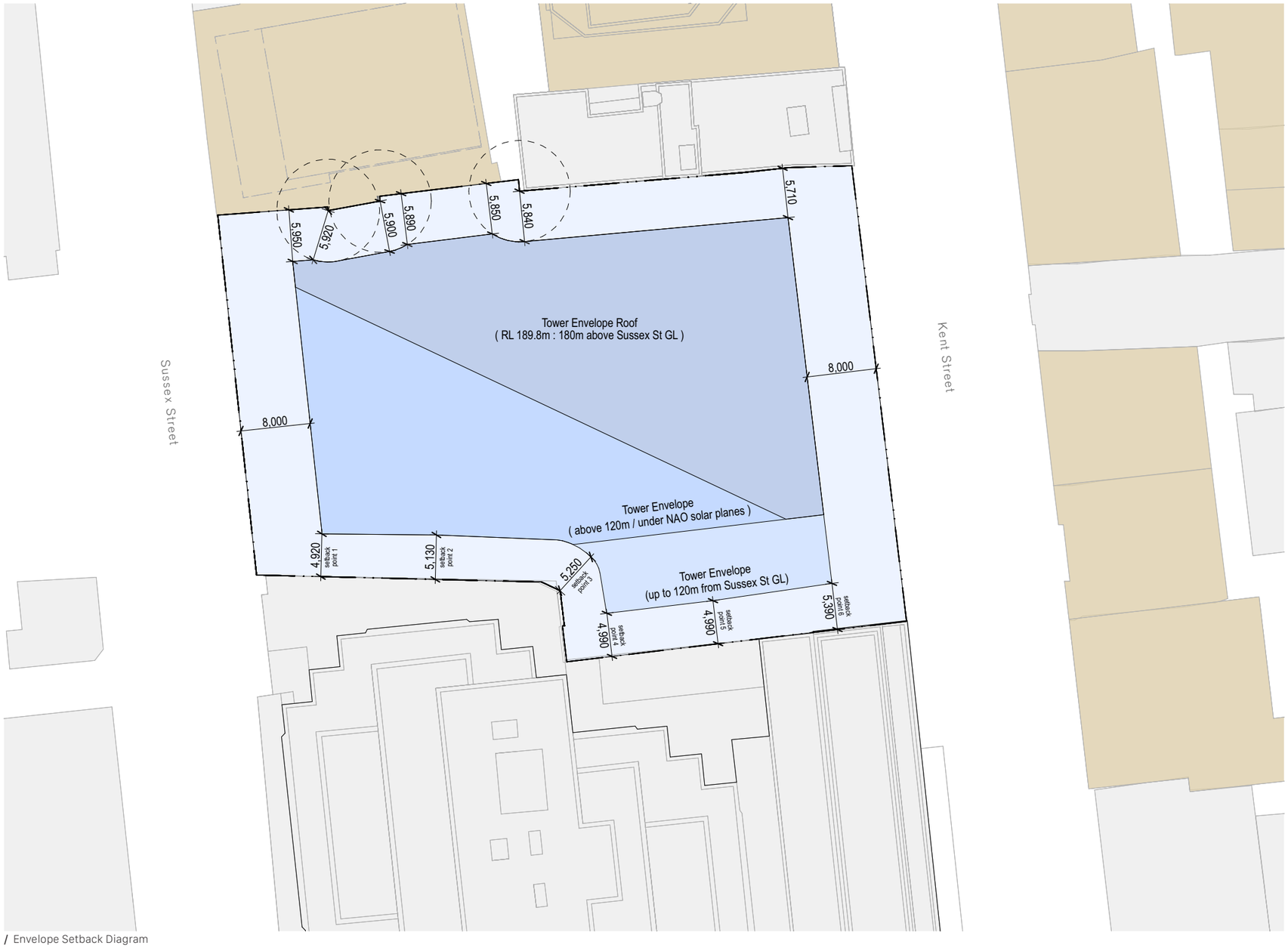
Minimum Side and Rear Setback
3.33% of the proposed total height of building (Greater than 120m up to 240m)

NOTE:
The height is measured at each vertex of the envelope from the natural ground level.

DCP Tapering Controls

Above the Street Frontage Height the total Building Envelope Area may occupy the following proportion of the site area less any areas of heritage items and required DCP setbacks:

(a) 100% up to 120m above ground;
(b) 90% above 120m up to 240m above ground; and
(c) 80% above 240m above ground.



/ Envelope Setback Diagram

Tower Height

The height limitations for the envelope are defined by the following 3 solar access planes

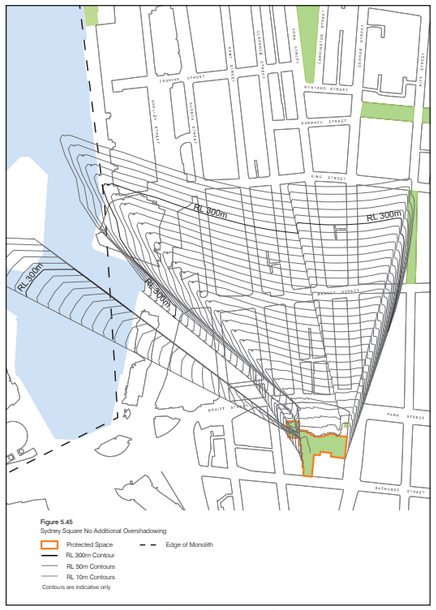
No Additional Overshadowing (NAO)

— Sydney Square
— Sydney Town Hall Steps
— Future Town Hall Square

Additional shadow diagrams and residential amenity studies have been carried out and can be found in the appendix of this report



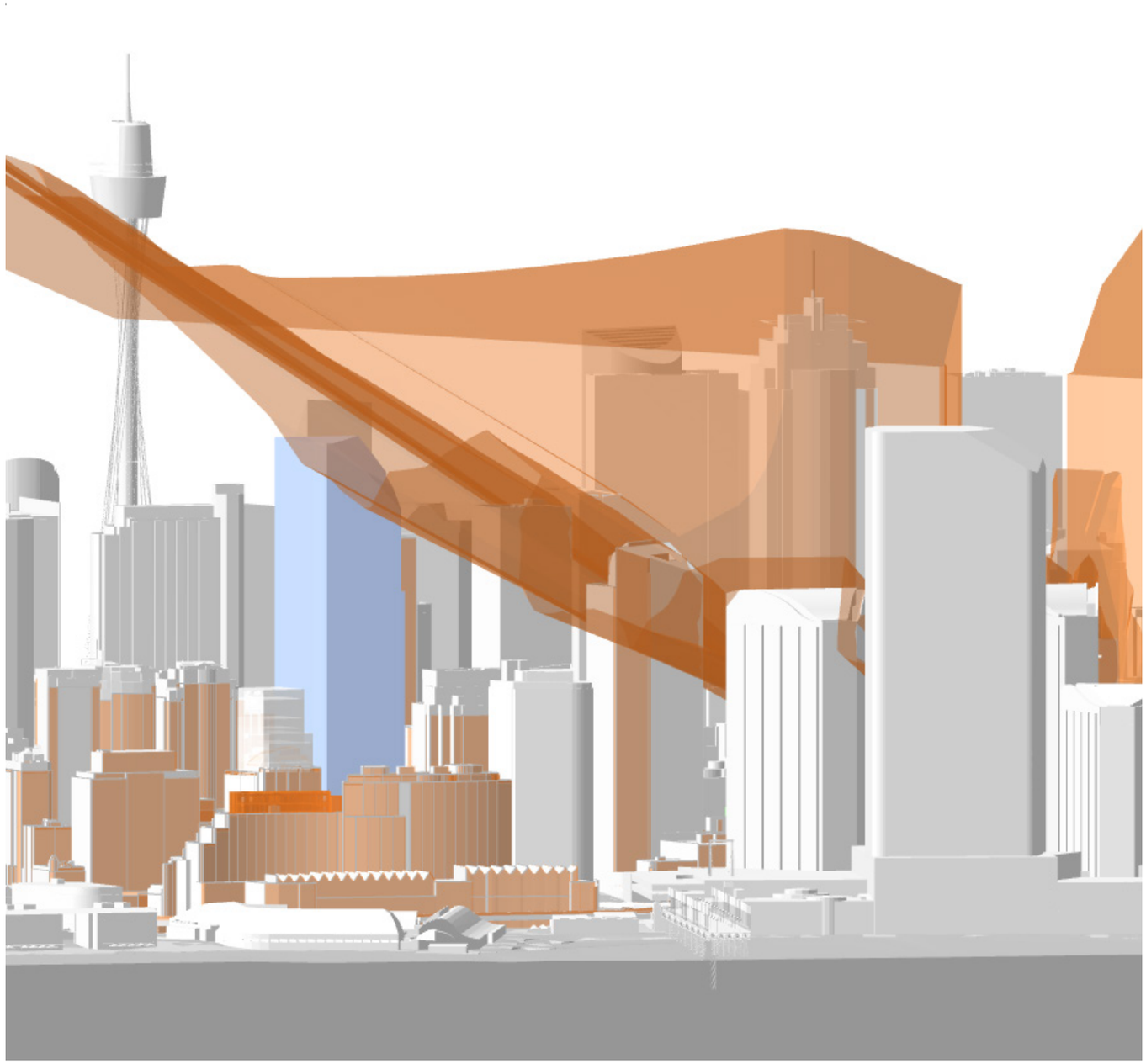
/ Future Town Hall Sq - NAO Plane shown in plan



/ Sydney Square - NAO Plane shown in plan



/ Town Hall Steps - NAO Plane shown in plan



/ 383 Kent Street Envelope (in blue) with applicable NAO planes (in orange)

Articulation & Maximum Envelope Capacity

A minimum proportion of the entire design envelope is required to be allocated for architectural articulation. While articulation is not technically applied to the envelope it defines the maximum GFA capacity within the envelope.

Below is a table outlining the articulation requirements as stated in the Guidelines for site specific planning proposals

A minimum proportion of the entire design envelope for architectural articulation and external façade depth and external sun shading (not occupied by floor space) of 8.0% plus 0.5% for each 10metres in height above 120m up to a maximum value to 16% articulation.

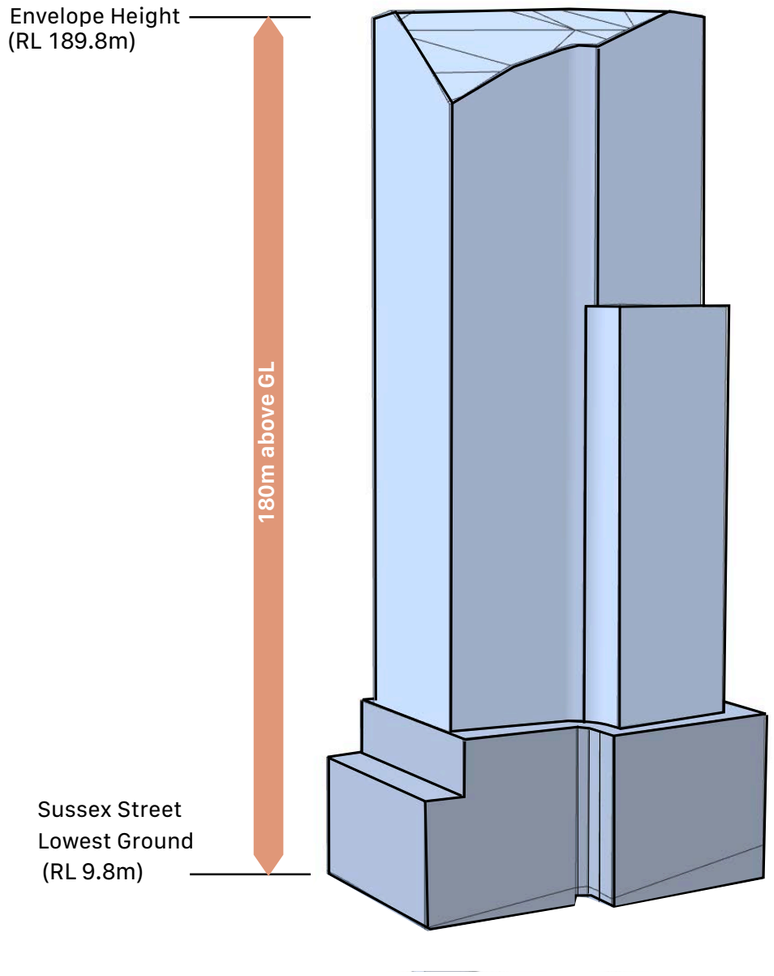
Note: the proportion (percentage) is established according to the maximum building height, this proportion is then applied to the whole envelope.

120 metres – 8%
160 metres – 10%
200 metres – 12% ← **180 metres - 11%**
240 metres –14%
280 metres – 16%

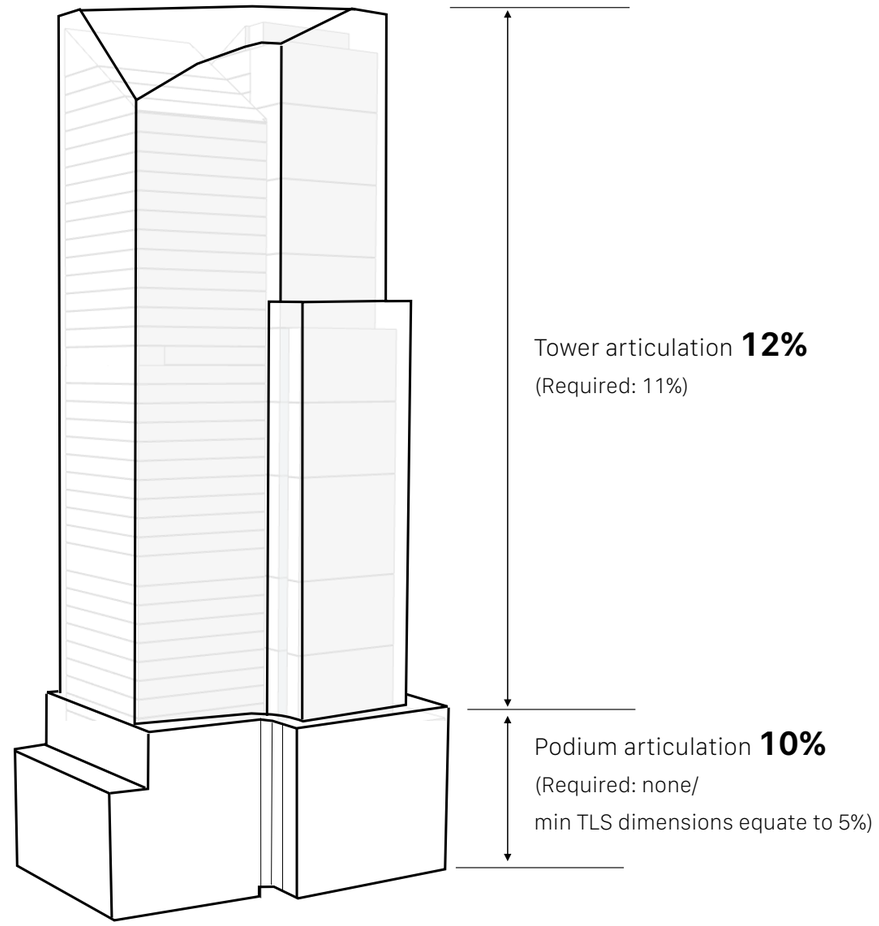
The 383 Kent Street proposal delivers ***12% tower articulation*** which is in excess of the 11% required.

It also achieves ***10% articulation in the podium*** for which the guidelines do not specify any requirements

This ensures the envelope allows for plenty of design flexibility at competition and DA stage.



/ Envelope for 383 Kent Street with effective height for articulation controls



/ Envelope for 383 Kent Street showing applicable articulation controls

VI—Urban Design & Public Domain Design Principles

Urban Design & Public Domain Design Principles

Through careful analysis of the existing site and its constraints, the wider urban context and a review of the current planning controls we have establish a series of urban design and public domain design principles that are aiming to unlock the potential of this site.

These principles are outlined below and will be explained further in this section of the report:

1. Fully Complying Envelope
2. Preservation of Amenity to Public Spaces
3. Employment Space Appropriate to the Precinct
4. World Class Sustainability Outcomes
5. Connecting with Country
6. Renew and Reinvigorate Kent and Sussex Street Retail and Public Domain
7. Through Site Links/ Integrating disconnected precincts back into the city
8. Active Transport and Pedestrianisation (walk-able city)
9. Precinct Loading
10. Heritage, Street Wall Character and Scale
11. Greening, Access to Fresh air and Vertical Interconnection



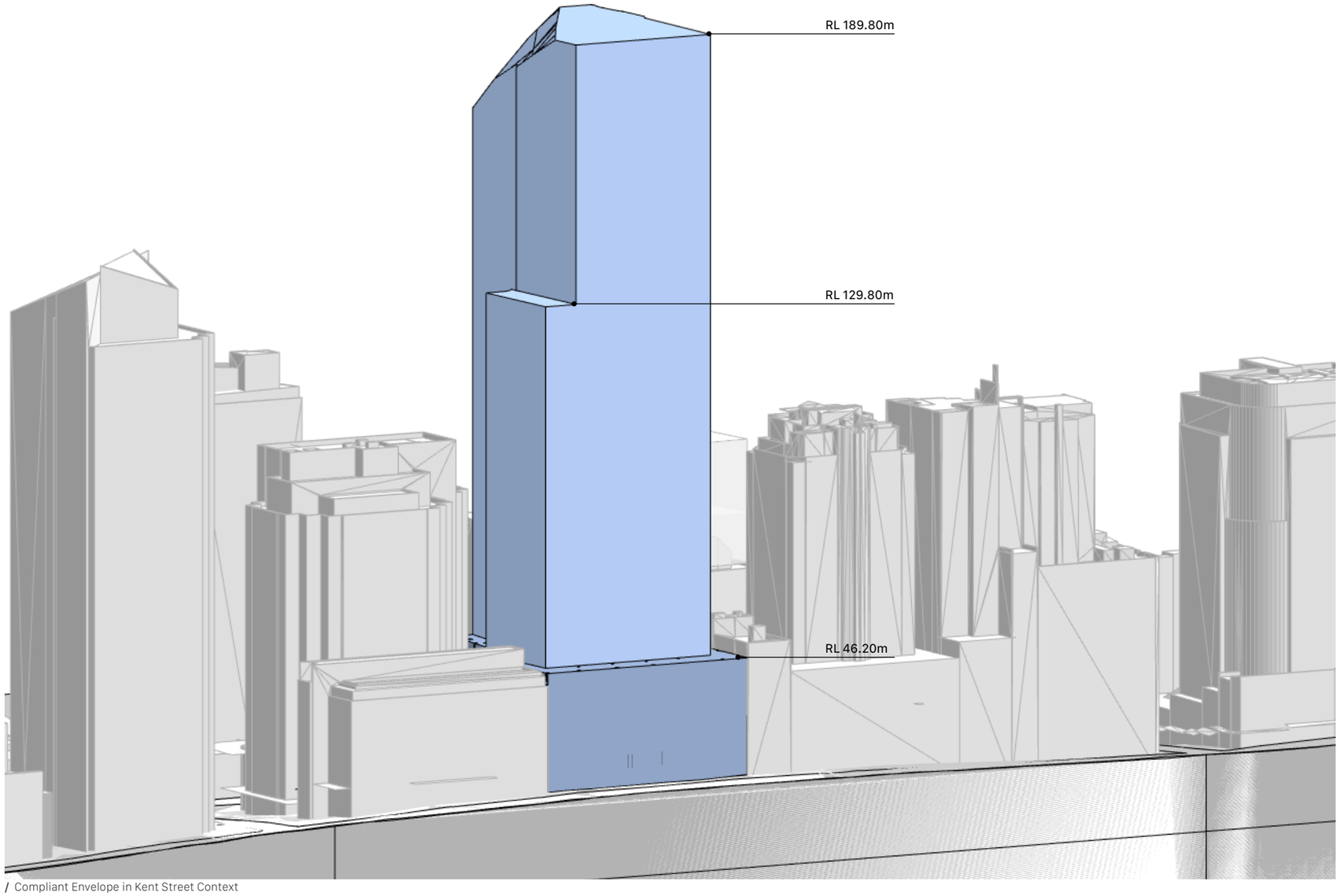
/ Aerial Render - View from West across Darling Harbour

Fully Complying Envelope

The fully DCP compliant planning envelope offers an abundance of benefits to the surrounding context. It ensures that the envelope (and eventual massing within) integrates well with the existing urban design principles and guidelines established for the area, maintains a suitable scale and proportion and contributes to a visually coherent and balanced streetscape..

The compliant planning envelope also addresses DCP considerations such as sunlight and shadows. By complying with regulations that safeguard sunlight access and minimize overshadowing of neighbouring properties, a compliant envelope minimizes potential adverse impacts on adjacent buildings and outdoor spaces. This helps to maintain adequate sunlight exposure, air circulation, and views for the existing residents or users in the area.

The planning envelope includes provisions such as setbacks and tapering requirements to ensure appropriate spacing between buildings and protect the privacy of nearby properties.



/ Compliant Envelope in Kent Street Context

Preservation of Amenity to Public Spaces & Public Domain

The planning envelope of a new tower at 383 Kent Street is designed not only to maintain solar access to existing and proposed public spaces such as the new Town Hall Square, the town hall steps, and Sydney Square but also to ensure the amenity and pedestrian comfort of the surrounding public domain. Here's an explanation of how this is achieved:

Urban Context Analysis: The design process begins with a thorough analysis of the urban context surrounding the site. This includes studying the existing pedestrian pathways, public amenities, and the overall character of the area. Understanding the context helps in identifying opportunities and constraints related to solar access and pedestrian comfort.

Wind Analysis: In addition to solar access, the impact of wind on pedestrian comfort is considered. Wind studies are conducted to identify potential wind tunnels or areas with uncomfortable wind conditions. The design of the tower is then adjusted to minimize the creation of adverse wind conditions at ground level.

Building Orientation and Massing: The orientation and massing of the tower are carefully planned to minimize shadowing of the public spaces and surrounding areas. By considering the sun's path and the surrounding urban fabric, the tower can be positioned and shaped to allow sunlight to reach the public spaces while reducing overshadowing of neighbouring buildings and open areas.

Setbacks and Podium Design: Setbacks and podium design play a crucial role in maintaining amenity and pedestrian comfort. The tower may be designed with setbacks at various levels to create terraces or step-backs, allowing for more sunlight penetration to the public spaces.

The podium, which forms the base of the tower, is designed to provide a visually appealing and comfortable pedestrian experience, incorporating elements such as public seating, green spaces, and active street frontages.

Street-level Activation: The planning envelope considers the activation of the street level and its impact on pedestrian comfort. The design may include features such as ground-floor retail spaces, cafés, or public plazas that enhance the vibrancy of the area and provide inviting spaces for pedestrians to gather and relax.

Visual Impact Mitigation: The tower's design takes into account its visual impact on the surrounding public domain. The materials, façade treatment, and overall aesthetics are carefully considered to ensure the tower integrates harmoniously into the urban fabric, enhancing the overall streetscape and maintaining the character of the area.

Public Consultation and Stakeholder Engagement: Throughout the design process, public consultation and stakeholder engagement are conducted to gather feedback and insights. This collaborative approach helps ensure that the planning envelope addresses the needs and aspirations of the community, considering their preferences for solar access, pedestrian comfort, and overall amenity.

By incorporating the above considerations, the planning envelope of the new tower at 383 Kent Street aims to maintain solar access to existing and proposed public spaces while enhancing the amenity and pedestrian comfort of the surrounding public domain. The desire is to create a design that integrates seamlessly into the urban fabric and contributes positively to the overall quality of the public realm.



/ Streetscape Render Kent Street- View to North



/ Building Render Kent Street- View to West



/ 383 Kent st proposal maintains existing solar access to Future Town Hall Square

Employment Space Appropriate to the Precinct

The landscape of CBD office space in Sydney has been significantly impacted by the Covid-19 pandemic. Prior to the outbreak, the City of Sydney had projected a shortage of commercial space in the CBD by 2027 (Central Sydney Planning Strategy 2016–2036, City of Sydney).

Since then, the pandemic has brought about notable changes in both the demand for commercial space and dynamics of the CBD office market in Sydney.
In February 2023, occupancy rates reached a mere 61%, leaving both landlords and employers grappling with the challenge of enticing workers to return to the city for a full work week (Property Council of Australia).

In light of these shifts, it is crucial for new commercial developments to be adaptable and responsive to evolving office requirements and experiences. The construction of new buildings must accommodate fluctuations in staff numbers throughout the work week, while also prioritizing the creation of a vibrant social environment that remote work cannot replicate. Access to fresh air and outdoor break-out spaces have become exponentially more important to staff and ensure physical and mental well being of all occupants.

Located on Sydney CBD's Western Edge, there exists an opportunity to establish workspaces that cater to stable, sizable, and long-standing corporations seeking a presence in the city without the burden of premium harborside rent. The Western Edge's appeal lies in its provision of large and flexible floor plates, as well as its affordability, making it an attractive option for a diverse range of knowledge-based industries.

This diversity of professionals will contribute to the revitalization of the Sydney CBD, transforming it into a more inclusive hub for businesses and their employees. In turn, these businesses and individuals will lend support to the local retail and hospitality market within the CBD, fostering a mutually beneficial relationship.



/ Render of typical office floor with access to terrace and interconnecting stairs

World Class Sustainability Outcomes

As a prominent commercial tower situated in the Western Edge, 383 Kent Street holds a crucial role in setting the standard for ESG (Environmental, Social, and Governance) practices within the area. In order to comply with the City of Sydney's guidelines for net-zero energy usage in buildings starting from 2026, waste management in new developments, and targets for reducing embodied energy, several significant technical and landscaped elements have been incorporated.

Emphasizing the importance of comprehensible sustainability, the building strives to create spaces for social interaction that are enriched with natural greenery. These areas are strategically positioned away from the street, providing a buffer against noise and vehicular pollution.

The tower places great emphasis on providing occupants with access to abundant natural light and fresh air throughout the premises. Additionally, the mental, physical, and social well-being of individuals is taken into account through the inclusion of an on-site wellness centre and a commitment to fostering a sense of community and generosity

Key Sustainability Targets:

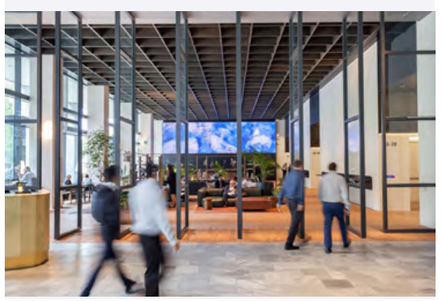
- 6-star Green Star v1
- 20% reduction in embodied carbon
- 5.5 Star NABERS - Energy
- 5 Star NABERS - Indoor Environment
- 4.5 Star NABERS - Water
- WELL - Gold (Core) Commitment & Platinum (Core) Target
- Generous provision of outdoor space throughout the tower
- Façade greening to benefit the western skyline of the CBD
- Mixed mode spaces & access to fresh air on all tower levels
- state of the art EOT facilities to promote active transport



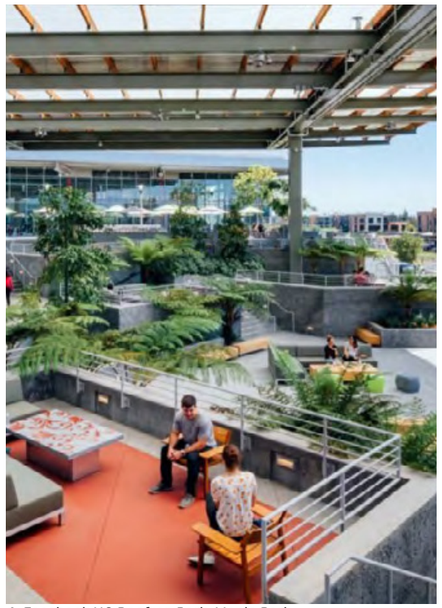
1. 550 Madison Ave, New York City



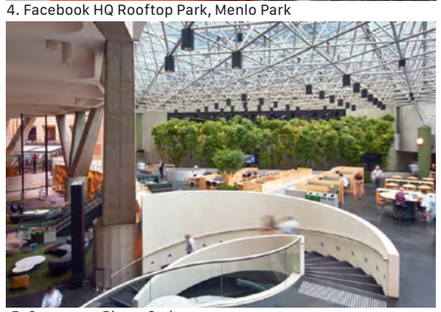
2. Spring Feast at Batang Hot Springs, Chaohu



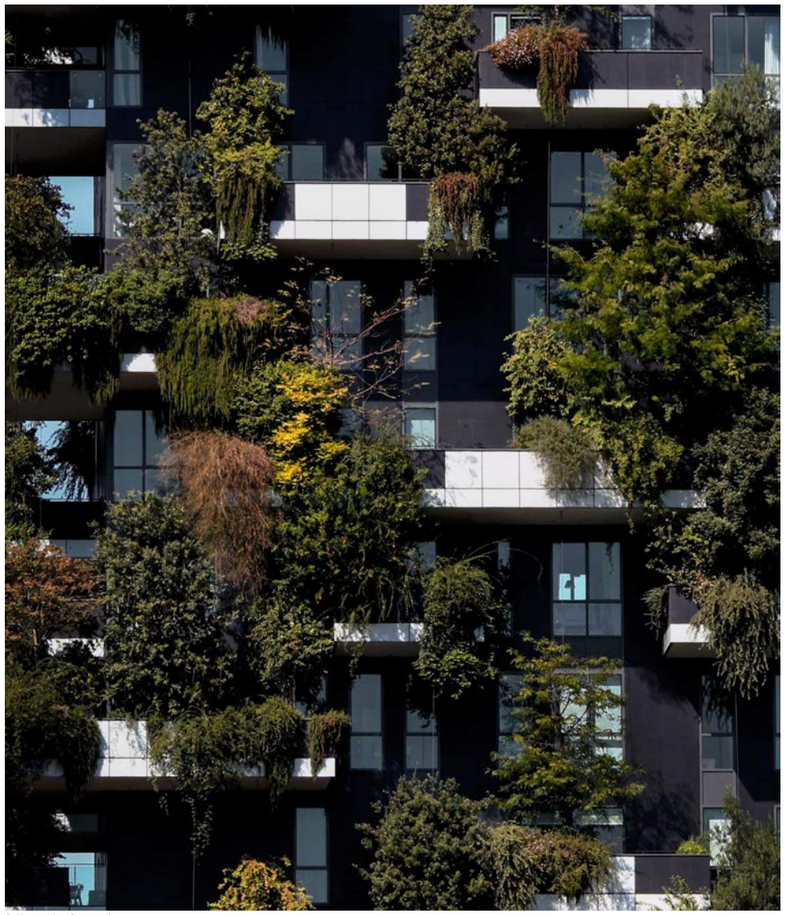
3. Freshwater Place, Melbourne



4. Facebook HQ Rooftop Park, Menlo Park



5. Grosvenor Place, Sydney



/ Facade Greening

Initiative	Energy	Green Star	Indoor Environment	Waste	WELL	Water	Embodied Carbon/ Materials
383 Kent St Target	Commitment agreement for minimum NABERS 5.5 Star (+25%) All electric plant 100% renewable energy in operation	6 Star Green Star Buildings v1 (new tool).	Minimum NABERS 5 Star	Green Star Building v1 'Responsible Construction' Credit	Gold (Core) Commitment Platinum (Core) Target	Minimum NABERS 4 Star Dual plumbing for non-potable water uses as flushing toilets and sub-soil irrigation. Connection to future precinct-scale recycled water scheme where available.	Charter Hall portfolio commitment for minimum 20% reduction in embodied carbon.

/ 383 Kent Street - Key Sustainability Targets

Connecting with Country

First Nations Context

The 383 Kent Street site is on a sandstone rise, with the Tank Stream valley catchment to the east and the Tumbalong (Darling Harbour / Barangaroo) shoreline to the west. The site would have been very close to the 1788 shoreline, as much of the land west from about Sussex Street is reclaimed land.

Pre colonisation the shoreline was close to the current Sussex Street, with Figure 2 showing a semi-circular rise or promontory along the eastern coastline of Darling Harbour close to 383 Kent Street. This would have been a place to view across the water to Pirrama (Pyrmont) and beyond to Wanne Country (from Darling Harbour along the western harbour shore towards Parramatta) as well as back eastwards into the Tank Stream valley in Cadi Country.

Botanical Context

The 383 Kent Street site sits between the saltwater environment of the Eastern shore of Tumbalong and the freshwater environment of the Tank Stream valley catchment.

Freshwater Environment

Recent archaeological research within the Tank Stream valley catchment at 200 George Street found that the dominant vegetation type would have been casuarina swamp forest (Allocasuarina/Casuarina) in the estuary of the Tank Stream or stands growing along the lower reaches of the stream, with ground fern (Calochlaena dubia) dominating the damp sites. Salt tolerant Swamp-oak (Casuarina glauca) and River-oak (C. Cunninghamiana) would have lined the banks of permanent freshwater streams . The sandstone ridges in Gadi Country would have been home to Angophora and Banksia.

Saltwater Environment

The environment to the west of the site is a saltwater environment, at the shore of Tumbalong. Archaeological research about 500 meters southwest of the site, at Darling Walk Midden, which was on the 1788 shoreline found a midden with Sydney cockle shells, Sydney rock oysters and mud whelks within an area of mudflats. Amongst the shells were ten Aboriginal stone artefacts made of several types of stone that were the remains of a campsite. This research tells us that Gadigal people sat by the bay, cooking and eating shellfish collected from the mudflats of Tumbalong.



Figure 1: Tank Stream valley catchment area within Sydney CBD area. The dotted black line is the 1788 shoreline and the solid black line is the current shore line. The catchment area for the Tank Stream, the marsh at the head of the Stream, the Tank Stream itself (centre) are shown in blue. The approximate site location is at the red rectangle (Source: Yerrabingin)

Geological Context

The Sydney Harbour area was created by changing water levels over thousands of years, with a freshwater stream, now known as the Tank Stream, finding its way from wetlands in eastern Sydney down through a valley that dipped between higher sandstone ridge areas at Macquarie and George Streets.

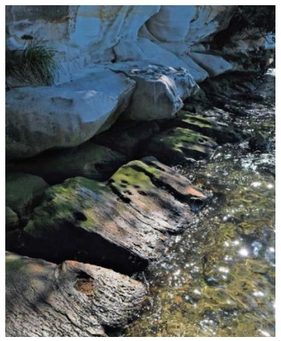
The shoreline changed over thousands of years as sea levels rose and fell, settling to the current level about 6000 years ago. The site is approximately in the area that would have been between the Tank Stream valley and the coastline of Tumbalong, sitting on a sandstone rise between fresh and saltwater environments. This was an alternatively watery and dry place, with salt water and fresh water changing places over thousands of years. The water weathered sandstone rock found in Gadi Country is a reminder of this history.

Post colonisation, the coastline and landscape has been dramatically altered, obscuring much of the natural landscape. The history of this Country can be seen in the weathering of sandstone rock and the harbour waters.



/ Shoreline Image provide by Yerrabingin





/ Rock Oysters



/ Angophora



/ River Oak

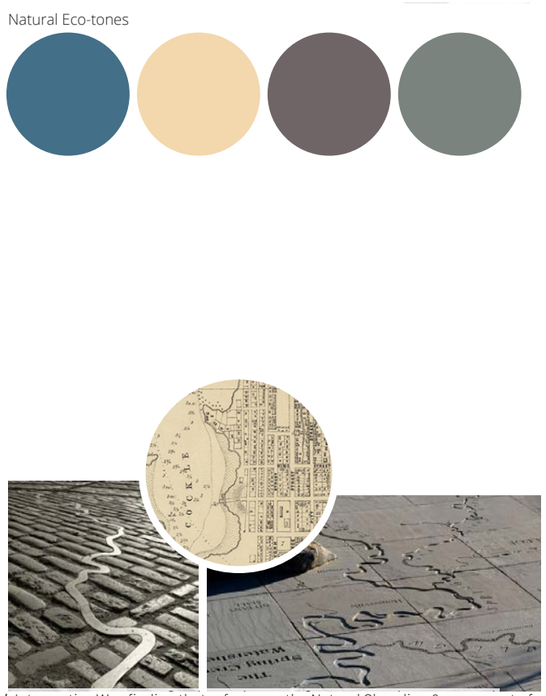
/ Text and Images supplied by Yerrabingin

Connecting with Country

Draft Design Principles Through Site Link
As an area of high pedestrian traffic, the through site link provides an opportunity to reconnect two diverse ecologies.

The 383 Kent Street site sits between the saltwater environment of the Eastern shore of Tumbalong and the freshwater environment of the Tank Stream valley catchment.

Through the design, we can highlight the natural forms, colours, and features of Country to allow people to further experience the natural landscape and develop a further understanding and appreciation of Indigenous life on site, and how the site has changed over time.



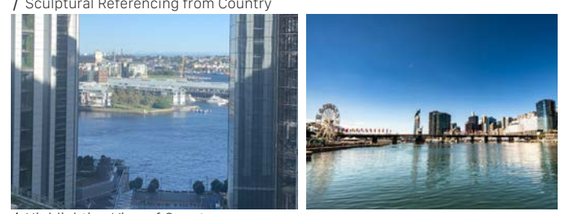
/ Interpretive Way finding that references the Natural Shoreline & movement of Water


/ Concept Sketch: Through Site Link Stair - reconnecting two ecologies (Yerrabingin)


/ Kinetic Installation referencing transitioning ecologies




/ Sculptural Referencing from Country


/ Highlighting View of Country

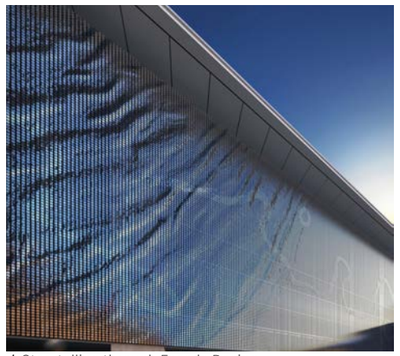
/ Text and all Imagery provided by Yerrabingin

Connecting with Country

Draft Design Principles Façades & Terraces
The unique location of the building can celebrate the diverse ecologies of Wanne and Cadi countries through materiality, colour and planting.

We can explore the different qualities of the neighbouring Countries through colour and materiality on different faces on the building.

We can increase biodiversity at the site by adding seasonal plantings to encourage non human kin back to the site. Implementing sustainable water management at the site and using sustainable materials will help to improve the health of Country.

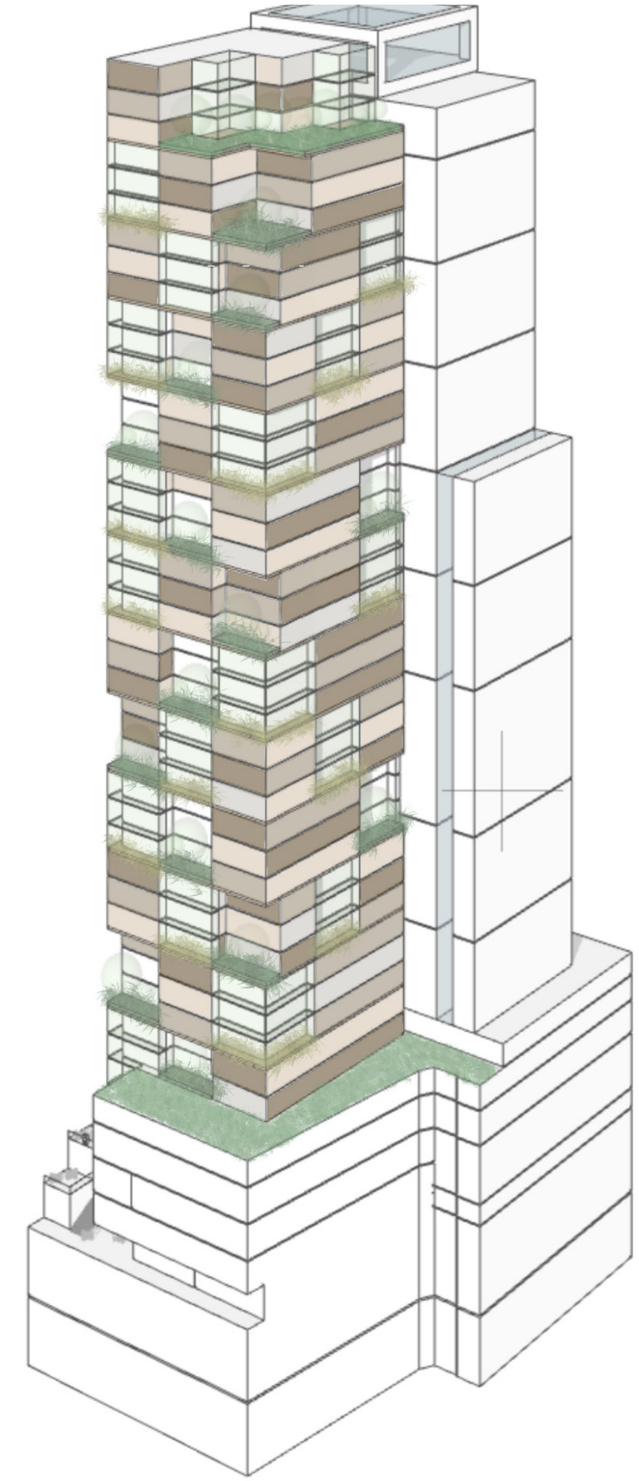



/ Storytelling through Facade Design





/ Seasonal Planting Scheme



/ Concept Sketch: Terrace and Facade Greening - representing diverse ecologies (Yerrabingin)





/ Green Sky Terraces



/ Rooftop Garden Spaces



/ Orientation of Building Referencing what Country its facing

/ Text and all Imagery provided by Yerrabingin

Reinvigorate Street Retail & Public Domain

The key strength of 383 Kent Street lies in its strong connection to the surrounding public life, facilitated by its expansive site boundaries, dual street frontages, and an east-west through-site link. This through-site link, in the form of a laneway, will play a vital role in accommodating a variety of small-scale retail businesses on both sides. It will not only cater to the needs of the commercial workers occupying the building but also serve the wider precinct.

By incorporating a range of local food and beverage (F&B) establishments within its premises, 383 Kent Street will contribute to the growing number of F&B venues in the area. This will establish the building as a central hub for social interactions and create a vibrant atmosphere throughout the day, catering to different body clocks from early morning to late night. The presence of these venues will not only benefit the workers within the building but will also play a significant role in transforming the Western Corridor into a sought-after-hours destination for the city.

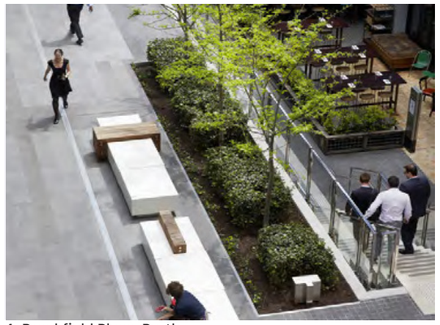
In summary, 383 Kent Street's advantageous site boundaries, dual street frontages, and through-site link will enable the establishment of a diverse range of small-scale retail tenancies. Furthermore, the incorporation of local F&B venues will create a focal point for social life and enhance the building's appeal as an early-to-late destination. This development presents an opportunity to solidify the Western Corridor's position as a thriving after-hours hotspot within the city..



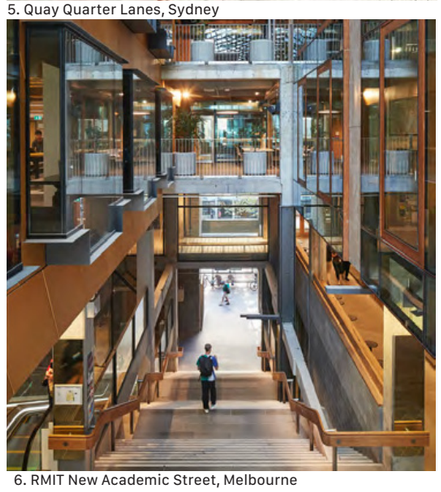
1. Dairy Block, Denver




3. Fish Lane, Brisbane


4. Brookfield Place, Perth


5. Quay Quarter Lanes, Sydney


6. RMIT New Academic Street, Melbourne

1. Customizable and programmable elements create visual interest and increase dwell time
2. Retail, dining and service elements combine to create a dynamic and welcoming ground plane
3. Walkways lined with greenery where people can meet, connect and unwind
4. Double-height retail provides visual interest across tiers while covered seating maximizes all-weather possibilities
5. Mimicking portions between podium and towers to add visual connections despite the building's material contrast
6. Multiple levels of activation throughout through-site link


/ Streetscape Render/ Kent Street looking North

Integrating Disconnected Precincts back into the City

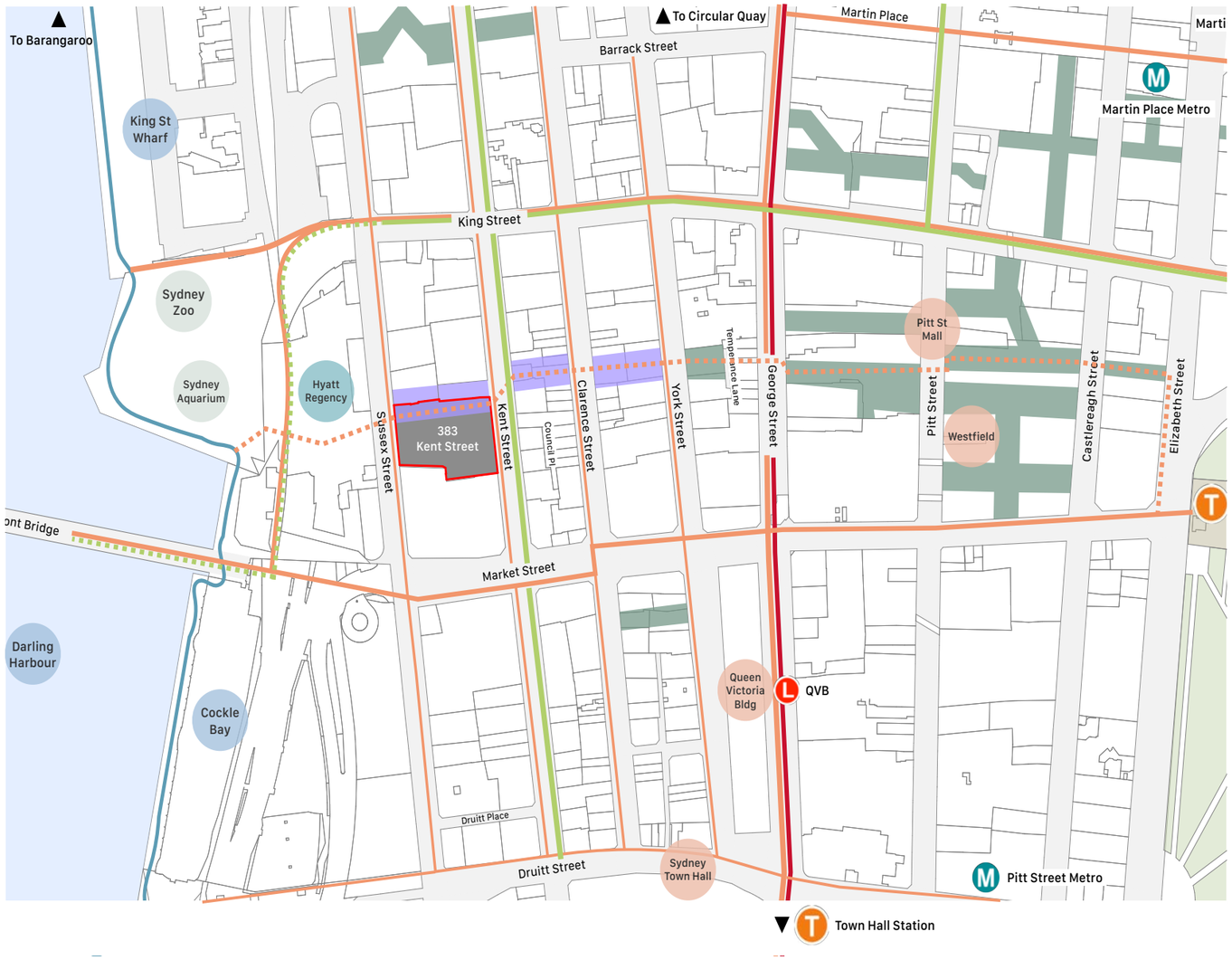
New pedestrian through-site links are integral to the process of reuniting disconnected precincts with the larger cityscape. These links serve a vital purpose by enhancing pedestrian connectivity and revitalizing previously isolated areas. By facilitating the movement of people and creating a seamless flow between different parts of the city, these interventions not only drive footfall but also stimulate economic development and contribute to social inclusion.

The impact of through-site links goes beyond mere transportation benefits. They play a key role in fostering social integration and inclusivity within urban spaces. These connections promote interaction and engagement among residents and visitors, creating a sense of community and shared identity. By bringing people together and facilitating social encounters, through-site links contribute to the creation of more integrated and vibrant cities.

Moreover, through-site links have a profound impact on the overall well-being of residents and the broader community. By expanding pedestrian connectivity, these interventions provide convenient access to various amenities, such as parks, shopping areas, educational institutions, and cultural hubs. This improved accessibility enhances the quality of life for residents and attracts visitors, thereby boosting economic activity in the surrounding areas.
In the case of Central Sydney, the strategic implementation of through-site links will help extend the geographic boundaries of the city, effectively incorporating previously disconnected precincts.
This expansion encompasses areas such as the historic Rocks district, the bustling Darling Harbour, the vibrant neighbourhoods around Ultimo, the University of Technology Sydney, and the bustling Central Railway station. By integrating these diverse regions into the fabric of Central Sydney, growth opportunities can be maximized, and the city can flourish as a cohesive and dynamic urban centre.



/ Proposed Connections reaching outside the Central Sydney Boundaries
Image Source: CSPS



/ Network of existing and proposed through site links

Through Site Link

The site offers an opportunity to strengthen the connection between the western waterfront and the Sydney CBD, making it easier for people to travel from the commercial centre to the recreational outskirts.

A new pedestrian link at 383 Kent Street, crossing the CBD, will quickly become an essential public infrastructure, contributing to the development of the area.

With the flow of traffic from Kent and Sussex Streets in both directions, the constant foot traffic will support the on-site retail establishments and benefit the surrounding business community.

The pedestrian through-site link at 383 Kent Street will feature stairs that are complemented by spacious landings, lush landscaping and exciting public art.

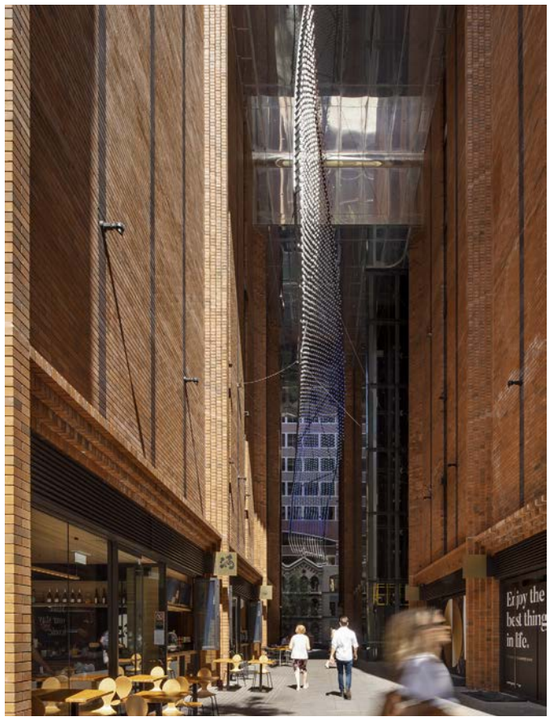
It will provide numerous areas for people to pause, dwell and rest. This design ensures that the through site link serves not only as a transitional space but also as a public domain that is landscaped, filled with greenery, and bathed in sunlight.

The curated retail and F&B along this new spine will contribute to the growing cohort of local F&B venues located within the precinct, creating a focal point for social life and an early-to- late body clock for the building.

Beyond the immediate impacts this will have for workers, this is also an opportunity to cement the Western Edge as a genuine after-hours destination for the city.



Barrack Place - Existing Through Site Link



161 Clarence Street - Existing Through Site Link



/ Render showing proposed through site link

Through Site Link



/ Indicative Design showing Through Site Link at Sussex Street Level



/ Indicative Design showing Through Site Link at Lower Ground Level



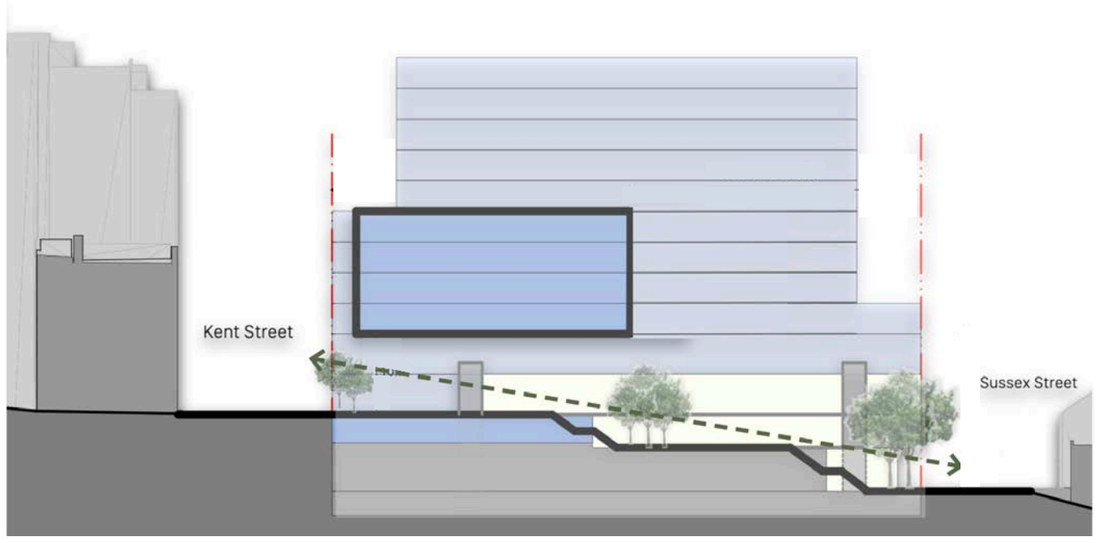
/ Indicative Design showing Through Site Link at Kent Street Level

Through Site Link Key Features

- Generous proportions with an exceptional public domain offer
- Public seating, green spaces, public art
- A retail mix that blends everyday convenience with elevated offers
- Access to wellness retreat
- Provides critical mass across a growing F&B precinct
- Public lift serving all levels
- Sight lines from Kent St to Sussex St

Through Site Link Key Dimensions

- 39m open to sky section
- 10 m ceiling height in covered section
- 10.5-13m width at Kent Street
- 7.7 - 12.5m width at Lower Ground
- 12.5m width at Sussex Street



/ Diagrammatic East-West Section (looking South)



/ Through Site Link 3d - View from Sussex Street

Precinct Loading Dock

Early on in the site analysis process it was noted that there was extended on street loading activity on Kent Street which prohibited successful street activation, pedestrian amenity and retail diversity.

fjc with Stantec undertook a survey determining the number of on street loading spaces and the times they were utilised. It was also revealed that the increased loading activity on the street is due to the large number of heritage properties along this block of Kent Street without a dedicated loading dock or having inadequate loading facilities.

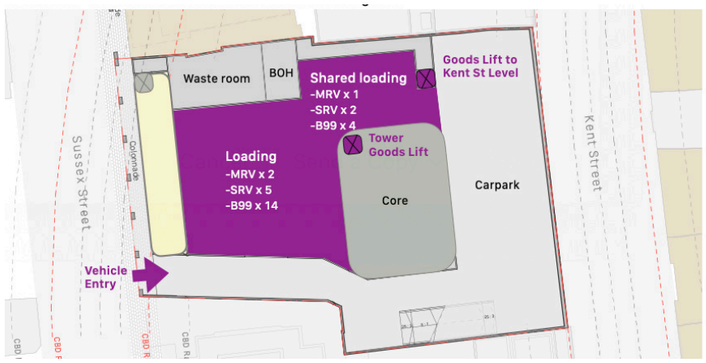
After extensive consultation between Charter Hall, fjc, the City of Sydney and Stantec it was identified that there was an opportunity to accommodate a shared loading dock on site that could serve the proposed office tower as well as the majority of tenancies that were currently utilising the on-street loading spaces.

A shared precinct loading dock will have significant benefits in reducing on-street loading vehicles and improving the streetscape and activation of this urban area. By providing a designated and centralized space for loading and unloading activities, shared precinct loading docks can streamline logistics operations and minimize the need for trucks and vans to use on-street loading.

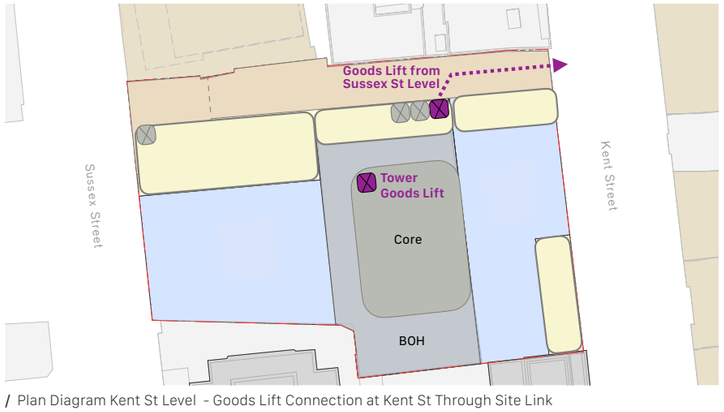
In the proposal for 383 Kent Street a large shared loading dock is proposed at Sussex Street ground level. A dedicated loading / goods lift will provide direct access from the loading facility to Kent Street via the public through site link.

Subsequently, all existing on-street loading on Kent street (between King and Market Streets) could be removed and could be re-purposed for other uses, such as additional pedestrian or cycling infrastructure, green spaces, or outdoor seating areas.

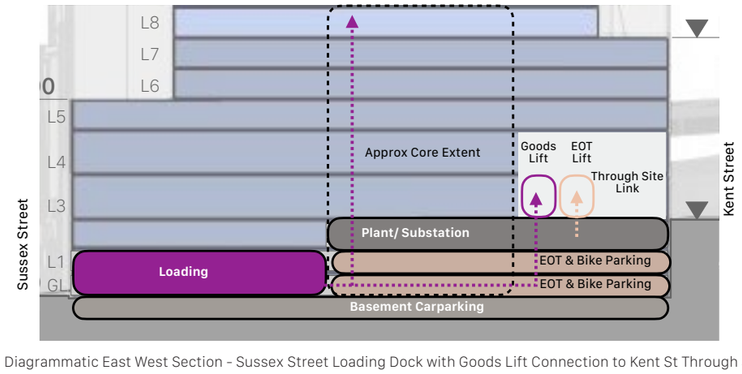
It will also foster a sense of place, encourage local business patronage, and contribute to a vibrant and dynamic urban fabric.



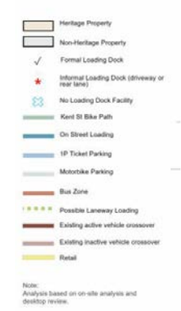
/ Plan Diagram Sussex St Level - Entry to shared loading dock and goods lift to Kent St Through Site Link

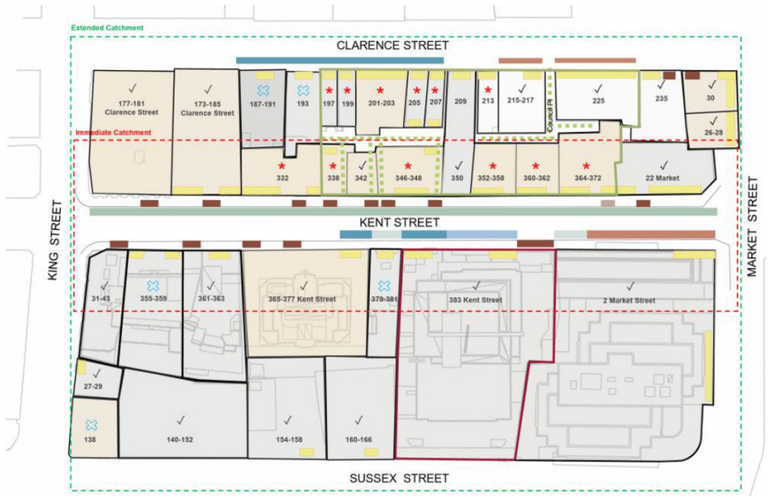


/ Plan Diagram Kent St Level - Goods Lift Connection at Kent St Through Site Link

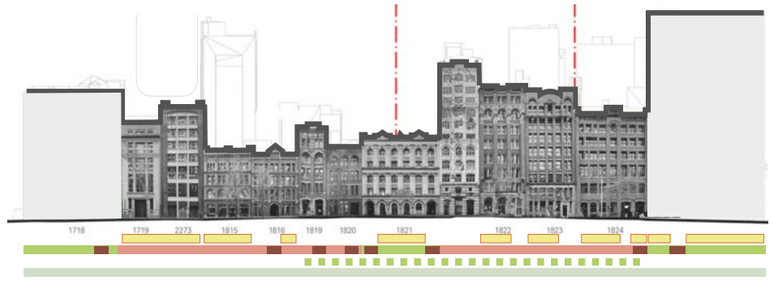


/ Diagrammatic East West Section - Sussex Street Loading Dock with Goods Lift Connection to Kent St Through Site Link

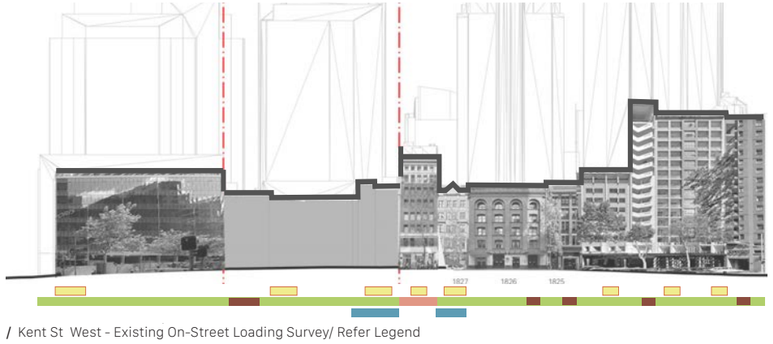




/ Kent St Site Plan - Existing On-Street Loading Survey/ Refer Legend



/ Kent St East - Existing On-Street Loading Survey/ Refer Legend



/ Kent St West - Existing On-Street Loading Survey/ Refer Legend

Active Transport & Pedestrianisation

Active Transport & Pedestrianisation Measures

The establishment of a ***precinct loading lock*** (as outlined on the previous age) and the ability to remove on-street loading will directly contribute to a greater diversity of precinct experiences while simultaneously removing vehicular loading activity from street level, mitigating pedestrian and cyclist conflict - effectively returning these areas to public use and enabling pedestrianisation.

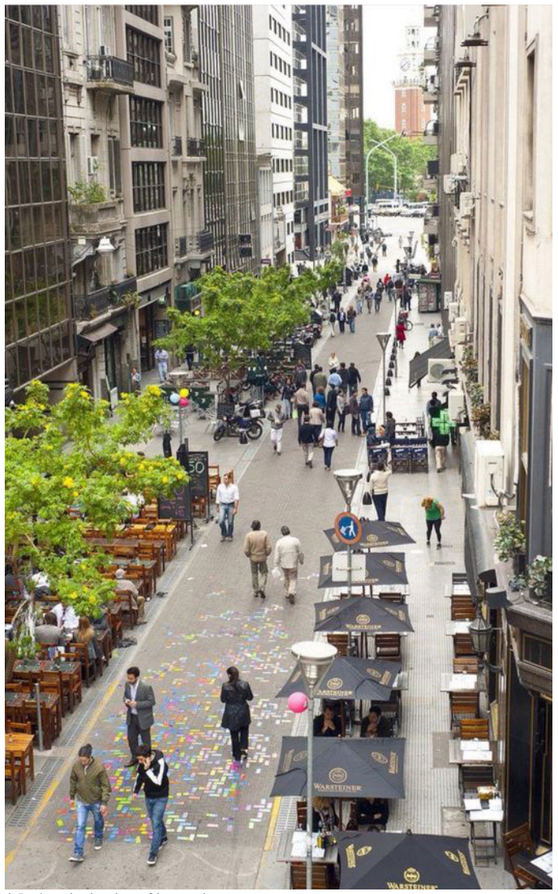
Bicycle parking and storage: Installing secure and convenient bicycle parking facilities, such as bike racks, lockers, or bicycle shelters, encourages cycling as a mode of transportation. By providing ample and easily accessible bicycle parking options along Kent Street, it becomes more convenient for people to choose cycling as their means of travel.

Changing rooms and showers: Incorporating changing rooms and showers in nearby buildings or public facilities can accommodate those who choose to walk, run, or cycle longer distances to their destinations. These facilities enable pedestrians and cyclists to freshen up and feel more comfortable upon reaching their destinations, making active transportation more accessible and appealing.

Lockers and storage facilities: Offering lockers or storage facilities provides a secure space for pedestrians and cyclists to store their belongings while they explore or conduct their activities on Kent Street. This feature can be especially useful for individuals who may need to carry items such as gym bags, work-related materials, or shopping bags.

Repair stations: Installing bicycle repair stations with tools and air pumps allows cyclists to address minor repairs or maintenance issues on their bikes conveniently. These stations can promote cycling by providing reassurance to riders that they can address common bike issues easily, encouraging more people to choose bicycles as a reliable mode of transportation.

The provision of state of the art End-of-trip facilities will support and encourage active transportation enable pedestrianization of Kent Street:



/ Pedestrianisation of inner city streets



/ EOT facilities



/ Bike Repair & Bike Storage



/ Bike Parking & Storage

Heritage, Street Wall Character & Scale

In a previous section of the report, a thorough urban analysis was conducted to carefully consider and determine the street wall character and scale. This analysis involved studying the surrounding context, historical significance, and existing streetscape of Kent Street. The following key points were considered:

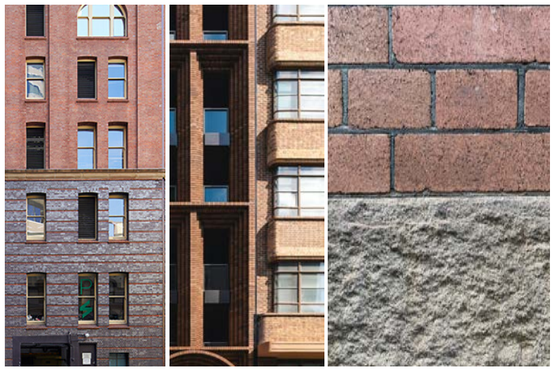
Surrounding Context: The immediate and broader context of Kent Street was examined, including adjacent buildings, architectural styles, and urban fabric. This analysis aimed to understand the overall character and scale of the area.

Historical Significance: The historical significance of Kent Street and its heritage streetscape were taken into account. This involved researching the historical evolution of the street, its architectural heritage, and any preservation guidelines or restrictions that may be in place.

Streetscape Analysis: A detailed assessment of the existing streetscape was conducted. This involved evaluating factors such as building heights, setbacks, architectural features, fenestration patterns, and materials used. The objective was to identify the predominant character and scale of the street.

Visual Impact: The visual impact of the proposed podium on the streetscape was carefully considered. This included evaluating its massing, architectural style, materials, and design details. The aim was to ensure that the podium would blend harmoniously with the surrounding buildings and not overshadow or detract from the existing streetscape.

It is imperative for the podium to be a respectful addition to the rich heritage streetscape of Kent Street.
The design of the podium should align with the prevailing architectural character, scale, and materials of the area, ensuring that the new development positively contributes to the streetscape while preserving the historical integrity and visual coherence of Kent Street.



/ Some typical heritage features, fenestration & materiality in the surrounding areas



/ Kent Street Heritage Streetscape, Scale & Materiality



/ Streetscape Render - Kent Street looking North

Greening

Building, public domain and facade greening is an important design principle and will benefit the development and its surroundings in myriad ways.

Enhanced Occupant Amenity: Greening a commercial tower's interior and exterior spaces creates a more pleasant and inviting environment for occupants. Incorporating plants, green walls, and green roofs within the building and public spaces offers numerous benefits. Natural elements have a calming effect, improve air quality, reduce noise levels, and create a visual connection to nature. This improved amenity contributes to a healthier and more enjoyable working environment, enhancing occupant satisfaction and well-being.

Increased Productivity: Studies have shown that access to green spaces and nature within the workplace has a positive impact on productivity. Green environments can reduce stress, increase cognitive function, and improve focus and creativity. By integrating green design principles into a commercial tower, such as incorporating indoor gardens, rooftop gardens, or terraces, occupants can enjoy the benefits of a green workspace. These elements provide opportunities for relaxation, inspiration, and ultimately boosting productivity and efficiency.

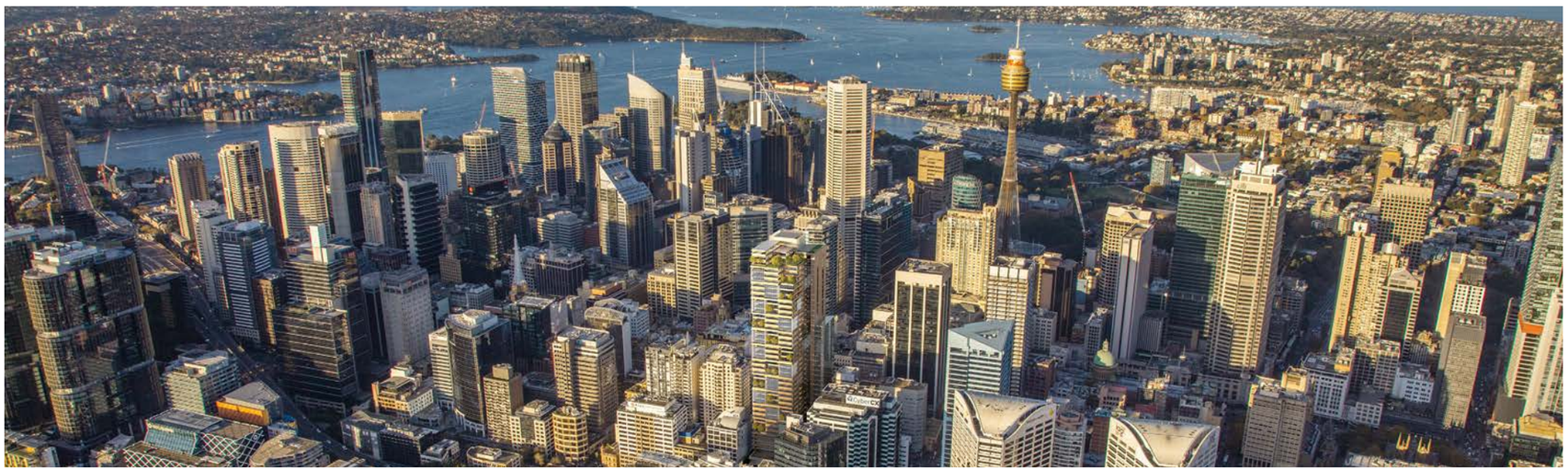
Worker Well-being: The well-being of workers is essential for maintaining a healthy and motivated workforce. Greening a commercial tower helps create a biophilic design, which mimics natural elements and strengthens the connection between occupants and nature. This design approach has been linked to improved mental health, reduced absenteeism, and higher job satisfaction. Access to green spaces and natural daylight, along with the incorporation of sustainable materials and features, contributes to a healthier and more sustainable work environment.

Western Skyline Enhancement: The inclusion of greening principles in the design of a commercial tower has a positive impact on the aesthetics of the western skyline of the CBD. Traditional concrete and glass structures can appear monotonous and lack character. By integrating green facades, vertical gardens, and rooftop plantings, the building becomes visually appealing and harmonizes with the natural surroundings. The addition of green elements softens the building's appearance, adds colour and texture, and creates a more visually interesting and environmentally conscious skyline.

Sustainable Practices: Building, public domain, and facade greening align with sustainable practices, contributing to the overall well-being of the environment. Green roofs and façades provide insulation, reducing energy consumption for cooling and heating. They also help mitigate the urban heat island effect by reducing surface temperatures. Greening the public domain, such as surrounding sidewalks or plazas, improves air quality, reduces stormwater runoff, and enhances biodiversity. These sustainable practices positively impact the surrounding ecosystem, benefiting both workers and the broader community.



/ Building Render showing terrace greening - Looking towards Barangaroo



/ Aerial Render showing facade greening - from West looking over Darling Harbour

Access to Fresh Air

Access to fresh air has significant benefits for occupant amenity and worker well-being.

It can positively impact a large number of factors that will create a healthier more pleasant and conducive work environment.

Improved Indoor Air Quality: Fresh air supply helps maintain and improve indoor air quality (IAQ). Buildings with proper ventilation systems and access to fresh air can effectively remove pollutants, odours, and airborne contaminants, creating a healthier and more comfortable environment for occupants. Good IAQ reduces the risk of respiratory problems, allergies, and other health issues, leading to improved amenity and worker well-being.

Enhanced Cognitive Function: Fresh air and good ventilation contribute to better cognitive function and mental clarity. Research has shown that high levels of carbon dioxide (CO2) indoors can impair cognitive performance. Providing access to fresh outdoor air helps maintain optimal CO2 levels and oxygenation, enabling occupants to think more clearly, concentrate better, and make informed decisions. This can positively impact productivity and overall work performance.

Increased Comfort and Thermal Regulation: Fresh air circulation plays a crucial role in maintaining thermal comfort within a building. Proper ventilation helps regulate temperature, reducing the risk of stuffiness, heat build-up, and excessive humidity. Comfortable indoor conditions lead to higher occupant satisfaction and improved amenity. When people are comfortable, they tend to be more focused, energetic, and productive.

Stress Reduction and Well-being: Exposure to natural elements, including fresh air and daylight, has been linked to stress reduction and improved overall well-being. Incorporating design elements that allow occupants to connect with nature, such as outdoor terraces, balconies, or landscaped areas, can provide opportunities for relaxation, social interaction, and a sense of rejuvenation. These spaces can serve as retreats from the demands of work, fostering a positive work-life balance and supporting worker well-being.

Increased Productivity and Job Satisfaction: When employees feel comfortable, healthy, and engaged in their workspace, it positively affects their job satisfaction and productivity. Access to fresh air and a well-ventilated environment contribute to a positive work atmosphere, reducing absenteeism and improving employee morale. A healthier, more pleasant, and conducive work environment.



/ External terrace spaces can serve as informal work spaces



/ Internal Render of typical office level showing access to terrace and fresh air

Interconnection

Interconnectivity within a commercial building, such as through atria (visual connection) and interconnecting stairs (physical connection), can significantly contribute to creating better workspaces and superior occupant amenity

Collaboration and Communication: Atria, which are open, visually connected spaces within a building, promote collaboration and communication among employees. They provide a sense of openness and transparency, allowing employees from different departments and floors to see and interact with each other more easily. Visual connection fosters spontaneous conversations, informal meetings, and the exchange of ideas, leading to improved teamwork, knowledge sharing, and innovation within the organization.

Natural Light and Well-being: Atria often can allow increased natural light into the building's interior. Exposure to natural light has been proven to have numerous benefits for employee well-being and productivity. It improves mood, reduces eye strain, enhances circadian rhythms, and boosts vitamin D levels. By incorporating natural light through atria, employees can enjoy a more pleasant and healthier work environment, resulting in increased job satisfaction and reduced absenteeism.

Biophilic Design and Connection with Nature: Atria can be designed to incorporate elements of nature, such as indoor plants and green walls. This biophilic design approach connects employees with nature and creates a calming and rejuvenating atmosphere. Studies have shown that exposure to nature in the workplace improves focus, reduces stress levels, and enhances cognitive performance. Atria that integrate nature-inspired elements can contribute to a better work environment by promoting employee well-being, creativity, and overall satisfaction.

Physical Connectivity and Active Lifestyle: Interconnecting stairs within a building provide physical connections between different levels and encourage employees to use them instead of relying solely on elevators or escalators. Promoting stair usage can have several benefits for employees' health and well-being. Regular physical activity, even in small doses like climbing stairs, can help combat sedentary behaviour, promote cardiovascular health, and increase energy levels. Moreover, interconnecting stairs create opportunities for chance encounters, informal conversations, and networking among employees on different floors, fostering a sense of community and connectivity.

Space Flexibility and Adaptability: Atria and interconnecting stairs enhance the flexibility and adaptability of the workplace. Atria can serve as multi-purpose spaces for various activities such as meetings, events, or even relaxation areas. The open and flexible nature of atria allows for easy reconfiguration and adaptability to changing needs and preferences. Similarly, interconnecting stairs provide alternative pathways for movement and can be designed to accommodate informal gatherings, impromptu meetings, or even temporary workstations. This flexibility encourages a dynamic and agile work environment that supports collaboration, creativity, and employee satisfaction.



/ Section showing interconnecting stair and atrium spaces



/ Internal Render of typical office level showing interconnecting stair

VII—Reference Design

Reference Design

The previous section of this report outlined a set of urban design and public domain principles that have been established to inform the proposal..

The reference design presented in this section is an example of how these principles have been applied to the envelope to achieve a coherent and successful outcome.

As with any planning proposal the reference design shows only one possible approach and the envelope is designed to accommodate abundant flexibility to achieve a range of different successful outcomes in the subsequent competitive design process.



/ Building Render - Indicative Design

Reference Design - Plans

Basement 1 - Car parking



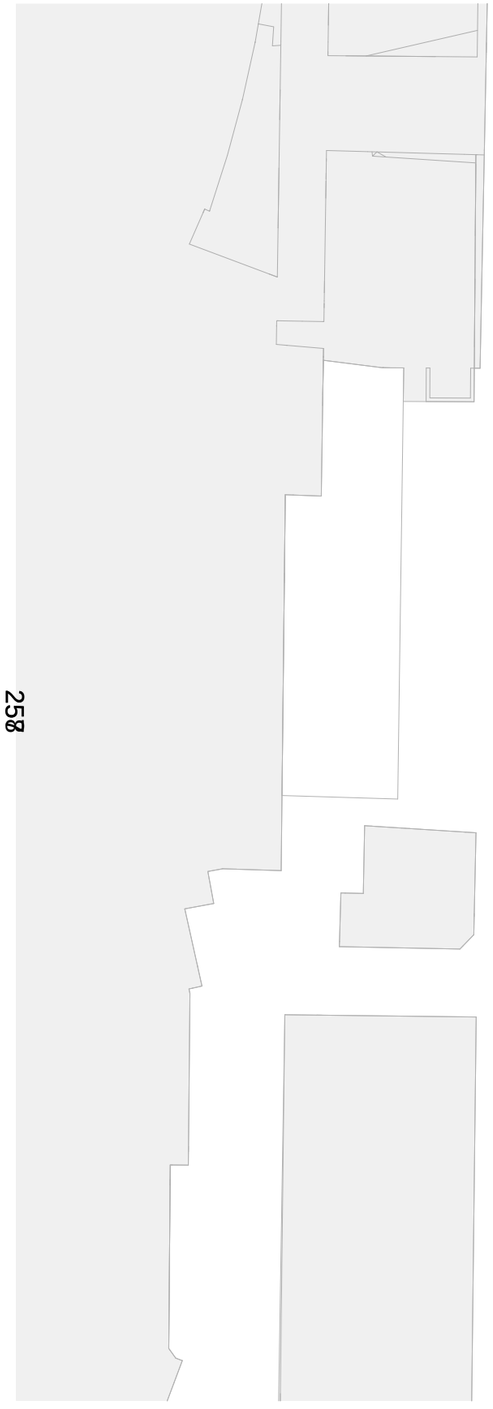
Reference Design - Plans

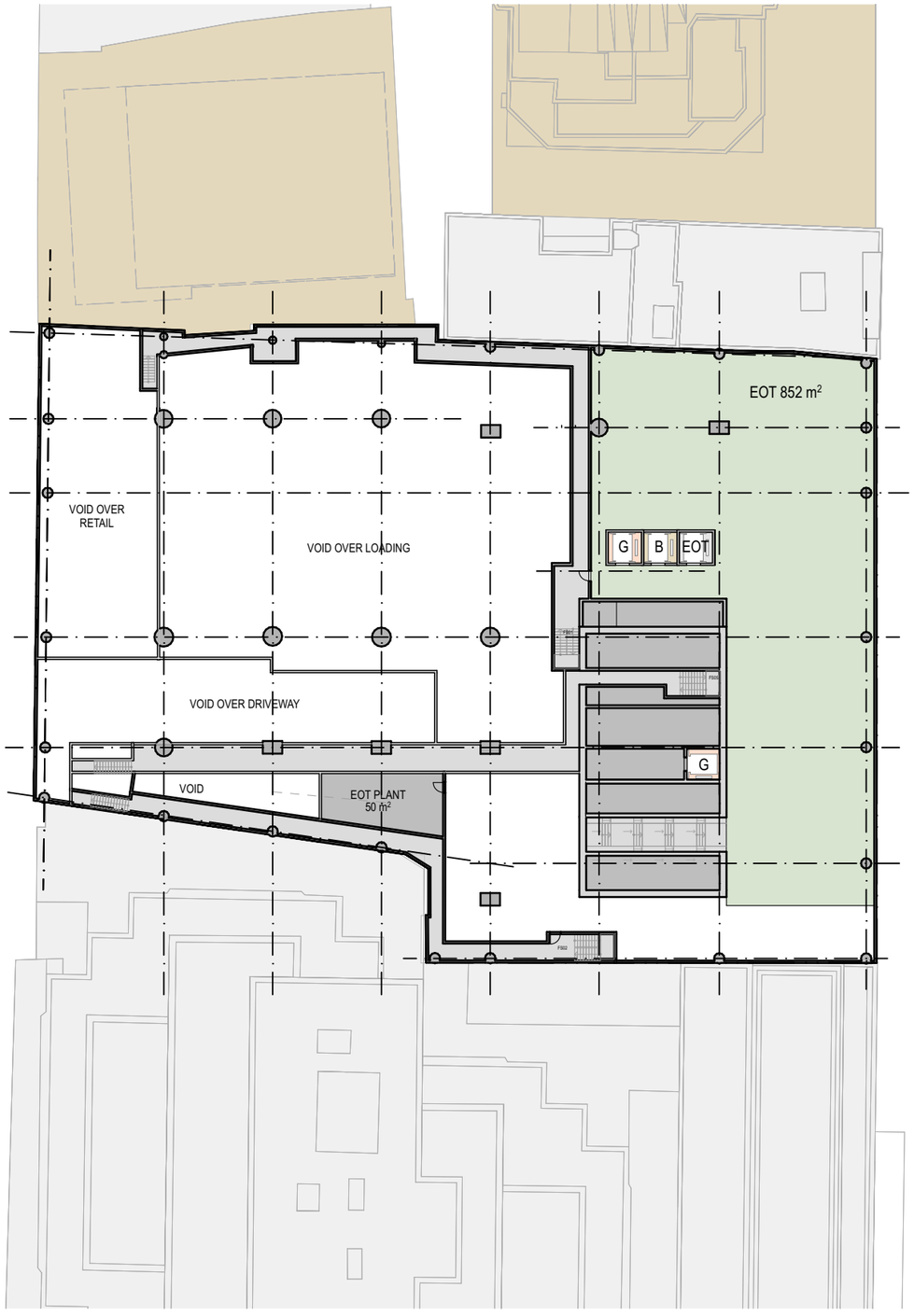
Sussex Street Level - Loading & EOT

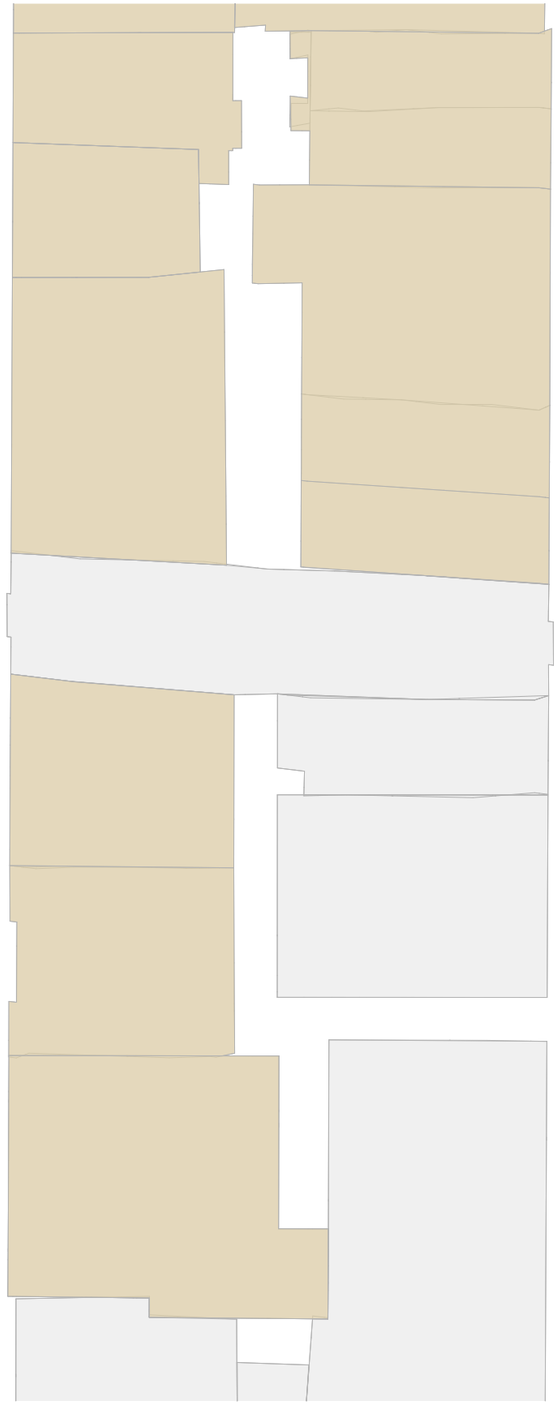


Reference Design - Plans

Sussex Street Mezzanine - EOT

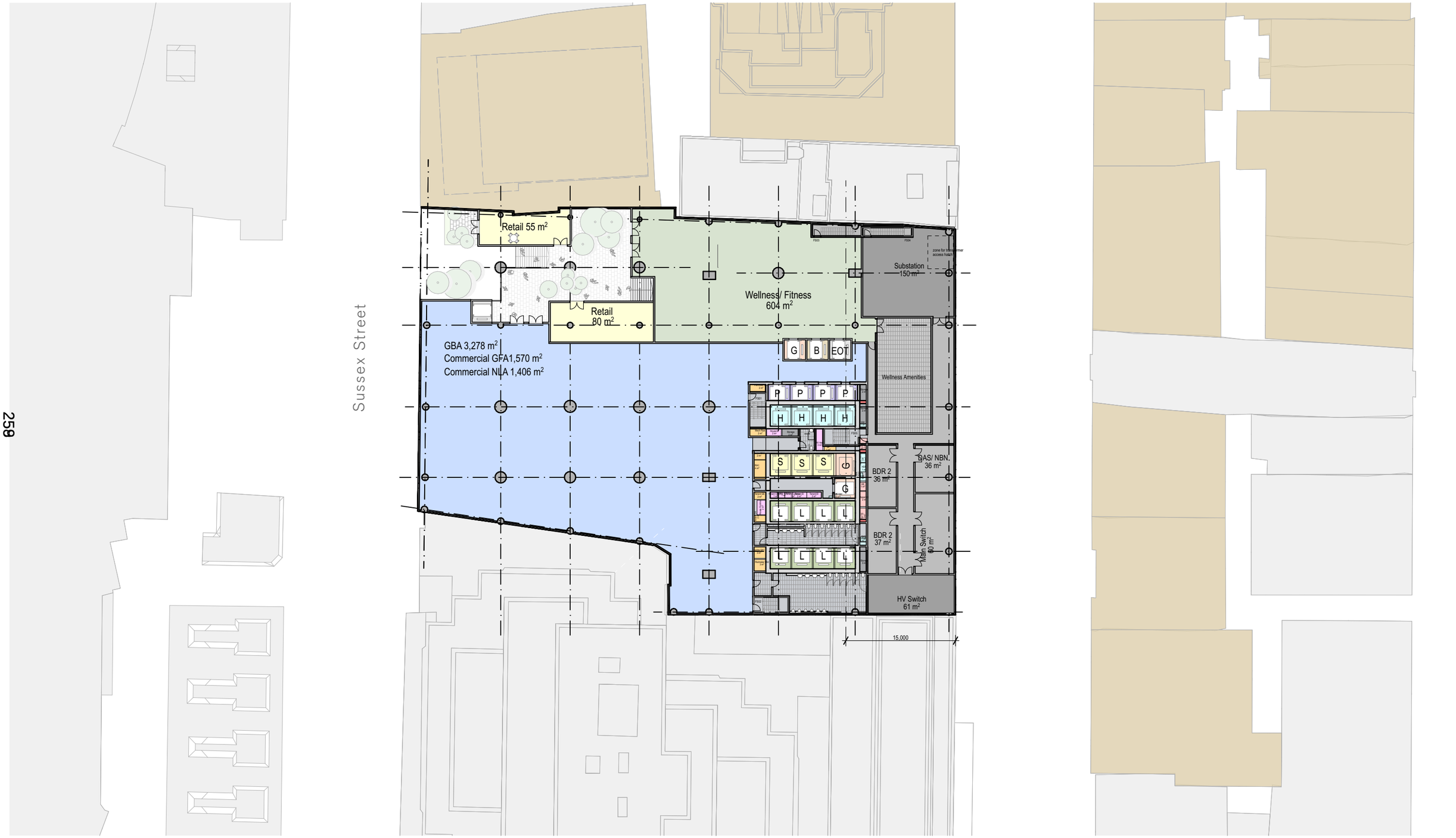






Reference Design - Plans

Lower Ground Level - Commercial/ Wellness/ Retail/ Plant



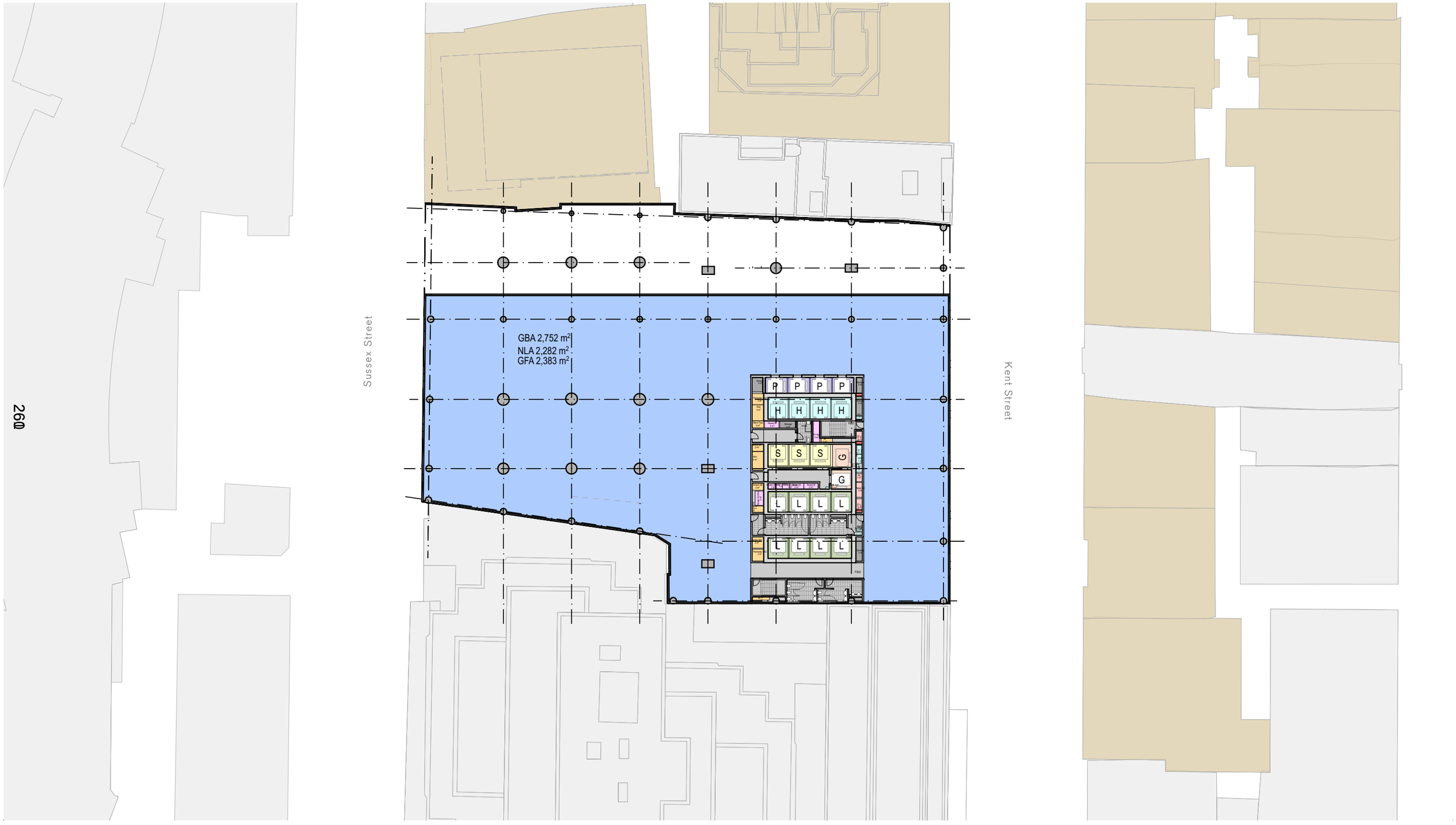
Reference Design - Plans

Kent Street Ground Level - Lobby/ Retail/ Commercial



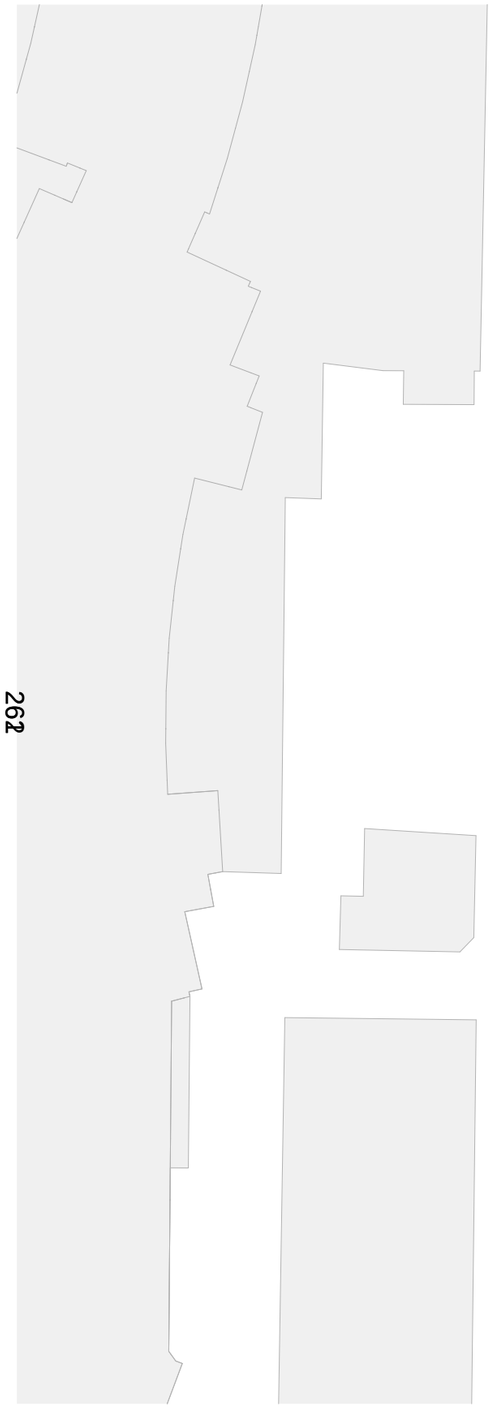
Reference Design - Plans

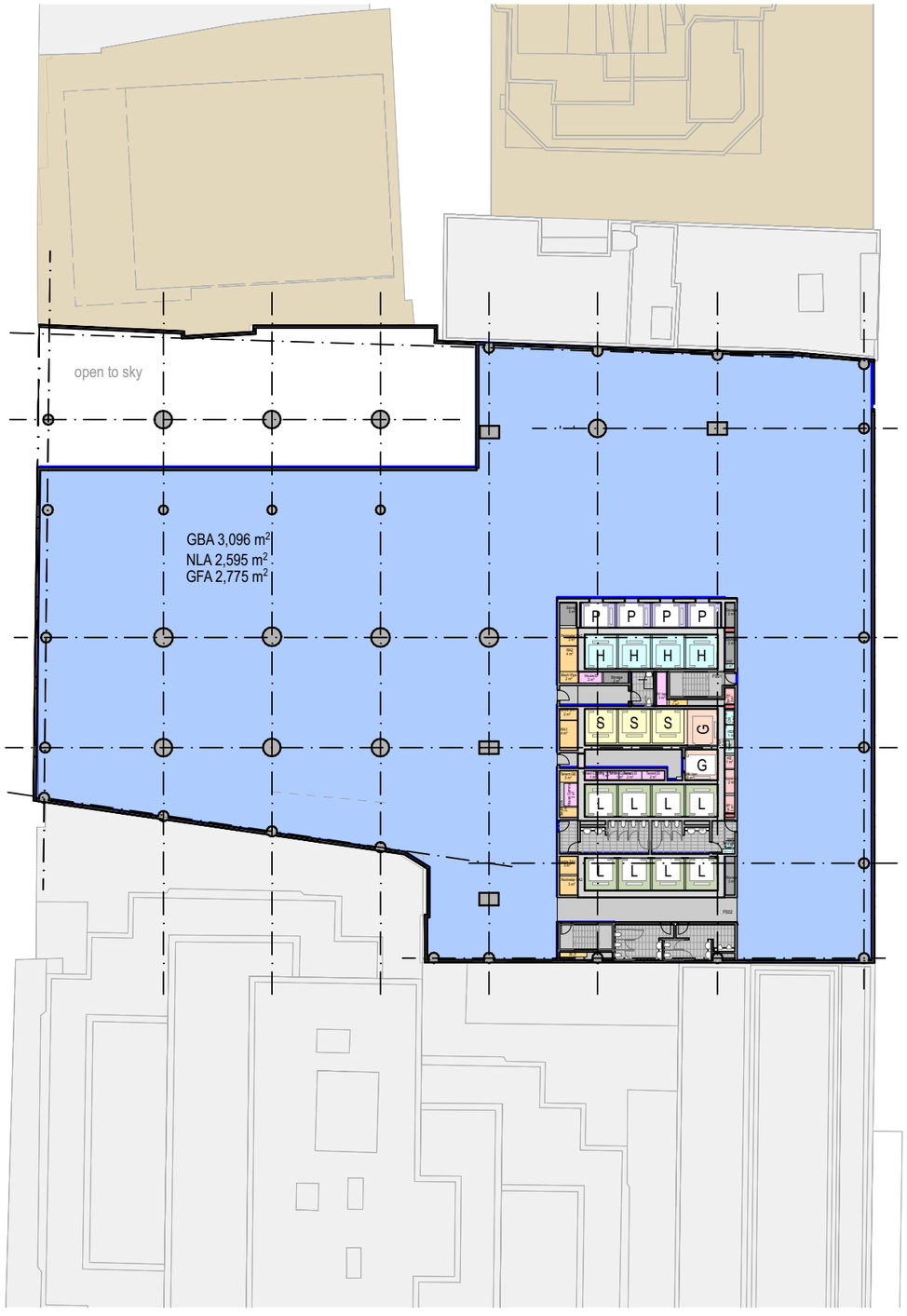
Podium Level 1- Commercial

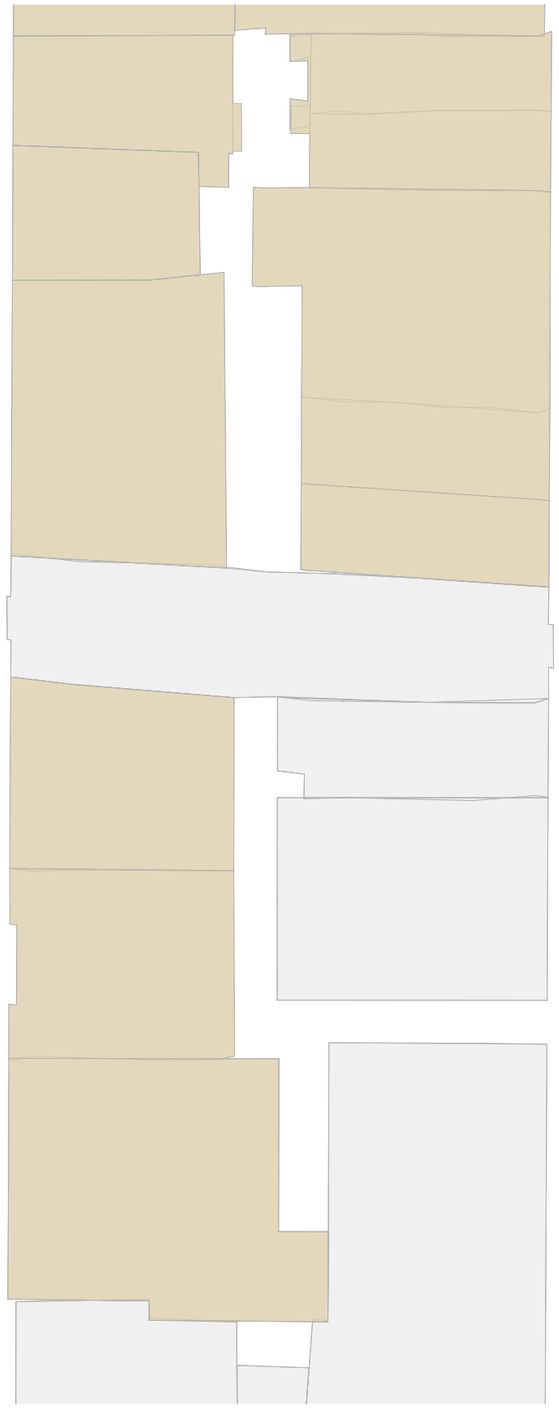


Reference Design - Plans

Podium Level 2 - Commercial







Sussex Street

Kent Street

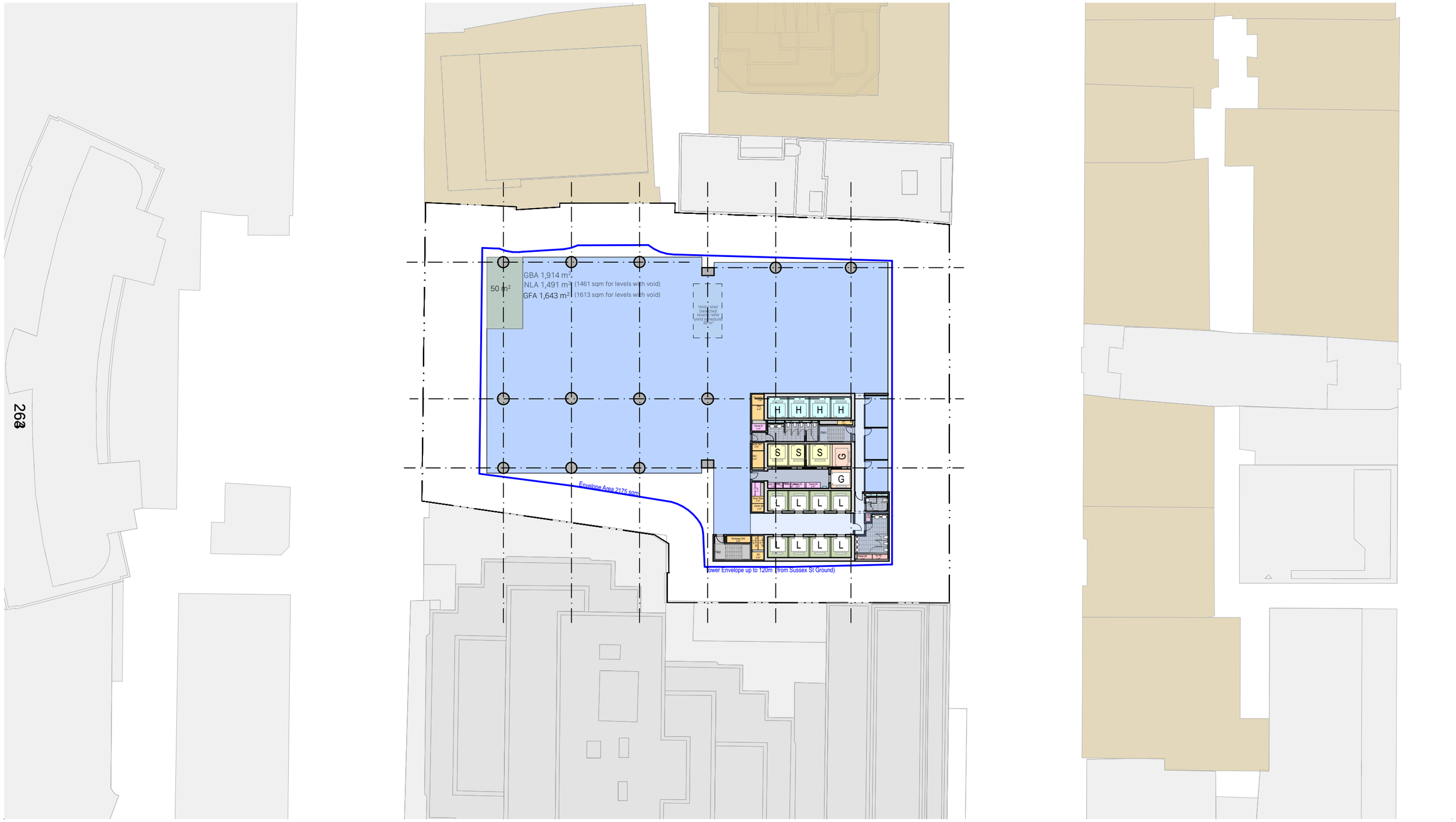
Reference Design - Plans

Podium Level 3-5 - Commercial



Reference Design - Plans

Typical Low Rise Levels - Commercial



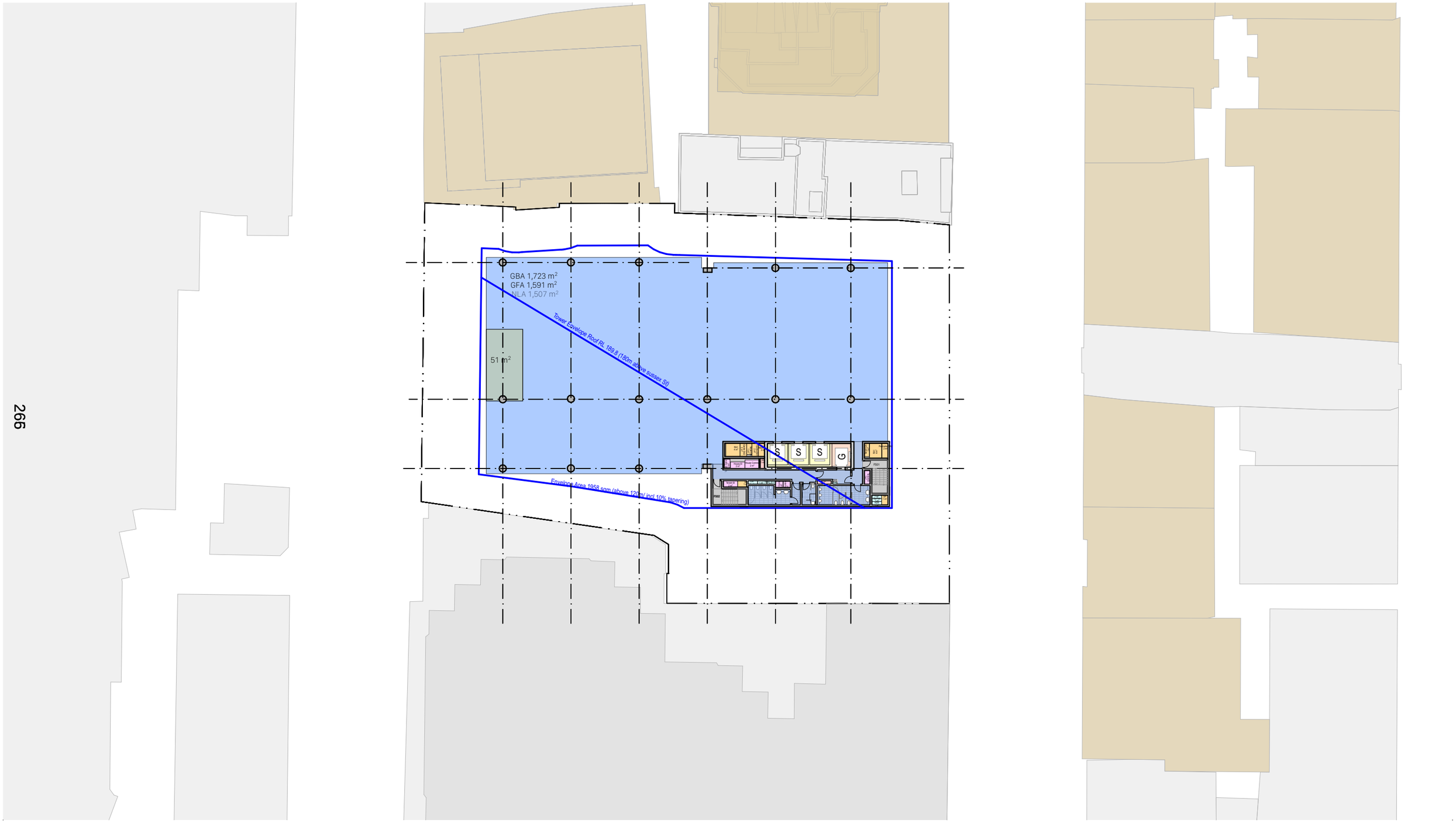
Reference Design - Plans

Typical Mid Rise Levels - Commercial



Reference Design - Plans

High Rise Level 36



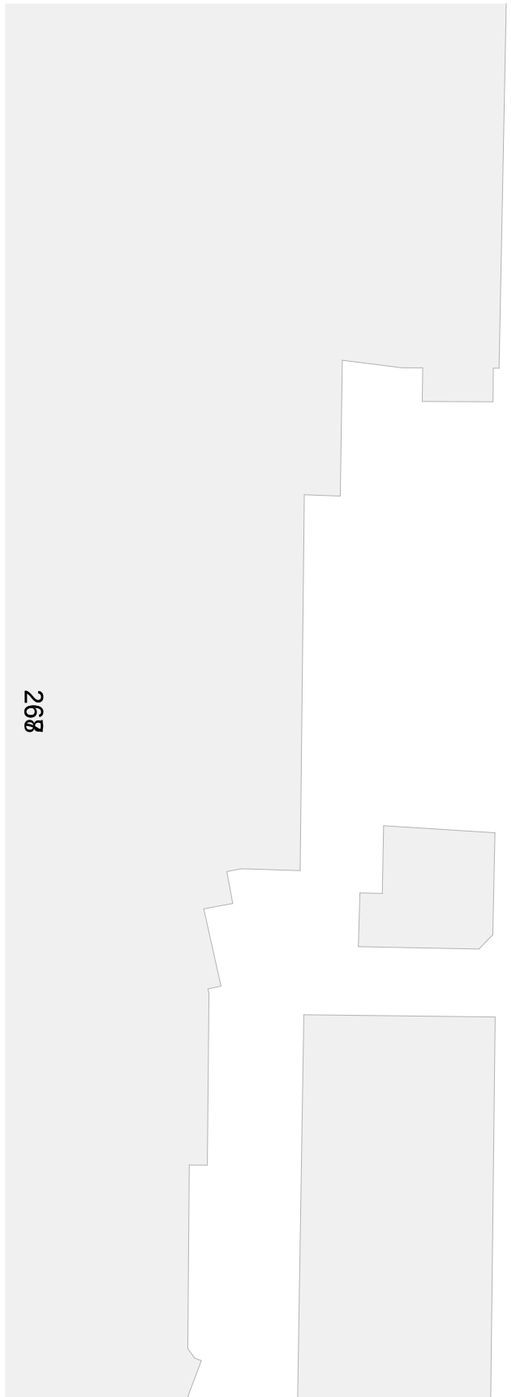
Reference Design - Plans

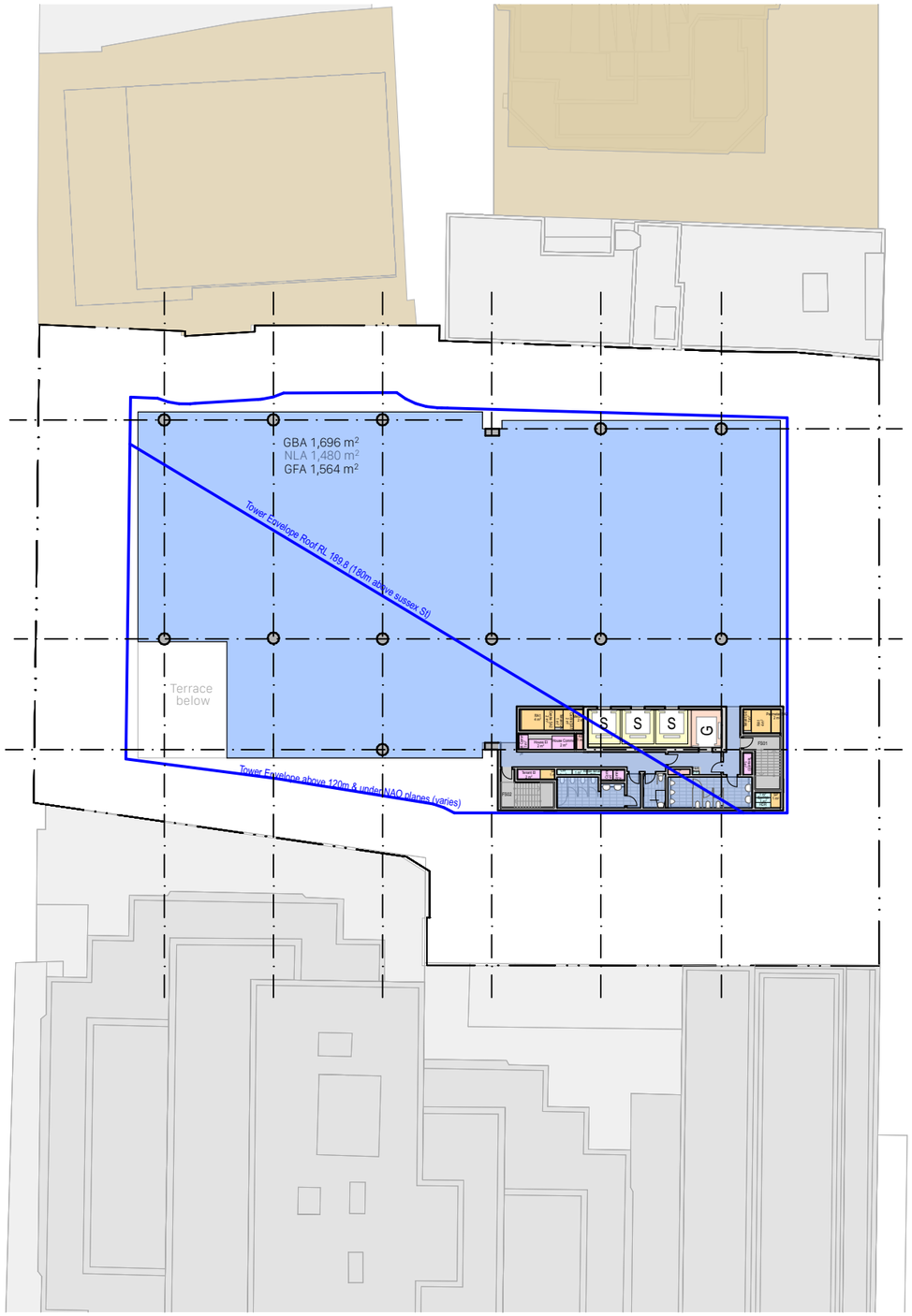
High Rise Level 37

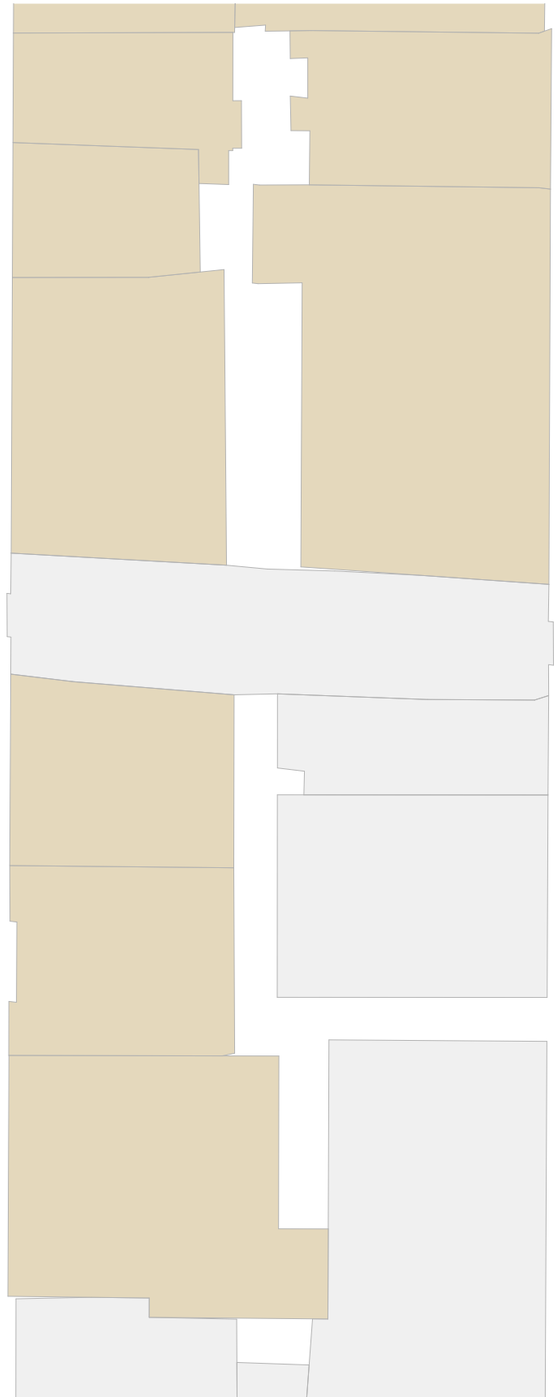


Reference Design - Plans

High Rise Level 38







Reference Design - Plans

High Rise Level 39

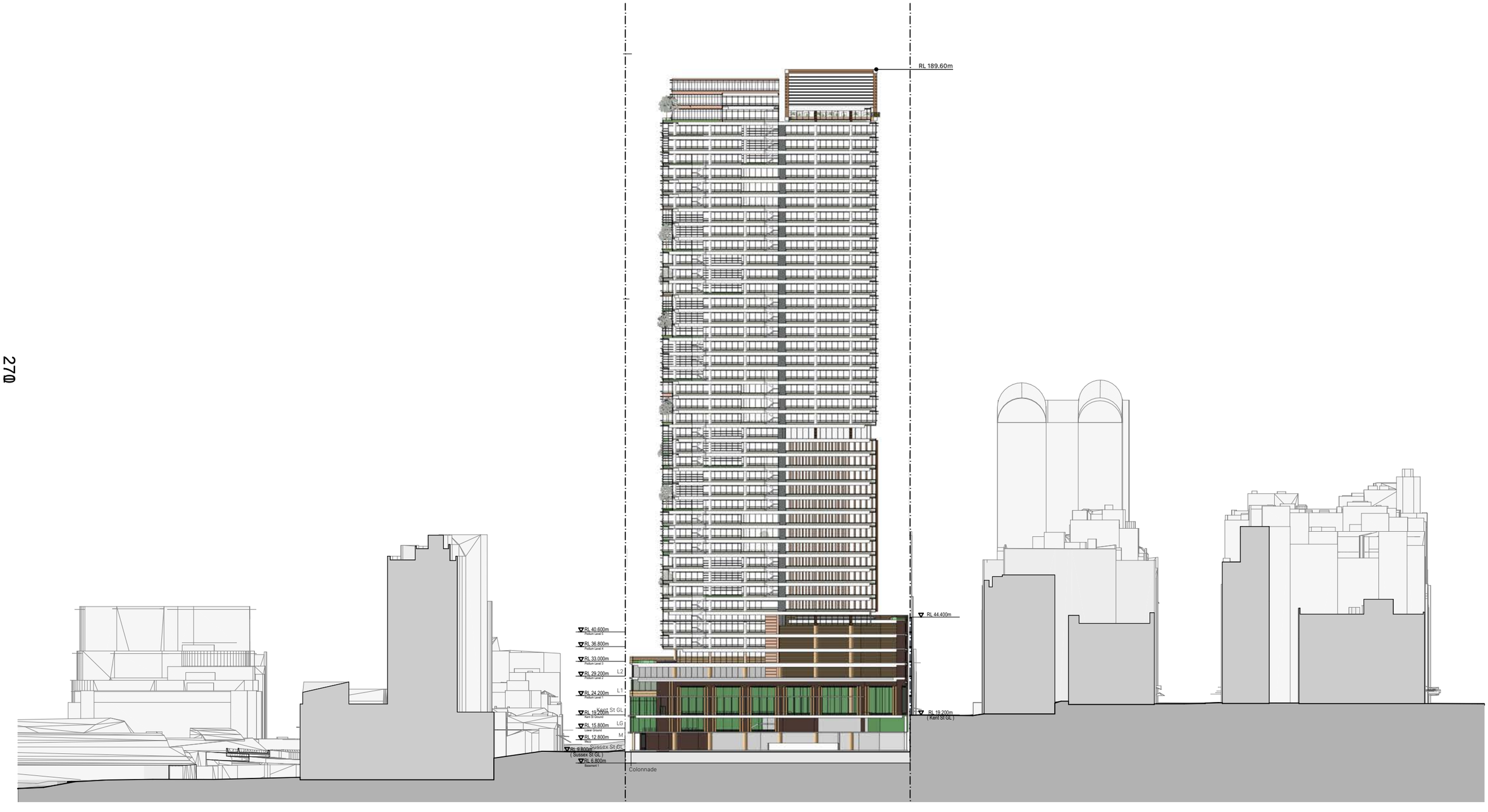


Reference Design - Plans

High Rise Level 40



Reference Design - Section



Reference Design - Area Schedule

Achieved Land Use

Site Area	3606	m²	
Commercial GFA	70,872	m²	96.8%
Retail GFA	640	m²	0.9%
Wellness/ Other GFA	609		
GFA above ground	72,121		98.5%
FSR above ground	20.00	:1	
EOT GFA	1,070	m²	1.5%
GFA below ground	**1,070**		
FSR below ground	0.30	:1	
Total GFA	**73,191**	**m²**	
FSR overall	20.30	:1	

383 Kent Street - PP Indicative Design Area Schedule February 2024

Level	Description	RL (m)	Floor (m)	Height (m)	Envelope Area (m²)	Articulation	GBA (m²)	Commercial GFA (m²)	GFA/GBA efficiency	Retail GFA (m²)	Wellness/ Other GFA (m²)	EOT GFA (m²)	Terrace / Balcony	Void Spaces
R	Roof	189.60		179.80										
42	Plant	184.60	5.00	174.80	1420	25.0%	1065							
41	Plant	179.60	5.00	169.80	1628	27.6%	1178							
40	Commercial - High-rise	175.80	3.80	166.00	1801	20.8%	1427	1295	90.7%				184	
39		172.00	3.80	162.20	1886	12.1%	1658	1526	92.0%				40	
38		168.20	3.80	158.40	1927	12.0%	1696	1564	92.2%					
37		164.40	3.80	154.60	1955	13.2%	1696	1540	90.8%				78	24
36	Commercial - High-rise	160.60	3.80	150.80	1958	12.0%	1723	1591	92.3%					
35	Commercial - Typical Mid-rise	156.80	3.80	147.00	1958	12.0%	1723	1516	88.0%					30
34		153.00	3.80	143.20	1958	12.0%	1723	1546	89.7%				51	
33		149.20	3.80	139.40	1958	12.0%	1723	1546	89.7%					
32		145.40	3.80	135.60	1958	12.0%	1723	1516	88.0%					30
31		141.60	3.80	131.80	1958	12.0%	1723	1546	89.7%				51	
30		137.80	3.80	128.00	1958	12.0%	1723	1546	89.7%					
29		134.00	3.80	124.20	1958	12.0%	1723	1546	89.7%					
28		130.20	3.80	120.40	1958	12.0%	1723	1516	88.0%				51	30
27	Commercial - Typical Mid-rise	126.40	3.80	116.60	1958	12.0%	1723	1546	89.7%					
26	Commercial - Typical Low-rise	122.60	3.80	112.80	2175	12.0%	1914	1643	85.8%					
25		118.80	3.80	109.00	2175	12.0%	1914	1643	85.8%				50	
24		115.00	3.80	105.20	2175	12.0%	1914	1613	84.3%					30
23		111.20	3.80	101.40	2175	12.0%	1914	1643	85.8%					
22		107.40	3.80	97.60	2175	12.0%	1914	1643	85.8%				50	
21		103.60	3.80	93.80	2175	12.0%	1914	1643	85.8%					
20		99.80	3.80	90.00	2175	12.0%	1914	1613	84.3%					30
19		96.00	3.80	86.20	2175	12.0%	1914	1643	85.8%				50	
18		92.20	3.80	82.40	2175	12.0%	1914	1643	85.8%					
17		88.40	3.80	78.60	2175	12.0%	1914	1643	85.8%					
16		84.60	3.80	74.80	2175	12.0%	1914	1613	84.3%				50	30
15	Commercial - Typical Low-rise	80.80	3.80	71.00	2175	12.0%	1914	1643	85.8%					
14	plant	74.80	6.00	65.00	2175	12.0%	1914							
13	Commercial - Typical Low-rise	71.00	3.80	61.20	2175	12.0%	1914	1643	85.8%				50	
12		67.20	3.80	57.40	2175	12.0%	1914	1613	84.3%					30
11		63.40	3.80	53.60	2175	12.0%	1914	1643	85.8%					
10		59.60	3.80	49.80	2175	12.0%	1914	1643	85.8%				50	
9		55.80	3.80	46.00	2175	12.0%	1914	1613	84.3%					30
8		52.00	3.80	42.20	2175	12.0%	1914	1643	85.8%					
7		48.20	3.80	38.40	2175	12.0%	1914	1613	84.3%				50	30
6	Commercial - Typical Low-rise	44.40	3.80	34.60	2175	12.0%	1914	1643	85.8%				1050	
Subtotal					**75,872**	**12.8%**	**66,144**	**54,020**	**87.1%**	**0**	**0**	**0**	**1,855**	**294**
5	Commercial - Upper Podium 5	40.60	3.80	30.80	3208	6%	3000	2667	88.9%					
4	Commercial - Upper Podium 4	36.80	3.80	27.00	3229	7%	3000	2667	88.9%					
3	Commercial - Upper Podium 3	33.00	3.80	23.20	3249	8%	3000	2667	88.9%				267	
2	Commercial - Podium 2	29.20	3.80	19.40	3606	14%	3096	2775	89.6%					
1	Commercial - Podium 1	24.20	5.00	14.40	3606	24%	2752	2383	86.6%					
KG	Kent St Lobby / Retail/ Commercial	19.20	5.00	9.40	3606	24%	2757	2123	77.0%	367				
LG	Commercial / Wellness / Retail/ Plant	15.80	3.40	6.00	3606	9%	3278	1570	47.9%	135	609			
M	Carpark / EOT	12.80	3.00	3.00	3606	0%	3606					852		
SG	Sussex St retail/ Loading/ Carpark	9.80	3.00	0.00	3606	0%	3606			138		218		
B1	Basement 1 - Carparking	6.80	3.00	-3.00	3606	0%	3606							
Subtotal					**34,928**	**9.2%**	**31,701**	**16,852**	**80.7%**	**640**	**609**	**1,070**	**267**	**0**
Total					**110,800**		**97,845**	**70,872**	**85.5%**	**640**	**609**	**1,070**	**2,122**	**294**


Hall&Wilcox
SKYE
HCF

VIII—Appendices

Attachment A3

Urban Design Report Appendices

I—Appendicies

— Survey

— Envelope Drawings

— Public Art Strategy

— Landscape Principles

— Residential Amenities Studies

— Shadow Diagrams

Survey

NOTES:

- THESE NOTES AND LEGEND (IF SHOWN) FORM PART OF THE PLAN AND SURVEY AND MUST REMAIN WITH THE PLAN IN ANY REPRODUCTION IN WHOLE OR PART.
- THE CAD FILE USES METRES AS ITS BASE UNIT AND IS IN A "GROUND" COORDINATE SYSTEM. IF THE SURVEY IS STATED AS MGA, ANY POINT IN THE FILE WILL BE AN APPROXIMATE MGA COORDINATE.
- SOME SYMBOLS REPRESENTING PHYSICAL STRUCTURES SUCH AS POWER POLES AND PITS ARE DIAGRAMMATIC ONLY AND DO NOT NECESSARILY REPRESENT THE ACTUAL SIZE AND EXTENT OF THESE FEATURES.
- THE SURVEY INFORMATION SHOWN HERE WAS PREPARED FOR A SPECIFIC PURPOSE FOR THE CLIENT SHOWN. THIS INFORMATION IS NOT INTENDED TO BE USED FOR ANY OTHER PURPOSE OR BY ANYONE NOT AUTHORISED BY THIS CLIENT.
- BOUNDARY DIMENSIONS AND AREAS HAVE BEEN DETERMINED BY CURRENT CADASTRAL SURVEY AND THE BOUNDARY AND EASEMENT LINES IN THE ELECTRONIC FILE HAVE BEEN INCLUDED USING THOSE SURVEYED DIMENSIONS. THE TITLE DIMENSIONS SHOWN ON THE HARD COPY PLAN TAKE PRECEDENCE OVER THE LINES IN THE ELECTRONIC FILE.
- THE TITLE/S TO THE SUBJECT LAND HAS BEEN REVIEWED AND THE POSITION OF ALL EASEMENTS AFFECTING THE LAND ARE SHOWN. THE TERMS OF ANY EASEMENT, RESTRICTION ON THE USE OF LAND OR COVENANT AFFECTING THE LAND HAVE NOT BEEN INVESTIGATED. LEASES AND OTHER NOTATIONS MAY ALSO EXIST WHICH AFFECT THE LAND.
- UNDERGROUND SERVICES OTHER THAN THOSE SHOWN HAVE NOT BEEN INVESTIGATED.
  PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION WORK ON THE SITE, THE RELEVANT SERVICE AUTHORITY SHOULD BE CONTACTED TO ESTABLISH DETAILED LOCATION AND DEPTH.
- THIS SURVEY IS LIMITED TO IMPROVEMENTS AND OTHER DETAIL WHICH WERE VISIBLE AND ACCESSIBLE AT THE TIME OF SURVEY. THE LOCATION OF DETAIL SUCH AS PRIVATE UNDERGROUND SERVICE LINES AND BUILDING FOUNDATIONS WITHIN THE SITE IS UNKNOWN.
- THE COORDINATES WITHIN THIS DRAWING RELATE TO THE DATUM SHOWN IN THE TITLE BLOCK. REFER TO A REGISTERED LAND SURVEYOR FOR FURTHER CLARIFICATION. CAUTION SHOULD BE TAKEN WHEN IMPORTING INFORMATION OBTAINED FROM OTHER SUB-CONSULTANTS OR SOURCES TO ENSURE THAT THE DATA IS ON A MATCHING COORDINATE SYSTEM.
- CONTOURS SHOWN HEREON DEPICT THE GENERAL TOPOGRAPHY ONLY. EXCEPT AT SPOT LEVELS SHOWN, THEY DO NOT NECESSARILY REPRESENT THE EXACT LEVEL AT ANY PARTICULAR POINT.
- CONTOUR INTERVAL 0.5m
- ANY GUTTER, RIDGE, ROOF AND WINDOW DETAILS AND LEVELS SHOWN HAVE BEEN OBTAINED VIA INDIRECT SURVEY METHODS WHERE VISIBLE FROM GROUND LEVEL AND ARE SHOWN ON THIS PLAN IN THEIR APPROXIMATE LOCATION FOR THE PURPOSE OF GENERAL SITE ANALYSIS ONLY.
- ANY TREE CANOPIES, TRUNK DIAMETERS AND HEIGHTS SHOWN ARE APPROXIMATE ONLY AND SHOULD BE VERIFIED BY FURTHER SURVEY WORKS IF CRITICAL TO DESIGN OR SITE ANALYSIS.
- SMALL TREES, SHRUBS, GARDEN FEATURES, PATHWAYS AND OTHER MINOR DETAIL MAY NOT BE SHOWN ON THIS PLAN, FOR THE PURPOSES OF THIS SURVEY.

ORIGIN OF LEVELS: PM 43307
R.L. 16.752 (AHD)

ORIGIN OF MGA 2020 CO-ORDINATES
E.333955.491
N.6250722.208

LEGEND:

FL	FLOOR LEVEL
DCK	DECK
DS	DOOR SILL
PAR	PARAPET
PP	POWER POLE
RF	ROOF
RDG	RIDGE
SGN	ROAD SIGN
SIC	SEWER INSPECTION COVER
TG	TOP OF GUTTER
TP	TOP OF PERGOLA
TK	TOP OF KERB
TOG	TOP OF GRATE
TRW	TOP OF WALL
TF	TOP OF FENCE (GLASS)
VER	VERANDAH
US	UNDERSIDE OF BUILDING
COL	COLUMN
SL	DRAINAGE PIT SURFACE LEVEL
INV	DRAINAGE PIT INVERT LEVEL
VER	VERANDAH
AWN	AWNING
GRW	DENOTES GROUND LEVEL WALL
L5W	DENOTES LEVEL 5 WALL
L6W	DENOTES LEVEL 6 WALL

Comms Pit/Manhole
Drainage Manhole
Electrical Power Pole
Gas Meter
Miscellaneous Manhole
Sewer Vent
Sewer Lamphole
Sign Post
Tree (Canopy spread, trunk diameter, Height)
Water Meter
Water Tap

DANIEL GERARD WILLIAMS
REGISTERED SURVEYOR
BEVERIDGE WILLIAMS
447 KENT STREET, SYDNEY 2000

NOTATIONS SHOWN ON CERTIFICATE OF TITLE
LOT 1 D.P.778342

AFFECTING THE LAND:
(A) EASEMENT FOR SUPPORT VARIABLE WIDTH BENEFITTING THE SUBJECT LAND (VIDE DP778342)

CREATED BY DEALING AA977313
SUBSTATION PREMISES No 7901 IS LOCATED AT BASEMENT 3 & 4
EASEMENTS FOR ELECTRICITY PURPOSES EXIST AT BASEMENT 1 & 4,
RIGHTS OF WAY EXIST AT BASEMENT 1, 2 & 3
EASEMENT FOR ELECTRICITY CABLE RISER EXISTS AT BASEMENT 1 & 2
SITE OF SUBSTATION PREMISES, RIGHTS OF WAY AND EASEMENTS FOR ELECTRICITY HAVE NOT BEEN SHOWN FOR CLARITY PURPOSES

RESTRICTIONS AS312062, 7246097

THE TERMS AND LOCATIONS OF COVENANTS & RESTRICTIONS HAVE NOT BEEN INVESTIGATED.



VER	BY	AMENDMENTS	DATE
A	V.M.	INITIAL ISSUE	30.09.22
B	V.M.	TRUE NORTH ADDED	07.10.22
C	D.W.	CO-ORDINATES SHIFTED FROM GDA94 TO MGA2020	11.10.22
D			
E			
F			
G			

- SERVICE AUTHORITY PITS, MANHOLES, POLES, MARKER POSTS, ETC., WHERE SIGHTED AT TIME OF SURVEY, HAVE BEEN LOCATED. THE SURVEY DOES NOT INCLUDE INVESTIGATION OR LOCATION OF UNDERGROUND INFRASTRUCTURE.
- PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION ON OR ADJACENT TO THE SITE IT IS THE RESPONSIBILITY OF THE DEVELOPER AND CONTRACTORS TO APPLY FOR AND OBTAIN UP TO DATE PLANS THROUGH A NEW DIAL BEFORE YOU DIG SEARCH AND TO CONTACT ALL THE RELEVANT AUTHORITIES TO ESTABLISH AND CONFIRM THE DETAILED LOCATION AND DEPTH OF ALL UNDERGROUND SERVICES.

www.dialbeforeyoudig.com.au DIAL1100 BEFORE YOU DIG

CLIENT: Charter Hall Holdings Pty Ltd

Beveridge Williams
Land Development Consultants
Registered Surveyors
Sydney (02) 9283 6677 www.beveridgewilliams.com.au

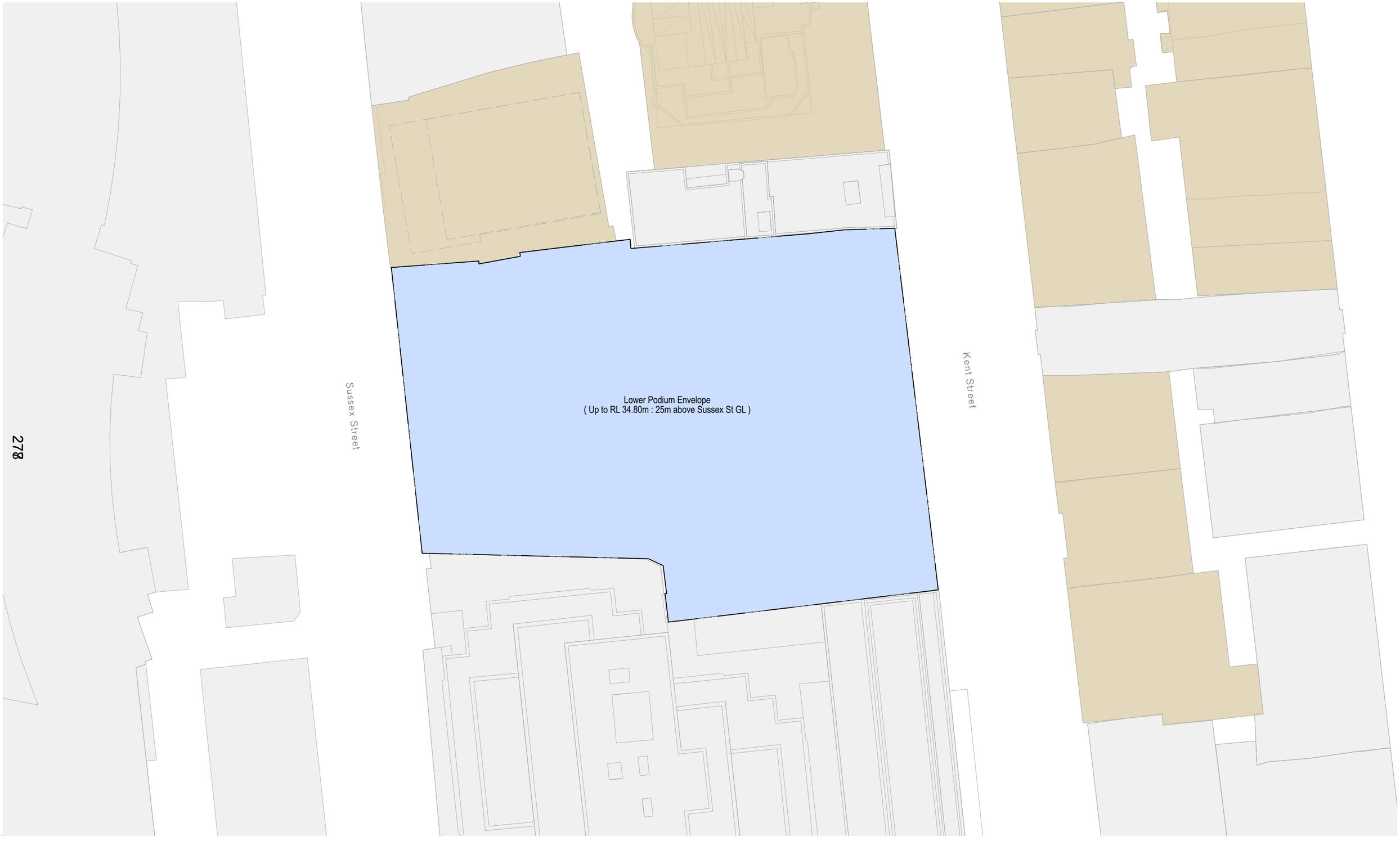
DETAILS:
DETAIL SURVEY PLAN FOR
DEVELOPMENT APPLICATION PURPOSES
LOT 1 DP 778342
383 KENT STREET SYDNEY

ORIGINAL SHEET SIZE A1
SCALE 1:300
CAD REFERENCE: 2201978_DET3D_221011
0 6 12 18
SCALE ON ORIGINAL DRAWING AT 1:300

SURVEYOR:	V.M.
DRAWN:	J.T.
CHECKED:	V.M.
SURVEY DATE:	07.09.2022
VERTICAL DATUM:	AHD
HORIZONTAL DATUM:	MGA 2020

PROJECT No. 2201978
DRAWING REF. DETAIL 3D
VERSION A
SHEET 1 OF 7

Proposed Envelope Drawings



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formerly fjmtstudio

Envelope - Lower Podium Plan

Charter Hall - 383 Kent Street

0 5 10 20m

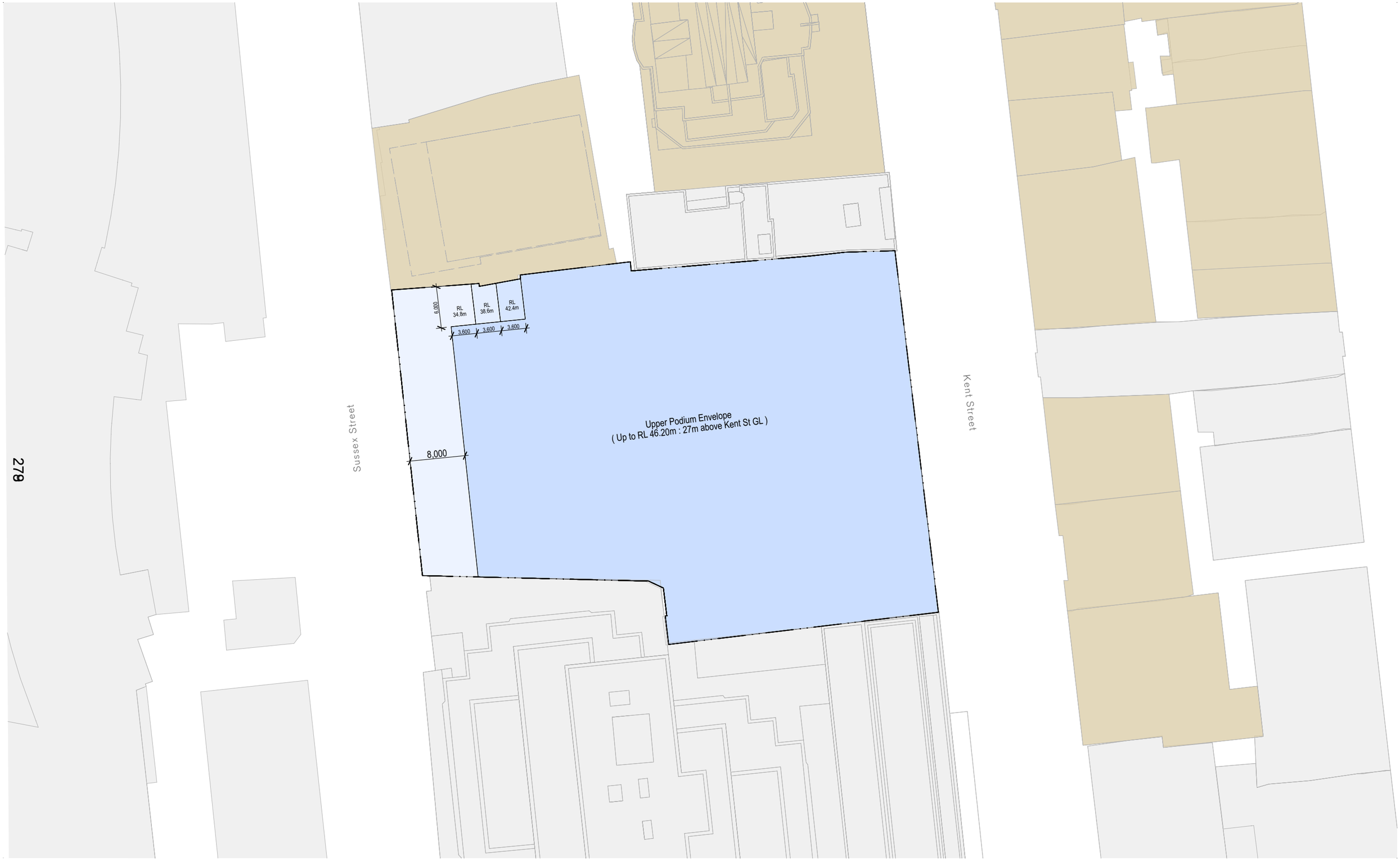
1:500 @ A3

2/2/2024

For Information

.1

© FRANCIS-JONES MOREHEN THORP PTY LTD 2024 ABN 28 101 197 219 NOMINATED ARCHITECT: RICHARD FRANCIS-JONES (REG NO 5301)



fjcstudio
formerly fjmtstudio

Envelope - Upper Podium Plan

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

2/2/2024

For Information

.2

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Envelope - Tower Roof Plan

Charter Hall - 383 Kent Street

0 5 10 20m

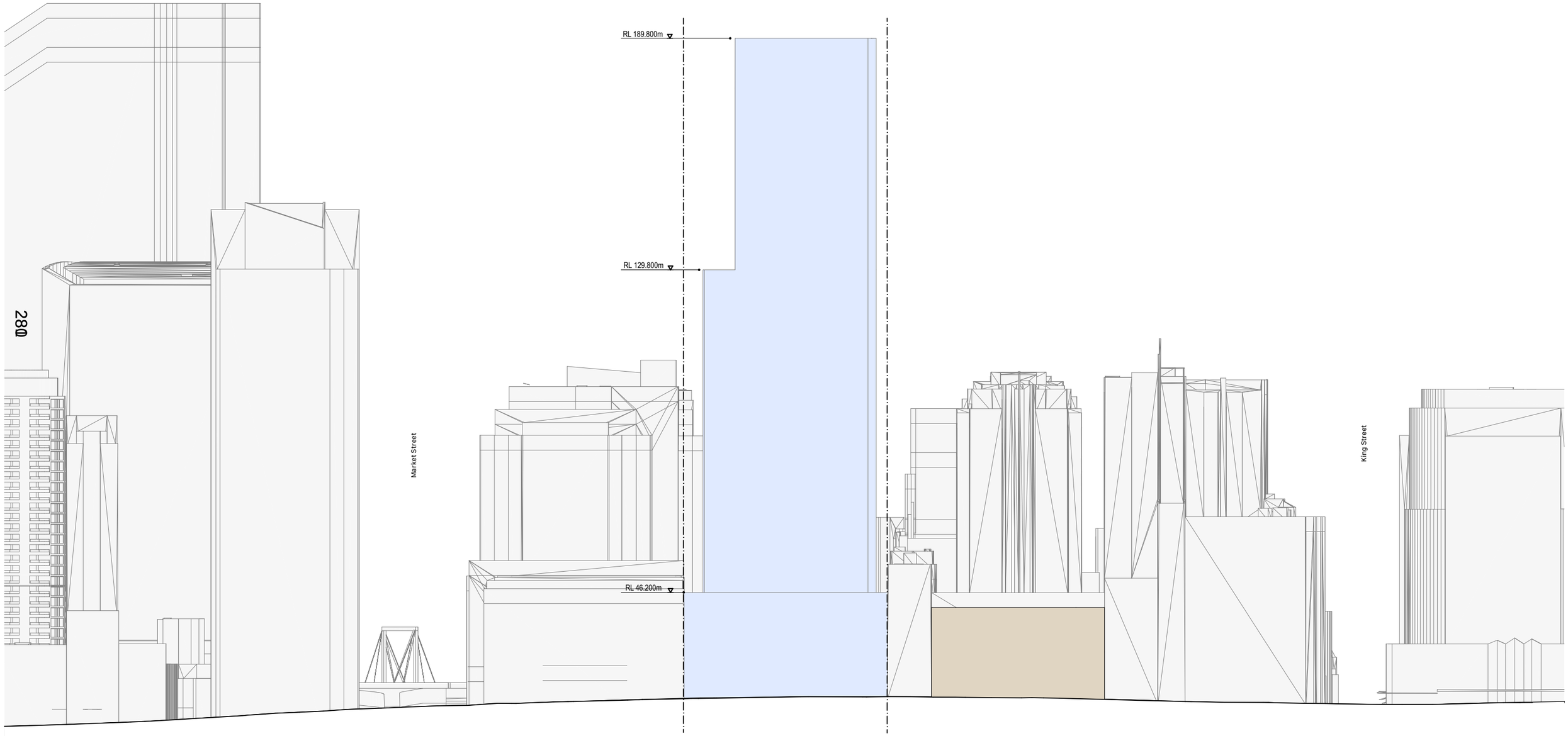
1:500 @ A3

2/2/2024

For Information

.3

© FRANCIS-JONES MOREHEN THORP PTY LTD 2024 ABN 28 101 197 219 NOMINATED ARCHITECT: RICHARD FRANCIS-JONES (REG NO 5301)



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formerly fjmtstudio

Envelope - Kent Street Elevation

Charter Hall - 383 Kent Street

0 5 10 20m

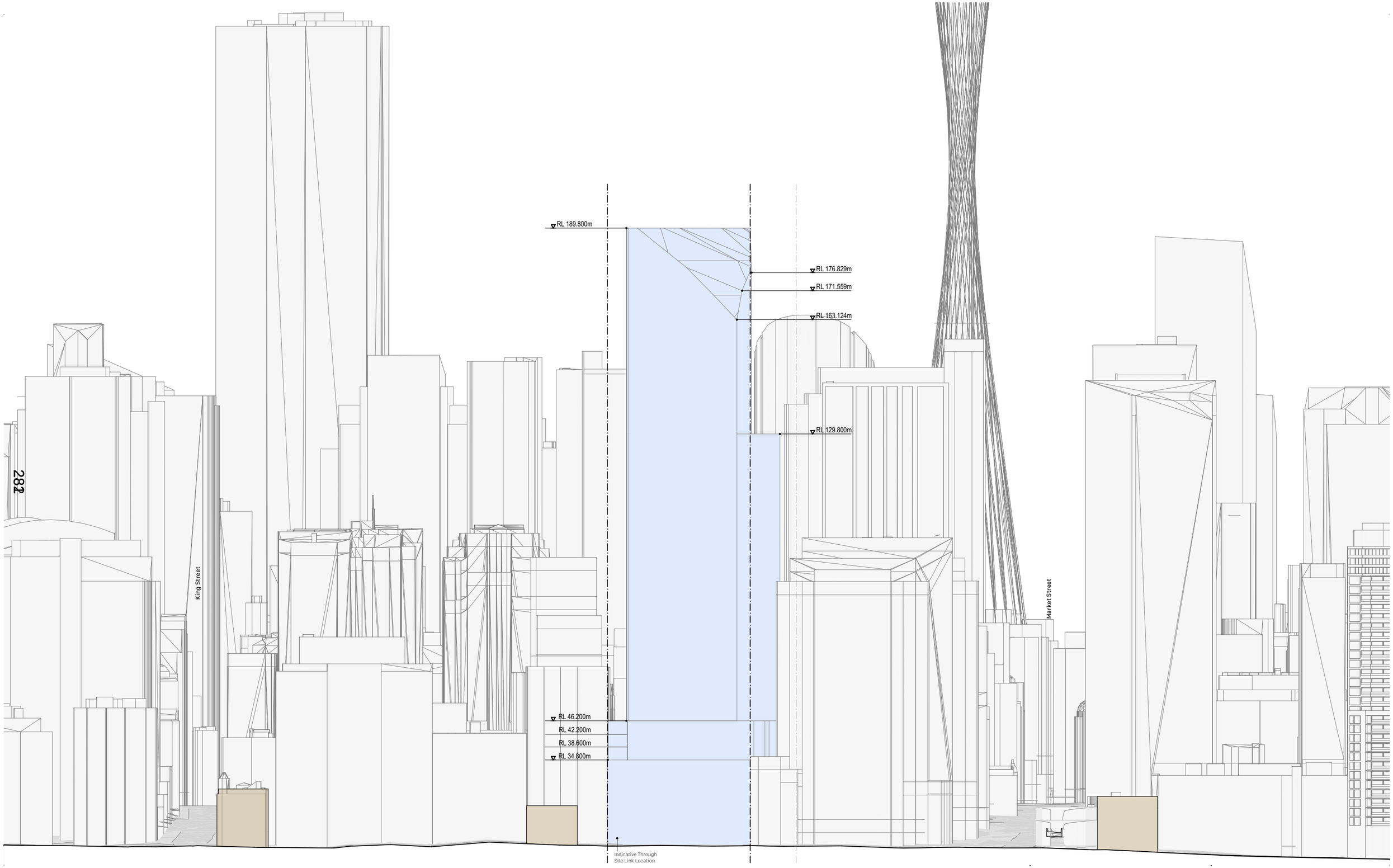
1:500 @ A3

2/2/2024

For Information

.4

© FRANCIS-JONES MOREHEN THORP PTY LTD 2024 ABN 28 101 197 219 NOMINATED ARCHITECT: RICHARD FRANCIS-JONES (REG NO 5301)



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Envelope - Sussex Street Elevation

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

2/2/2024

For Information

.5

Public Art Strategy

History of the Site

This mid-block site sits within the western fabric of Sydney's CBD, a part of a greater structure of fine grain pedestrian pathways from ridgeline to shore, carved out streets facilitating trade and sustenance for the colony. Once tracks and freshwater rivulets passed through rocky escarpments shaded by angophora and interspersed with Gadi Trees which gave the people of this Country their name.
A century after invasion, the landscape could not have changed more - this was the height of maritime trade. Slopes were flattened to take the wheels of drays and wagons, trees felled for building and fuel, shorelines reclaimed and transformed by wharves, waterways diverted and covered over. The roads of Sussex Street became a hive of activity feeding the colony with produce from a growing agricultural sector and from around the world.





Angophora and Gadi Trees





Site in the 1800s indicates multiple produce agents and wholesalers



Theme 1 — Ridge to Shore, Freshwater to Saltwater

Arising from Yerrabingan's revealing of Country, this place was once the path from ridge to shore, from freshwater to saltwater. The landscape was shaded by angophora canopies and populated by Gadi Trees whose spikes were used for fishing. A steep escarpment is traced at this site evident in early images as the land was carved out for Sussex Street.



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Produce Trade — Cockle Bay and Sussex Street

A less celebrated element of Sydney's history were the plethora of produce traders who lined the streets adjacent to the cockle bay wharfs. This was a hive of activity - processions of drays and wagons were 'unceasing...in business hours.. blocks are almost as frequent as those of handsome equipages in Oxford Street, London'


The Produce Trade of Sydney.—Some Views of Sussex-street.

https://trove.nla.gov.au/newspaper/article/71484758/5353037

Public Art Strategy

Artwork Procurement Methodology

In accordance with the City of Sydney's objectives, fjc has devised a preliminary methodology and program to select and engage an artist.

This process will allow for sufficient time for the design to be developed and integrated into the building fabric whilst considering the constraints of the construction program.

The process is outlined as follows:

1 Art Strategy
A preliminary art strategy (Public Art Plan) will be established prior to art committee and atist selection.

2 Art Committee Selection
An art committee will be selected including local curators and cultural leaders (such as First Nations elders, cultural institution leaders such as museums) to assist in the public art procurement process.

Their selections will be based on their knowledge of contemporary Australian Art, First Nations Art and / or local traditional knowledge, site specific knowledge). They will be supported by client and design team representatives.

3 Brief Development and Issue
The committee will provide input into the brief and offer resources to assist artists in understanding the physical, spatial and cultural context.

A limited Expression of Interest based on a list of artists suggested by the Art Committee and reviewed by the City of Sydney will be confirmed through an EOI process.

The EOI will allow assessment of the artists' work, availability, methodology and capacity to complete the work within the program and response to the artist agreement provided.

4 Shortlist Design Concept
A minimum of 3 and maximum of 5 artists will be invited to undertake a paid design concept over a 4 week period.
The concept will include a detailed methodology statement and a response to the evaluation criteria.

5 Engagement of the Artist
The successful artist is awarded a contract. Further detail to be provided in the detailed Public Art Plan. .

6 Design Development, Fabrication and Installation
A detailed program will be agreed.
For the design development, fabrication, installation and commissioning of the artwork within the framework of the overall construction program. Within this program will be a series of staged presentations to the client, contractor and committee as well as coordination sessions with the design team and building contractor.

7 Final Public Art Report
A Final Public Art Report will be to issued City of Sydney as specified in the Interim Guidelines for Public Art in Private Developments

8 Budget
The budget for the work is outlined in the Public Benefit Offer / VPA



/ Angophora, Jade Oakley and Jessica

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Public Art Strategy

Indicative Artwork Locations

Location 1
Soffit, skylight and columns

Location 2
Side Walls

Location 3
Stepped Terraces

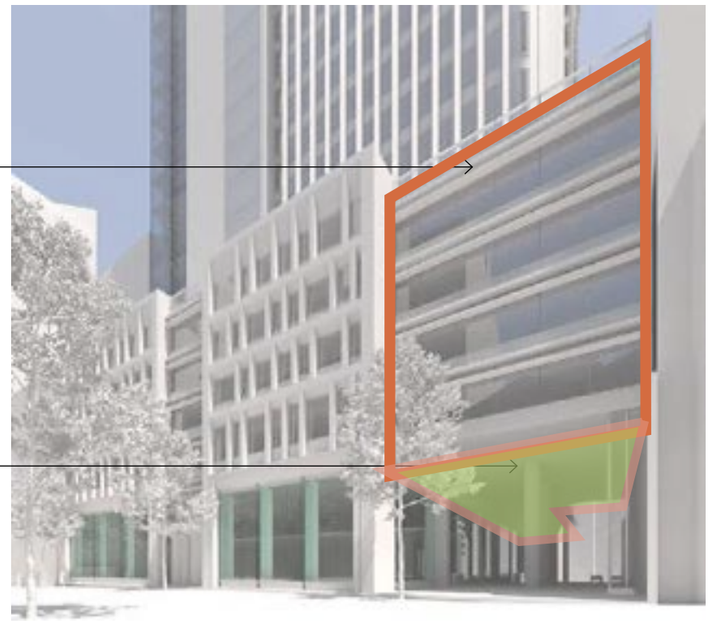


/ Through site link viewed from Sussex Street

Locations for public art can be combined, such as creating a facade and soffit work as a gateway to the through site link, or offered as separate canvasses / collaborations. An artist collaboration for the new Kent Street facade would provide enhanced wayfinding and inspirational pedestrian experience. Other locations can celebrate the change in levels and descent to the shoreline as well as the Sussex St heritage of produce trade and commerce.

Location 4
Kent Street Facade Gateway
above through site link

Location 1
Soffits, skylights and
columnns



/ Kent Street Facade with new facade element above through site link

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Benchmarks



/ Angophora Image



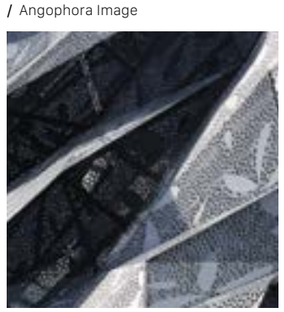
/ Angophora, Jade Oakley and Jessica



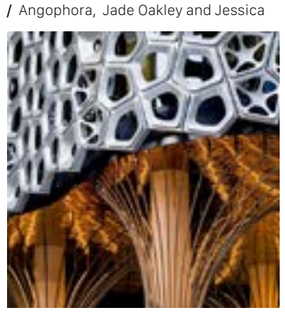
/ Atmospheric Wave Wall, Olafur Eliasson



/ Uprooted, Doris Salcedo



/ Office Building Ginza, Yoshihiro Amano



/ The Sound that Light Makes, Alexander Knox



/ Hunger Moon, Ugo-Rondinone



/ Hunger Moon, Ugo-Rondinone



/ Historic Image of Sussex Street



/ Historic Image of Sussex Street



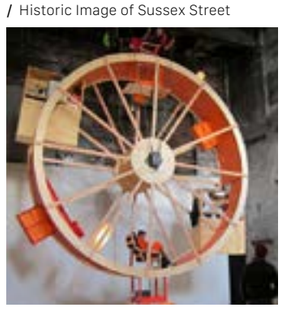
/ Goodbye Horses, Sandrine Pelletier



/ Wheels, Susan Zoccola



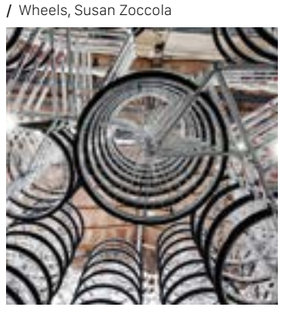
/ Image of Tea Chests



/ In Orbit, Alex Schweder Ward Shelley



/ Wheel Art, L.J. Maasdam

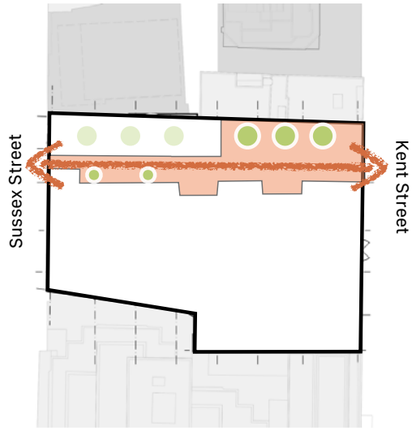


/ Stacked, Ai Wei Wei

Landscape Strategy & Design Principles

I — Design Requirements

Through Site Link



The Sydney DCP proposes a through site link for the 383 Kent St site that will continue East to connect with an existing through site link network up to Hyde Park and West towards Darling Harbour and across the water to Pyrmont and Ultimo.

The through site link aligns with breaks between buildings and must be accessible 24 hours a day, direct with clear height of at least 6m, and provide bike access. The through site link presents an opportunity to create a safe, active, and well connected green space.

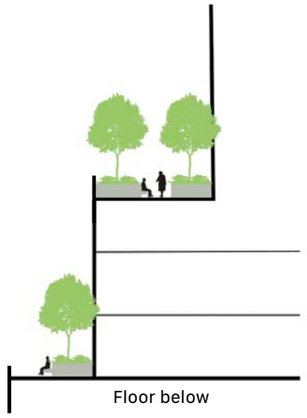
Podium Terraces



Larger tenant terraces to be provided on various podiums and roof levels to create generous accessible outdoor space for landscaping.

It offers key opportunities to increase tree canopy coverage within the site, and incorporate outdoor meeting collaborative spaces and various amenities for events and functions.

Roof Garden



A series of green roofs and green atriums / wintergreens shall face toward the prime views and outlook that are interconnected as viewed from the city.

A 100% fresh single pass naturally ventilated spaces, integrated inter-floor stairs and no-touch control on all building operations, fixtures and doorways combine to encourage easy and healthy movement and collaboration.

WSUD
(water sensitive urban design)



Planting in podium terraces and rooftop garden helps to create sustainable WSUD system. In response to *'Green roof and Walls Policy'* the site will offer vegetation coverage through at least 30% of available rooftop space.

The green roof will include facilities for water collection infrastructure. Green facades will be covered with climbing plants that's liveable and resilient to urban climate.

Canopy coverage/ Green Star Targets



In accordance with the City of Sydney '*Greening Strategy*' and '*Urban forest*', 15% canopy targets for the central business district (i.e. Sydney CBD) should be provided on site mainly within podium and terraces.

The '*Green Star Targets*' states that the development should provide 15% of horizontal or vertical landscaping. 5% of building is allocated to horizontal or vertical gardens easily accessible to occupants. The development aims to meet such target across the site within 10 years of completion of the development.

II — Design Principles

Through Site Link



Establish an active, well defined and safe through-site link as part of the east west linkage.

Podium Terraces





Maximise open space within podium terraces of the building, the space functions as social area for larger events, and key opportunity to provide tree canopy.

Roof Garden



The winter garden at rooftop area is flexible at size and located along facade to benefits tenant amenity

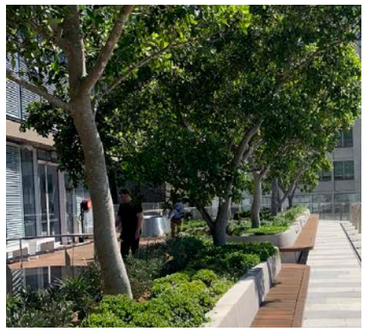
WSUD





Green roof and green walls as an sustainable integrated system within the building.

Canopy coverage





Increased urban canopy cover and vegetation on terraces and rooftop to achieve the City of Sydney Greening Sydney 2030 policy

Residential Amenity

surrounding Residential Building ID Map



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Residential Amenity

365 Kent Sreet - Building Separation

Existing Residential Building Separation and Building Envelope



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N

Residential Amenity

365 Kent Sreet - Building Separation

Proposed Residential Building Separation and Building Envelope



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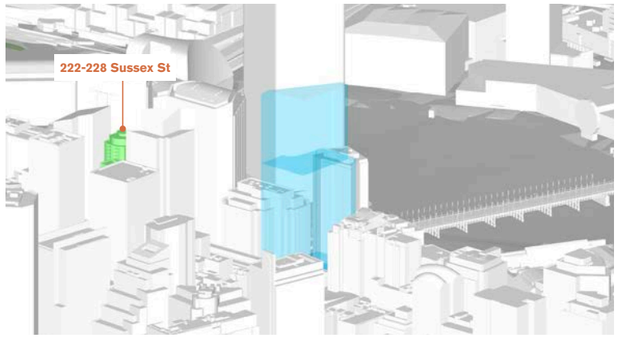
Residential Amenity

Solar Accesss to 228-228 Sussex St & 25 Market Street

Sun Eye Views - Potential Impact on Solar Access



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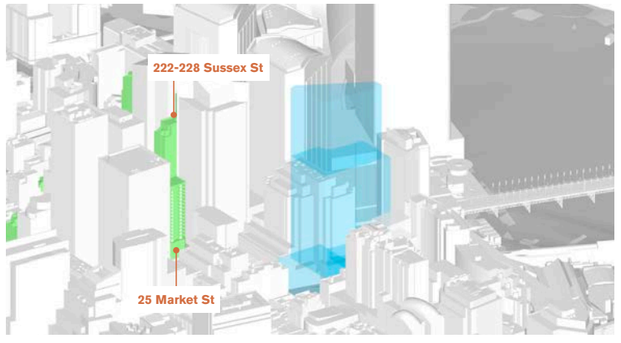

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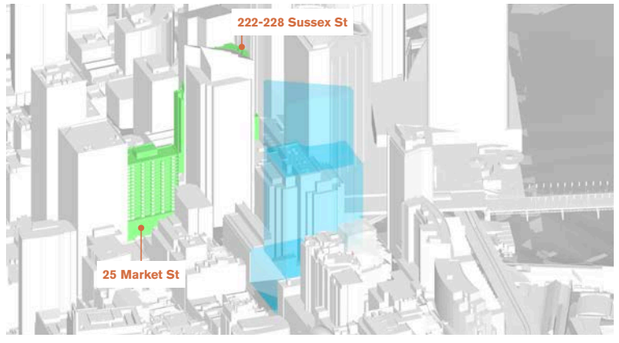

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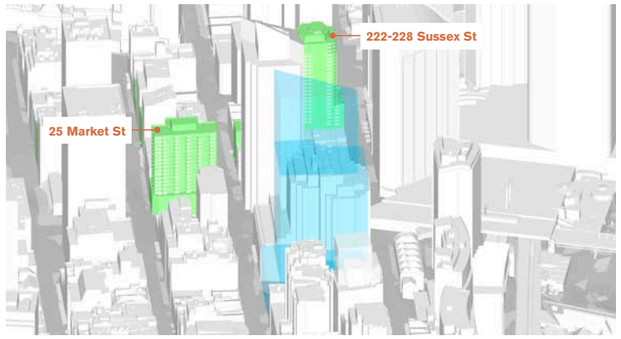

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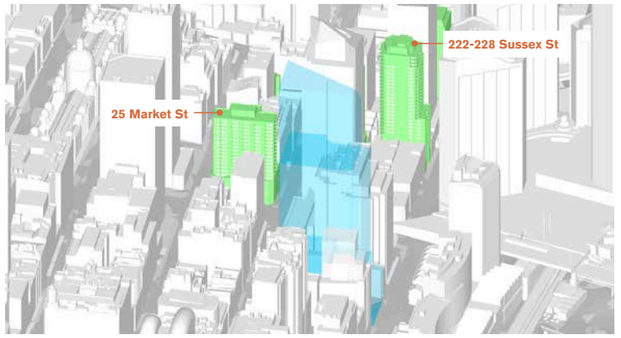

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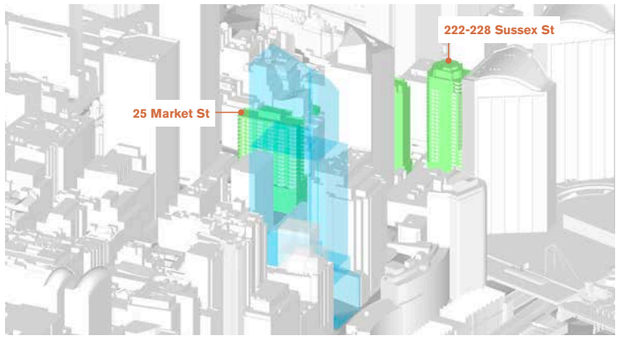

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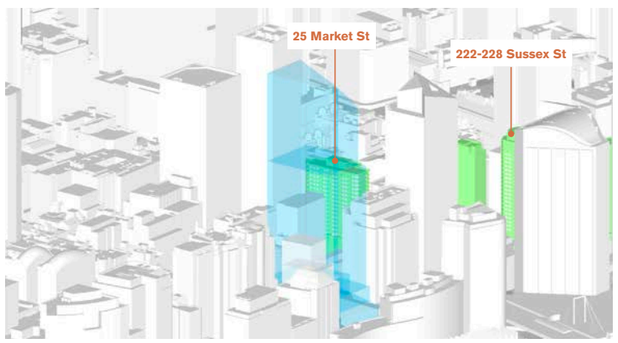

21st June - 3pm

Residential Building Identification

- **222-228 Sussex Street**
- **25 Market Street :** Detailed analysis is required.

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P

Residential Amenity

Detailed Solar Access Studies 222-228 Sussex St

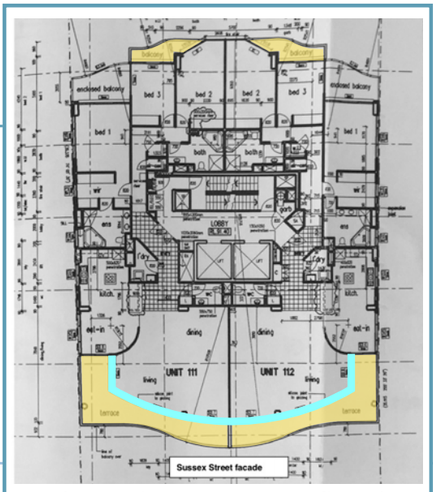
Residential



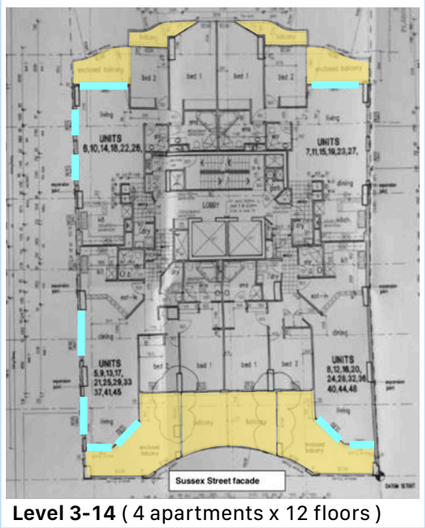
222-228 Sussex Street

Total 114 apartments

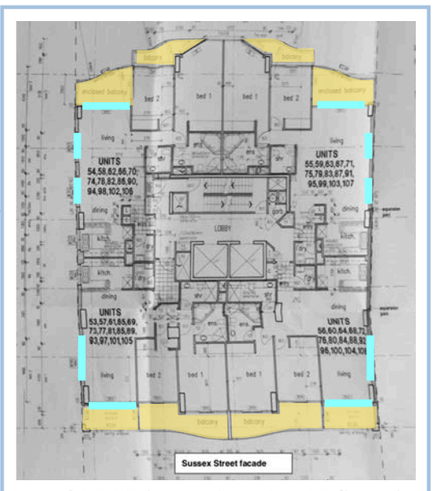




Level 30-32 (2 apartments x 3 floors)



Level 3-14 (4 apartments x 12 floors)



Level 15-29 (4 apartments x 15 floors)

Living room windows

Private open space

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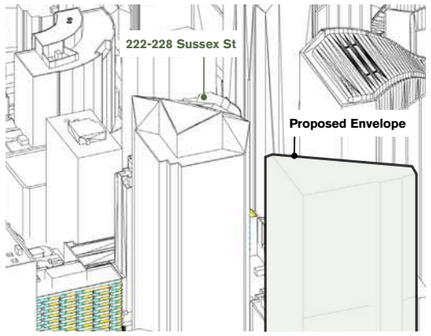
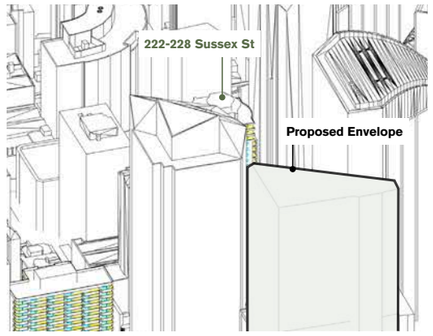
Residential Amenity

Detailed Solar Access Studies 228-228 Sussex St

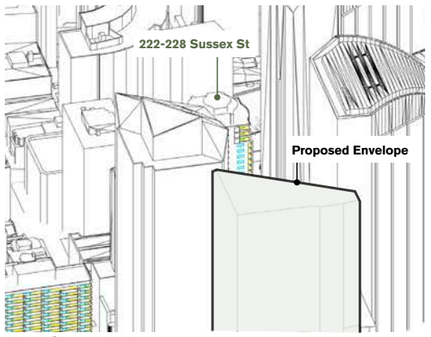
Detailed Sun Eye Views



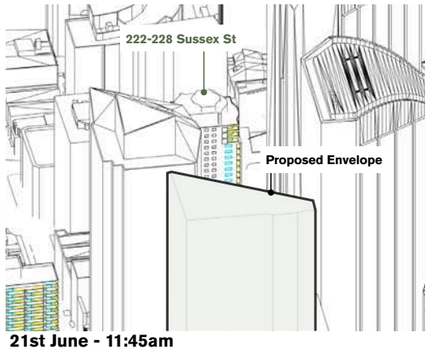
21st June - 11:00am



21st June - 11:15am



21st June - 11:30am



21st June - 11:45am



21st June - 12:00pm



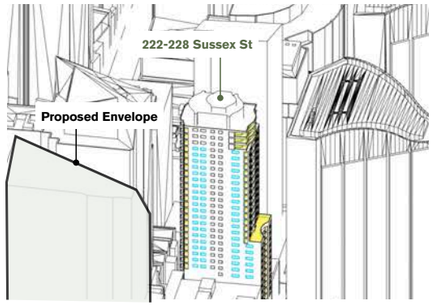
21st June - 12:15pm



21st June - 12:30pm



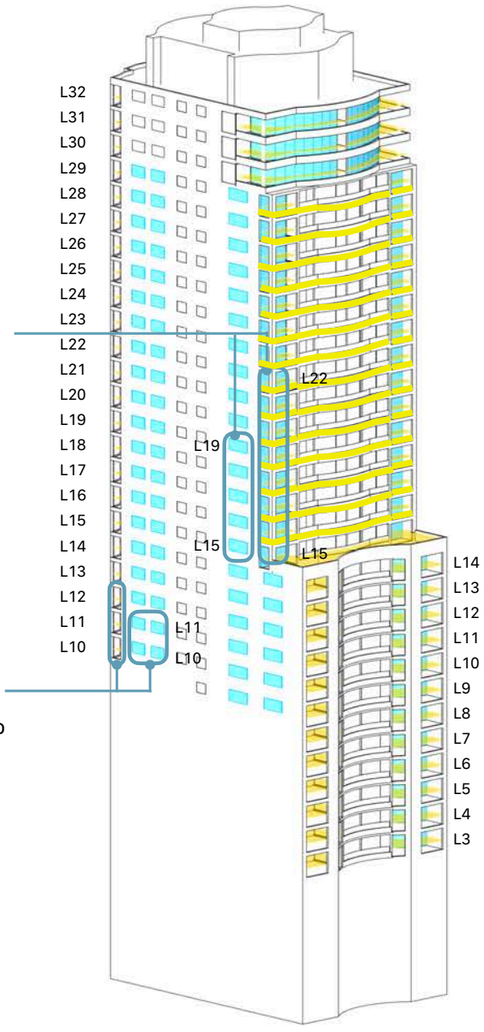
21st June - 12:45pm



21st June - 1:00pm

5 living room windows and 8 balconies reduced from 2hrs+ to **less than 2hrs** in midwinter. However, they still receive **1h45m** Sun Access.

2 living room windows and 3 balconies reduced from 2hrs+ to **less than 2hrs** in midwinter. However, they still receive **1h30m** Sun Access.



Living room windows

Private open space

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Residential Amenity

Detailed Solar Access Studies 222-228 Sussex St

Sun Eye View Analysis - Existing <-> Proposed

222-228 Sussex Street/ Solar Impact Summary

- **8 tower apartments** (5 living room windows and 8 balconies) reduced from 2hrs+ to **less than 2hrs** in midwinter. However, they still receive **1h45m** Sun Access.
  (Potentially those apartments can receive 2hrs+ sun access if the analysis is conducted in **1minute interval.**)

- **3 podium apartments** (2 living room windows and 3 balconies) reduced from 2hrs+ to **less than 2hrs** in midwinter. However, they still receive **1h30m** Sun Access.

Impact Summary:

- 7 living rooms (out of 114 apartments - 6%)
- 11 balconies (out of 114 apartments - 9%)
  are impacted and now receive less than 2h at winter solstice.
- However, they still receive 1.5 or more hours and the impact is considered minimal and **reasonable in a high density CBD context.**

- positive covenant (SP 53413.3) requires **any windows on** the northern and southern **boundary** to be **bricked up** at council's direction **if there is adjacent construction within 12 metres**. These **windows** are therefore **non-essential. 5.1.2(1), (2) and (3)** has been achieved.

Living Spaces - Existing Solar Access				**Living Spaces - Proposed** Solar Access			
0 H	less than 2H	2H or more	Total units	0 H	less than 2H	2H or more	Total units
70	0	44	114	70	7	37	114
61.4%	0.0%	38.6%		61.4%	6.1%	32.5%	

Balconies - Existing Solar Access				**Balconies - Proposed** Solar Access			
0 H	less than 2H	2H or more	Total units	0 H	less than 2H	2H or more	Total units
32	44	38	114	32	55	27	114
28.1%	38.6%	33.3%		28.1%	48.2%	23.7%	

DCP Clause 5.1.2(6)

When considering the likely impacts of a development on surrounding developments any adverse impacts on existing private views, visual privacy, solar and daylight access are considered reasonable where compliance with ***Section 5.1.1 and 5.1.2(1), (2) and (3)*** *has been achieved.*

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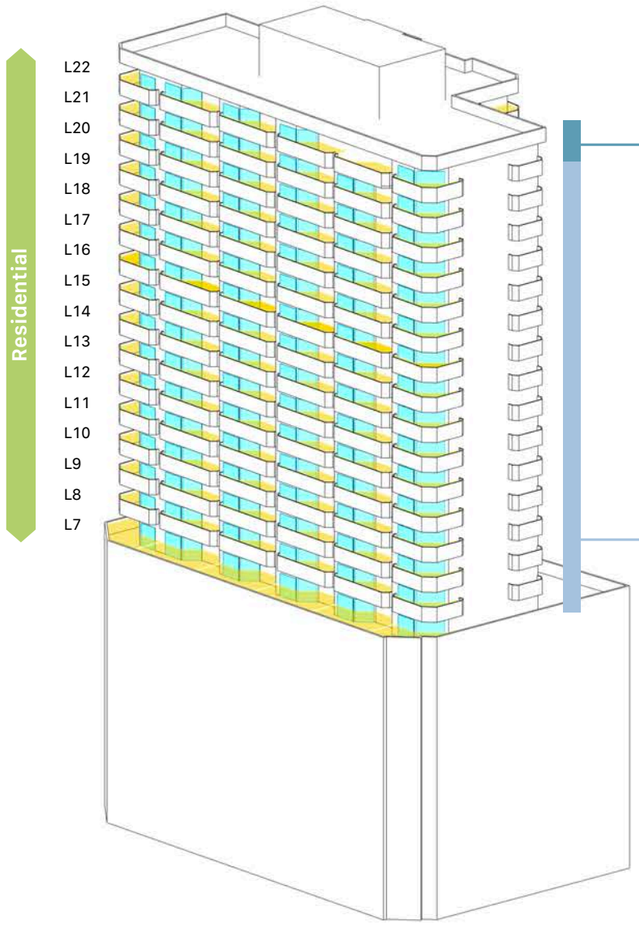
Detailed Solar Access Studies 25 Market Street

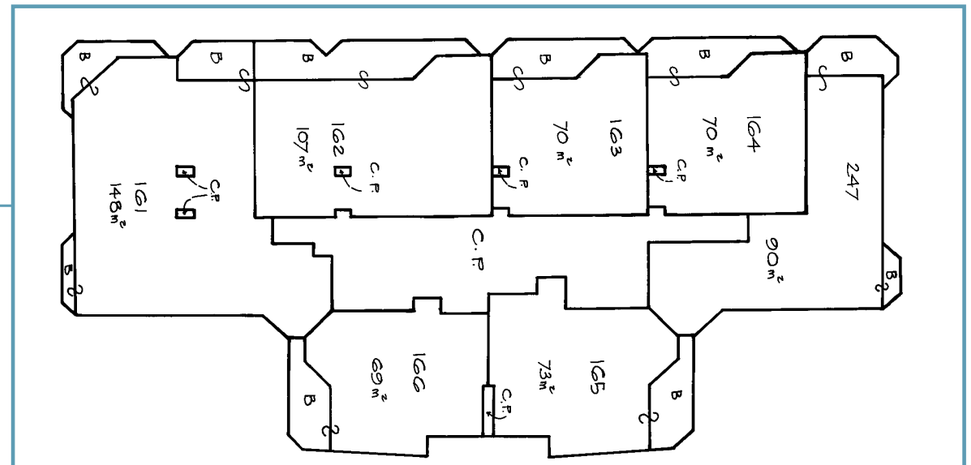
Residential



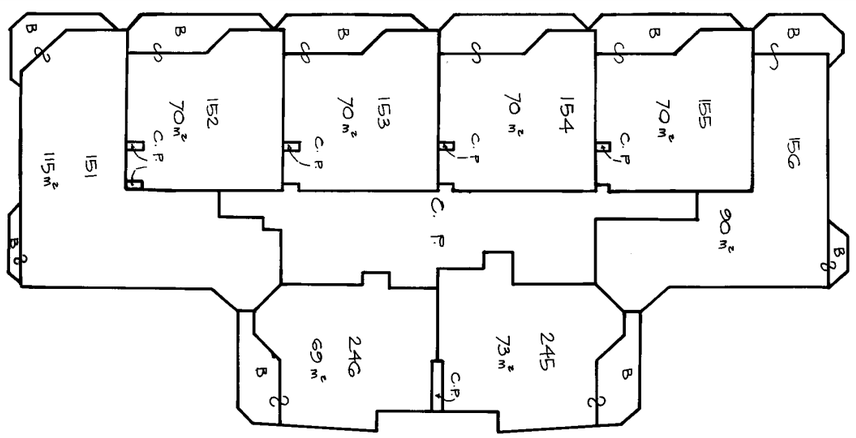
25 Market Street

Total 127 apartments





Level 22 (7 apartments x 1 floor)



Level 7-21 (8 apartments x 15 floors)

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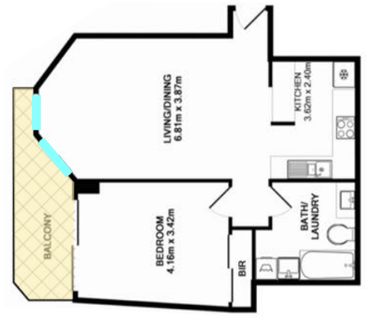
Residential Amenity

Detailed Solar Access Studies 25 Market Street

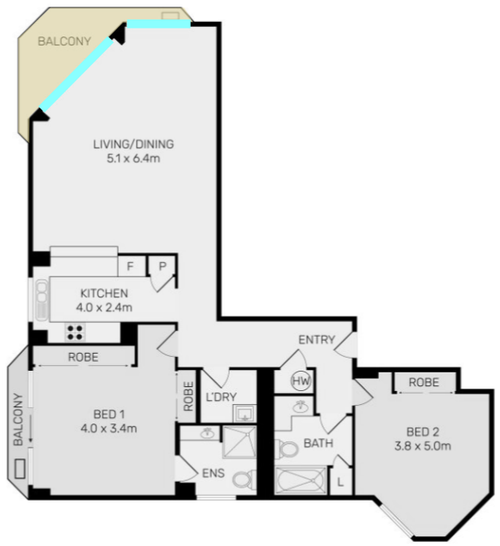
Living Room Windows and Private Open Spaces



Type A



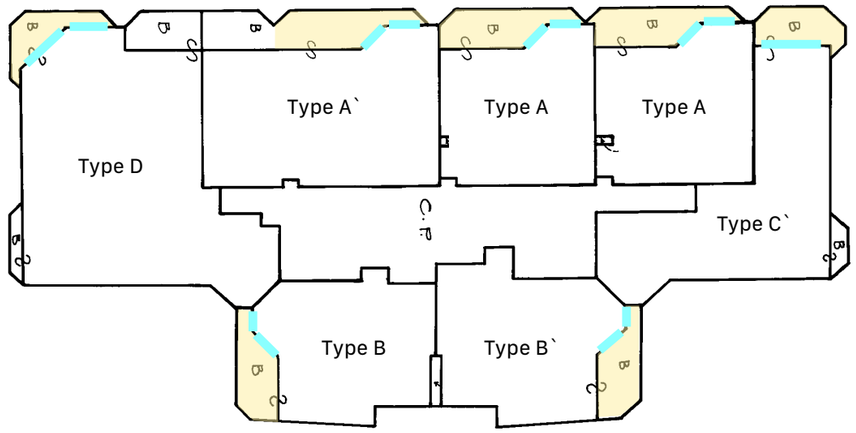
Type B



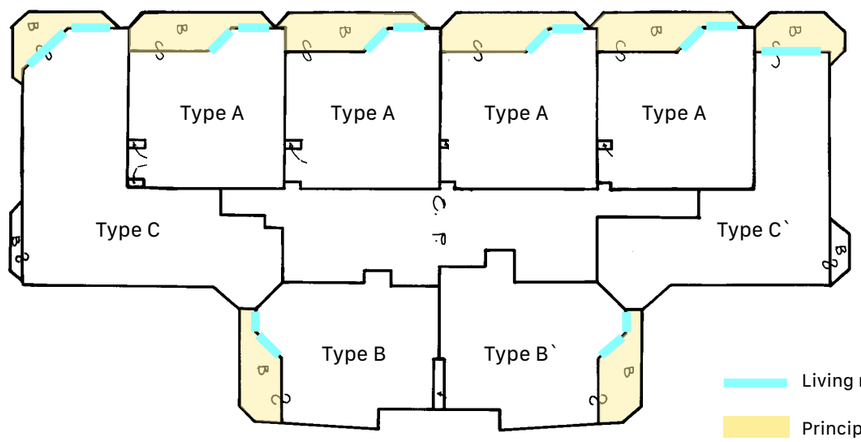
Type C



Type D



Level 22 (7 apartments / floor)



Level 7-21 (8 apartments / floor)

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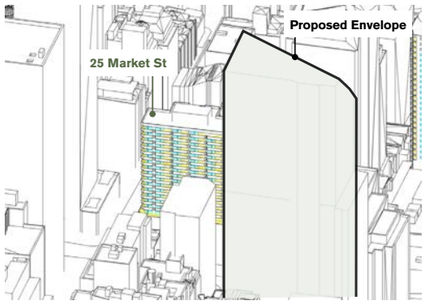
Residential Amenity

Detailed Solar Access Studies 25 Market Street

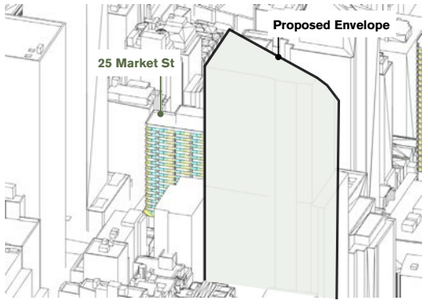
Detailed Sun Eye Views



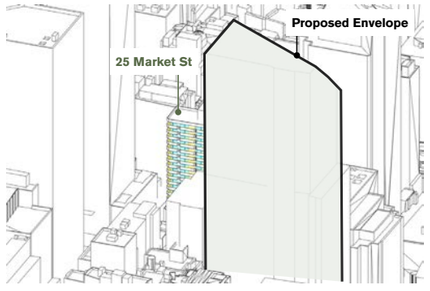
21st June - 1:00pm



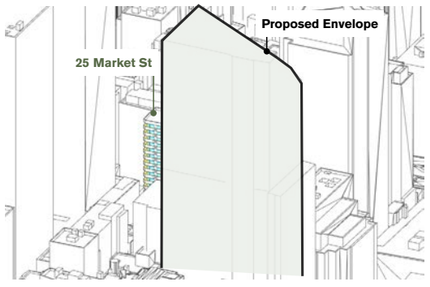
21st June - 1:15pm



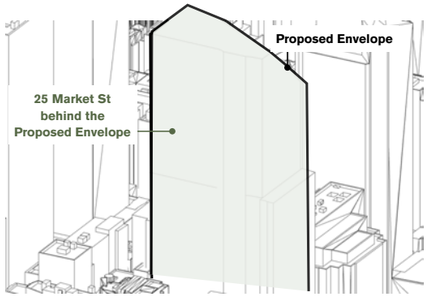
21st June - 1:30pm



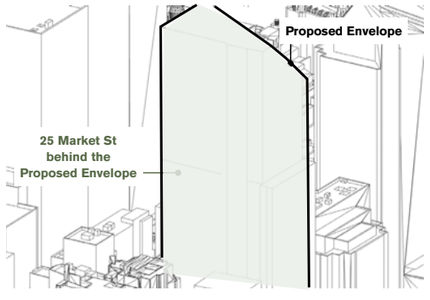
21st June - 1:45pm



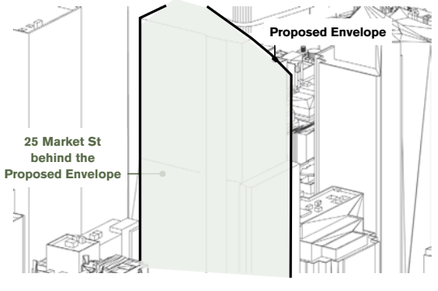
21st June - 2:00pm



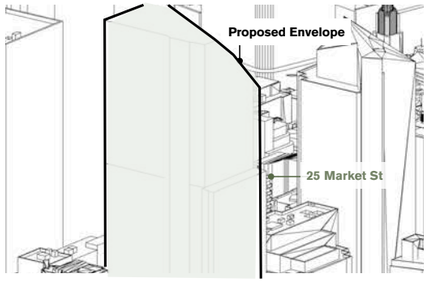
21st June - 2:15pm



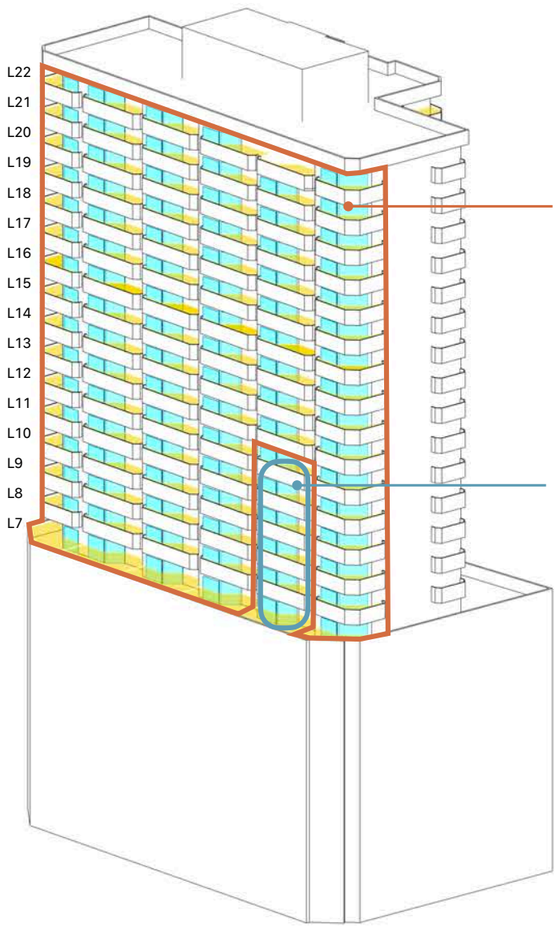
21st June - 2:30pm



21st June - 2:45pm



21st June - 3:00pm



90 apartments still receive **2hrs+** Sun Access with Proposed Envelope, which is **70.4%** of total apartments. **(Comply)**

5 apartments reduced from 2hrs+ to **less than 2hrs** in midwinter.
However, they still receive **1h45m** Sun Access to both living space and balconies after reduction.

Living room windows

Private open space

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Detailed Solar Access Studies 25 Market Street

Sun Eye View Analysis - Existing <-> Proposed

25 Market Street/ Solar Impact Summary

- **5 apartments** reduced from 2hrs+ to **less than 2hrs** in midwinter.
- The impact to those 5 apartments **maintain 1h 45min of sunlight** to the living room and the private open space falling only slightly short of the 2hrs ADG minimum control.
- The impact is very minimal (3.9% of apartments)
- **Proposed solar access** still **comply** with ADG minimum requirement of 70% of total apartment receiving 2hrs sun access.

DCP Clause 5.1.2(6)

*When considering the likely impacts of a development on surrounding developments any adverse impacts on existing private views, visual privacy, solar and daylight access are considered reasonable where compliance with **Section 5.1.1 and 5.1.2(1), (2) and (3)** has been achieved.*

Living Spaces - Existing Solar Access				**Living Spaces - Proposed** Solar Access			
0 H	less than 2H	2H or more	Total units	0 H	less than 2H	2H or more	Total units
32	0	95	127	32	5	90	127
25.2%	0.0%	74.8%		25.2%	3.9%	70.9%	

Balconies - Existing Solar Access				**Balconies - Proposed** Solar Access			
0 H	less than 2H	2H or more	Total units	0 H	less than 2H	2H or more	Total units
32	0	95	127	32	5	90	127
25.2%	0.0%	74.8%		25.2%	3.9%	70.9%	

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Shadow Diagrams

NAO Controls

The site is affected by 'no additional overshadowing controls' for the following public spaces

Sydney Square
Sydney Town Hall Steps
Future Town Hall Square

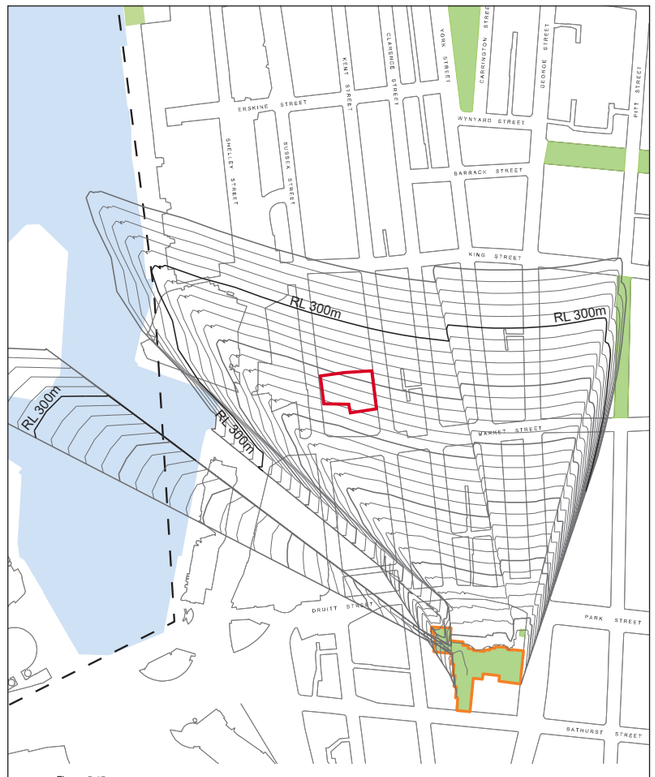

Figure 5.45
Sydney Square No Additional Overshadowing

Protected Space
Edge of Monolith
RL 300m Contour
RL 50m Contours
RL 10m Contours
Contours are indicative only

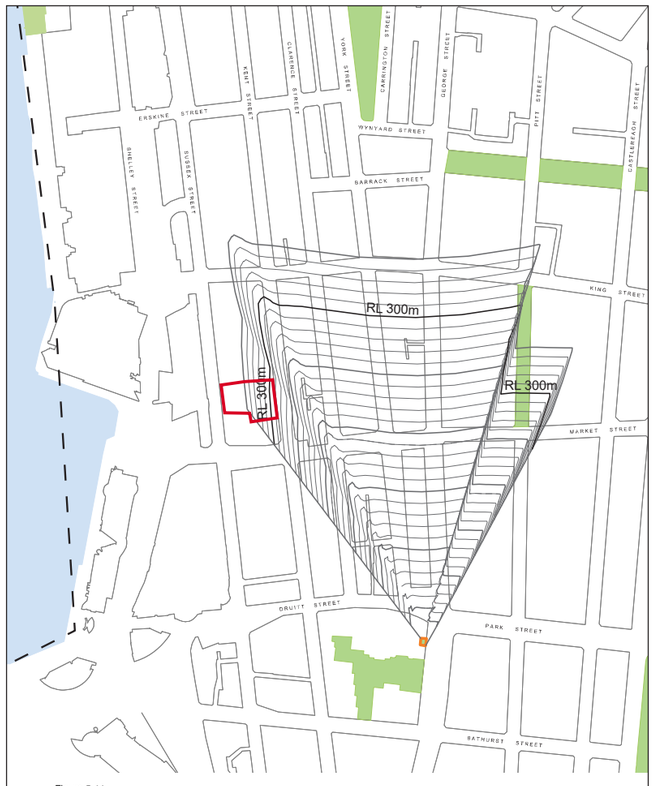

Figure 5.44
Sydney Town Hall Steps No Additional Overshadowing

Protected Space
Edge of Monolith
RL 300m Contour
RL 50m Contours
RL 10m Contours
Contours are indicative only



Figure 5.46
Future Town Hall Square No Additional Overshadowing

Protected Space
Edge of Monolith
RL 300m Contour
RL 50m Contours
RL 10m Contours
Contours are indicative only

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Shadow Diagrams

Methodology

The site is affected by 3 different NAO controls.
Contour maps have been included in the CSPS that provide a guide on maximum achievable building heights for sites affected by these NAOs.

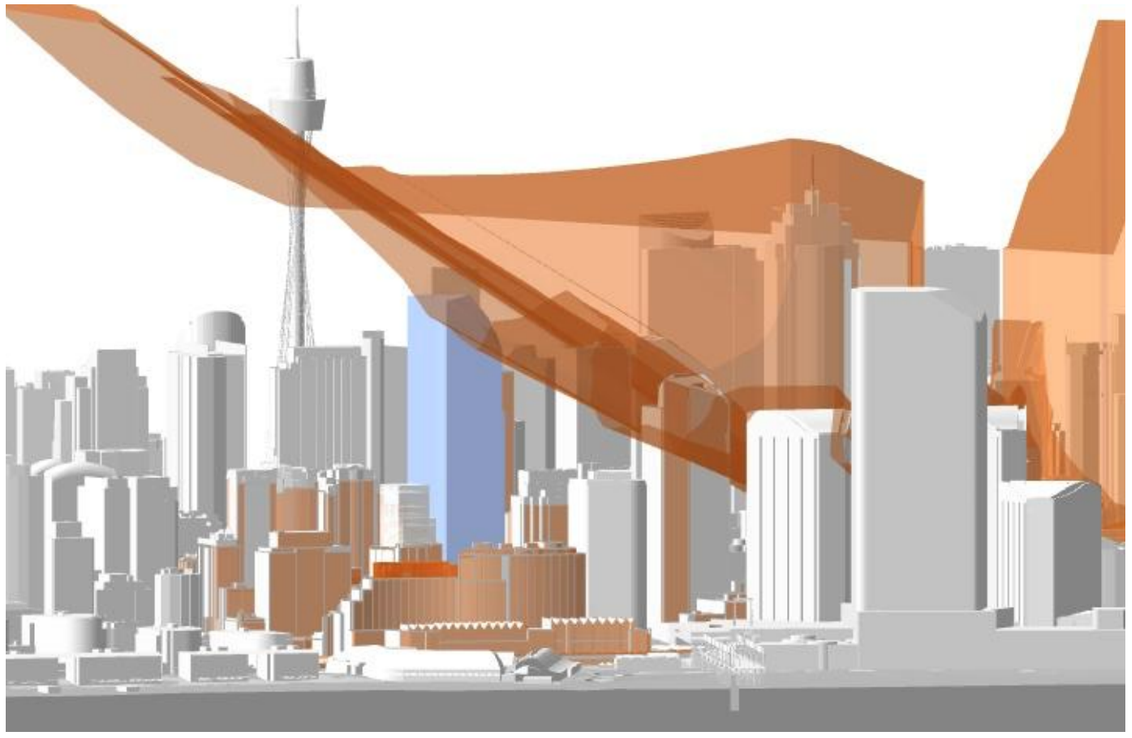
Additionally, COS provided a fully modelled and complex NAO plane with all relevant existing buildings.
The plane was provided as a 3d model as part of the 383 Kent Street IDE file.

The NAO was used as a cutting plane to define the top of the envelope ensuring that no elements would protrude the protective plane and no additional overshadowing would be caused by the proposed envelope.

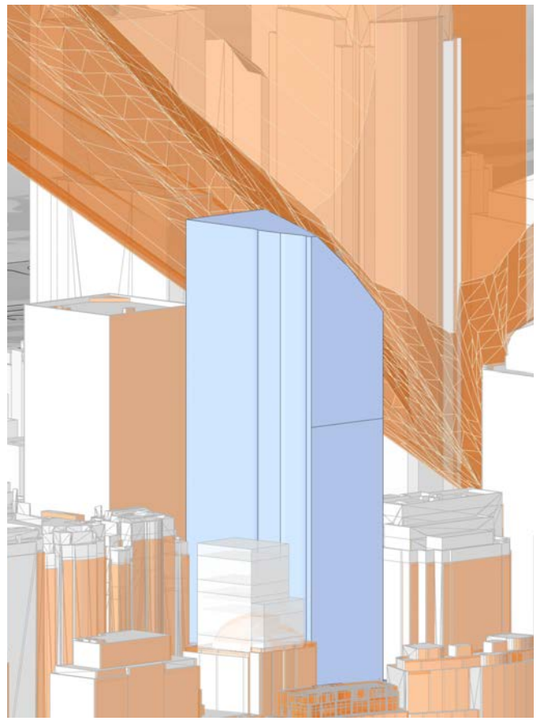
The proposed envelope sits below this NAO.

Shadow impacts were studied between sunrise (7.10am) and sunset (4.50pm) at winter solstice (21 June)

The shadow diagrams demonstrate that the proposed envelope for 383 Kent Street will not cause any additional overshadowing to the protected spaces.



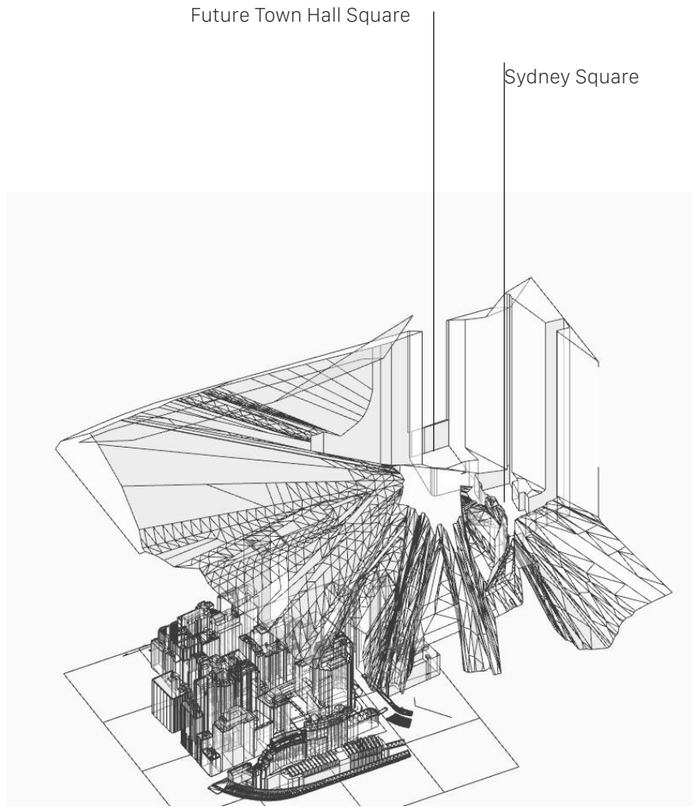
/ 3D Model with NAO plane (orange) and 383 Kent Street envelope (in blue)



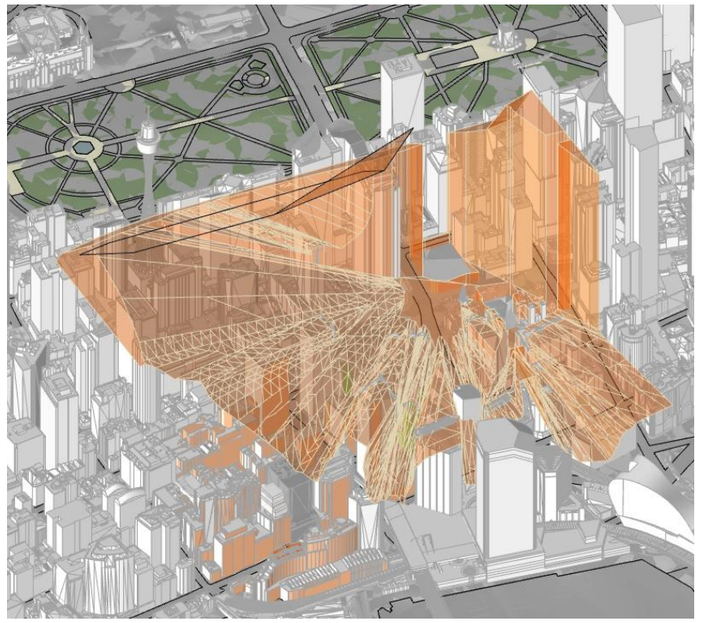
/ 383 Kent Street envelope (in blue) cut off by NAO (orange)

Shadow Diagrams

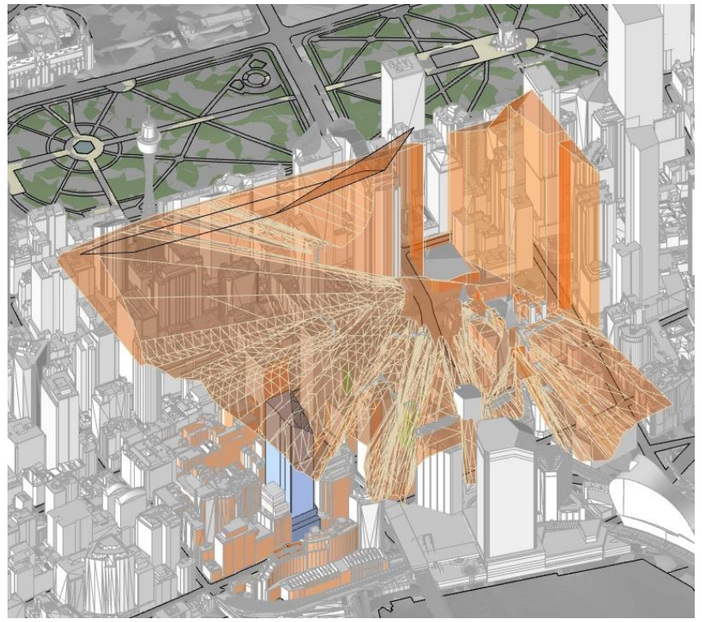
NAO



/ NAO plane provided



/ NAO plane inserted into existing model



/ Model with NAO plane and proposed envelope

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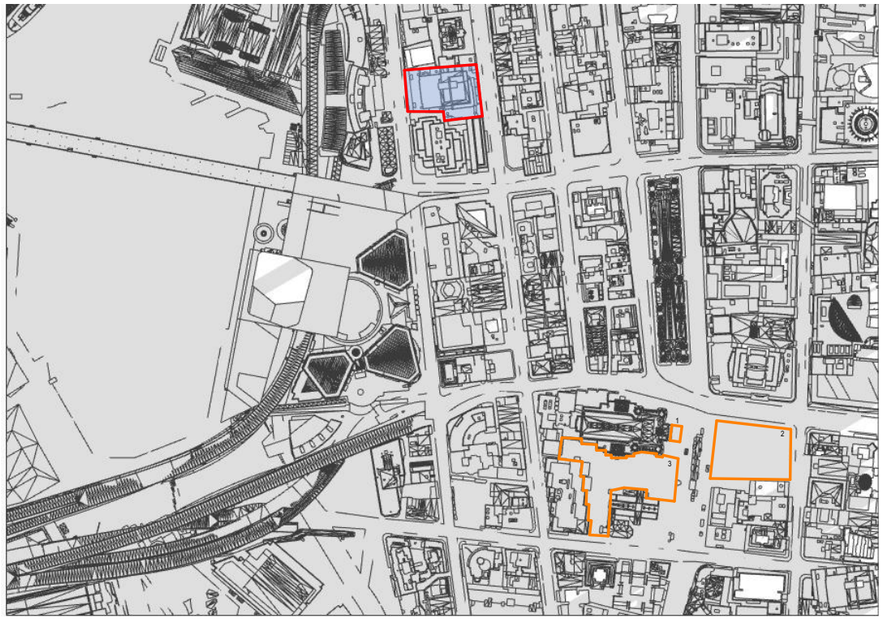
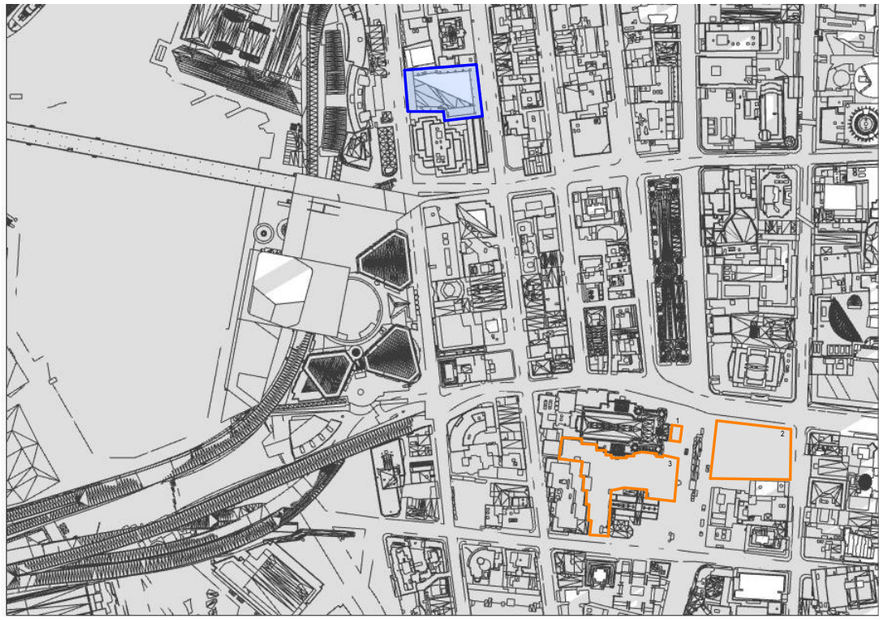
Shadow Diagrams

Winter Solstice - 7.10am(sunrise) & 8am



1 PLAN 7.10am 383 KS (e)
EXISTING



2 PLAN 7.10am 383 KS (p)
PROPOSED

NO ADDITIONAL OVERSHADOWING TO SYDNEY SQUARE, FUTURE TOWN HALL SQUARE & TOWN HALL STEPS

LEGEND

1 TOWN HALL STEPS

2 FUTURE TOWN HALL SQUARE

3 SYDNEY SQUARE

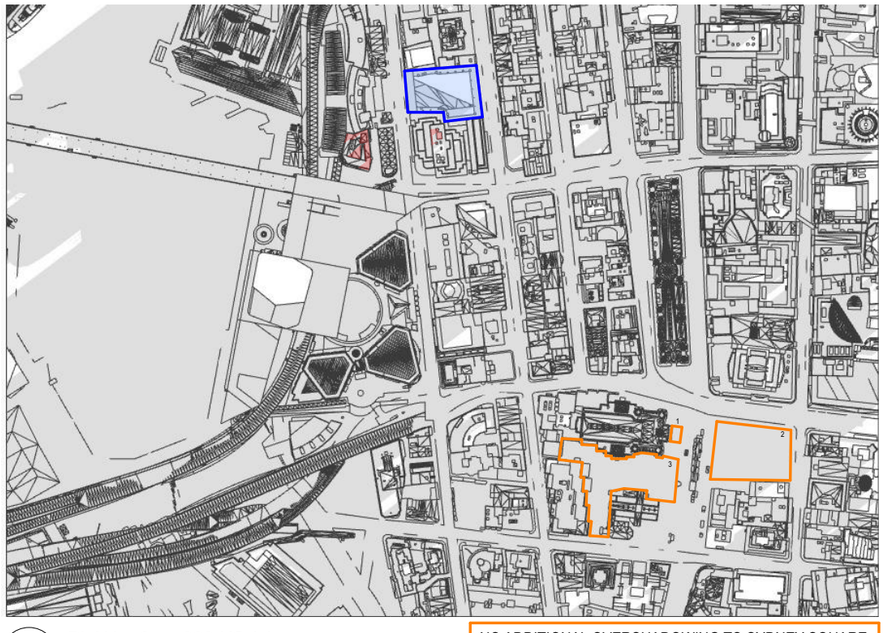
383 KENT STREET EXISTING BUILDING

383 KENT STREET PRPOSED ENVELOPE

ADDITIONAL OVERSHADOWING FROM PROPOSED ENVELOPE



1 PLAN 8am 383 KS (e)
EXISTING



2 PLAN 8am 383 KS (p)
PROPOSED

NO ADDITIONAL OVERSHADOWING TO SYDNEY SQUARE, FUTURE TOWN HALL SQUARE & TOWN HALL STEPS

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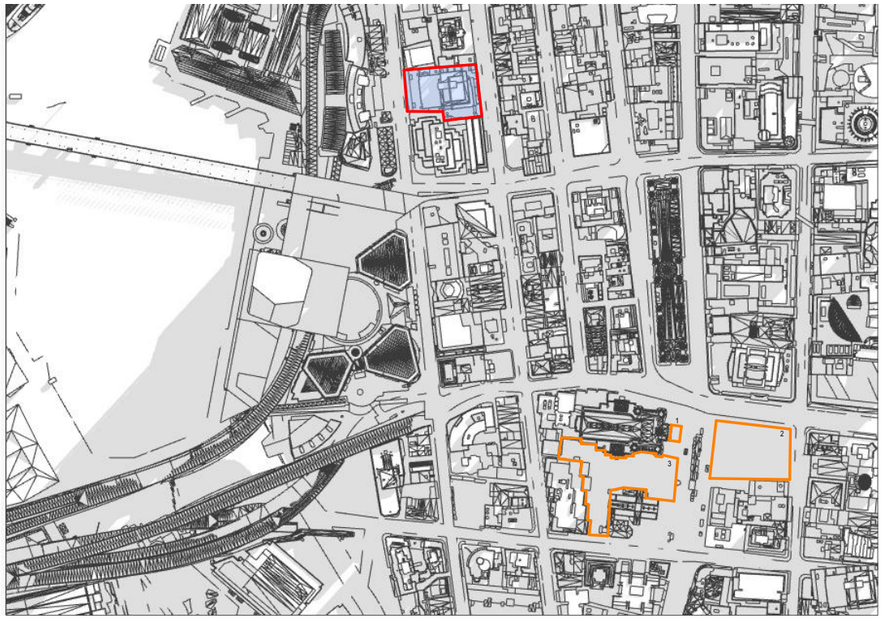
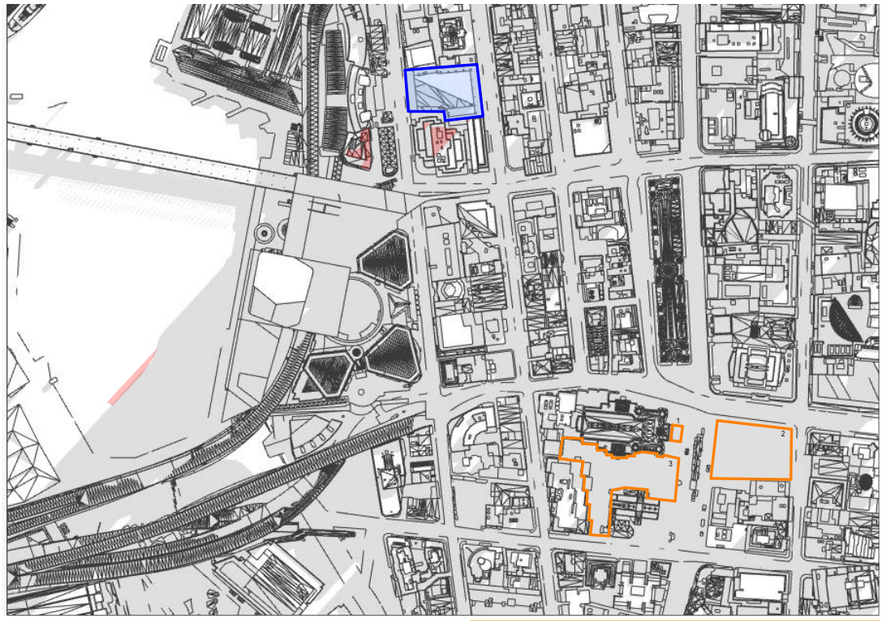
Shadow Diagrams

Winter Solstice - 9am & 10am



1 PLAN 9am 383 KS (e)
EXISTING



2 PLAN 9am 383 KS (p)
PROPOSED

NO ADDITIONAL OVERSHADOWING TO SYDNEY SQUARE, FUTURE TOWN HALL SQUARE & TOWN HALL STEPS

LEGEND

1 TOWN HALL STEPS

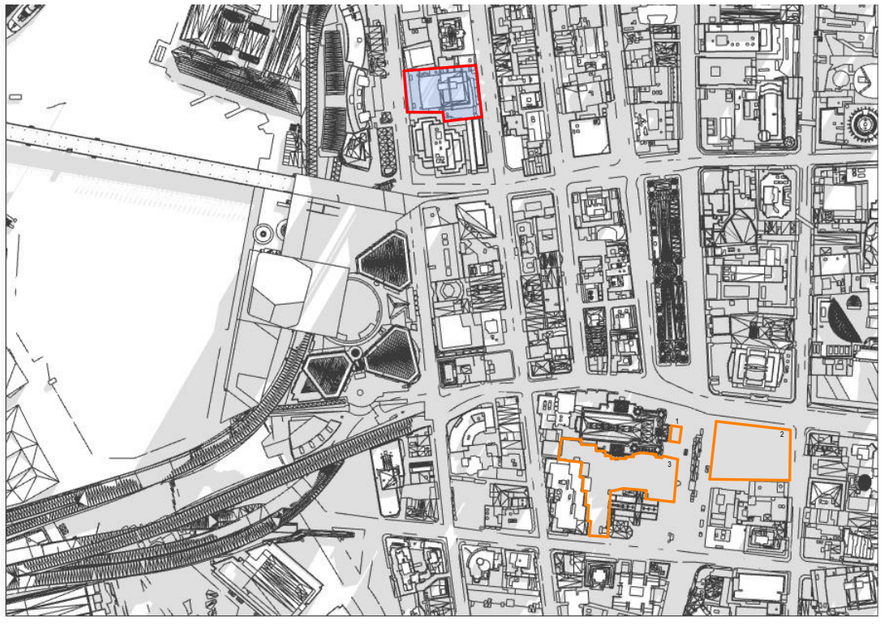
2 FUTURE TOWN HALL SQUARE

3 SYDNEY SQUARE

383 KENT STREET EXISTING BUILDING

383 KENT STREET PRPOSED ENVELOPE

ADDITIONAL OVERSHADOWING FROM PROPOSED ENVELOPE



1 PLAN 10am 383 KS (e)
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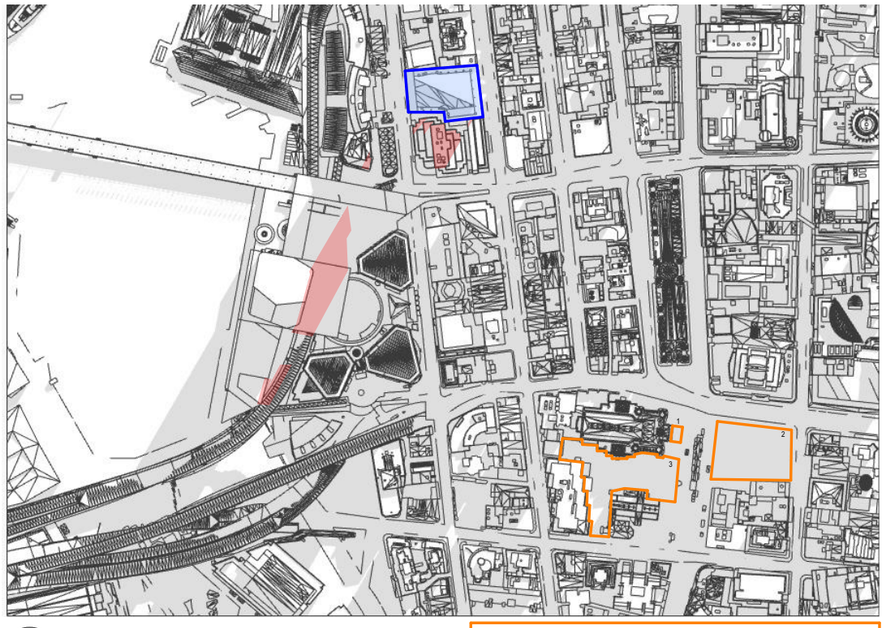

2 PLAN 10am 383 KS (p)
PROPOSED

NO ADDITIONAL OVERSHADOWING TO SYDNEY SQUARE, FUTURE TOWN HALL SQUARE & TOWN HALL STEPS

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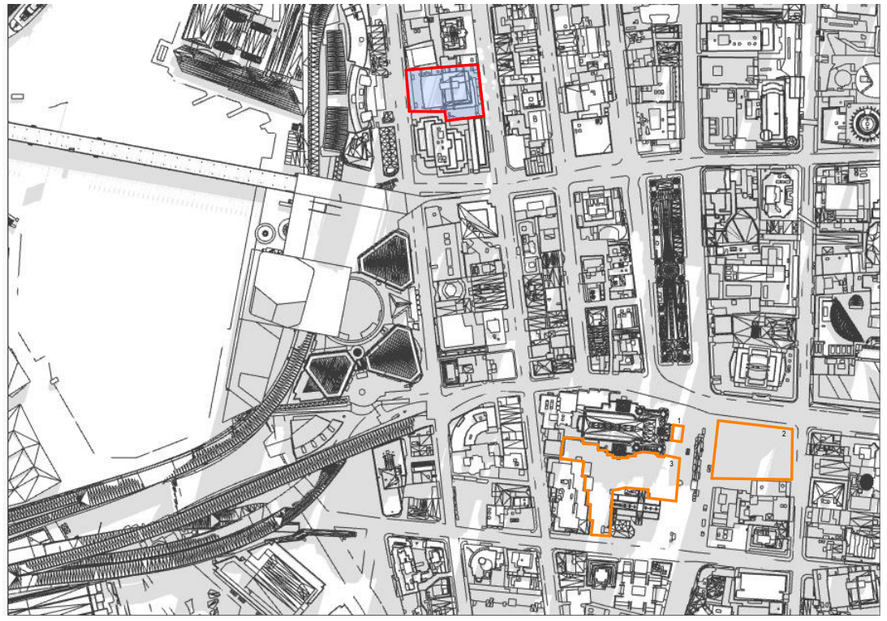
Shadow Diagrams

Winter Solstice - 11am & 12pm



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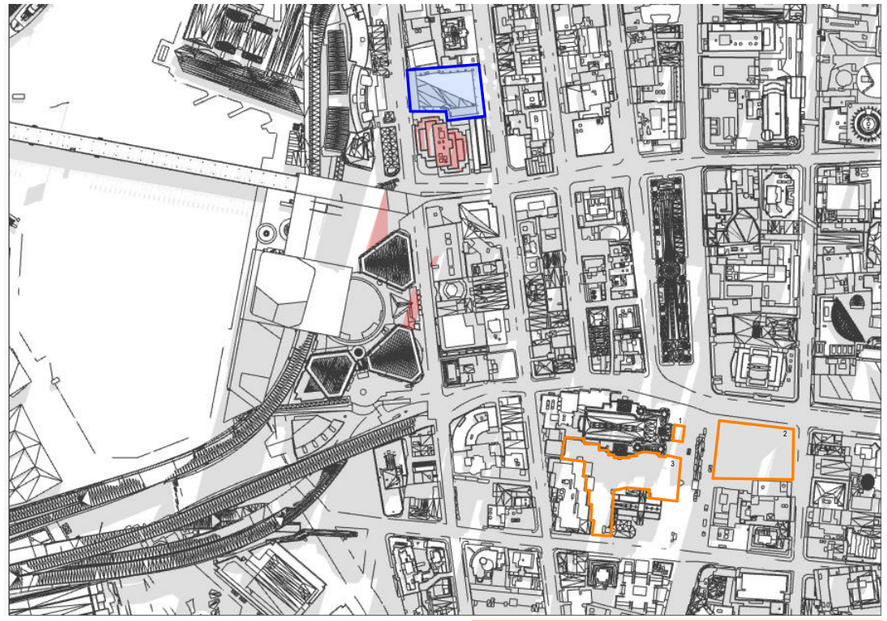
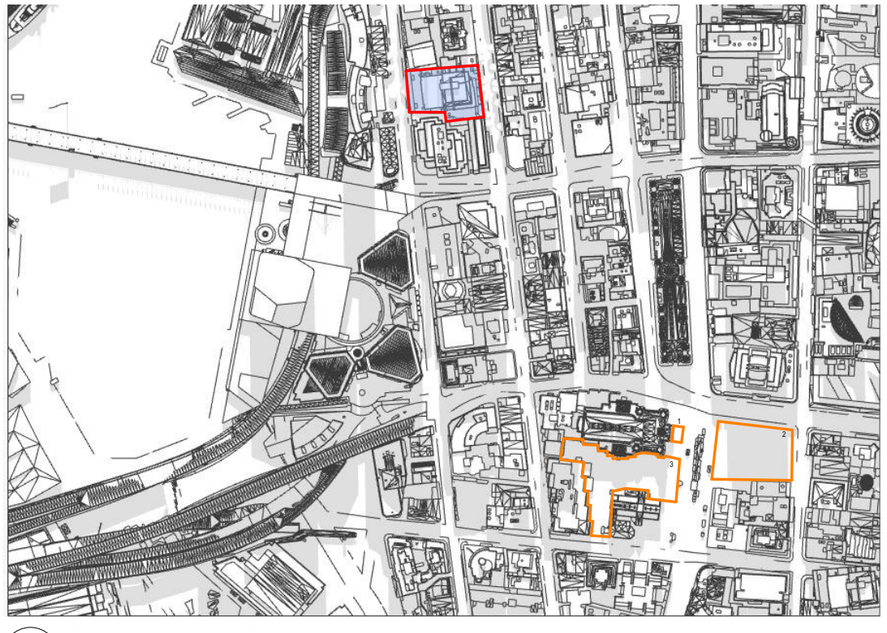


2 PLAN 11am 383 KS (p)
PROPOSED

NO ADDITIONAL OVERSHADOWING TO SYDNEY SQUARE, FUTURE TOWN HALL SQUARE & TOWN HALL STEPS



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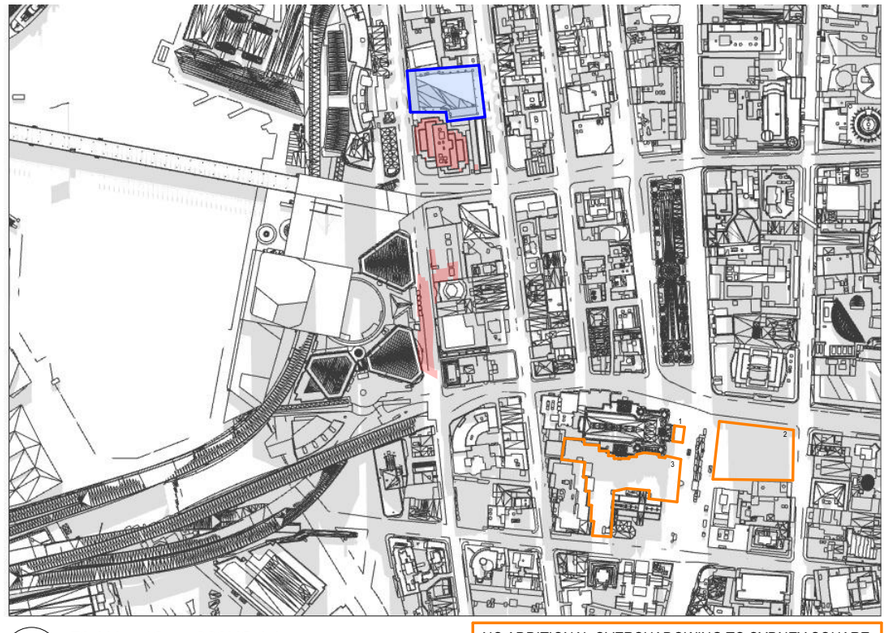
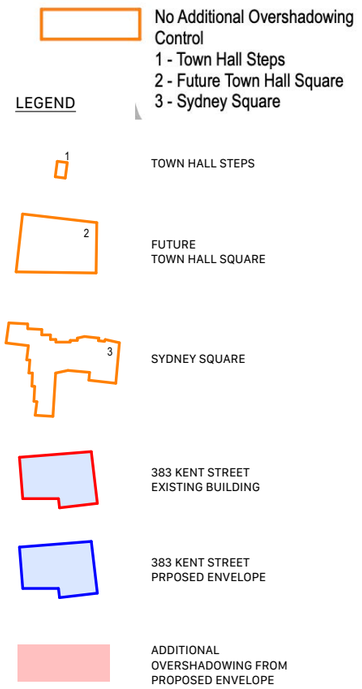


2 PLAN 12pm 383KS (p)
PROPOSED

NO ADDITIONAL OVERSHADOWING TO SYDNEY SQUARE, FUTURE TOWN HALL SQUARE & TOWN HALL STEPS

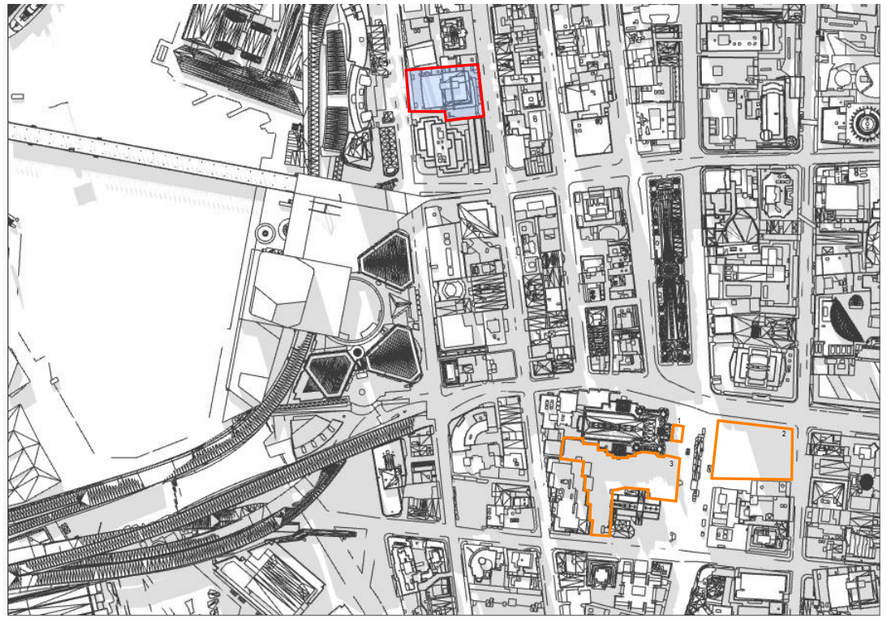


fjcstudio
formerly fjmtstudio

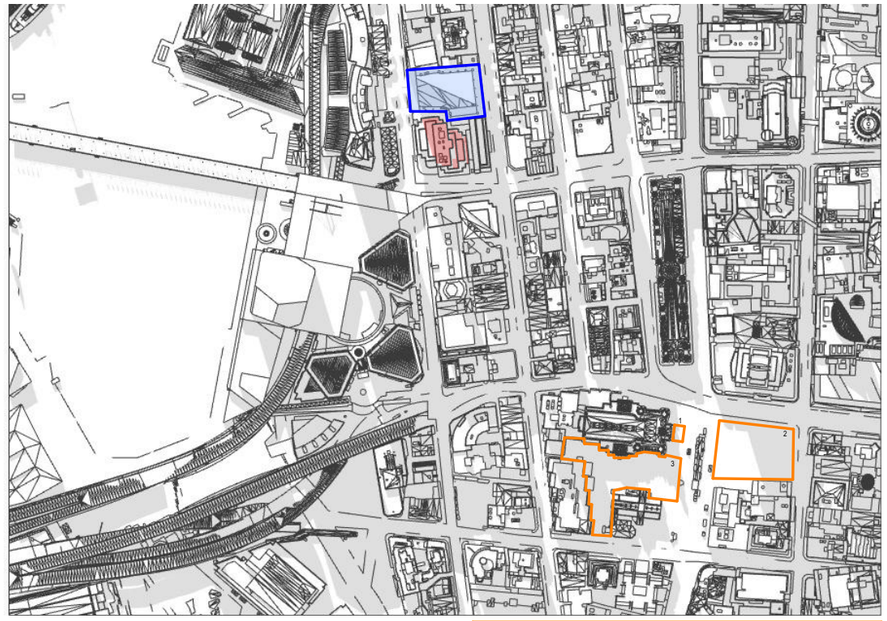
AC

Shadow Diagrams

Winter Solstice - 1pm & 2pm



1 PLAN 1pm 383 KS(e)
EXISTING



2 PLAN 1pm 383KS (p)
PROPOSED

NO ADDITIONAL OVERSHADOWING TO SYDNEY SQUARE, FUTURE TOWN HALL SQUARE & TOWN HALL STEPS

LEGEND

1 TOWN HALL STEPS

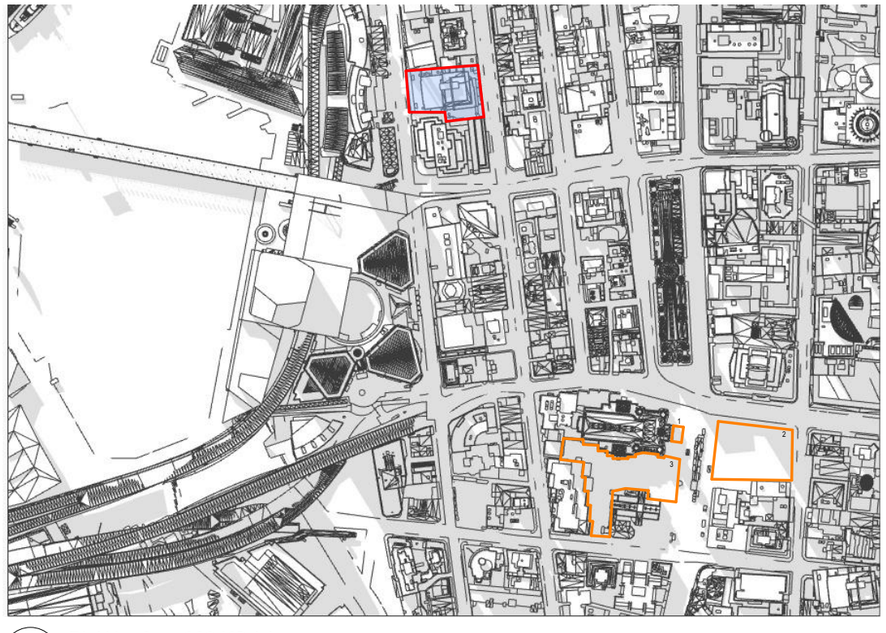
2 FUTURE TOWN HALL SQUARE

3 SYDNEY SQUARE

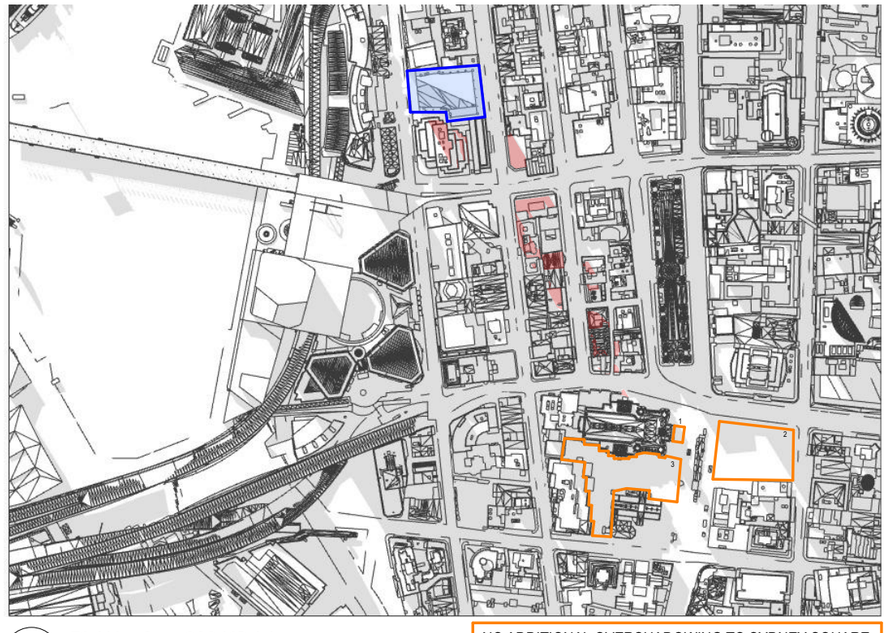
383 KENT STREET EXISTING BUILDING

383 KENT STREET PRPOSED ENVELOPE

ADDITIONAL OVERSHADOWING FROM PROPOSED ENVELOPE



1 PLAN 2pm 383 KS (e)
EXISTING



2 PLAN 2pm 383 KS (p)
PROPOSED

NO ADDITIONAL OVERSHADOWING TO SYDNEY SQUARE, FUTURE TOWN HALL SQUARE & TOWN HALL STEPS

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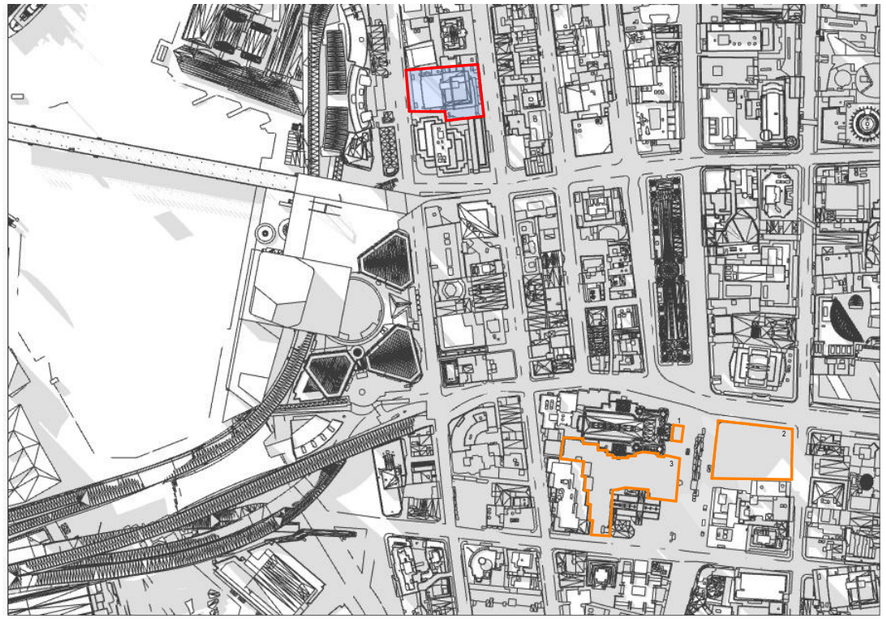
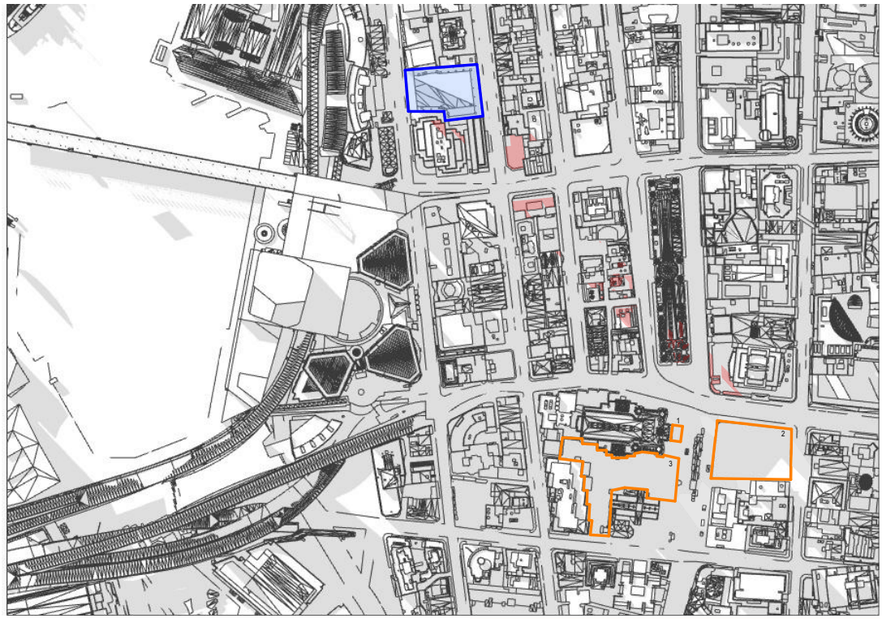
Shadow Diagrams

Winter Solstice - 3pm & 4pm



1 PLAN 3pm 383 KS (e)
EXISTING UNDER NAO



2 PLAN 3pm 383 KS (p)
PROPOSED UNDER NAO

NO ADDITIONAL OVERSHADOWING TO SYDNEY SQUARE, FUTURE TOWN HALL SQUARE & TOWN HALL STEPS

LEGEND

1 TOWN HALL STEPS

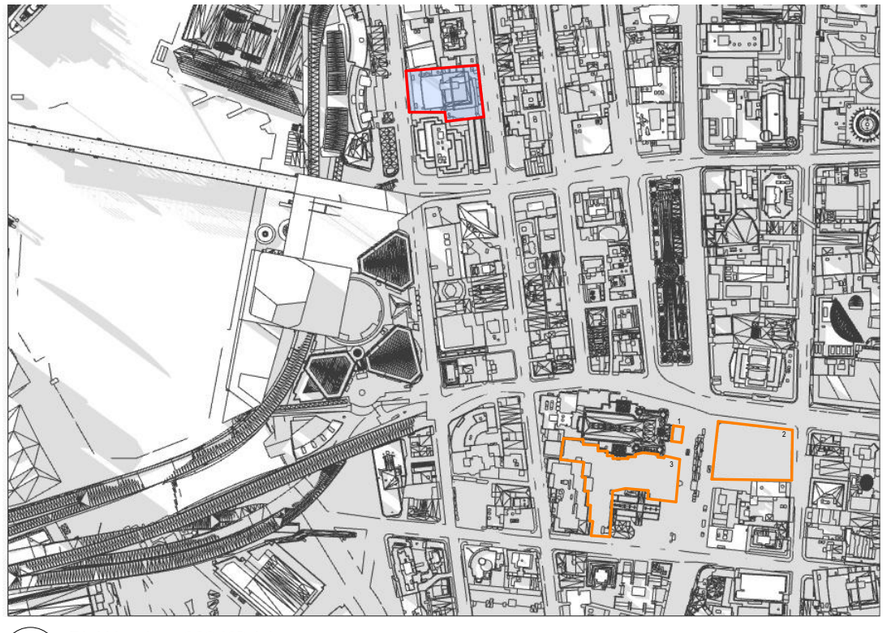
2 FUTURE TOWN HALL SQUARE

3 SYDNEY SQUARE

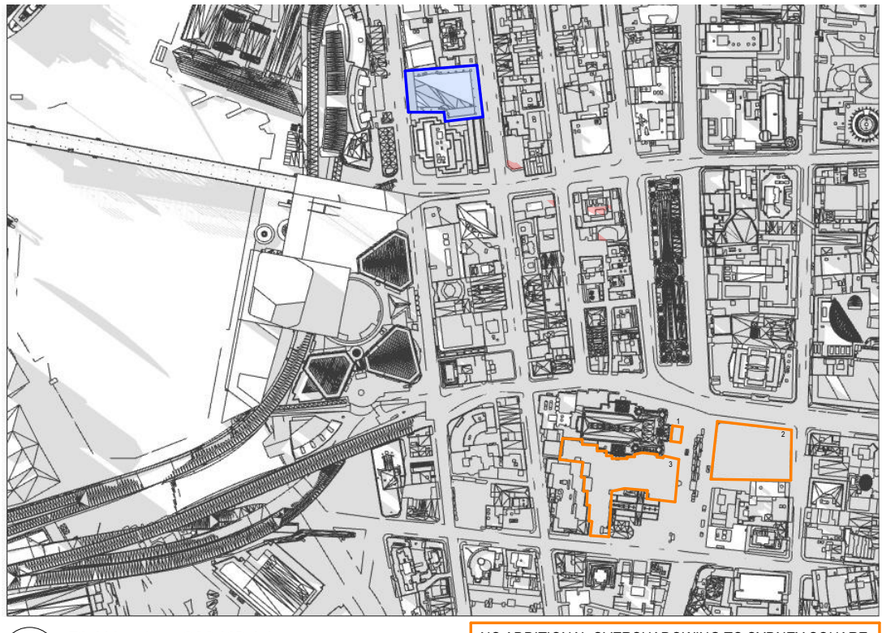
383 KENT STREET EXISTING BUILDING

383 KENT STREET PRPOSED ENVELOPE

ADDITIONAL OVERSHADOWING FROM PROPOSED ENVELOPE



1 PLAN 4pm 383 KS (e)
EXISTING



2 PLAN 4pm 383 KS (p)
PROPOSED

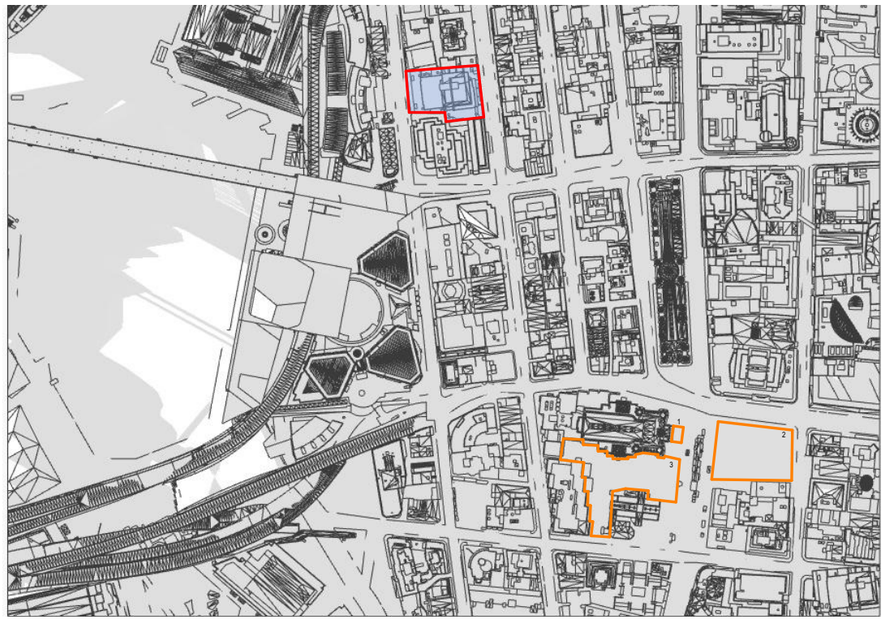
NO ADDITIONAL OVERSHADOWING TO SYDNEY SQUARE, FUTURE TOWN HALL SQUARE & TOWN HALL STEPS

fjcstudio
formerly fjmtstudio

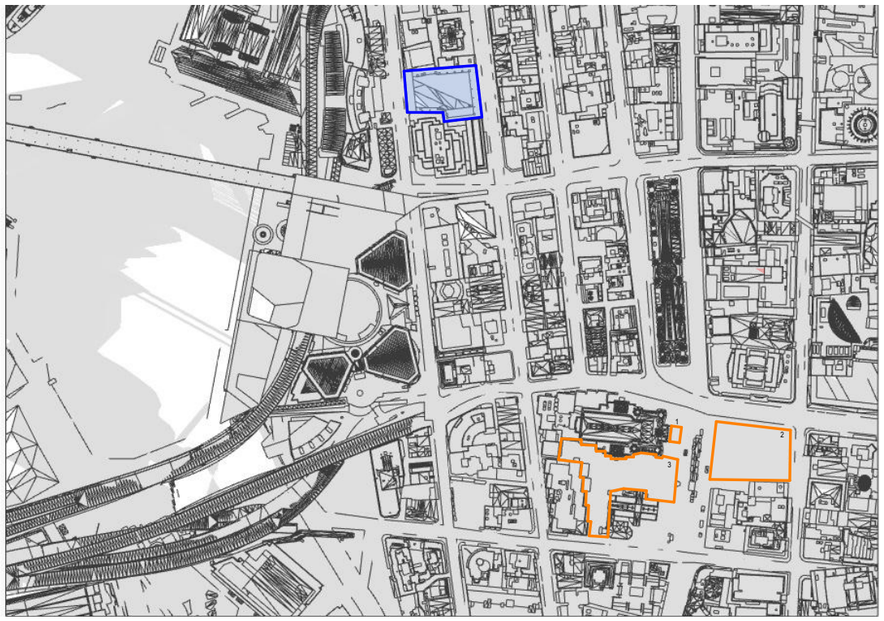
AE

Shadow Diagrams

Winter Solstice - 4.50pm (sunset)



1 PLAN 4.50pm (sunset) 383 KS (e)
EXISTING



2 PLAN 4.50pm (sunset) 383 KS (p)
PROPOSED

NO ADDITIONAL OVERSHADOWING TO SYDNEY SQUARE, FUTURE TOWN HALL SQUARE & TOWN HALL STEPS

LEGEND

1 TOWN HALL STEPS

2 FUTURE TOWN HALL SQUARE

3 SYDNEY SQUARE

383 KENT STREET EXISTING BUILDING

383 KENT STREET PRPOSED ENVELOPE

ADDITIONAL OVERSHADOWING FROM PROPOSED ENVELOPE

2030

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Attachment A4

Detailed Site Survey

NOTES:

- THESE NOTES AND LEGEND (IF SHOWN) FORM PART OF THE PLAN AND SURVEY AND MUST REMAIN WITH THE PLAN IN ANY REPRODUCTION IN WHOLE OR PART.
- THE CAD FILE USES METRES AS ITS BASE UNIT AND IS IN A "GROUND" COORDINATE SYSTEM. IF THE SURVEY IS STATED AS MGA, ANY POINT IN THE FILE WILL BE AN APPROXIMATE MGA COORDINATE.
- SOME SYMBOLS REPRESENTING PHYSICAL STRUCTURES SUCH AS POWER POLES AND PITS ARE DIAGRAMMATIC ONLY AND DO NOT NECESSARILY REPRESENT THE ACTUAL SIZE AND EXTENT OF THESE FEATURES.
- THE SURVEY INFORMATION SHOWN HERE WAS PREPARED FOR A SPECIFIC PURPOSE FOR THE CLIENT SHOWN. THIS INFORMATION IS NOT INTENDED TO BE USED FOR ANY OTHER PURPOSE OR BY ANYONE NOT AUTHORISED BY THIS CLIENT.
- BOUNDARY DIMENSIONS AND AREAS HAVE BEEN DETERMINED BY CURRENT CADASTRAL SURVEY AND THE BOUNDARY AND EASEMENT LINES IN THE ELECTRONIC FILE HAVE BEEN INCLUDED USING THOSE SURVEYED DIMENSIONS. THE TITLE DIMENSIONS SHOWN ON THE HARD COPY PLAN TAKE PRECEDENCE OVER THE LINES IN THE ELECTRONIC FILE.
- THE TITLE/S TO THE SUBJECT LAND HAS BEEN REVIEWED AND THE POSITION OF ALL EASEMENTS AFFECTING THE LAND ARE SHOWN. THE TERMS OF ANY EASEMENT, RESTRICTION ON THE USE OF LAND OR COVENANT AFFECTING THE LAND HAVE NOT BEEN INVESTIGATED. LEASES AND OTHER NOTATIONS MAY ALSO EXIST WHICH AFFECT THE LAND.
- UNDERGROUND SERVICES OTHER THAN THOSE SHOWN HAVE NOT BEEN INVESTIGATED.
  PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION WORK ON THE SITE, THE RELEVANT SERVICE AUTHORITY SHOULD BE CONTACTED TO ESTABLISH DETAILED LOCATION AND DEPTH.
- THIS SURVEY IS LIMITED TO IMPROVEMENTS AND OTHER DETAIL WHICH WERE VISIBLE AND ACCESSIBLE AT THE TIME OF SURVEY. THE LOCATION OF DETAIL SUCH AS PRIVATE UNDERGROUND SERVICE LINES AND BUILDING FOUNDATIONS WITHIN THE SITE IS UNKNOWN.
- THE COORDINATES WITHIN THIS DRAWING RELATE TO THE DATUM SHOWN IN THE TITLE BLOCK. REFER TO A REGISTERED LAND SURVEYOR FOR FURTHER CLARIFICATION. CAUTION SHOULD BE TAKEN WHEN IMPORTING INFORMATION OBTAINED FROM OTHER SUB-CONSULTANTS OR SOURCES TO ENSURE THAT THE DATA IS ON A MATCHING COORDINATE SYSTEM.
- CONTOURS SHOWN HEREON DEPICT THE GENERAL TOPOGRAPHY ONLY. EXCEPT AT SPOT LEVELS SHOWN, THEY DO NOT NECESSARILY REPRESENT THE EXACT LEVEL AT ANY PARTICULAR POINT.
- CONTOUR INTERVAL 0.5m
- ANY GUTTER, RIDGE, ROOF AND WINDOW DETAILS AND LEVELS SHOWN HAVE BEEN OBTAINED VIA INDIRECT SURVEY METHODS WHERE VISIBLE FROM GROUND LEVEL AND ARE SHOWN ON THIS PLAN IN THEIR APPROXIMATE LOCATION FOR THE PURPOSE OF GENERAL SITE ANALYSIS ONLY.
- ANY TREE CANOPIES, TRUNK DIAMETERS AND HEIGHTS SHOWN ARE APPROXIMATE ONLY AND SHOULD BE VERIFIED BY FURTHER SURVEY WORKS IF CRITICAL TO DESIGN OR SITE ANALYSIS.
- SMALL TREES, SHRUBS, GARDEN FEATURES, PATHWAYS AND OTHER MINOR DETAIL MAY NOT BE SHOWN ON THIS PLAN, FOR THE PURPOSES OF THIS SURVEY.

ORIGIN OF LEVELS: PM 43307
R.L. 16.752 (AHD)

ORIGIN OF MGA 2020 CO-ORDINATES
E.333955.491
N.6250722.208

LEGEND:

FL	FLOOR LEVEL
DCK	DECK
DS	DOOR SILL
PAR	PARAPET
PP	POWER POLE
RF	ROOF
RDG	RIDGE
SGN	ROAD SIGN
SIC	SEWER INSPECTION COVER
TG	TOP OF GUTTER
TP	TOP OF PERGOLA
TK	TOP OF KERB
TOG	TOP OF GRATE
TRW	TOP OF WALL
TF	TOP OF FENCE (GLASS)
VER	VERANDAH
US	UNDERSIDE OF BUILDING
COL	COLUMN
SL	DRAINAGE PIT SURFACE LEVEL
INV	DRAINAGE PIT INVERT LEVEL
VER	VERANDAH
AWN	AWNING
GRW	DENOTES GROUND LEVEL WALL
L5W	DENOTES LEVEL 5 WALL
L6W	DENOTES LEVEL 6 WALL

Comms Pit/Manhole
Drainage Manhole
Electrical Power Pole
Gas Meter
Miscellaneous Manhole
Sewer Vent
Sewer Lamphole
Sign Post
Tree (Canopy spread, trunk diameter, Height)
Water Meter
Water Tap

DANIEL GERARD WILLIAMS
REGISTERED SURVEYOR
BEVERIDGE WILLIAMS
447 KENT STREET, SYDNEY 2000

NOTATIONS SHOWN ON CERTIFICATE OF TITLE LOT 1 D.P.778342
AFFECTING THE LAND: (A) EASEMENT FOR SUPPORT VARIABLE WIDTH BENEFITTING THE SUBJECT LAND (VIDE DP778342) CREATED BY DEALING AA977313 SUBSTATION PREMISES No 7901 IS LOCATED AT BASEMENT 3 & 4. EASEMENTS FOR ELECTRICITY PURPOSES EXIST AT BASEMENT 1 & 4. RIGHTS OF WAY EXIST AT BASEMENT 1, 2 & 3 EASEMENT FOR ELECTRICITY CABLE RISER EXISTS AT BASEMENT 1 & 2 SITE OF SUBSTATION PREMISES, RIGHTS OF WAY AND EASEMENTS FOR ELECTRICITY HAVE NOT BEEN SHOWN FOR CLARITY PURPOSES RESTRICTIONS AS312062, 7246097
THE TERMS AND LOCATIONS OF COVENANTS & RESTRICTIONS HAVE NOT BEEN INVESTIGATED.



VER	BY	AMENDMENTS	DATE
A	V.M	INITIAL ISSUE	30.09.22
B	V.M	TRUE NORTH ADDED	07.10.22
C	D.W	CO-ORDINATES SHIFTED FROM GDA94 TO MGA2020	11.10.22
D			
E			
F			
G			

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www.dialbeforeyoudig.com.au DIAL 1100 BEFORE YOU DIG

CLIENT: Charter Hall Holdings Pty Ltd

Beveridge Williams
Land Development Consultants
Registered Surveyors
Sydney (02) 9283 6677 www.beveridgewilliams.com.au

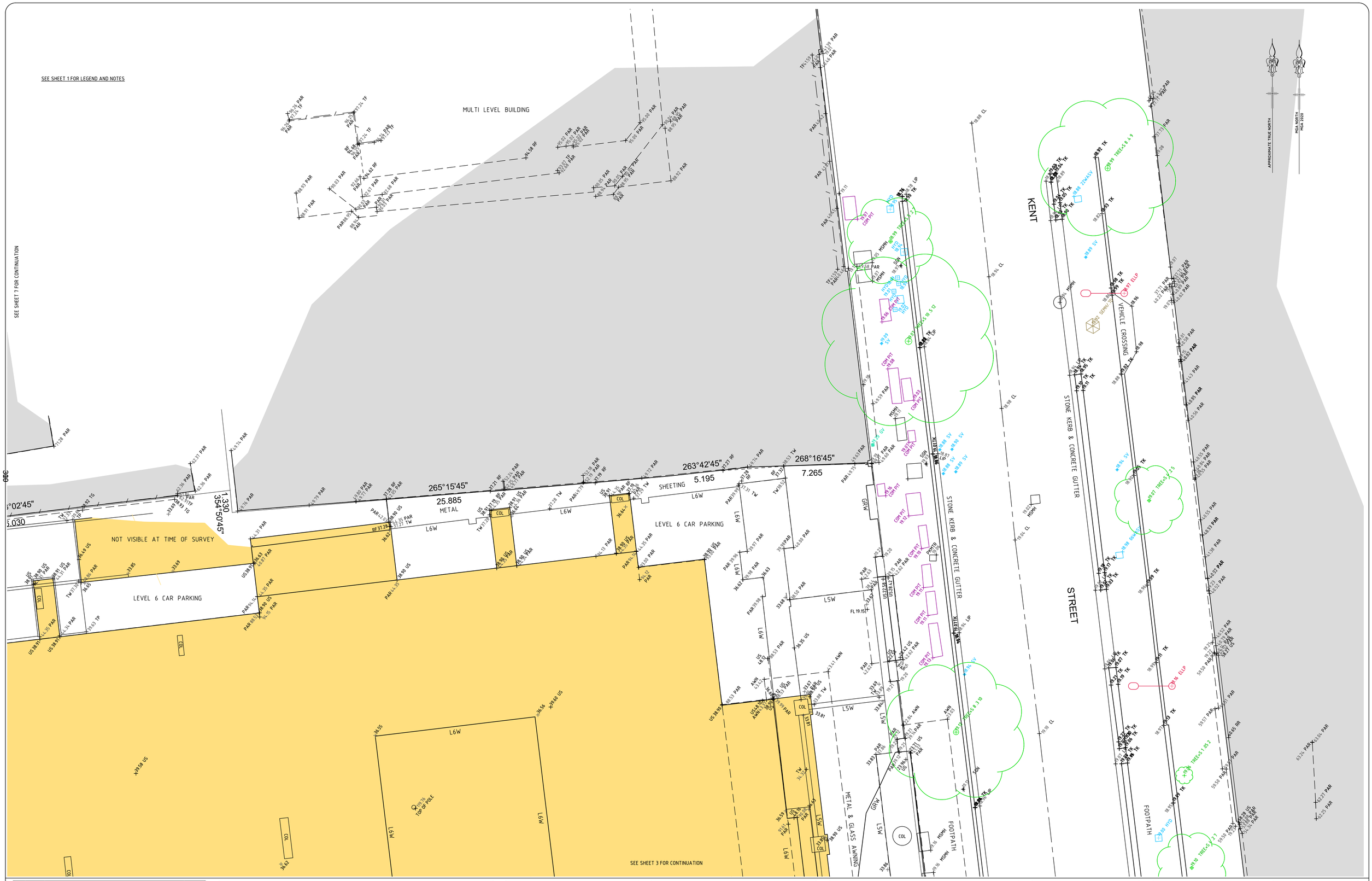
DETAILS:
DETAIL SURVEY PLAN FOR
DEVELOPMENT APPLICATION PURPOSES
LOT 1 DP 778342
383 KENT STREET SYDNEY

ORIGINAL SHEET SIZE A1
SCALE 1:300
CAD REFERENCE: 2201978_DET3D_221011
0 6 12 18
SCALE ON ORIGINAL DRAWING AT 1:300

SURVEYOR:	V.M.
DRAWN:	J.T.
CHECKED:	V.M.
SURVEY DATE:	07.09.2022
VERTICAL DATUM:	AHD
HORIZONTAL DATUM:	MGA 2020

PROJECT No. 2201978
DRAWING REF. DETAIL 3D
VERSION A
SHEET 1 OF 7

300



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383 KENT STREET SYDNEY

ORIGINAL
SCALE 1:100 SHEET SIZE A1
CAD REFERENCE: 2201978_DET3D_221011
0 2 4 6
SCALE ON ORIGINAL DRAWING AT 1:100

SURVEYOR:	V.M.
DRAWN:	J.T.
CHECKED:	V.M.
SURVEY DATE:	07.09.2022
VERTICAL DATUM:	AHD
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PROJECT No. 2201978
DRAWING REF. DETAIL 3D
VERSION A
SHEET 2 OF 7

SEE SHEET 2 FOR CONTINUATION

SEE SHEET 6 FOR CONTINUATION

SEE SHEET 4 FOR CONTINUATION

SEE SHEET 1 FOR LEGEND AND NOTES

LEVEL 6 CAR PARKING

PEBBLE STONE COVERED ROOF

LIFT AND STORAGE

CARPARK EXIT

GROUND MEDIAN STRIP

CARPARK ENTRY

VEHICLE CROSSING

STONE KERB & CONCRETE GUTTER

FOOTPATH

LEVEL 1 WALL

METAL & GLASS AWNING

KENT STREET

BENCH MARK
BOLT IN KERB
R.L.19.005 A.H.D.

APPROXIMATE TRUE NORTH

MGA NORTH
MGA 2020

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PROJECT No. 2201978
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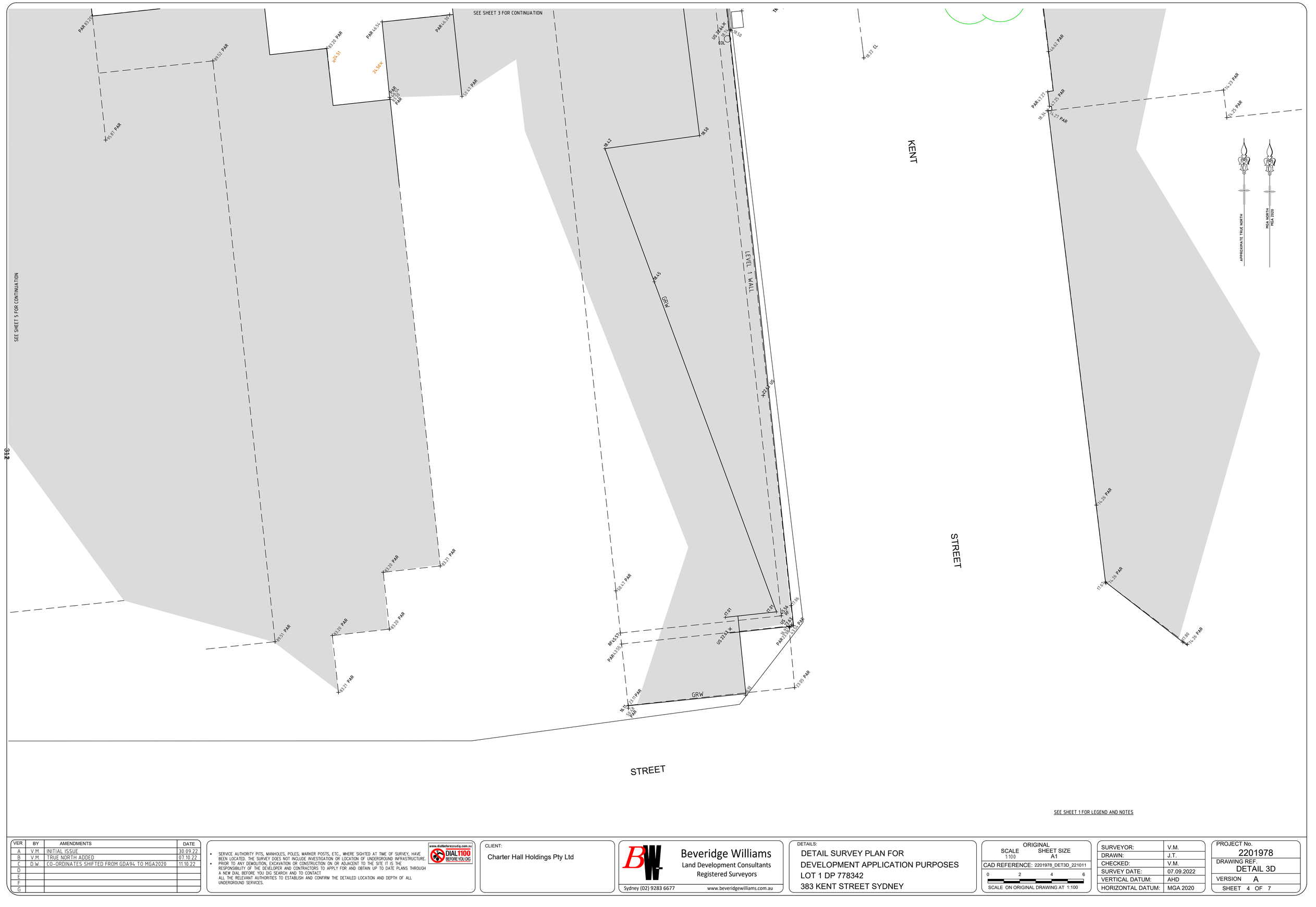
VERSION A
SHEET 3 OF 7



SEE SHEET 1 FOR LEGEND AND NOTES

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PROJECT No.
2201978
DRAWING REF.
DETAIL 3D
VERSION A
SHEET 4 OF 7

SEE SHEET 6 FOR CONTINUATION

SUSSEX STREET

FOOTPATH BELOW

MARKET

APPROXIMATE TRUE NORTH

MGA NORTH
MGA 2020

SEE SHEET 4 FOR CONTINUATION

SEE SHEET 1 FOR LEGEND AND NOTES

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PROJECT No.
2201978
DRAWING REF.
DETAIL 3D
VERSION A
SHEET 5 OF 7

SEE SHEET 7 FOR CONTINUATION

SUSSEX STREET

FOOTPATH BELOW

UPPER WALL

LEVEL 6 CAR PARKING PERGOLA ABOVE

41.64 BY SURVEY
41.66 BY TITLE

353°50'40"

VEHICLE CROSSING

STONE KERB & CONCRETE GUTTER

POST BOXES

BALCONY

GARDEN AREA ABOVE

TIMBER DECK COVERED AREA ABOVE

32.785

271°23'25"

83°14'45"
0.215

APPROXIMATE TRUE NORTH

MGA NORTH
MGA 2020

SEE SHEET 3 FOR CONTINUATION

SEE SHEET 1 FOR LEGEND AND NOTES

SEE SHEET 5 FOR CONTINUATION

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SHEET 6 OF 7

SUSSEX

STREET

APPROXIMATE TRUE NORTH

MGA NORTH
MGA 2020

SEE SHEET 2 FOR CONTINUATION

SEE SHEET 1 FOR LEGEND AND NOTES

SEE SHEET 6 FOR CONTINUATION

NOT VISIBLE AT TI

LEVEL 6 CA

LEVEL 6 CAR PARKING PERGOLA ABOVE

BENCH MARK
BOLT IN KERB
R.L 9.805 A.H.D.

STONE KERB & CONCRETE GUTTER

VEHICLE CROSSING

UPPER WALL

FOOTPATH BELOW

263°02'45"
6.030
265°45'45"
0.420
259°35'45"
6.070
173°56'45"
0.550
173°57'45"

VER	BY	AMENDMENTS	DATE
A	V.M.	INITIAL ISSUE	30.09.22
B	V.M.	TRUE NORTH ADDED	07.10.22
C	D.W.	CO-ORDINATES SHIFTED FROM GDA94 TO MGA2020	11.10.22
D			
E			
F			
G			

- SERVICE AUTHORITY PITS, MANHOLES, POLES, MARKER POSTS, ETC., WHERE SIGHTED AT TIME OF SURVEY, HAVE BEEN LOCATED. THE SURVEY DOES NOT INCLUDE INVESTIGATION OR LOCATION OF UNDERGROUND INFRASTRUCTURE PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION ON OR ADJACENT TO THE SITE IT IS THE RESPONSIBILITY OF THE DEVELOPER AND CONTRACTORS TO APPLY FOR AND OBTAIN UP TO DATE PLANS THROUGH A NEW DIAL BEFORE YOU DIG SEARCH AND TO CONTACT ALL THE RELEVANT AUTHORITIES TO ESTABLISH AND CONFIRM THE DETAILED LOCATION AND DEPTH OF ALL UNDERGROUND SERVICES.

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CLIENT:
Charter Hall Holdings Pty Ltd

Beveridge Williams
Land Development Consultants
Registered Surveyors
Sydney (02) 9283 6677
www.beveridgewilliams.com.au

DETAILS:
DETAIL SURVEY PLAN FOR
DEVELOPMENT APPLICATION PURPOSES
LOT 1 DP 778342
383 KENT STREET SYDNEY

ORIGINAL
SCALE 1:100
SHEET SIZE A1
CAD REFERENCE: 2201978_DET3D_221011
0 2 4 6
SCALE ON ORIGINAL DRAWING AT 1:100

SURVEYOR:	V.M.
DRAWN:	J.T.
CHECKED:	V.M.
SURVEY DATE:	07.09.2022
VERTICAL DATUM:	AHD
HORIZONTAL DATUM:	MGA 2020

PROJECT No.
2201978
DRAWING REF.
DETAIL 3D
VERSION A
SHEET 7 OF 7

Attachment A5

Draft Site Specific Development Control Plan as suggested by proponent

Site Specific Development Control Plan

383 Kent Street, Sydney

Submitted to the City of Sydney
on behalf of Charter Hall Holdings Pty Ltd

Ethos Urban

Prepared by Ethos Urban

21 February 2024 | 2200484

The Purpose of this Development Control Plan

The purpose of this Site Specific Development Control Plan (site-specific DCP) is to amend the *Sydney Development Control Plan 2012*, which was adopted by Council on 14 May 2012 and came into effect on 14 December 2012.

The amendment provides objectives and provisions to inform future development at 383 Kent Street, Sydney and should be read in conjunction with the Planning Proposal: 383 Kent Street, Sydney.

Citation

This amendment may be referred to as *Sydney Development Control Plan 2012 – 383 Kent Street, Sydney*.

Land covered by this plan

This land applies to the land identified as 383 Kent Street, Sydney which is legally described as Lot 1 in DP 778342.

Relationship of this plan to Sydney Development Control Plan 2012

This plan amends the *Sydney Development Control Plan 2012* in the manner set out in Schedule 1 below.

Schedule 1 – Amendment to the Sydney Development Control Plan 2012

Figure 6.1 Specific sites map

Amend Figure 6.1: Specific sites map to include 383 Kent Street, Sydney.

Amendment to Section 6.3

Insert a new sub-section at the end of Section 6.3 containing all text and figures as shown below.

6.3.# 383 Kent Street, Street, Sydney

The following objectives and provisions apply to 383 Kent Street, Sydney as shown in 'Figure 6.1: Specific Sites map', where the relevant provisions of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) are implemented. All other relevant provisions of this DCP apply.

Clause 6.## of the Sydney LEP 2012 enables development to exceed the floor space ratio shown in the floor space ratio map up to a prescribed amount, providing the subject site is developed for commercial uses.

If a development at 383 Kent Street, Sydney, seeks to utilise additional floor space ratio permitted by clause 6.## of the Sydney LEP 2012, then the provisions in this section also apply to the assessment of the proposed development and override other provisions in this DCP where there is an inconsistency.

Objectives

a. Provide detailed controls to satisfy the provisions of Clause 6.## 383 Kent Street, Sydney in Sydney LEP 2012.
b. To ensure that the building is of appropriate bulk and scale for its Central Sydney location within the western corridor.
c. To create a high quality urban outcome that:
    i. Respects the dual frontage nature of the locality, in particular ensuring activation of both Kent Street and Sussex Streets;
    ii. Maintains daylight and sunlight in streets and public spaces;
    iii. Manages the wind impacts of development on streets and other public spaces so that they are safe and comfortable for people;
    iv. Ensures the podium responds appropriately to the existing streetscape including nearby heritage buildings;
    v. Ensures new development provides appropriate setbacks above the street frontage;
    vi. Ensures that occupants have adequate access to daylight and outlook by providing appropriate separation from surrounding buildings;
    vii. Achieves unity in design and connection of both site frontages by a publicly accessibly through-site link that is activated by retail and partially open for natural daylight; and
    viii. Respects the scale and character of development along Kent and Sussex Streets.
d. To define a building massing envelope which will allow commercial office floor plates whilst allowing sufficient flexibility within its volume for a building to achieve design excellence.
e. To provide for a commercial building that meets high performance benchmarks for ecologically sustainable development.
f. To provide for a Kent Street Logistics Hub, accessed from Sussex Street, that provides a facility that can service nearby local retailers and other commercial tenants to support local logistic movements whilst reducing pedestrian and vehicle conflicts at the streetscape.
g. To ensure that development exhibits design excellence, considering its opportunity to be viewed as part of the western edge of the Sydney CBD skyline.
h. Incorporate high-quality public art.

Provisions

6.3.#.1 Maximum Building Envelope

Objectives

a) Ensure development provides a strongly defined podium.

b) Ensure development provides:
   - tower setbacks that protect amenity to Kent Street and Sussex Street;
   - sufficient setbacks from side boundaries that all maintenance can occur within the site boundaries and provides for visual separation between the subject tower and existing and future towers on adjoining sites.

c) Determine the maximum planning envelope that respects the local context and achieves acceptable levels of solar access, wind comfort and daylight, including daylight to the through site links.

d) Ensure the building is appropriately massed within the planning envelope.

Provisions

1. Building massing, height, footprint and setbacks are to be consistent with 'Figure 6.XX – envelope massing'. The envelope detailed in 'Figure 6.XX – Envelope massing' is the maximum permissible extent of the building form, and the final building design must be appropriately massed wholly within this envelope.
2. The maximum building height is to be RL189.80 (180m), in accordance with 'Figure 6.XX – envelope massing'.
3. The maximum street wall height to Kent Street is not to exceed RL 46.2m.
4. The maximum street wall height to Sussex Street is not to exceed RL 34.8m.
5. Setbacks are to be consistent with 'Figure 6.XX – Minimum building setbacks', Figure 6.XX – Minimum lower podium building setbacks', 'Figure 6.XX – Minimum upper podium building setbacks' and 'Figure 6.XX – Minimum tower building setbacks'
6. A minimum of 12% of the total tower component envelope area above the podium (the sum of the areas measured in plan at each level) is to be for the purposes of architectural articulation (open areas), sun shading and external walls.

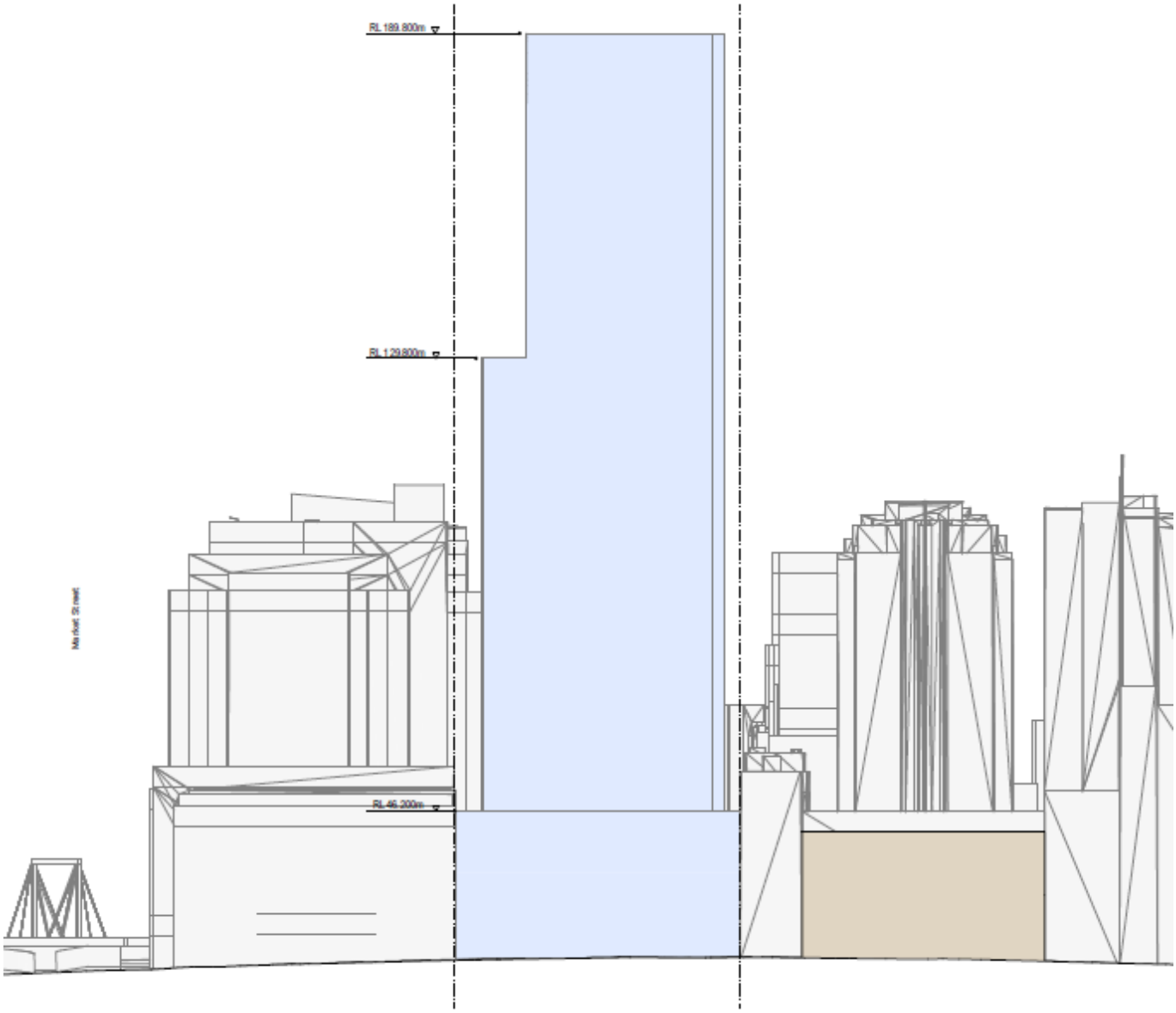

Figure 6.XX – Kent Street envelope massing

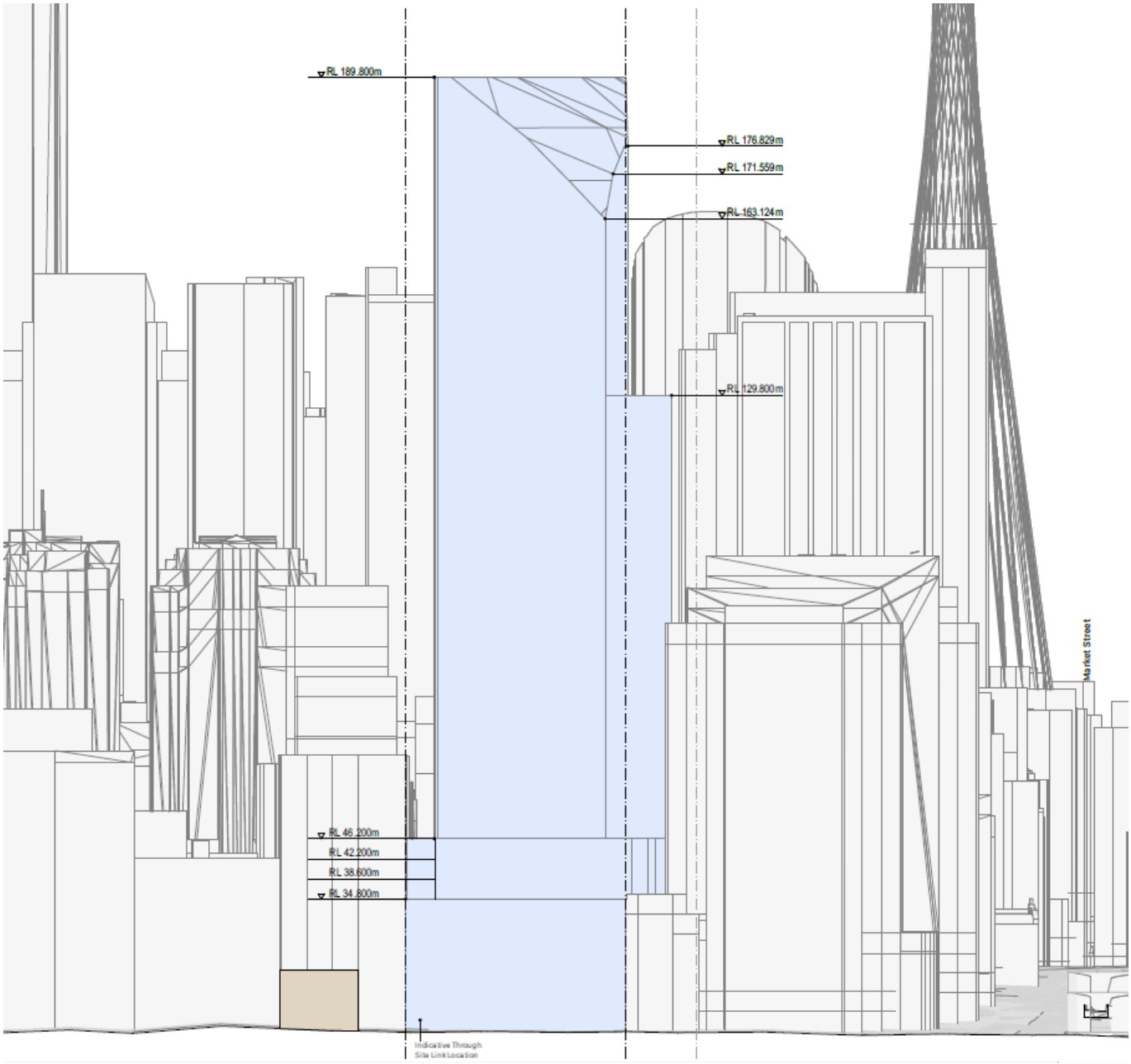

Figure 6.XX – Sussex Street envelope massing

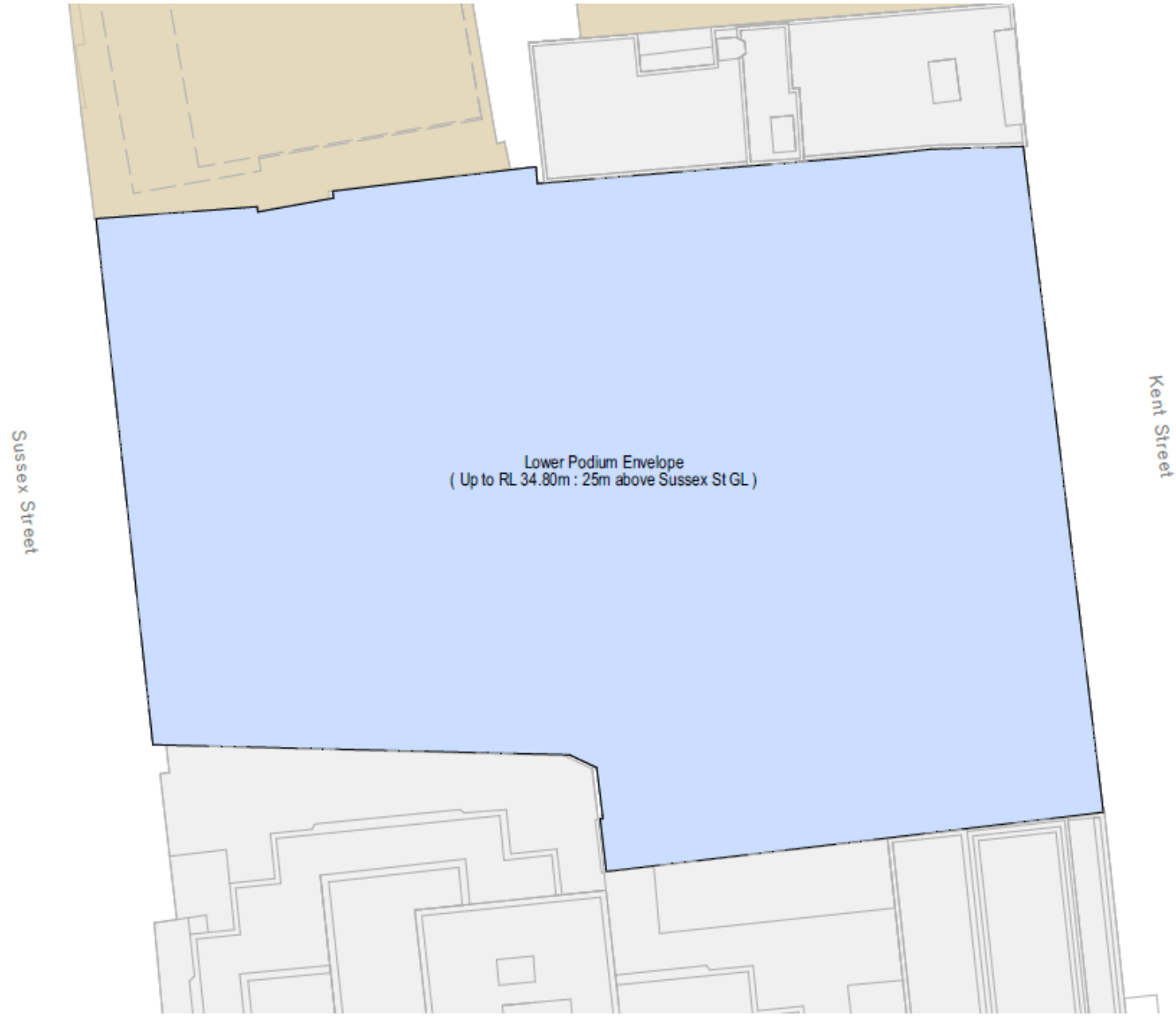

Figure 6.XX – Minimum lower podium setbacks

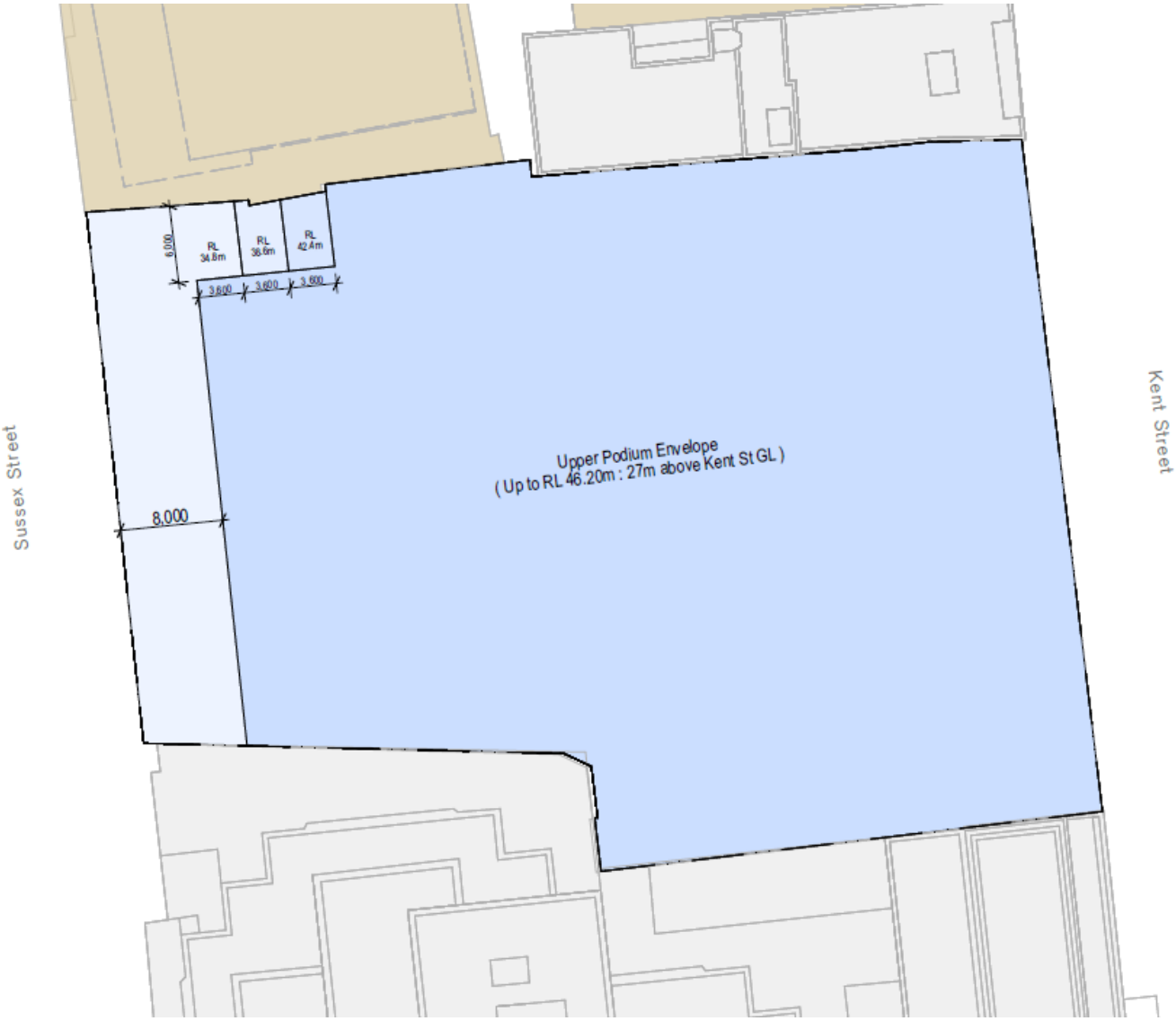

Figure 6.XX – Minimum upper podium setbacks



Figure 6.XX – Minimum tower building setbacks

6.3.X.2 Ground floor

Objective

a. Maximise active frontages with retail and business premises uses at ground level, and minimise service and vehicle access impacts.

Provisions

1. Kent Street and Sussex Street ground level frontages are to maximise activation, with retail or food and drink premises or both.
2. The main part of the commercial lobby is to be located at ground level, accessed from the Kent Street frontage or via the through-site link.

6.3.X.2 Through-site link

Objective

a. Provide a public through-site link connecting Kent Street and Sussex Street, that is open for natural daylight, and is partially open to sky, to improve pedestrian permeability for the public and support activation and amenity.

Provisions

1. The through-site link is to have a minimum width and height consistent with 'Figure 6.XX – Through-site link section' including:
   a. A minimum height of 10m and minimum width of 10.5m at the Kent Street entry.
   b. A minimum height of 20m and minimum width of 12.5m at the Sussex Street entry.
2. The Sussex Street side of the through site link should be partially 'open to sky'.
3. The through-site link should incorporate retail tenancies to provide the opportunity for activation.
4. The through-site link is to be publicly accessible at all times.
5. The design of the through site link should provide opportunities for multiple landings to break up its length and steepness, whilst ensuring site lines from Kent Street and Sussex Street are visible.

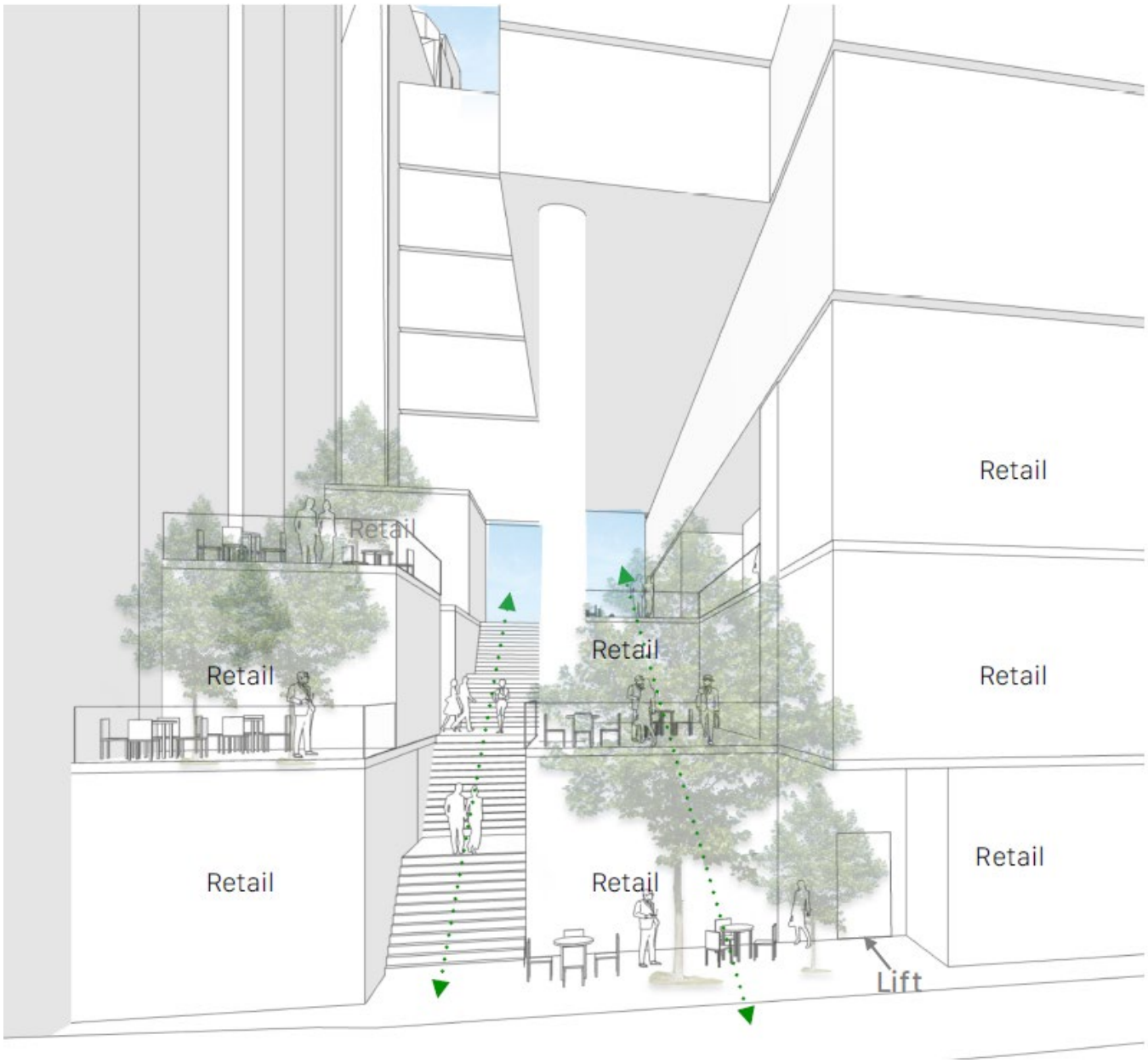

Figure 6.XX – Through-site link at Sussex Street elevation – indicative

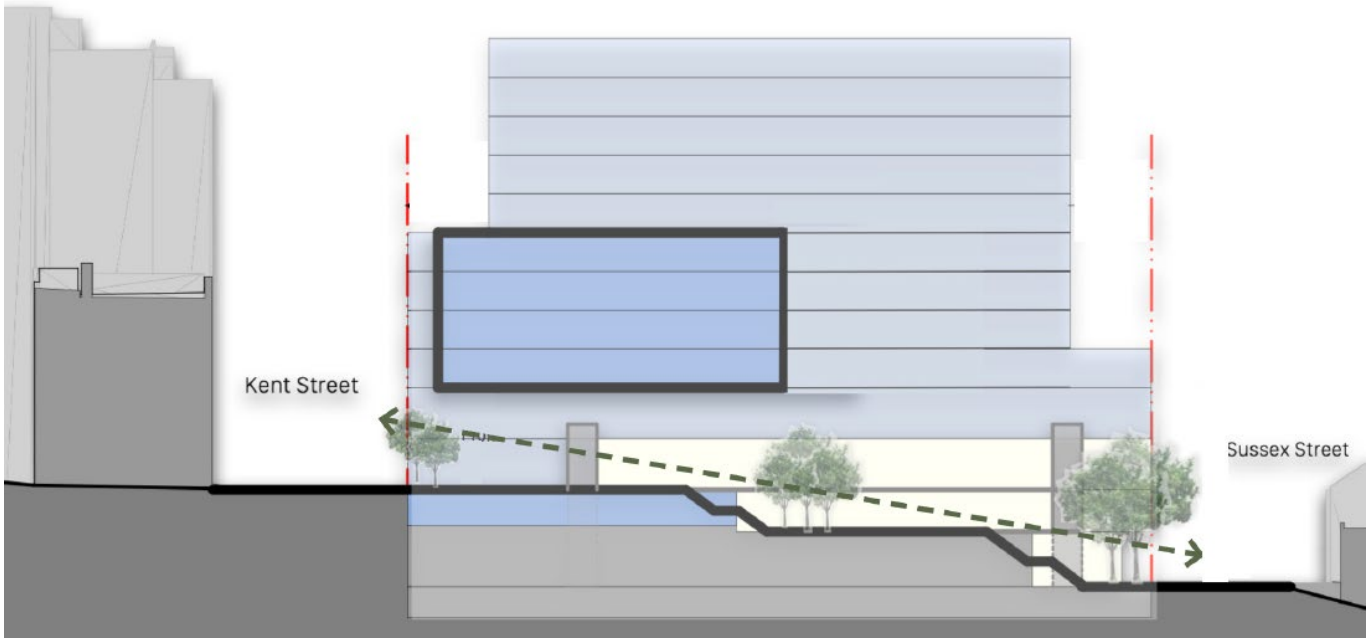

Figure 6.XX – Through-site link section – indicative

6.3.X.3 Kent Street Special Character Area

1. The development is to complement the civic character of the Kent Street Special Character Area by way of suitable façade composition, building materials, colours and textures, and by appropriate building articulation.
2. The podium and streetwall interface of the building addressing Kent Street is to be designed to positively contribute to the heritage context of Kent Street by considering the existing architectural character of the surrounding former warehouses and heritage facades. Key consideration of use of materiality and harmonious streetwall continuity reflected in façade design should be demonstrated in the design of the podium elevation.

6.3.X.3 Wind

Objective

a. Ensure development results in a comfortable and safe wind environment in adjacent public places.

Provisions

1. A quantitative wind effects report is to be submitted with a detailed development application for the subject site.
2. The quantitative wind effects report is to demonstrate that the proposed development will not:
   a. cause wind speeds that exceed the Wind Safety Standard, the Wind Comfort Standard for Walking except where the existing wind speeds exceed the standard; and
   b. worsen an existing wind condition that exceeds the Wind Safety Standard and the Wind Comfort Standard for Walking by increasing the spatial extent, frequency or speed of the wind.
3. The quantitative wind effects report is to further demonstrate the proposed development incorporates measures to create a comfortable wind environment that is consistent with the Wind Comfort Standards for Sitting and Standing.

   Wind Safety Standard is an annual maximum peak 0.5 second gust wind speed in one hour measured between 6am and 10pm Eastern Standard Time of 24 metres per second.

   Wind Comfort Standard for Walking is an hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time (i.e. 5% of those hours) of 8 metres per second.

Wind Comfort Standards for Sitting and Standing is hourly mean wind speed, or gust equivalent mean wind speed, whichever is greater for each wind direction, for no more than 292 hours per annum measured between 6 am and 10 pm Eastern Standard Time of; 4 metres per second for sitting; and 6 metres per second for standing.

6.3.X.3 Parking and vehicular access

Objective

a. Ensure the location, size and design of vehicle access minimises pedestrian and vehicle conflicts and disruption of traffic on public roads.

Provisions

1. Vehicular access to the basement is to be from Sussex Street only, to be located as close to the southern boundary of the site as possible, and no vehicular access from Kent Street. The design of the driveway crossover is to comply with the relevant Australian Standards, and is to be minimised as far as practical whilst still enabling access for the largest vehicle entering the site.
2. Loading and servicing facilities are to be provided onsite able to accommodate all uses on the site.

6.3.X.3 Kent Street Logistics Hub

Objective

a. Ensure development provides shared loading opportunities for neighbouring retail and commercial premises along Kent Street (between on Market Street and King Street).
b. Minimising on-street loading activities and reducing driveway crossovers, therefore promoting pedestrian and cyclist safety.

Provisions

1. The development is to provide a shared loading dock facility (known as the Kent Street Logistics Hub) which is available for the use of commercial and retail premises trading on Kent Street (between on Market Street and King Street).
2. The Kent Street Logistics Hub should provide spaces for 7 loading dock bays which should include spaces adequate for at least 1 Medium Rigid Vehicle (MRV), 2 Small Rigid Vehicles (SRVs) and 4 vans.
3. As a minimum, the hours of operation for the Kent Street Logistics Hub shall be consistent with on-street advertised loading provisions, being:
    a. 6am to 6pm weekdays, and 7am to 10am Saturdays; and
    b. Maximum 30 minute duration of stay.
4. A vertical clearance of 4.5m should be included within the loading dock to adequately service MRV movement.
5. The Kent Street Logistics Hub should operate in accordance with a prepared Loading Dock Management Plan that outlines the systems and processes in place for managing booking vehicle bays, access provisions (including after hours procedure) and details any security protocols and maintenance practices.

6.3.X.4 Design Excellence Strategy

Objective

a. To ensure that the building design is the result of a best practice architectural design competition.

Provision

1. An invited architectural design competition is to be undertaken in accordance with clause 6.21D of the Sydney Local Environmental Plan 2012 and the City of Sydney Competitive Design Policy.
2. The competition is to include:
    a. no less than six competitors;
    b. the majority to be local or national Australian firms; and

c. include at least one emerging architect or all competitors to be in partnership with emerging architects; and

d. teams comprised of at least 40% non-male members.

3. The jury is to comprise a total of six (6) members. The proponent is to nominate three (3) jurors made up of one independent member (a person who has no pecuniary interest, nor is a pending or contracted employee or consultant to the proponent) and the City of Sydney is to nominate three (3) jurors.
4. Jurors nominated by the proponent are to have demonstrated architecture and urban design expertise, and at least one juror to have sustainability expertise.
5. All competitors must demonstrate capabilities in design excellence by being the recipient of an Australian Institute of Architects (AIA) commendation or award in the past 5 years, or equivalent overseas professional association.
6. Through the selection of Competitors, those with demonstrated experience on projects that have either received an environmental sustainability award or achieved high Green Star Design & As Built or NABERS Energy/Water ratings will be preferred.
7. Any additional floor space pursued for a building demonstrating design excellence under clause 6.21(7)(b), is to be accommodated within the building envelope shown within Figure XX.

6.3.X.5 Sustainability

Objective

a. Ensure development is consistent with Australian best practice performance benchmarks for ecologically sustainable development.

b. Ensure that development includes a carbon neutral energy operation.

c. Ensure development minimises embodied and operational carbon emissions.

Provision

1. The consent authority must be satisfied that development is capable of being carbon neutral energy efficient building through the commitment of:

    a. 5.5 Star NABERS Energy rating (Commitment Agreement); or

    b. Certified Green Star Buildings rating with a “credit achievement” in Credit 22: Energy Use; or

    c. a maximum of 45 kWh/yr/m² of GFA

    and

    d. Renewable energy procurement for a period of at least 5 years equivalent to “net zero energy”.

    For clarity, development must be demonstrated to be capable of achieving (d) and either (a), (b) or (c).

    The sustainability requirements of (1) (a)-(d) apply to the new developments containing office premises with a net lettable area of 1,000sqm or more, and developments accumulatively involving alterations, additions and refurbishments to existing office premises where the estimated cost of works is over $5 million, and contains a net lettable area of 1,000sqm or more.

2. In this sub-section:
    a. net zero energy means the development consumes no more energy than is provided by a combination of:
        i. renewable energy generated on-site, and/or
        ii. renewable energy sourced/procured from off-site sources. In this definition, energy includes gas, electricity and thermal energy, and excludes diesel used for emergency back-up generation. Other emissions, such as those from refrigerants, are not included.
    b. renewable energy means energy that comes from natural resources such as sunlight, wind and rain that are renewable (naturally replenished).

3. A Sustainable Travel Strategy is required to be prepared as part of an application for redevelopment of the site to address sustainability objectives, and support healthy and active lifestyles, not negatively impact on the environment, and so that the development will not lead to unnecessary vehicle trip generation and network congestion.

6.3.X.6 Public Art

1. Incorporate high quality public art in publicly accessible locations to contribute to the identity and amenity of the place.

Attachment A6

Design Excellence Strategy

Design Excellence Strategy

383 Kent Street, Sydney

Submitted to the City of Sydney
on behalf of Charter Hall Holding Pty Ltd

Ethos Urban

Prepared by Ethos Urban

21 February 2024 | 2200484



'Gura Bulga'
Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'
Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'
Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

Contact:	Andrew Duggan Director	aduggan@ethosurban.com

This document has been prepared by:		**This document has been reviewed by:**	
Julia Moiso	21 February 2024	Andrew Duggan	21 February 2024

Version No.	**Date of issue**	**Prepared by**	**Approved by**
1.0 (DRAFT)	14/07/2023	JM	CFe
2.0 (FINAL)	21/02/2024	JM	AD

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Ethos Urban | Ethos Urban Pty Ltd | ABN 13 615 087 931 | Sydney NSW | Melbourne VIC | Brisbane QLD | ethosurban.com

1.0 Overview

This Design Excellence Strategy has been prepared by Ethos Urban on behalf of Charter Hall Holdings (the Proponent) and relates to land at 383 Kent Street, Sydney (the site). The Design Excellence Strategy supports a Planning Proposal and Development Control Plan amendments which will introduce new maximum building height and maximum floor space (FSR) controls for the site.

This Strategy has been prepared to address the requirements of the Guideline for Site Specific Planning Proposals in Sydney. In accordance with clause 1.2 of the *City of Sydney Competitive Design Policy 2012* (the Policy) and clause 3.3.2 of the *Sydney Development Control Plan 2012* (SDCP 2012) this Strategy defines:

- The location and extent of the competitive design process;
- The type of competitive design process to be undertaken;
  - An architectural design competition, open or invited; or
  - The preparation of design alternatives on a competitive basis.
- The number of designers involved in the process;
- Whether the competitive design process is pursuing additional height or floor space;
- Options for distributing any additional floor space ratio or height which may be granted by the consent authority for demonstrating design excellence through a competitive design process; and
- Target benchmarks for ecologically sustainable development.

The proponent has elected to carry out an invited architectural design competition as the competitive design process associated with the development, with a minimum of six (6) invited competitors.

It is envisaged that the competitive process will begin as soon as practical after the public exhibition of the Planning Proposal and the endorsement of the competition brief by the City of Sydney[1].

1.1 Objectives of the Design Excellence Strategy

The objectives of this strategy are to:

- Establish a methodology for the proponent to implement a competitive design process for the redevelopment of the subject site, in accordance with the Policy;
- Ensure that the competitive design process works within the framework of this approved Design Excellence Strategy;
- Confirm the number of architectural practices to participate in the competitive process and how these will be selected;
- Establish the process for the selection of a competition Jury;
- Set out the approach for establishing a competition brief that ensures:
  - The Consent Authority's design excellence requirements are balanced with the Proponent's objectives;
  - The achievement of design and architectural diversity;
  - Procedural fairness for competitors.
- Ensure the project vision is imbedded in the competitive design process;
- Ensure sustainability initiatives and ecologically sustainable development targets are defined and developed through the Competition, detailed design development and construction phases through to completion of the project; and
- Ensure that design excellence integrity is continued in the subsequent detailed development proposal through construction phase to completion of the project.

[1] Note: It is not expected that this Design Excellence Strategy represents an approval from the consent authority for a departure from the relevant SEPPs, Sydney Local Environmental Plan 2012 (Sydney LEP 2012) or Sydney Development Control Plan 2012 (Sydney DCP 2012) controls (as amended by the Planning Proposal for 383 Kent Street). Where there is any inconsistency between this Strategy and the relevant SEPPs, LEP or DCP (as amended by the 383 Kent Street Planning Proposal), the relevant SEPPs, LEP or DCP (as amended) prevail.

2.0 Design Excellence Strategy

2.1 The location and extent of the competitive design process

The site of the proposal is located at 383 Kent Street, Sydney. It has a legal description of Lot 1 in DP778342 and a total site area comprising approximately 3,606m^2.

The site includes a building constructed in the 1970's comprising a 10 storey public car and a 14 storey commercial tower addition constructed above the existing 10 storey car park in 2014. The renewal of the site seeks to demolish both the 10 storey car park and 14 storey commercial office tower.

The Competition is intended to apply to the whole site as shown in **Figure 1** and is to be guided by the envelope as illustrated at **Figure 2** and **Figure 3**.

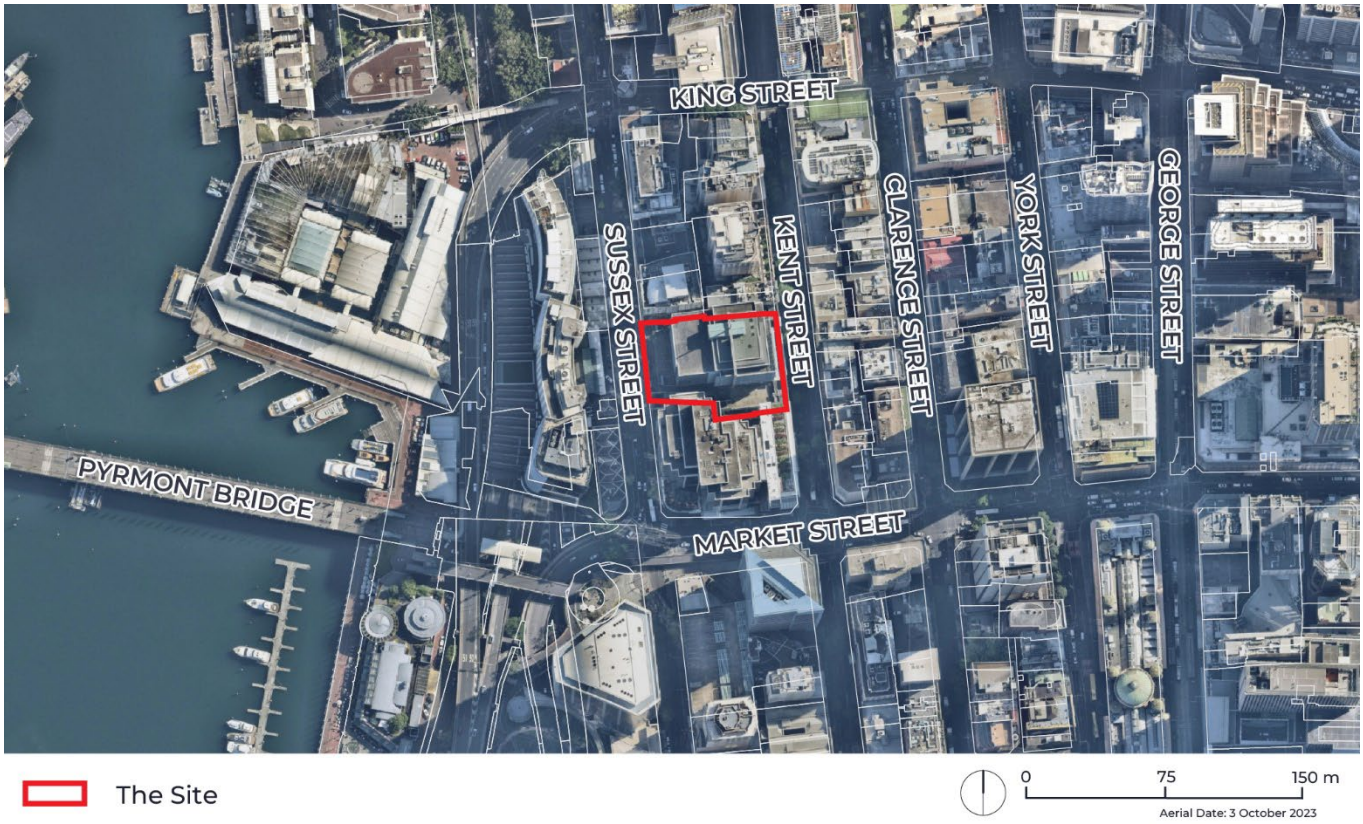

Figure 1 Site Location and Extent of Competitive Design Process

Source: Nearmap, Ethos Urban

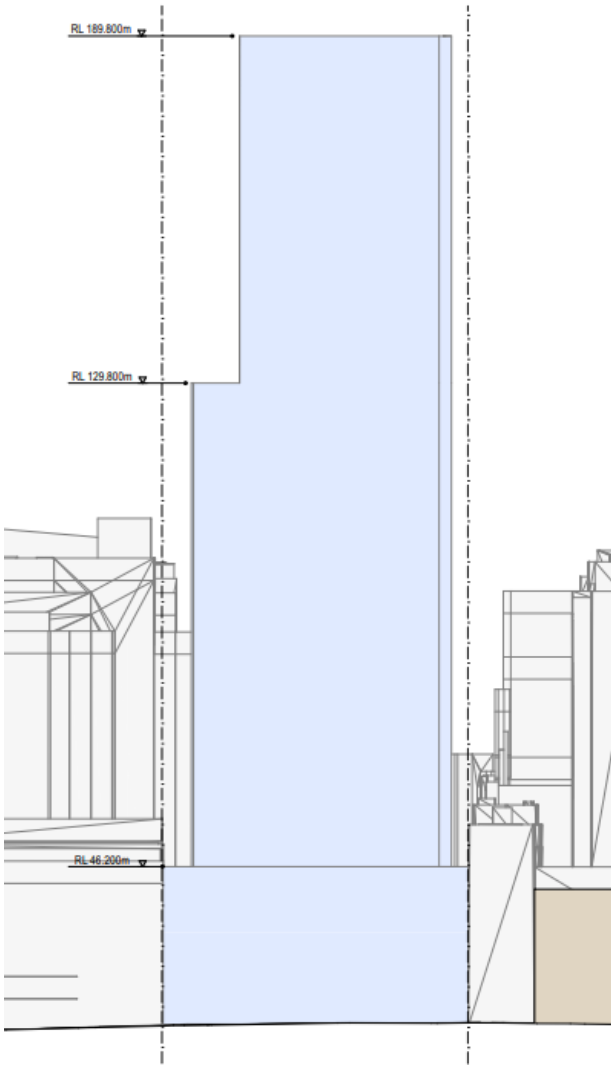

Figure 2 Kent Street Elevation Indicative Envelope

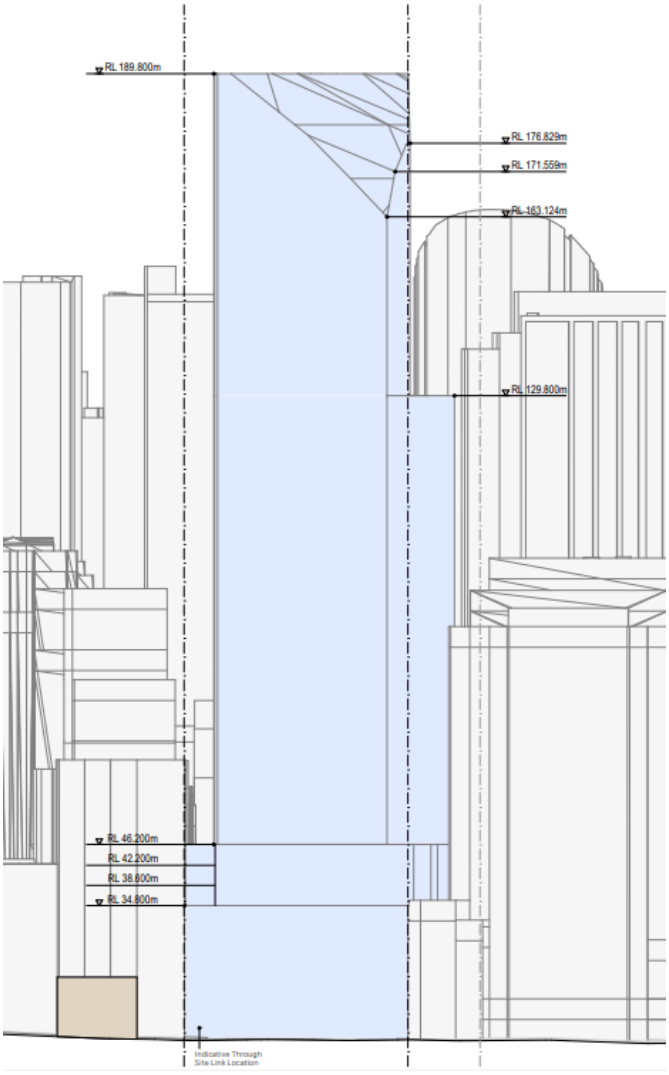

Figure 3 Sussex Street elevation Indicative Envelope

2.2 The type of competitive design process to be undertaken

The Proponent has elected to conduct a single invited architectural design competition for the project. The process is to be undertaken prior to the lodgement of a detailed Development Application (DA) for the redevelopment of the site as planned in the site-specific Planning Proposal.

The Invited Architectural Design Competition will be conducted primarily in accordance with the Policy and Competitive Design Model Brief however it will also draw on efficiencies supported within the City of Sydney Competition Protocols COVID 19, dated 5 May 2020. Endorsement of the Competition Brief is required by the City of Sydney prior to commencement of the Design Competition.

2.3 Selection of competitors

The proponent will undertake an Invited Design Competition with a minimum of six (6) invited competitors. The selection of the invited competitors will be determined by the proponent, undertaken in consultation with the City of Sydney, as follows:

- A Competitor may be a single person or firm, or a number of firms working in partnership, constituted of a principal/lead architect supported by an executive architect(s).
- A Competitors must demonstrate capabilities in design excellence by being the recipient of an Australian Institute of Architects (AIA) commendation or award in the past 5 years, or equivalent overseas professional association;
- Competitors must be a majority of local or national Australian firms, including at least one emerging architectural firm, or have all competitors be in partnership with an emerging architectural firm.

- Competitors must demonstrate that they meet a gender representation ratio of at least 40% non-male members in their design team.
- A Competitor will either be a person, corporation or firm registered as an architect in accordance with the NSW Architects Act 2003, or, in the case of interstate or overseas competitors, eligible for registration with their equivalent association.
- Competitors with demonstrated experience on projects that have either received an environmental sustainability award or achieved high Green Star Design & As Built or NABERS Energy/Water ratings will be preferred.

2.4 Establishment of the competition Jury

The competition jury will comprise six (6) jury members. The jury will be appointed by the proponent and is comprised of:

- Three (3) members nominated by the City of Sydney, who have no pecuniary interests in the development proposal or involvement in approval processes; and
- Three (3) members nominated by the proponent.

Jury members are to:

- Represent the public interest;
- Be appropriate to the type of development proposed;
- Include only persons who have expertise and experience in the design and construction professions and related industries; and
- Include a majority of registered architects with urban design expertise.
- At least one juror is required to have sustainability expertise.

2.5 Competition brief

The competition brief (the brief) will be prepared by the proponent who will liaise with the City of Sydney for endorsement prior to commencement of the competitive process, as per clause 2.3 of the Policy.

In establishing the brief, the proponent will ensure that:

- All details regarding the conduct of the competitive process are contained within the brief;
- The brief and appended documents are reviewed and endorsed in writing by the City of Sydney prior to its distribution to competitors, competition jury and technical advisors; and
- The brief is to be generally in accordance with the Competitive Design Model Brief and the City of Sydney Competitive Design Policy and is to be approximately 30 pages (excluding competition procedures) with compliance schedules and appendices reduced where possible.

2.6 Proposed allocation of up to 10% additional floor space

The design competition will be pursuing up to 10% additional floor space under a site-specific clause resulting from the Planning Proposal.

The Planning Proposal and Draft DCP amendments support a tower envelope that can accommodate the maximum site specific permissible Floor Space Ratio (inclusive of the 10% additional floor space available under the proposed site specific clause).

2.7 Options for distributing floor space within the planning envelope

The distribution of the additional floor space is to be considered by the Competitors in the Design Competition and must be consistent with provisions contained in the Planning Proposal (including Draft Sydney DCP 2012 amendments) for the site.

3.0 Design Integrity

The architectural firm(s) of the winning scheme chosen through the Invited Architectural Design Competition, is to be appointed as the Design Architect for the project, and will perform this role until the completion of the project. The role of the Lead Design Architect will include at a minimum the following:

- Prepare a Development Application;
- Prepare the design drawings for a construction certificate;
- Prepare the design drawings for the contract documentation; and
- Maintain continuity during the construction phases through to the completion of the project.

The winning architect may work in association with other architectural practices but is to retain a leadership role over design decisions.

Attachment A7

ESD Report



ESD Report
383 Kent Street, Sydney

Charter Hall
Revision 08

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Executive Summary

This Ecological Sustainable Design Report has been prepared by LCI Consultants in support of a Planning Proposal to amend the Sydney Local Environmental Plan 2012 (Sydney LEP). This report has been prepared on behalf of Charter Hall Holdings (the Proponent) and it relates to a single development lot identified as Lot 1 in DP 778342 or 383 Kent Street, Sydney (the site).

To support the City of Sydney's requirements to achieve net zero carbon by 2050, zero water and water efficiency, Charter Hall's new development is proposed to showcase industry-leading performance in sustainable design, construction and operation.

Sustainability Vision

The new 383 Kent Street will provide a focal point for commerce and a benchmark for city life on the CBD's Western Edge. The scale and location of the project creates an opportunity to significantly reshape people's experience of a part of the city, continuing strategic efforts to shirt the perception of the Western Edge into a desirable and lively slice of the CBD.

By embracing the eclecticism of the city in a blended precinct of public amenity, fine-grain retail and sustainable office space, 383 Kent Street will help establish a publicly activated and charismatic building that exemplifies Sydney's west side story of renewal, rejuvenation, and reinstated relevance.

383 Kent Street will be embedded with industry leading sustainable design and construction principles for a changing climate. An extensive amount of work has been undertaken to date to establish and integrate sustainable design and principles into the building design creating alignment with the City of Sydney Guidance on Sustainable Development.

Sustainable design initiatives include:



Development to be all-Electric



Renewable energy procurement for a period of at least 5 years equivalent to be "net zero energy" in operation



20% Reduction in Embodied Carbon and 90% construction waste diverted from landfill



Target 5.5 Star NABERS Office Base Building Energy rating +25%



Target 6 Star Green Star Buildings v1



WELL Gold (Core) rating commitment, with a target to achieve a WELL Platinum (Core) Rating



Consideration of On-Site Solar



Net removal of 729 public car parking spaces, including development of EV strategy of car charging



Biodiversity and Connection to Nature through inclusion of outdoor green spaces for every season



Indigenous Engagement and Gender Diversity Strategies



Universal Design criteria

Sustainable principles, covering environmental, social, and economic well-being outcomes, will continually be investigated and integrated, where possible, into the project design and operation of the building to create a market leading building in Sydney's commercial sector.

Environmental Certifications

The following ESD certifications are proposed to be targeted by the new commercial tower development:

- 6-Star Green Star Building v1 certified rating
- 5.5 Star NABERS Office Base Building Energy rating (Commitment Agreement)
- 4 Star NABERS Water rating (Target)
- 5 Star NABERS Indoor Environment (Target)
- WELL Core Gold (Target) commitment; with a target to achieve a WELL Core Platinum rating.
- 100% renewable energy in operation.

Sustainability Strategy

The following summary outlines at high level the ESD strategies and initiatives proposed to be considered for the new development organised under the categories of the holistic Green Star – Building v1 tool. The development is targeting a 6 Star rating, with strategies meeting and in some cases exceeding the latest City of Sydney zero energy development requirements introduces in January 2023.

- Responsible

The building construction and operational waste management will be designed to optimise the diversion of waste from landfill and function with a recycle collection system in operation.

Materials will be responsibly procured during construction to drive supply chains to holistically consider the impact of products and lead to more transparent reporting.

Education programs will be provided to worker during construction on climate change and the importance of sustainable principles. Information about the projects associated sustainability costs will be disclosed to the Green Building Council to further assist with transparency and the viability of their framework.

Healthy

The building will be designed with the following features to improve occupant wellbeing:

- improved outdoor air rates,
- natural daylight to the perimeter of floor plates,
- artificial lighting, which is flicker free and provides sufficient lux levels,
- an acoustic comfort strategy,
- low VOC and formaldehyde materials, and
- outdoor terraces.

Resilient

The building will undertake a climate change, operational and community resilience assessment to inform the design and form resilience plans to ensure the project is prepared for potential future pressures.

Positive

Through the design of an electric building and commitment to purchasing 100% renewable electricity, the project will be net zero in operation. In addition, the building will be designed to achieve 5.5 Star NABERS Base Building Energy Office rating and have a 20% reduction in upfront carbon emissions when compared to a standard reference building.

Place and People

Lower carbon emission and active modes of transport will be encouraged through the removal of an existing 800 bay car park, the provision of electric vehicle infrastructure and end of trip facilities.

The design will engage with appropriate consultants to inform the design to reflect Indigenous design principles and a sense of the local history and culture to reflect the sites context and also contribute to the social, economic and environmental wellbeing of the surrounding area.

Nature

To protect the local ecology, the project will minimise light pollution and promote ecological value using plants where possible.

1 Introduction

This Ecological Sustainable Design Report has been prepared by LCI Consultants in support of a Planning Proposal to amend the Sydney Local Environmental Plan 2012 (Sydney LEP). This report has been prepared on behalf of Charter Hall Holdings Pty Ltd (Charter Hall) (the Proponent) and it relates to a single development lot identified as Lot 1 in DP 778342 or 383 Kent Street, Sydney (the site).

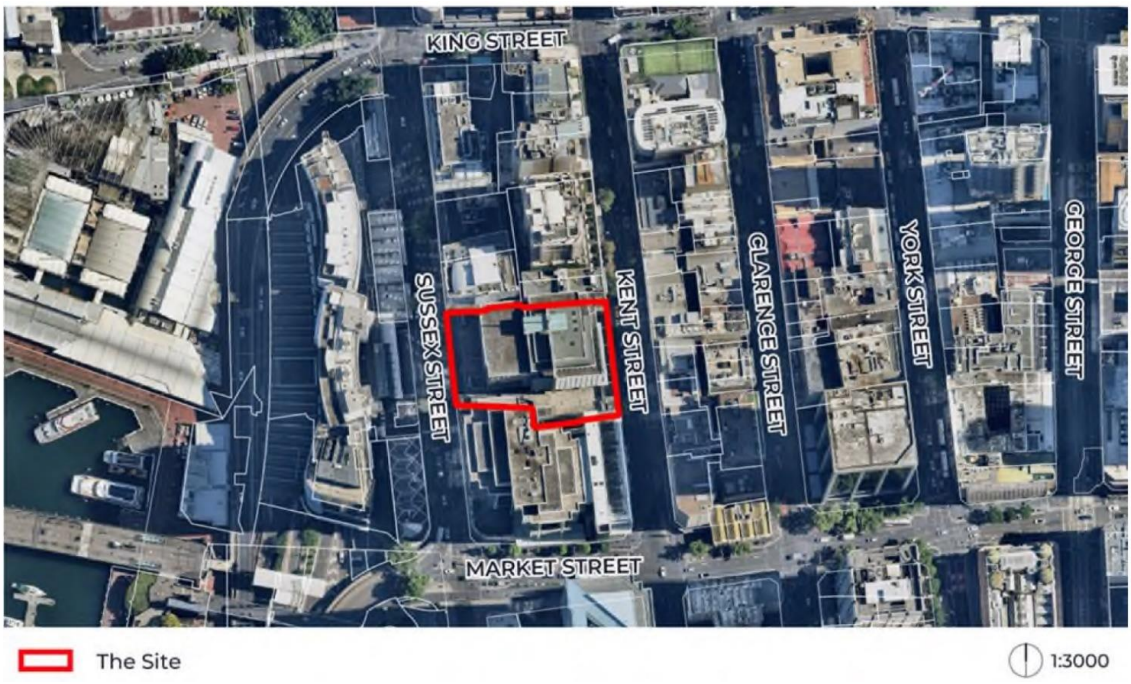


Figure 1: Aerial Map (Source: Nearmap, edits by Ethos Urban)

The purpose of this Planning Proposal is to amend the site's maximum Height of Building development standard and maximum Floor Space Ratio (FSR) development standard to unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the Central Sydney Planning Strategy (CSPS) for tower cluster sites. This Planning Proposal will also seek to facilitate significant public benefits through additional site activation by way of a new pedestrian through-site link, shared loading dock facility and delivering on sustainable initiatives to contribute to the City of Sydney's vision to achieve net zero energy buildings.

The proposed Sydney LEP amendment is part of the broader redevelopment plan for the site to demolish the existing structure on the site (including the existing 10 storey car park), and construct a new 42 storey commercial office tower with a total maximum FSR of 20:1 (circa 73,000m2 GFA).

The uplift being sought is consistent with the strategic intent of the CSPS for tower cluster sites within Central Sydney, which contains the City's requirements and expectations for projects pursuing this pathway. Following the Planning Proposal, the planning approval pathway involves a competitive design process and a detailed Development Application (DA). As such, this report reflects the concept stage of the proposal, and may be embellished as the detailed design and required works evolve.

1.1 Planning Proposal and Development

This Planning Proposal is accompanied by amendments to the Sydney Development Control Plan 2012 (Sydney DCP). The site specific DCP amendments reflect the proposed outcome to create a new commercial office tower that reintroduces a fine grain texture to the city by way of a new through-site link and retail activation at each ground floor interface to the public domain. This is reflected in the accompanying reference design prepared by FJC which serves as a baseline proof of concept for this Planning Proposal. This large strategic site presents a unique opportunity to deliver a landmark tower site that will exhibit design excellence and redefine the western edge of the CBD, whilst offering significant employment opportunities for global Sydney. The reference scheme supporting the Planning Proposal and site specific DCP can be described as follows:

- Demolition of the existing building, including removal of the over 800 capacity public car park; and
- Construction of the following:
    - New 42-storey office tower comprising a total FSR of 20:1, up to a height of RL 189.60 (approximately 170m above Kent Street and 180m above Sussex Street).
    - New premium-grade commercial floorspace with an approximate GFA of circa 73,000m^2.
    - New through-site link connecting Kent and Sussex Streets, including public art activation.
    - New ground floor activation opportunities, including approximate retail GFA of circa 640m^2.
    - 2 levels of basement, comprising:
        - Basement Level 1 facilitating 72 car parking spaces; and
        - Sussex Street ground level shared loading dock facility including SRV and MRV short term stay bays to service retail tenancies within buildings along Kent Street (located between Market Street and King Street).
    - New end of trip facilities below the Kent Street ground level.

2 Project Vision

The new 383 Kent Street will exemplify urban symbiosis. This benchmark for city life on Sydney's Western Edge represents a bringing together of heritage and the contemporary, of restorative calm and dynamic vibrancy, of commercial and retail and of private and public. The scale and location of this project create an opportunity to reshape people's relationship with this unremarkable part of the city.

As a blended precinct of public amenity, fine-grain retail and sustainable office space, 383 Kent Street will establish a publicly activated and charismatic building. With its shared loading dock and greened tower exterior, this project exemplifies Sydney's west-side story of renewal and reinstated relevance.

Charter Hall's vision is to create an industry leading sustainable development that not only benefits occupants but also the wider City of Sydney community. The project team is looking to reduce the environmental impact of the development through sustainability initiatives being embedded through the design and construction process, initiatives include:

- An all-Electric building,
- Renewable energy procurement for a period of at least 5 years equivalent to be "net zero energy" in operation,
- 20% Reduction in Embodied Carbon and 90% construction waste diverted from landfill,
- Target 5.5 Star NABERS Office Base Building Energy rating + 25%,
- Target 6 Star Green Star Buildings v1,
- WELL Gold (Core) rating commitment, with a target to achieve a WELL Platinum (Core) rating,
- Consideration of On-site Solar,
- EV Strategy and the removal of the existing car park,
- Biodiversity and Connection to Nature through inclusion of outdoor green spaces for every season,
- Indigenous Engagement and Gender Diversity Strategies, and
- Universal Design criteria.

2.1 Project Specific Targets and Benchmarks

The World Green Building Council definition for Net Zero Carbon Buildings requires that new developments and major renovations are built to be highly efficient, powered by renewables, with a maximum reduction in embodied carbon and compensation of all residual upfront emissions. This approach aligns with the City of Sydney's latest Net Zero Energy Development planning guidelines that will progressively introduce minimum ratings requirements from January 2023 and net zero operational energy use from 2026.

383 Kent Street is well aligned with the Net Zero Energy Development guidelines and will be targeting the following sustainability ratings that reward upfront low carbon design and construction methods and energy & water efficiency and healthy outcomes in operation:

- 6 Star Green Star Buildings v1 target, including commitment to 20% reduction in upfront carbon,
- 5.5 Star NABERS Office Base Building Energy Rating +25%,
- 4 Star NABERS Water Rating,
- 5 Star NABERS Indoor Environment Rating,
- WELL Core rating, Gold level commitment with a target to achieve a Platinum level rating, and
- 100% renewable energy in operation.

3 Sustainability Commitments

The operational impact of the building is to be reduced through careful consideration of passive design features of the building façades, and services design to reduce energy to operate the building. Industry leading services design and equipment selections are proposed to assist in reducing energy and water consumption throughout the building in operation.

In addition to energy and water efficient initiatives, the proposed development will be a desirable workplace for individuals through the project's holistic ESD approach which also addresses indoor environmental quality, material selections, transport, ecology and access to nature, and the developments overall sense of community.

Other elements that contribute to the sustainability strategy include the following:

- Façade with high performing glazing and external shading elements where appropriate,
- A high efficiency HVAC system including electric heat pumps will assist in achieving the 5.5 Star NABERS Office Base Building Energy rating +25% target,
- Roof top photovoltaic (PV) solar system and consideration of façade integrated PV panels to reduce carbon emissions,
- LED lighting throughout the building,
- High efficiency fixtures and rainwater harvest and storage used in a dual reticulation strategy to minimise potable water consumption,
- Daylight to floor plates on the perimeter,
- The inclusion of outdoor terraces to a number of select floors,
- Bike facilities and end of trip facilities to promote active modes of transport, and
- Removal of the existing 800 bay public car park, provision of a smaller number of parking spaces and provision of low emission vehicle infrastructure.

The Green Star rating tool was updated in 2020 with Building v1 replacing the Green Star Design and As Built v1.3 tool; this new tool is significantly more stringent and challenging when compared with the previous tool. The building will target a 6 Star rating with this new Green Star Buildings v1 tool; exceeding the Minimum Industry Compliance Standards and City of Sydney Guidance

Table 1: 383 Kent St Sustainability Initiatives

Initiative	Energy	Green Star	Indoor Environment	Waste	WELL	Water	Embodied Carbon/ Materials
Minimum Industry Compliance Standards	JV3 (NCC 2022) 5.5 Star NABERS (CoS DCP2012 Item 3.6.1 Rev Nov2021)	5 Star Green Star Design and As-Built v1.2 (PCA Office Grade Matrix 2019 Grade A)	Minimum 60% of IEQ points under Green Star Design & As Built v1.2	CoS DCP 2012 Green Star Design & As-Built v1.2 'Operational Waste' Credit	N/A	N/A	N/A
CoS Guidance on Sustainable Development	5.5 Star NABERS Energy Commitment Agreement (+25%), or Green Star Buildings v1 'Energy Use' – Credit Achievement, or 45 kWh/yr/m2	Certified rating under a current version of Design and As-Built – 5 star or higher	N/A	CoS Waste Guidelines	N/A	› Sydney Water's good practice standard, namely proposals without cooling towers: 0.47 kL/m2/year, proposals with cooling towers: 0.84 kL/m2/year. › Dual plumbing for non-potable water uses › Onsite rainwater capture and re-use › Connection to precinct-scale recycled water scheme where available. › Highest efficiency WELS Star rated fittings	In line with the Green Building Council of Australia's Green Star credit requirement.
383 Kent St Target	Commitment agreement for minimum NABERS 5.5 Star (+25%) All electric plant 100% renewable energy in operation	6 Star Green Star Buildings v1 (new tool).	Minimum NABERS 5 Star	Green Star Building v1 'Responsible Construction' Credit	Gold (CORE) commitment (Target to achieve a Platinum (CORE))	Minimum NABERS 4 Star Dual plumbing for non-potable water uses as flushing toilets and sub-soil irrigation. Connection to future precinct-scale recycled water scheme where available.	Charter Hall portfolio commitment for minimum 20% reduction in embodied carbon.

3.1 Energy Efficiency



383 Kent Street has incorporated a number of energy efficiency measures to enable the development to achieve a targeted 5.5 Star NABERS Energy Base Building Office rating.

Passive design considerations have been incorporated into the design including the following considerations:

- High performance glazing,
- Appropriate window to wall ratio, and
- External shading elements orientation and dimensions.

Mechanical Design

The commercial office spaces will be provided with chilled water and heating water air conditioning system. During design development the HVAC system will be optimised to consist of either a Low Temperature Variable Air Volume (LTVAV) or a Hybrid Perimeter Active Chilled Beam and centre zone LTVAV system. High efficiency water cooled chillers will provide cooling for the commercial office component development.

Heat rejection from the water-cooled chiller units will be achieved by water cooled heat rejection plant (i.e. cooling towers) located within the roof plantroom. The commercial office condenser water system will be dedicated to serve the commercial and retail components of the development.

Heating hot water will be produced by air-sourced heat pumps. Natural gas will not be used for heating or domestic hot water generation. Consideration will be given for some of the heat pumps to be upgraded to 4 pipe chillers that can operate in reverse cycle cooling to reduce water consumption when simultaneous heating and cooling loads allow high energy efficiency.

Air distribution will be via central air handling plant located to serve dedicated façade orientations. Each major façade orientation will be provided with a dedicated air handling unit to maximise operational efficiency. Air handling units will be selected to provide low energy operation through the use of plug fan technology and low velocity coils.

Mixed mode zones are proposed on dedicated floor to allow occupants to move into naturally ventilated spaces when the ambient conditions are favourable. During these times, the air conditioning systems serving these zones will shut down reducing energy consumption.

Electrical Design and Metering

The building will include LED lighting throughout with occupancy sensors or operate on a time clock to limit unnecessary energy consumption.

The metering for house services shall be installed on meter panels within the Main Switchroom associated with each substation. Metering shall be provided for all major end uses, including separate

light and power metering in accordance with the requirements of the Building Code of Australia. This will include digital multi-functional meters to be installed that can be monitored by the BMCS, and automatic reporting included to monitor building energy consumption.

In line with the latest NCC 2022 Section J requirements, the electrical infrastructure will be designed to ease later installation of Solar PV Panels (minimum 20% of available roof area), battery energy storage and Electric Vehicle (EV) Charging equipment. Widespread inclusion of energy storage devices (batteries and EVs) within an enclosed basement present issues for fire management that are still evolving and subject to review with Fire and Rescue NSW.

3.2 Water Efficiency



383 Kent Street has incorporated a number of water efficient measures to enable the development to target a 4 Star NABERS Water rating, with an aspiration to achieve 4.5 Star.

The development will incorporate the following high efficiency fixtures:

- 6 Star WELS Taps
- 6 Star WELS Urinals
- 4 Star WELS Toilets, and
- 4 Star WELS Showers installed with 5-minute timers.

A rainwater tank will also be installed for capture, storage and reuse of rainwater and mechanical condensation recovery. Potable cold-water top-up will be supplied by the domestic cold-water service with a provision to be connected to the City of Sydney Recycled Water Scheme at a future date (subject to provision by Sydney Water).

Reuse will be reticulated to the following areas:

- Water Closets
- Urinals; and
- Irrigation Provisions.

An authority meter is to be provided for the building. Private water meters connected to the BMCS are to be installed and monitored on major water uses such as:

- Base building
- Tenancies/ Retail areas
- Landscaping
- Mechanical Plant and Equipment
- Domestic Hot Water Plant
- Commercial floors
- End of Trip Facilities.

3.3 Renewable Energy



The building will be provided with a roof top photovoltaic array to provide solar power directly into the base building. The final capacity of the PV array will be subject to available roof area and consideration may be given to façade integrated PV, subject to the winning architectural design.

The building also utilises reverse cycle heat pumps to provide heating hot water, and domestic hot water. This removes the need for natural gas in the building (i.e. no fossil fuels)

Retail spaces on the ground floor and lower ground floors will be provided with electrical capacity sufficient for induction cooking in lieu of gas.

No wind turbines have been incorporated into the design of this building as the rotational and vibrational operational characteristics of the turbines present a negative value proposition from a safety, aesthetic, acoustic and ongoing maintenance perspective and are therefore not proposed. In addition, the anticipated energy harvested from an urban environment is considered to be too low to be effective.

In addition to Charter Hall Office platform's short-term procurement of 100% renewable electricity through GreenPower in July 2021, Charter Hall recently entered into a supply-linked Power Purchase Agreement (PPA) with global renewable energy giant, ENGIE (Australia & New Zealand). This long-term agreement will supply Charter Hall's property portfolio (including all office assets) with 100 per cent electricity from renewable sources within the National Energy Market until 2030. This building will therefore be net zero carbon in operation (scope 1 and 2) from practical completion.

3.4 Materials



383 Kent Street will be designed to reduce embodied carbon by at least 20% when compared to a standard reference building through a combination of efficient structural design solutions and procuring responsible materials. This will be achieved through pursuing the use of products such as low carbon emission concrete and steel. Existing materials will also be reused and repurposed where possible to further reduce material consumption.

The project team will also make considered choices with regards to the procurement of materials, investigating material with a reduced raw material content and higher recycled content where possible.

3.5 Transport



383 Kent Street redevelopment works will remove the existing Wilson public car park. This car park currently contains 800 spaces which the transport consultant has estimated generates up to 320 vehicle trips per hour to/from the site. The reduced number of car parking spaces for the proposed development is expected to generate 30 vehicles per hour, significantly reducing traffic volumes generated by this site and contributing to reducing the vehicle trips into the Sydney CBD. With the removal of this public car park, it is expected to encourage a shift in behaviour of commuters to more carbon efficient modes of transport such as commuting via buses or trains.

In addition to the removal of the public car park, the development will have low emission vehicle infrastructure and an end of trip facility inclusive of bicycle parking, showers, and lockers to support and encourage lower carbon and active modes of transport.

3.6 Healthy Workplace



383 Kent Street will deliver a healthy workplace for occupants including:

- 50% improvement on outdoor air requirement and be CO_2 monitored and controlled to ensure occupants have plenty of fresh air.
- Access to the outdoor spaces adjacent to working office spaces via outdoor terraces which are designed throughout the development.
- Base building construction and plant will be designed to provide appropriate acoustic limits and separation.
- Façade design will manage thermal comfort and solar gain and accommodate generous natural daylight to further improve occupant wellbeing.

4 Framework to Reflect Best Practice Sustainable Commitments

Buildings generate waste and produce emissions during their construction and operation which contributes to global warming. A number of rating sustainability frameworks have been created to encourage buildings to minimise their environmental impact and also improve the health and comfort for occupants and local stakeholders.

These frameworks include:

- Sydney Local Environmental Plan 2012
- Sydney Development Control Plan 2012
- Green Building Council of Australia – Green Star Rating Scheme
- NABERS Operational Sustainable Building Rating Scheme
- International WELL Building Institute – WELL Rating Scheme
- Climate Active Carbon Neutral Building Certification Scheme
- National Construction Code – Section J: Energy Efficiency

This section of the report summarises the environmental certification strategies for this development.

4.1 Sydney Local Environmental Plan 2012

Clause 7.33 of the Sydney Local Environmental Plan 2012 came into effect from 1 July 2023 and denotes specific sustainability requirements for large commercial developments. The clause includes requirements for new buildings that encourage optimising energy efficient design and on-site renewable energy.

The clause also states that for Development Application's made on, or after, the 1 Jan 2026, buildings must achieve "net zero emissions from energy use". This can be achieved through the use of both on- and off-site renewable energy. It is anticipated that the project is capable of achieving net-zero emissions in operation through the ESD initiatives proposed in this report which align with the relevant performance standards applicable for office land uses, as denoted in the DCP.

4.2 Sydney Development Control Plan 2012

The City of Sydney Development Control Plan (DCP 2012) provides detailed guidance for developments. The project has, and will continue to consider initiatives, that address Section 3.6 Ecological Sustainable Development in the project design across the following areas:

- Energy efficiency through passive design measures and HVAC considerations to reduce energy consumption,
- Water efficiency through the selection of water efficient fixtures, rainwater harvesting and HVAC considerations to reduce cooling tower water consumption,
- Investigation of onsite renewable technology, and
- Continued careful selection of materials and building components to minimise embodied carbon and improve indoor quality for occupants.

City of Sydney is also proposing the Performance Standards for Net Zero Energy Buildings. The proposed performance standards aim to reduce energy consumption, greenhouse gas emissions and improve the resilience of new developments to the impacts of climate change.

The project is meeting the current applicable energy performance standards for an office base building for applications submitted between 1 Jan 2023 – 31 Dec 2025, as detailed in Table 1 of this report. In addition to the energy performance standards currently in place for applications submitted before 31 Dec 2025, the project will meet the performance standards applicable for applications made from 1 Jan 2026 through an all-electric building design and commitment to the procurement of renewable energy for at least 5 years to be equivalent to being “net zero energy” in operation.

4.3 Green Star Buildings – 6 Star Target

The development will be registered with the Green Building Council of Australia and will target a 6 Star Buildings v1 rating. Green Star Buildings v1 is a recently updated holistic building sustainability rating tool. A 5 Star Rating is considered current Australian excellence while a 6 Star Rating is considered current world excellence. Both outcomes meet or exceed the relevant industry recognised sustainability and environmental performance standard.

The latest Green Star tool includes targets that directly address the UN Sustainable Development Goals and encourages ambitious building design to significantly reduce the impact the built environment has on aggravating climate change. The new tool aligns to meet the Paris Agreement on climate change, create clear expectations for new buildings and ensures transparency in supply chains to ensure complete understanding of materials and products used in the project.

The Green Star Buildings rating system assesses buildings through the following categories:



Points are awarded for a project's ability to secure as many credits as possible from each category. Each credit targets the environmental impact of a specific design feature. The total number of points awarded determines if the level of certification. A 5 Star building requires 35 points, while a 6 Star building requires 70 points. See the below table which breaks up the two pathways per category.

Table 2: Indicative Green Star points strategy

	Points Available	5 Star Strategy	6 Star Strategy
Responsible	17	5	11
Healthy	14	6	11
Resilient	8	3	8
Positive	30	16	22
Places	8	3	8
People	9	7	9
Nature	14	7	9
Sub-total	100	40	71
Leadership	10	1	4
Total	110	41	75

This table is indicative of the level of outcome that the project will pursue, however, the exact selection of credits may change through the design and construction process. The project team will continue to investigate and aspire to target 6 Star through the detailed design stage.

4.4 NABERS Operational Sustainable Building Rating Scheme

The National Australian Building Energy Rating Scheme (NABERS) is a performance- based tool used to measure the operational impacts in existing buildings. The NABERS rating scheme rates energy, water, waste and IEQ in offices, shopping centres, data centres, hotels, and apartment buildings. Depending on the building type, the base building, tenancy or whole building can be rated.



Figure 4 - NABERS Star Scale

4.4.1 NABERS Energy

The City of Sydney's new Net Zero Energy Developments requirement includes a peer-reviewed NABERS Energy Commitment Agreement of at least 5.5 Stars prior to CC approval. The commercial office portion of the proposed development will target a 5.5 Star NABERS Office Base Building Energy rating +25%.

4.4.2 NABERS Water

The commercial office portion of the proposed development will target a 4 Star NABERS Office Water rating. The building will include dual reticulation of potable and non-potable water to allow the development to access any recycled water network in the future Recycled Water Scheme which will deliver an immediate and measurable improvement in NABERS Water rating.

4.4.3 NABERS Indoor Environment

The commercial office portion of the proposed development will target a 5 Star NABERS Office Indoor Environment rating. The building will include high levels of outdoor air, CO2 sensing control, and low VOC material selection to minimise internal pollutant levels and keep air fresh in operation, demonstrated through regular onsite testing.

4.5 WELL Rating

The project is currently committed to pursuing a WELL GOLD (Core) rating and investigating opportunities to target a Platinum (Core) rating. This requires not just healthy design and material selection but also the provision of employee policies and benefits that promote ongoing health and wellbeing. A portfolio approach to WELL will be considered where Charter Hall's operational processes and policies combined with project-specific design solutions and onsite testing will deliver a WELL rating as an attractor to tenants.

4.6 NCC – Section J – Energy Efficiency

The building is seeking to meet and exceed the National Construction Code (NCC) Volume 1, 2022. Section J of the NCC outlines performance requirements so that the building and its services facilitate the efficient use of energy. During the detailed design stage, the architectural design will be assessed to develop thermal requirements for all the aspects of the building's envelope, such as glazing performance, façade & roof colouring, shading and insulation. Due to the complexity of retaining and reusing existing fabric it is unlikely to be possible to upgrade to the latest NCC standards for any fabric that may be retained (Section J1) but all new and upgraded fabric and building services will be compliant with the latest, relevant standards.

5 Sustainable Design Principles

The following sustainable design principles have been proposed for the 383 Kent St building and can be addressed through the categories outlined within the Green Star Buildings v1 rating system. Green Star Buildings v1 is a recently updated holistic building sustainability rating tool and is broken into the following categories:

5.1 Responsible

The Responsible category recognises activities that ensure the building is designed, procured, built, and handed over in a responsible manner.

Materials - This category has a strong focus on the materials that have been used in a building. The building's structure, envelope, systems, and finishes will be selected based on their responsible product value. The vision of the responsible product framework is to drive the supply chain to deliver transparent, healthy, low-impact, and net zero carbon products that are part of a circular economy. Not only does this reduce the resource consumption impact of the project but also ensures transparent and equitable supply chains, something that the building industry has turned a blind eye to for a long time.

Waste - The responsible category also looks at waste, both in the building's construction and operation. The project will divert at least 80% of construction and demolition waste from landfill with a focus on reusing material from any demolition where possible. The building will also be designed for a functional waste system with recycling systems, adequate space and appropriate pick-up locations.

Education and Information - Education and information are notions that are carried within the responsible category. The head contractor when the building is in construction phase will educate the workers on site around climate change and the importance of sustainable design, construction and operation is critical in climate change mitigation. Information about the projects build and associated costs towards sustainability will be disclosed to the Green Building Council to further understand the response and viability of their framework.

5.2 Healthy

Building occupant health is a primary objective for Charter Hall. Healthy conditions and comfortable conditions exist in parallel.

Clean Air - The project will be CO2 monitored and controlled to ensure occupants have plenty of fresh air and do not have a feeling that the environment is stuffy or odorous.

Light Quality - Where appropriate the façade will accommodate for generous natural daylight to improve occupant wellbeing. Within proposed occupied spaces, artificial lighting will dominate the light source in the space. Artificial lighting will be flicker free with appropriate lux levels and uniformity per space.

Acoustic Comfort – Due to the nature of a commercial building, Charter Hall will implement a design strategy to control of intrusive/ high levels of noise, privacy, noise transfer, speech intelligibility.

Exposure to toxins – Low volatile organic compound products and finishes will be used in the project to ensure toxins are mitigated from the space.

Amenity – By creating spaces that have high levels of comfort and enclosure/separation, occupants will be able to reflect and relax.

Connection to Nature – A biophilic connection has proven to reduce stress and improve mental wellbeing. By implementing nature inspired design and integrated landscape into the project, the occupants will fulfil the sense of natural connection.

5.3 Resilient

A buildings' resilience is a major lens to assess its sustainability. Buildings that are not resilient to external pressures are usually first to be rebuilt, shortening the life of the building. By shortening the life of a building, all embodied material within the building may not have reached its service life and the emissions per year for each material increases. Also, future costs to uplift a building to withstand the future pressures is an expensive exercise. To ensure the project is resilient to future pressures a range of assessments will be completed.

Climate Change Assessment - will be made highlighting components of the buildings design where risks lie. A follow up plan for mitigating these risks from the design will then be implemented. This will attempt to future proof the development from climate pressures such as floods, high temperatures, drought, and storms. Other assessments that will be undertaken include operational resilience, community resilience, heat island resilience and grid resilience.

Operational resilience - refers to large scale external factors that could influence how the building operates, this includes failure of critical infrastructure, health pandemic, natural disasters and increased energy costs.

Community resilience - needs to be assessed to ensure the needs and desires of the surrounding community. The building should foster social cohesion and provide opportunity for local employment as well as educating the neighbourhood. By considering the needs and wants of the community the building is likely to increase its visitors and extend its service life.

Urban Heat Island - To prevent the urban heat island effect locally onsite materials with a low solar reflective index will be used and street trees protected wherever possible.

5.4 Positive

Net Zero Operational Energy - The 383 Kent Street project is committed to achieving net-zero carbon emissions in its operations by avoiding the use of grid gas and instead procuring 100% renewable electricity and offsetting the building's refrigerants for a period of at least 5 years. This goal will be achieved from the project's practical completion, well ahead of the grid's decarbonisation.

The building will be designed to achieve a 5.5 Star NABERS Base Building Energy Office rating + 25%.

Onsite solar PV arrays will be maximized on non-trafficable roof surfaces and the building's energy consumption will be reduced by 20% compared to a reference building. Monitoring and metering will be critical for the building's efficient operation, with CO2 monitoring controlling outdoor air requirements to adapt to occupancy levels, reducing HVAC loads. LED lighting will be used throughout, with efficient monitoring strategies to ensure responsiveness.

Upfront Carbon Reduction - The project aims to reduce upfront carbon emissions by 20% compared to a standard reference building by procuring responsible materials. Existing materials will be reused and repurposed where possible, further reducing material consumption.

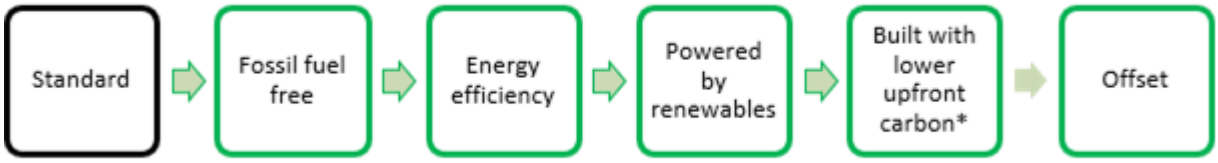


Figure 2: Climate Positive Pathway

Water Conservation - Water conservation is a crucial aspect of the project. The project acknowledges the importance of preserving this vital resource and has designed measures to minimise the building's potable water usage. Low flow rate end uses will be implemented throughout the building to reduce unnecessary water wastage, especially for sanitary needs.

In addition to minimising potable water usage, the project has also made efforts to maximise rainwater catchment from exposed non-trafficable surfaces. This harvested water will be used to supplement toilet flushing reducing the need for potable water for this purpose.

5.5 People and Place

History & Culture - A sense of place is integral for a building to have a prosperous long life. A building designed with a sense of place can enhance the social sustainability of a community by providing a space that reflects the local culture and history. This approach can help to strengthen the community's identity and promote a sense of pride in the local area. By creating a building that is responsive to its context, the project can contribute to the social, economic, and environmental well-being of the surrounding area.

Indigenous Design - By aligning the design method with the principles of the Australian Indigenous Design Charter, a true representation of Aboriginal heritage can be evoked in the design. This reminds visitors that the land they are on was habited tens of thousands of years before their arrival. By integrating this with aspects of developed Sydney's (relatively new) culture can spread this feeling of identity to a greater audience and educate all Australians on our rich history.

Transport – Through the proximity to public transport and provision of end of trip facilities, the building will encourage occupants to take shared and active modes of transport to and from site. The development will also remove an existing 800 bay public car park, replacing it with a much smaller number of parking spaces with EV charging infrastructure to further promote a shift to lower emitting modes of transport and supporting a shift in how commuters travel to and from the city.

5.6 Nature

An obvious sustainable approach to building design is integrating into the local environment as possible. By implementing native and endemic species onsite, the local ecology can be enhanced with habitat and food sources. The local ecology can extend to the waterway where the projects storm water eventually runs.

Impacts to Nature – Designing a building that conserves and protects the local environment is a key aspect of sustainable building design. The building will do this by minimising light pollution and promoting ecological value using plants wherever possible.

The building will look to further reduce its impacts to nature through material selection, investigating repurposing existing building materials, and the procurement of materials with a reduced raw material content and higher recycled content where possible. Charter Hall has an aspiration to increase the use of products with high *circularity*; that is, use materials that eliminate waste and pollution, recycle content at the highest value and regenerate nature. During the transition to a true circular economy, some form of carbon offsetting may be needed to balance carbon emissions so Charter Hall will also investigate and prioritise the purchasing of nature based Australian offsets.

Attachment A8

Connecting with Country Strategy

YERRABINGIN

CONNECTING WITH COUNTRY STRATEGY

383 Kent Street

Yerrabingin Pty Ltd ABN 14 624 559 708
yerrabingin.com.au

Introduction

The Connecting with Country Strategy has been written to inform Country centred design at the 383 Kent Street redevelopment.

This document introduces how we understand Country, explains how we Acknowledge and Connect to Country and provides an overview of the site from First Nations, geological and botanical perspectives.

It then provides an assessment framework for the development of Country centred design at the site that is linked to strategic goals in the GANSW *Connecting with Country framework* and a site specific strategic goal. Each strategic goal has related indicators for success specific to this project that will be used to assess the extent to which Country has informed design.

We look forward to seeing Country and culture embedded into the future built environment to create a place for listening, learning and celebrating the world's oldest living culture.

We aim to empower the voices of Traditional Custodians and guide the creation of a space within the Metropolitan area of Sydney that allows both Indigenous and non-Indigenous people to develop a further sense of Connection to Country.



Acknowledgement of Country

We acknowledge Gadi Country, the Cultural Landscape that we are working upon. We acknowledge the custodianship of its people and the privilege and responsibility to Connect with Country.

We acknowledge all First Nations people and their ongoing connection to culture, lands and waters and their valuable contribution to the community. We recognise, acknowledge, and extend our respect to many others who have custodial obligations for Country and have been connected to Sydney for many generations, including their Elders past, present and emerging.

We acknowledge the Sydney area as an ancient cultural landscape that shifted and changed over time. The unique elements of Gadi Country, with freshwater streams meeting a deep, sheltered harbour environment, connect the ocean to the inland freshwater areas through an extensive waterway system, providing a place of diversity and connectivity.

The 383 Kent Street redevelopment provides an opportunity to acknowledge Country, including all elements of Country, the salt and freshwater environments and the connection to the wider cultural context of the Sydney area.

Often words of acknowledgment are spoken or given to Country, as we have above. But for you to know and introduce yourself to Country you must sense and feel its presence, hear its stories, the sounds, the colours, the smells and her spirit.

It is not the words as ritual, but the feeling, the thought that connects us to her and each other, reminding us of our custodial responsibility.



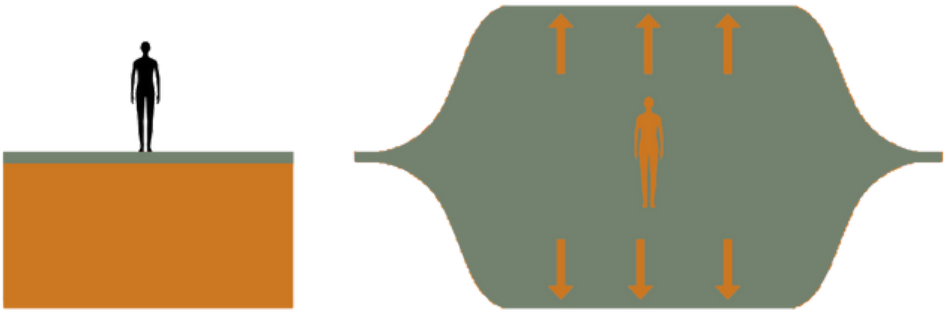
What is Country?

Country is all encompassing. Everywhere we go, we are within the connected system of Country. Everything we do impacts everything around us, and everything that happens around us, influences us. Country is often misunderstood as just the ground we stand on, but it's so much more. It can be thought of as a reciprocal series of interconnected elements that reaches deep into the earth, and all the way into the sky.

Our knowledge is stored within the landscape and nurtured through an oral tradition, through dance, stories, song, and art, carefully designed and maintained. The natural cycles of Country inform our lore, telling us when it is the right time to engage with certain species and how to look after Country. In return, Country looks after us, providing refuge, comfort and wellbeing, both physically and mentally.

Country is a responsibility, not a right and it is there for all who respect and cherish her.

Today we may not always be able to see Country instantly, but if we call to her, we can always sense her and again feel her embrace.



Connecting with Country

To connect with Country is to work within the reciprocal system of Country and to develop a further understanding and appreciation of the cultural knowledges and practices stored within. This encourages physical and emotional wellbeing for people and healthy Country.

Being connected to Country transcends language and culture. It is an interlaced system of action, emotion and experience. It highlights the many values that are similar across the cultures of our contemporary communities. Everyone can feel connected to Country.

Connecting to Country supports a socially inclusive, resilient, and innovative community that cherishes the wisdom and kinship of all cultures, captured through the lens of custodianship, creating a wellbeing for all.

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Country at 383 Kent Street

First Nations Context

The 383 Kent Street site is on a sandstone rise, with the Tank Stream valley catchment to the east and the Tumbalong (Darling Harbour / Barangaroo) shoreline to the west. The site would have been very close to the 1788 shoreline, as much of the land west from about Sussex Street is reclaimed land.



Figure 1: Tank Stream valley catchment area within Sydney CBD area. The dotted black line is the 1788 shoreline and the solid black line is the current shore line. The catchment area for the Tank Stream, the marsh at the head of the Stream, the Tank Stream itself (centre) are shown in blue. The approximate site location is at the red rectangle (Source: Yerrabingin)

Pre colonisation the shoreline was close to the current Sussex Street, with *Figure 2* showing a semi-circular rise or promontory along the eastern coastline of Darling Harbour close to 383 Kent Street. This would have been a place to view across the water to Pirrama (Pyrmont) and beyond to Wanne Country (from Darling Harbour along the western harbour shore towards Parramatta) as well as back eastwards into the Tank Stream valley in Cadi Country.

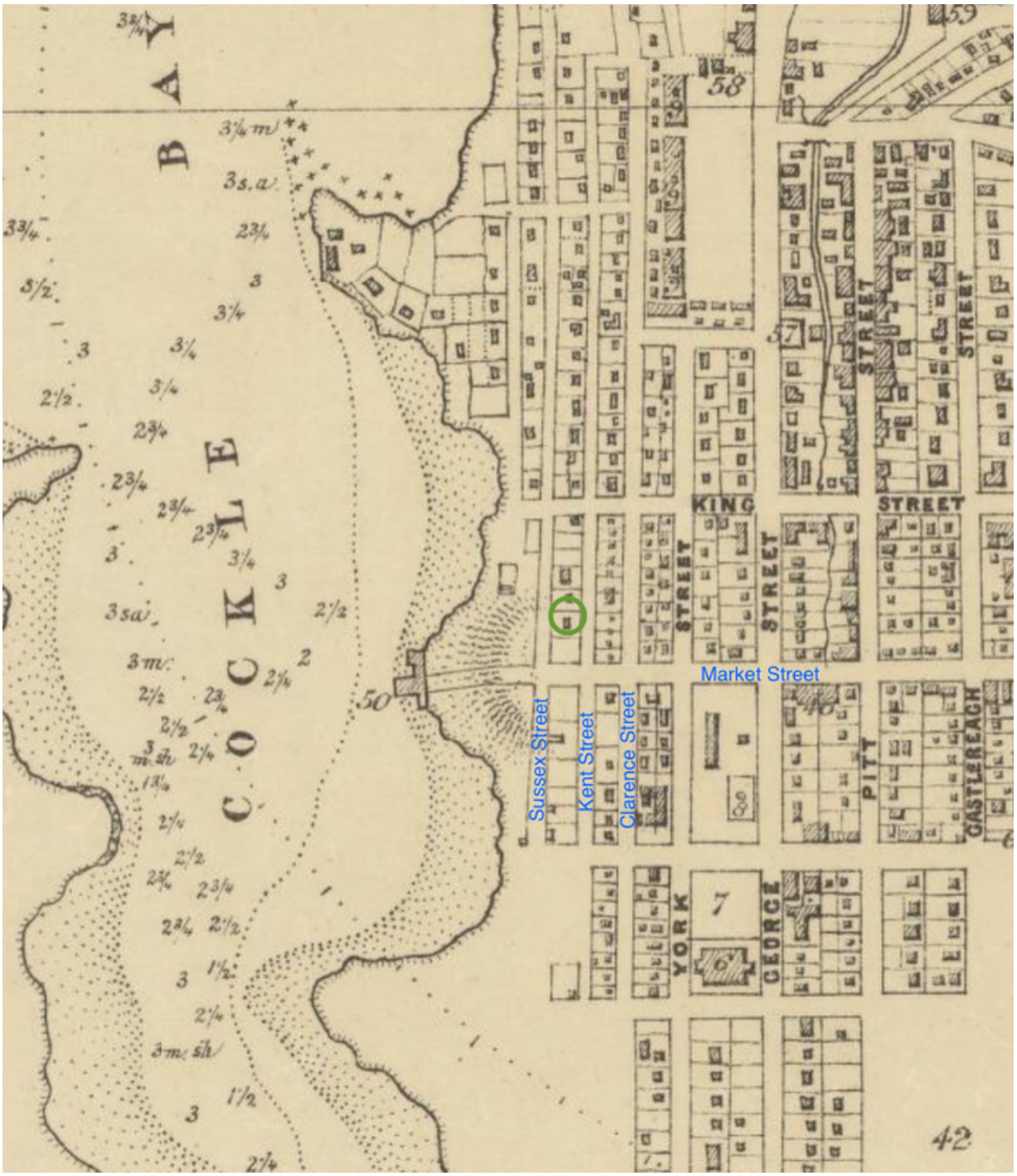

Figure 2 Approximate site location at green circle. The Tank Stream can be seen, starting at Market Street, running between George and Pitt Streets. Source: Excerpt from Plan of the town and suburbs of Sydney, August, 1822, https://nla.gov.au/nla.obj-229911701/view, with Yerrabingin additions

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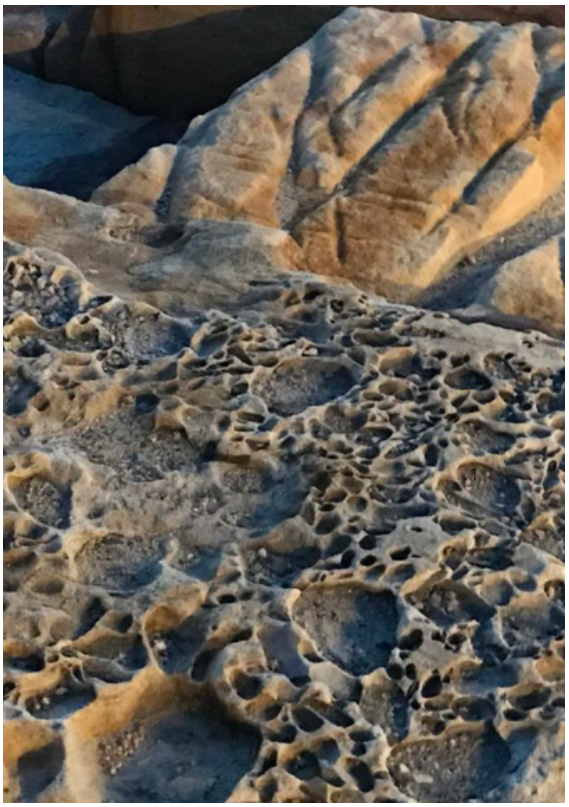
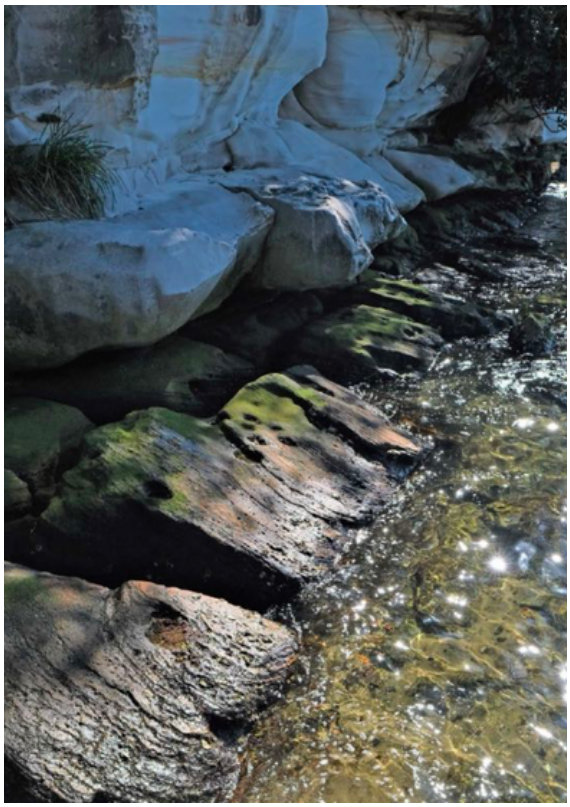
Geological Context

The Sydney Harbour area was created by changing water levels over thousands of years, with a freshwater stream, now known as the Tank Stream, finding its way from wetlands in eastern Sydney down through a valley that dipped between higher sandstone ridge areas at Macquarie and George Streets.

The shoreline changed over thousands of years as sea levels rose and fell, settling to the current level about 6000 years ago. The site is approximately in the area that would have been between the Tank Stream valley and the coastline of Tumbalong, sitting on a sandstone rise between fresh and saltwater environments. This was an alternatively watery and dry place, with salt water and fresh water changing places over thousands of years. The water weathered sandstone rock found in Gadi Country is a reminder of this history.

Post colonisation, the coastline and landscape has been dramatically altered, obscuring much of the natural landscape. The history of this Country can be seen in the weathering of sandstone rock and the harbour waters.





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Botanical Context

The 383 Kent Street site sits between the saltwater environment of the Eastern shore of Tumbalong and the freshwater environment of the Tank Stream valley catchment.

Freshwater Environment

Recent archaeological research within the Tank Stream valley catchment at 200 George Street found that the dominant vegetation type would have been casuarina swamp forest (*Allocasuarina/Casuarina*) in the estuary of the Tank Stream or stands growing along the lower reaches of the stream, with ground fern (*Calochlaena dubia*) dominating the damp sites. Salt tolerant Swamp-oak (*Casuarina glauca*) and River-oak (*C. Cunninghamiana*) would have lined the banks of permanent freshwater streams . The sandstone ridges in Gadi Country would have been home to Angophora and Banksia.

Saltwater Environment

The environment to the west of the site is a saltwater environment, at the shore of Tumbalong. Archaeological research about 500 meters southwest of the site, at Darling Walk Midden, which was on the 1788 shoreline found a midden with Sydney cockle shells, Sydney rock oysters and mud whelks within an area of mudflats. Amongst the shells were ten Aboriginal stone artefacts made of several types of stone that were the remains of a campsite. This research tells us that Gadigal people sat by the bay, cooking and eating shellfish collected from the mudflats of Tumbalong.





Assessment Framework

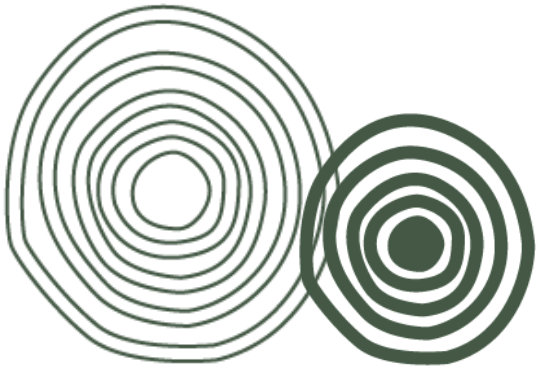
This section outlines the framework for assessing Country focused design at 383 Kent Street.

This Strategy has been informed by the GANSW *Designing with Country discussion paper* and the GANSW *Draft Connecting with Country framework*. The GANSW *Designing with Country discussion paper* introduces the importance of engagement with Aboriginal people and organisations in the design process to achieve the best design outcomes. It explores good design in Australia as including the Aboriginal worldview of Country.

The *Draft Connecting with Country framework* guides how Aboriginal knowledge can be used in the design and planning of places. GANSW worked with Aboriginal consultants, organisations and LALCs and local and state government to draft the framework. The framework emphasises that good design in Australia will be informed by the Aboriginal concept of Country. Good design prioritise Aboriginal ways of knowing and connecting to Country and require co-design of projects with Aboriginal people.

This CwC Strategy has been informed by the GANSW documents. It has been developed to support the creation of a culturally appropriate and meaningful design in the public sphere. It aims to outline what is involved in Acknowledging Country in design and how consideration of the interconnecting nature of Country can be incorporated into design at this site to ensure good outcomes for the health of Country and people.

The Strategy has drawn on the strategic goals of the GANSW *Connecting with Country framework* and has developed a further strategic goal about Acknowledgement of Country to ensure that the design considers the local context and relationships. The first goal listed below is developed specifically for this project, and the remaining goals are from the GANSW *Connecting with Country framework*.



Indicators for Success

Related to the strategic goals of the GANSW *Connecting with Country Framework* are the Preliminary Indicators for Success. The table below includes the Strategic Goals and related indicators that will help inform the creation of a space that works with and acknowledges Country. The indicators in italics are the high-level indicators from the *Connecting with Country Framework* and the indicators below are site specific indicators developed to assess Country focused design in this project.

Strategic Goals	Preliminary Indicators for Success	Y/N
1. Country is acknowledged by exploring the elements of Country (Water, Wind, Sky, Forest, and Deep Country) and the interconnected nature of these elements. The design is developed in response to the unique expression of Country at the site.	*Built form and landscape are influenced by/reflect Country at the site.* *The design has considered the interconnected nature of all of the elements of Country.* Site Specific:	
	• Reference the natural geology and topography of the site.	
	• Consider the movement of wind throughout the site.	
	• Create a physical connection to sky on site.	
	• Reference the endemic vegetation of the landscape.	
	• Consider the movement of people and animals across the site.	
2. Impacts of natural events such as fire, drought, and flooding, exacerbated by unsustainable land- and water-use practices, will be reduced.	*Increased programs to monitor the health of Country (with a view to measuring health of Country and community in the future)* Site Specific:	
	• Celebrate the natural movement of water across the site.	
	• Consider the impacts of natural events such as fire, drought, and flooding on the site.	
	• Incorporate sustainable land- and water-use practices on the site.	
	• Incorporate naturally sourced and sustainable materials.	

3. Aboriginal cultural knowledge will be valued and respected. Aboriginal knowledge-holders will co-lead design and development of all NSW infrastructure projects.	*Improved cultural competency (across teams and individuals within agencies)* Site Specific:	
	• Co-design with Aboriginal community members from the area.	
	• Incorporate significant local Aboriginal stories and narratives into the design.	
	• Incorporate references to local Aboriginal cultural knowledges and practices into the design to educate users of the space about Aboriginal life and culture on site.	
4. Aboriginal people will have access to their homelands so they can continue their responsibility to care for Country and protect sensitive sites.	*Demonstrated commitment by client agencies to build direct relationships with relevant Aboriginal communities on Country* *Increased Aboriginal participation in lead consultant teams as well as in project co-design, decision-making, and governance* *Increased awareness of, and protection for, cultural values and Aboriginal knowledge (Aboriginal culture and heritage as well as intellectual property)* *Demonstrated co-design of engagement processes with community on Country* Site Specific:	
	• Create a culturally safe space for local Aboriginal people to gather on site.	
	• Consider and incorporate future employment and business opportunities for local Aboriginal people.	
	• Respect the local Aboriginal cultural and land uses of the site.	

Attachment A9

Initial Connecting with Country Concepts

383 KENT ST

INITIAL CONNECTING WITH COUNTRY CONCEPTS

MAY 2023

WE ARE YERRABINGIN. WE WALK TOGETHER.

YERRABINGIN

ACKNOWLEDGEMENT

We acknowledge Country, the Cultural Landscape that we are working upon, We acknowledge the custodianship of its people and the privilege and responsibility to Connect with Country.

We acknowledge the Gadigal and Wangal people and their ongoing connection to culture, lands and waters and their valuable contribution to the community. We recognise and acknowledge the surrounding clans to the North, South, East and West whilst honouring and celebrating their Elders past, present and emerging.

We are part of the system of Country, our actions must always be Country positive. Being connected to Country transcends language and culture - a connected system of action, emotion, and experience, as a Custodian of Country.

Importantly, including First Nations knowledge of lands and culture at the onset of a project leads to design responses that are derived from knowledge of landscape variables and bio-cultural knowledge, creating meaning in placemaking conceptualisation and function.

GADIGAL AND WANGAL COUNTRY AT 383 KENT ST

The 383 Kent St site sits in a unique location close to Tumbalong which has been known to be a shared space of the Gadigal and Wangal, as well as a transition space between two extremely diverse ecologies, casuarina swampland and harbour foreshore.

The site is on a sandstone rise, with the Tank Stream valley catchment to the east and the Darling Harbour / Barangaroo shoreline to the west. The site would have been very close to the original shoreline, as much of the land west from about Sussex Street is reclaimed land along that coastline.

Pre colonisation the shoreline was close to the current Sussex Street, with a semi-circular rise or promontory along the eastern coastline of Darling Harbour close to 383 Kent Street. This would have been a place to view across the water to Pirrama (Pyrmont) and beyond to Wanne Country (from Darling Harbour along the western harbour shore towards Parramatta) as well as back eastwards into the Tank Stream valley in Cadi Country.





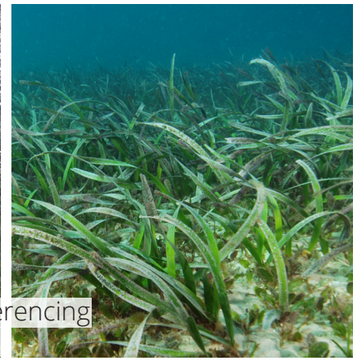
THROUGH SITE LINK

As an area of high pedestrian traffic, the through site link provides an opportunity to reconnect two diverse ecologies. The 383 Kent Street site sits between the saltwater environment of the Eastern shore of Tumbalong and the freshwater environment of the Tank Stream valley catchment.

Through the design, we can highlight the natural forms, colours, and features of Country to allow people to further experience the natural landscape and develop a further understanding and appreciation of Indigenous life on site, and how the site has changed over time.

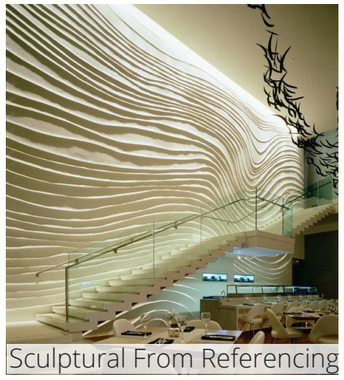


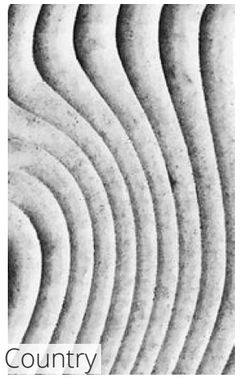




Kinetic Installation referencing transitioning Ecologies





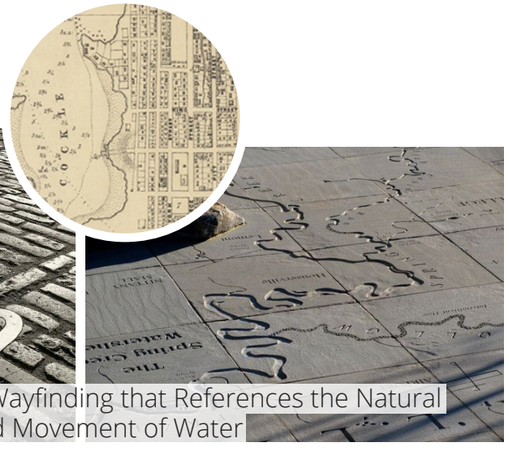


Sculptural From Referencing Country



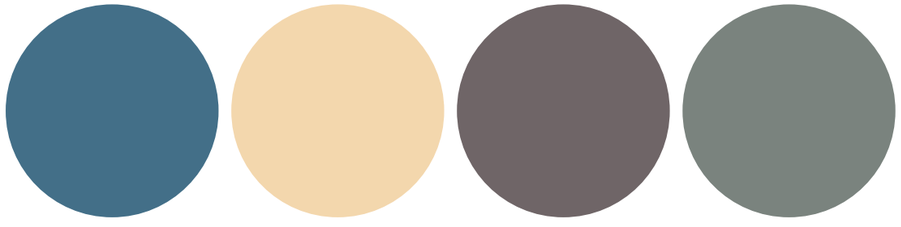


Celebrating the Ecology and Natural Landscape



Interpretive Wayfinding that References the Natural Shoreline and Movement of Water

Natural Eco-tones







Highlighting Views of Country

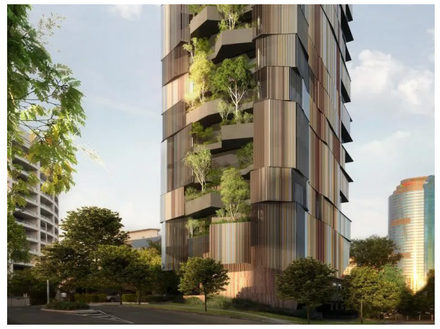
YERRABINGIN

GREEN FACADE + TERRACES

The unique location of the building can celebrate the diverse ecologies of Wanne and Cadi countries through materiality, colour and planting. We can explore the different qualities of the neighbouring Countries through colour and materiality on different faces on the building. We can increase biodiversity at the site by adding seasonal plantings to encourage non human kin back to the site. Implementing sustainable water management at the site and using sustainable materials will help to improve the health of Country.



Orientation of Building referencing what Country its facing





Rooftop Garden Spaces

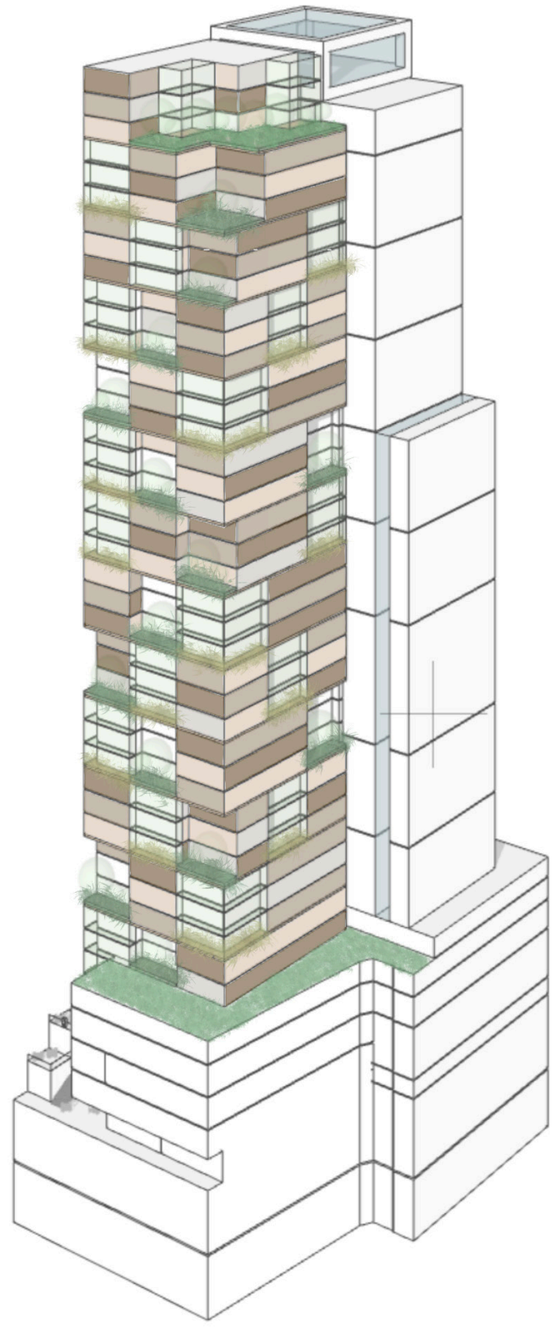


Seasonal Endemic Planting Scheme













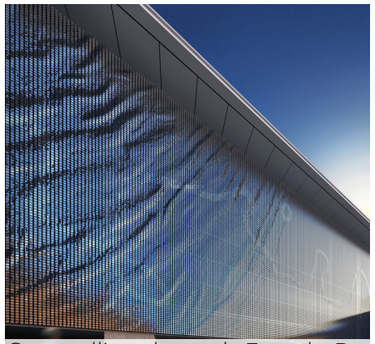


Green Sky Terraces



Natural Sustainable Materials







Storytelling through Facade Design

Attachment A10

Pedestrian Wind Environment Study
(Maximum Planning Envelope)

WINDTECH



PEDESTRIAN WIND ENVIRONMENT STUDY

383 KENT STREET, SYDNEY - MAXIMUM PLANNING ENVELOPE

WH105-04F01(REV1)- WE REPORT

JANUARY 25, 2024

Prepared for:

Charter Hall

Level 20, 1 Martin Place
Sydney, NSW 2000

AT THE LEADING EDGE

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DOCUMENT CONTROL

Date	Revision History	Issued Revision	Prepared By (initials)	Instructed By (initials)	Reviewed & Authorised by (initials)
January 23, 2024	Initial.	0	EV	SWR	GC
January 25, 2024	Minor updates to text.	1	EV	SWR	GC

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EXECUTIVE SUMMARY

This report presents the results of a detailed investigation into the wind environment impact of the Maximum Planning Envelope for the proposed 383 Kent Street development, located in Sydney. Testing was performed at Windtech's boundary layer wind tunnel facility. The wind tunnel has a 3.0m wide working section and a fetch length of 14m, and measurements were taken from 16 wind directions at 22.5 degree increments. Testing was carried out using a 1:300 detailed scale model of the development, which was fabricated based on the architectural drawings received on December 8, 2023. The effects of nearby buildings and land topography have been accounted for through the use of a proximity model which represents an area with a radius of 375m.

Peak gust and mean wind speeds were measured at selected critical outdoor trafficable locations within and around the subject development. Wind velocity coefficients representing the local wind speeds are derived from the wind tunnel and are combined with a statistical model of the regional wind climate (which accounts for the directional strength and frequency of occurrence of the prevailing regional winds) to provide the equivalent full-scale wind speeds at the site. The wind speed measurements are compared with criteria for pedestrian comfort and safety, based on Gust-Equivalent Mean (GEM) and annual maximum gust winds, respectively.

The model was tested in the wind tunnel without the effect of any forms of wind ameliorating devices such as screens, balustrades, etc., which are not already shown in the architectural drawings. The effect of vegetation was also excluded from the testing. The existing site conditions were also tested, for comparison.

The site in its current wind environment context is partially exposed to adverse westerly winds which manifest in the form of downwashing and funnelling along Sussex Street, as shown in the existing case tunnel testing results which demonstrates four points currently exceeding the safety limit. Existing case tunnel testing results for Kent Street demonstrates that all study point locations satisfy the assigned comfort criterion for walking and are within the safety limit.

The results of the test for the Envelope Case indicate that with the inclusion of the Maximum Planning Envelope, the wind conditions are either within the target comfort criterion and safety limit, equivalent to the existing site wind conditions or better than the existing site wind conditions. Hence, the development satisfies the relevant planning controls as per Section 5.1.9(2) of the Sydney Development Control Plan (DCP).

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1 INTRODUCTION

This Pedestrian Wind Environment Study has been prepared by Windtech Consultants in support of a Planning Proposal to amend the Sydney Local Environmental Plan 2012 (Sydney LEP). This report has been prepared on behalf of Charter Hall Holdings Pty Ltd (Charter Hall) (the Proponent) and it relates to a single development lot identified as Lot 1 in DP 778342 or 383 Kent Street, Sydney (the site).

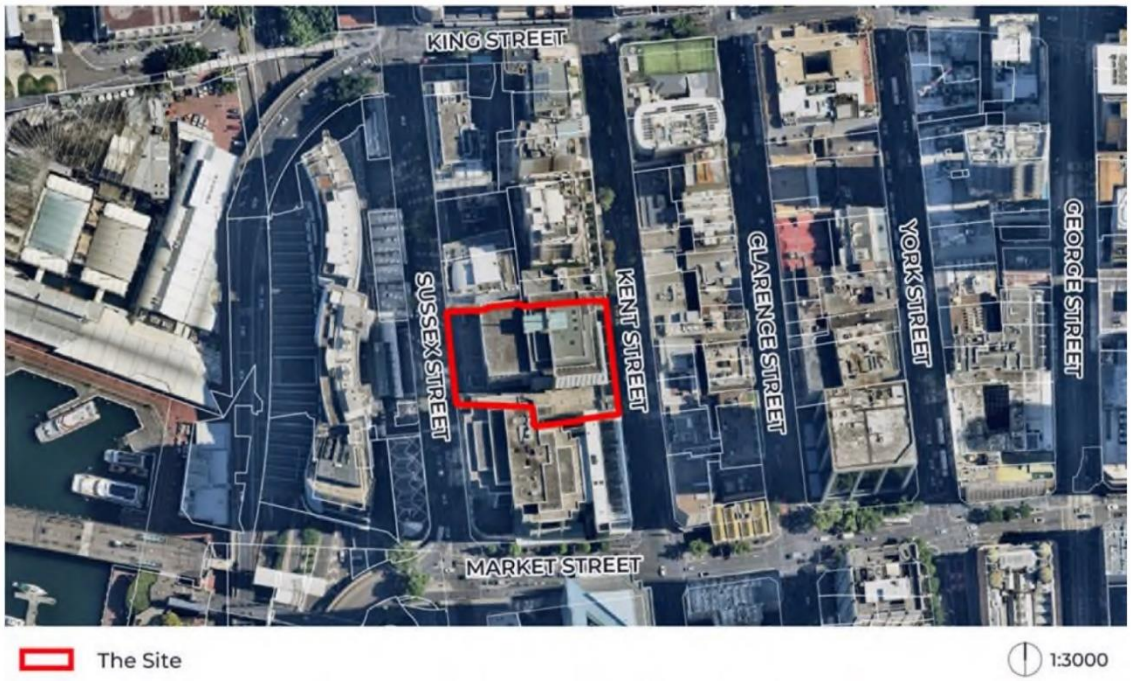

Figure 1: Aerial Map
Source: Nearmap, edits by Ethos Urban

The purpose of this Planning Proposal is to amend the site's maximum Height of Building development standard and maximum Floor Space Ratio (FSR) development standard to unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the Central Sydney Planning Strategy (CSPS) for tower cluster sites. This Planning Proposal will also seek to facilitate significant public benefits through additional site activation by way of a new pedestrian through-site link, shared loading dock facility and delivering on sustainable initiatives to contribute to the City of Sydney's vision to achieve net zero energy buildings.

The proposed Sydney LEP amendment is part of the broader redevelopment plan for the site to demolish the existing structure on the site (including the existing 10 storey car park), and construct a new 42 storey commercial office tower with a total maximum FSR of 20:1 (circa 73,000m^2 GFA).

The uplift being sought is consistent with the strategic intent of the CSPS for tower cluster sites within Central Sydney, which contains the City's requirements and expectations for projects pursuing this pathway. Following the Planning Proposal, the planning approval pathway involves a competitive design process and a detailed

Development Application (DA). As such, this report reflects the concept stage of the proposal, and may be embellished as the detailed design and required works evolve.

1.1 Indicative Reference Scheme Overview

This Planning Proposal is accompanied by amendments to the Sydney Development Control Plan 2012 (Sydney DCP). The site specific DCP amendments reflect the proposed outcome to create a new commercial office tower that reintroduces a fine grain texture to the city by way of a new through-site link and retail activation at each ground floor interface to the public domain. This is reflected in the accompanying reference design prepared by FJC which serves as a baseline proof of concept for this Planning Proposal. This large strategic site presents a unique opportunity to deliver a landmark tower site that will exhibit design excellence and redefine the western edge of the CBD, whilst offering significant employment opportunities for global Sydney.

The reference scheme supporting the Planning Proposal and site specific DCP can be described as follows:

- Demolition of the existing building, including removal of the over 800 capacity public car park.
- Construction of the following:
    - New 42-storey office tower comprising a total FSR of 20:1, up to a height of RL 189.60 (approximately 170m above Kent Street and 180m above Sussex Street).
    - New premium-grade commercial floorspace with an approximate GFA of circa 73,000m^2.
    - New through-site link connecting Kent and Sussex Streets, including public art activation.
    - New ground floor activation opportunities, including approximate retail GFA of circa 640m^2.
    - 2 levels of basement, comprising:
    - Basement Level 1 facilitating 72 car parking spaces; and
    - Sussex Street ground level shared loading dock facility including SRV and MRV short term stay bays to service retail tenancies within buildings along Kent Street (located between Market Street and King Street).
    - New end of trip facilities below the Kent Street ground level.

1.2 Wind Tunnel Assessment

A wind tunnel study has been undertaken to assess wind speeds at selected critical outdoor trafficable areas within and around the subject development. The test procedures followed for this wind tunnel study were based on the guidelines set out in the Australasian Wind Engineering Society Quality Assurance Manual (AWES-QAM-1-2019), ASCE 7-16 (Chapter C31), and CTBUH (2013).

A scale model of the development was prepared, including the surrounding buildings and land topography. Testing was performed at Windtech's boundary layer wind tunnel facility. The wind tunnel has a 3.0m wide

working section and a fetch length of 14m, and measurements were taken from 16 wind directions at 22.5 degree increments. The wind tunnel was configured to the appropriate boundary layer wind profile for each wind direction. Wind speeds were measured using either Dantec hot-wire probe anemometers or pressure-based wind speed sensors, positioned to monitor wind conditions at critical outdoor trafficable areas of the development.

The model was tested in the wind tunnel without the effect of any forms of wind ameliorating devices such as screens, balustrades, etc., which are not already shown in the architectural drawings. The scale model was based on the drawing set received December 8, 2023 (refer to Table 1 below). Additional modifications were made to the Maximum Planning Envelope in the form of a stepped podium aspect, as a result of wind advice provided to the client. The effect of vegetation was also excluded from the testing. The wind speeds measured during testing were combined with a statistical model of the regional wind climate to provide the equivalent full-scale wind speeds at the site. The measured wind speeds were compared against appropriate criteria for pedestrian comfort and safety.

Table 1: List of architectural drawing referenced for this assessment.

Drawing No. and Title	Revision Number	Date
231207 Revised Southern Setbacks	-	7/12/2023

Additional modifications made to the northern aspect of the podium as per client instruction.

2 WIND TUNNEL MODEL

Wind tunnel testing was carried out using a 1:300 scale model of the development and surroundings. The study model incorporates all necessary architectural features on the façade of the development to ensure an accurate wind flow is achieved around the model, and was constructed using a Computer Aided Manufacturing (CAM) process to ensure that a high level of detail and accuracy is achieved. The study model was fabricated based on the architectural drawings received on December 8, 2023. The effect of nearby buildings and land topography has been accounted for through the use of a proximity model, which represents a radius of 375m from the development site. The following building scenarios were tested:

- With the inclusion of the Maximum Planning Envelope. In this report, this test case is referred to as the "Envelope Case".
- With the inclusion of the existing building massing. In this report, this test case is referred to as the "Existing Case".

Photographs of the wind tunnel model are presented in Figures 2. Planview images of the proximity model are provided in Figures 3.



Figure 2a: Photograph of the Wind Tunnel Model
Envelope Case, view from the north-west



Figure 2b: Photograph of the Wind Tunnel Model
Envelope Case, view from the north



Figure 2c: Photograph of the Wind Tunnel Model
Envelope Case, view from the west



Figure 2d: Photograph of the Wind Tunnel Model
Envelope Case, view from the south



Figure 2e: Photograph of the Wind Tunnel Model
Envelope Case, view from the east



Figure 2f: Photograph of the Wind Tunnel Model
Existing Case, view from the north-west



Figure 2g: Photograph of the Wind Tunnel Model
Existing Case, view from the west

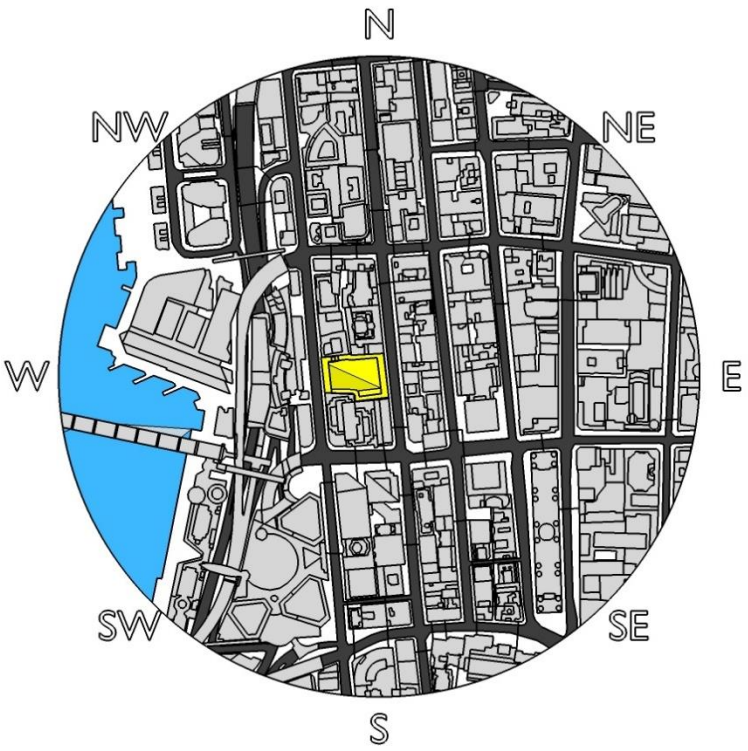

Figure 3a: Proximity Model Plan, Envelope Case

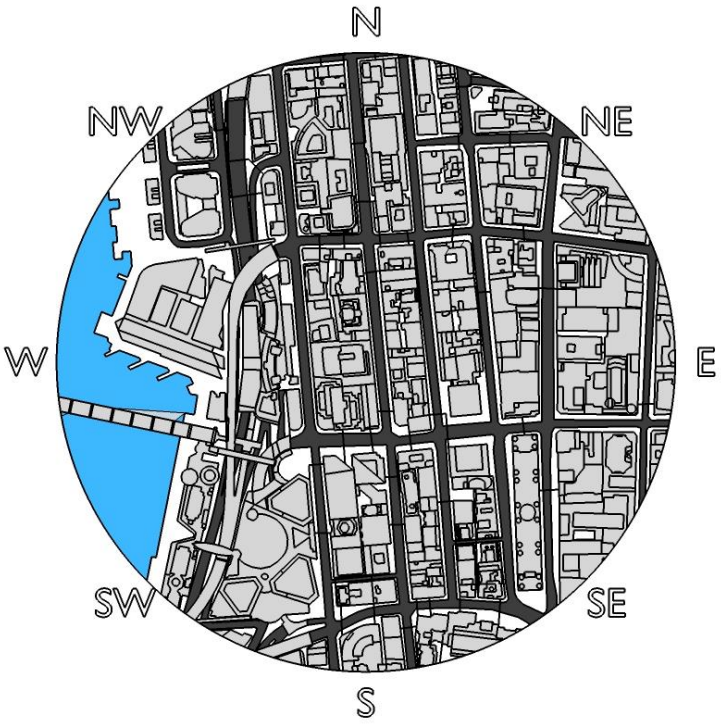

Figure 3b: Proximity Model Plan, Existing Case

3 BOUNDARY LAYER WIND PROFILES AT THE SITE

The roughness of the surface of the earth has the effect of slowing down the wind near the ground. This effect is observed up to the boundary layer height, which can range between 500m to 3km above the earth's surface depending on the roughness of the surface (ie: oceans, open farmland, etc). Within this range the prevailing wind forms a boundary layer wind profile.

Various wind codes and standards and other publications classify various types of boundary layer wind flows depending on the surface roughness z_0. Descriptions of typical boundary layer wind profiles, based on D.M. Deaves and R.I. Harris (1978), are summarised as follows:

- Flat terrain (0.002m < z_0 < 0.003m). Examples include inland water bodies such as lakes, dams, rivers, etc, and the open ocean.
- Semi-open terrain (0.006m < z_0 < 0.01m). Examples include flat deserts and plains.
- Open terrain (0.02m < z_0 < 0.03m). Examples include grassy fields, semi-flat plains, and open farmland (without buildings or trees).
- Semi-suburban/semi-forest terrain (0.06m < z_0 < 0.1m). Examples include farmland with scattered trees and buildings and very low-density suburban areas.
- Suburban/forest terrain (0.2m < z_0 < 0.3m). Examples include suburban areas of towns and areas with dense vegetation such as forests, bushland, etc.
- Semi-urban terrain (0.6m < z_0 < 1.0m). Examples include centres of small cities, industrial parks, etc.
- Urban terrain (2.0m < z_0 < 3.0m). Examples include centres of large cities with many high-rise towers, and also areas with many closely-spaced mid-rise buildings.

The boundary layer wind profile does not change instantly due to changes in the terrain roughness. It can take many kilometres (at least 100km) of a constant surface roughness for the boundary layer wind profile to achieve a state of equilibrium. Hence an analysis of the effect of changes in the upwind terrain roughness is necessary to determine an accurate boundary layer wind profile at the development site location.

The proximity model accounts for the effect of the near field topographic effects as well as the influence of the local built forms. To account for further afield effects, an assessment of the upwind terrain roughness has been undertaken based on the method given in AS/NZS1170.2:2021, using a fetch ranging from 20 to 60 times the study reference height (as per the recommendation by AS/NZS1170.2:2021). An aerial image showing the surrounding terrain is presented in Figure 4 for a range of 5.4km from the edge of the proximity model used for the wind tunnel study. The resulting mean and gust terrain and height multipliers at the site location are presented in Table 2, referenced to the study reference height (which is approximately half the height of the subject development since typically we are most interested in the wind effects at the ground plane). Details of the boundary layer wind profiles at the site are combined with the regional wind model (see Section 4) to determine the site wind speeds.

Table 2: Approaching Boundary Layer Wind Profile Analysis Summary (at the study reference height)

Wind Sector (degrees)	Terrain and Height Multiplier			Turbulence Intensity	Equivalent Terrain Category (AS/NZS1170.2:2021 naming convention)
	$k_{tr,T=1hr}$ (hourly)	$k_{tr,T=10min}$ (10min)	$k_{tr,T=3s}$ (3sec)	I_v	
0	0.81	0.85	1.23	0.172	2.7
30	0.86	0.90	1.25	0.152	2.4
60	1.00	1.03	1.32	0.104	1.2
90	0.93	0.96	1.28	0.129	1.9
120	0.77	0.81	1.21	0.188	3.0
150	0.82	0.86	1.23	0.169	2.7
180	0.72	0.76	1.18	0.216	3.3
210	0.76	0.80	1.20	0.195	3.1
240	0.77	0.82	1.21	0.188	3.0
270	0.83	0.87	1.24	0.166	2.6
300	0.88	0.91	1.26	0.147	2.3
330	0.92	0.96	1.28	0.130	2.0

NOTE: These terrain and height multipliers are to be applied to a basic regional wind speed averaged over 3-seconds. Divide these values by 1.10 for a basic wind speed averaged over 0.2-seconds, 0.69 for a basic wind speed averaged over 10-minutes, or 0.66 for a basic wind speed averaged over 1-hour.

For each of the 16 wind directions tested in this study, the approaching boundary layer wind profiles modelled in the wind tunnel closely matched the profiles listed in Table 2. Plots of the boundary layer wind profiles used for the wind tunnel testing are presented in Appendix E of this report.

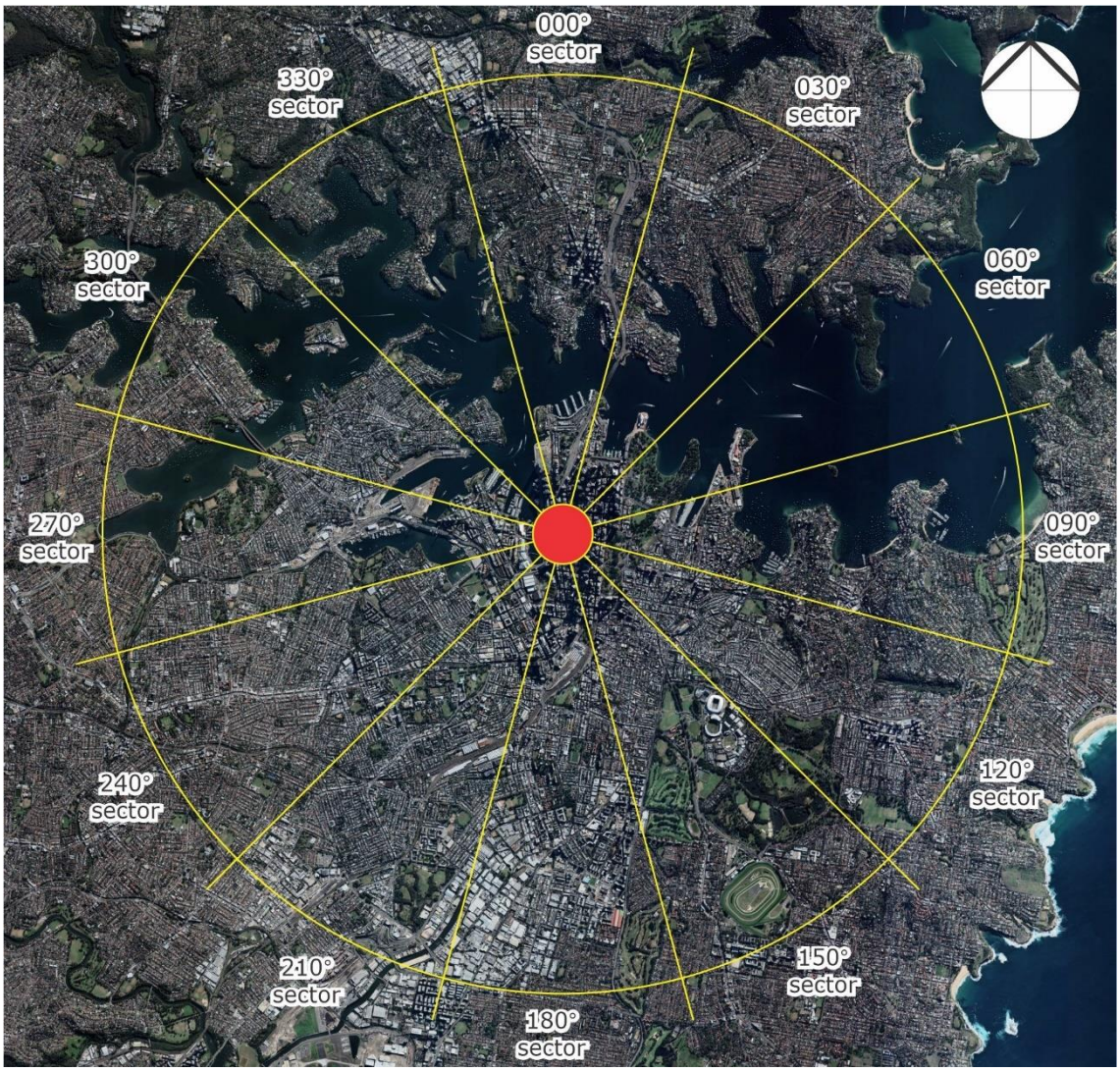

Figure 4: Aerial Image of the Surrounding Terrain (radius of 5.4km from the edge of the proximity model)

4 REGIONAL WIND MODEL

The regional wind model used in this study was determined from an analysis of measured directional mean wind speeds obtained at the meteorological recording station located at Kingsford Smith Airport (Sydney Airport). Data was collected from 1995 to 2016 and corrected so that it represents winds over standard open terrain at a height of 10m above ground for each wind direction. From this analysis, directional probabilities of exceedance and directional wind speeds for the region are determined. The directional wind speeds are summarised in Table 3. The directional wind speeds and corresponding directional frequencies of occurrence are presented in Figure 5.

The data indicates that the southerly winds are by far the most frequent winds for the Sydney region, and are also the strongest. The westerly winds occur most frequently during the winter season for the Sydney region, and although they are typically not as strong as the southerly winds, they are usually a cold wind and hence can be a cause for discomfort for outdoor areas. North-easterly winds occur most frequently occur during the warmer months of the year for the Sydney region, and hence are usually welcomed within outdoor areas since they are typically not as strong as the southerly or westerly winds.

The recurrence intervals examined in this study are for exceedances of 5% (per 90 degree sector) of the pedestrian comfort criteria using Gust-Equivalent Mean (GEM) wind speeds, and annual maximum wind speeds (per 22.5 degree sector) for the pedestrian safety criterion. Note that the 5% probability wind speeds presented in Table 3 are only used for the directional plot presented in Figure 5 and are not used for the integration of the probabilities.

Table 3: Regional Directional Wind Speeds (hourly means, at 10m height in standard open terrain) (m/s)

Wind Direction	5% Exceedance	Annual Maximum
N	5.9	9.9
NNE	9.9	12.9
NE	9.7	12.3
ENE	7.5	10.0
E	6.3	9.3
ESE	6.2	9.1
SE	7.0	10.1
SSE	8.5	12.2
S	10.3	13.9
SSW	10.0	14.1
SW	6.9	11.9
WSW	9.3	13.6
W	9.8	14.4
WNW	8.8	14.3
NW	6.7	12.6
NNW	5.5	10.7

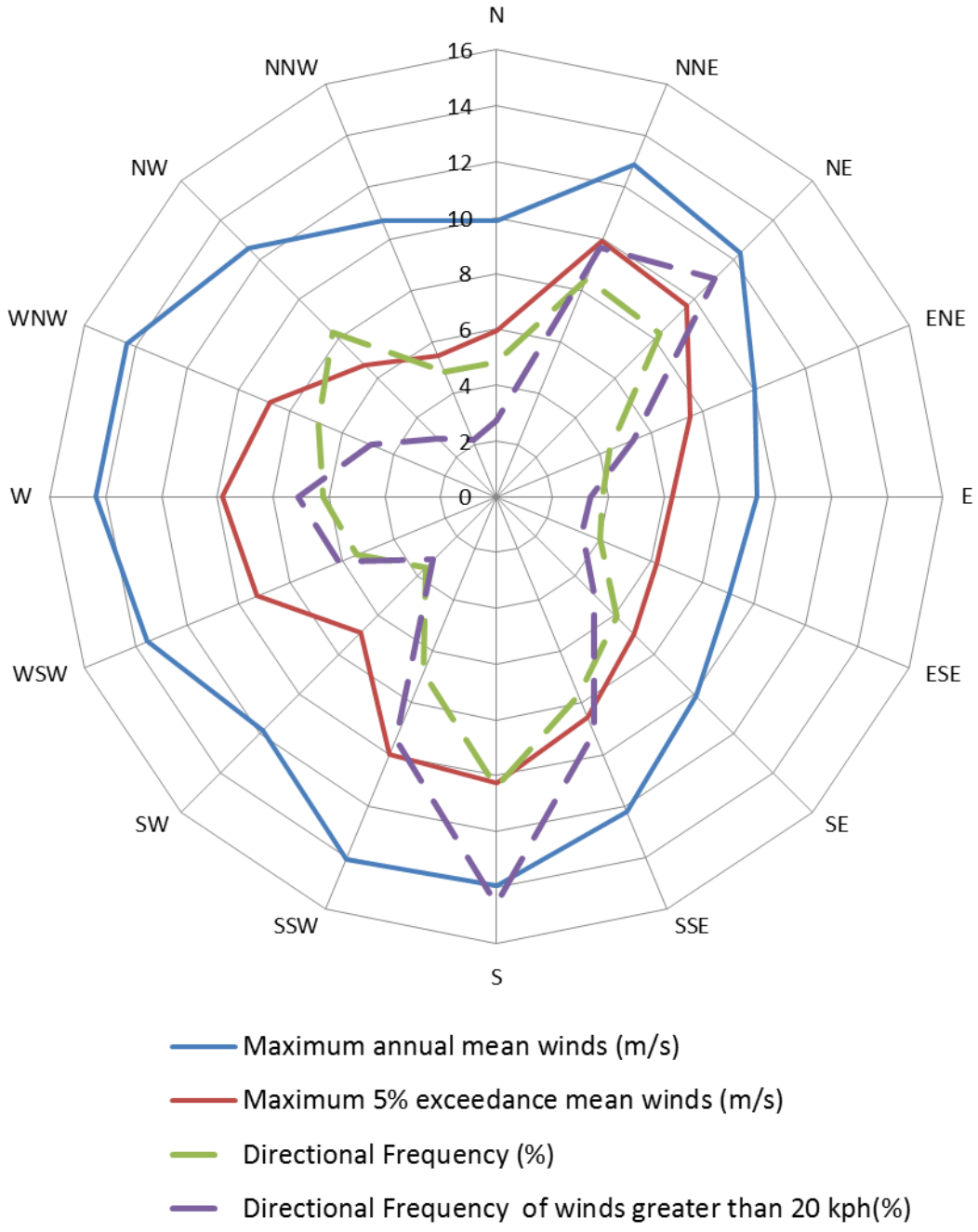

Figure 5: Annual and 5% Exceedance Hourly Mean Wind Speeds, and Frequencies of Occurrence, for the Sydney Region (at 10m height in standard open terrain)

5 PEDESTRIAN WIND COMFORT AND SAFETY

The acceptability of wind conditions for an area is determined by comparing the measured wind speeds against an appropriate criteria. This section outlines how the measured wind speeds were obtained, the criteria considered for the development, as well as the critical trafficable areas that were assessed and their corresponding criteria designation.

5.1 Measured Wind Speeds

Wind speeds were measured using either Dantec hot-wire probe anemometers or pressure-based wind speed sensors, positioned to monitor wind conditions at critical outdoor trafficable areas of the development. The reference mean free-stream wind speed measured in the wind tunnel, which is at a full-scale height of 200m and measured 3m upstream of the study model.

Measurements were acquired for 16 wind directions at 22.5 degree increments using a sample rate of 1,024Hz. The full methodology of determining the wind speed measurements at the site from either the Dantec Hot-wire probe anemometers or pressure-based wind speed sensors is provided in Appendix B. Based on the results of the analysis of the boundary layer wind profiles at the site (see Section 3), and incorporating the regional wind model (see Section 4), the data sampling length of the wind tunnel test for each wind direction corresponds to a full-scale sample length ranging between 30 minutes and 1 hour. Research by A.W. Rofail and K.C.S. Kwok (1991) has shown that, in addition to the mean and standard deviation of the wind being stable for sample lengths of 15 minutes or more (full-scale), the peak value determined using the upcrossing method is stable for sample lengths of 30 minutes or more.

5.2 Wind Speed Criteria Used for This Study

For this study, the measured wind conditions for the various critical outdoor trafficable areas around the subject development are compared against the criteria presented in the Sydney Development Control Plan 2012 (SDCP2012).

For pedestrian comfort, the Sydney DCP 2012 requires that the hourly mean wind speed, or Gust-Equivalent Mean (GEM) wind speed (whichever is greater for each wind direction), must not exceed 8m/s for walking, 6m/s for standing, and 4m/s for sitting. These are based on a 5% probability of exceedance.

For pedestrian safety, the Sydney DCP 2012 defines a safety limit criterion of 24m/s, based on an annual maximum 0.5 second gust wind speed, which applies to all areas.

Furthermore, in accordance with the provisions of the Sydney DCP 2012, the existing conditions for the pedestrian footpaths around the site are also analysed as part of this study to determine the impact of the subject development. If it is found that the existing conditions exceed the relevant criteria, then the target wind speed for that area with the inclusion of the proposed development is to at least match the existing site conditions.

In accordance with the provisions of the Sydney DCP 2012, the wind speed assessment is undertaken for winds occurring between 6am and 10pm (AEST).

A more detailed comparison of published criteria for pedestrian wind comfort and safety is provided in Appendix A.

For this study the measured wind conditions of the selected critical outdoor trafficable areas are compared against two sets of criteria; one for pedestrian safety, and one for pedestrian comfort. The safety criterion is applied to the annual maximum gust winds, and the comfort criteria is applied to Gust Equivalent Mean (GEM) winds. In accordance with ASCE (2003), the GEM wind speed is defined as follows:

$$GEM = max\left(\bar{V}, \frac{\hat{V}}{1.85}\right) \quad (5.1)$$

where:

$\bar{V}$ is the mean wind speed.

$\hat{V}$ is the gust wind speed.

The criteria considered in this study are summarised in Tables 4 and 5 for pedestrian comfort and safety, respectively. The results of the wind tunnel study are presented in the form of directional plots attached in Appendix C of this report. For each study point there is a plot of the annual probability of exceedance of the assigned comfort criteria, and a plot for the annual maximum gust wind speeds using the safety criterion. The velocity coefficients are also presented in the form of directional plots in Appendix D

Table 4: Pedestrian Comfort Criteria (Sydney DCP 2012)

Classification	Description	Maximum 5% Exceedance GEM Wind Speed (m/s)
Walking	For pedestrian thoroughfares, private swimming pools, most communal areas, private balconies and terraces, etc.	8.0

Table 5: Pedestrian Safety Criterion (Sydney DCP 2012)

Classification	Description	Annual Maximum Gust Wind Speed (m/s)
Safety	Safety criterion applies to all trafficable areas.	24

5.3 Layout of Study Points

For this study a total of 14 study point locations along the Kent Street and Sussex Street pedestrian footpath areas were selected for analysis in the wind tunnel. The locations of the study points tested for this study, as well as the target wind speed criteria for the various outdoor trafficable areas of the development, are presented in Figure 6 in the form of marked-up plans. It should be noted that only the most critical outdoor locations of the development have been selected for analysis.



Figure 6: Study Point Locations and Target Wind Speed Criteria – Ground Floor Plan
(Street Frontages for the Envelope and Existing Cases)

6 RESULTS AND DISCUSSION

The results of the wind tunnel study are presented in the form of directional plots in Appendix C for all study points locations, summarised in Table 6, and shown on marked-up plans in Figures 7. The velocity coefficients are also presented in the form of directional plots in Appendix D The wind speed criteria that the wind conditions should achieve are also listed in Table 6 for each study point location, as well as in Figures 6.

6.1 Existing Site (Existing Case)

The results of the study for the existing site indicate that all the wind conditions satisfy the Walking criterion. The site is partially exposed to the west and is subjected to adverse winds in the form of downwashing and funnelling along the Sussex Street frontage. This is reflected in the results of the assessment where wind conditions at various locations along Sussex Street exceed the safety limit. Kent Street is well protected by the surrounding buildings and all study point locations satisfy the assigned comfort criterion of Walking and are within the safety limit.

6.2 Maximum Planning Envelope (Envelope Case)

The wind conditions along Kent Street, with the inclusion of the Maximum Planning Envelope, satisfy the assigned comfort criterion of Walking and are within the safety limit. The observed wind effects along Sussex Street are similar to those identified in the wind tunnel test of the existing site. In the Maximum Planning Envelope test, there is a slight increase in wind speeds at some locations along Sussex Street due to the increased height of the development over the existing building. The increase in wind speeds is partially offset by the reduction in the tower width along the western aspect. As a result, all of the locations which exceed the safety limit are either equivalent to or better than the existing site wind conditions and not worsened with the inclusion of the Maximum Planning Envelope.

Table 6: Wind Tunnel Results Summary

Study Point	GEM (5% exceedance)			Annual Gust			Final Result	Description of Treatment
	Criterion (m/s)	Results (m/s)	Grade	Criterion (m/s)	Results (m/s)	Grade		
Point 01	8.0	7.8	Pass	24	25	Fail	Fail	Better than or equivalent to Existing Conditions.
Existing		7.5	Pass		25	Fail	Fail	
Point 02	8.0	7.0	Pass	24	23	Pass	Pass	
Existing		6.8	Pass		24	Pass	Pass	
Point 03	8.0	7.1	Pass	24	24	Pass	Pass	
Existing		6.4	Pass		23	Pass	Pass	
Point 04	8.0	7.8	Pass	24	22	Pass	Pass	
Existing		6.7	Pass		25	Fail	Fail	
Point 05	8.0	6.9	Pass	24	25	Fail	Fail	Better than or equivalent to Existing Conditions.
Existing		7.3	Pass		27	Fail	Fail	
Point 06	8.0	5.5	Pass	24	18	Pass	Pass	
Existing		4.1	Pass		13	Pass	Pass	
Point 07	8.0	5.6	Pass	24	17	Pass	Pass	
Existing		4.3	Pass		13	Pass	Pass	
Point 08	8.0	5.6	Pass	24	17	Pass	Pass	
Existing		4.2	Pass		13	Pass	Pass	
Point 09	8.0	5.5	Pass	24	17	Pass	Pass	
Existing		4.5	Pass		13	Pass	Pass	
Point 10	8.0	5.6	Pass	24	17	Pass	Pass	
Existing		4.9	Pass		13	Pass	Pass	
Point 11	8.0	6.9	Pass	24	21	Pass	Pass	
Existing		7.1	Pass		23	Pass	Pass	
Point 12	8.0	6.4	Pass	24	23	Pass	Pass	
Existing		6.9	Pass		25	Fail	Fail	
Point 13	8.0	6.3	Pass	24	21	Pass	Pass	
Existing		5.6	Pass		20	Pass	Pass	
Point 14	8.0	6.8	Pass	24	23	Pass	Pass	
Existing		4.9	Pass		17	Pass	Pass	

Note that, for any study points listed in Table 6 with two rows of results data, the second row is for the existing site conditions. The test results shown in Table 6 are without any treatments applied.

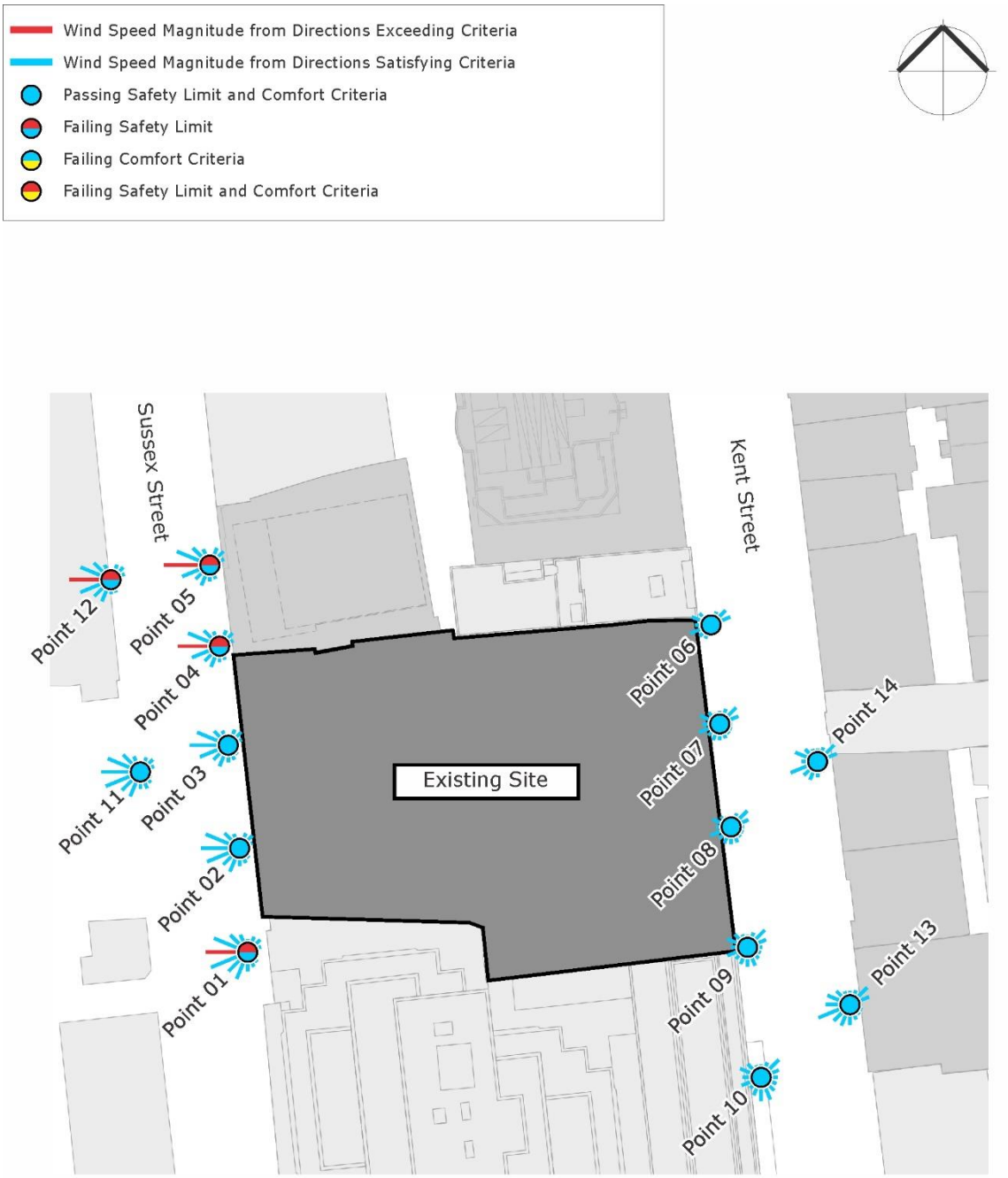

Figure 7a: Wind Tunnel Results – Ground Floor Plan (Street Frontages) – Existing Case
(results shown without treatments applied)

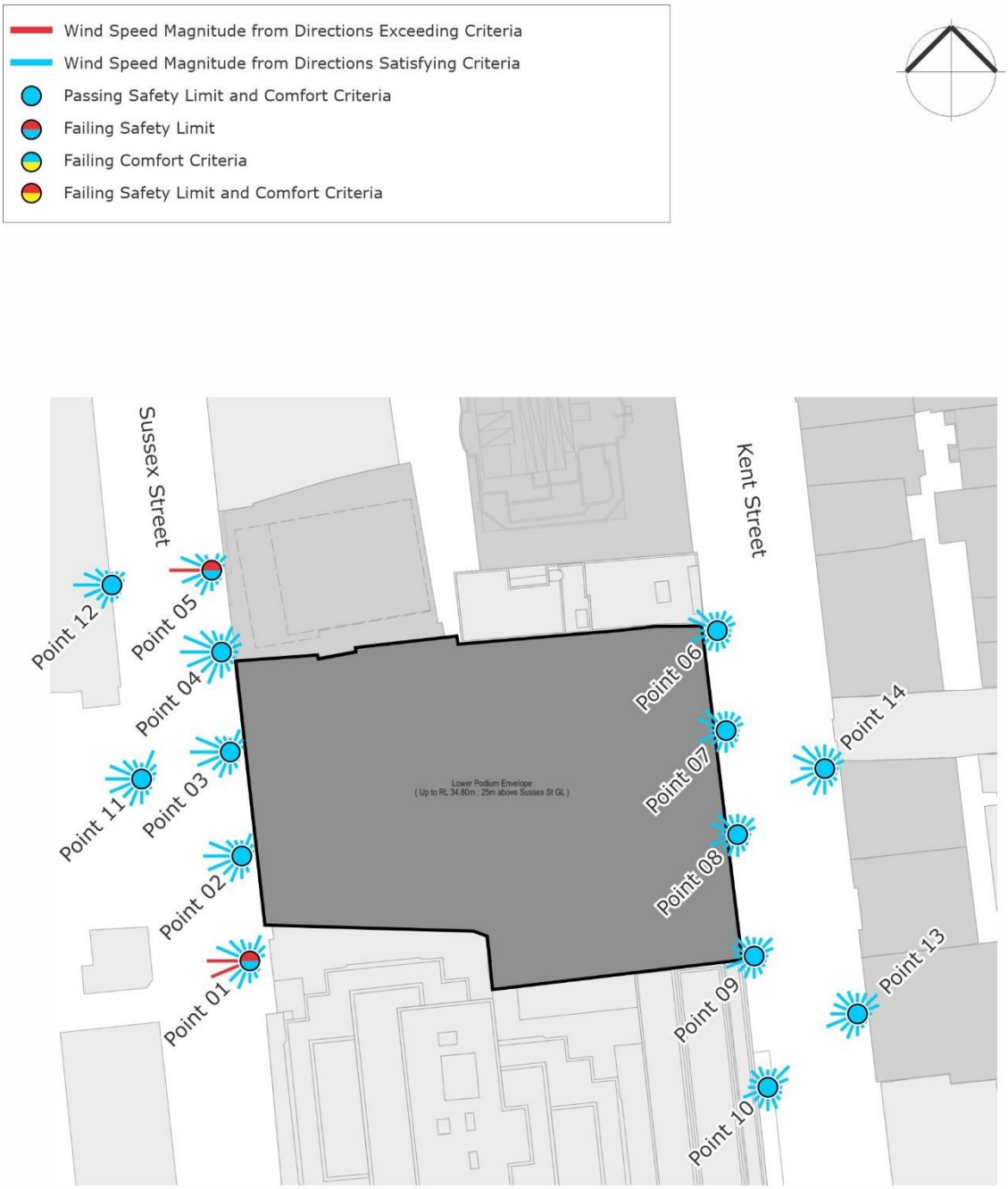

Figure 7b: Wind Tunnel Results – Ground Floor Plan (Street Frontages) – Envelope Case
(results shown without treatments applied)

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APPENDIX A PUBLISHED ENVIRONMENTAL CRITERIA

A.1 Wind Effects on People

The acceptability of wind in an area is dependent upon the use of the area. For example, people walking or window-shopping will tolerate higher wind speeds than those seated at an outdoor restaurant. Quantifying wind comfort has been the subject of much research and many researchers, such as A.G. Davenport, T.V. Lawson, W.H. Melbourne, and A.D. Penwarden, have published criteria for pedestrian comfort for pedestrians in outdoor spaces for various types of activities. This section discusses and compares the various published criteria.

A.2 A.D. Penwarden (1973) Criteria for Mean Wind Speeds

A.D. Penwarden (1973) developed a modified version of the Beaufort scale which describes the effects of various wind intensities on people. Table A.1 presents the modified Beaufort scale. Note that the effects listed in this table refers to wind conditions occurring frequently over the averaging time (a probability of occurrence exceeding 5%). Higher ranges of wind speeds can be tolerated for rarer events.

Table A.1: Summary of Wind Effects on People (A.D. Penwarden, 1973)

Type of Winds	Beaufort Number	Hourly Mean Wind Speed (m/s)	Effects
Calm	0	0 - 0.3	
Calm, light air	1	0.3 - 1.6	No noticeable wind
Light breeze	2	1.6 - 3.4	Wind felt on face
Gentle breeze	3	3.4 - 5.5	Hair is disturbed, clothing flaps, newspapers difficult to read
Moderate breeze	4	5.5 – 8.0	Raises dust, dry soil and loose paper, hair disarranged
Fresh breeze	5	8.0 – 10.8	Force of wind felt on body, danger of stumbling
Strong breeze	6	10.8 – 13.9	Umbrellas used with difficulty, hair blown straight, difficult to walk steadily, wind noise on ears unpleasant
Near gale	7	13.9 – 17.2	Inconvenience felt when walking
Gale	8	17.2 - 20.8	Generally impedes progress, difficulty balancing in gusts
Strong gale	9	20.8 – 24.5	People blown over

A.3 A.G. Davenport (1972) Criteria for Mean Wind Speeds

A.G. Davenport (1972) also determined a set of criteria in terms of the Beaufort scale and for various return periods. Table A.2 presents a summary of the criteria based on a probability of exceedance of 5%.

Table A.2: Criteria by A.G. Davenport (1972)

Classification	Activities	5% exceedance Mean Wind Speed (m/s)
Walking Fast	Acceptable for walking, main public accessways.	7.5 - 10.0
Strolling, Skating	Slow walking, etc.	5.5 - 7.5
Short Exposure Activities	Generally acceptable for walking & short duration stationary activities such as window-shopping, standing or sitting in plazas.	3.5 - 5.5
Long Exposure Activities	Generally acceptable for long duration stationary activities such as in outdoor restaurants & theatres and in parks.	0 - 3.5

A.4 T.V. Lawson (1975) Criteria for Mean Wind Speeds

In 1973, T.V. Lawson, while referring to the Beaufort wind speeds of A.D. Penwarden (1973) (as listed in Table A.1), quoted that a Beaufort 4 wind speed would be acceptable if it is not exceeded for more than 4% of the time, and that a Beaufort 6 wind speed would be unacceptable if it is exceeded more than 2% of the time. Later, in 1975, T.V. Lawson presented a set of criteria very similar to those presented in A.G. Davenport (1972) (as listed in Table A.2). These criteria are presented in Table A.3 and Table A.4 for safety and comfort respectively.

Table A.3: Safety Criteria by T.V. Lawson (1975)

Classification	Activities	Annual Mean Wind Speed (m/s)
Safety (all weather areas)	Accessible by the general public.	0 – 15
Safety (fair weather areas)	Private areas, balconies/terraces, etc.	0 – 20

Table A.4: Comfort Criteria by T.V. Lawson (1975)

Classification	Activities	5% exceedance Mean Wind Speed (m/s)
Business Walking	Objective Walking from A to B.	8 - 10
Pedestrian Walking	Slow walking, etc.	6 - 8
Short Exposure Activities	Pedestrian standing or sitting for short times.	4 – 6
Long Exposure Activities	Pedestrian sitting for a long duration.	0 - 4

A.5 W.H. Melbourne (1978) Criteria for Gust Wind Speeds

W.H. Melbourne (1978) introduced a set of criteria for the assessment of environmental wind conditions that were developed for a temperature range of 10°C to 30°C and for people suitably dressed for outdoor conditions. These criteria are presented in Table A.5, and are based on maximum gust wind speeds with a probability of exceedance of once per year.

Table A.5: Criteria by W.H. Melbourne (1978)

Classification	Activities	Annual Gust Wind Speed (m/s)
Limit for Safety	Completely unacceptable: people likely to get blown over.	23
Marginal	Unacceptable as main public accessways.	16 - 23
Comfortable Walking	Acceptable for walking, main public accessways	13 - 16
Short Exposure Activities	Generally acceptable for walking & short duration stationary activities such as window-shopping, standing or sitting in plazas.	10 - 13
Long Exposure Activities	Generally acceptable for long duration stationary activities such as in outdoor restaurants & theatres and in parks.	0 - 10

A.6 Comparison of the Published Wind Speed Criteria

W.H. Melbourne (1978) presented a comparison of the criteria of various researchers on a probabilistic basis. Figure A.1 presents the results of this comparison, and indicates that the criteria of W.H. Melbourne (1978) are comparatively quite conservative. This conclusion was also observed by A.W. Rofail (2007) when undertaking on-site remedial studies. The results of A.W. Rofail (2007) concluded that the criteria by W.H. Melbourne (1978) generally overstates the wind effects in a typical urban setting due to the assumption of a fixed 15% turbulence intensity for all areas. It was observed in A.W. Rofail (2007) that the 15% turbulence intensity assumption is not real and that the turbulence intensities at 1.5m above ground is at least 20% and in a suburban or urban setting is generally in the range of 30% to 60%.

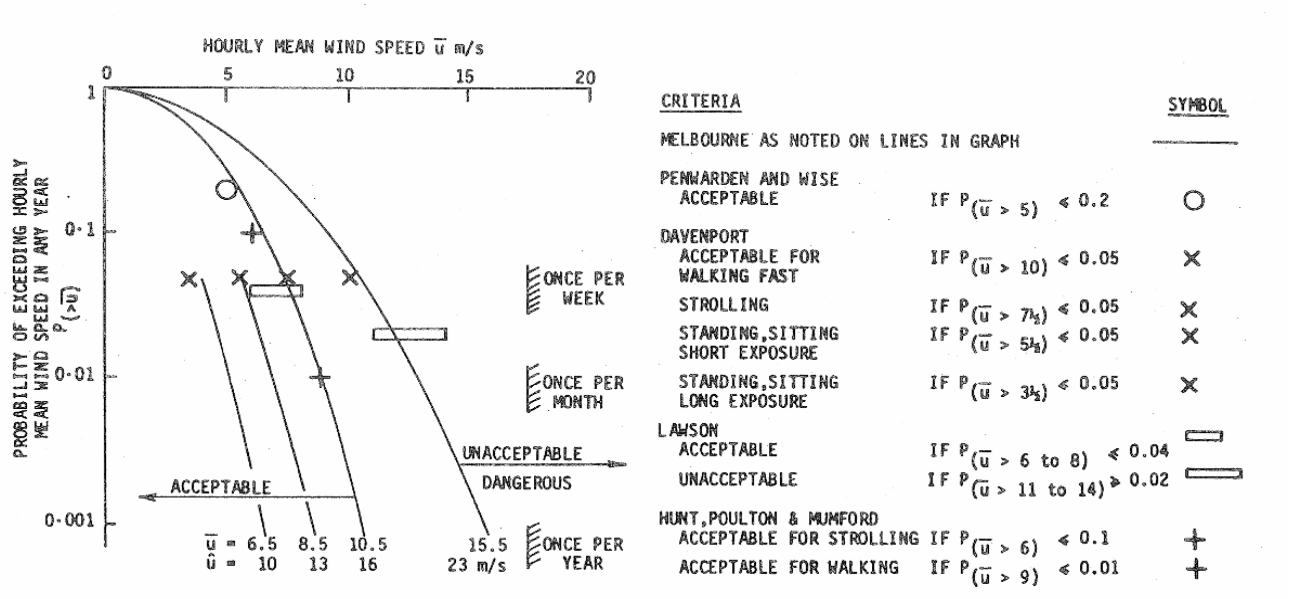


Figure A.1: Comparison of Various Mean and Gust Wind Environment Criteria, assuming 15% turbulence and a Gust Factor of 1.5 (W.H. Melbourne, 1978)

A.7 References relating to Pedestrian Comfort Criteria

Davenport, A.G., 1972, "An approach to human comfort criteria for environmental conditions". Colloquium on Building Climatology, Stockholm.

Davenport, A.G., 1977, "The prediction of risk under wind loading", 2nd International Conference on Structural Safety and Reliability, Munich, Germany, pp511-538.

Lawson, T.V., 1973, "The wind environment of buildings: a logical approach to the establishment of criteria". Bristol University, Department of Aeronautical Engineering.

Lawson, T.V., 1975, "The determination of the wind environment of a building complex before construction". Bristol University, Department of Aeronautical Engineering.

Melbourne, W.H., 1978, "Criteria for Environmental Wind Conditions". Journal of Wind Engineering and Industrial Aerodynamics, vol. 3, pp241-249.

Penwarden, A.D. (1973). "Acceptable Wind Speeds in Towns", Building Science, vol. 8: pp259–267.

Penwarden, A.D., Wise A.F.E., 1975, "Wind Environment Around Buildings". Building Research Establishment Report, London.

Rofail, A.W., 2007, "Comparison of Wind Environment Criteria against Field Observations". 12th International Conference of Wind Engineering, Cairns, Australia.

APPENDIX B DATA ACQUISITION

The wind tunnel testing procedures utilised for this study were based on the guidelines set out in the Australasian Wind Engineering Society Quality Assurance Manual (AWES-QAM-1-2019), ASCE 7-16 (Chapter C31), and CTBUH (2013). The wind speed measurements for the wind tunnel study were determined as coefficients using data acquired by either Dantec hot-wire probe anemometers or pressure-based wind speed sensors and converted to full-scale wind speeds using details of the regional wind climate obtained from an analysis of directional wind speed recordings from the local meteorological recording station(s).

B.1 Measurement of the Velocity Coefficients

The study model and proximity model were setup within the wind tunnel which was configured to the appropriate boundary layer profile, and the wind velocity measurements were monitored using either Dantec hot-wire probe anemometers or pressure-based wind speed sensors at selected critical outdoor locations. The wind velocity results presented in this study for each study point are representative of wind at a full-scale height of approximately 1.5m above ground/slab level. In the case of the Dantec hot-wire probe anemometers, the support of the probe is mounted such that the probe wire is vertical as much as possible to ensure that the measured wind speeds are independent of wind direction along the horizontal plane. In addition, care was taken in the alignment of the hot-wire probe wire and in avoiding wall-heating effects.

Wind speed measurements were made in the wind tunnel for the wind directions described within this report. Data was acquired for each wind direction using a sample rate of 1024Hz. The sample length was determined to produce a full-scale sample time that is sufficient for this type of study. In the case of the pressure-based wind speed sensors, the phase lag between the various channels where data is acquired simultaneously is within 10% of a typical pressure cycle, and the signal is low-pass filtered at 500Hz and then digital filtering is applied over this range to provide an unbiased response from the pressure measurement system (A.W. Rofail, 2004).

The mean, gust and standard deviation velocity coefficients were determined from the data acquired in the wind tunnel. The gust velocity coefficients were also derived for each wind direction from by the following relation:

$$\hat{C}_V = \bar{C}_V + g \cdot \sigma_{C_V} \qquad \text{B.1}$$

where:

$\hat{C}_V$ is the gust velocity coefficient.

$\bar{C}_V$ is the mean velocity coefficient.

g is the peak factor, taken as 3.0 for a 3-sec gust and 3.4 for a 0.5-sec gust.

σ_{C_V} is the standard deviation of the velocity coefficient measurement.

In the case of a Dantec hot-wire probe anemometer, the velocity coefficient is obtained as follows:

$$C_V = \frac{C_{V,study}}{C_{V,200m}} \quad \text{B.2}$$

where:

$C_{V,study}$ is the velocity coefficient measurement obtained from the Dantec hot-wire probe anemometer at the study point location.

$C_{V,200m}$ is the velocity coefficient measurement obtained from the Dantec hot-wire probe anemometer at the free-stream reference location at 200m height upwind of the model in the wind tunnel.

However, in the case of the pressure-based wind speed sensors, these are determined from the measured differential mean, standard deviation and maximum pressure coefficients obtained from the wind speed sensor. For this analysis all calculations are performed on the square root of the differential pressure measurements. The velocity coefficient at the pressure-based wind speed sensor location is then calculated as follows:

$$C_V = \frac{\alpha + \beta\sqrt{\Delta p}}{V_{200m}} \quad \text{B.3}$$

where:

C_V is the velocity coefficient measurement at the study point location.

α is a calibration coefficient for the pressure-based wind speed sensor.

β is a calibration coefficient for the pressure-based wind speed sensor.

Δp is the differential pressure obtained from the pressure-based wind speed sensor at the study point location.

V_{200m} is the wind speed at the free-stream reference location of 200m height (full-scale) in the wind tunnel, which is determined directly in the wind tunnel using a pitot static probe.

B.2 Calculation of the Full-Scale Results

The full-scale results determine if the wind conditions at a study location satisfy the designated criteria of that location. More specifically, the full-scale results need to determine the probability of exceedance of a given wind speed at a study location. To determine the probability of exceedance, the measured velocity coefficients were combined with a statistical model of the local wind climate that relates wind speed to a probability of exceedance. Details of the wind climate model are outlined in Section 4 of the main report.

The statistical model of the wind climate includes the impact of wind directionality as any local variations in wind speed or frequency with wind direction. This is important as the wind directions that produce the highest wind speed events for a region may not coincide with the most wind exposed direction at the site.

The methodology adopted for the derivation of the full-scale results for the maximum gust and the GEM wind speeds are outlined in the following sub-sections.

B.3 Maximum Gust Wind Speeds

The full-scale maximum gust wind speed at each study point location is derived from the measured coefficient using the following relationship:

$$V_{study} = V_{ref,RH}\left(\frac{k_{200m,tr,T=1hr}}{k_{RH,tr,T=1hr}}\right)C_V \qquad \text{B.4}$$

where:

V_{study} is the full-scale wind speed at the study point location.

$V_{ref,RH}$ is the full-scale reference wind speed at the study reference height. This value is determined by combining the directional wind speed data for the region (detailed in Section 4) and the upwind terrain and height multipliers for the site (detailed in Section 3).

$k_{200m,tr,T=1hr}$ is the hourly mean terrain and height multiplier at the free-stream reference location of 200m height.

$k_{RH,tr,T=1hr}$ is the hourly mean terrain and height multiplier at the study reference height (Section 3).

C_V is the velocity coefficient, obtained from either Equation B.2 (in the case of Dantec hot-wire probe anemometers) or Equation B.3 (in the case of pressure-based wind speed sensors).

The value of $V_{ref,RH}$ varies with each prevailing wind direction. Wind directions where there is a high probability that a strong wind will occur have a higher directional wind speed than other directions. To determine the directional wind speeds, a probability level must be assigned for each wind direction. These probability levels are set following the approach used in AS/NZS1170.2:2021, which assumes that the major contributions to the combined probability of exceedance of a typical load effect comes from only two 45 degree sectors.

B.4 Maximum Gust-Equivalent Mean Wind Speeds

The contribution to the probability of exceedance of a specified wind speed (ie: the desired wind speed for pedestrian comfort, as per the criteria) was calculated for each wind direction. These contributions are then combined over all wind directions to calculate the total probability of exceedance of the specified wind speed. To calculate the probability of exceedance for a specified wind speed a statistical wind climate model was used to describe the relationship between directional wind speeds and the probability of exceedance. A detailed description of the methodology is given by T.V. Lawson (1980).

The criteria used in this study is referenced to a probability of exceedance of 5% of a specified wind speed.

B.5 References relating to Data Acquisition

American Society of Civil Engineers (ASCE), ASCE-7-16, 2016, "Minimum Design Loads for Buildings and Other Structures".

Australasian Wind Engineering Society, QAM-1, 2019, "Quality Assurance Manual: Wind Engineering Studies of Buildings", edited by Rofail A.W., et al.

Council on Tall Buildings and Urban Habitat (CTBUH), 2013, "Wind tunnel testing of high-rise buildings", CTBUH Technical Guides.

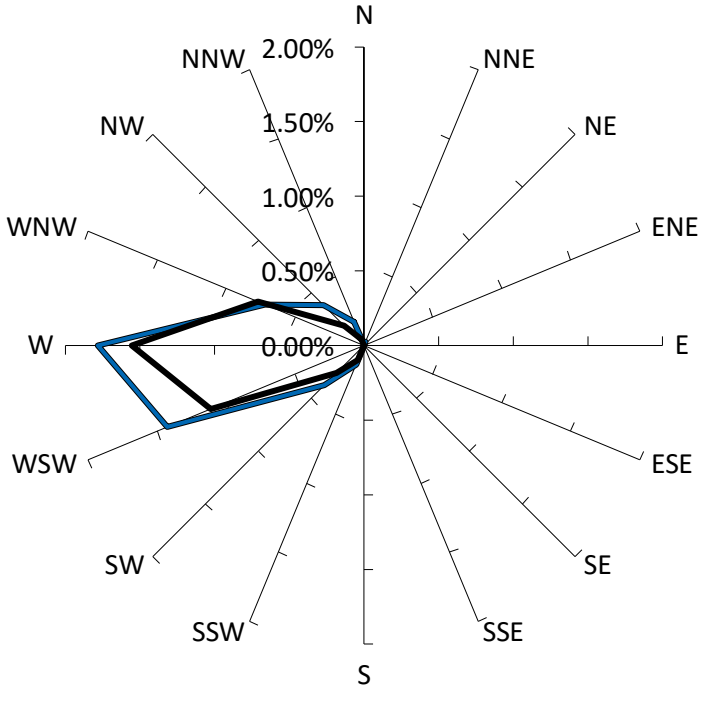
Lawson, T.V., 1980, "Wind Effects on Buildings - Volume 1, Design Applications". Applied Science Publishers Ltd, Ripple Road, Barking, Essex, England.

Rofail A.W., Tonin, R., and Hanafi, D., 2004, "Sensitivity of frequency response to type of tubing", Australasian Wind Engineering Workshop, Darwin.

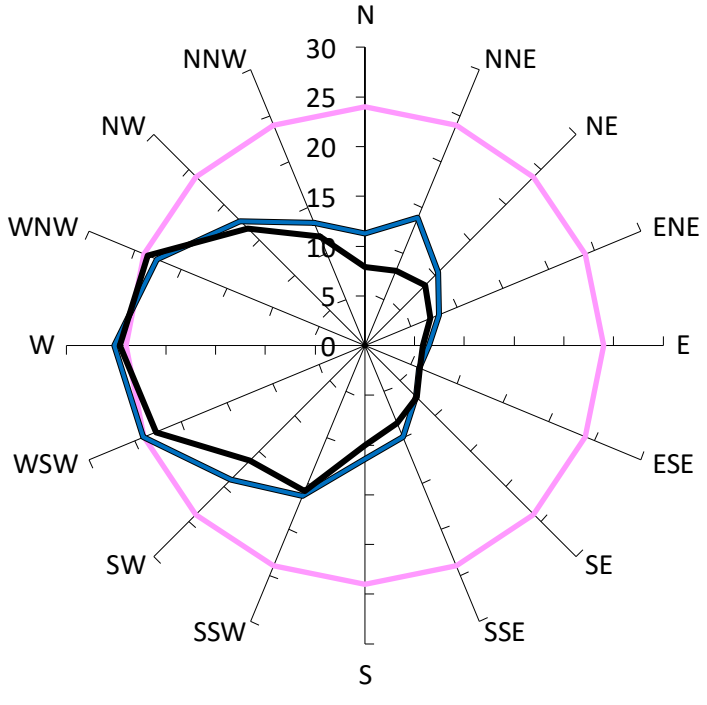
Standards Australia and Standards New Zealand, AS/NZS 1170.2, 2021, "SAA Wind Loading Standard, Part 2: Wind Actions".

APPENDIX C DIRECTIONAL PLOTS OF WIND TUNNEL RESULTS

Results for Point 01



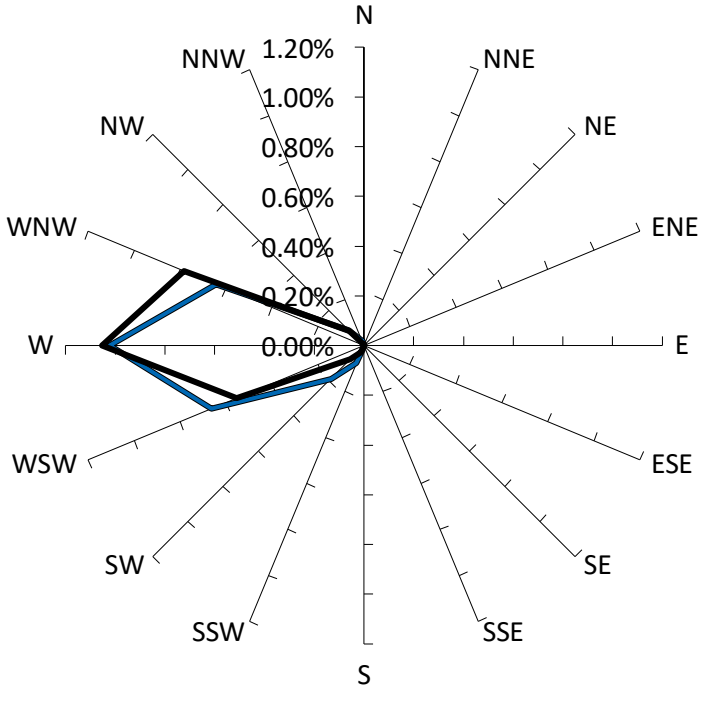
Annual probability of exceeding 8m/s (%)



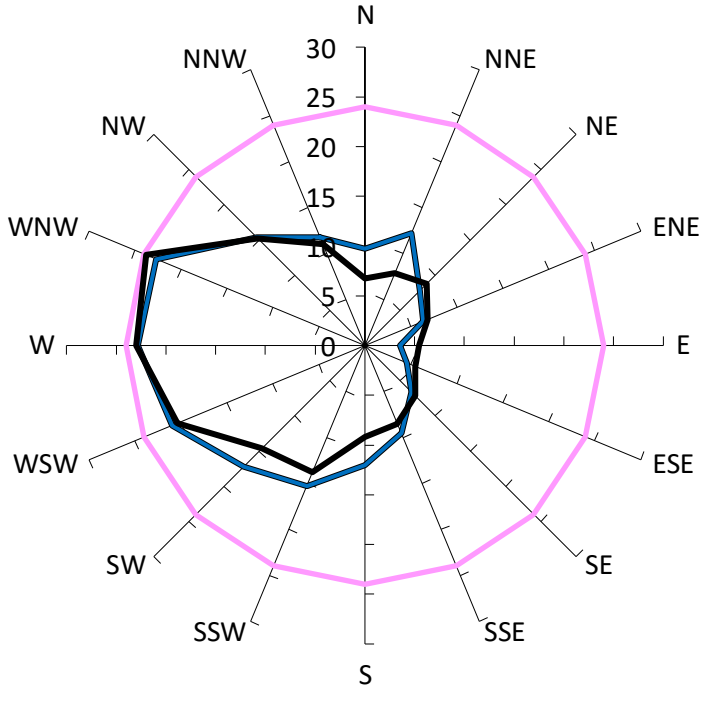
Annual Maximum Gust (m/s)

Description	GEM Wind Speed (m/s)	Peak Gust m/s
Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	7.8	25
Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	7.5	25

Results for Point 02



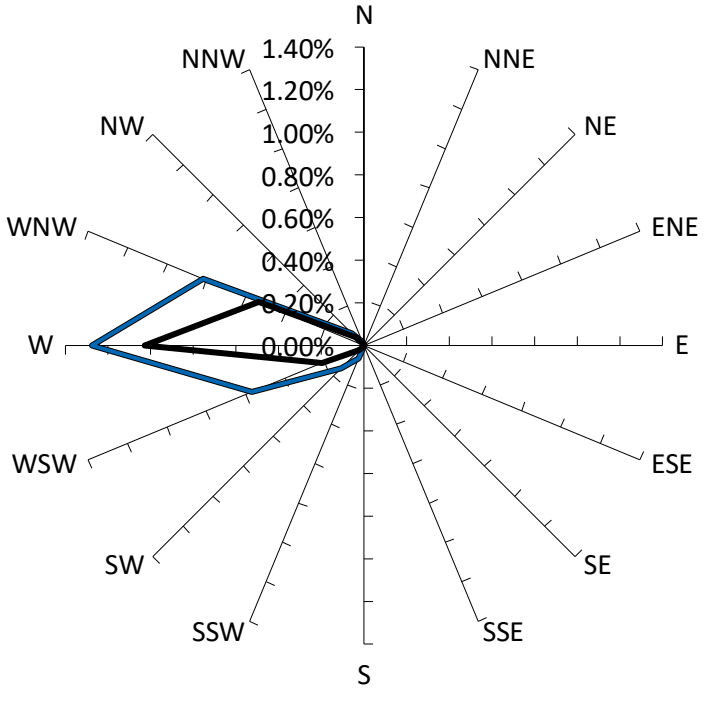
Annual probability of exceeding 8m/s (%)



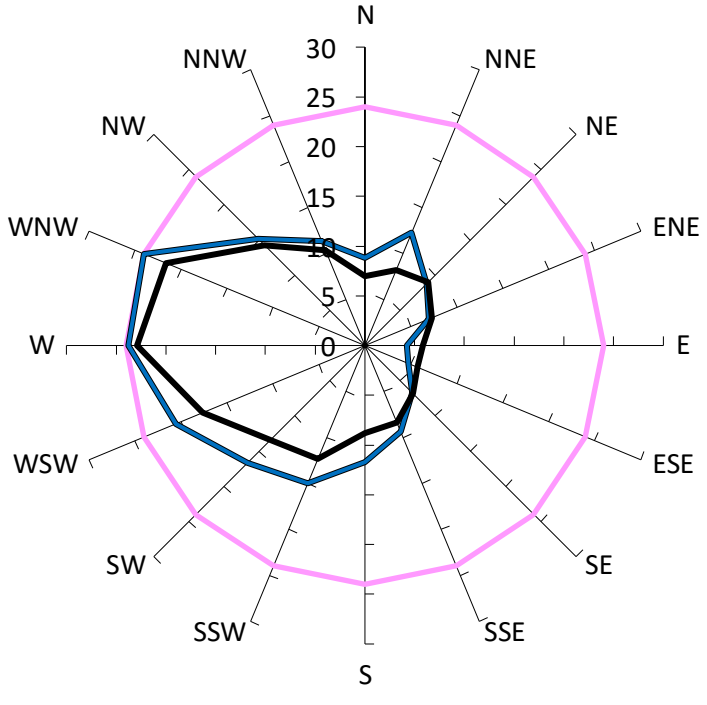
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	7.0	23
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	6.8	24

Results for Point 03



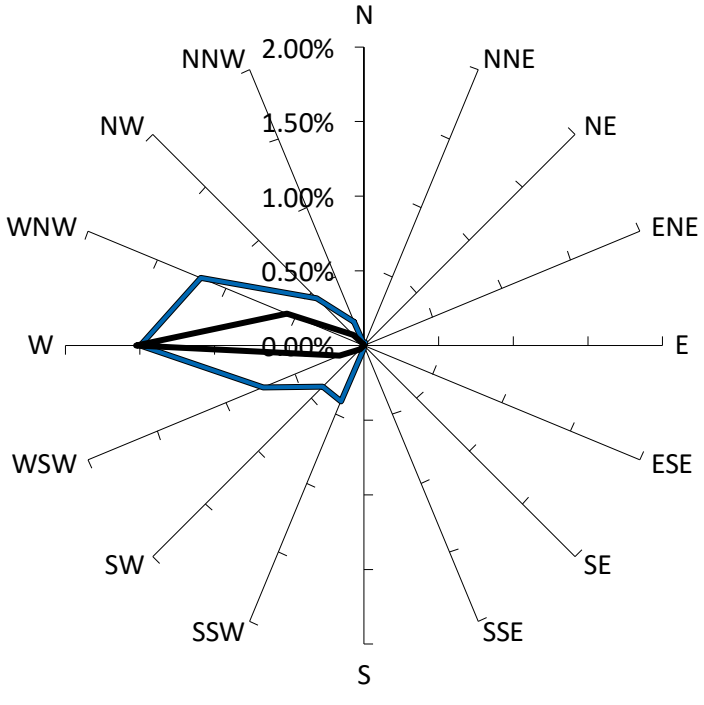
Annual probability of exceeding 8m/s (%)



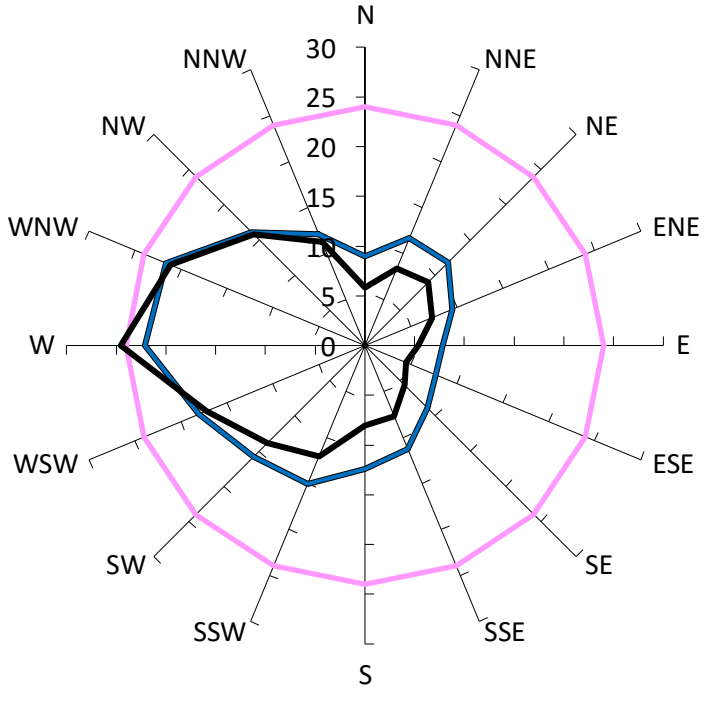
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	7.1	24
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	6.4	23

Results for Point 04



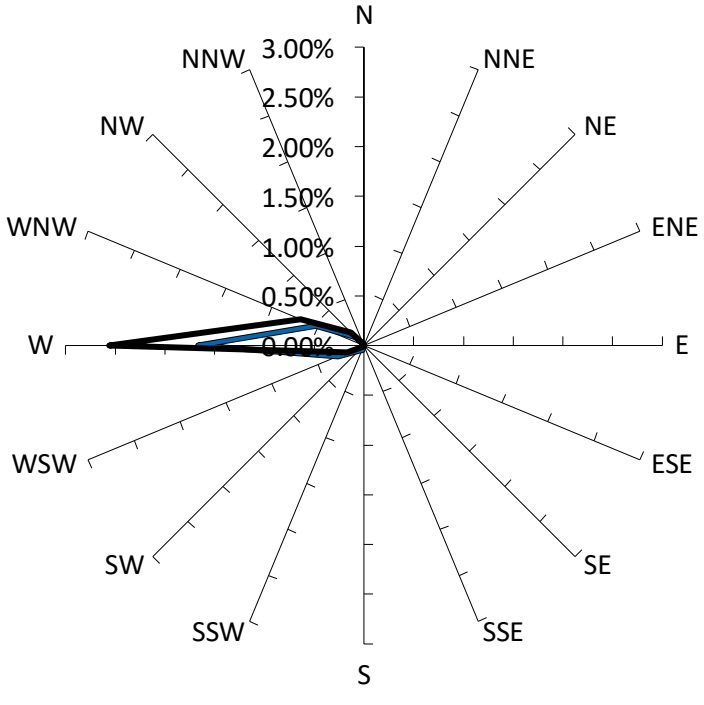
Annual probability of exceeding 8m/s (%)



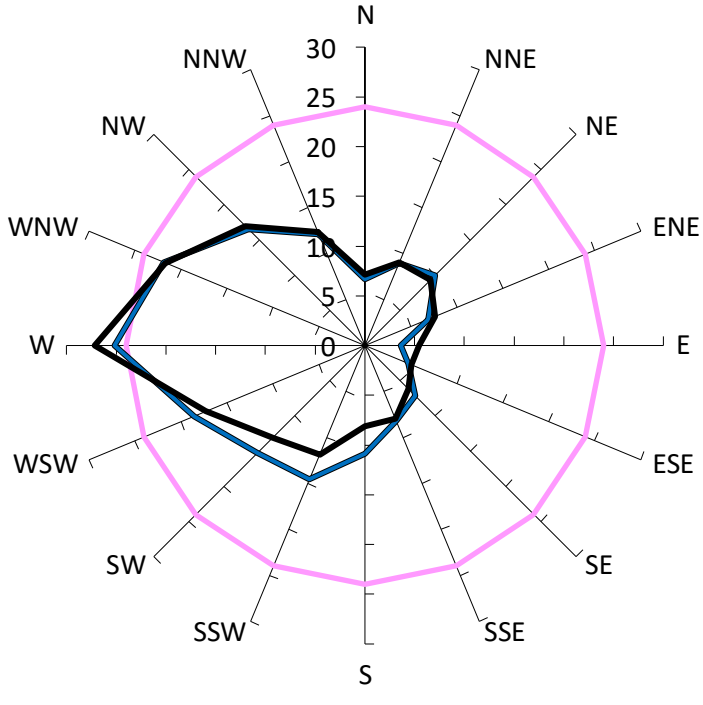
Annual Maximum Gust (m/s)

Description	GEM Wind Speed (m/s)	Peak Gust m/s
Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	7.8	22
Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	6.7	25

Results for Point 05



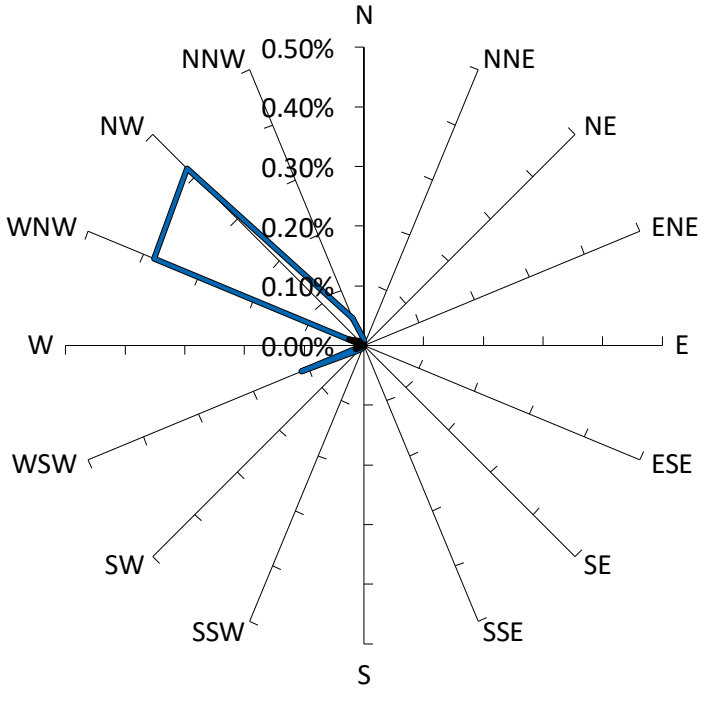
Annual probability of exceeding 8m/s (%)



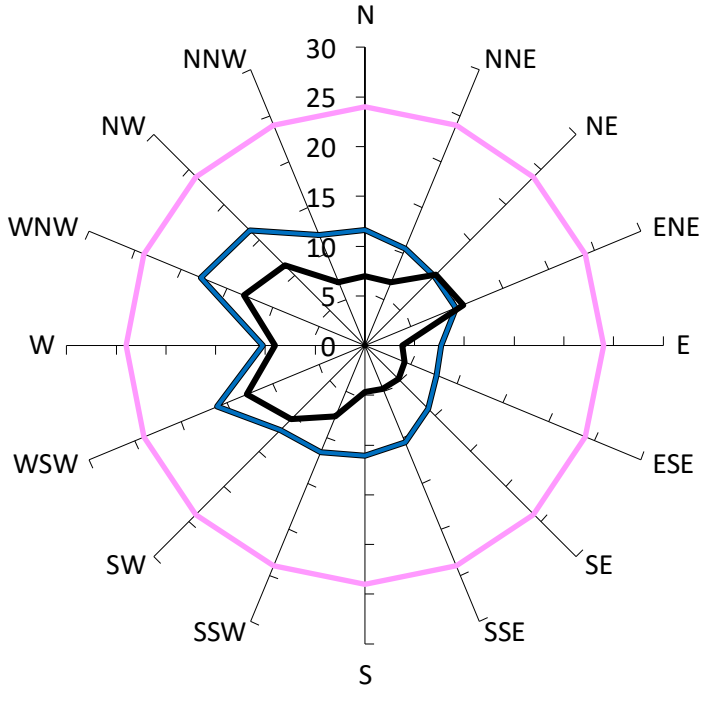
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	6.9	25
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	7.3	27

Results for Point 06



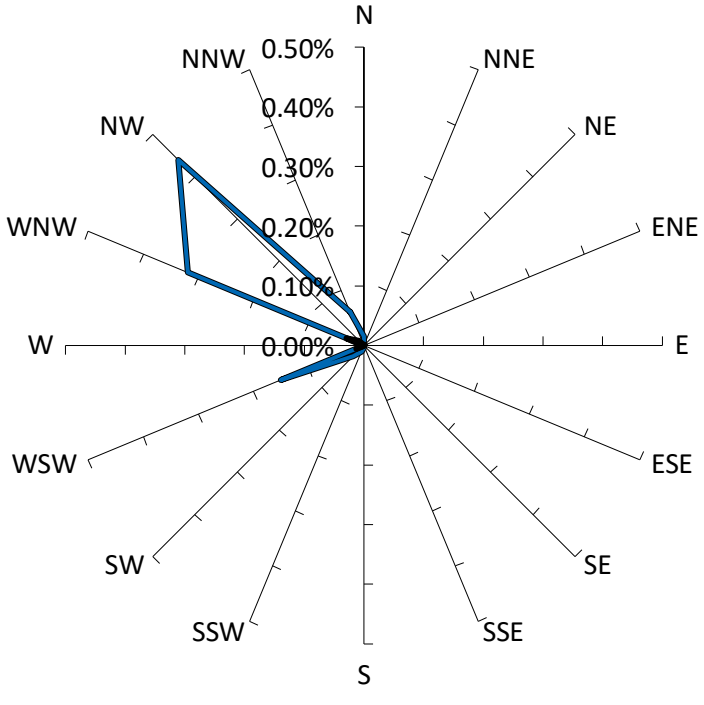
Annual probability of exceeding 8m/s (%)



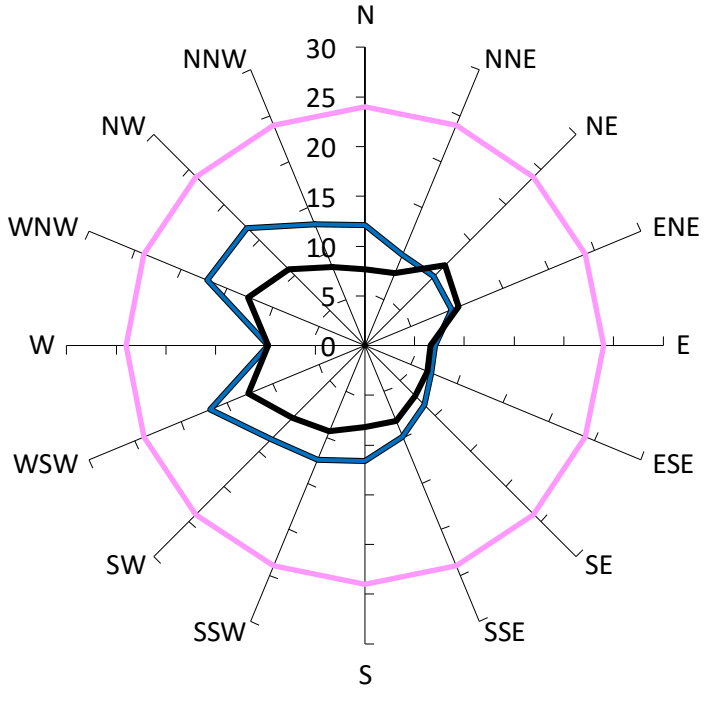
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	5.5	18
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	4.1	13

Results for Point 07



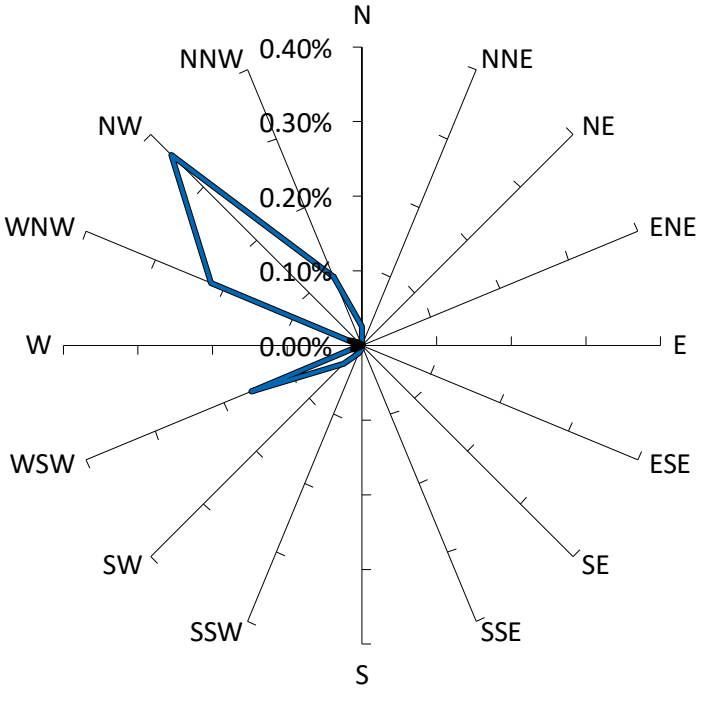
Annual probability of exceeding 8m/s (%)



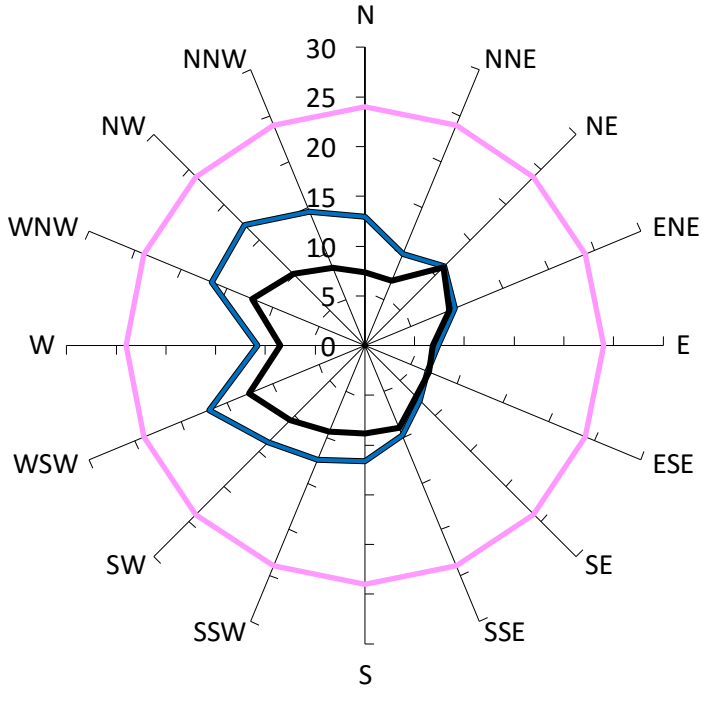
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	5.6	17
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	4.3	13

Results for Point 08



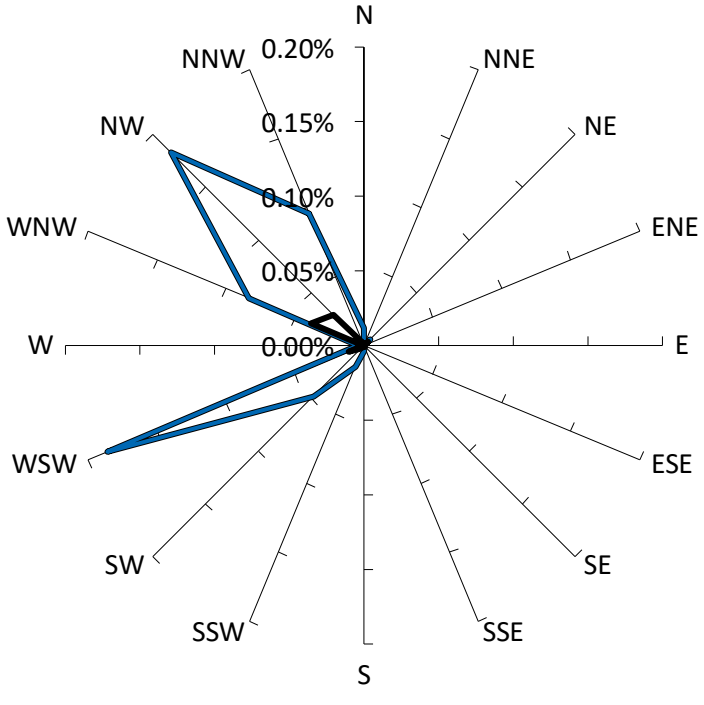
Annual probability of exceeding 8m/s (%)



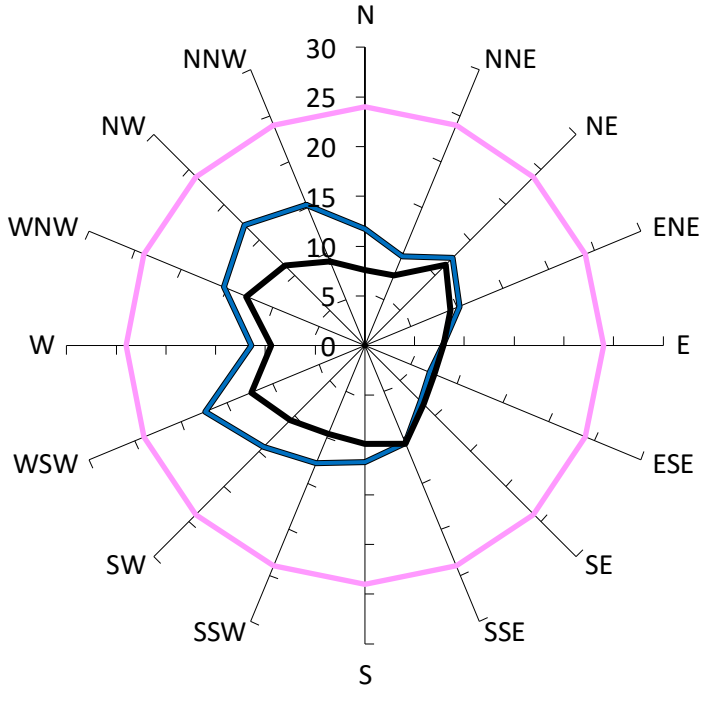
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	5.6	17
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	4.2	13

Results for Point 09



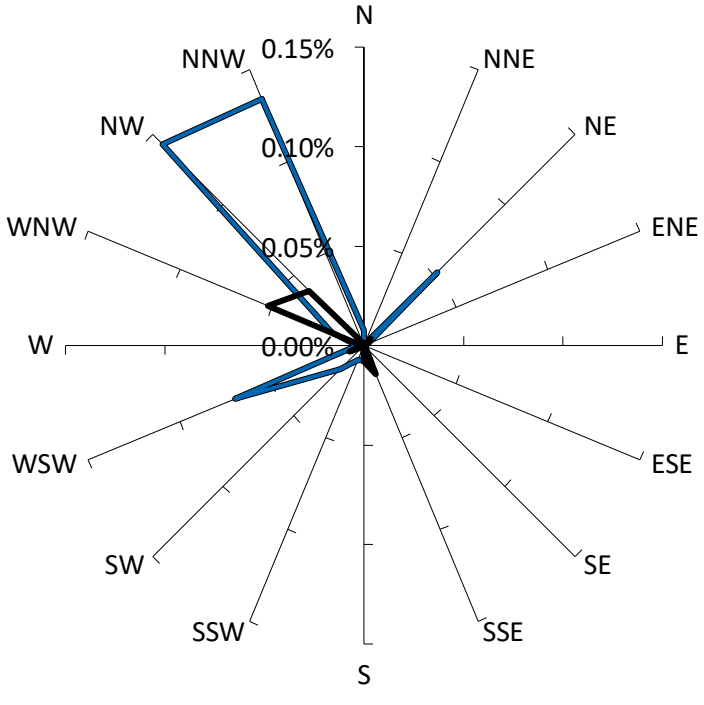
Annual probability of exceeding 8m/s (%)



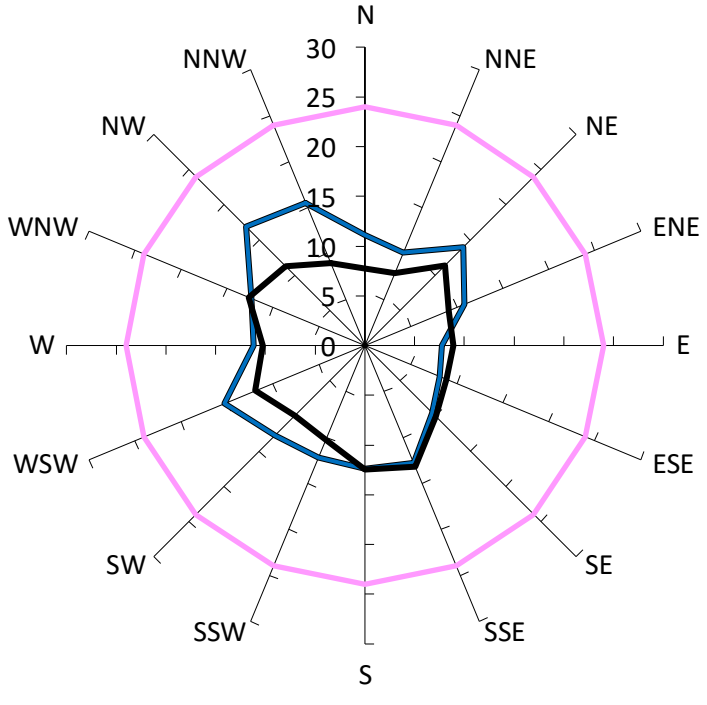
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	5.5	17
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	4.5	13

Results for Point 10



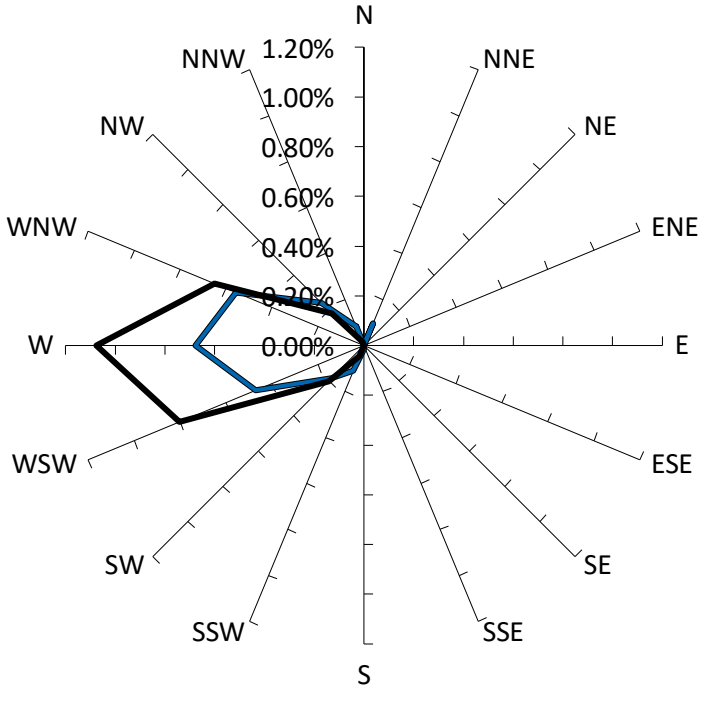
Annual probability of exceeding 8m/s (%)



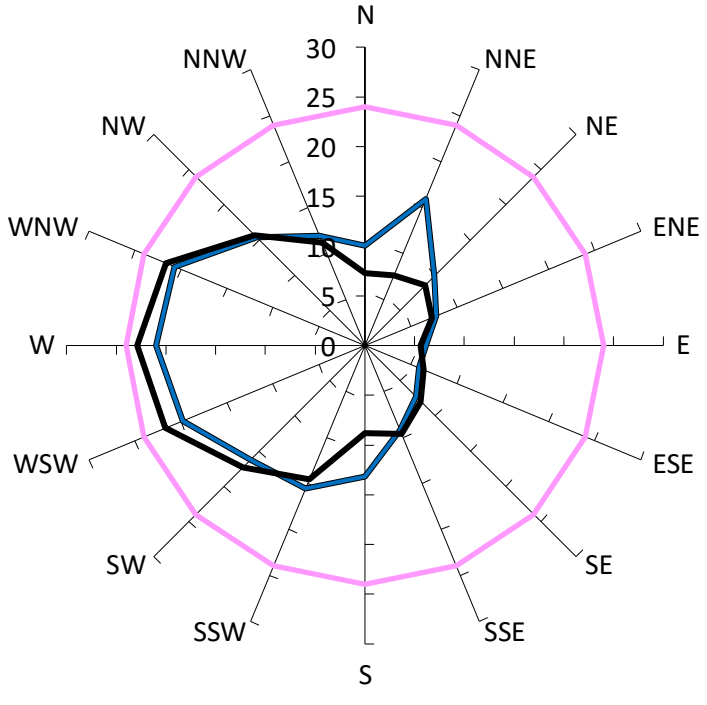
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	5.6	17
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	4.9	13

Results for Point 11



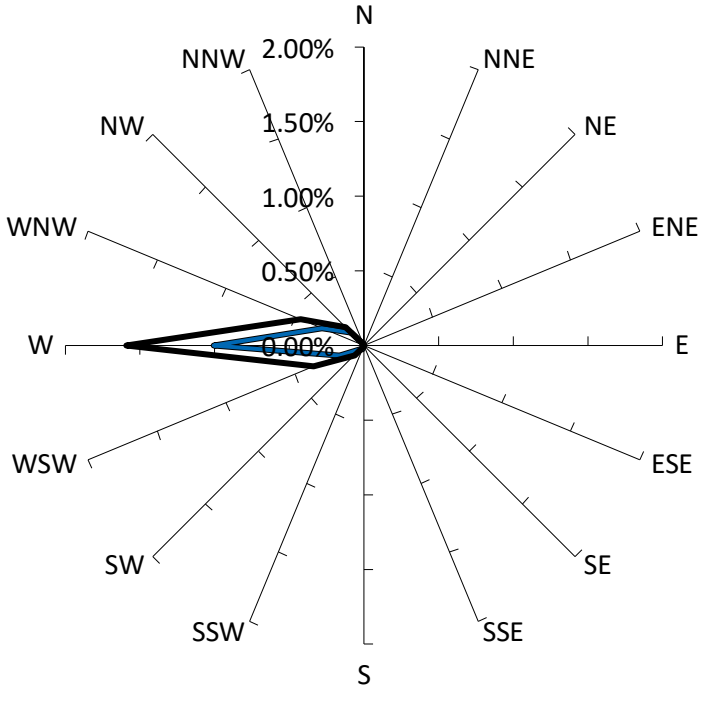
Annual probability of exceeding 8m/s (%)



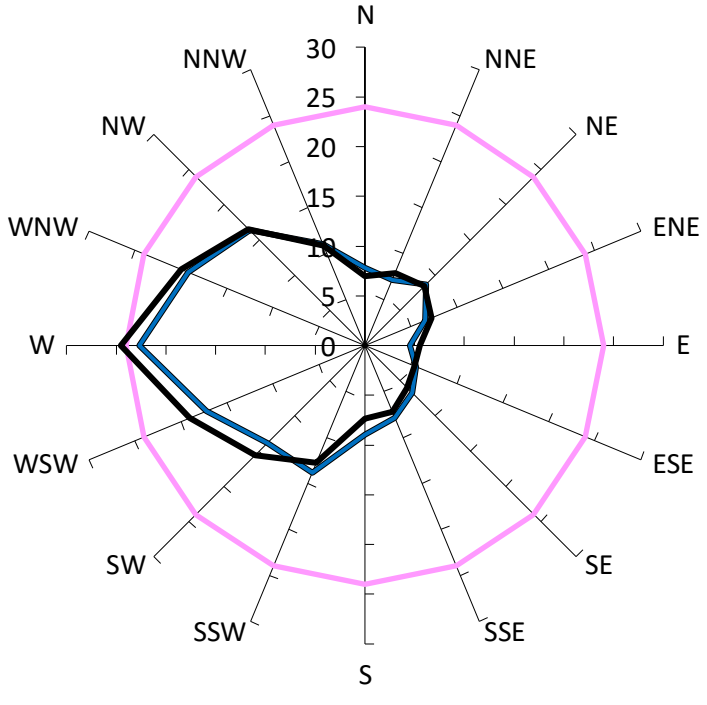
Annual Maximum Gust (m/s)

Description	GEM Wind Speed (m/s)	Peak Gust m/s
Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	6.9	21
Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	7.1	23

Results for Point 12



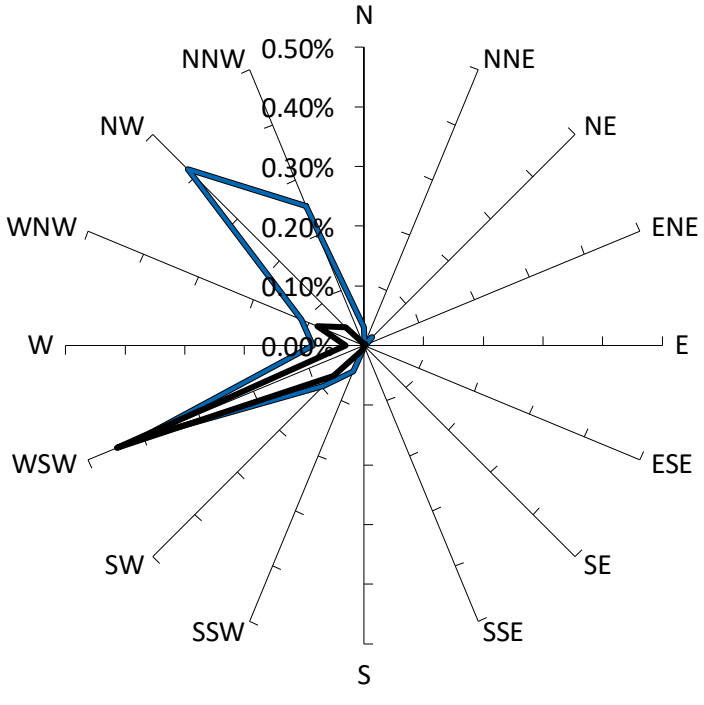
Annual probability of exceeding 8m/s (%)



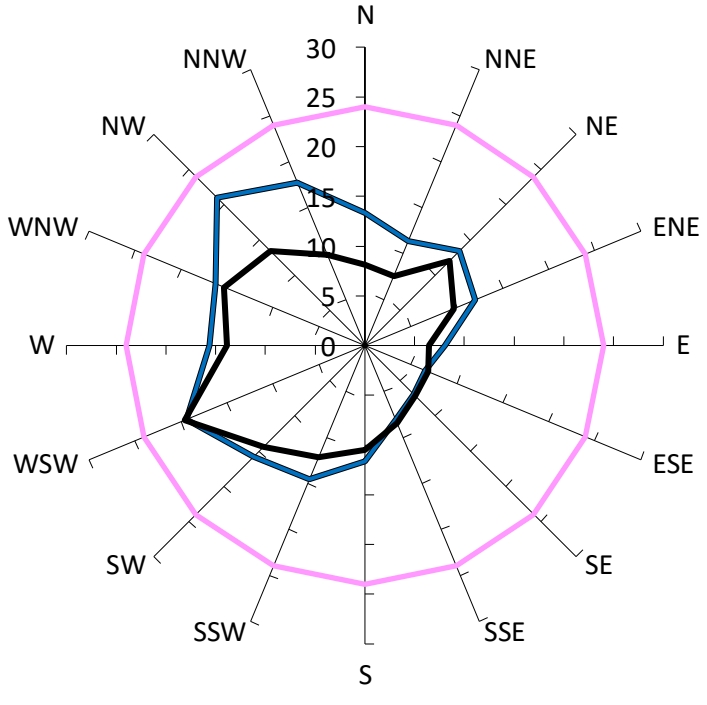
Annual Maximum Gust (m/s)

Description	GEM Wind Speed (m/s)	Peak Gust m/s
Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	6.4	23
Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	6.9	25

Results for Point 13



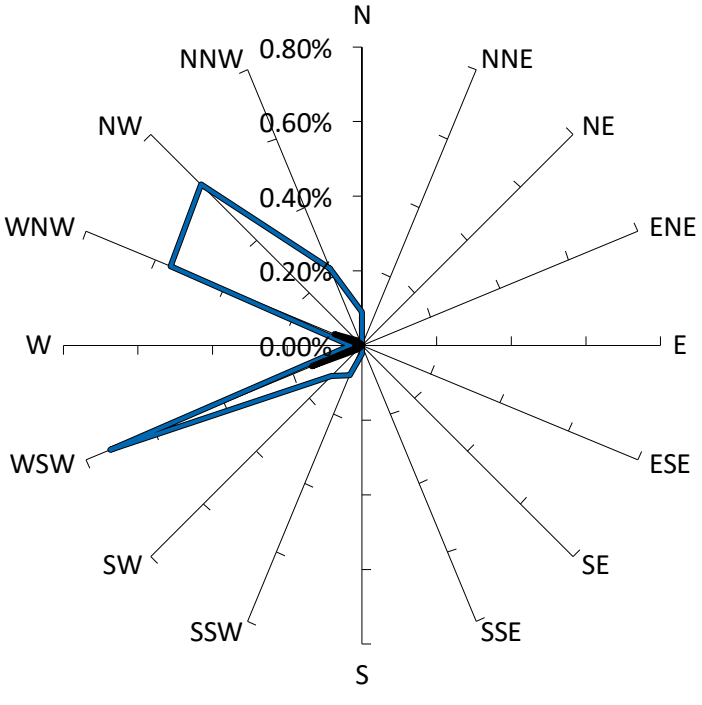
Annual probability of exceeding 8m/s (%)



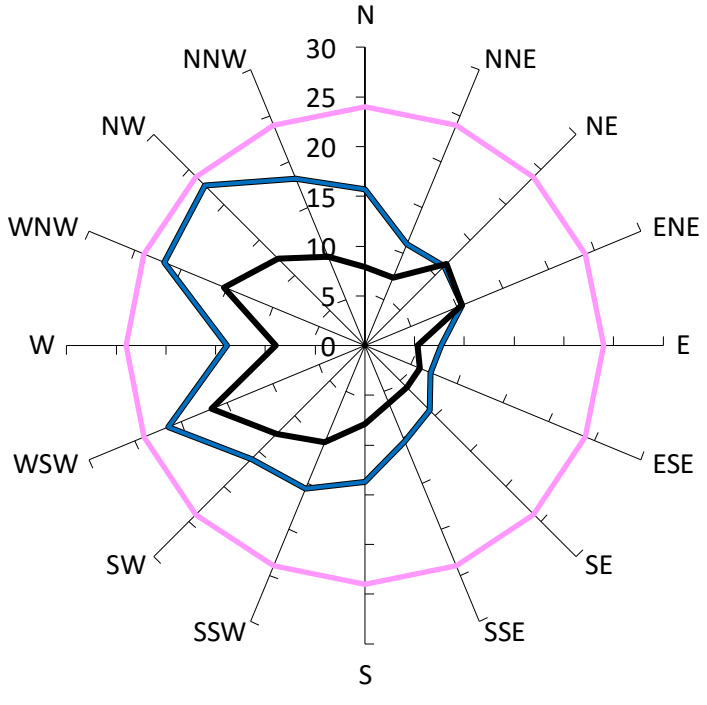
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	6.3	21
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	5.6	20

Results for Point 14



Annual probability of exceeding 8m/s (%)

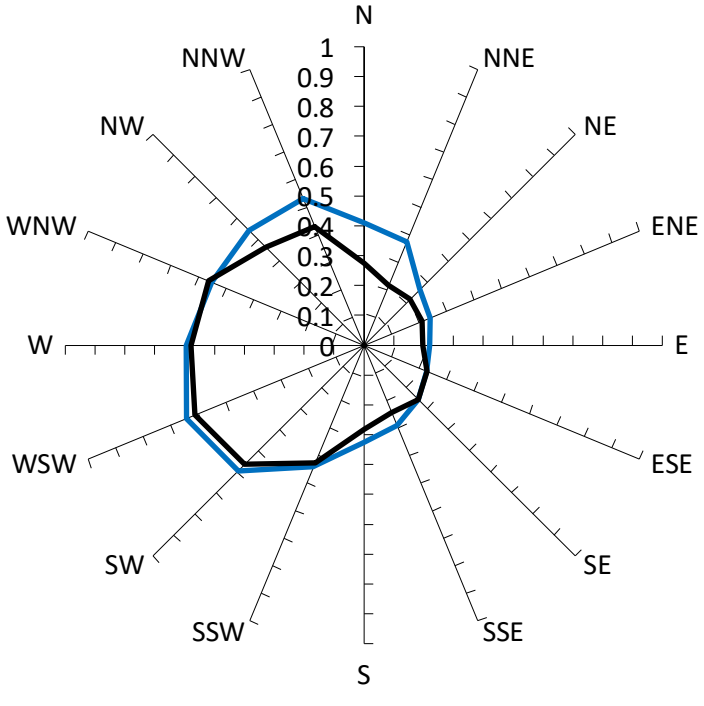


Annual Maximum Gust (m/s)

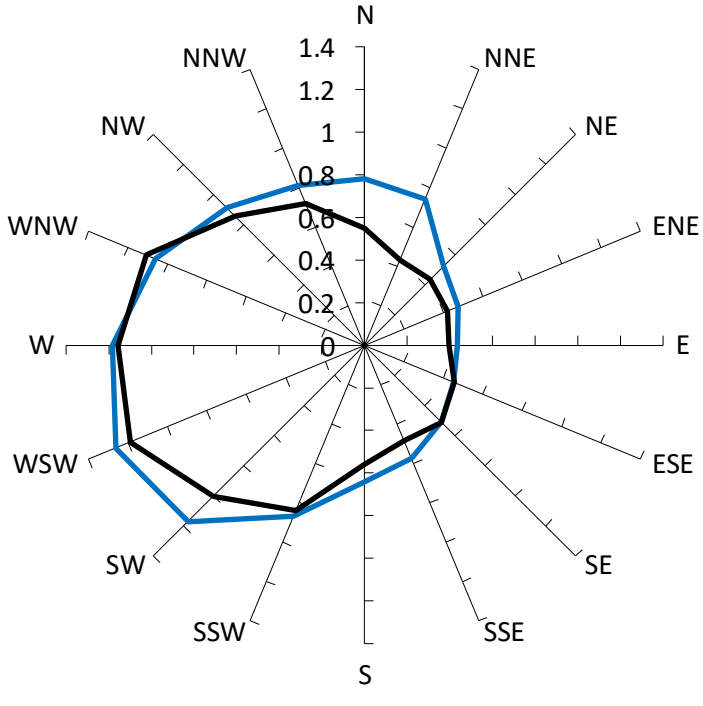
	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.	6.8	23
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	4.9	17

APPENDIX D DIRECTIONAL VELOCITY COEFFICIENT PLOTS

Results for Point 01



GEM Velocity Coefficients

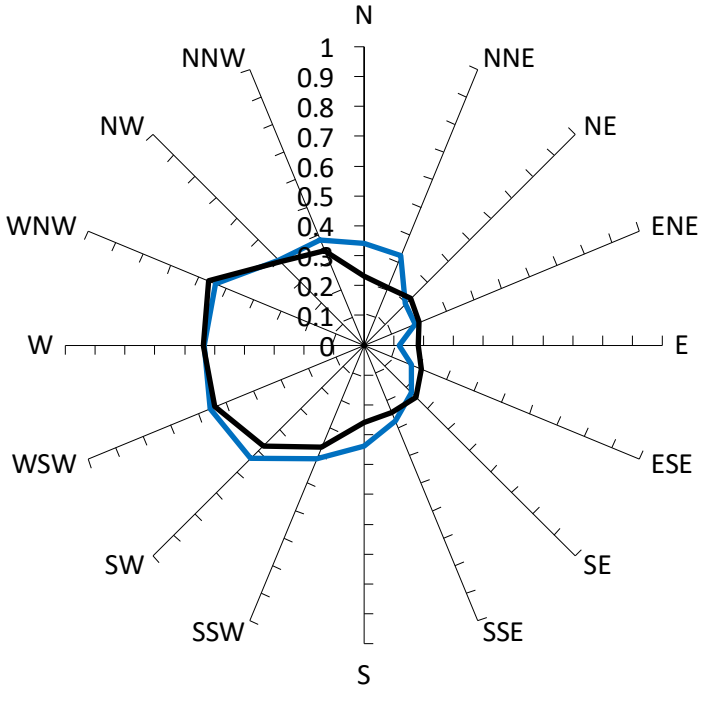


Gust Velocity Coefficients

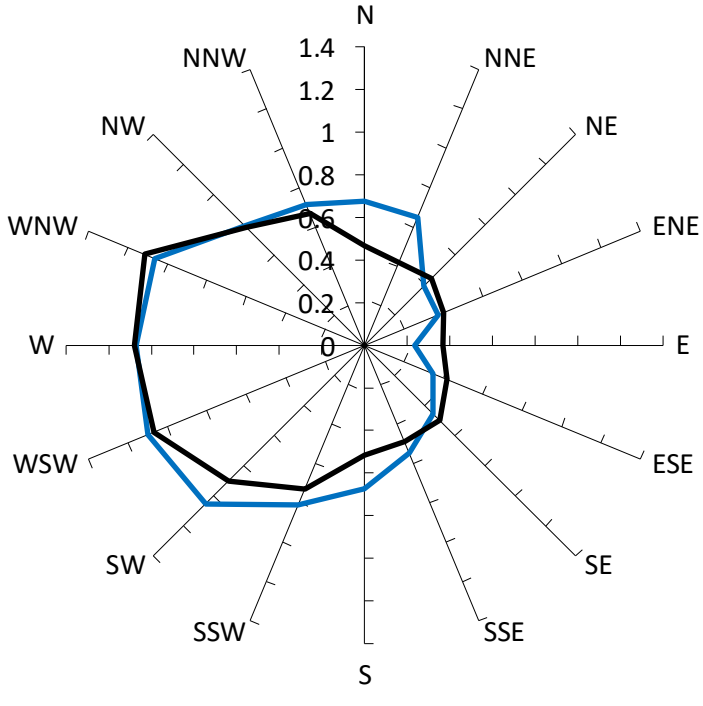
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 02



GEM Velocity Coefficients

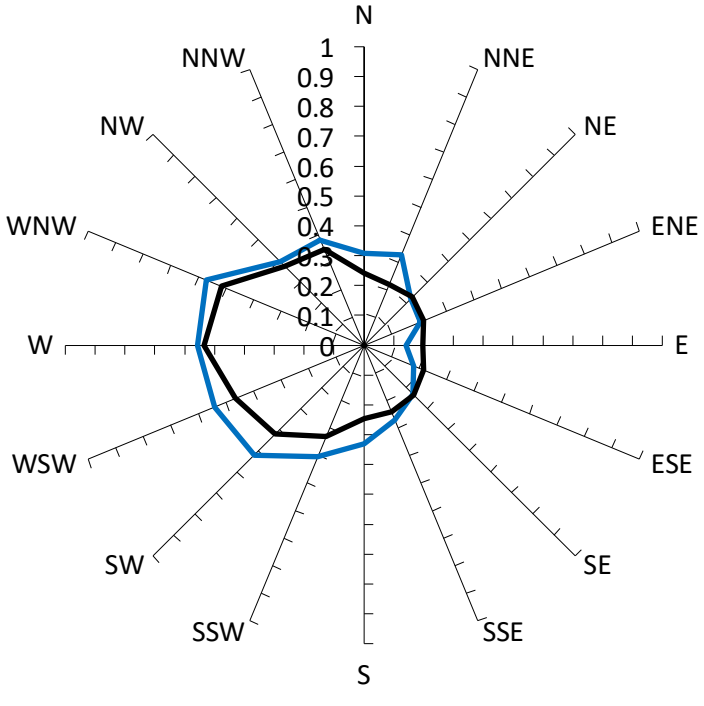


Gust Velocity Coefficients

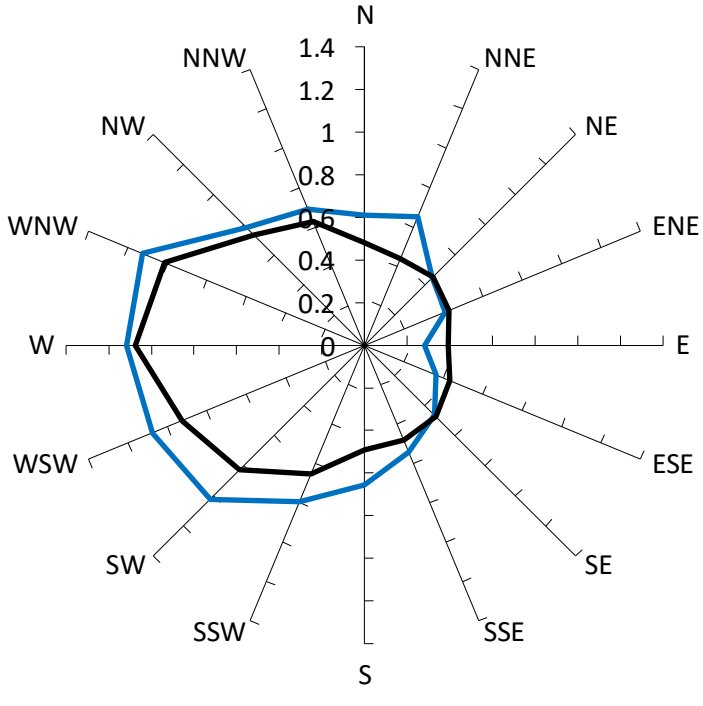
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 03



GEM Velocity Coefficients

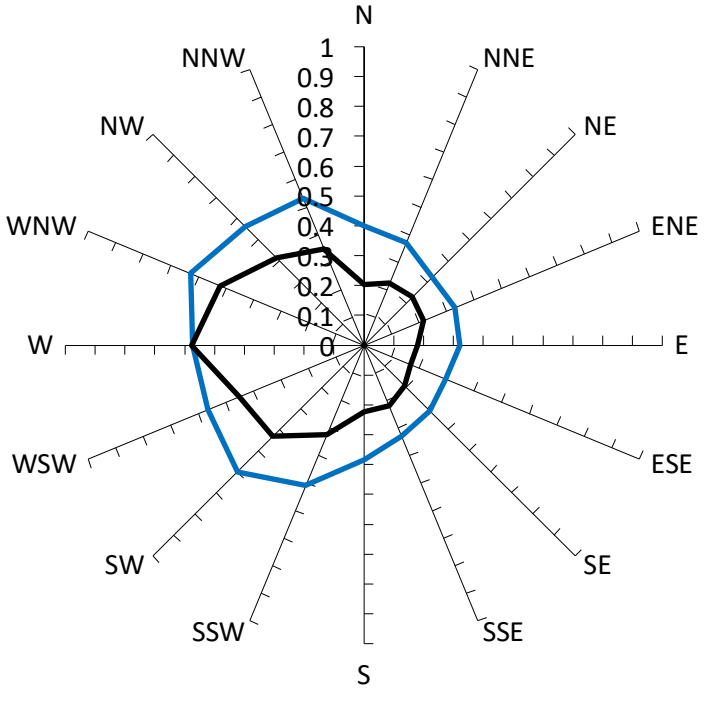


Gust Velocity Coefficients

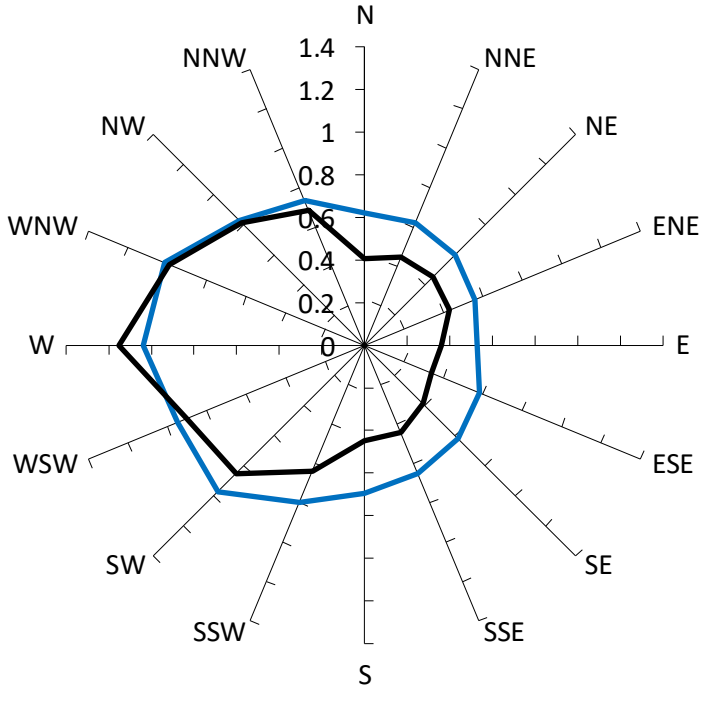
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 04



GEM Velocity Coefficients

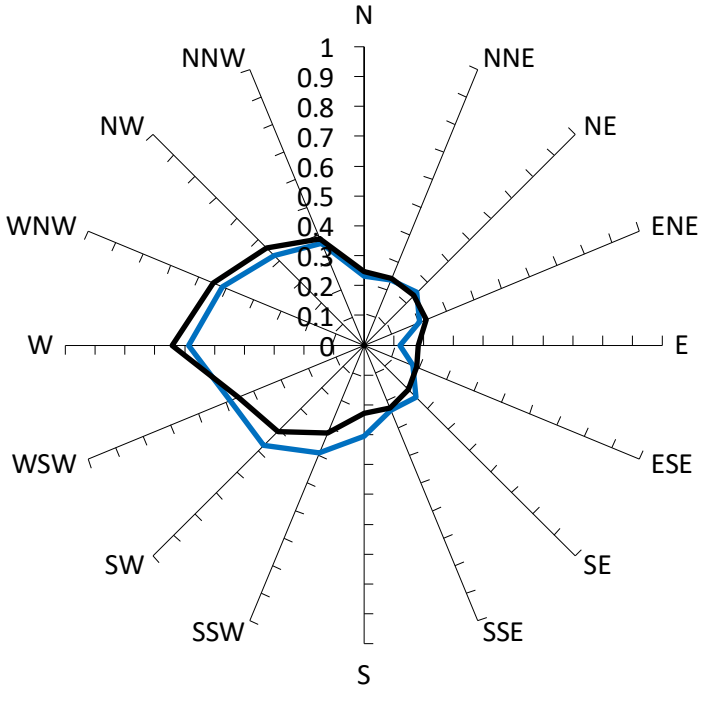


Gust Velocity Coefficients

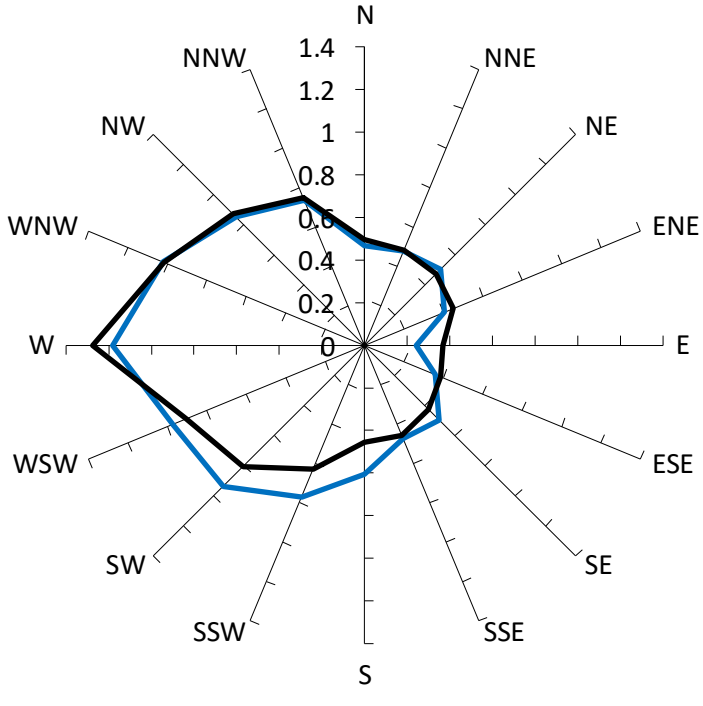
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 05



GEM Velocity Coefficients

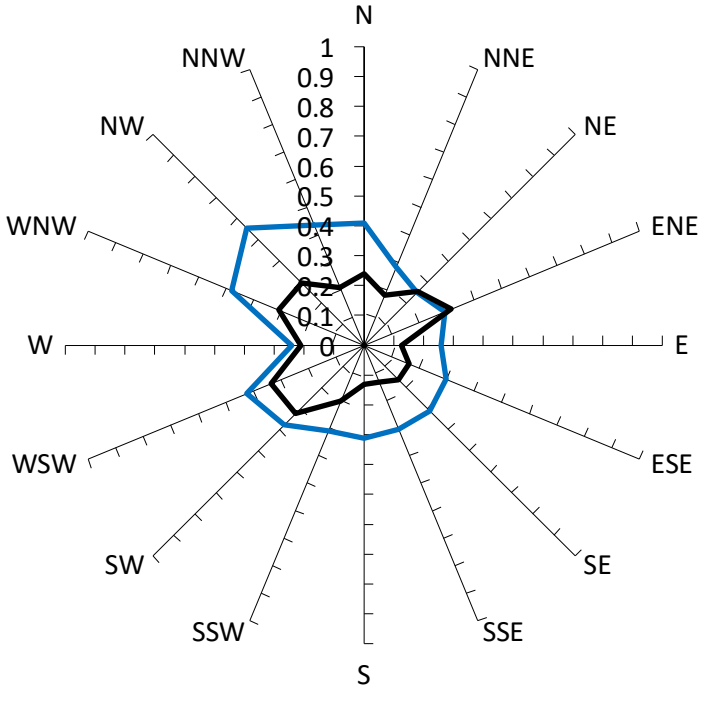


Gust Velocity Coefficients

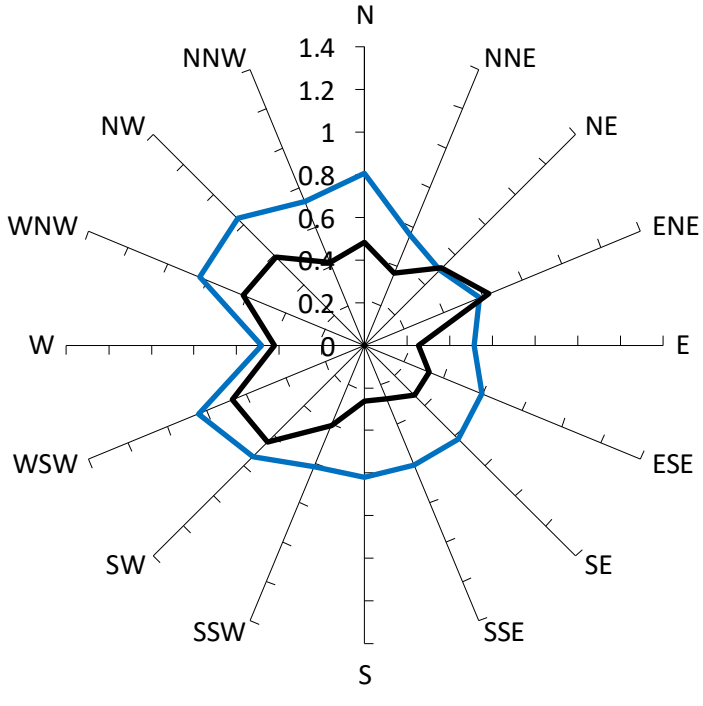
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 06



GEM Velocity Coefficients

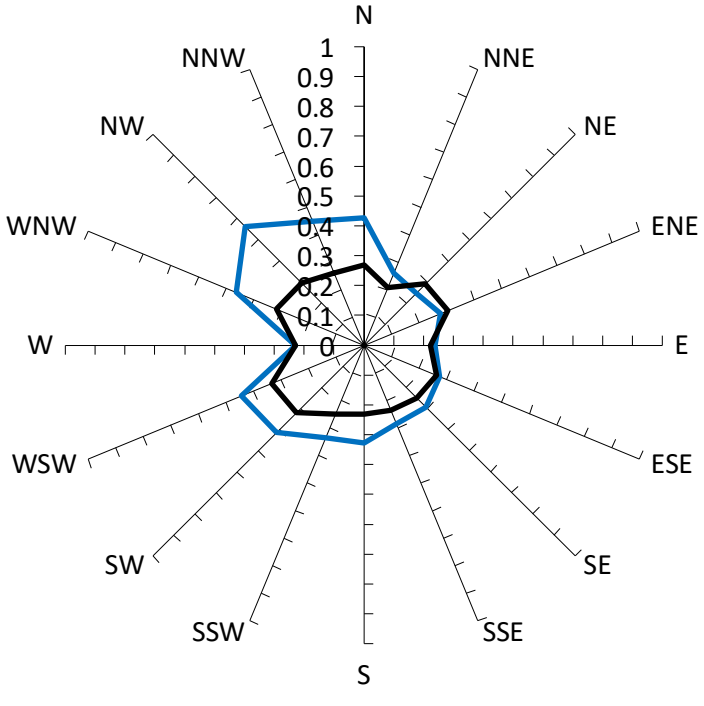


Gust Velocity Coefficients

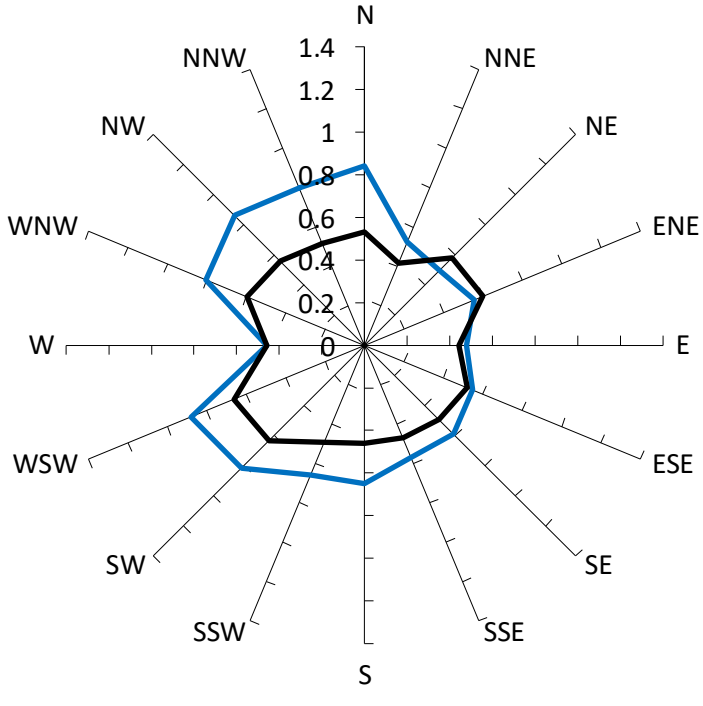
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 07



GEM Velocity Coefficients

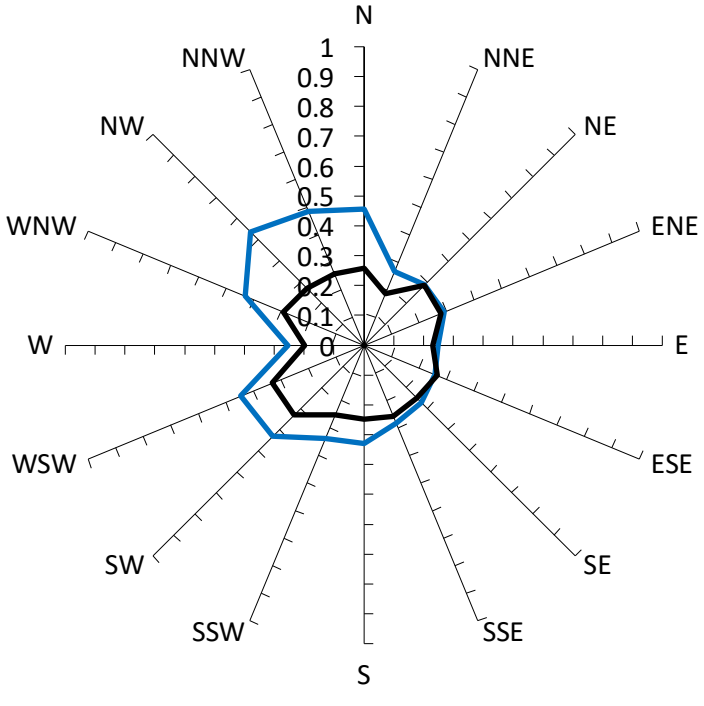


Gust Velocity Coefficients

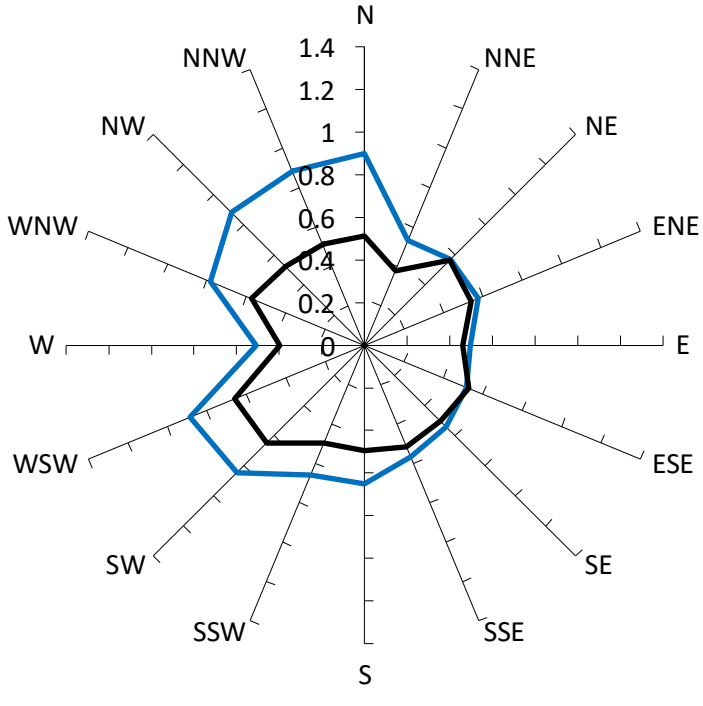
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 08



GEM Velocity Coefficients

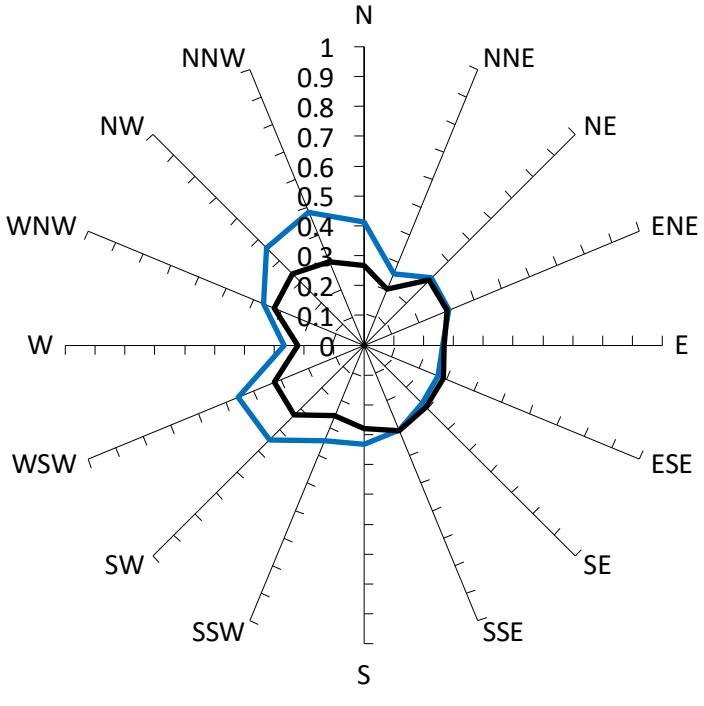


Gust Velocity Coefficients

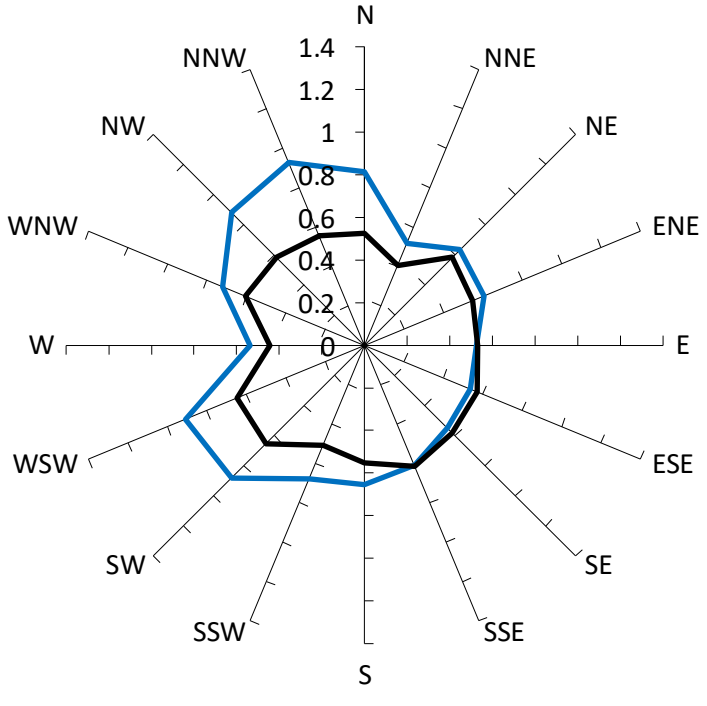
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 09



GEM Velocity Coefficients

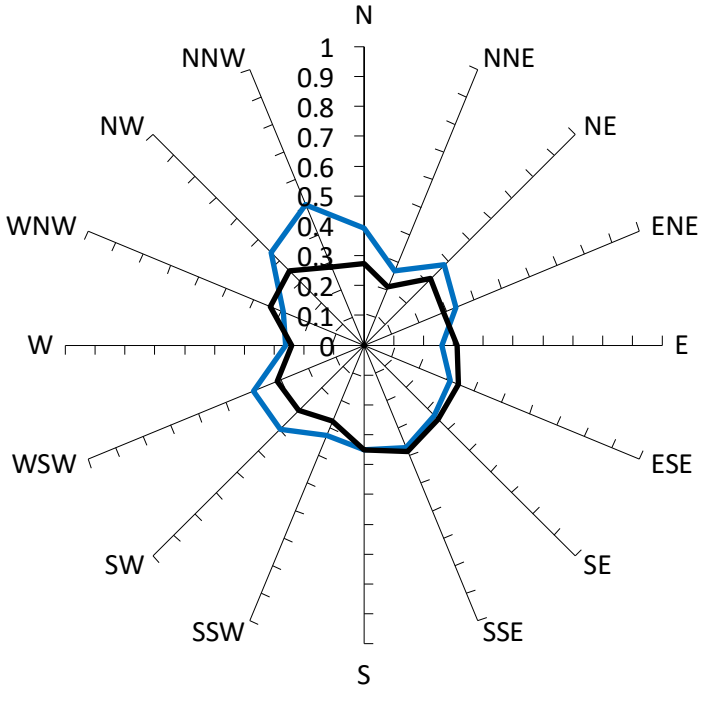


Gust Velocity Coefficients

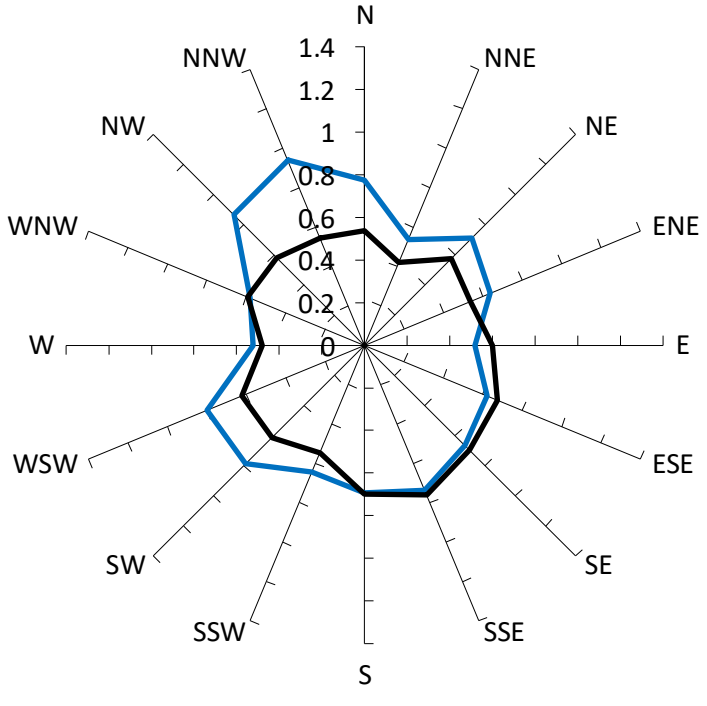
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 10



GEM Velocity Coefficients

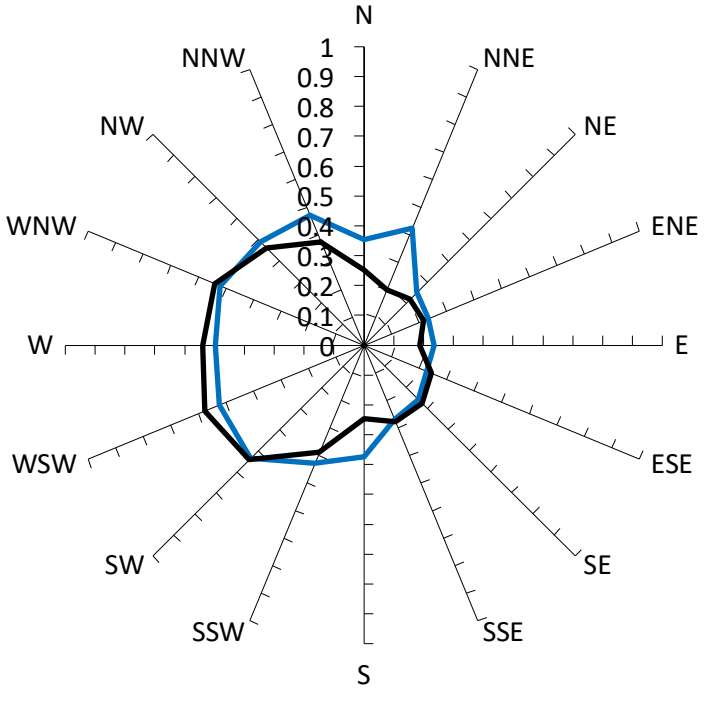


Gust Velocity Coefficients

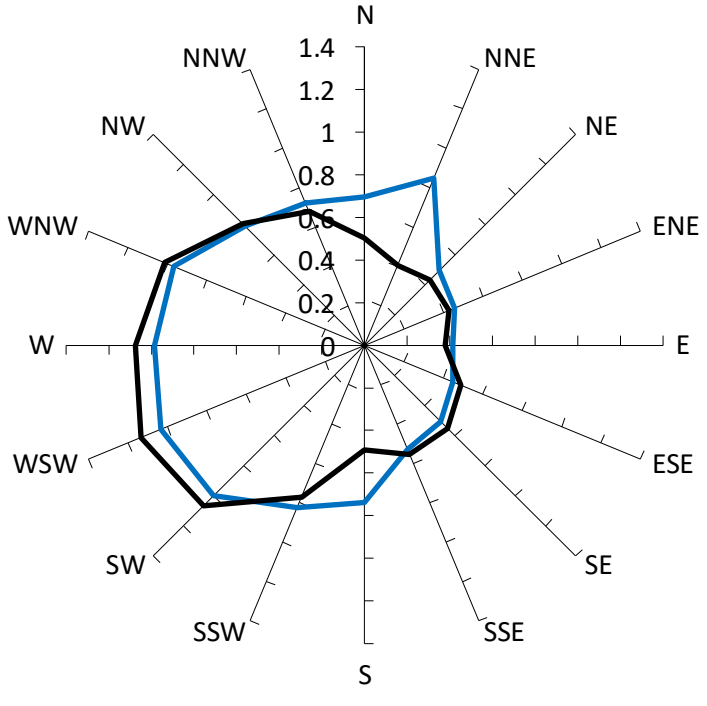
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 11



GEM Velocity Coefficients

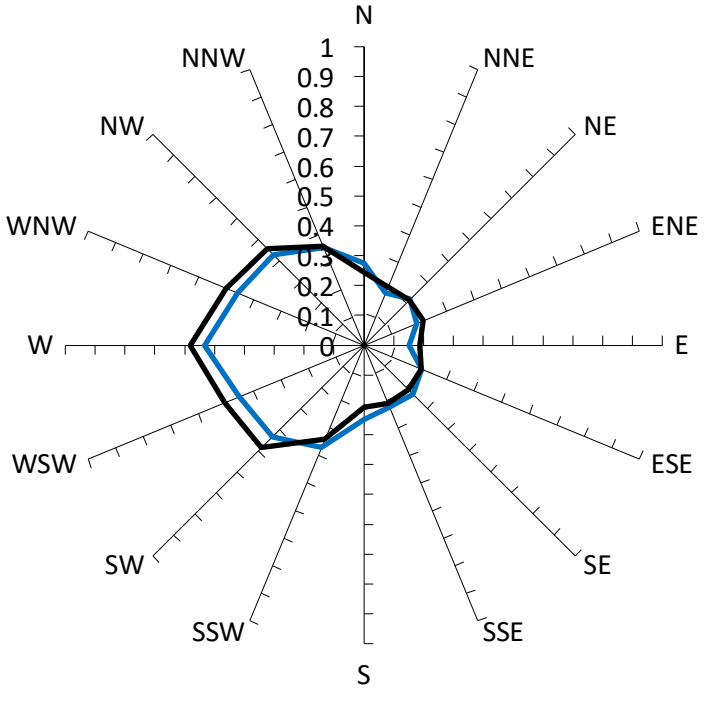


Gust Velocity Coefficients

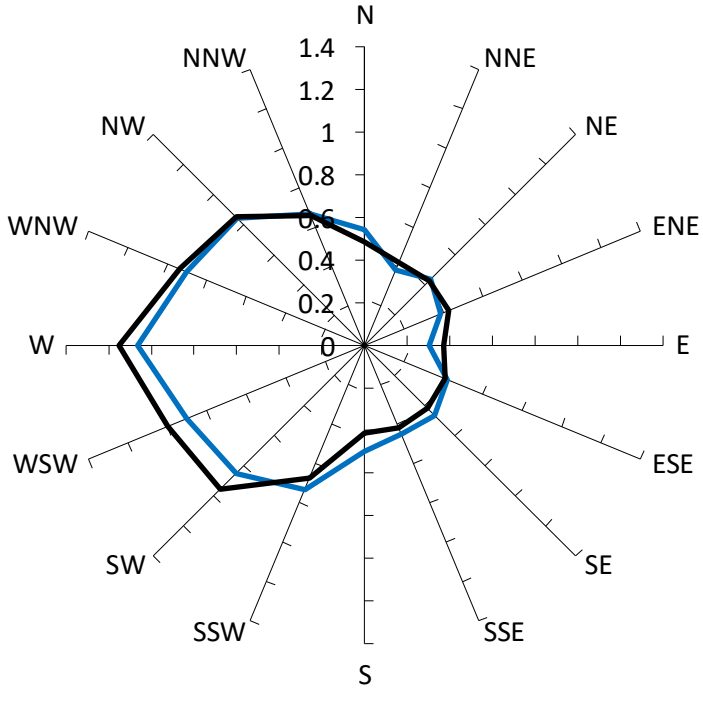
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 12



GEM Velocity Coefficients

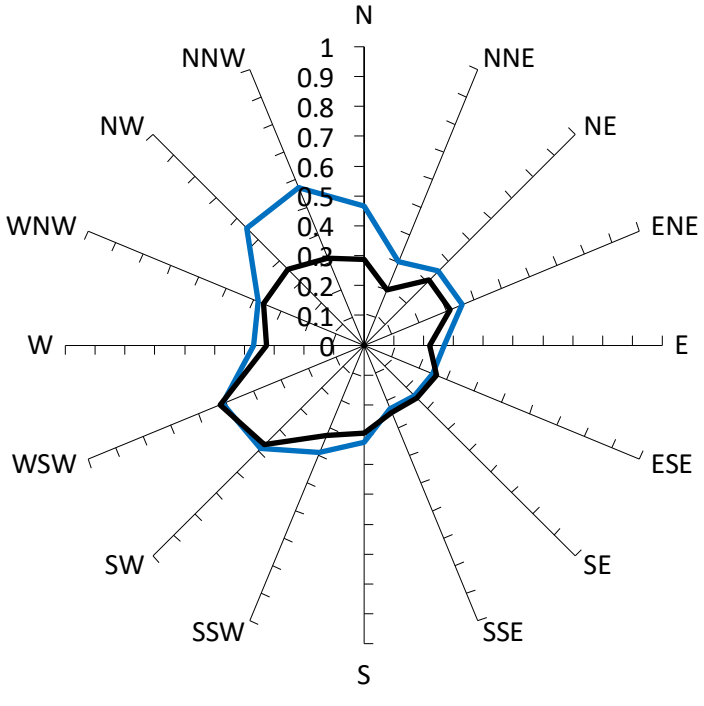


Gust Velocity Coefficients

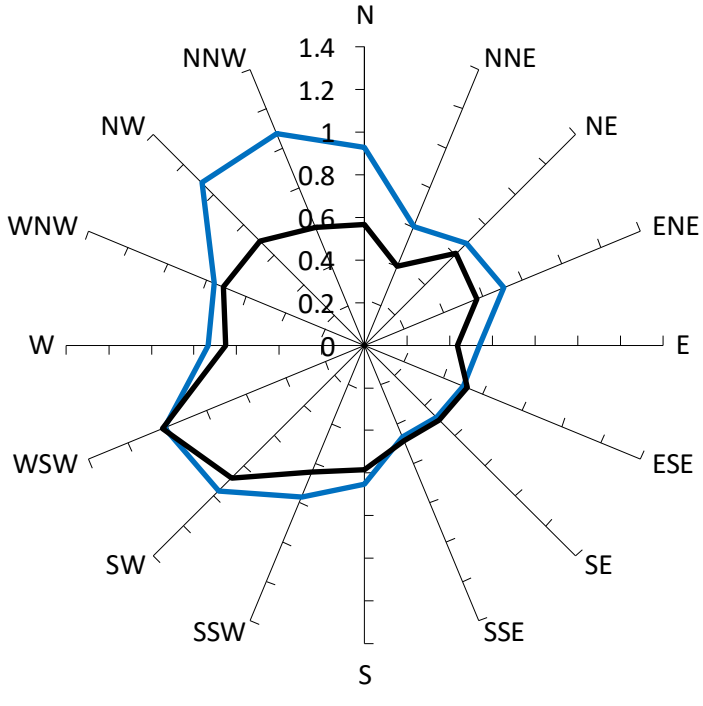
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 13



GEM Velocity Coefficients

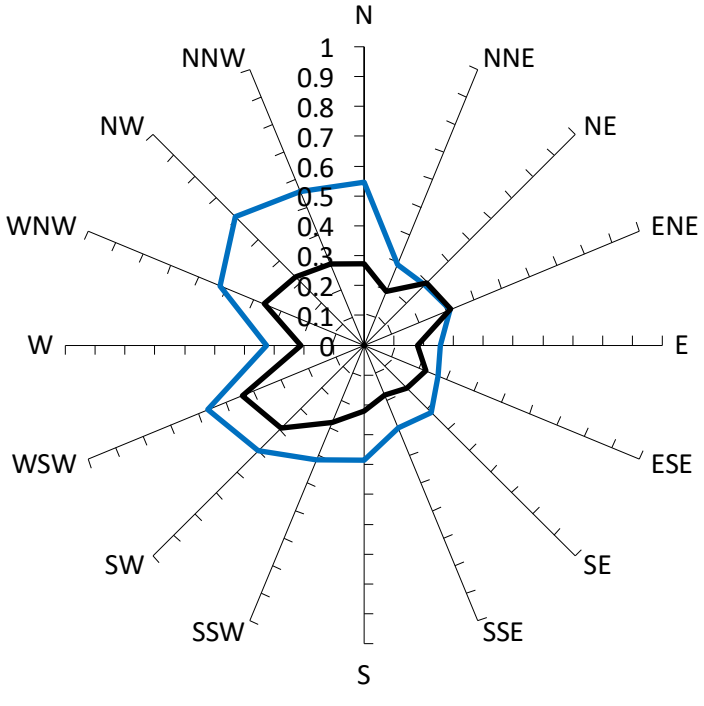


Gust Velocity Coefficients

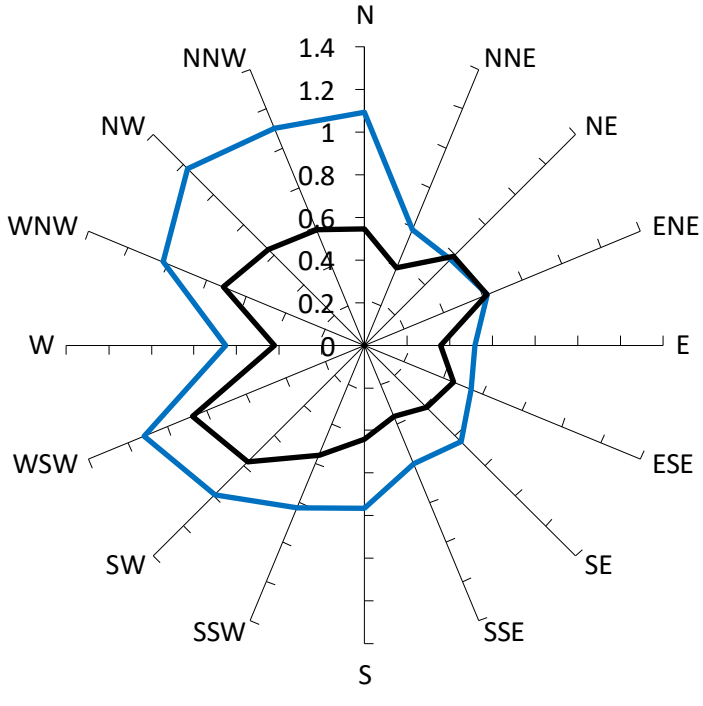
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 14



GEM Velocity Coefficients

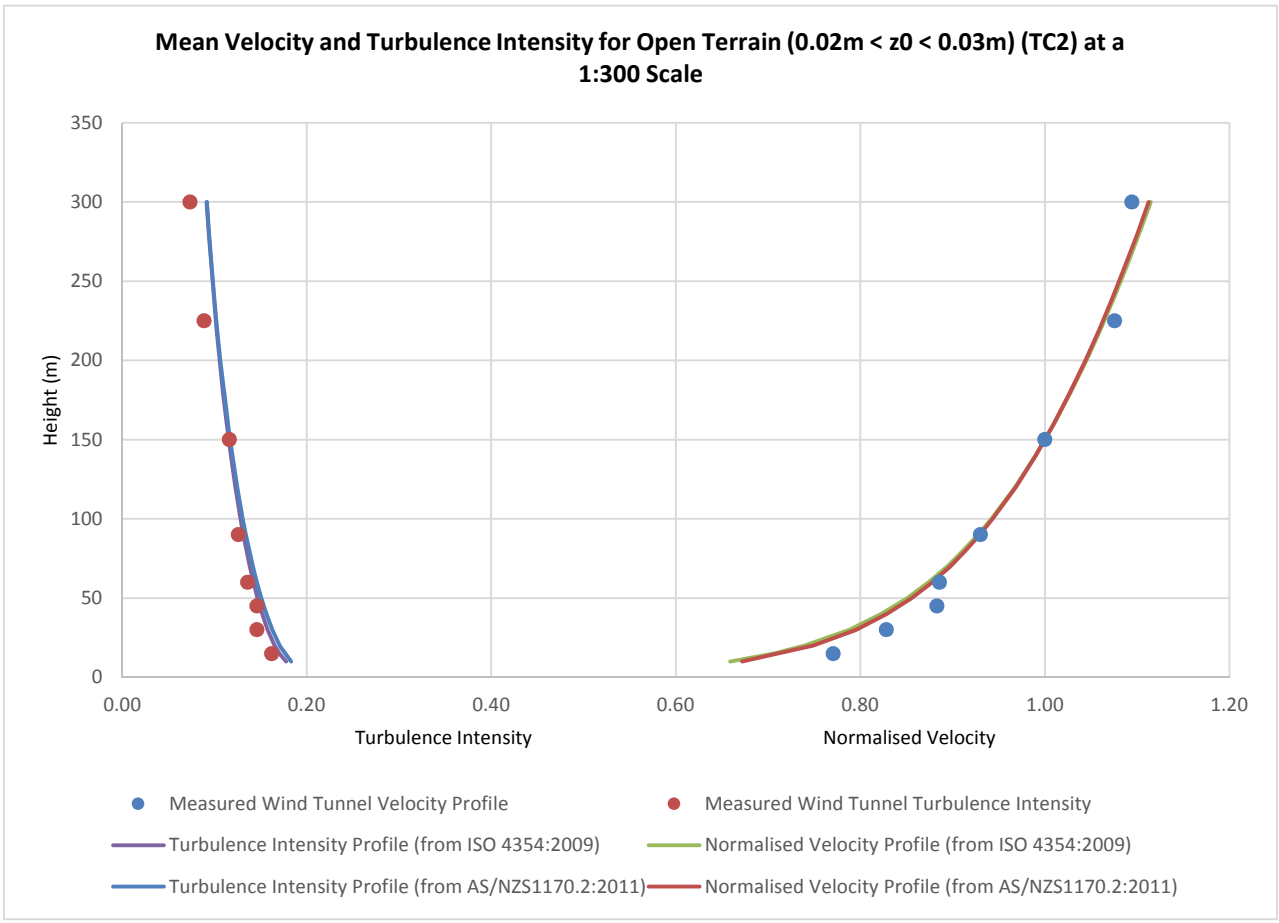


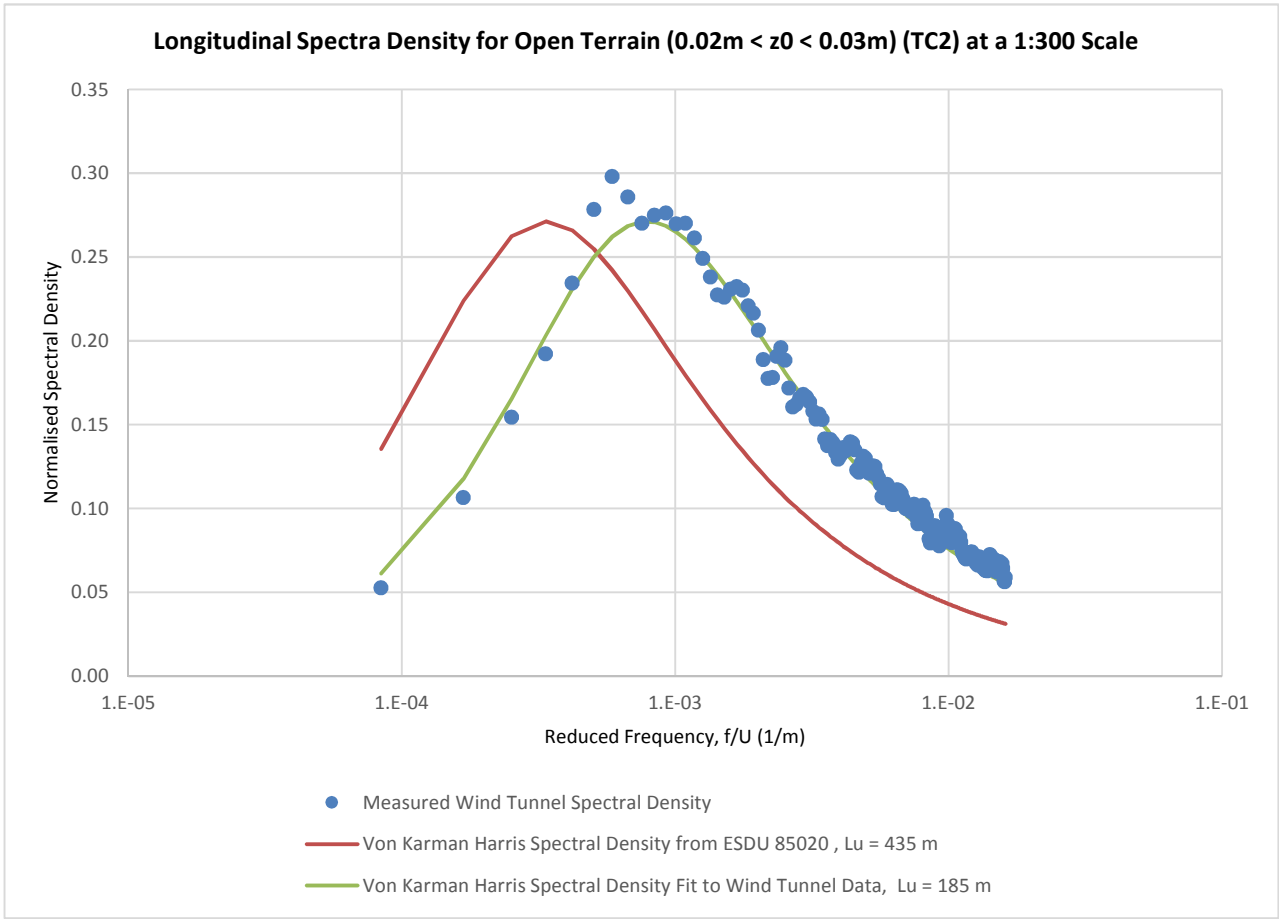
Gust Velocity Coefficients

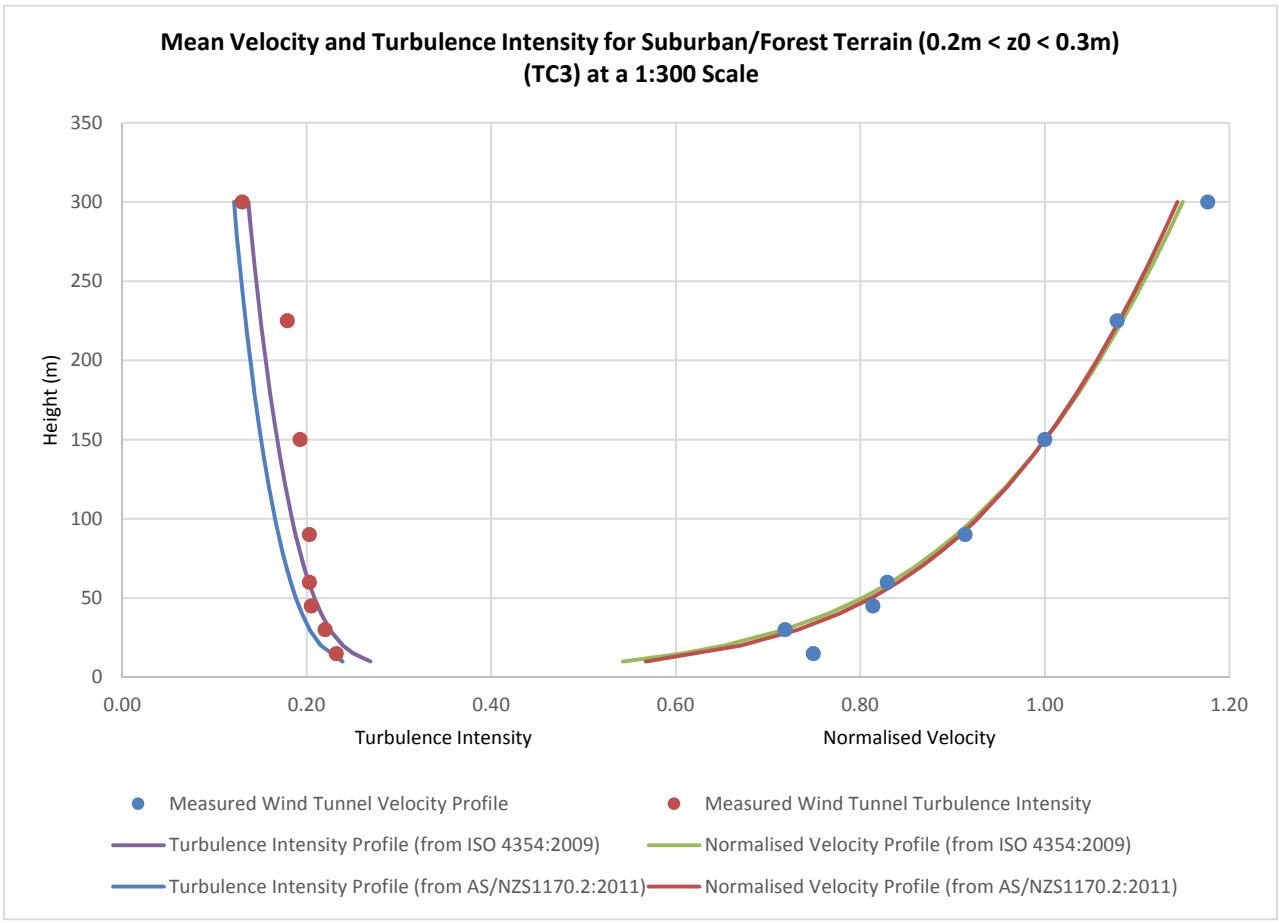
Envelope Case: Inclusion of the Maximum Planning Envelope, no vegetation or other treatments.

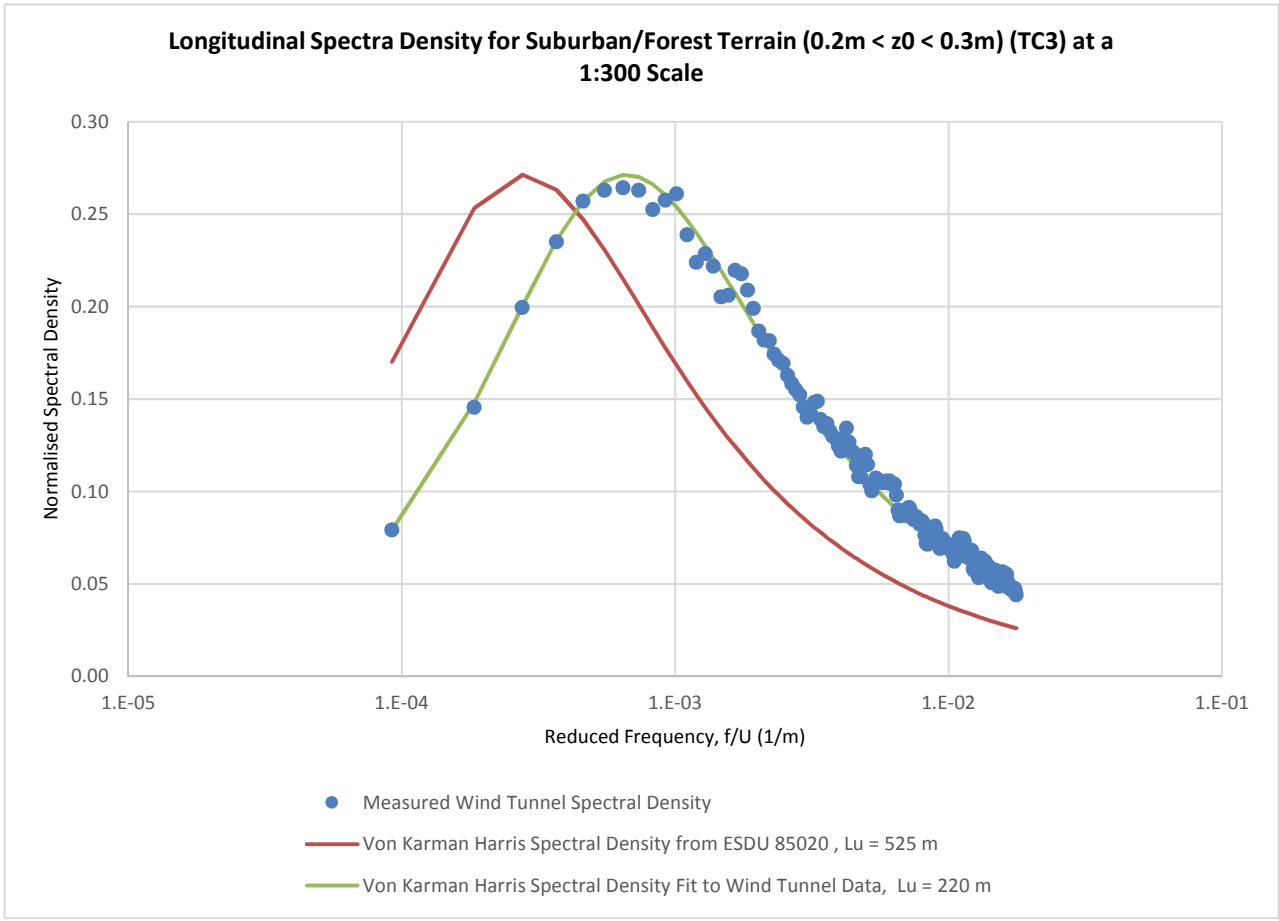
Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

APPENDIX E VELOCITY AND TURBULENCE INTENSITY PROFILES


Mean Velocity and Turbulence Intensity for Open Terrain (0.02m < z0 < 0.03m) (TC2) at a 1:300 Scale
Height (m)
350
300
250
200
150
100
50
0
0.00
0.20
0.40
0.60
0.80
1.00
1.20
Turbulence Intensity
Normalised Velocity
Measured Wind Tunnel Velocity Profile
Measured Wind Tunnel Turbulence Intensity
Turbulence Intensity Profile (from ISO 4354:2009)
Normalised Velocity Profile (from ISO 4354:2009)
Turbulence Intensity Profile (from AS/NZS1170.2:2011)
Normalised Velocity Profile (from AS/NZS1170.2:2011)


Longitudinal Spectra Density for Open Terrain (0.02m < z0 < 0.03m) (TC2) at a 1:300 Scale
Normalised Spectral Density
0.35
0.30
0.25
0.20
0.15
0.10
0.05
0.00
1.E-05
1.E-04
1.E-03
1.E-02
1.E-01
Reduced Frequency, f/U (1/m)
Measured Wind Tunnel Spectral Density
Von Karman Harris Spectral Density from ESDU 85020 , Lu = 435 m
Von Karman Harris Spectral Density Fit to Wind Tunnel Data, Lu = 185 m


Mean Velocity and Turbulence Intensity for Suburban/Forest Terrain (0.2m < z0 < 0.3m) (TC3) at a 1:300 Scale
Height (m)
350
300
250
200
150
100
50
0
0.00
0.20
0.40
0.60
0.80
1.00
1.20
Turbulence Intensity
Normalised Velocity
Measured Wind Tunnel Velocity Profile
Measured Wind Tunnel Turbulence Intensity
Turbulence Intensity Profile (from ISO 4354:2009)
Normalised Velocity Profile (from ISO 4354:2009)
Turbulence Intensity Profile (from AS/NZS1170.2:2011)
Normalised Velocity Profile (from AS/NZS1170.2:2011)


Longitudinal Spectra Density for Suburban/Forest Terrain (0.2m < z0 < 0.3m) (TC3) at a 1:300 Scale
Normalised Spectral Density
0.30
0.25
0.20
0.15
0.10
0.05
0.00
1.E-05
1.E-04
1.E-03
1.E-02
1.E-01
Reduced Frequency, f/U (1/m)
Measured Wind Tunnel Spectral Density
Von Karman Harris Spectral Density from ESDU 85020 , Lu = 525 m
Von Karman Harris Spectral Density Fit to Wind Tunnel Data, Lu = 220 m

Attachment A11

Pedestrian Wind Environment Study (Reference Design Scheme)

WINDTECH



PEDESTRIAN WIND ENVIRONMENT STUDY

383 KENT STREET, SYDNEY - REFERENCE DESIGN SCHEME

WH105-05F02(REV1)- WE REPORT

JANUARY 25, 2024

Prepared for:

Charter Hall

Level 20, 1 Martin Place
Sydney, NSW 2000

AT THE LEADING EDGE

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DOCUMENT CONTROL

Date	Revision History	Issued Revision	Prepared By (initials)	Instructed By (initials)	Reviewed & Authorised by (initials)
January 23, 2024	Initial.	0	EV	SWR	GC
January 25, 2024	Minor updates to text.	1	EV	SWR	GC

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EXECUTIVE SUMMARY

This report presents the results of a detailed investigation into the wind environment impact of the Reference Design Scheme for the proposed 383 Kent Street development, located in Sydney. Testing was performed at Windtech's boundary layer wind tunnel facility. The wind tunnel has a 3.0m wide working section and a fetch length of 14m, and measurements were taken from 16 wind directions at 22.5 degree increments. Testing was carried out using a 1:300 detailed scale model of the development, which was fabricated based on the 3D IFC model received March 14, 2023. The effects of nearby buildings and land topography have been accounted for through the use of a proximity model which represents an area with a radius of 375m.

Peak gust and mean wind speeds were measured at selected critical outdoor trafficable locations within and around the subject development. Wind velocity coefficients representing the local wind speeds are derived from the wind tunnel and are combined with a statistical model of the regional wind climate (which accounts for the directional strength and frequency of occurrence of the prevailing regional winds) to provide the equivalent full-scale wind speeds at the site. The wind speed measurements are compared with criteria for pedestrian comfort and safety, based on Gust-Equivalent Mean (GEM) and annual maximum gust winds, respectively.

The model was initially tested in the wind tunnel without the effect of any forms of wind ameliorating devices such as screens, balustrades, etc., which are not already shown in the architectural drawings. The effect of vegetation was also excluded from the testing. The existing site conditions were also tested, for comparison. The results of the initial wind tunnel test indicate that some areas along Sussex Street will experience strong winds which will exceed the relevant criteria for comfort and/or safety.

For areas where the measured wind conditions did not satisfy the comfort/safety conditions, wind mitigation measures were introduced and tested. The mitigation measures were in the form of a building recess along the northern aspect of the tower form.

The results of the treatment test indicate that the areas along Sussex Street initially exposed to strong winds are now within the target comfort criterion and equivalent to the existing site wind conditions for safety. Hence with the inclusion of the abovementioned mitigation measure, the wind conditions along Sussex Street and Kent Street are either within the target comfort criterion and safety limit, equivalent to the existing site wind conditions or better than the existing site wind conditions. Hence, the development satisfies the relevant planning controls as per Section 5.1.9(2) of the Sydney Development Control Plan (DCP).

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1 INTRODUCTION

This Pedestrian Wind Environment Study has been prepared by Windtech Consultants in support of a Planning Proposal to amend the Sydney Local Environmental Plan 2012 (Sydney LEP). This report has been prepared on behalf of Charter Hall Holdings Pty Ltd (Charter Hall) (the Proponent) and it relates to a single development lot identified as Lot 1 in DP 778342 or 383 Kent Street, Sydney (the site).

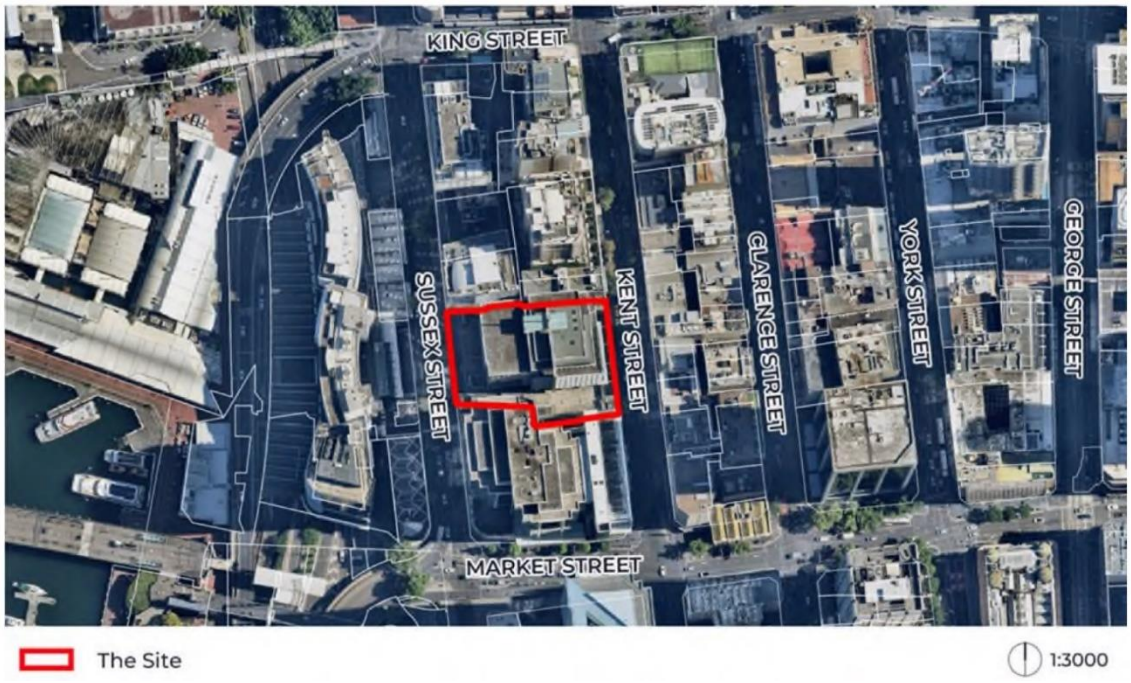

Figure 1: Aerial Map
Source: Nearmap, edits by Ethos Urban

The purpose of this Planning Proposal is to amend the site's maximum Height of Building development standard and maximum Floor Space Ratio (FSR) development standard to unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the Central Sydney Planning Strategy (CSPS) for tower cluster sites. This Planning Proposal will also seek to facilitate significant public benefits through additional site activation by way of a new pedestrian through-site link, shared loading dock facility and delivering on sustainable initiatives to contribute to the City of Sydney's vision to achieve net zero energy buildings.

The proposed Sydney LEP amendment is part of the broader redevelopment plan for the site to demolish the existing structure on the site (including the existing 10 storey car park), and construct a new 42 storey commercial office tower with a total maximum FSR of 20:1 (circa 73,000m^2 GFA).

The uplift being sought is consistent with the strategic intent of the CSPS for tower cluster sites within Central Sydney, which contains the City's requirements and expectations for projects pursuing this pathway. Following the Planning Proposal, the planning approval pathway involves a competitive design process and a detailed

Development Application (DA). As such, this report reflects the concept stage of the proposal, and may be embellished as the detailed design and required works evolve.

1.1 Indicative Reference Scheme Overview

This Planning Proposal is accompanied by amendments to the Sydney Development Control Plan 2012 (Sydney DCP). The site specific DCP amendments reflect the proposed outcome to create a new commercial office tower that reintroduces a fine grain texture to the city by way of a new through-site link and retail activation at each ground floor interface to the public domain. This is reflected in the accompanying reference design prepared by FJC which serves as a baseline proof of concept for this Planning Proposal. This large strategic site presents a unique opportunity to deliver a landmark tower site that will exhibit design excellence and redefine the western edge of the CBD, whilst offering significant employment opportunities for global Sydney.

The reference scheme supporting the Planning Proposal and site specific DCP can be described as follows:

- Demolition of the existing building, including removal of the over 800 capacity public car park.
- Construction of the following:
    - New 42-storey office tower comprising a total FSR of 20:1, up to a height of RL 189.60 (approximately 170m above Kent Street and 180m above Sussex Street).
    - New premium-grade commercial floorspace with an approximate GFA of circa 73,000m^2.
    - New through-site link connecting Kent and Sussex Streets, including public art activation.
    - New ground floor activation opportunities, including approximate retail GFA of circa 640m^2.
    - 2 levels of basement, comprising:
    - Basement Level 1 facilitating 72 car parking spaces; and
    - Sussex Street ground level shared loading dock facility including SRV and MRV short term stay bays to service retail tenancies within buildings along Kent Street (located between Market Street and King Street).
    - New end of trip facilities below the Kent Street ground level.

1.2 Wind Tunnel Assessment

A wind tunnel study has been undertaken to assess wind speeds at selected critical outdoor trafficable areas within and around the subject development. The test procedures followed for this wind tunnel study were based on the guidelines set out in the Australasian Wind Engineering Society Quality Assurance Manual (AWES-QAM-1-2019), ASCE 7-16 (Chapter C31), and CTBUH (2013).

A scale model of the development was prepared, including the surrounding buildings and land topography. Testing was performed at Windtech's boundary layer wind tunnel facility. The wind tunnel has a 3.0m wide

working section and a fetch length of 14m, and measurements were taken from 16 wind directions at 22.5 degree increments. The wind tunnel was configured to the appropriate boundary layer wind profile for each wind direction. Wind speeds were measured using either Dantec hot-wire probe anemometers or pressure-based wind speed sensors, positioned to monitor wind conditions at critical outdoor trafficable areas of the development.

The model was tested in the wind tunnel without the effect of any forms of wind ameliorating devices such as screens, balustrades, etc., which are not already shown in the architectural drawings. The scale model was based on the 3D IFC model received March 14, 2023. The effect of vegetation was also excluded from the testing. The wind speeds measured during testing were combined with a statistical model of the regional wind climate to provide the equivalent full-scale wind speeds at the site. The measured wind speeds were compared against appropriate criteria for pedestrian comfort and safety.

Additional treatment testing was conducted for areas which exceed the appropriate criterion for pedestrian comfort and safety.

2 WIND TUNNEL MODEL

Wind tunnel testing was carried out using a 1:300 scale model of the development and surroundings. The study model incorporates all necessary architectural features on the façade of the development to ensure an accurate wind flow is achieved around the model, and was constructed using a Computer Aided Manufacturing (CAM) process to ensure that a high level of detail and accuracy is achieved. The study model was fabricated based on the 3D IFC model received March 14, 2023. The effect of nearby buildings and land topography has been accounted for through the use of a proximity model, which represents a radius of 375m from the development site. The following building scenarios were tested:

- With the inclusion of the Reference Design Scheme. In this report, this test case is referred to as the "Massing Case".
- With the inclusion of the existing building massing. In this report, this test case is referred to as the "Existing Case".

Photographs of the wind tunnel model are presented in Figures 2. Planview images of the proximity model are provided in Figures 3.



Figure 2a: Photograph of the Wind Tunnel Model Massing Case, view from the north-west



Figure 2b: Photograph of the Wind Tunnel Model
Massing Case, view from the south



Figure 2c: Photograph of the Wind Tunnel Model
Massing Case, view from the east



Figure 2d: Photograph of the Wind Tunnel Model
Massing Case, view from the north



Figure 2e: Photograph of the Wind Tunnel Model
Massing Case, view from the west



Figure 2f: Photograph of the Wind Tunnel Model
Existing Case, view from the north-west



Figure 2g: Photograph of the Wind Tunnel Model
Existing Case, view from the west

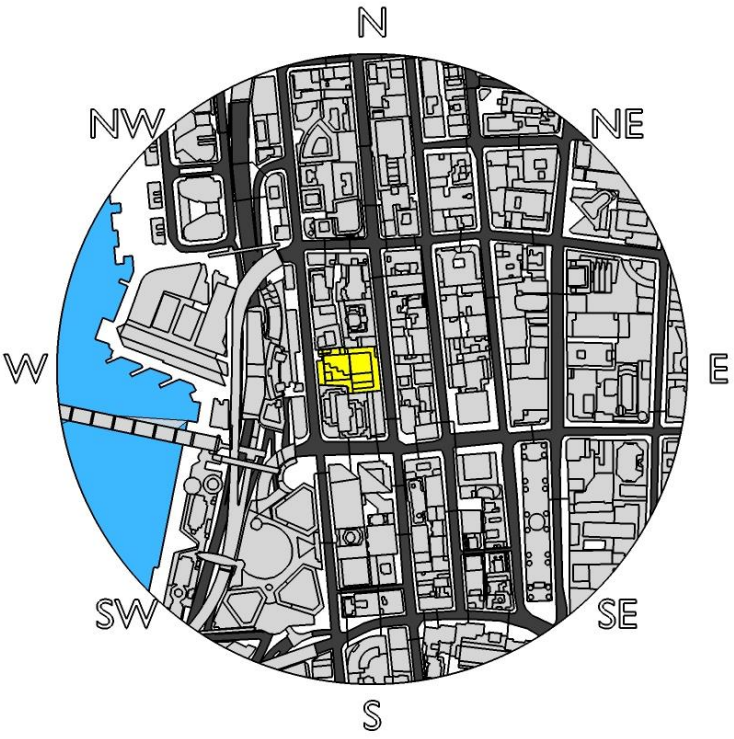

Figure 3a: Proximity Model Plan, Massing Case

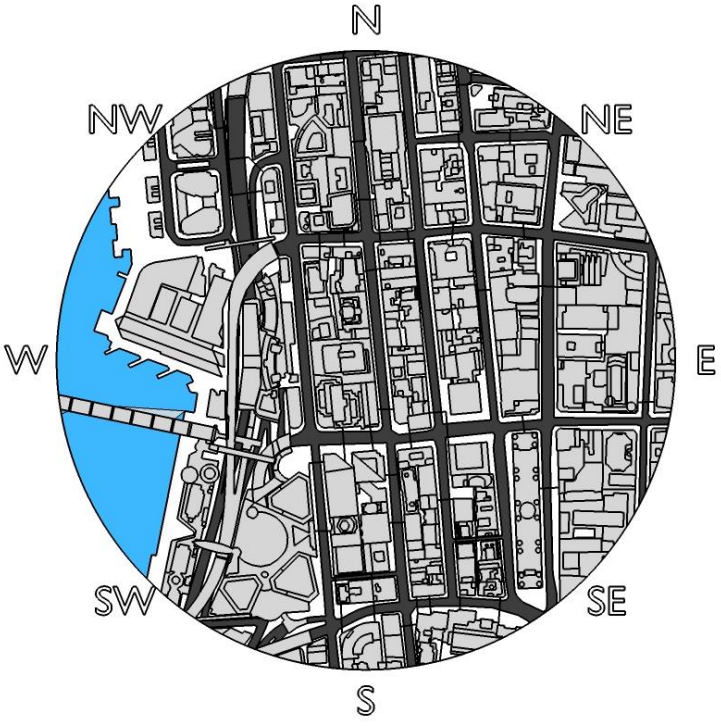

Figure 3b: Proximity Model Plan, Existing Case

3 BOUNDARY LAYER WIND PROFILES AT THE SITE

The roughness of the surface of the earth has the effect of slowing down the wind near the ground. This effect is observed up to the boundary layer height, which can range between 500m to 3km above the earth's surface depending on the roughness of the surface (ie: oceans, open farmland, etc). Within this range the prevailing wind forms a boundary layer wind profile.

Various wind codes and standards and other publications classify various types of boundary layer wind flows depending on the surface roughness z_0. Descriptions of typical boundary layer wind profiles, based on D.M. Deaves and R.I. Harris (1978), are summarised as follows:

- Flat terrain (0.002m < z_0 < 0.003m). Examples include inland water bodies such as lakes, dams, rivers, etc, and the open ocean.
- Semi-open terrain (0.006m < z_0 < 0.01m). Examples include flat deserts and plains.
- Open terrain (0.02m < z_0 < 0.03m). Examples include grassy fields, semi-flat plains, and open farmland (without buildings or trees).
- Semi-suburban/semi-forest terrain (0.06m < z_0 < 0.1m). Examples include farmland with scattered trees and buildings and very low-density suburban areas.
- Suburban/forest terrain (0.2m < z_0 < 0.3m). Examples include suburban areas of towns and areas with dense vegetation such as forests, bushland, etc.
- Semi-urban terrain (0.6m < z_0 < 1.0m). Examples include centres of small cities, industrial parks, etc.
- Urban terrain (2.0m < z_0 < 3.0m). Examples include centres of large cities with many high-rise towers, and also areas with many closely-spaced mid-rise buildings.

The boundary layer wind profile does not change instantly due to changes in the terrain roughness. It can take many kilometres (at least 100km) of a constant surface roughness for the boundary layer wind profile to achieve a state of equilibrium. Hence an analysis of the effect of changes in the upwind terrain roughness is necessary to determine an accurate boundary layer wind profile at the development site location.

The proximity model accounts for the effect of the near field topographic effects as well as the influence of the local built forms. To account for further afield effects, an assessment of the upwind terrain roughness has been undertaken based on the method given in AS/NZS1170.2:2021, using a fetch ranging from 20 to 60 times the study reference height (as per the recommendation by AS/NZS1170.2:2021). An aerial image showing the surrounding terrain is presented in Figure 4 for a range of 5.4km from the edge of the proximity model used for the wind tunnel study. The resulting mean and gust terrain and height multipliers at the site location are presented in Table 1, referenced to the study reference height (which is approximately half the height of the subject development since typically we are most interested in the wind effects at the ground plane). Details of the boundary layer wind profiles at the site are combined with the regional wind model (see Section 4) to determine the site wind speeds.

Table 1: Approaching Boundary Layer Wind Profile Analysis Summary (at the study reference height)

Wind Sector (degrees)	Terrain and Height Multiplier			Turbulence Intensity	Equivalent Terrain Category (AS/NZS1170.2:2021 naming convention)
	$k_{tr,T=1hr}$ (hourly)	$k_{tr,T=10min}$ (10min)	$k_{tr,T=3s}$ (3sec)	I_v	
0	0.81	0.85	1.23	0.172	2.7
30	0.86	0.90	1.25	0.152	2.4
60	1.00	1.03	1.32	0.104	1.2
90	0.93	0.96	1.28	0.129	1.9
120	0.77	0.81	1.21	0.188	3.0
150	0.82	0.86	1.23	0.169	2.7
180	0.72	0.76	1.18	0.216	3.3
210	0.76	0.80	1.20	0.195	3.1
240	0.77	0.82	1.21	0.188	3.0
270	0.83	0.87	1.24	0.166	2.6
300	0.88	0.91	1.26	0.147	2.3
330	0.92	0.96	1.28	0.130	2.0

NOTE: These terrain and height multipliers are to be applied to a basic regional wind speed averaged over 3-seconds. Divide these values by 1.10 for a basic wind speed averaged over 0.2-seconds, 0.69 for a basic wind speed averaged over 10-minutes, or 0.66 for a basic wind speed averaged over 1-hour.

For each of the 16 wind directions tested in this study, the approaching boundary layer wind profiles modelled in the wind tunnel closely matched the profiles listed in Table 1. Plots of the boundary layer wind profiles used for the wind tunnel testing are presented in Appendix E of this report.

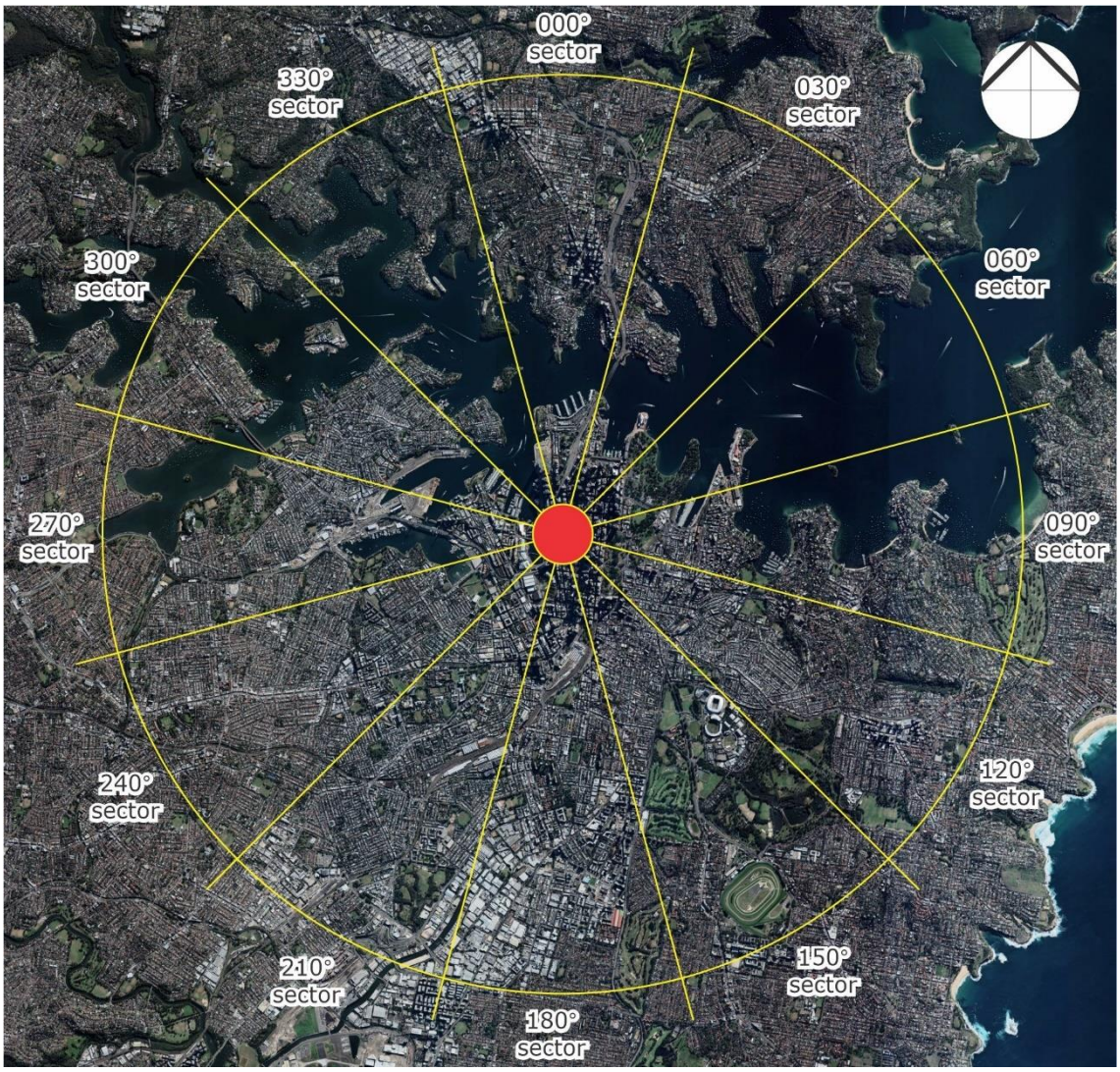

Figure 4: Aerial Image of the Surrounding Terrain (radius of 5.4km from the edge of the proximity model)

4 REGIONAL WIND MODEL

The regional wind model used in this study was determined from an analysis of measured directional mean wind speeds obtained at the meteorological recording station located at Kingsford Smith Airport (Sydney Airport). Data was collected from 1995 to 2016 and corrected so that it represents winds over standard open terrain at a height of 10m above ground for each wind direction. From this analysis, directional probabilities of exceedance and directional wind speeds for the region are determined. The directional wind speeds are summarised in Table 2. The directional wind speeds and corresponding directional frequencies of occurrence are presented in Figure 5.

The data indicates that the southerly winds are by far the most frequent winds for the Sydney region, and are also the strongest. The westerly winds occur most frequently during the winter season for the Sydney region, and although they are typically not as strong as the southerly winds, they are usually a cold wind and hence can be a cause for discomfort for outdoor areas. North-easterly winds occur most frequently occur during the warmer months of the year for the Sydney region, and hence are usually welcomed within outdoor areas since they are typically not as strong as the southerly or westerly winds.

The recurrence intervals examined in this study are for exceedances of 5% (per 90 degree sector) of the pedestrian comfort criteria using Gust-Equivalent Mean (GEM) wind speeds, and annual maximum wind speeds (per 22.5 degree sector) for the pedestrian safety criterion. Note that the 5% probability wind speeds presented in Table 2 are only used for the directional plot presented in Figure 5 and are not used for the integration of the probabilities.

Table 2: Regional Directional Wind Speeds (hourly means, at 10m height in standard open terrain) (m/s)

Wind Direction	5% Exceedance	Annual Maximum
N	5.9	9.9
NNE	9.9	12.9
NE	9.7	12.3
ENE	7.5	10.0
E	6.3	9.3
ESE	6.2	9.1
SE	7.0	10.1
SSE	8.5	12.2
S	10.3	13.9
SSW	10.0	14.1
SW	6.9	11.9
WSW	9.3	13.6
W	9.8	14.4
WNW	8.8	14.3
NW	6.7	12.6
NNW	5.5	10.7

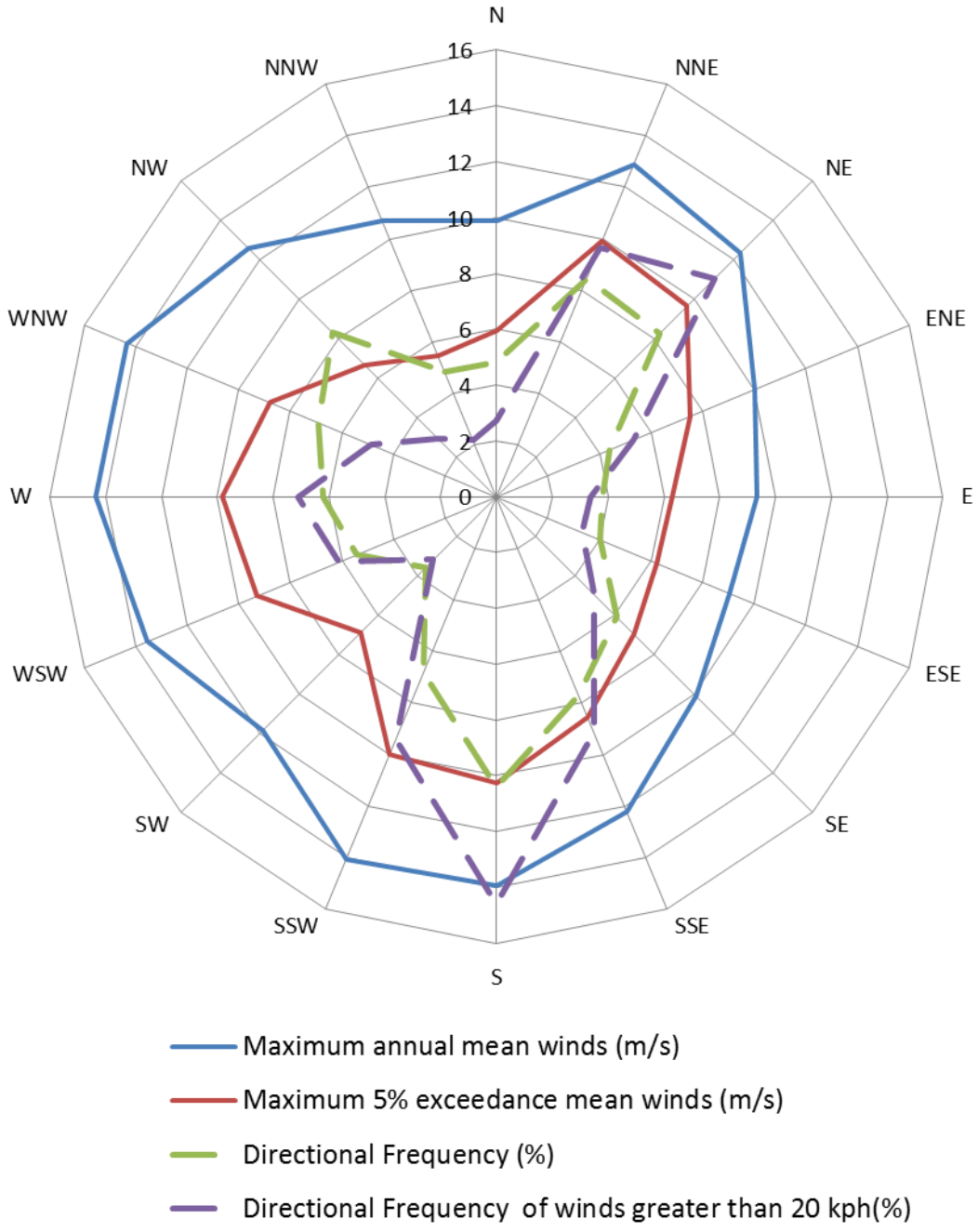

Figure 5: Annual and 5% Exceedance Hourly Mean Wind Speeds, and Frequencies of Occurrence, for the Sydney Region (at 10m height in standard open terrain)

5 PEDESTRIAN WIND COMFORT AND SAFETY

The acceptability of wind conditions for an area is determined by comparing the measured wind speeds against an appropriate criteria. This section outlines how the measured wind speeds were obtained, the criteria considered for the development, as well as the critical trafficable areas that were assessed and their corresponding criteria designation.

5.1 Measured Wind Speeds

Wind speeds were measured using either Dantec hot-wire probe anemometers or pressure-based wind speed sensors, positioned to monitor wind conditions at critical outdoor trafficable areas of the development. The reference mean free-stream wind speed measured in the wind tunnel, which is at a full-scale height of 200m and measured 3m upstream of the study model.

Measurements were acquired for 16 wind directions at 22.5 degree increments using a sample rate of 1,024Hz. The full methodology of determining the wind speed measurements at the site from either the Dantec Hot-wire probe anemometers or pressure-based wind speed sensors is provided in Appendix B. Based on the results of the analysis of the boundary layer wind profiles at the site (see Section 3), and incorporating the regional wind model (see Section 4), the data sampling length of the wind tunnel test for each wind direction corresponds to a full-scale sample length ranging between 30 minutes and 1 hour. Research by A.W. Rofail and K.C.S. Kwok (1991) has shown that, in addition to the mean and standard deviation of the wind being stable for sample lengths of 15 minutes or more (full-scale), the peak value determined using the upcrossing method is stable for sample lengths of 30 minutes or more.

5.2 Wind Speed Criteria Used for This Study

For this study, the measured wind conditions for the various critical outdoor trafficable areas around the subject development are compared against the criteria presented in the Sydney Development Control Plan 2012 (SDCP2012).

For pedestrian comfort, the Sydney DCP 2012 requires that the hourly mean wind speed, or Gust-Equivalent Mean (GEM) wind speed (whichever is greater for each wind direction), must not exceed 8m/s for walking, 6m/s for standing, and 4m/s for sitting. These are based on a 5% probability of exceedance.

For pedestrian safety, the Sydney DCP 2012 defines a safety limit criterion of 24m/s, based on an annual maximum 0.5 second gust wind speed, which applies to all areas.

Furthermore, in accordance with the provisions of the Sydney DCP 2012, the existing conditions for the pedestrian footpaths around the site are also analysed as part of this study to determine the impact of the subject development. If it is found that the existing conditions exceed the relevant criteria, then the target wind speed for that area with the inclusion of the proposed development is to at least match the existing site conditions.

In accordance with the provisions of the Sydney DCP 2012, the wind speed assessment is undertaken for winds occurring between 6am and 10pm (AEST).

A more detailed comparison of published criteria for pedestrian wind comfort and safety is provided in Appendix A.

For this study the measured wind conditions of the selected critical outdoor trafficable areas are compared against two sets of criteria; one for pedestrian safety, and one for pedestrian comfort. The safety criterion is applied to the annual maximum gust winds, and the comfort criteria is applied to Gust Equivalent Mean (GEM) winds. In accordance with ASCE (2003), the GEM wind speed is defined as follows:

$$GEM = max\left(\bar{V}, \frac{\hat{V}}{1.85}\right) \quad (5.1)$$

where:

$\bar{V}$ is the mean wind speed.

$\hat{V}$ is the gust wind speed.

The criteria considered in this study are summarised in Tables 3 and 4 for pedestrian comfort and safety, respectively. The results of the wind tunnel study are presented in the form of directional plots attached in Appendix C of this report. For each study point there is a plot of the annual probability of exceedance of the assigned comfort criteria, and a plot for the annual maximum gust wind speeds using the safety criterion. The velocity coefficients are also presented in the form of directional plots in Appendix D

Table 3: Pedestrian Comfort Criteria (Sydney DCP 2012)

Classification	Description	Maximum 5% Exceedance GEM Wind Speed (m/s)
Standing	Short duration stationary activities (generally less than 1 hour), including window shopping, waiting areas, etc.	6.0
Walking	For pedestrian thoroughfares, private swimming pools, most communal areas, private balconies and terraces, etc.	8.0

Table 4: Pedestrian Safety Criterion (Sydney DCP 2012)

Classification	Description	Annual Maximum Gust Wind Speed (m/s)
Safety	Safety criterion applies to all trafficable areas.	24

5.3 Layout of Study Points

For this study a total of 22 study point locations were selected for analysis in the wind tunnel. This includes the following:

- 14 on the pedestrian footpath areas along Kent Street and Sussex Street.
- 8 study points within the through-site link (for testing of the Massing Case only).

The locations of the various study points tested for this study, as well as the target wind speed criteria for the various outdoor trafficable areas of the development, are presented in Figures 6 in the form of marked-up plans. It should be noted that only the most critical outdoor locations of the development have been selected for analysis.



Figure 6a: Study Point Locations and Target Wind Speed Criteria – Ground Floor Plan
(Street Frontages for the Massing and Existing Cases)

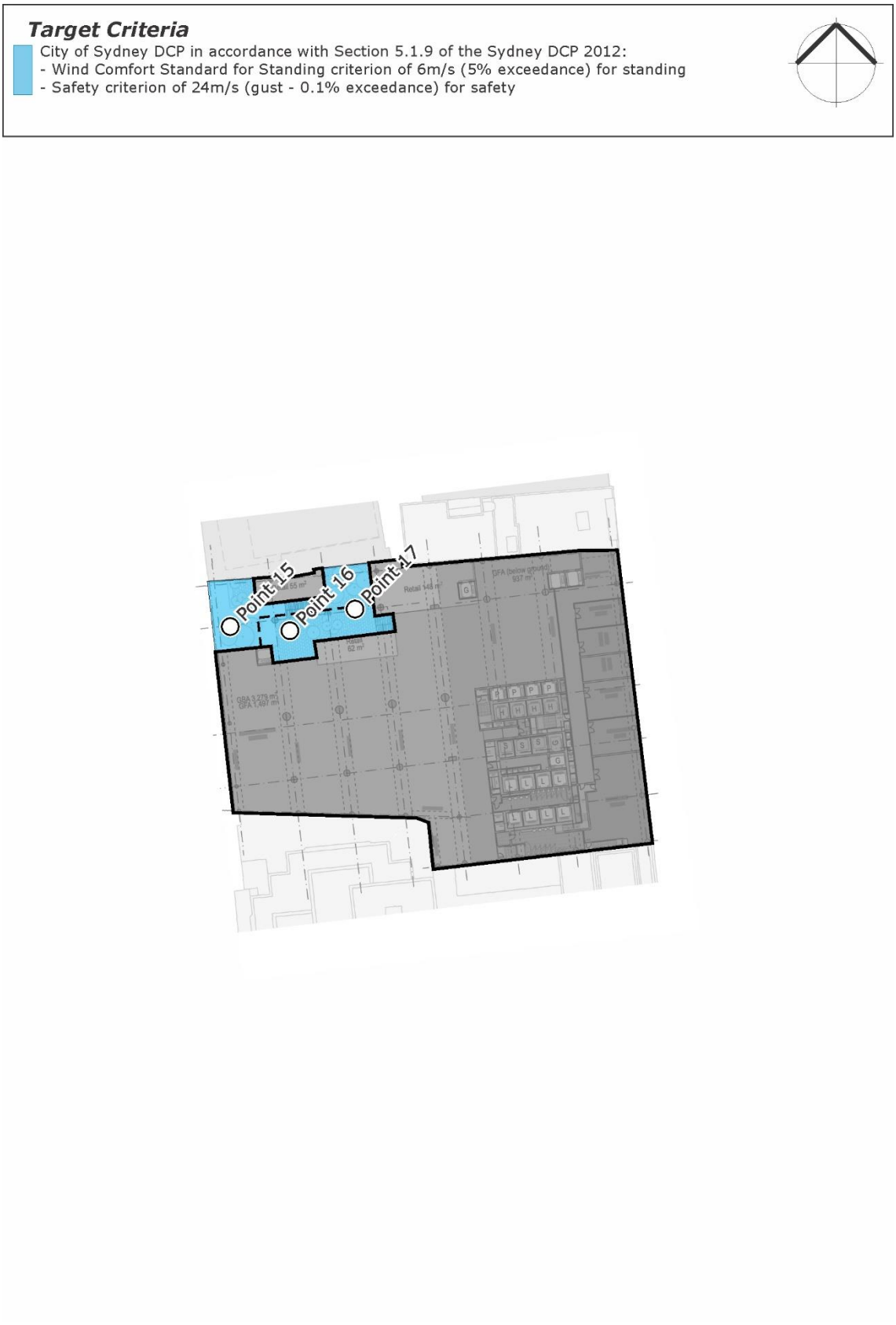

Figure 6b: Study Point Locations and Target Wind Speed Criteria – Lower Ground Floor Plan (Massing Case)

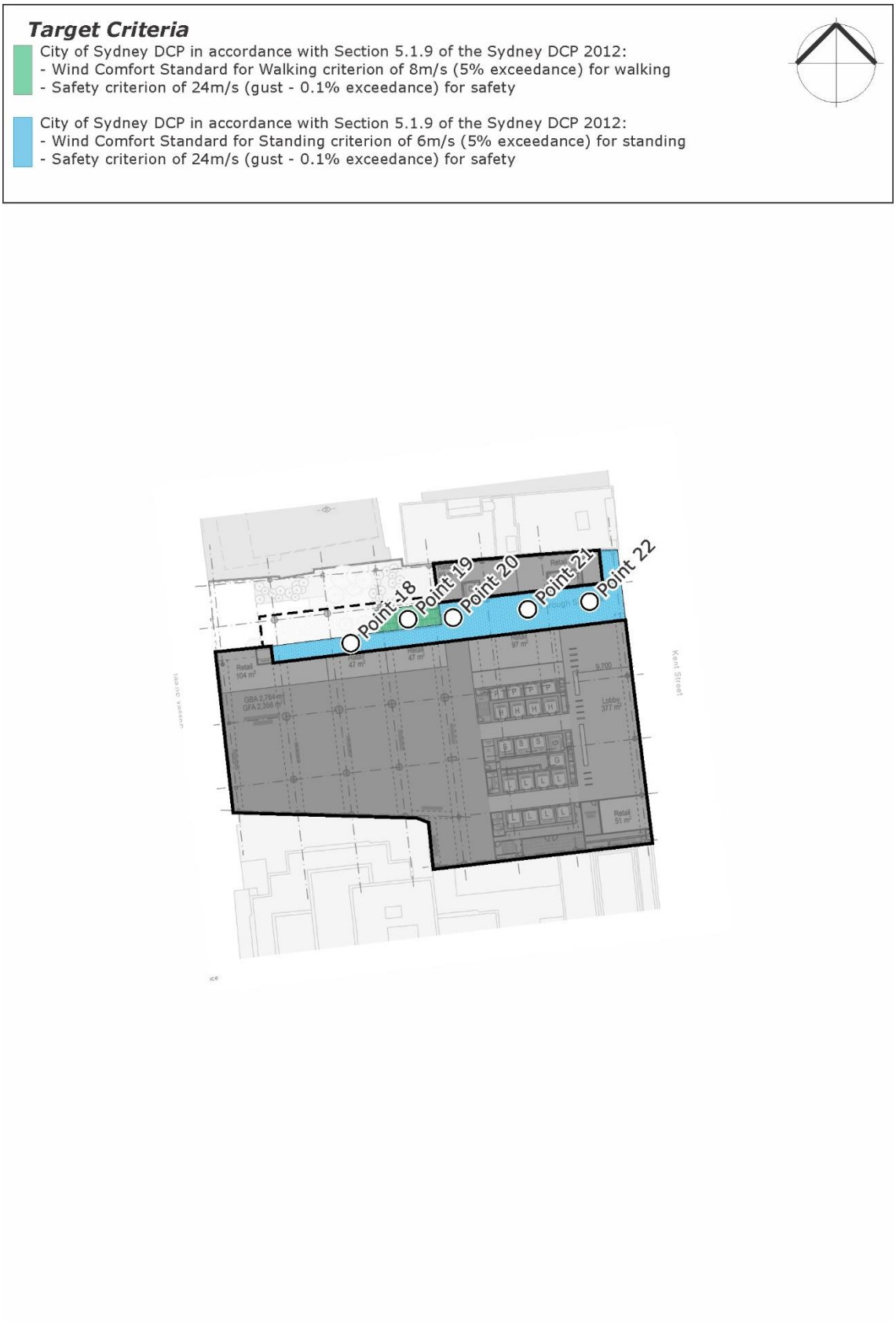

Figure 6c: Study Point Locations and Target Wind Speed Criteria – Ground Floor Plan (Massing Case)

6 RESULTS AND DISCUSSION

6.1 Initial Wind Tunnel Test Results

The results of the initial wind tunnel study without the effect of any forms of wind ameliorating devices such as screens, balustrades etc., are presented in the form of directional plots in Appendix C for all study points locations, summarised in Table 5, and shown on marked-up plans in Figures 7. The velocity coefficients are also presented in the form of directional plots in Appendix D The wind speed criteria that the wind conditions should achieve are also listed in Table 5 for each study point location, as well as in Figures 6.

6.1.1 Existing Site (Existing Case)

The results of the study for the existing site indicate that all the wind conditions satisfy the Walking criterion. The site is partially exposed to the west and is subjected to adverse winds in the form of downwashing and funnelling along the Sussex Street frontage. This is reflected in the results of the assessment where wind conditions at various locations along Sussex Street exceed the safety limit. Kent Street is well protected by the surrounding buildings and all study point locations satisfy the assigned comfort criterion of Walking and are within the safety limit.

6.1.2 Reference Design Scheme (Massing Case)

The results of the Reference Design Scheme indicate that the wind conditions for the majority of the trafficable outdoor locations are within the assigned Walking comfort criterion and safety limit. This is due to design elements within the massing such as a reduction in the tower width along the western aspect and the step-in building form along the Sussex Street frontage. In particular, the inclusion of a through-site link reduces the intensity of the wind funnelling effect along Sussex Street observed within the existing site tests, by allowing some of the wind to filter through the passageway.

The through-site link satisfies the Standing Criterion, which is suitable for short duration stationary activities such as café seating. The wind conditions along Kent Street satisfy the assigned comfort criterion of Walking and are within the safety limit.

A marginal exceedance in the safety limit is observed at the location represented by Study Point 05, however, this is equivalent to the wind speed values recorded at the existing site and hence, the development does not worsen the wind conditions at this location. Exceedances in the Walking comfort criterion and safety limit are observed at Point 12. These exceedances were investigated through further wind tunnel treatment testing which is detailed in Section 6.2 of this report.

Table 5a: Wind Tunnel Results Summary (Without Treatments Applied)

Study Point	GEM (5% exceedance)			Annual Gust			Final Result	Description of Treatment
	Criterion (m/s)	Results (m/s)	Grade	Criterion (m/s)	Results (m/s)	Grade		
Point 01	8.0	7.2	Pass	24	23	Pass	Pass	
Existing		7.5	Pass		25	Fail	Fail	
Point 02	8.0	6.9	Pass	24	24	Pass	Pass	
Existing		6.8	Pass		24	Pass	Pass	
Point 03	8.0	7.2	Pass	24	24	Pass	Pass	
Existing		6.4	Pass		23	Pass	Pass	
Point 04	8.0	7.4	Pass	24	24	Pass	Pass	
Existing		6.7	Pass		25	Fail	Fail	
Point 05	8.0	7.3	Pass	24	27	Fail	Fail	Better than or equivalent to Existing Conditions.
Existing		7.3	Pass		27	Fail	Fail	
Point 06	8.0	5.0	Pass	24	14	Pass	Pass	
Existing		4.1	Pass		13	Pass	Pass	
Point 07	8.0	6.3	Pass	24	23	Pass	Pass	
Existing		4.3	Pass		13	Pass	Pass	
Point 08	8.0	5.5	Pass	24	18	Pass	Pass	
Existing		4.2	Pass		13	Pass	Pass	
Point 09	8.0	5.3	Pass	24	17	Pass	Pass	
Existing		4.5	Pass		13	Pass	Pass	
Point 10	8.0	5.4	Pass	24	15	Pass	Pass	
Existing		4.9	Pass		13	Pass	Pass	
Point 11	8.0	7.5	Pass	24	22	Pass	Pass	
Existing		7.1	Pass		23	Pass	Pass	
Point 12	8.0	8.5	Fail	24	27	Fail	Fail	Refer to Section 6.2.
Existing		6.9	Pass		25	Fail	Fail	
Point 13	8.0	6.3	Pass	24	21	Pass	Pass	
Existing		5.6	Pass		20	Pass	Pass	
Point 14	8.0	6.2	Pass	24	21	Pass	Pass	
Existing		4.9	Pass		17	Pass	Pass	
Point 15	6.0	4.4	Pass	24	14	Pass	Pass	
Point 16	6.0	5.5	Pass	24	17	Pass	Pass	
Point 17	6.0	4.1	Pass	24	12	Pass	Pass	
Point 18	6.0	5.6	Pass	24	17	Pass	Pass	

Study Point	GEM (5% exceedance)			Annual Gust			Final Result	Description of Treatment
	Criterion (m/s)	Results (m/s)	Grade	Criterion (m/s)	Results (m/s)	Grade		
Point 19	8.0	4.1	Pass	24	16	Pass	Pass	
Point 20	6.0	6.0	Pass	24	21	Pass	Pass	
Point 21	6.0	5.8	Pass	24	19	Pass	Pass	
Point 22	6.0	5.9	Pass	24	16	Pass	Pass	

Note that, for any study points listed in Table 5 with two rows of results data, the second row is for the existing site conditions. The test results shown in Table 5 are without any treatments applied. If treatment is required, the treatment is described in Section 6.2.

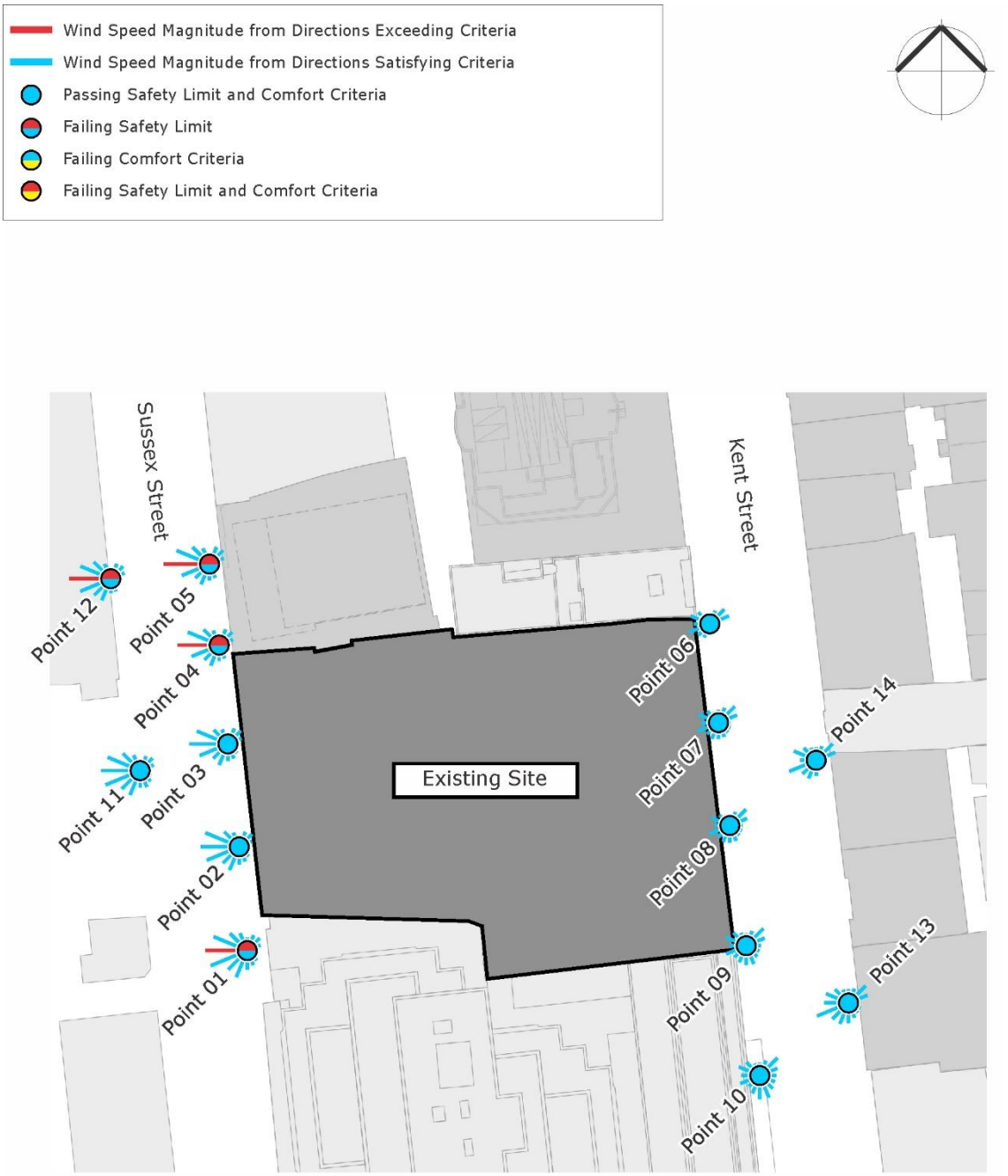

Figure 7a: Wind Tunnel Results – Ground Floor Plan (Street Frontages) – Existing Case
(results shown without treatments applied)

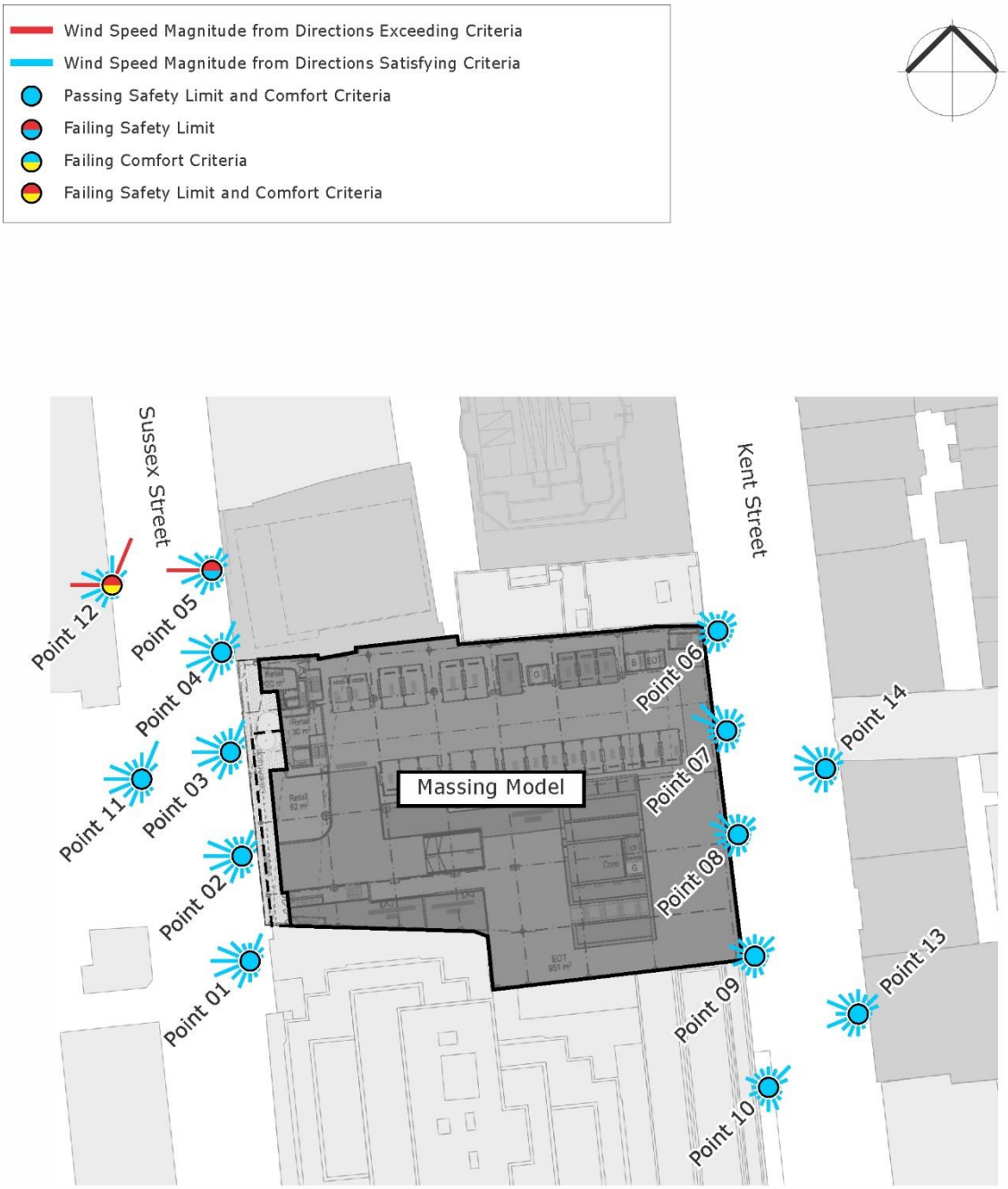

Figure 7b: Wind Tunnel Results – Ground Floor Plan (Street Frontages) – Massing Case
(results shown without treatments applied)

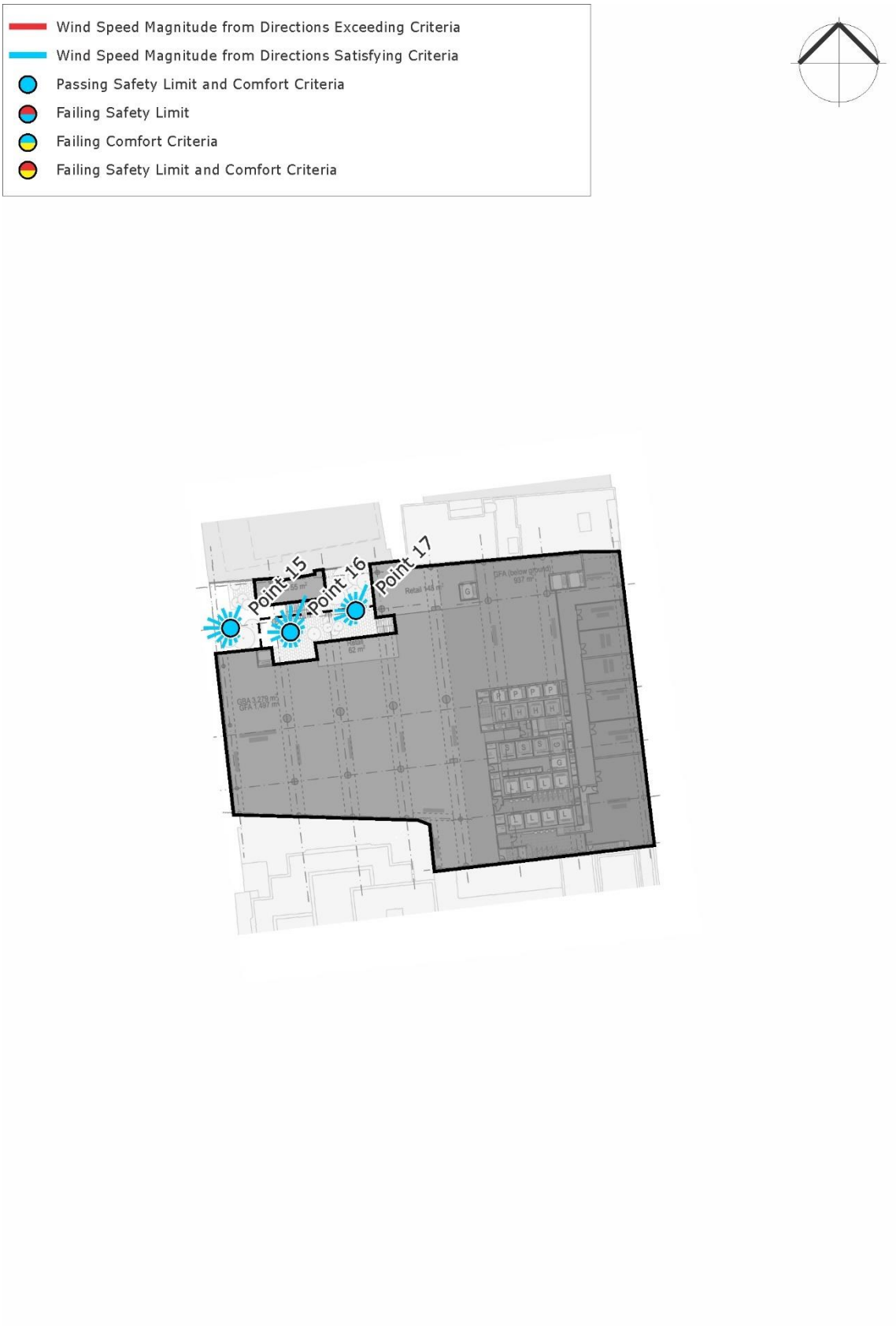

Figure 7c: Wind Tunnel Results – Lower Ground Floor Plan – Massing Case
(results shown without treatments applied)



Figure 7d: Wind Tunnel Results – Ground Floor Plan – Massing Case
(results shown without treatments applied)

6.2 Treatment Wind Tunnel Test Results

Wind mitigation measures were introduced and tested to resolve the comfort criterion/safety limit exceedance at Point 12. The mitigation measures were in the form of a building recess along the northern aspect of the tower form. The treatments tested are shown on marked-up plans in Figures 9.

The results are shown in Appendix C in the form of directional plots, summarised in Table 6, and shown on marked-up plans in Figures 8. The velocity coefficients are also presented in the form of directional plots in Appendix D. Only architectural elements were implemented, and no vegetation was included in the testing.

The results of the treatment test indicate that the wind conditions at Point 12 are now within the target comfort criterion and equivalent to the existing site wind conditions for safety. This is due to the building recess which allows some of the strong winds from the north-east to filter through the recess, reducing the intensity of the wind re-attachment at the location along Sussex Street represented by Point 12. Hence, with the inclusion of this mitigation measure, the wind conditions along Sussex Street at Point 12 are within the target comfort criterion and equivalent to the existing site wind conditions for safety and not worsened with the inclusion of the Reference Design Scheme.

It should be noted that the mitigation measure tested is one of many possible solutions that could resolve the exceedances observed at Point 12. The extent/necessity of treatments required can be further investigated and refined during the design development stage.

Table 6: Wind Tunnel Results Summary (Treatments Included)

Study Point	GEM (5% exceedance)			Annual Gust			Final Result	Description of Treatment
	Criterion (m/s)	Results (m/s)	Grade	Criterion (m/s)	Results (m/s)	Grade		
Point 12	8.0	7.9	Pass	24	25	Fail	Fail	Refer to Figure 9.
Existing		6.9	Pass		25	Fail	Fail	

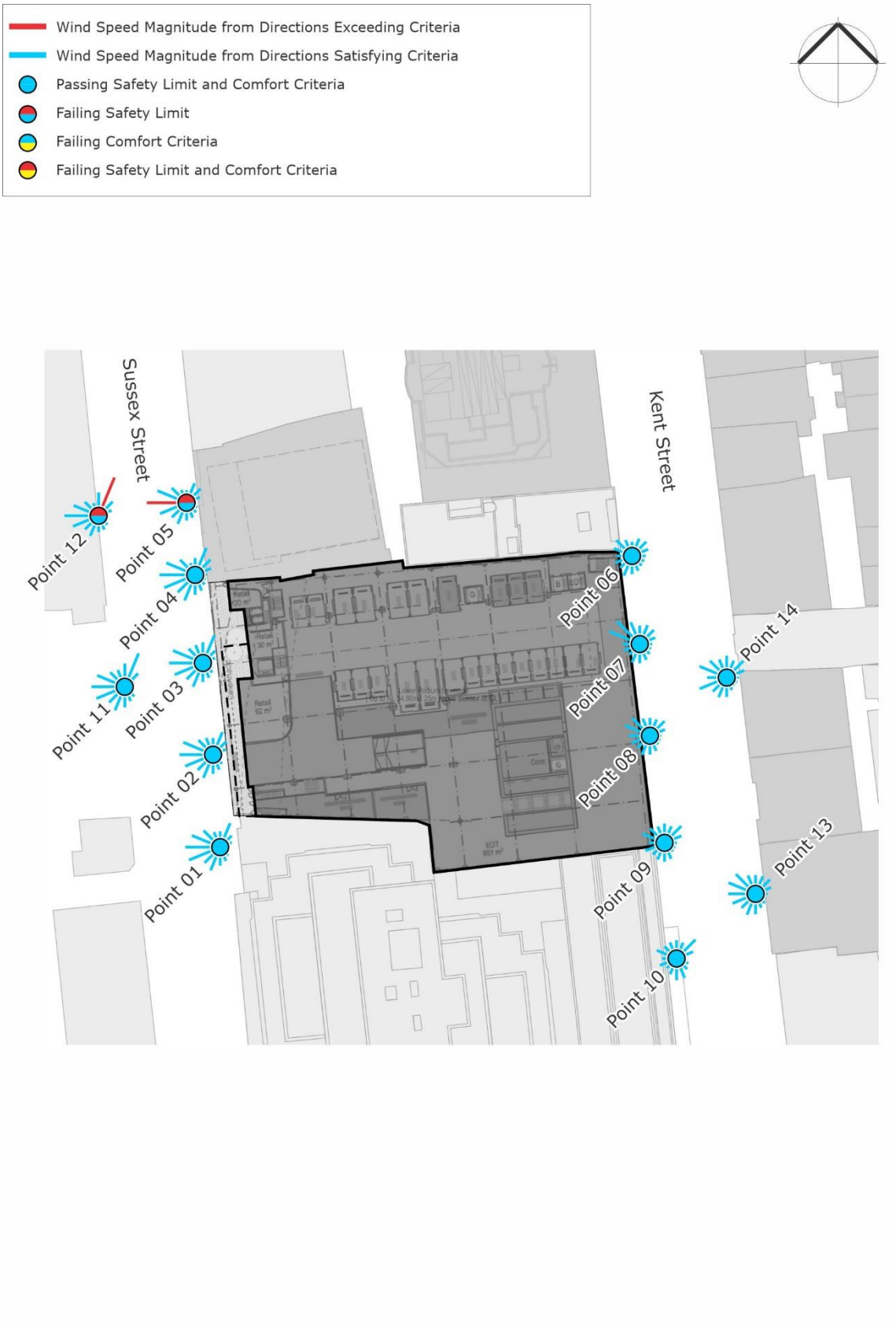

Figure 8: Wind Tunnel Results – Ground Floor Plan (Street Frontages) – Massing Case (treatments applied)

Treatments Legend

2 storey high and 4m deep building recess.

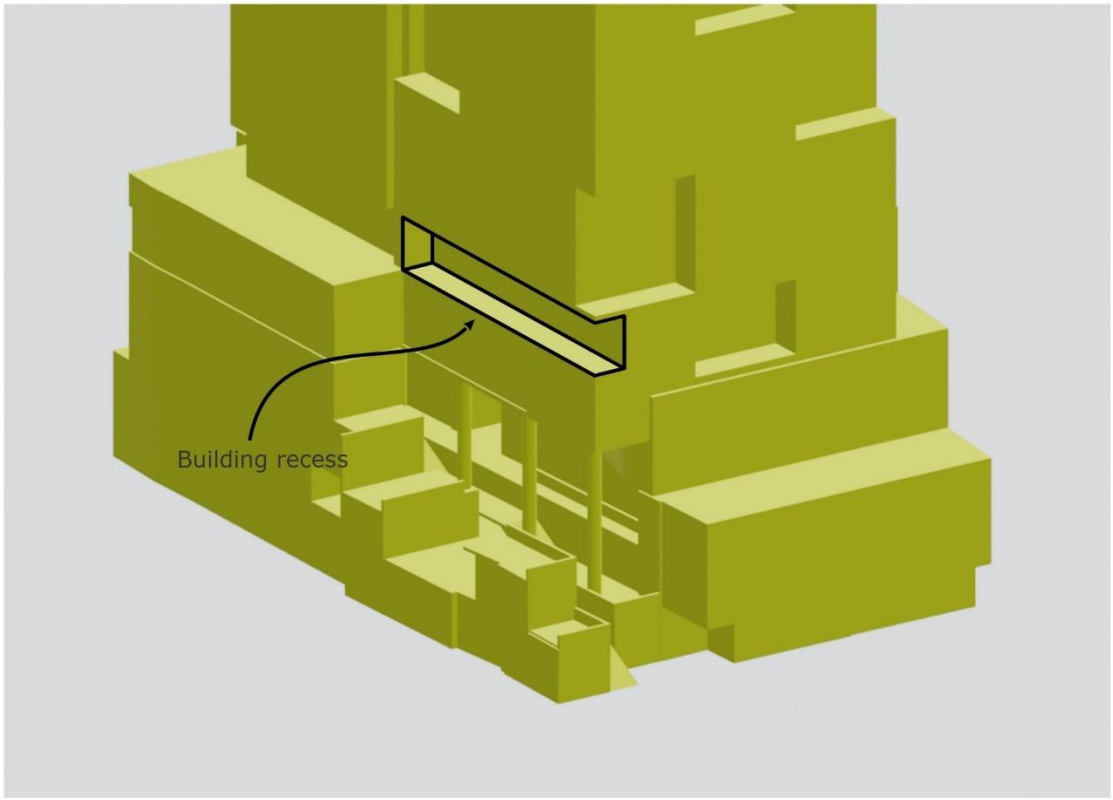

Figure 9: Treatments Tested – Perspective View

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Rofail, A.W., and Kwok, K.C.S., 1991, "A Reliability Study of Wind Tunnel Results of Cladding Pressures". Proceedings of the 8th International Conference on Wind Engineering, Canada.

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APPENDIX A PUBLISHED ENVIRONMENTAL CRITERIA

A.1 Wind Effects on People

The acceptability of wind in an area is dependent upon the use of the area. For example, people walking or window-shopping will tolerate higher wind speeds than those seated at an outdoor restaurant. Quantifying wind comfort has been the subject of much research and many researchers, such as A.G. Davenport, T.V. Lawson, W.H. Melbourne, and A.D. Penwarden, have published criteria for pedestrian comfort for pedestrians in outdoor spaces for various types of activities. This section discusses and compares the various published criteria.

A.2 A.D. Penwarden (1973) Criteria for Mean Wind Speeds

A.D. Penwarden (1973) developed a modified version of the Beaufort scale which describes the effects of various wind intensities on people. Table A.1 presents the modified Beaufort scale. Note that the effects listed in this table refers to wind conditions occurring frequently over the averaging time (a probability of occurrence exceeding 5%). Higher ranges of wind speeds can be tolerated for rarer events.

Table A.1: Summary of Wind Effects on People (A.D. Penwarden, 1973)

Type of Winds	Beaufort Number	Hourly Mean Wind Speed (m/s)	Effects
Calm	0	0 - 0.3	
Calm, light air	1	0.3 - 1.6	No noticeable wind
Light breeze	2	1.6 - 3.4	Wind felt on face
Gentle breeze	3	3.4 - 5.5	Hair is disturbed, clothing flaps, newspapers difficult to read
Moderate breeze	4	5.5 – 8.0	Raises dust, dry soil and loose paper, hair disarranged
Fresh breeze	5	8.0 – 10.8	Force of wind felt on body, danger of stumbling
Strong breeze	6	10.8 – 13.9	Umbrellas used with difficulty, hair blown straight, difficult to walk steadily, wind noise on ears unpleasant
Near gale	7	13.9 – 17.2	Inconvenience felt when walking
Gale	8	17.2 - 20.8	Generally impedes progress, difficulty balancing in gusts
Strong gale	9	20.8 – 24.5	People blown over

A.3 A.G. Davenport (1972) Criteria for Mean Wind Speeds

A.G. Davenport (1972) also determined a set of criteria in terms of the Beaufort scale and for various return periods. Table A.2 presents a summary of the criteria based on a probability of exceedance of 5%.

Table A.2: Criteria by A.G. Davenport (1972)

Classification	Activities	5% exceedance Mean Wind Speed (m/s)
Walking Fast	Acceptable for walking, main public accessways.	7.5 - 10.0
Strolling, Skating	Slow walking, etc.	5.5 - 7.5
Short Exposure Activities	Generally acceptable for walking & short duration stationary activities such as window-shopping, standing or sitting in plazas.	3.5 - 5.5
Long Exposure Activities	Generally acceptable for long duration stationary activities such as in outdoor restaurants & theatres and in parks.	0 - 3.5

A.4 T.V. Lawson (1975) Criteria for Mean Wind Speeds

In 1973, T.V. Lawson, while referring to the Beaufort wind speeds of A.D. Penwarden (1973) (as listed in Table A.1), quoted that a Beaufort 4 wind speed would be acceptable if it is not exceeded for more than 4% of the time, and that a Beaufort 6 wind speed would be unacceptable if it is exceeded more than 2% of the time. Later, in 1975, T.V. Lawson presented a set of criteria very similar to those presented in A.G. Davenport (1972) (as listed in Table A.2). These criteria are presented in Table A.3 and Table A.4 for safety and comfort respectively.

Table A.3: Safety Criteria by T.V. Lawson (1975)

Classification	Activities	Annual Mean Wind Speed (m/s)
Safety (all weather areas)	Accessible by the general public.	0 – 15
Safety (fair weather areas)	Private areas, balconies/terraces, etc.	0 – 20

Table A.4: Comfort Criteria by T.V. Lawson (1975)

Classification	Activities	5% exceedance Mean Wind Speed (m/s)
Business Walking	Objective Walking from A to B.	8 - 10
Pedestrian Walking	Slow walking, etc.	6 - 8
Short Exposure Activities	Pedestrian standing or sitting for short times.	4 – 6
Long Exposure Activities	Pedestrian sitting for a long duration.	0 - 4

A.5 W.H. Melbourne (1978) Criteria for Gust Wind Speeds

W.H. Melbourne (1978) introduced a set of criteria for the assessment of environmental wind conditions that were developed for a temperature range of 10°C to 30°C and for people suitably dressed for outdoor conditions. These criteria are presented in Table A.5, and are based on maximum gust wind speeds with a probability of exceedance of once per year.

Table A.5: Criteria by W.H. Melbourne (1978)

Classification	Activities	Annual Gust Wind Speed (m/s)
Limit for Safety	Completely unacceptable: people likely to get blown over.	23
Marginal	Unacceptable as main public accessways.	16 - 23
Comfortable Walking	Acceptable for walking, main public accessways	13 - 16
Short Exposure Activities	Generally acceptable for walking & short duration stationary activities such as window-shopping, standing or sitting in plazas.	10 - 13
Long Exposure Activities	Generally acceptable for long duration stationary activities such as in outdoor restaurants & theatres and in parks.	0 - 10

A.6 Comparison of the Published Wind Speed Criteria

W.H. Melbourne (1978) presented a comparison of the criteria of various researchers on a probabilistic basis. Figure A.1 presents the results of this comparison, and indicates that the criteria of W.H. Melbourne (1978) are comparatively quite conservative. This conclusion was also observed by A.W. Rofail (2007) when undertaking on-site remedial studies. The results of A.W. Rofail (2007) concluded that the criteria by W.H. Melbourne (1978) generally overstates the wind effects in a typical urban setting due to the assumption of a fixed 15% turbulence intensity for all areas. It was observed in A.W. Rofail (2007) that the 15% turbulence intensity assumption is not real and that the turbulence intensities at 1.5m above ground is at least 20% and in a suburban or urban setting is generally in the range of 30% to 60%.

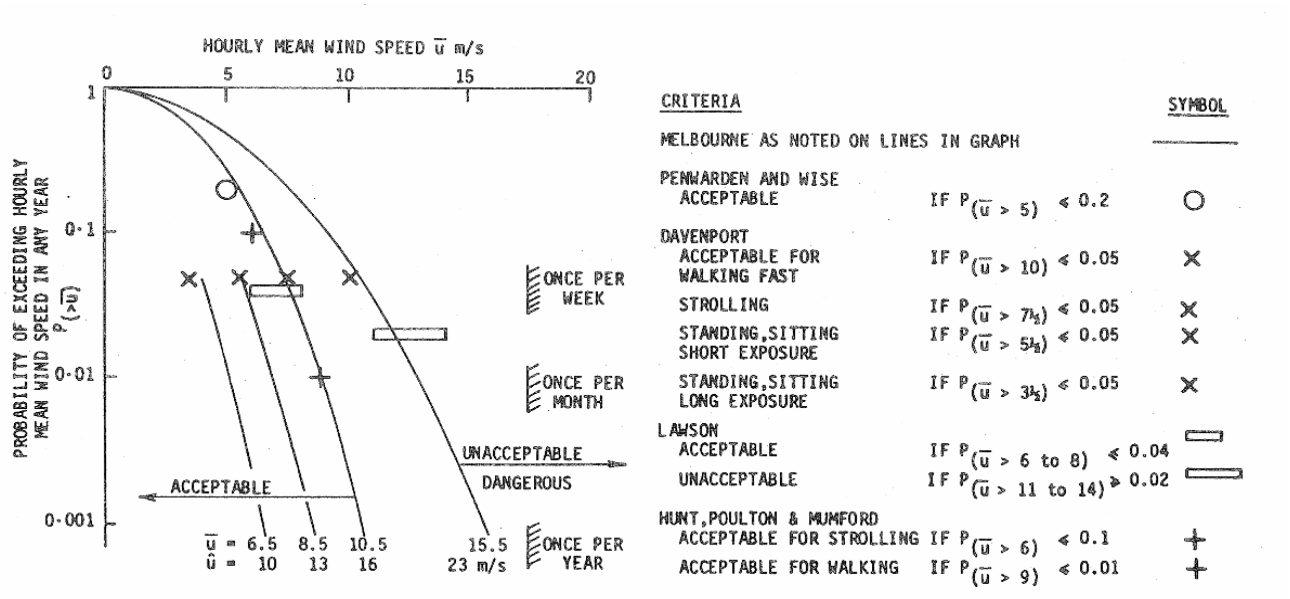

Figure A.1: Comparison of Various Mean and Gust Wind Environment Criteria, assuming 15% turbulence and a Gust Factor of 1.5 (W.H. Melbourne, 1978)

A.7 References relating to Pedestrian Comfort Criteria

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APPENDIX B DATA ACQUISITION

The wind tunnel testing procedures utilised for this study were based on the guidelines set out in the Australasian Wind Engineering Society Quality Assurance Manual (AWES-QAM-1-2019), ASCE 7-16 (Chapter C31), and CTBUH (2013). The wind speed measurements for the wind tunnel study were determined as coefficients using data acquired by either Dantec hot-wire probe anemometers or pressure-based wind speed sensors and converted to full-scale wind speeds using details of the regional wind climate obtained from an analysis of directional wind speed recordings from the local meteorological recording station(s).

B.1 Measurement of the Velocity Coefficients

The study model and proximity model were setup within the wind tunnel which was configured to the appropriate boundary layer profile, and the wind velocity measurements were monitored using either Dantec hot-wire probe anemometers or pressure-based wind speed sensors at selected critical outdoor locations. The wind velocity results presented in this study for each study point are representative of wind at a full-scale height of approximately 1.5m above ground/slab level. In the case of the Dantec hot-wire probe anemometers, the support of the probe is mounted such that the probe wire is vertical as much as possible to ensure that the measured wind speeds are independent of wind direction along the horizontal plane. In addition, care was taken in the alignment of the hot-wire probe wire and in avoiding wall-heating effects.

Wind speed measurements were made in the wind tunnel for the wind directions described within this report. Data was acquired for each wind direction using a sample rate of 1024Hz. The sample length was determined to produce a full-scale sample time that is sufficient for this type of study. In the case of the pressure-based wind speed sensors, the phase lag between the various channels where data is acquired simultaneously is within 10% of a typical pressure cycle, and the signal is low-pass filtered at 500Hz and then digital filtering is applied over this range to provide an unbiased response from the pressure measurement system (A.W. Rofail, 2004).

The mean, gust and standard deviation velocity coefficients were determined from the data acquired in the wind tunnel. The gust velocity coefficients were also derived for each wind direction from by the following relation:

$$\hat{C}_V = \bar{C}_V + g \cdot \sigma_{C_V} \qquad \text{B.1}$$

where:

$\hat{C}_V$ is the gust velocity coefficient.

$\bar{C}_V$ is the mean velocity coefficient.

g is the peak factor, taken as 3.0 for a 3-sec gust and 3.4 for a 0.5-sec gust.

σ_{C_V} is the standard deviation of the velocity coefficient measurement.

In the case of a Dantec hot-wire probe anemometer, the velocity coefficient is obtained as follows:

$$C_V = \frac{C_{V,study}}{C_{V,200m}} \quad \text{B.2}$$

where:

$C_{V,study}$ is the velocity coefficient measurement obtained from the Dantec hot-wire probe anemometer at the study point location.

$C_{V,200m}$ is the velocity coefficient measurement obtained from the Dantec hot-wire probe anemometer at the free-stream reference location at 200m height upwind of the model in the wind tunnel.

However, in the case of the pressure-based wind speed sensors, these are determined from the measured differential mean, standard deviation and maximum pressure coefficients obtained from the wind speed sensor. For this analysis all calculations are performed on the square root of the differential pressure measurements. The velocity coefficient at the pressure-based wind speed sensor location is then calculated as follows:

$$C_V = \frac{\alpha + \beta\sqrt{\Delta p}}{V_{200m}} \quad \text{B.3}$$

where:

C_V is the velocity coefficient measurement at the study point location.

α is a calibration coefficient for the pressure-based wind speed sensor.

β is a calibration coefficient for the pressure-based wind speed sensor.

Δp is the differential pressure obtained from the pressure-based wind speed sensor at the study point location.

V_{200m} is the wind speed at the free-stream reference location of 200m height (full-scale) in the wind tunnel, which is determined directly in the wind tunnel using a pitot static probe.

B.2 Calculation of the Full-Scale Results

The full-scale results determine if the wind conditions at a study location satisfy the designated criteria of that location. More specifically, the full-scale results need to determine the probability of exceedance of a given wind speed at a study location. To determine the probability of exceedance, the measured velocity coefficients were combined with a statistical model of the local wind climate that relates wind speed to a probability of exceedance. Details of the wind climate model are outlined in Section 4 of the main report.

The statistical model of the wind climate includes the impact of wind directionality as any local variations in wind speed or frequency with wind direction. This is important as the wind directions that produce the highest wind speed events for a region may not coincide with the most wind exposed direction at the site.

The methodology adopted for the derivation of the full-scale results for the maximum gust and the GEM wind speeds are outlined in the following sub-sections.

B.3 Maximum Gust Wind Speeds

The full-scale maximum gust wind speed at each study point location is derived from the measured coefficient using the following relationship:

$$V_{study} = V_{ref,RH}\left(\frac{k_{200m,tr,T=1hr}}{k_{RH,tr,T=1hr}}\right)C_V \qquad \text{B.4}$$

where:

V_{study} is the full-scale wind speed at the study point location.

$V_{ref,RH}$ is the full-scale reference wind speed at the study reference height. This value is determined by combining the directional wind speed data for the region (detailed in Section 4) and the upwind terrain and height multipliers for the site (detailed in Section 3).

$k_{200m,tr,T=1hr}$ is the hourly mean terrain and height multiplier at the free-stream reference location of 200m height.

$k_{RH,tr,T=1hr}$ is the hourly mean terrain and height multiplier at the study reference height (Section 3).

C_V is the velocity coefficient, obtained from either Equation B.2 (in the case of Dantec hot-wire probe anemometers) or Equation B.3 (in the case of pressure-based wind speed sensors).

The value of $V_{ref,RH}$ varies with each prevailing wind direction. Wind directions where there is a high probability that a strong wind will occur have a higher directional wind speed than other directions. To determine the directional wind speeds, a probability level must be assigned for each wind direction. These probability levels are set following the approach used in AS/NZS1170.2:2021, which assumes that the major contributions to the combined probability of exceedance of a typical load effect comes from only two 45 degree sectors.

B.4 Maximum Gust-Equivalent Mean Wind Speeds

The contribution to the probability of exceedance of a specified wind speed (ie: the desired wind speed for pedestrian comfort, as per the criteria) was calculated for each wind direction. These contributions are then combined over all wind directions to calculate the total probability of exceedance of the specified wind speed. To calculate the probability of exceedance for a specified wind speed a statistical wind climate model was used to describe the relationship between directional wind speeds and the probability of exceedance. A detailed description of the methodology is given by T.V. Lawson (1980).

The criteria used in this study is referenced to a probability of exceedance of 5% of a specified wind speed.

B.5 References relating to Data Acquisition

American Society of Civil Engineers (ASCE), ASCE-7-16, 2016, "Minimum Design Loads for Buildings and Other Structures".

Australasian Wind Engineering Society, QAM-1, 2019, "Quality Assurance Manual: Wind Engineering Studies of Buildings", edited by Rofail A.W., et al.

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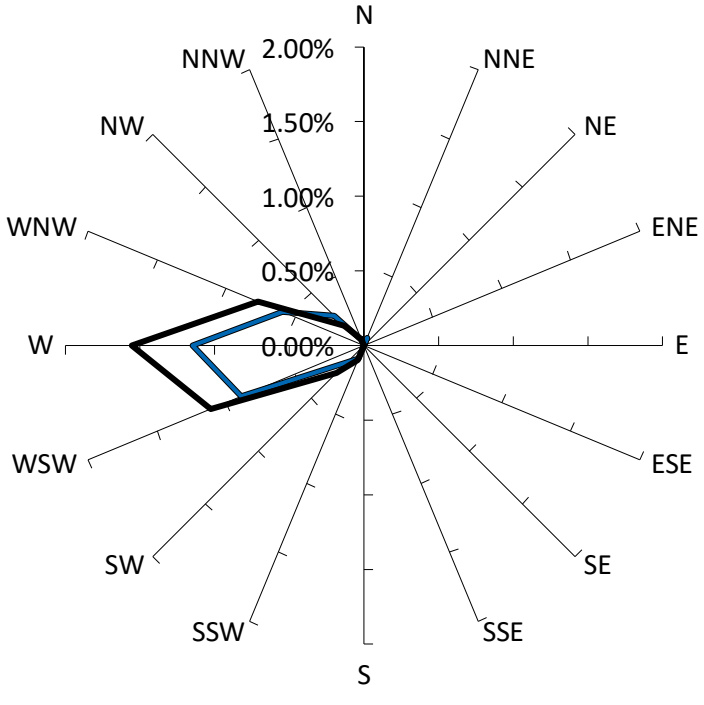
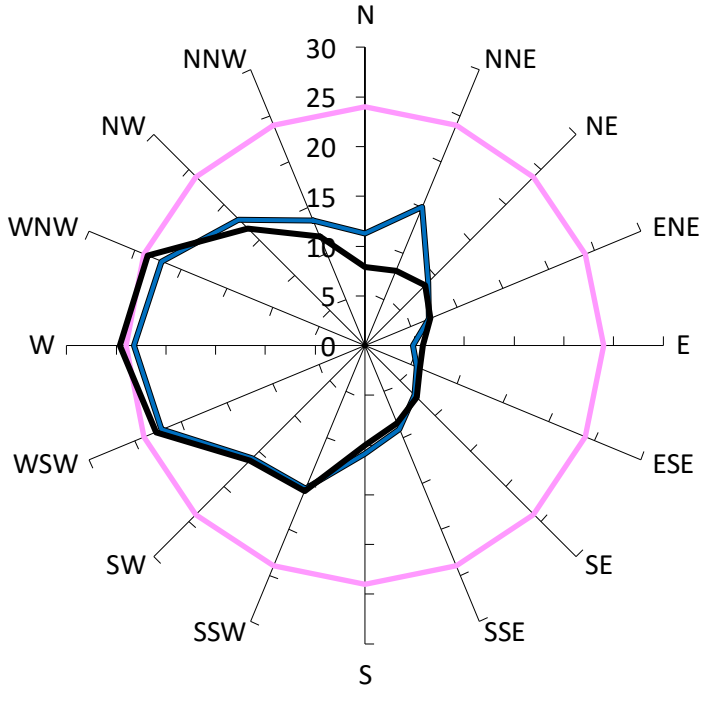
APPENDIX C DIRECTIONAL PLOTS OF WIND TUNNEL RESULTS

Results for Point 01



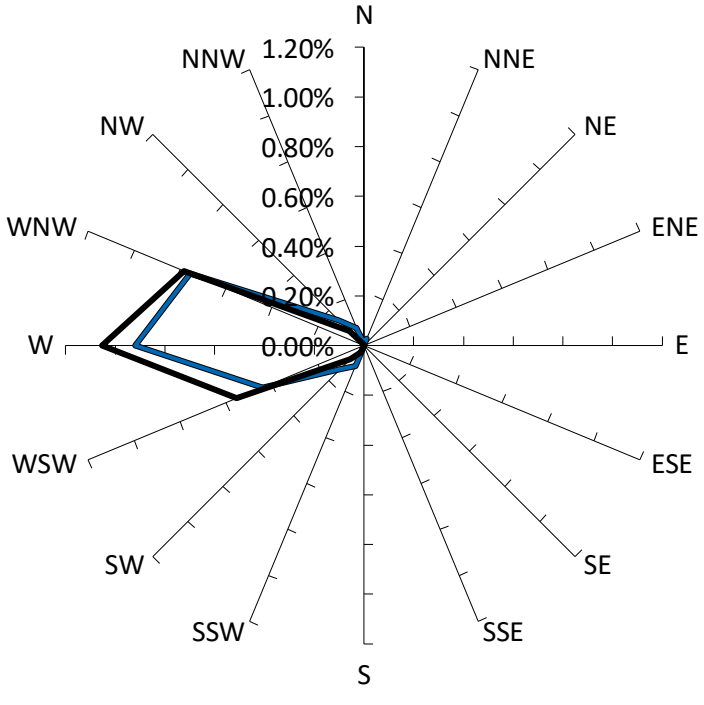
Annual probability of exceeding 8m/s (%)



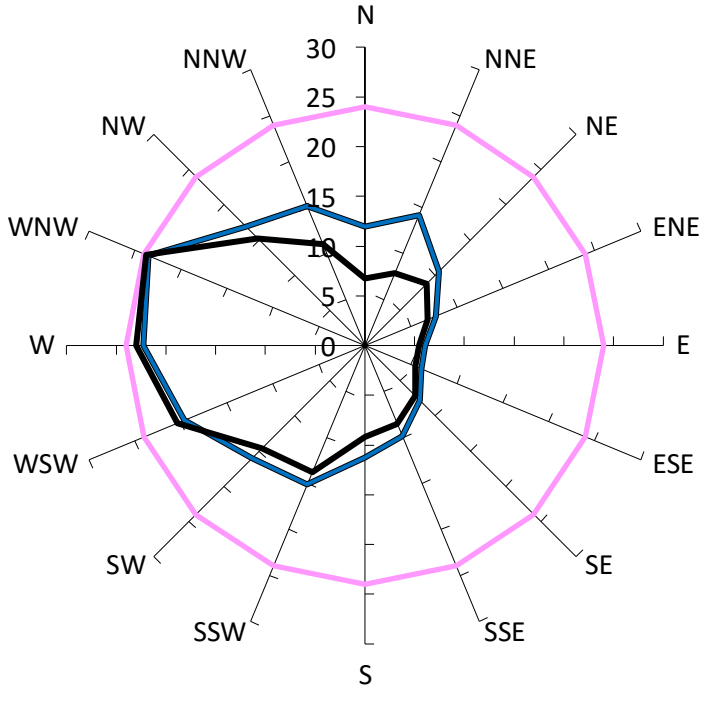
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	7.2	23
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	7.5	25

Results for Point 02



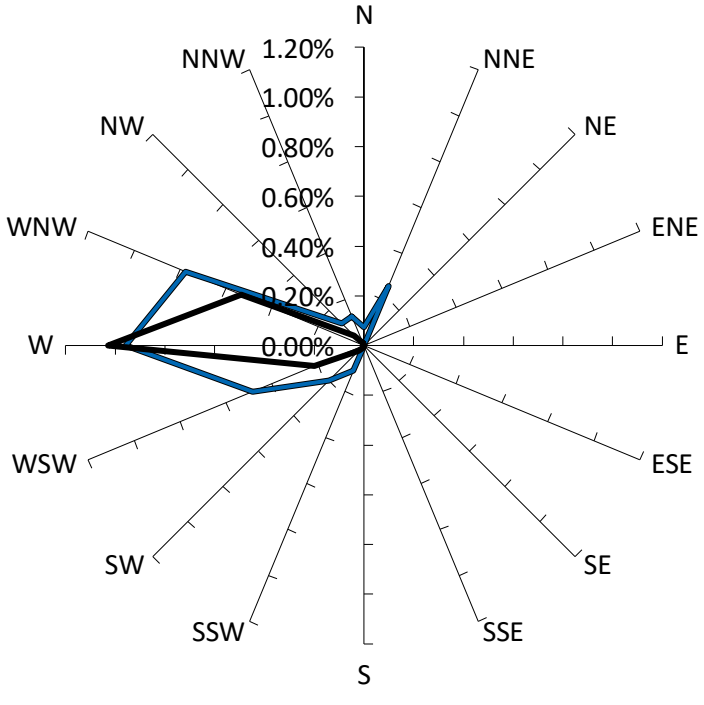
Annual probability of exceeding 8m/s (%)



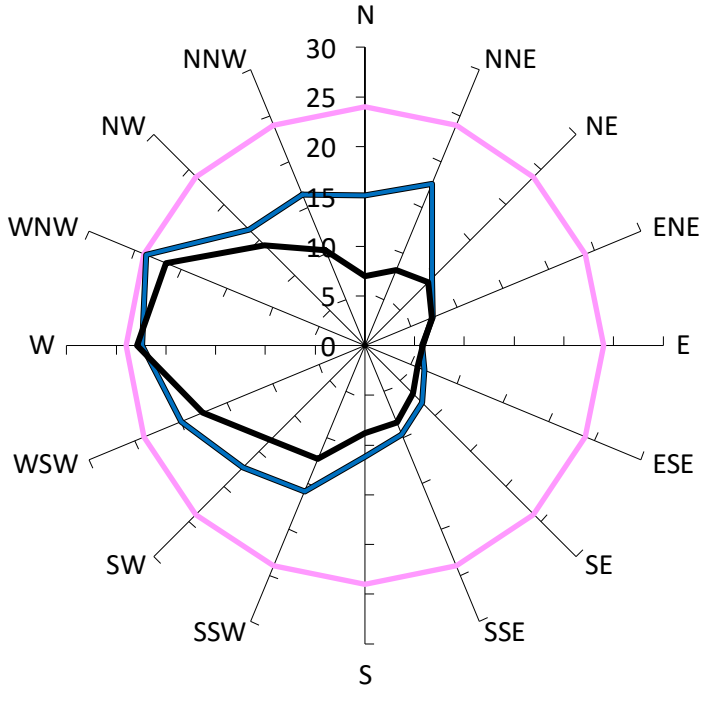
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	6.9	24
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	6.8	24

Results for Point 03



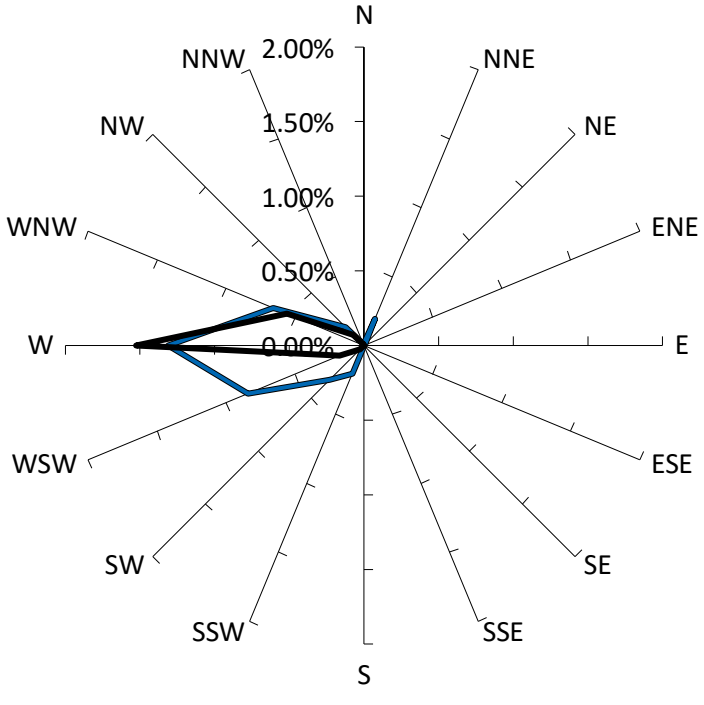
Annual probability of exceeding 8m/s (%)



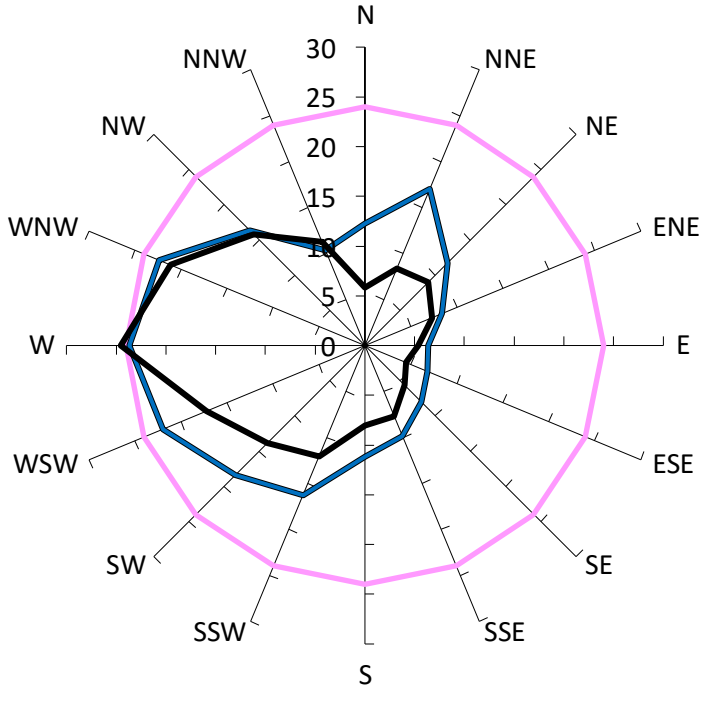
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	7.2	24
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	6.4	23

Results for Point 04



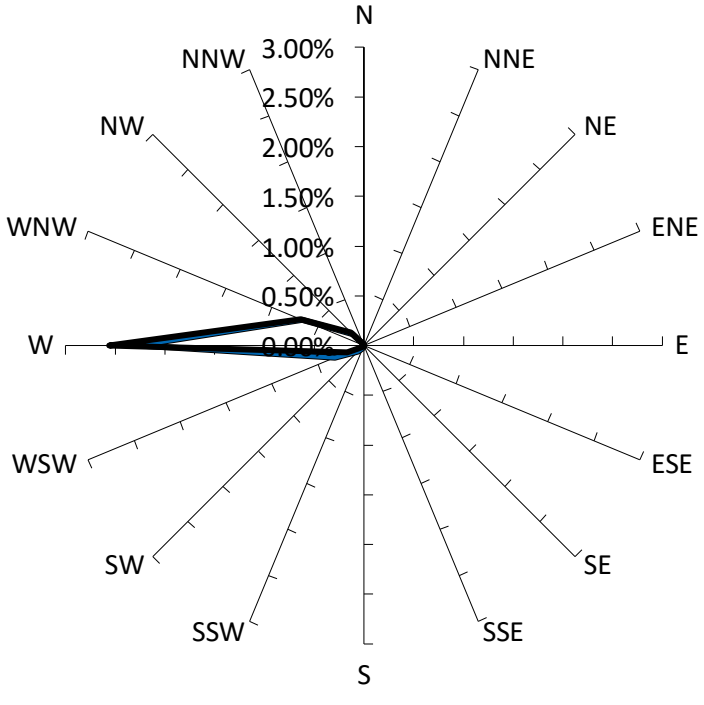
Annual probability of exceeding 8m/s (%)



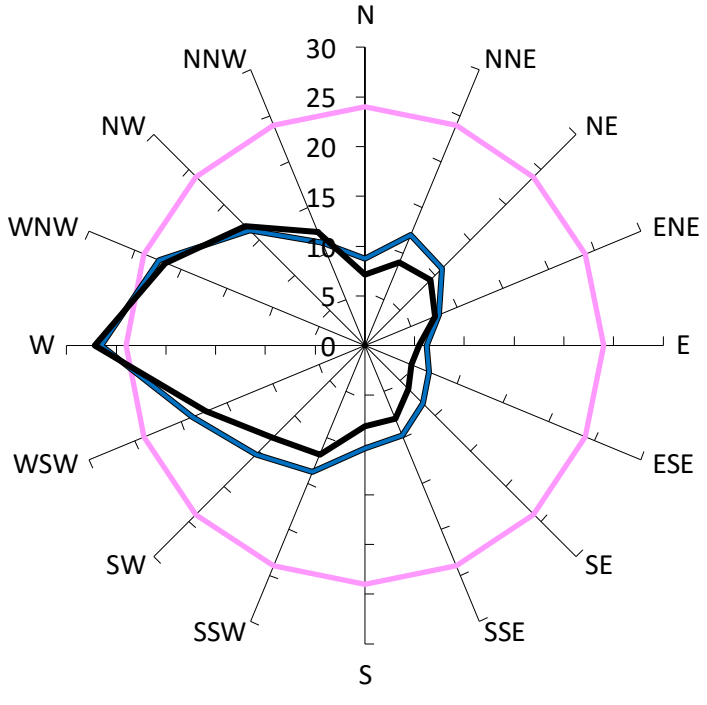
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	7.4	24
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	6.7	25

Results for Point 05



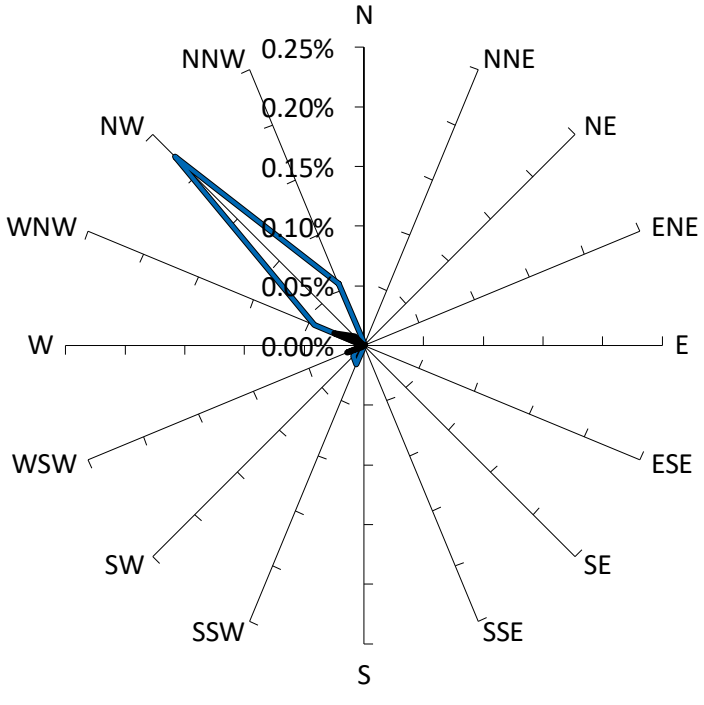
Annual probability of exceeding 8m/s (%)



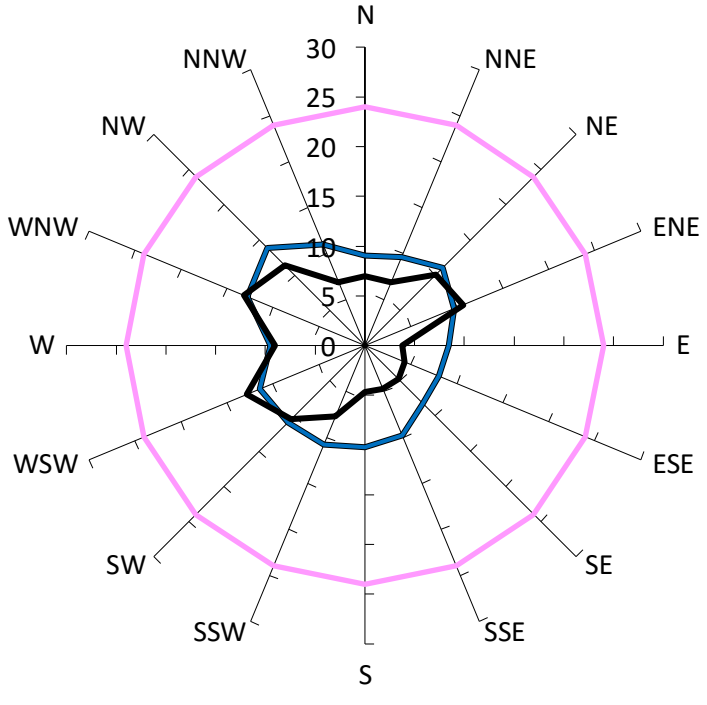
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	7.3	27
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	7.3	27

Results for Point 06



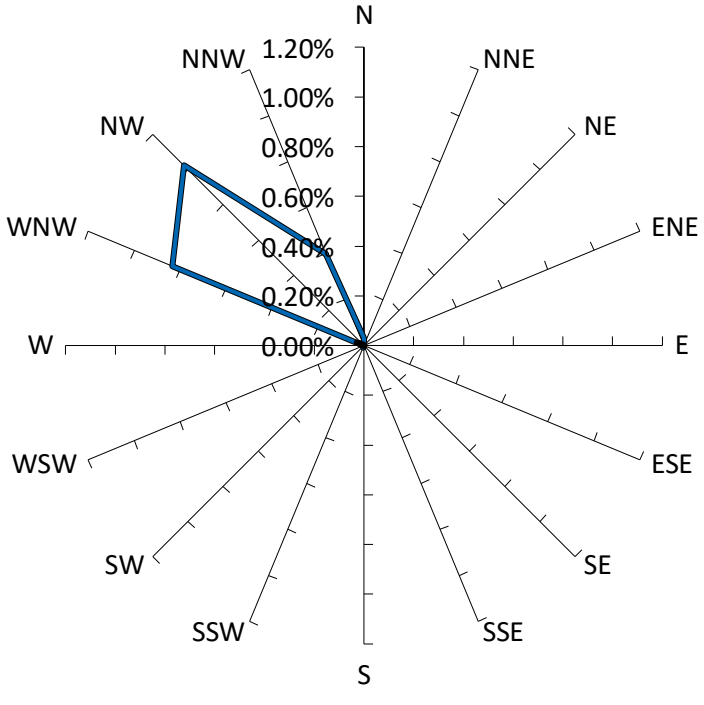
Annual probability of exceeding 8m/s (%)



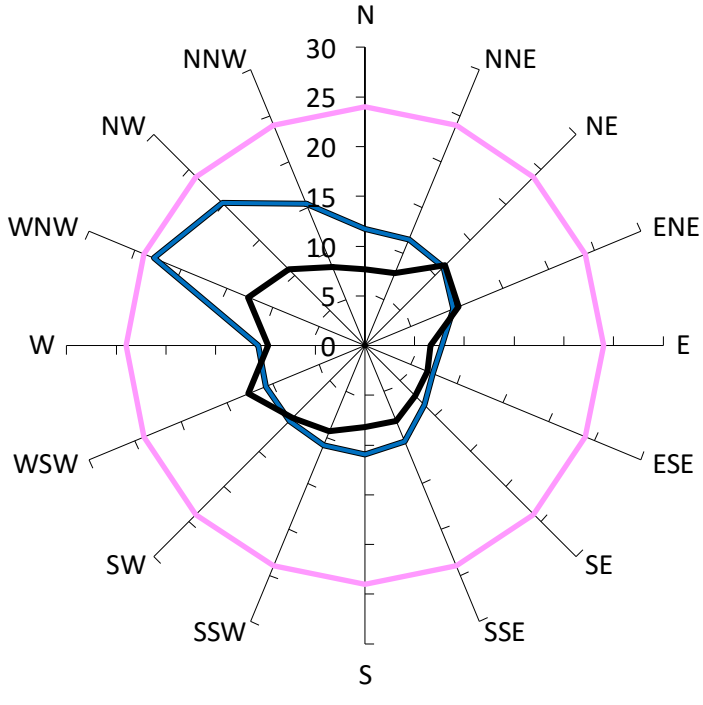
Annual Maximum Gust (m/s)

Description	GEM Wind Speed (m/s)	Peak Gust m/s
Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	5.0	14
Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	4.1	13

Results for Point 07



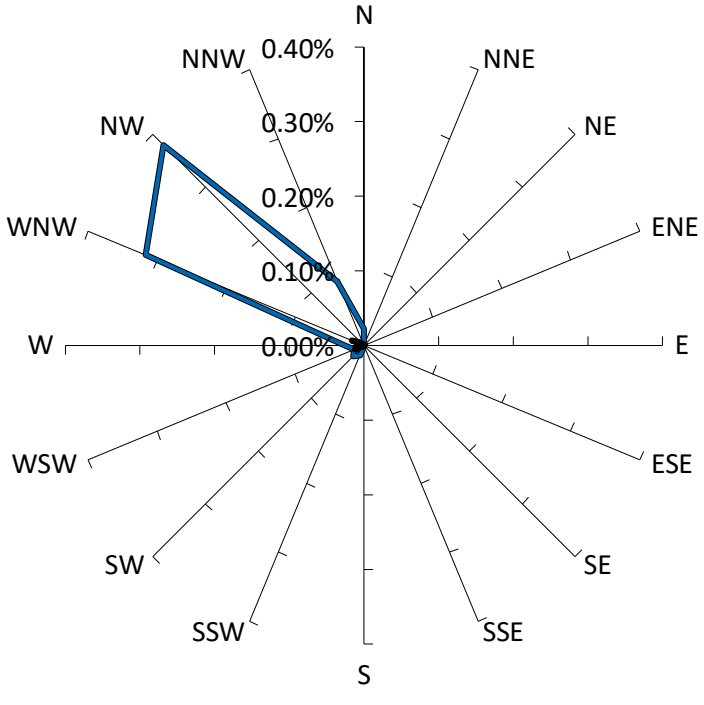
Annual probability of exceeding 8m/s (%)



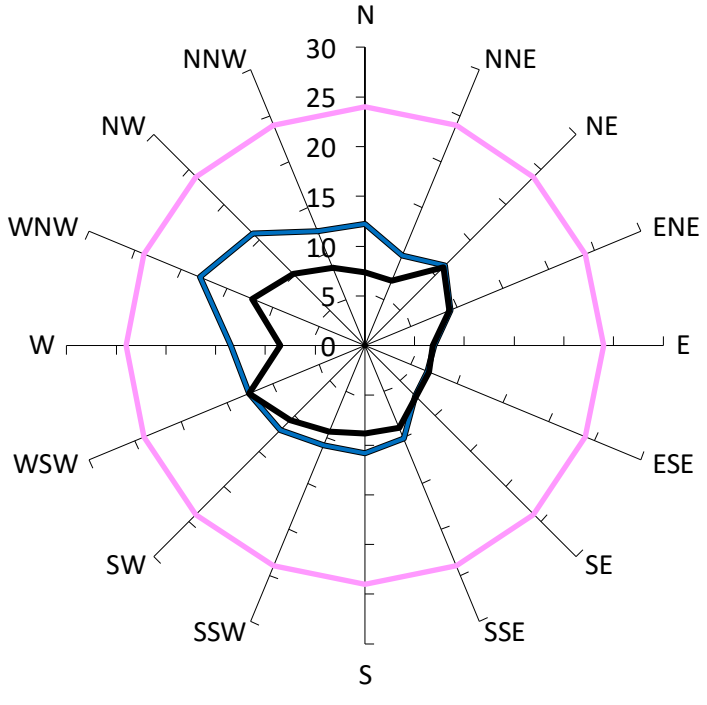
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	6.3	23
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	4.3	13

Results for Point 08



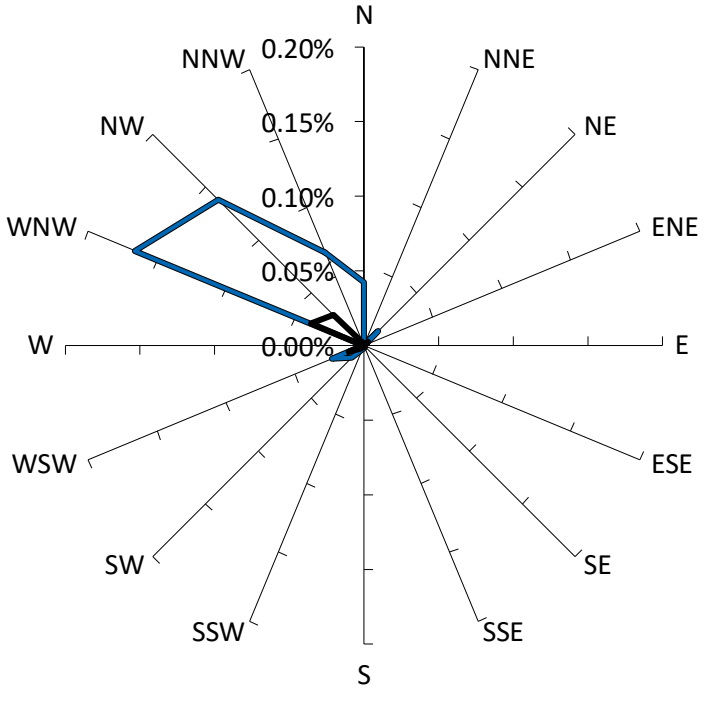
Annual probability of exceeding 8m/s (%)



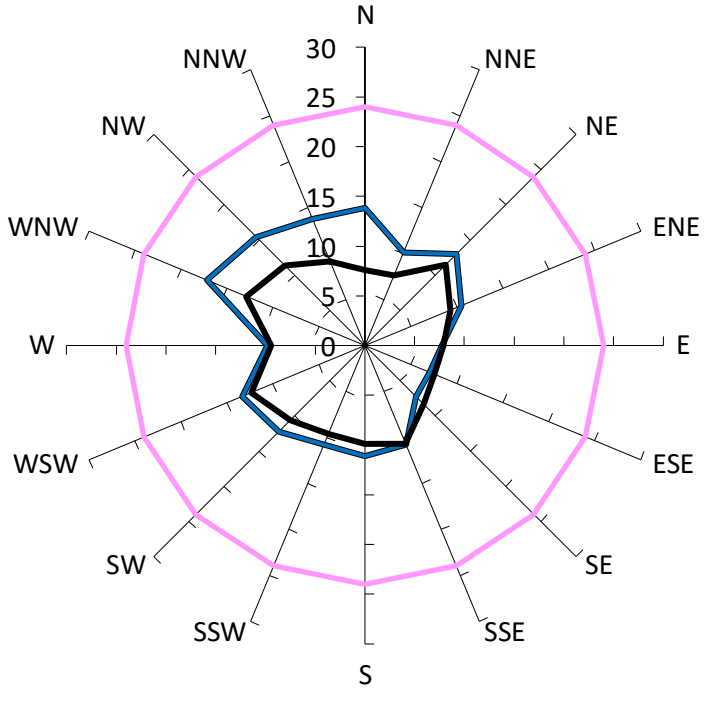
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	5.5	18
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	4.2	13

Results for Point 09



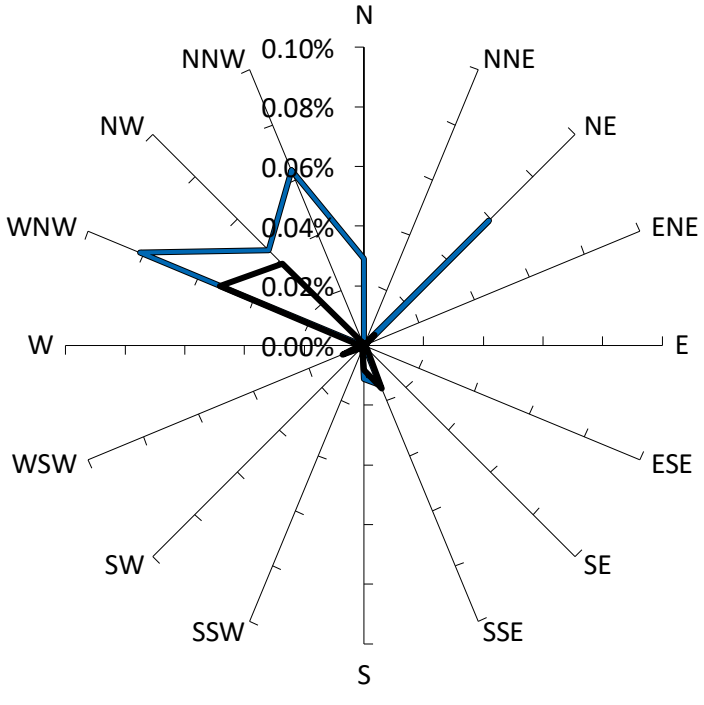
Annual probability of exceeding 8m/s (%)



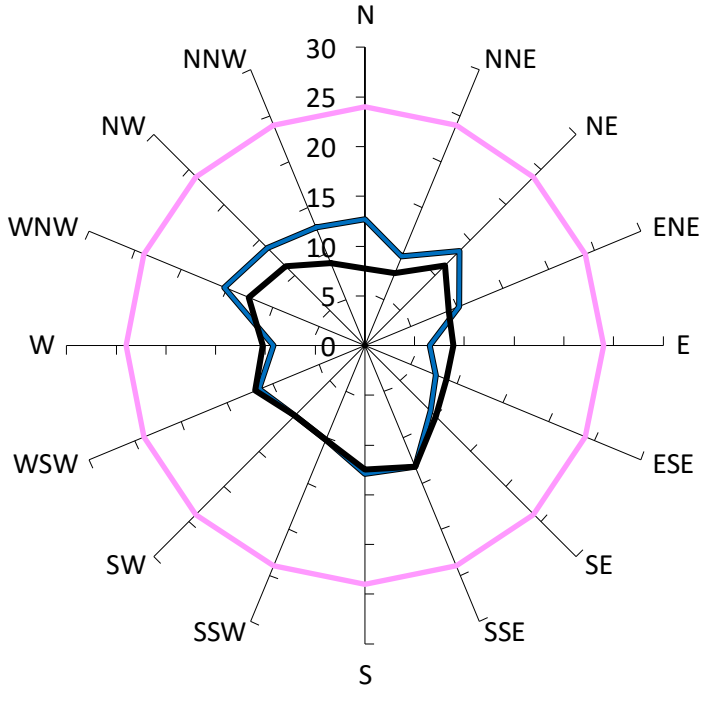
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	5.3	17
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	4.5	13

Results for Point 10



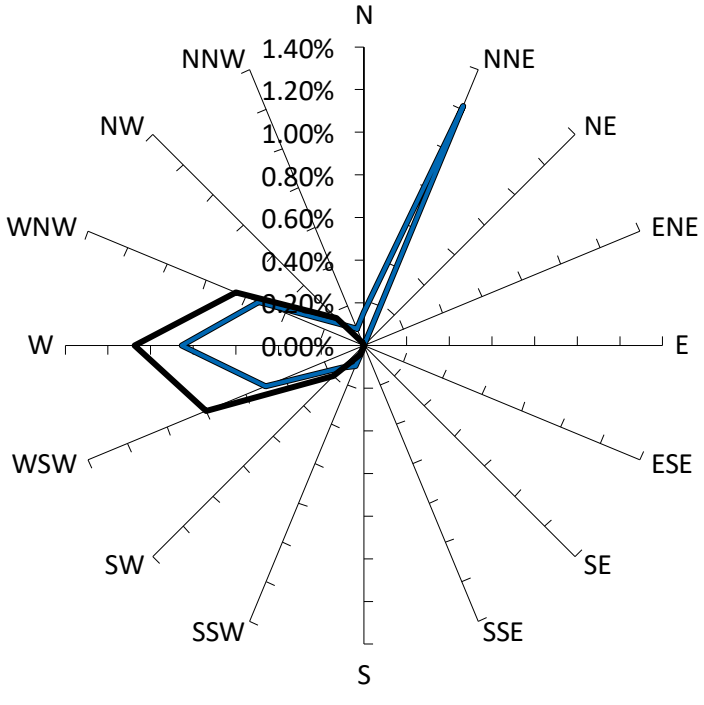
Annual probability of exceeding 8m/s (%)



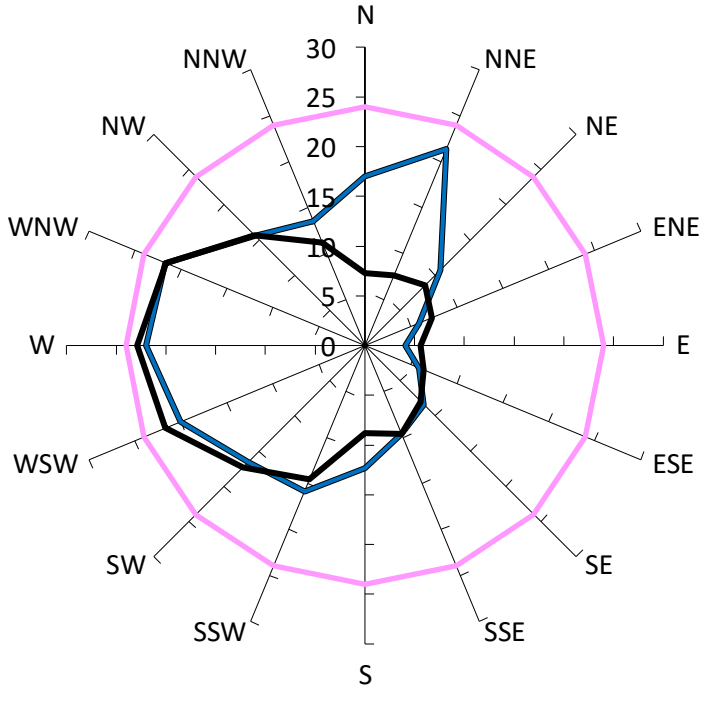
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	5.4	15
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	4.9	13

Results for Point 11



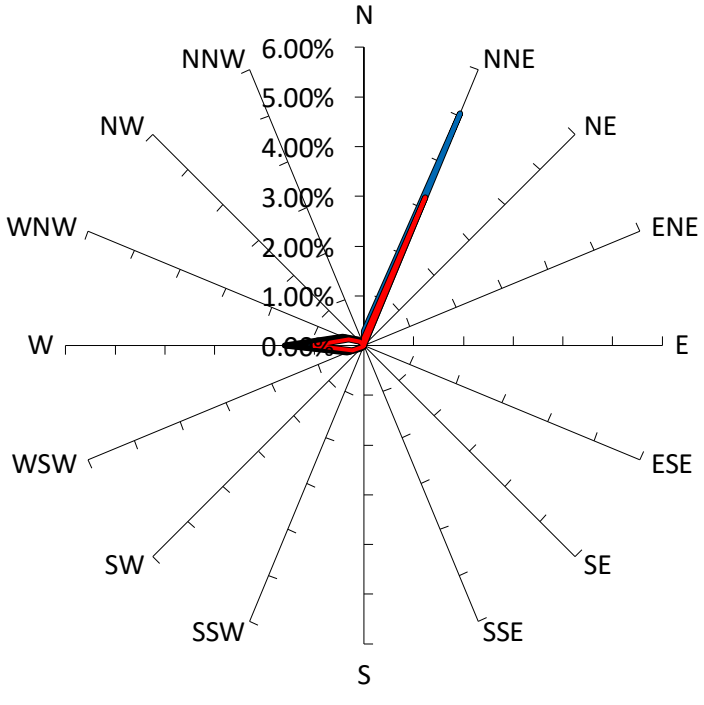
Annual probability of exceeding 8m/s (%)



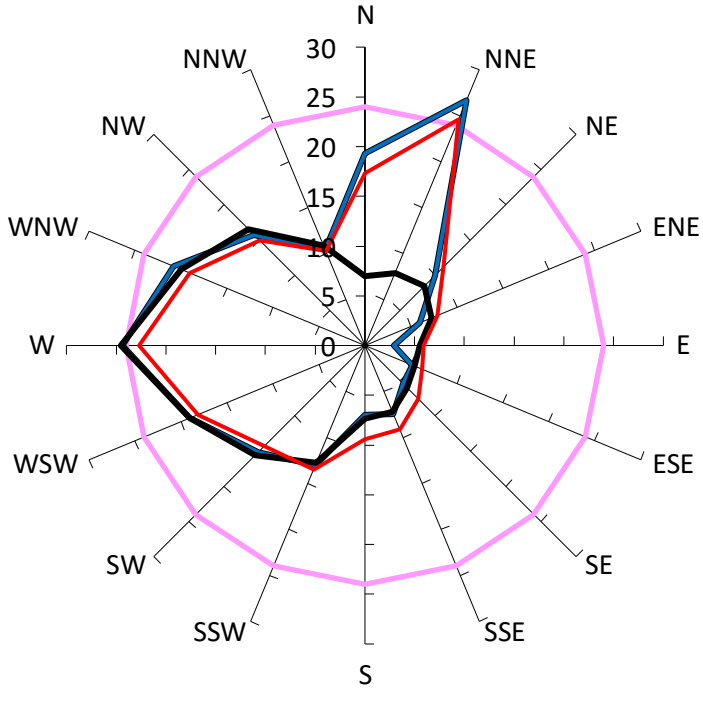
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	7.5	22
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	7.1	23

Results for Point 12



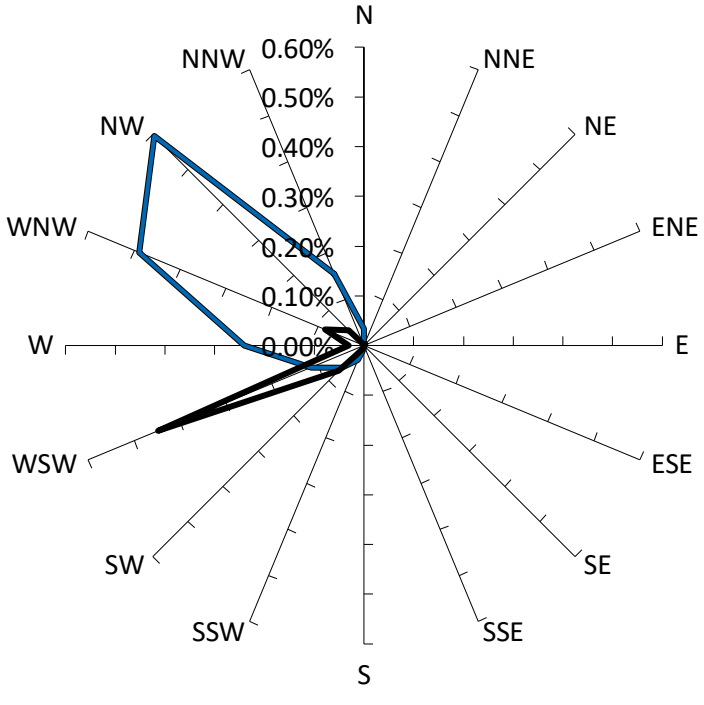
Annual probability of exceeding 8m/s (%)



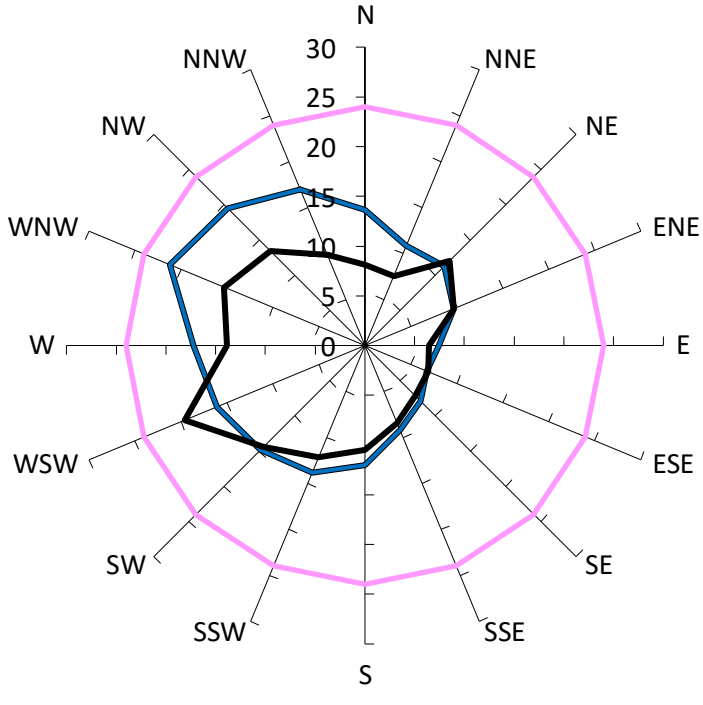
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	8.5	27
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	6.9	25
	Massing Case: Inclusion of treatments.	7.9	25

Results for Point 13



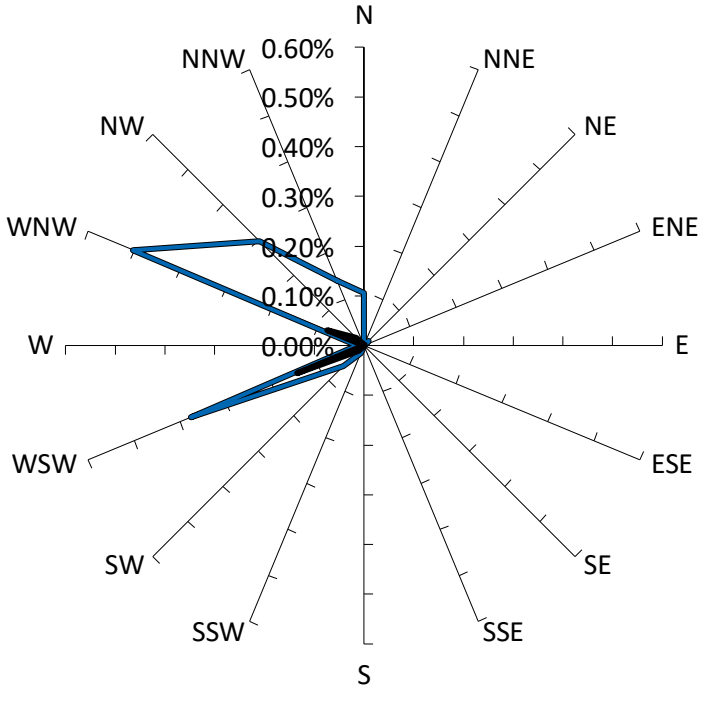
Annual probability of exceeding 8m/s (%)



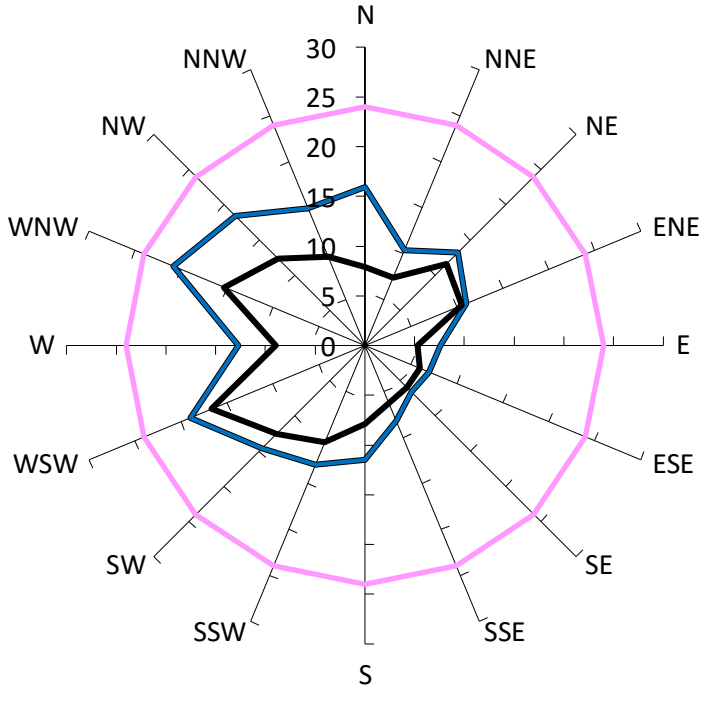
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	6.3	21
	Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	5.6	20

Results for Point 14



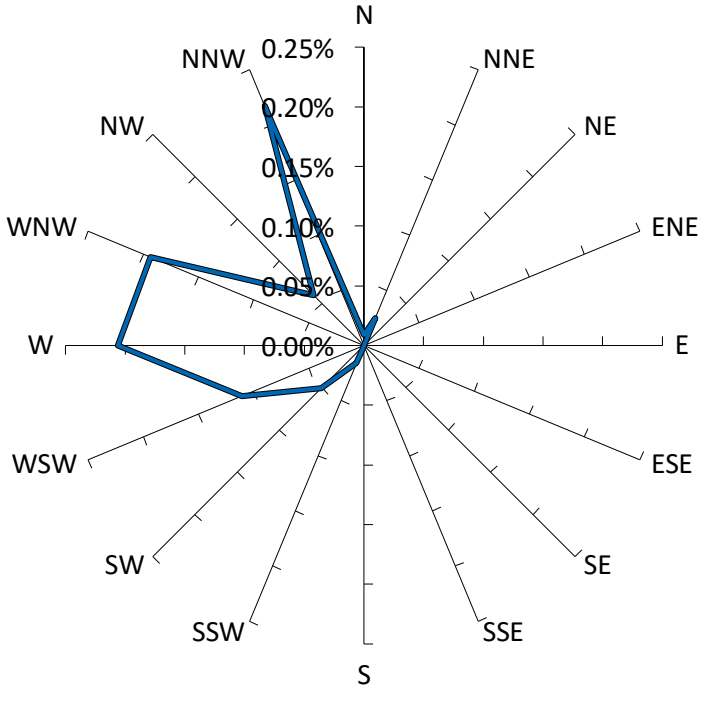
Annual probability of exceeding 8m/s (%)



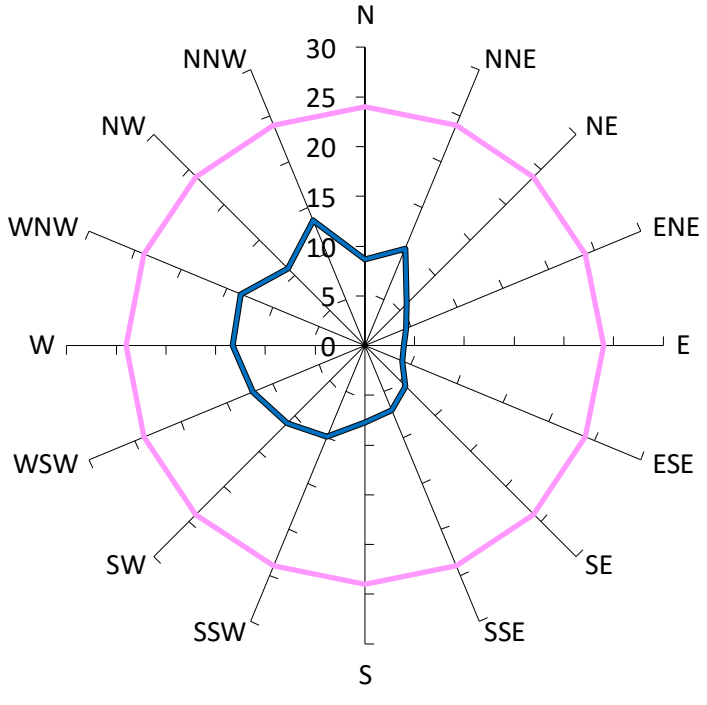
Annual Maximum Gust (m/s)

Description	GEM Wind Speed (m/s)	Peak Gust m/s
Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	6.2	21
Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.	4.9	17

Results for Point 15



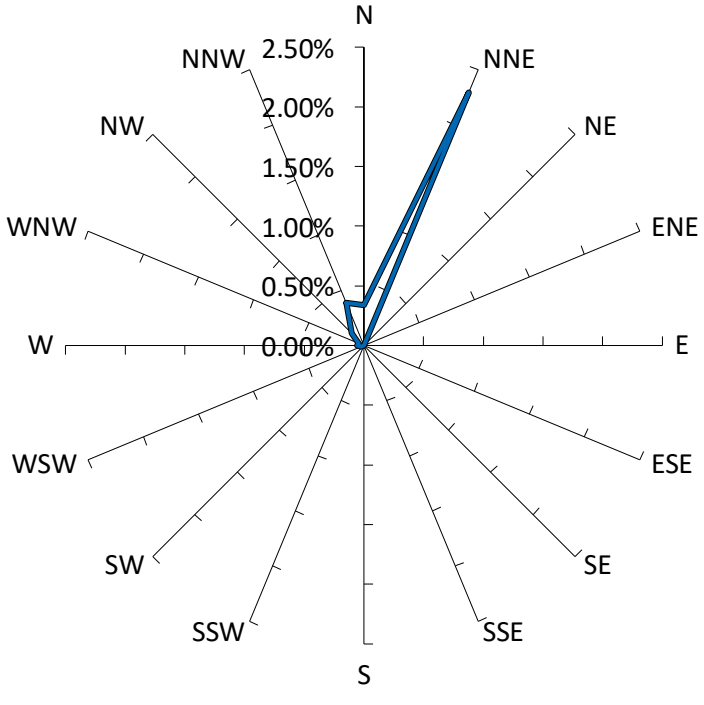
Annual probability of exceeding 6m/s (%)



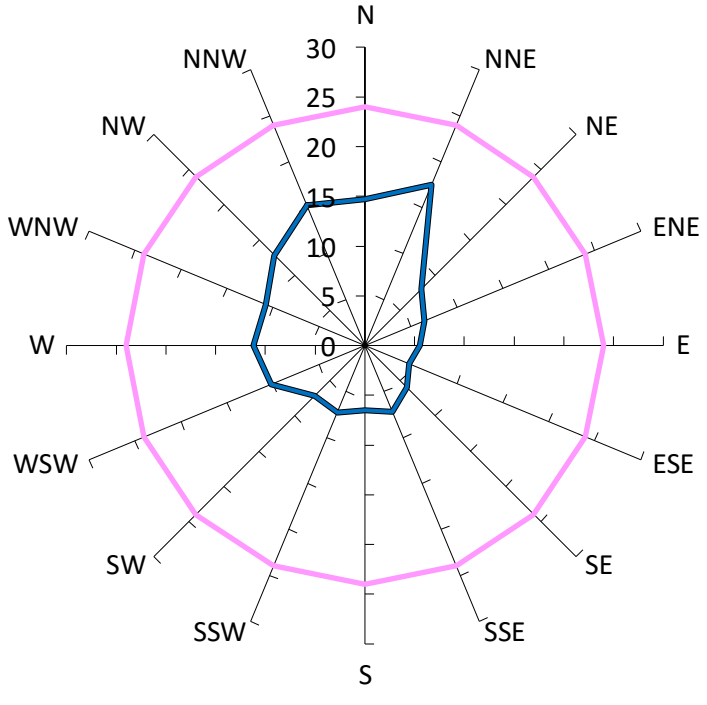
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Standing Criterion (6m/s). Safety Limit (24m/s).	6.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	4.4	14

Results for Point 16



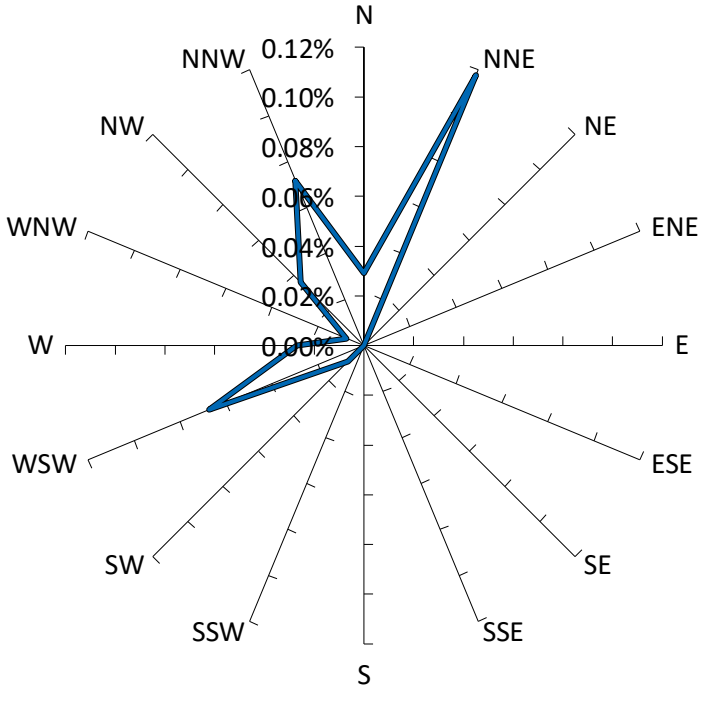
Annual probability of exceeding 6m/s (%)



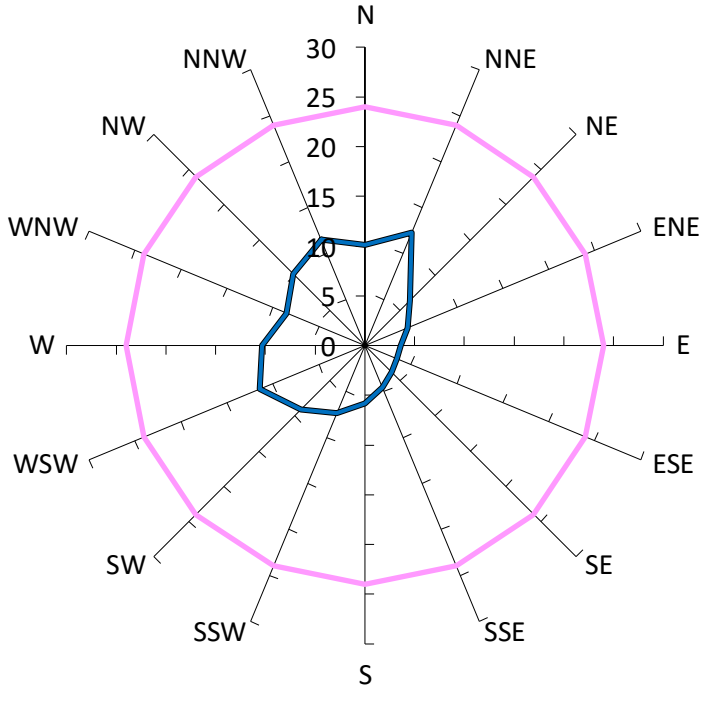
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Standing Criterion (6m/s). Safety Limit (24m/s).	6.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	5.5	17

Results for Point 17



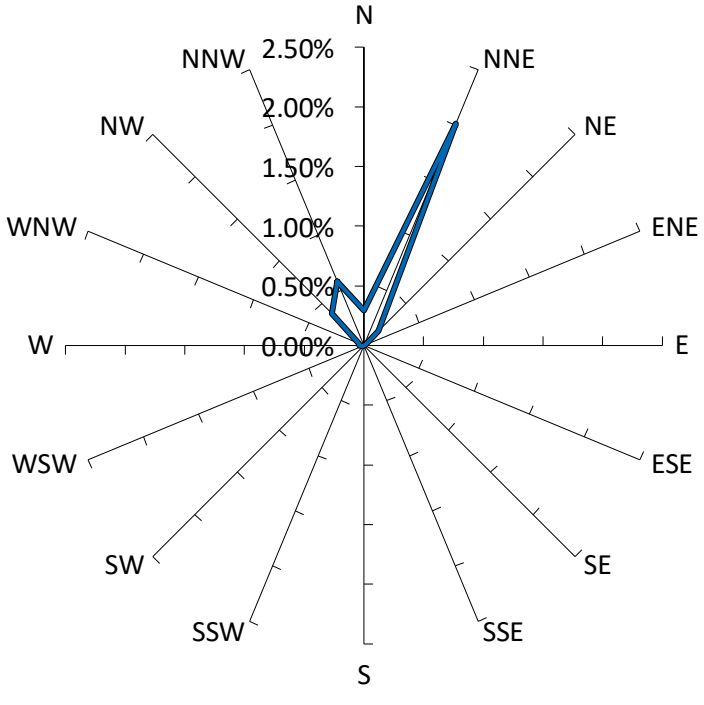
Annual probability of exceeding 6m/s (%)



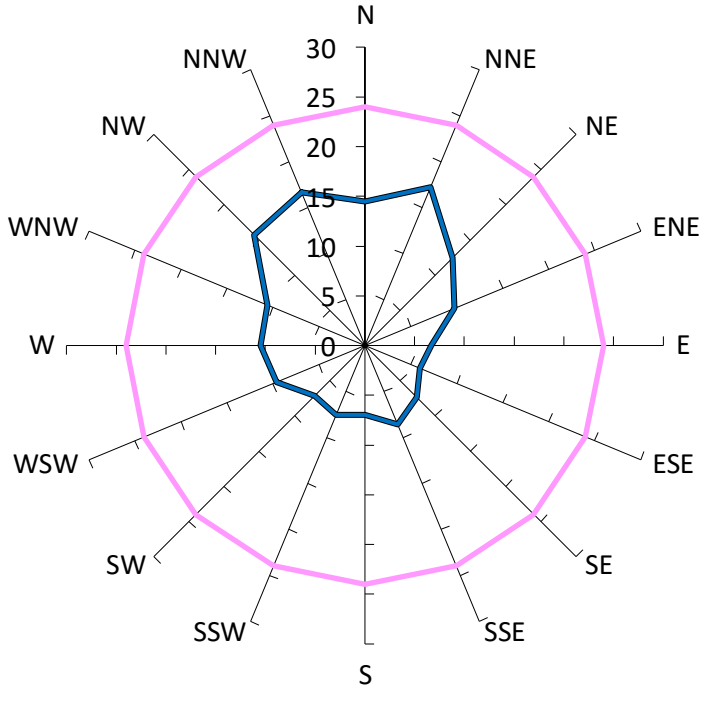
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Standing Criterion (6m/s). Safety Limit (24m/s).	6.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	4.1	12

Results for Point 18



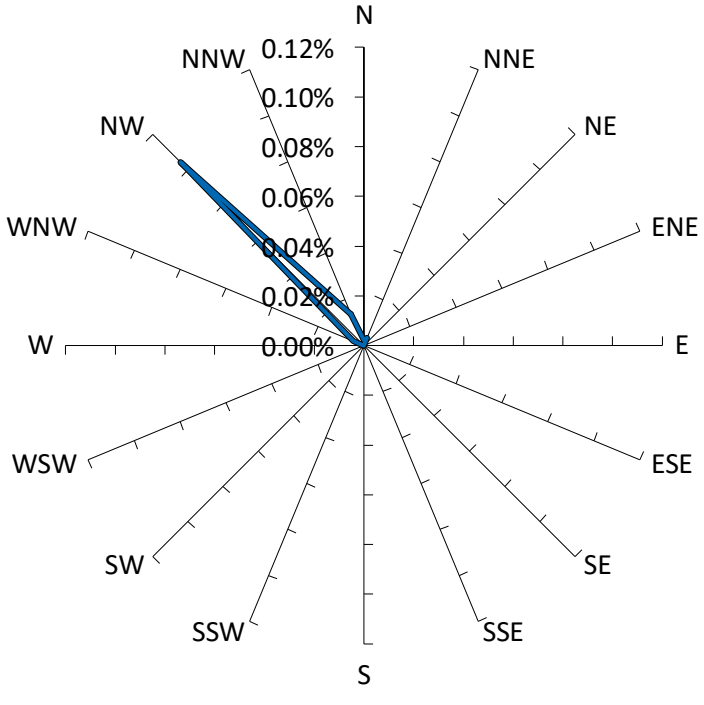
Annual probability of exceeding 6m/s (%)



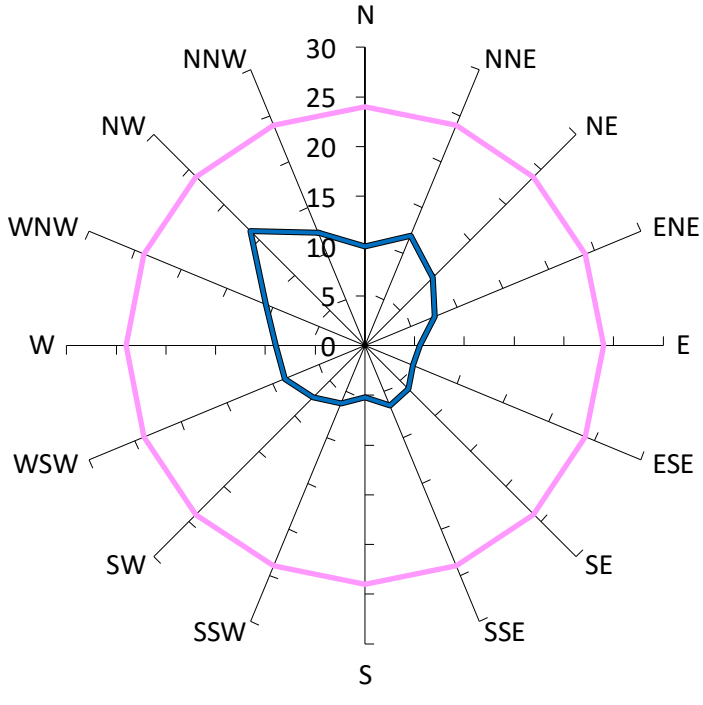
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Standing Criterion (6m/s). Safety Limit (24m/s).	6.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	5.6	17

Results for Point 19



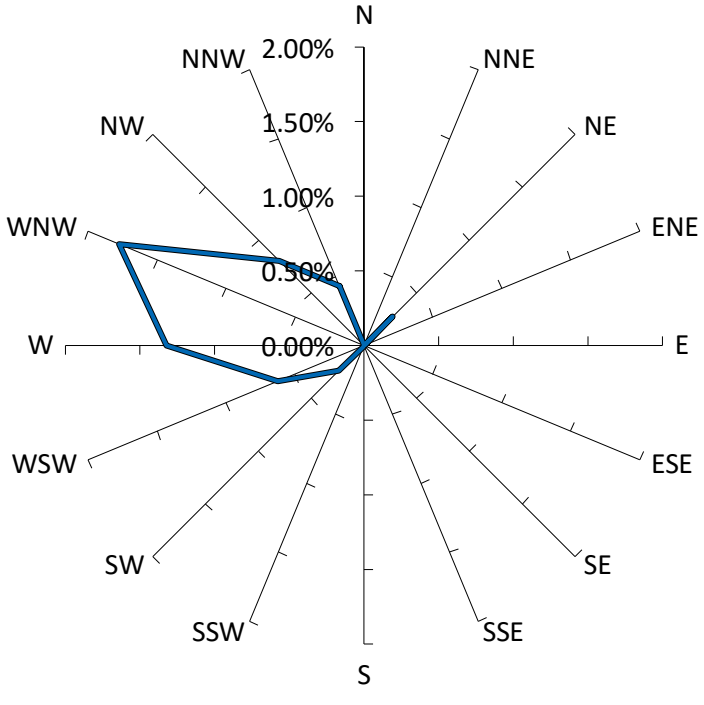
Annual probability of exceeding 8m/s (%)



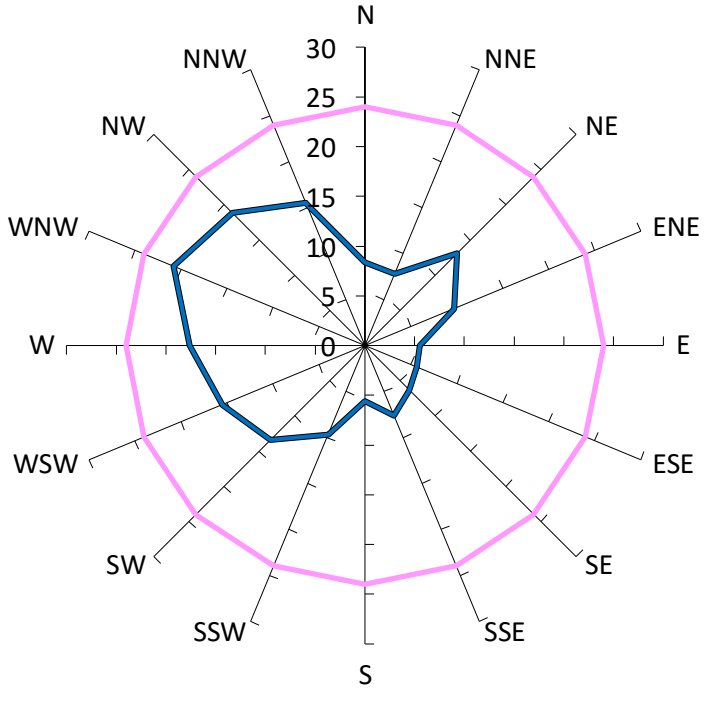
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Walking Criterion (8m/s). Safety Limit (24m/s).	8.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	4.1	16

Results for Point 20



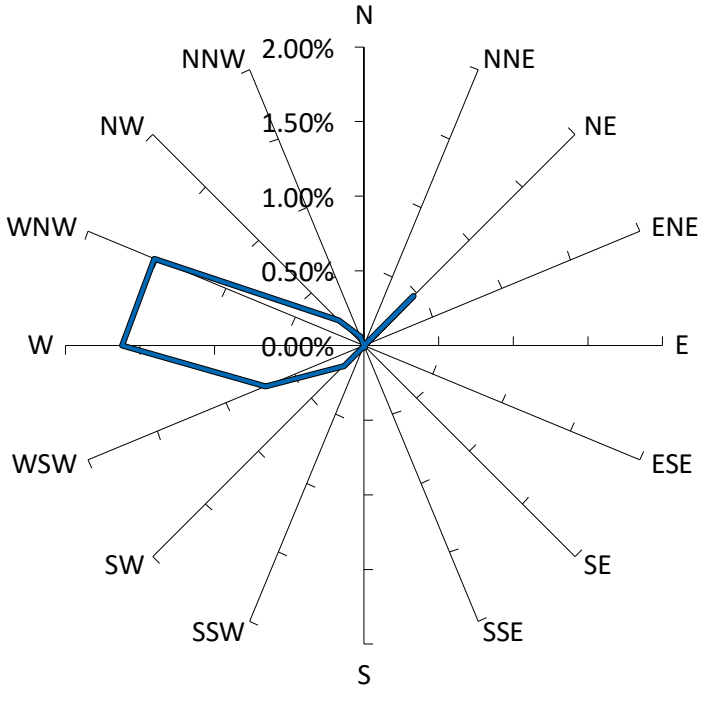
Annual probability of exceeding 6m/s (%)



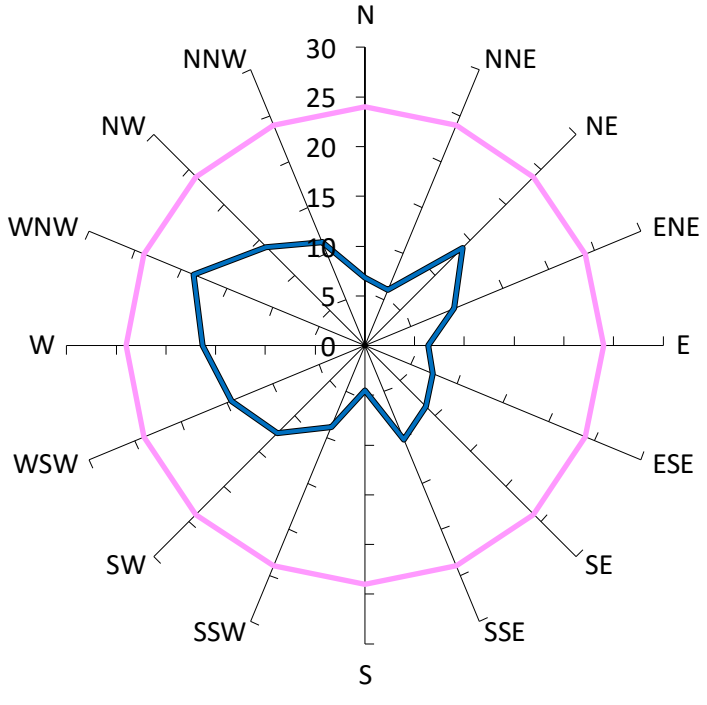
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Standing Criterion (6m/s). Safety Limit (24m/s).	6.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	6.0	21

Results for Point 21



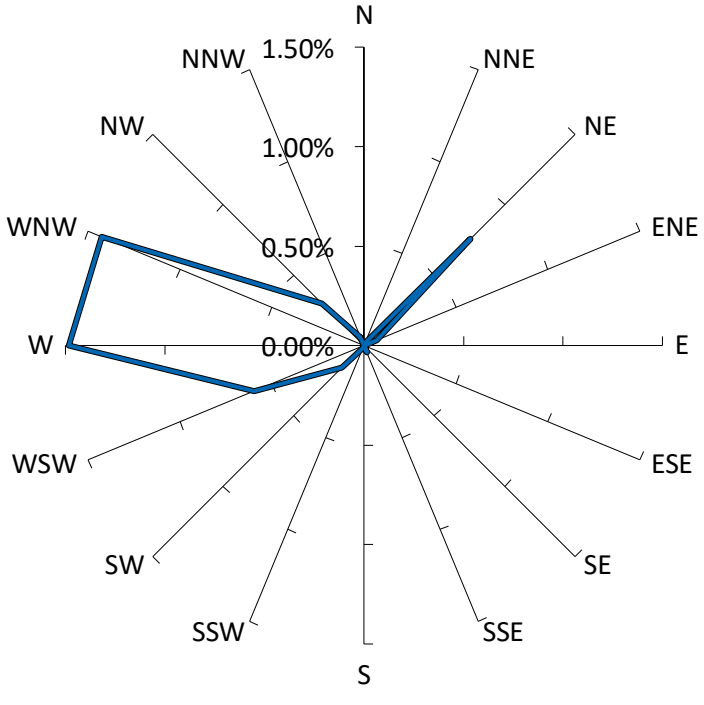
Annual probability of exceeding 6m/s (%)



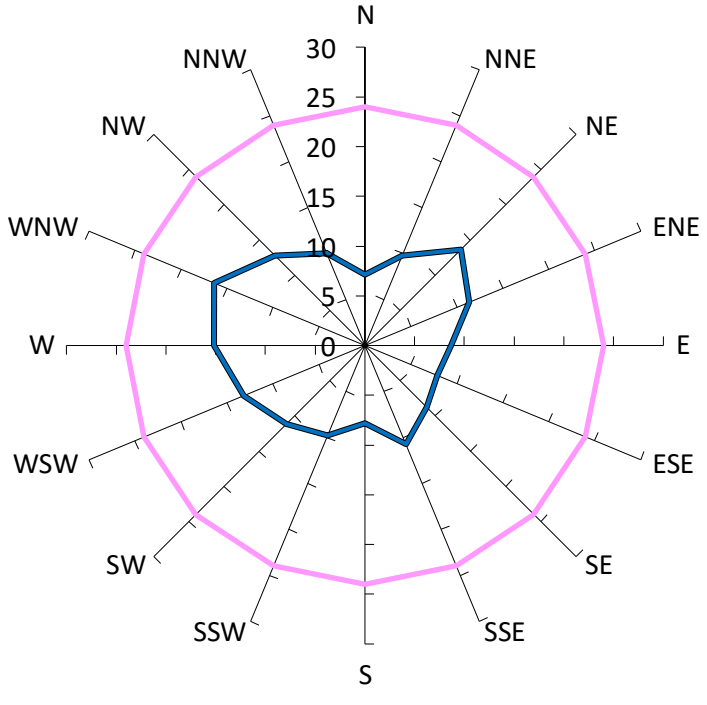
Annual Maximum Gust (m/s)

	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Standing Criterion (6m/s). Safety Limit (24m/s).	6.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	5.8	19

Results for Point 22



Annual probability of exceeding 6m/s (%)

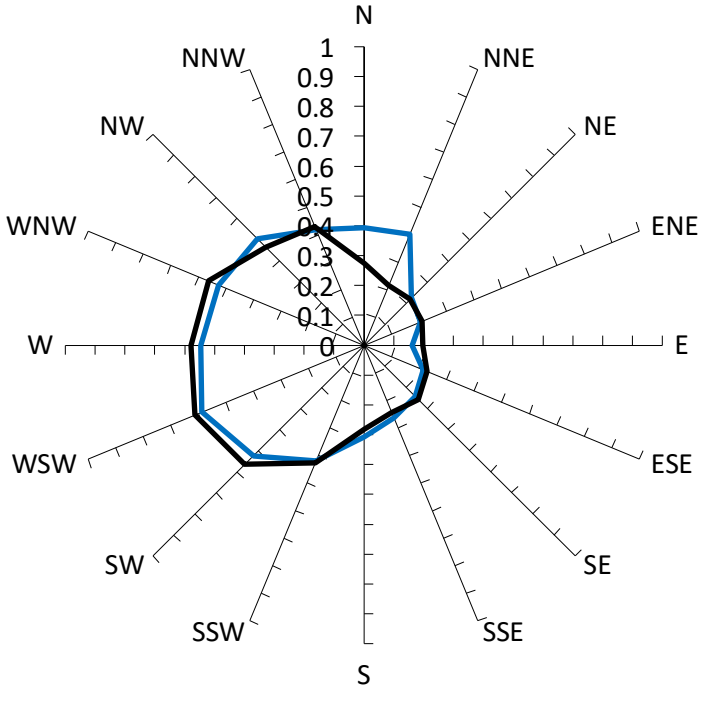


Annual Maximum Gust (m/s)

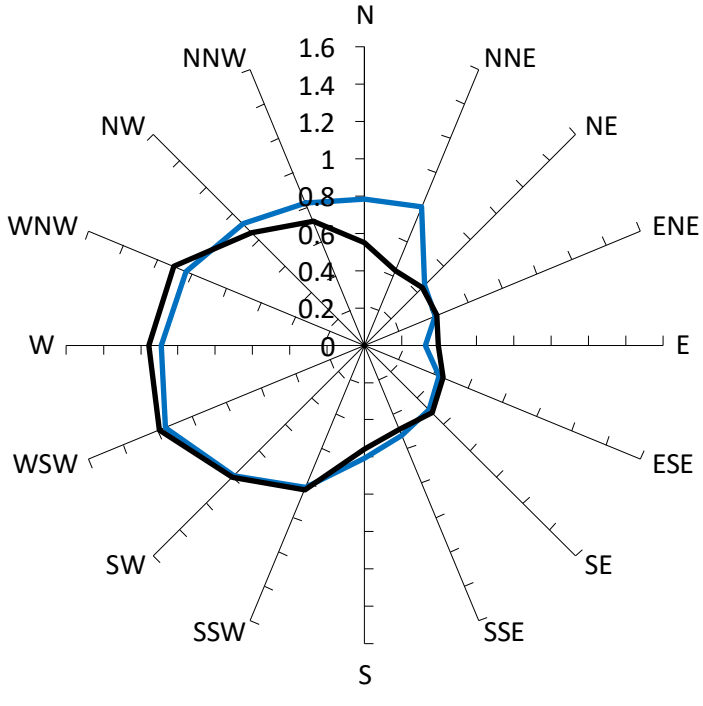
	Description	GEM Wind Speed (m/s)	Peak Gust m/s
	Criterion: Wind Comfort Standard for Standing Criterion (6m/s). Safety Limit (24m/s).	6.0	24
	Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.	5.9	16

APPENDIX D DIRECTIONAL VELOCITY COEFFICIENT PLOTS

Results for Point 01



GEM Velocity Coefficients

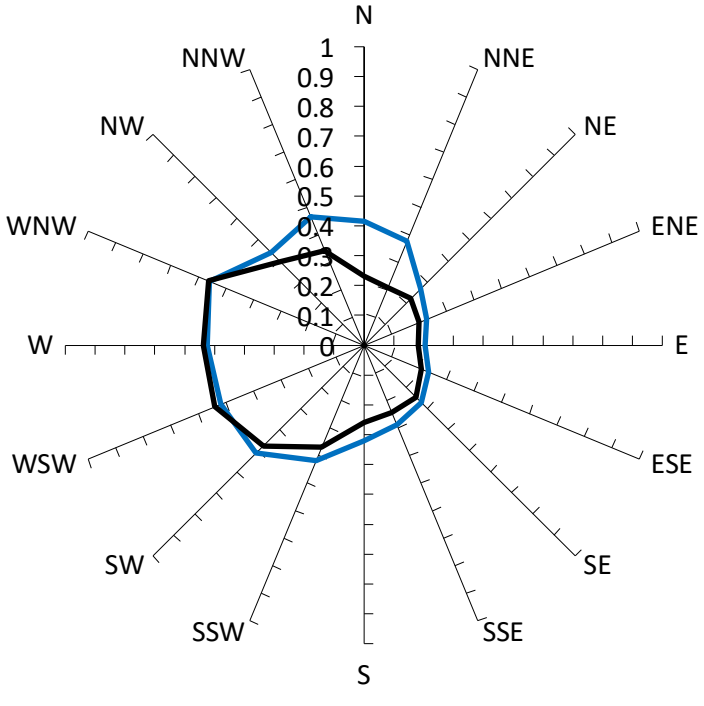


Gust Velocity Coefficients

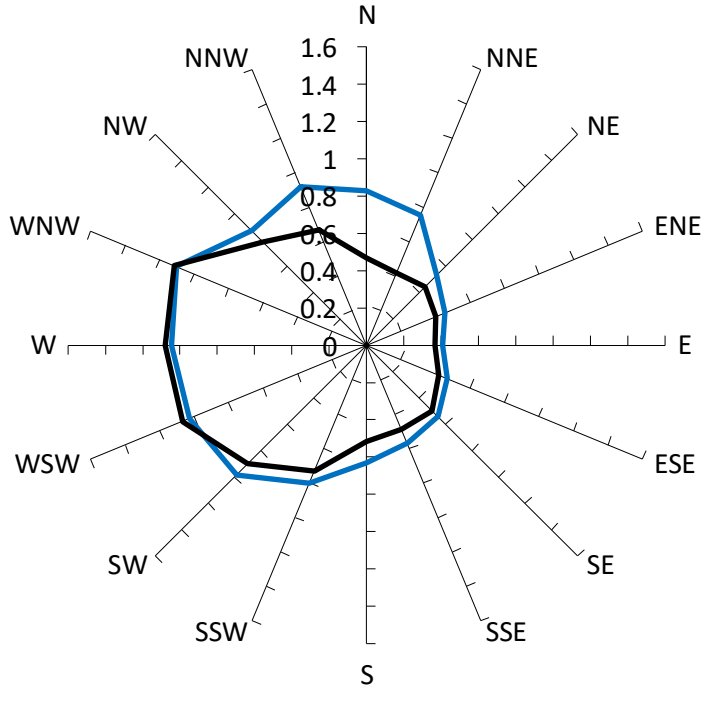
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 02



GEM Velocity Coefficients

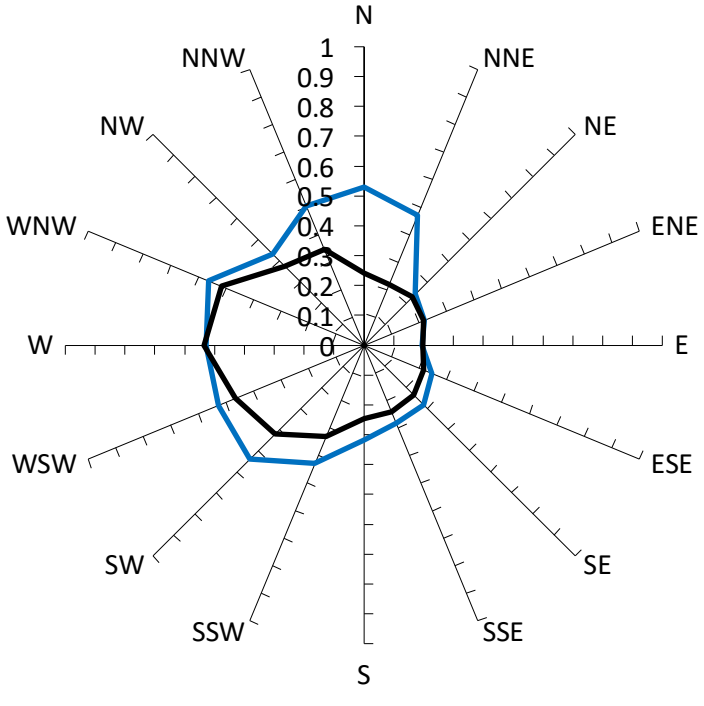


Gust Velocity Coefficients

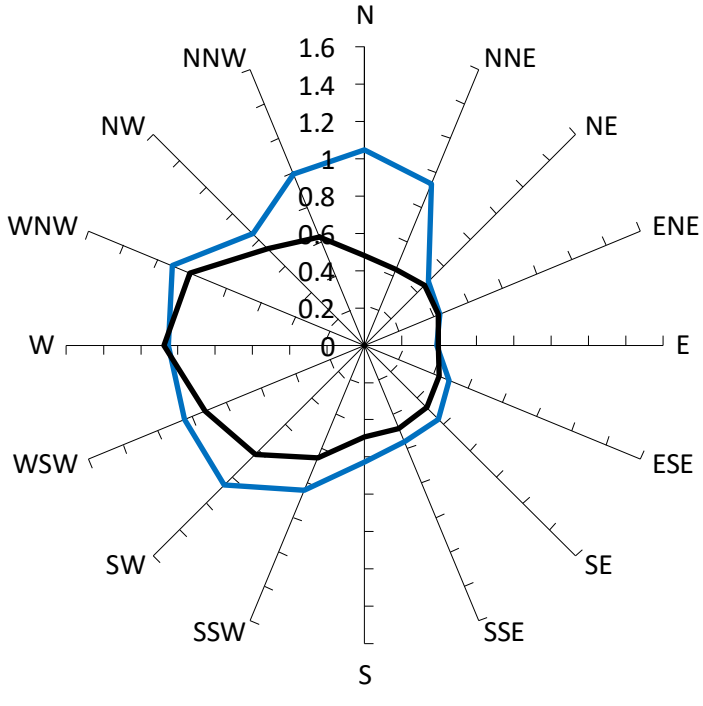
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 03



GEM Velocity Coefficients

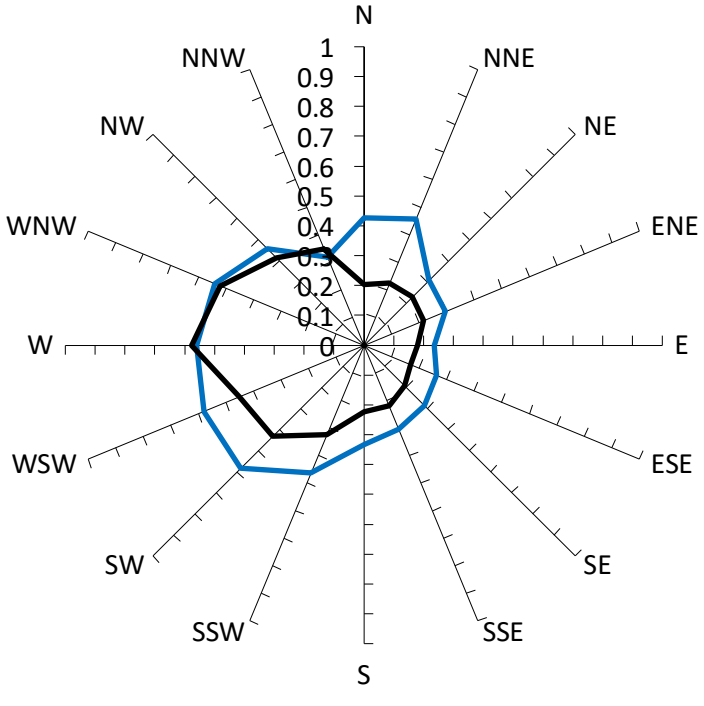


Gust Velocity Coefficients

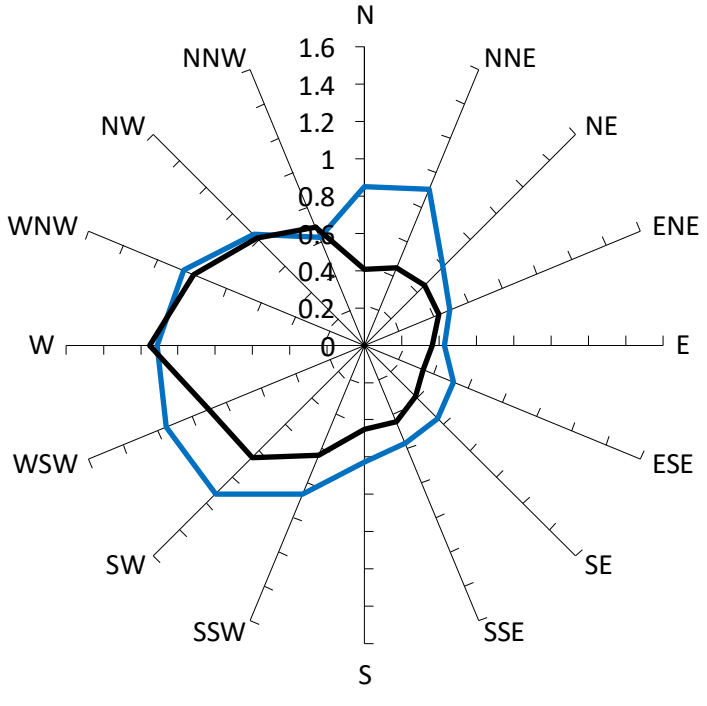
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 04



GEM Velocity Coefficients

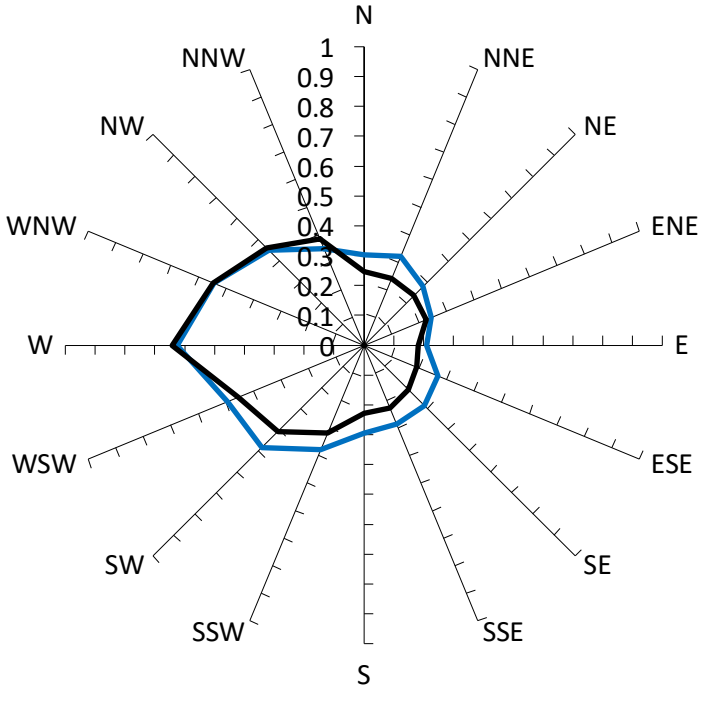


Gust Velocity Coefficients

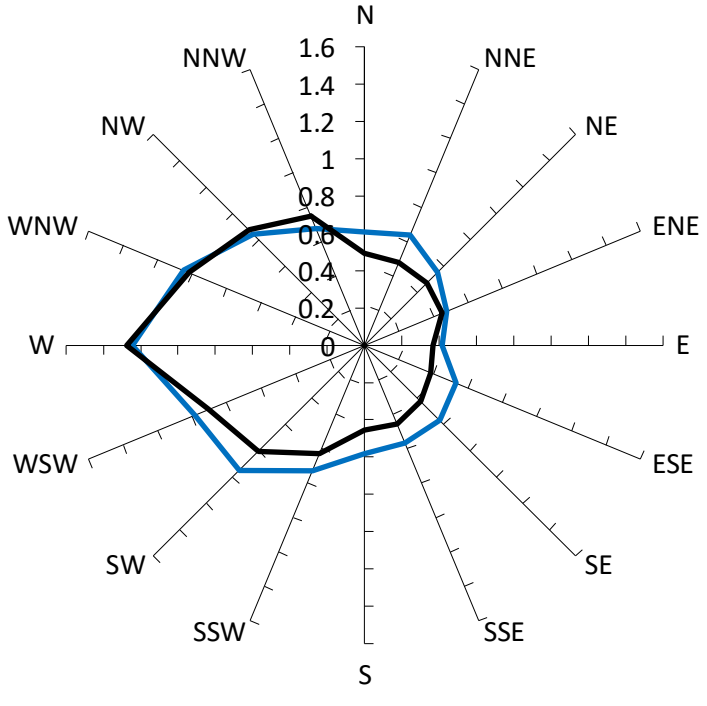
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 05



GEM Velocity Coefficients

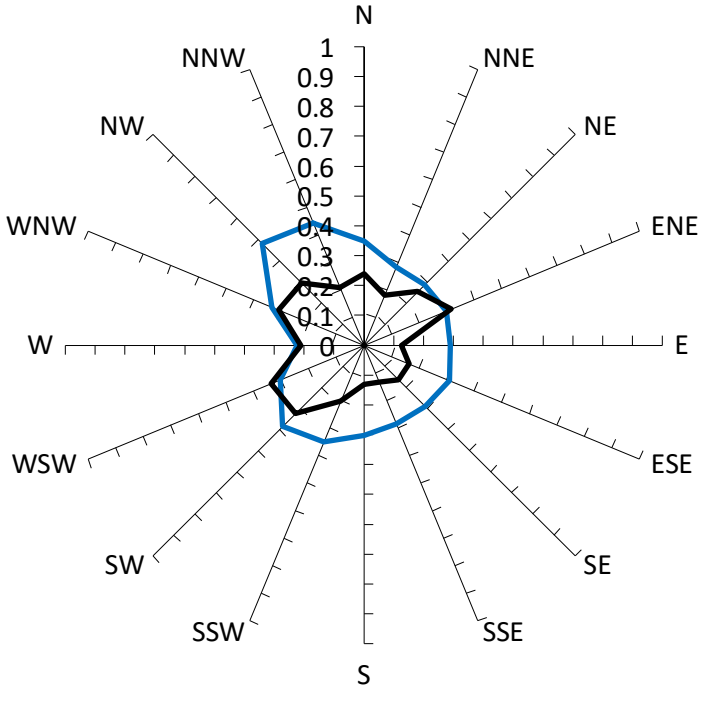


Gust Velocity Coefficients

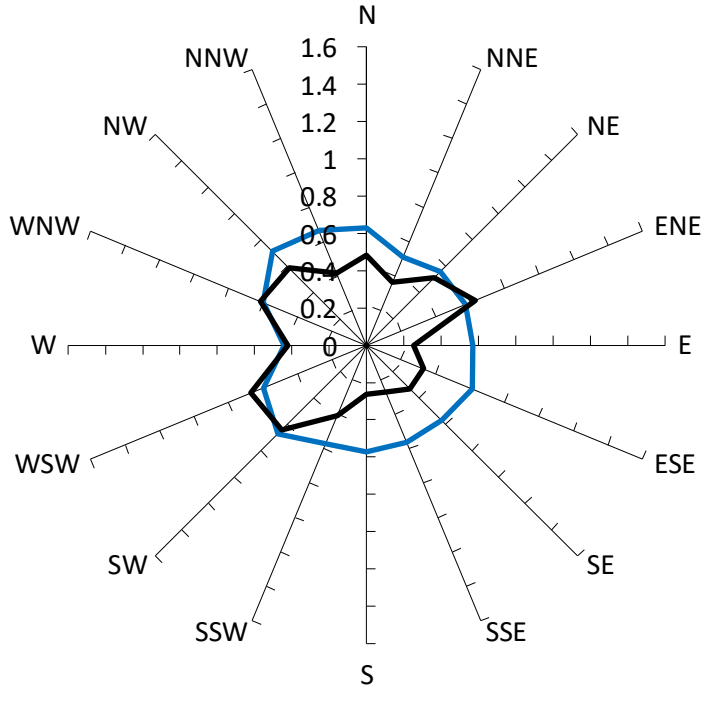
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 06



GEM Velocity Coefficients

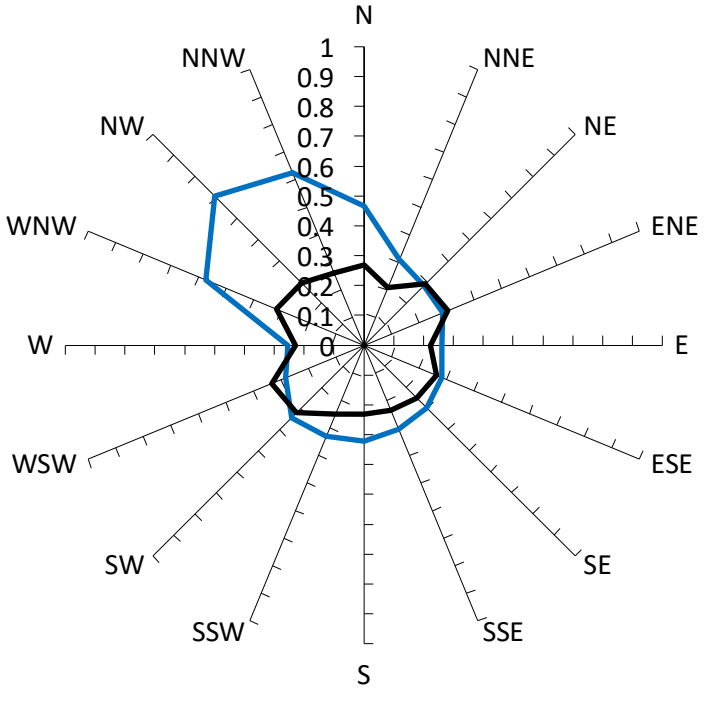


Gust Velocity Coefficients

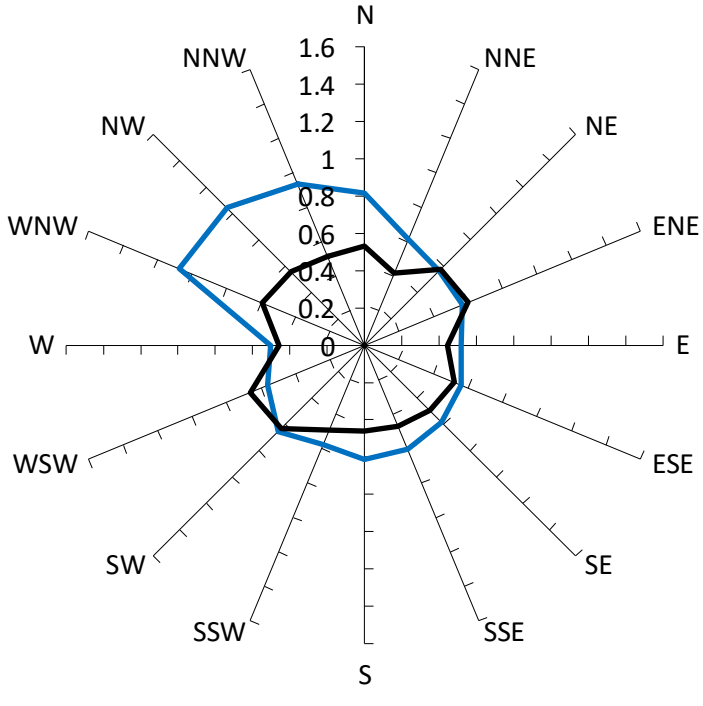
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 07



GEM Velocity Coefficients

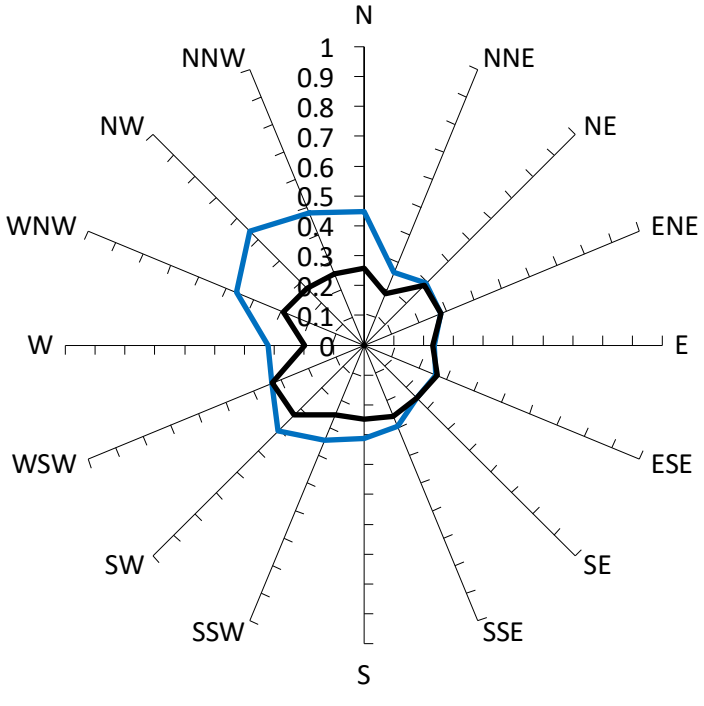


Gust Velocity Coefficients

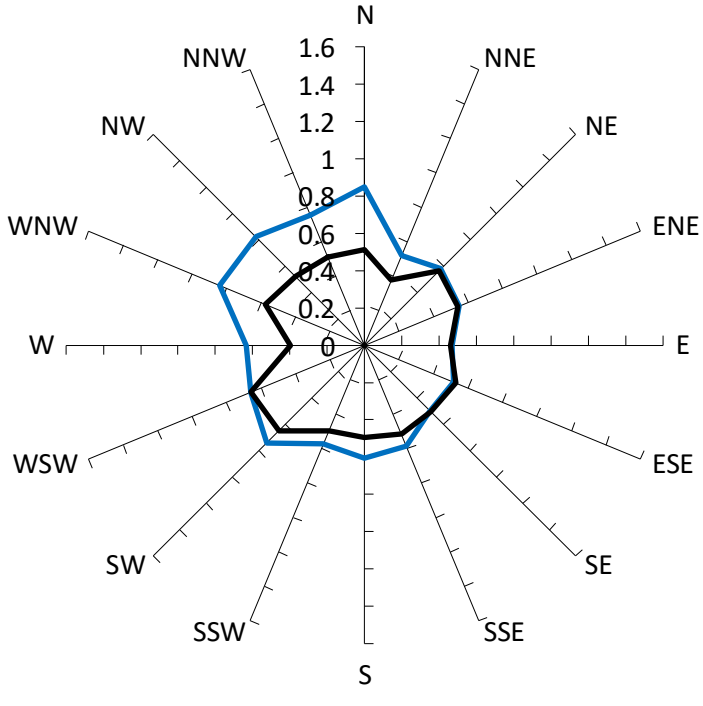
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 08



GEM Velocity Coefficients

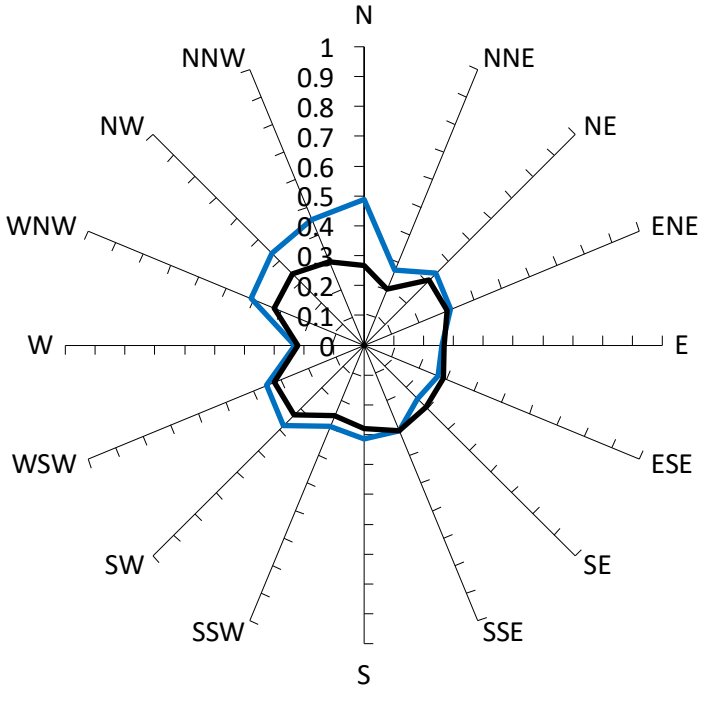


Gust Velocity Coefficients

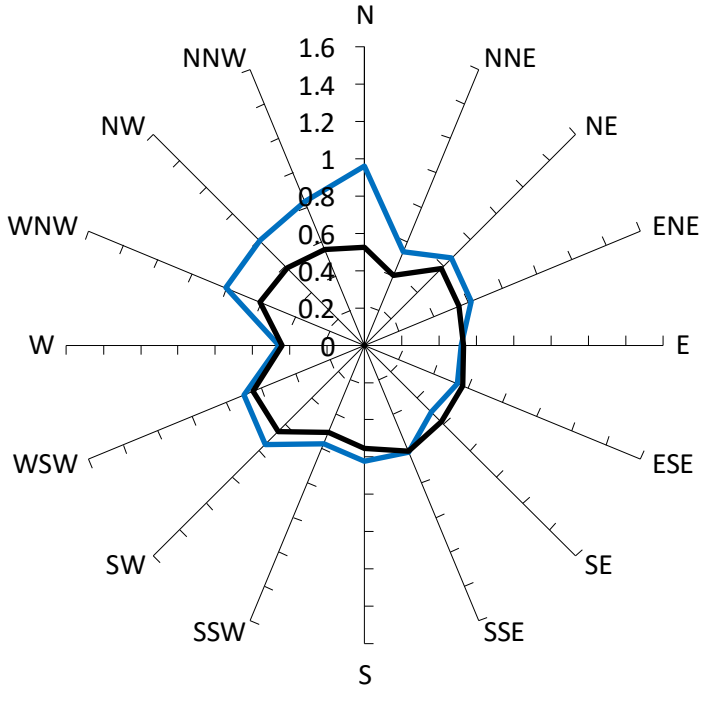
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 09



GEM Velocity Coefficients

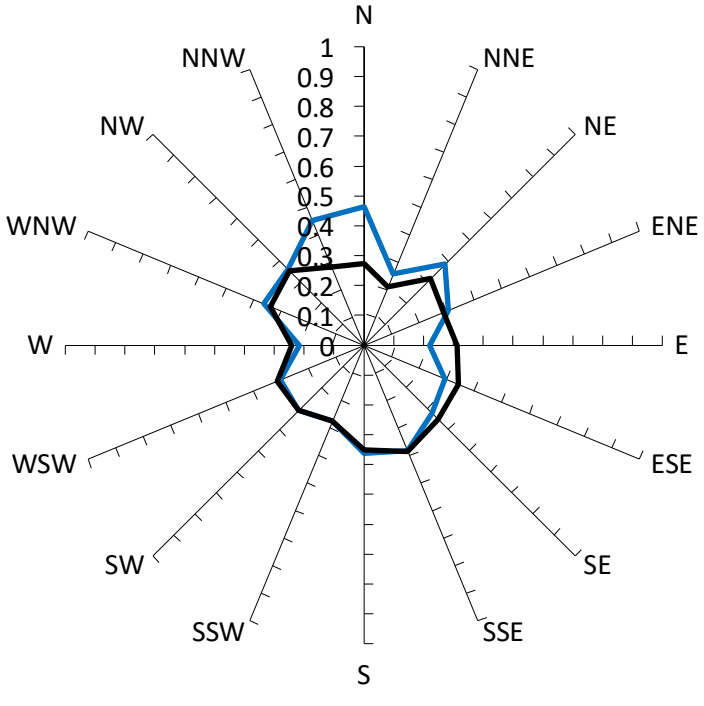


Gust Velocity Coefficients

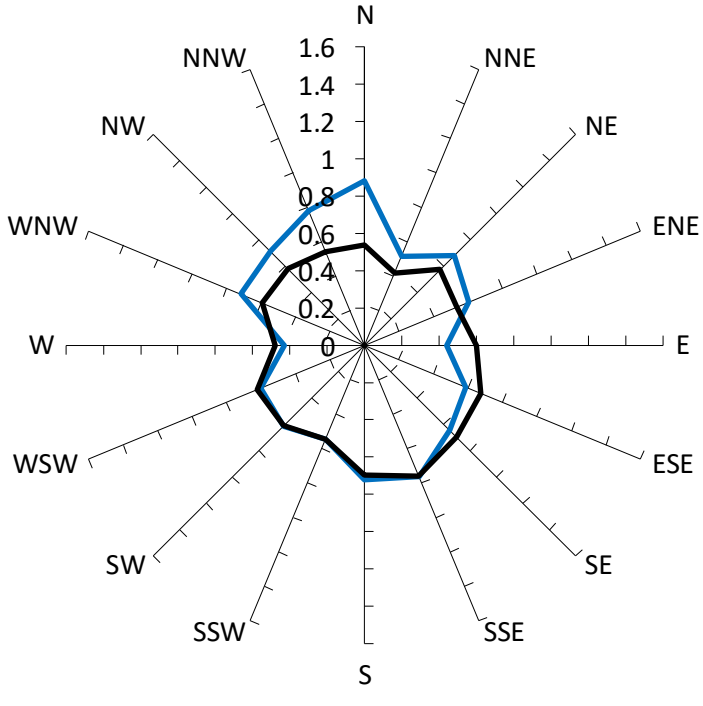
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 10



GEM Velocity Coefficients

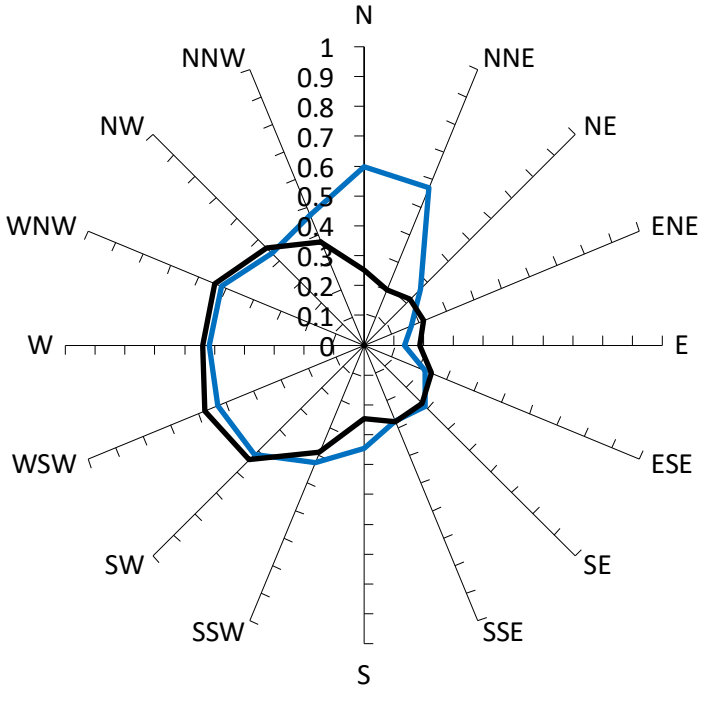


Gust Velocity Coefficients

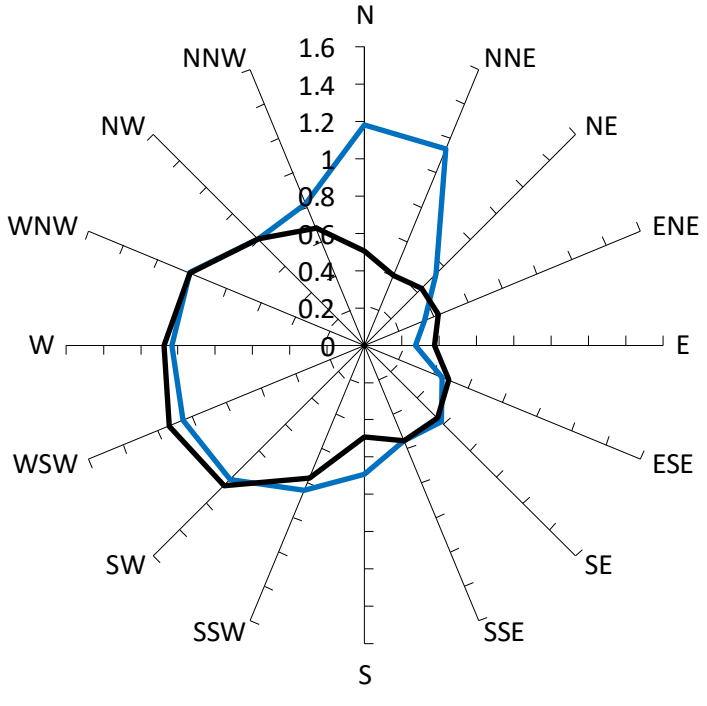
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 11



GEM Velocity Coefficients

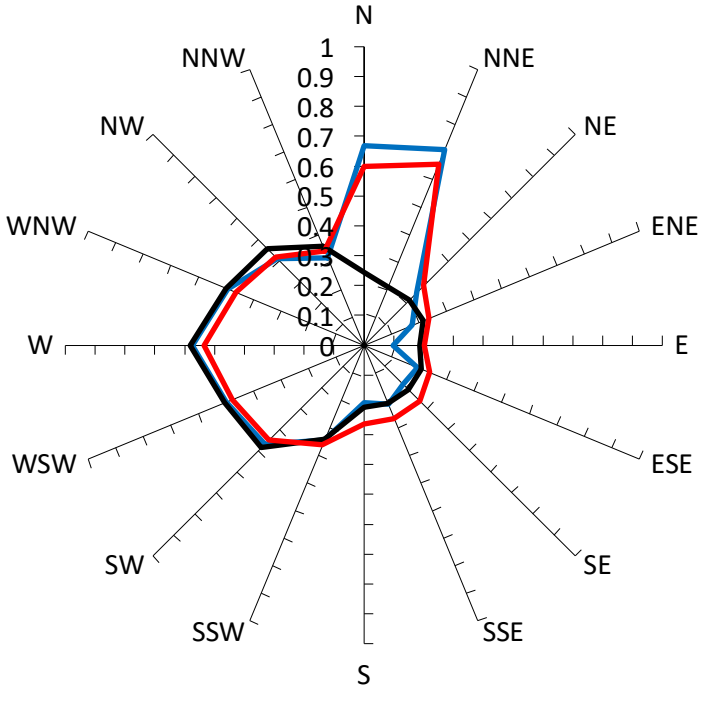


Gust Velocity Coefficients

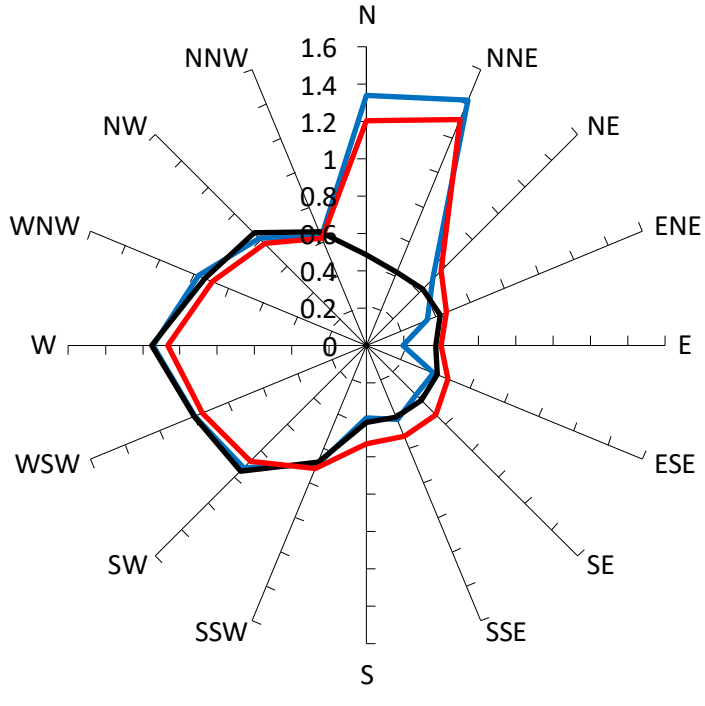
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 12



GEM Velocity Coefficients



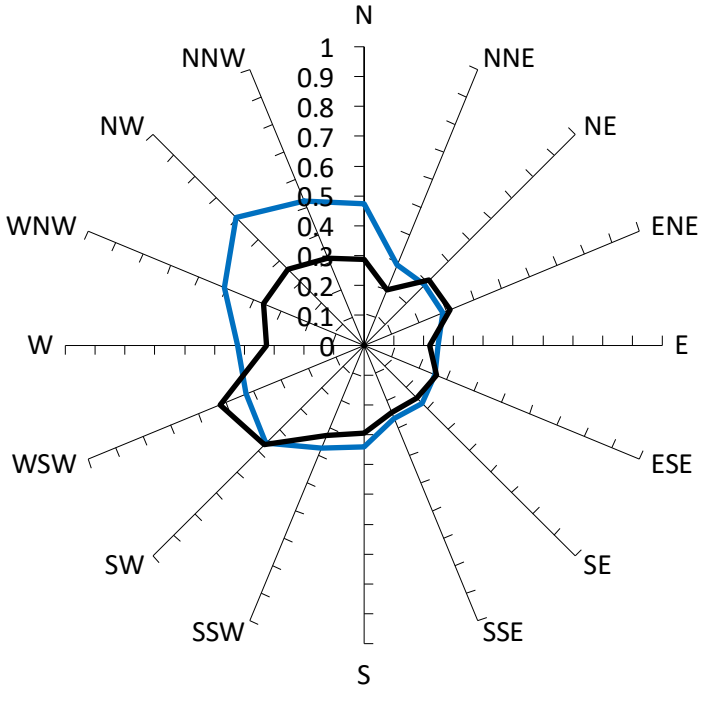
Gust Velocity Coefficients

Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

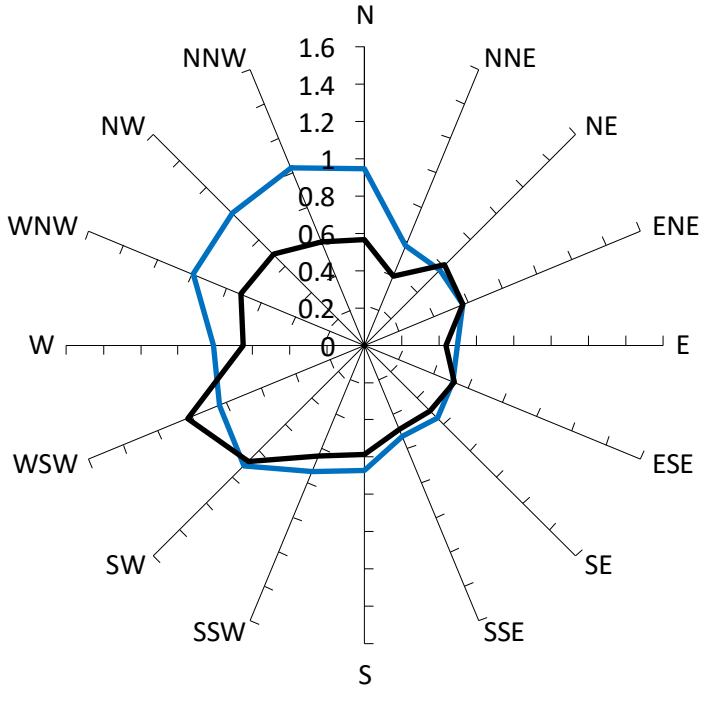
Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Massing Case: Inclusion of treatments.

Results for Point 13



GEM Velocity Coefficients

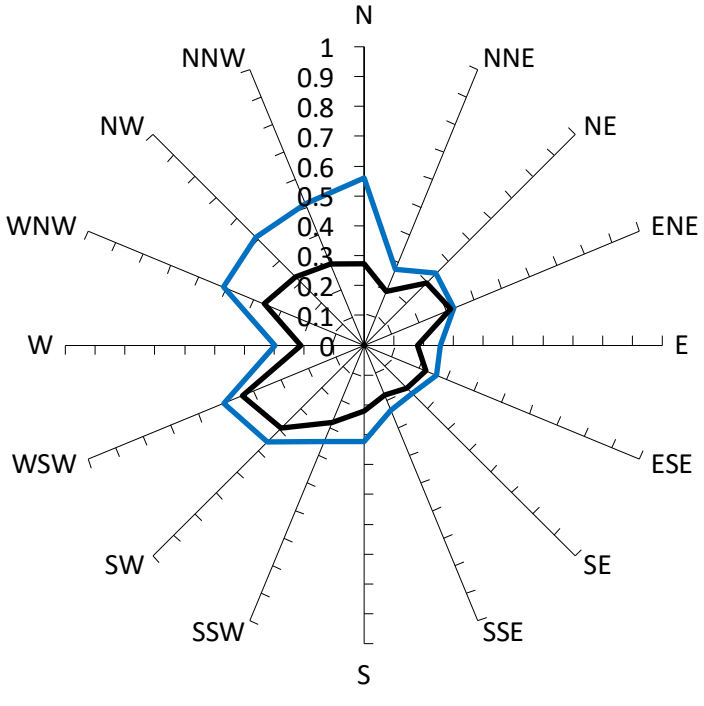


Gust Velocity Coefficients

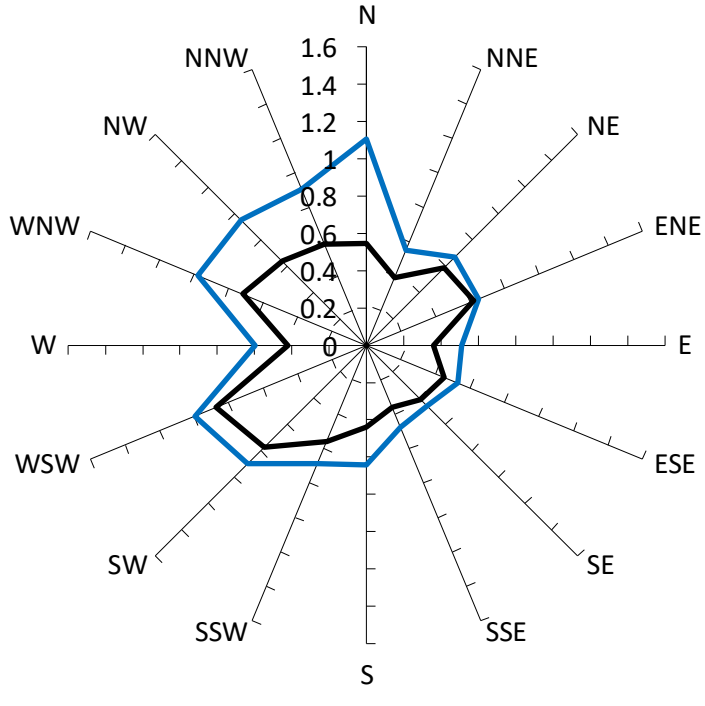
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 14



GEM Velocity Coefficients

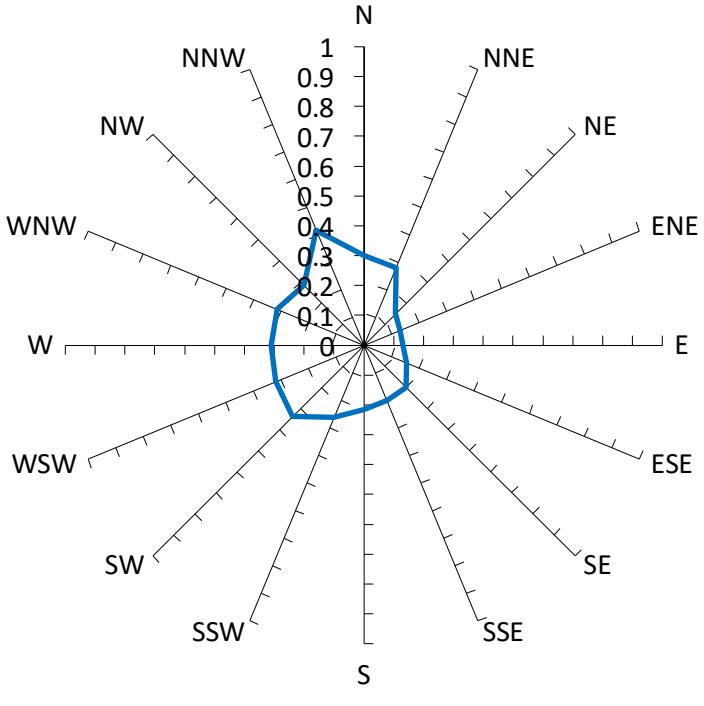


Gust Velocity Coefficients

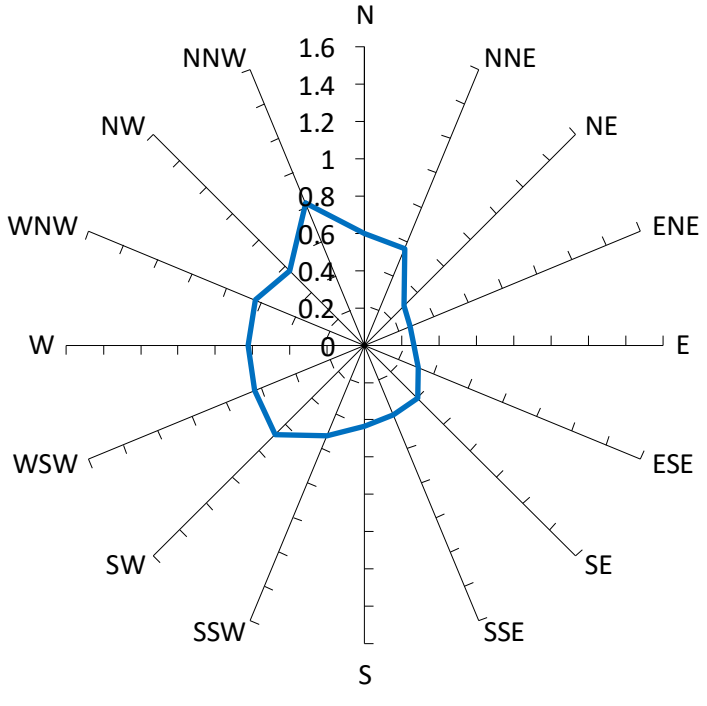
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Existing Case: Inclusion of the Existing Site, no vegetation or other treatments.

Results for Point 15



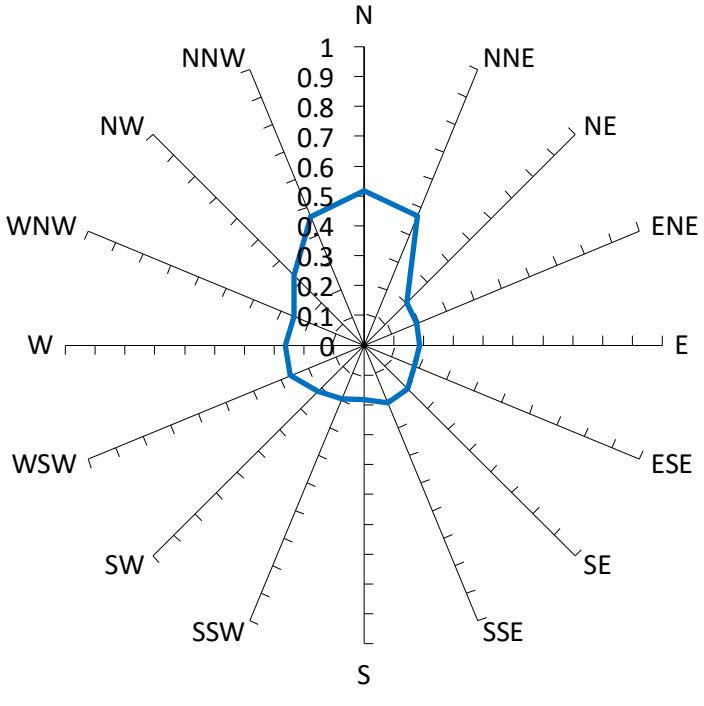
GEM Velocity Coefficients



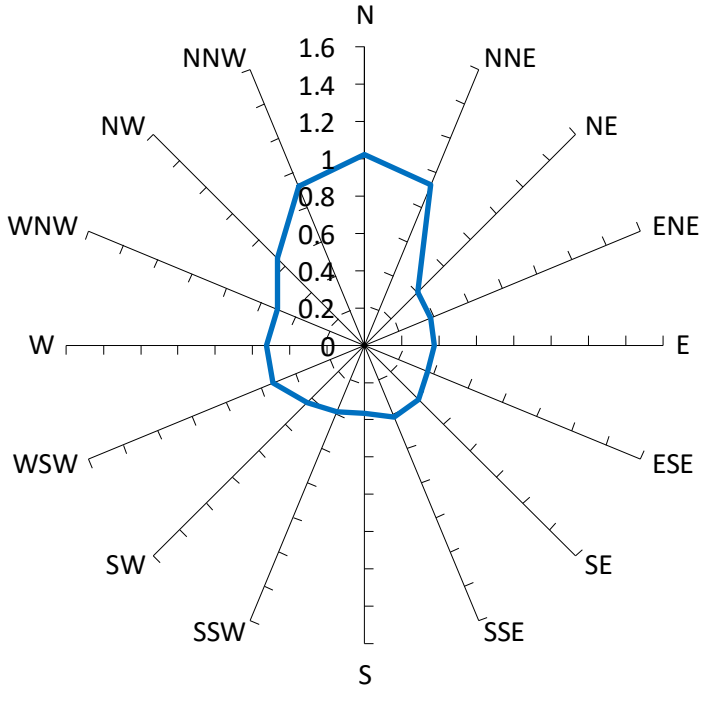
Gust Velocity Coefficients

Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Results for Point 16



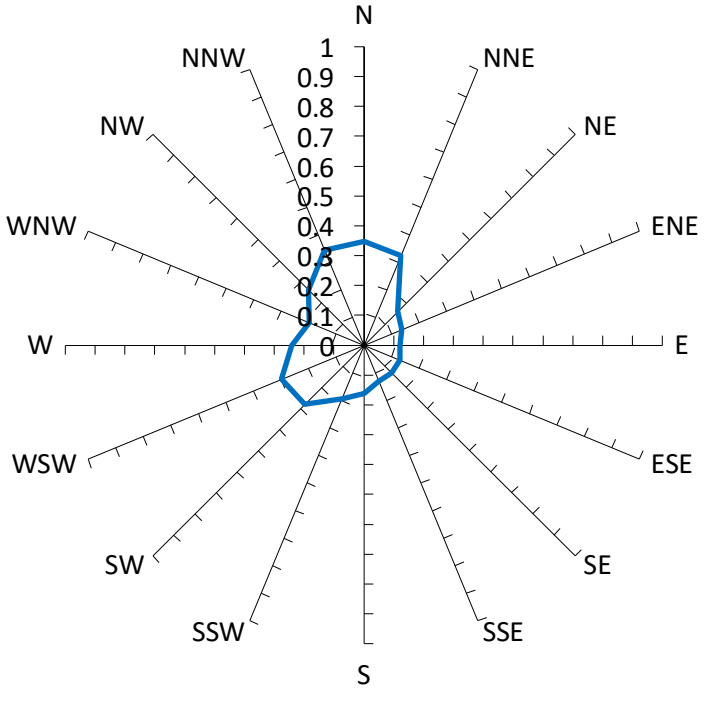
GEM Velocity Coefficients



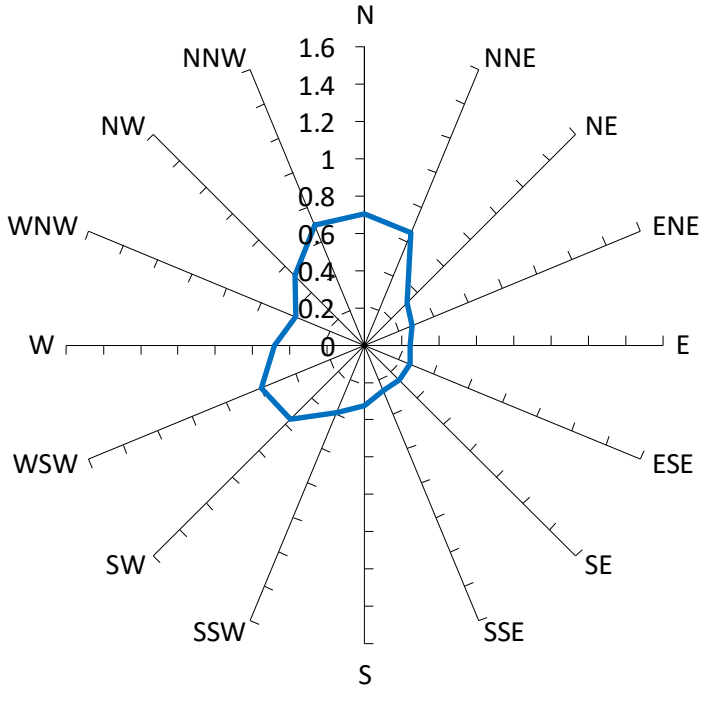
Gust Velocity Coefficients

Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Results for Point 17



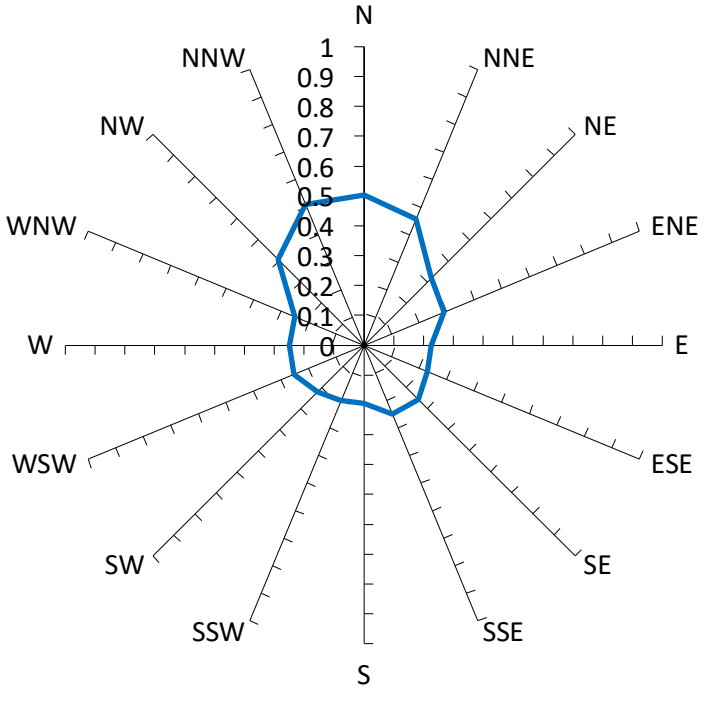
GEM Velocity Coefficients



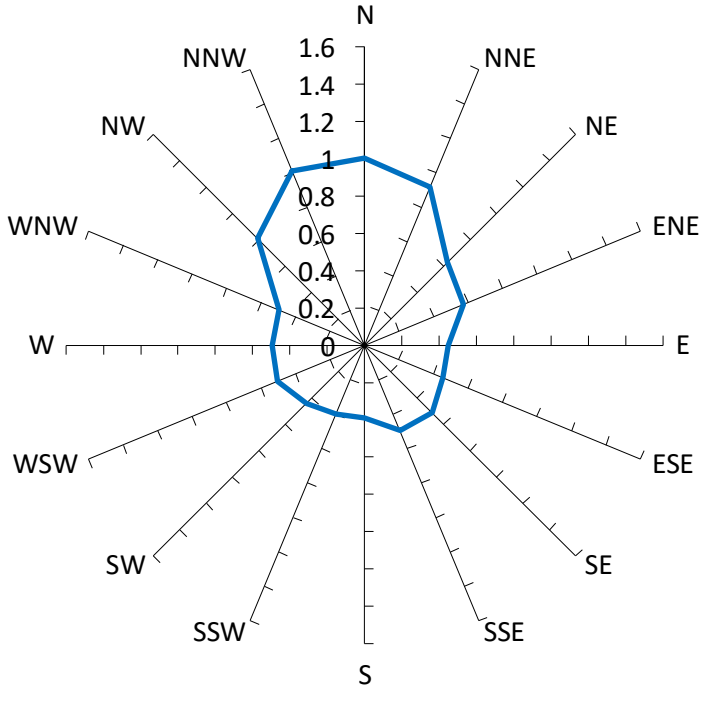
Gust Velocity Coefficients

Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Results for Point 18



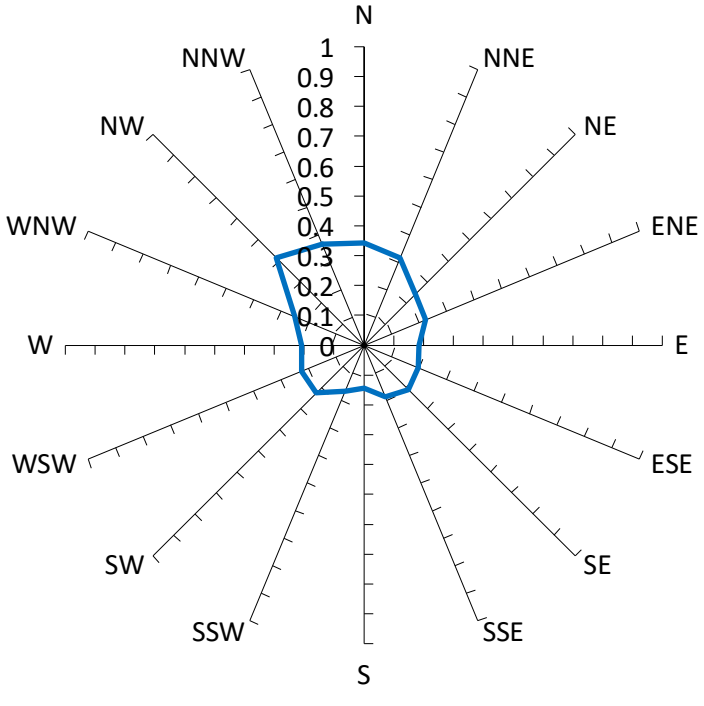
GEM Velocity Coefficients



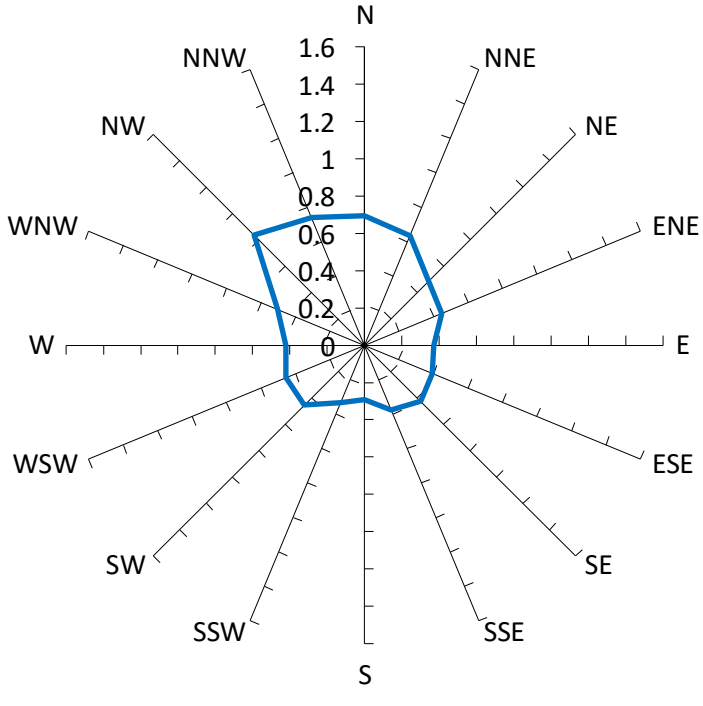
Gust Velocity Coefficients

Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Results for Point 19



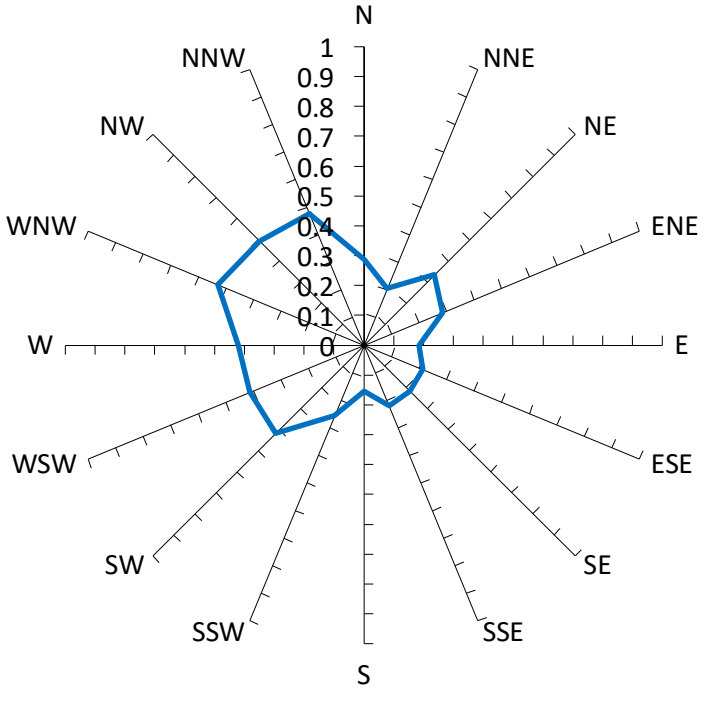
GEM Velocity Coefficients



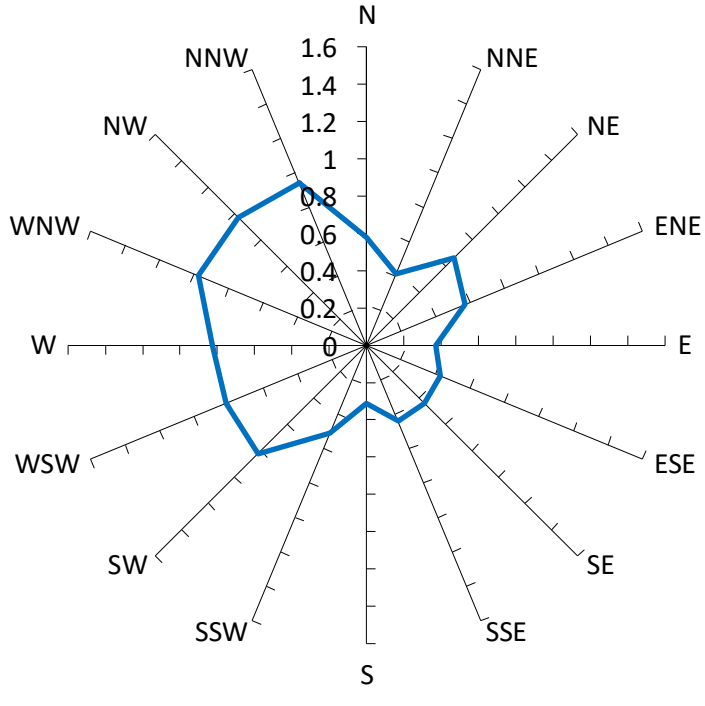
Gust Velocity Coefficients

Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Results for Point 20



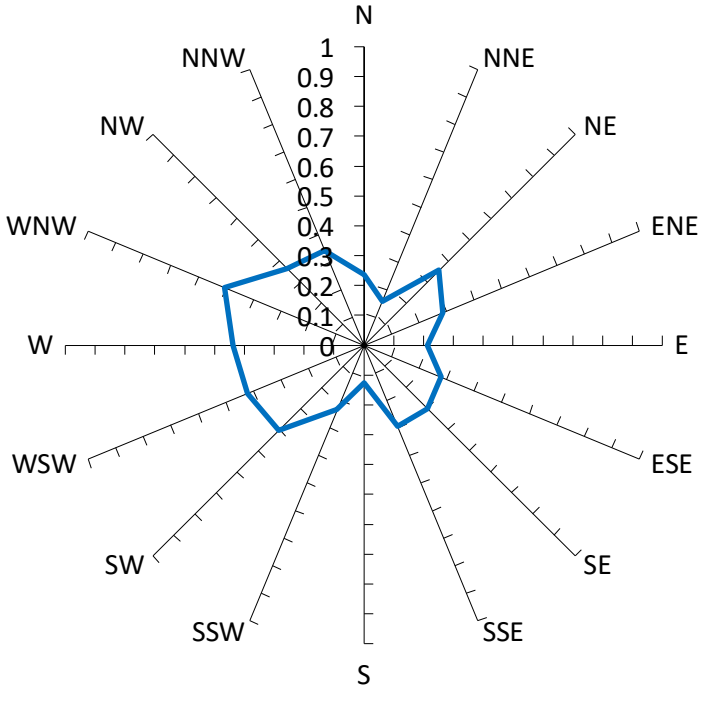
GEM Velocity Coefficients



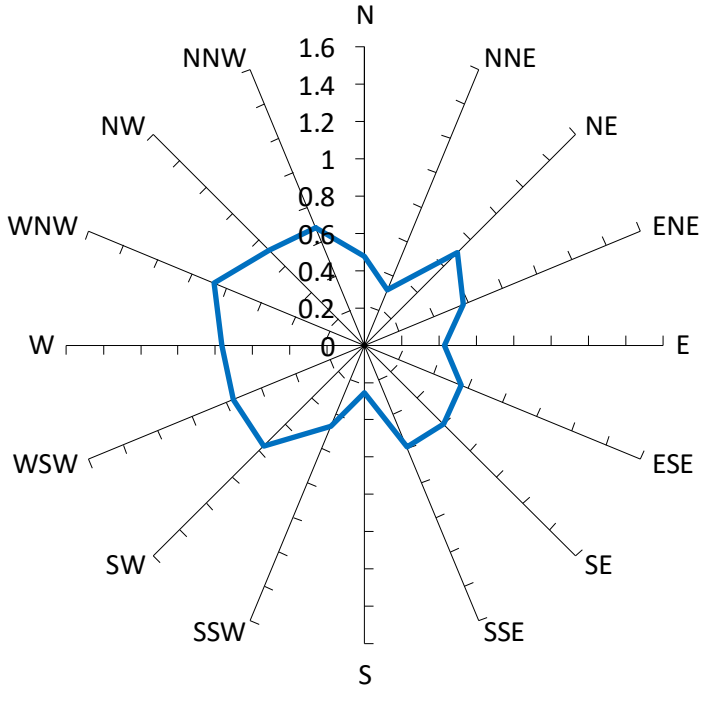
Gust Velocity Coefficients

Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Results for Point 21



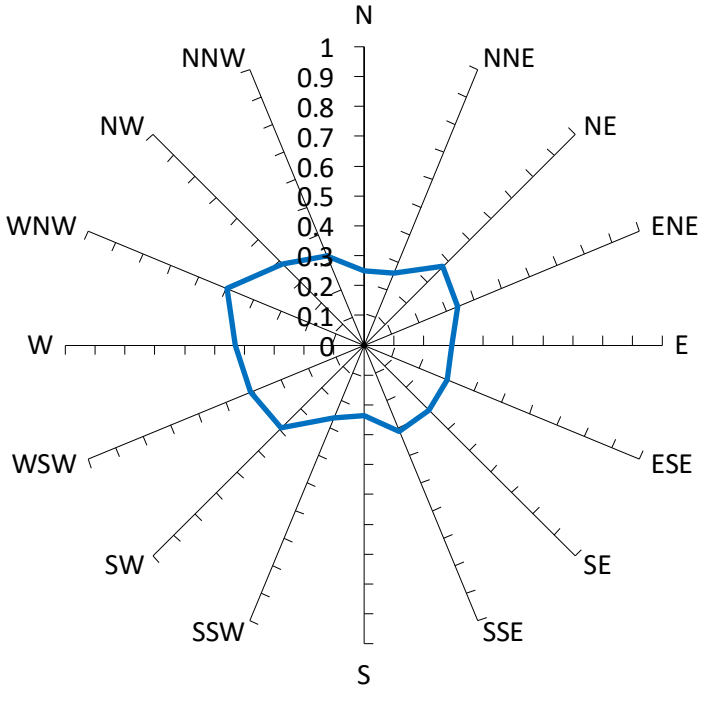
GEM Velocity Coefficients



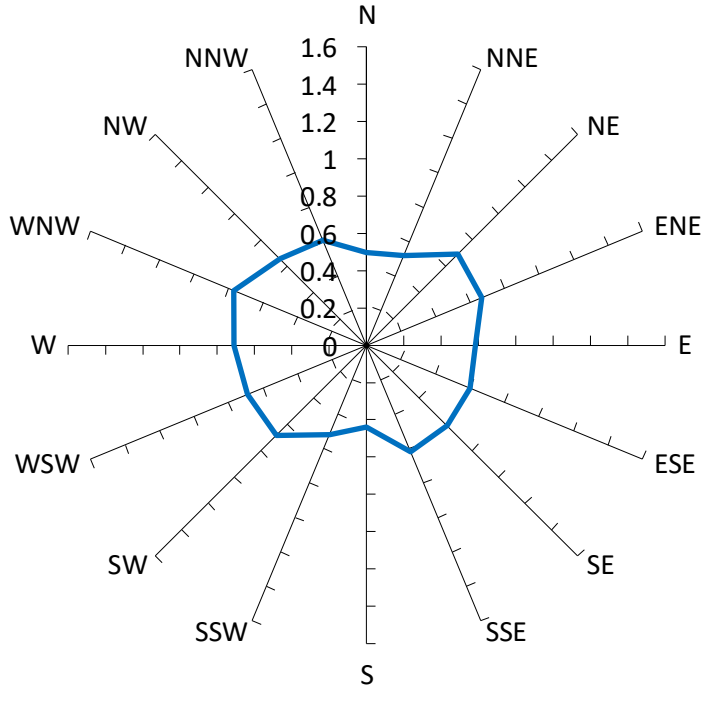
Gust Velocity Coefficients

Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

Results for Point 22



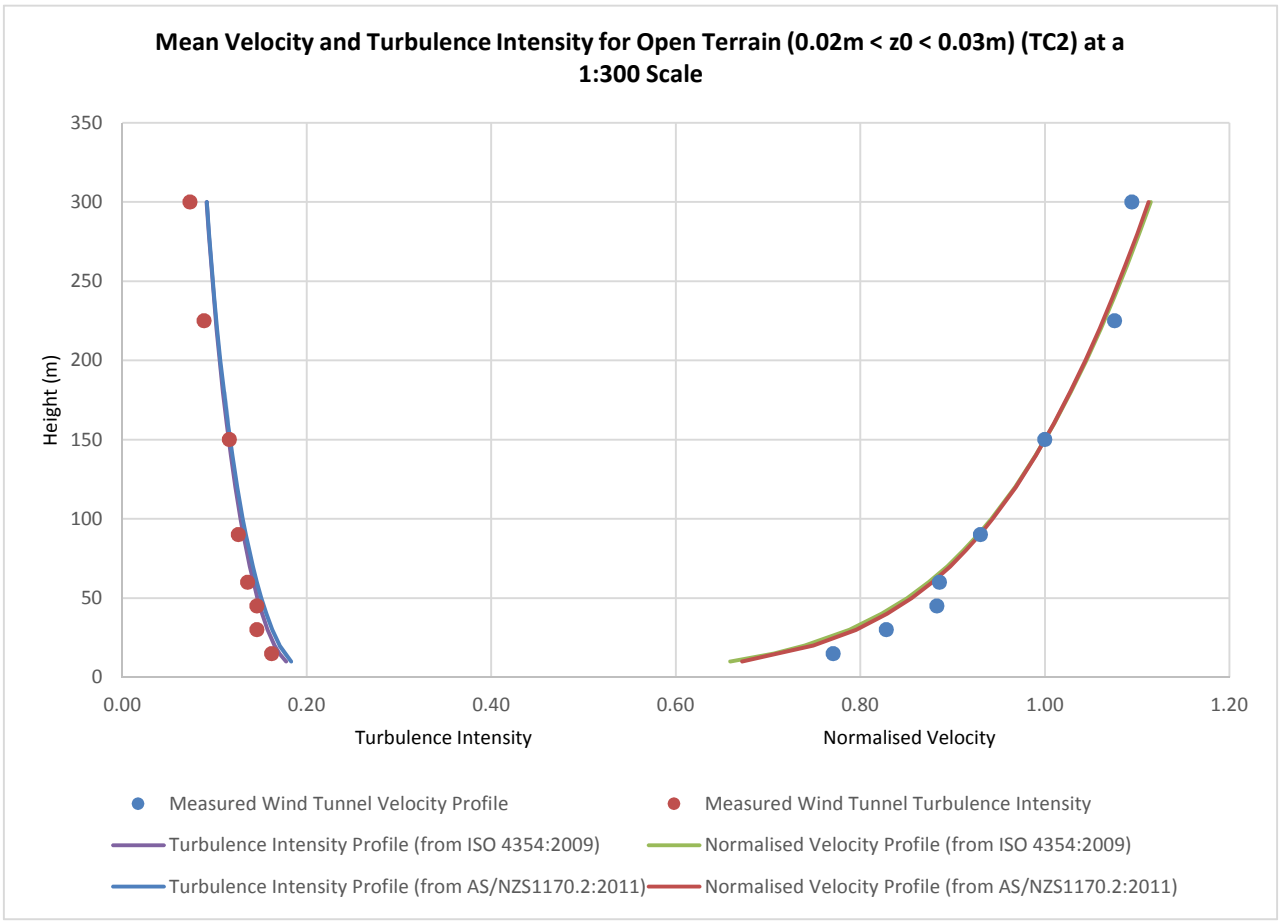
GEM Velocity Coefficients

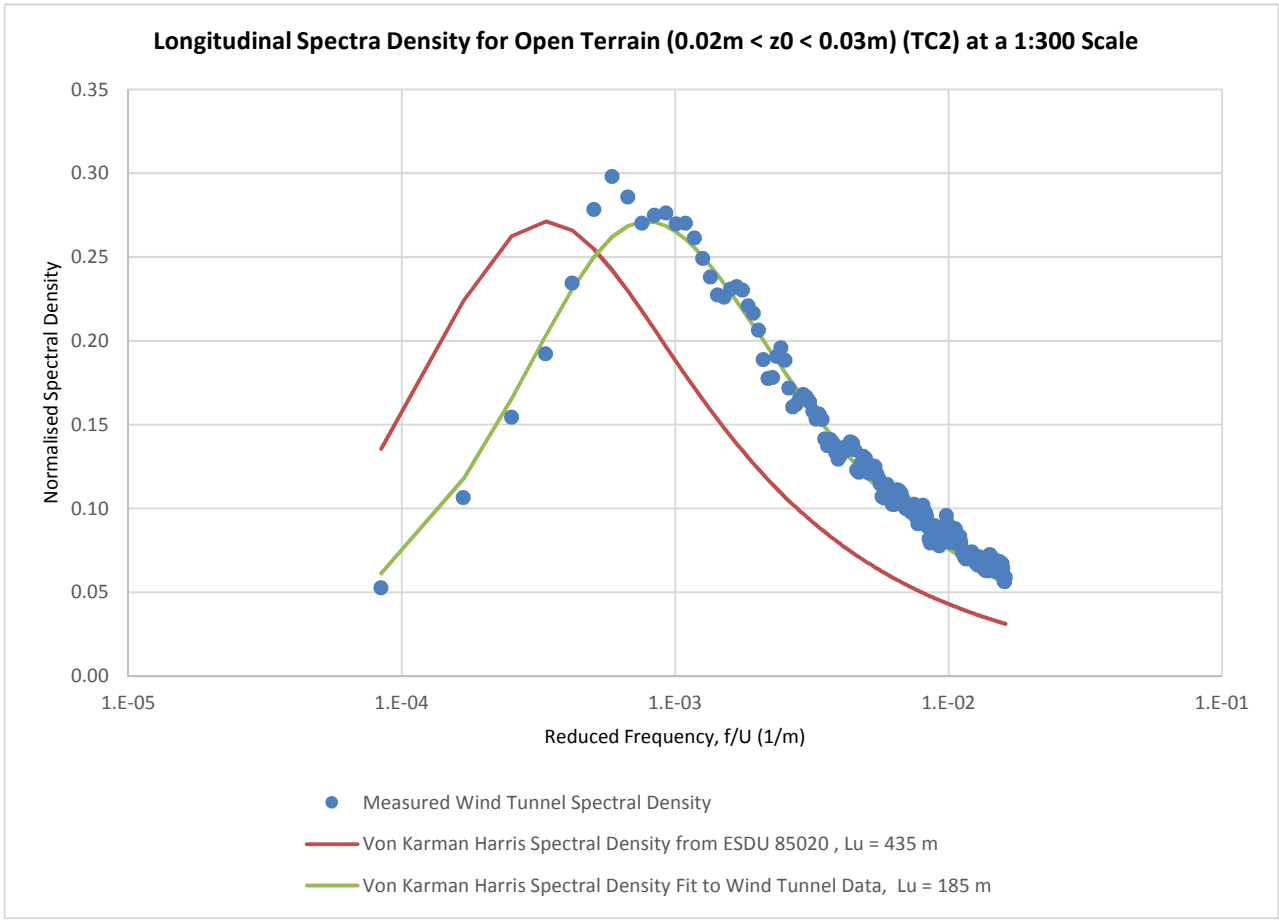


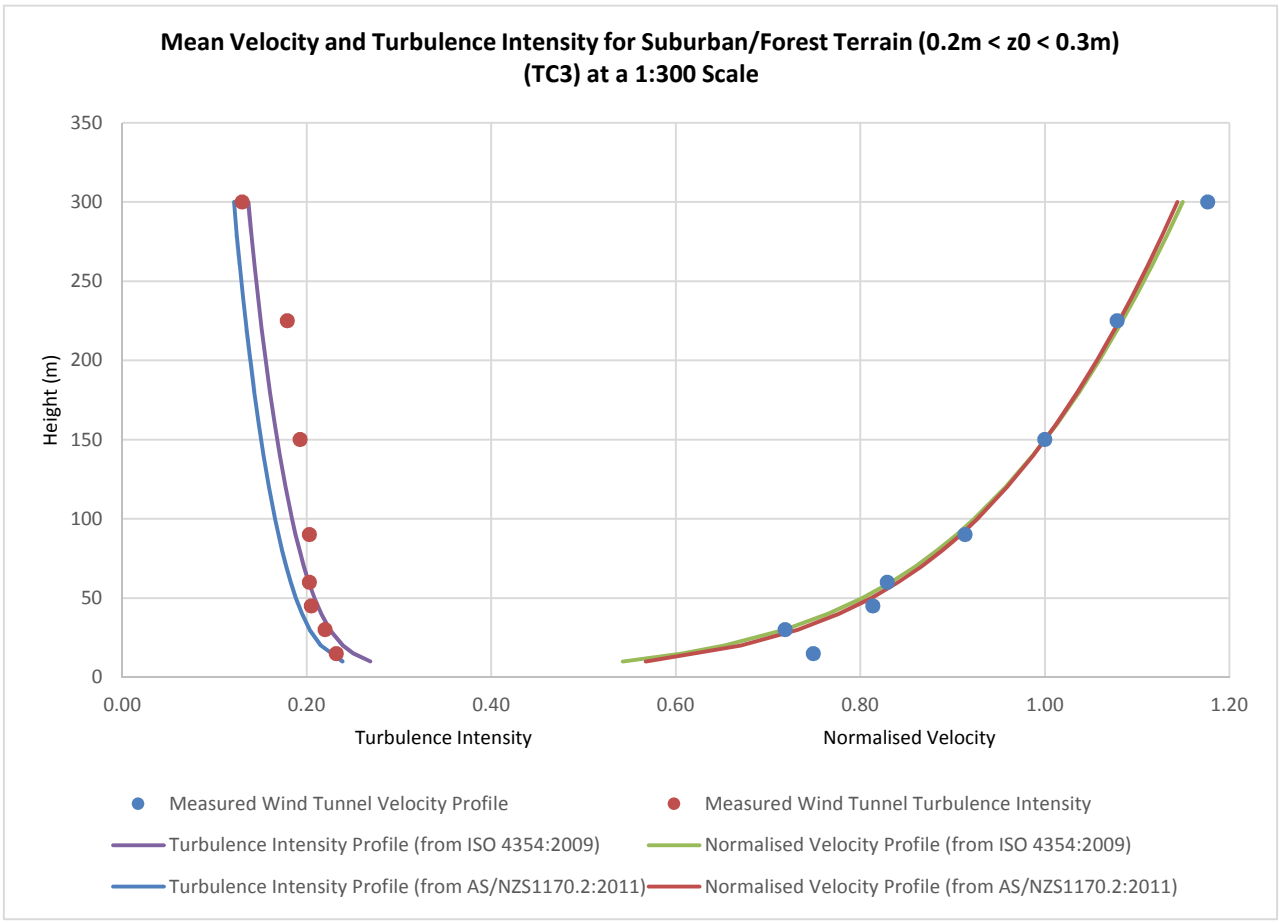
Gust Velocity Coefficients

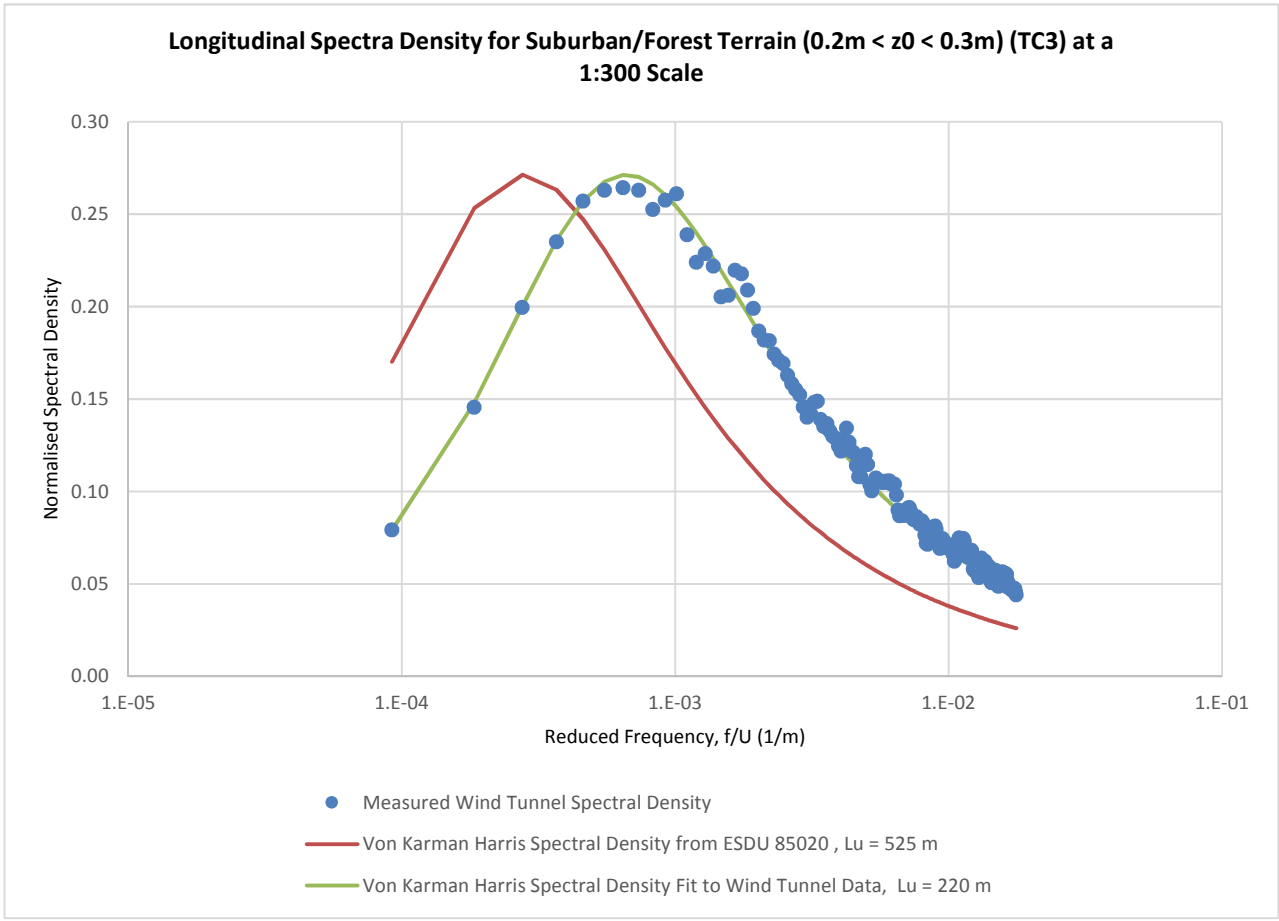
Massing Case: Inclusion of the Reference Design Scheme, no vegetation or other treatments.

APPENDIX E VELOCITY AND TURBULENCE INTENSITY PROFILES


Mean Velocity and Turbulence Intensity for Open Terrain (0.02m < z0 < 0.03m) (TC2) at a 1:300 Scale
Height (m)
350
300
250
200
150
100
50
0
0.00
0.20
0.40
0.60
0.80
1.00
1.20
Turbulence Intensity
Normalised Velocity
Measured Wind Tunnel Velocity Profile
Measured Wind Tunnel Turbulence Intensity
Turbulence Intensity Profile (from ISO 4354:2009)
Normalised Velocity Profile (from ISO 4354:2009)
Turbulence Intensity Profile (from AS/NZS1170.2:2011)
Normalised Velocity Profile (from AS/NZS1170.2:2011)


Longitudinal Spectra Density for Open Terrain (0.02m < z0 < 0.03m) (TC2) at a 1:300 Scale
Normalised Spectral Density
0.35
0.30
0.25
0.20
0.15
0.10
0.05
0.00
1.E-05
1.E-04
1.E-03
1.E-02
1.E-01
Reduced Frequency, f/U (1/m)
Measured Wind Tunnel Spectral Density
Von Karman Harris Spectral Density from ESDU 85020 , Lu = 435 m
Von Karman Harris Spectral Density Fit to Wind Tunnel Data, Lu = 185 m


Mean Velocity and Turbulence Intensity for Suburban/Forest Terrain (0.2m < z0 < 0.3m) (TC3) at a 1:300 Scale
Height (m)
350
300
250
200
150
100
50
0
0.00
0.20
0.40
0.60
0.80
1.00
1.20
Turbulence Intensity
Normalised Velocity
Measured Wind Tunnel Velocity Profile
Measured Wind Tunnel Turbulence Intensity
Turbulence Intensity Profile (from ISO 4354:2009)
Normalised Velocity Profile (from ISO 4354:2009)
Turbulence Intensity Profile (from AS/NZS1170.2:2011)
Normalised Velocity Profile (from AS/NZS1170.2:2011)


Longitudinal Spectra Density for Suburban/Forest Terrain (0.2m < z0 < 0.3m) (TC3) at a 1:300 Scale
Normalised Spectral Density
0.30
0.25
0.20
0.15
0.10
0.05
0.00
1.E-05
1.E-04
1.E-03
1.E-02
1.E-01
Reduced Frequency, f/U (1/m)
Measured Wind Tunnel Spectral Density
Von Karman Harris Spectral Density from ESDU 85020 , Lu = 525 m
Von Karman Harris Spectral Density Fit to Wind Tunnel Data, Lu = 220 m

Attachment A12

Pedestrian Comfort Assessment



383 Kent Street: Pedestrian Comfort Assessment

Reference: 015-C 383KSPCA

FINAL 21.07.2023



MOVISSIAN
SHAPING PLACE & MOVEMENT

Executive Summary

This Pedestrian Comfort Assessment (PCA) Report has been prepared by Movissian in support of a Planning Proposal to amend the Sydney Local Environmental Plan 2012 (Sydney LEP). This report has been prepared on behalf of Charter Hall Holdings Pty Ltd (Charter Hall) (the Proponent) and it relates to a single development lot identified as Lot 1 in DP 778342 or 383 Kent Street, Sydney (the site).

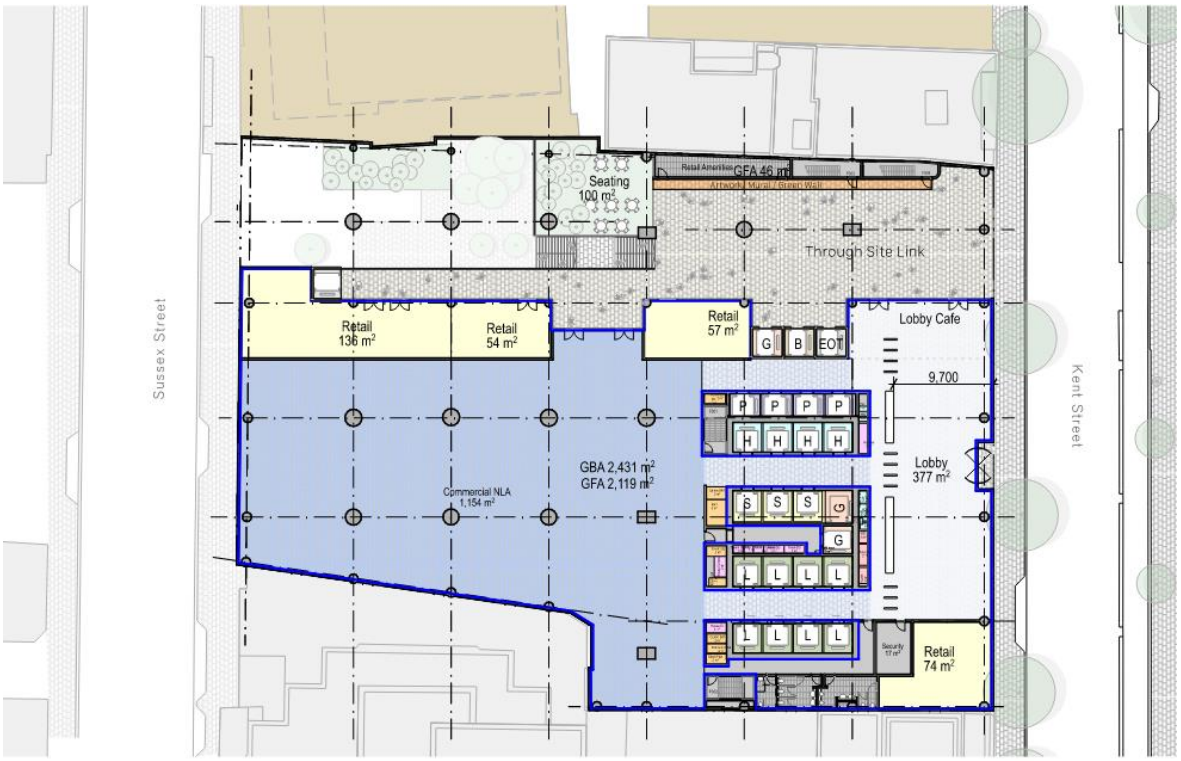


Figure 1 383 Kent Street – street interface

The PCA has followed TfNSW's Walking Space Guide which is a requirement of the City of Sydney Guidelines for Site Specific Planning Proposals. The assessment has looked at four scenarios:

1. 2022 Existing: Existing (post covid) conditions based on recorded observations and data. This sets the baseline for analysis.

2. 2042 Existing Development, Future Background Flows: Future 2042 Performance including background growth due to employment (@0.4% per annum). This sets the baseline for future analysis.

3. 2022 Future Development, Existing Background Flows: A new 65,110m^2 NLA (~75,021m^2 of GFA) development in operation as of 2022 with existing background flows. This assumes a similar occupancy/profile as of 2022.

4. 2042 Future Development, Future Background Flows: Future 2042 Performance including background growth due to employment and the *net* impact of the future development at 383 Kent Street. This assumes a proxy – return to pre-covid behaviours.

A pedestrian survey was undertaken to derive Street Type classifications. The results indicated that the west side of Kent Street should be classified at the low end of a Street Type 4, whereas the east side is classified as a Street Type 3. The Street Type 4 band relates to a pedestrian peak hour volume between 400 p/hr and 2000 p/hr. The results across scenario 1-3 are the same as the volumes are estimated to stay within this range. Only in Scenario 4, which assumes a higher

return to the city akin to pre-covid behaviours does the southern-west side of Kent Street move into a Type 5 classification.

The review shows:

- The east side of Kent Street has a modal performance of Level of Service C, but does narrow in places around trees/furniture that create the Walking Space metric of Level of Service D-E.
- The west side of Kent Street and the east side of Sussex Street are both expected to be largely unchanged and can both meet a Level of Service C criteria under the Walking Space Guidelines.
- The 383 Kent Street property itself has very few obstructions and fronts to parked cars along the length of the title boundary. As such, for all scenarios, **Level of Service C** can be provided if 3.7m of width is maintained and assumes parked vehicles are retained (or even better, the parking lane is returned to pedestrians). The reference design maintains this width along the frontage of Kent Street.
- It is noted that several localised areas along the western pavement between Market and King streets narrow due to trees, poles, a phone booth, parking meters, benches and a bus stop. The Walking Space analysis indicates these localised points are considered Level of Service F – even at existing demand levels. This holds true for Scenarios 2 and 3. The Walking Guide indicates that, to achieve Level of Service C, a clear channel (excluding the obstructions and recognising areas adjacent to moving vehicles) of 3.7m. The total width of the pavement is approximately 3.7m.
- For the future Scenario 4, where behaviours are moving towards to 2019 levels, the south-west side (south of 383 Kent Street) is estimated to be within a Type 5 classification, and therefore puts pressure on pavement widths and the ability to maintain the bus stop at the existing location.

Recommendations to improve pinch-point areas in the short term include:

- Removal of Telstra cabinet (responsibility of the City of Sydney)
- Removal of parking meter directly outside of 383 Kent Street (responsibility of City of Sydney). If this is achieved, and the development maintains the 3.7m outside, then LoS C can be achieved. Two localised reductions in width will still be evident at the two tree locations outside of the development – but the value of the trees (shade and urban amenity) – should outweigh the reduction in Level of Service.
- Static survey around the public bench (location #4) at the north-west of Kent Street – to understand usage and whether this is better placed elsewhere (CoS). This is recommended on the basis that observations showed little usage of the bench, and its adjacency to both the signalised intersection and moving traffic would indicate extra width in this location would offer better value for pedestrians.
- Review of the lamp post/traffic signal pole at the South-East corner of Kent/King (responsibility of the City of Sydney). Existing observations showed this to be a pinch-point – and likely to be a constraints/compromise as a result of the inclusion of the cycle lane.

Recommendations to improve walking performance as volumes, arrival/departure profile and occupancy trend towards Scenario #4:

- Removal of parked vehicles and extend the footpath all the way to Market/Kent intersection (responsibility of the City of Sydney).
- Consider moving the bus stop to an indent just further north of 383 Kent Street (i.e. to approximately where the parked motor bikes are currently located). (responsibility of TfNSW/CoS)
- Encourage greater usage of both sides of Kent Street – by usage of a zebra crossing which is likely to be needed to aid the cross city through links. (responsibility of City of Sydney /TfNSW). This shares arrival / departure demand across both sides of the street.

Recommendations for the next stage of the development design include:

- Review of the quantum and placement of the entrance portals to the building. There may be better opportunities to have the main 'postal address' revolving door as shown, but with a secondary, larger entrance (potentially sliding doors subject to wind impacts) for staff movements in/out of the laneway as well as one within the noted 'retail' outlet at the south. This will be dependent on speedstile locations and hence lift core, so can be reviewed during the subsequent design competition stage.

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Appendix

A: Footpath Measurements

B: Pedestrian Counts

1 Introduction

This Pedestrian Comfort Assessment Report has been prepared by Movissian in support of a Planning Proposal to amend the Sydney Local Environmental Plan 2012 (Sydney LEP). This report has been prepared on behalf of Charter Hall Holdings Pty Ltd (Charter Hall) (the Proponent) and it relates to a single development lot identified as Lot 1 in DP 778342 or 383 Kent Street, Sydney (the site).

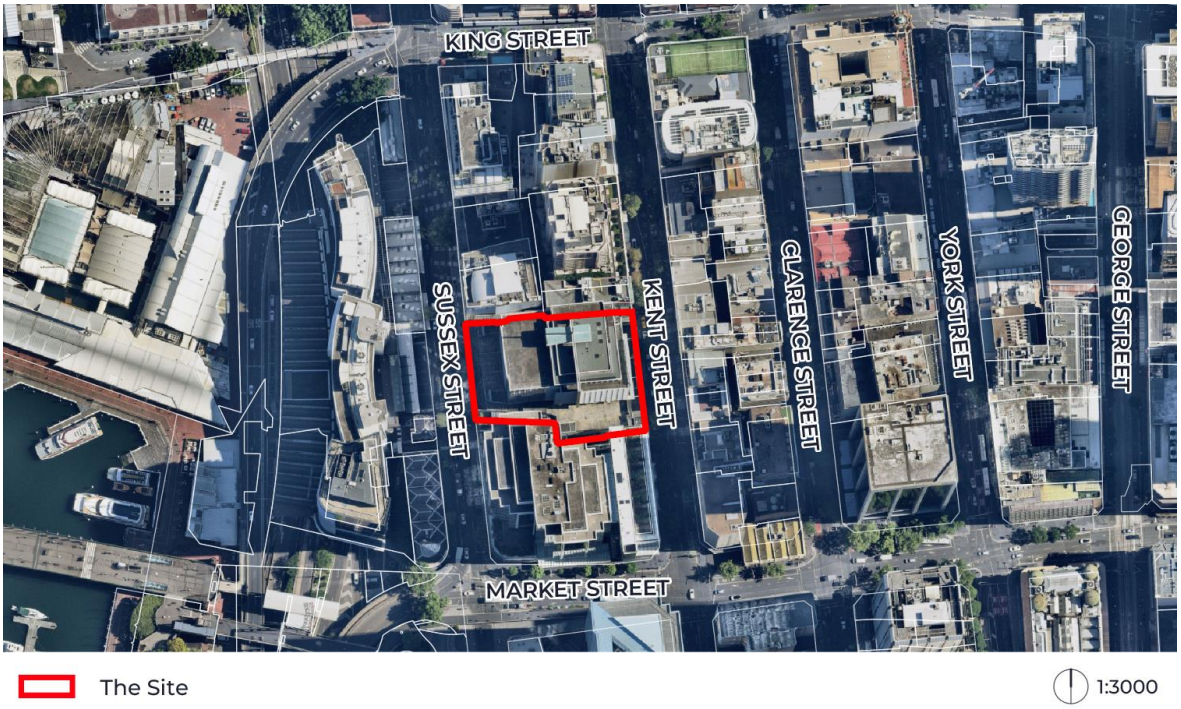


Figure 2 Aerial Map [*Source: Nearmap, edits by Ethos Urban*]

The purpose of this Planning Proposal is to amend the site's maximum Height of Building development standard and maximum Floor Space Ratio (FSR) development standard to unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the Central Sydney Planning Strategy (CSPS) for tower cluster sites. This Planning Proposal will also seek to facilitate significant public benefits through additional site activation by way of a new pedestrian through-site link, shared loading dock facility and delivering on sustainable initiatives to contribute to the City of Sydney's vision to achieve net zero energy buildings.

The proposed Sydney LEP amendment is part of the broader redevelopment plan for the site to demolish the existing structure on the site (including the existing 10 storey car park), and construct a new 42 storey commercial office tower with a total GFA of approximately 75,021m^2.

1.1 Indicative Reference Scheme Overview

The reference scheme supporting the Planning Proposal and site specific DCP can be described as follows:

- Demolition of the existing building, including removal of the over 800 capacity public car park.
- Construction of the following:
  - New 42-storey office tower comprising a total GFA of 75,021m^2, up to a height of RL 189.60 (approximately 170m above Kent Street and 180m above Sussex Street).

- New premium-grade commercial floorspace totalling 71,497m^2 of GFA.
- New through-site link connecting Kent and Sussex Streets, including public art activation.
- New ground floor activation opportunities, including 640m^2 of retail GFA.
- 2 levels of basement, comprising:
  - Basement Level 1 facilitating 70 car parking spaces; and
  - Sussex Street ground level shared loading dock facility including SRV and MRV short term stay bays to service retail tenancies within buildings along Kent Street (located between Market Street and King Street).
- New end of trip facilities below the Kent Street ground level comprising 1,976m^2 GFA.

The reference design drawing below shows the main entry into 383 Kent Street as well as the interface to Sussex Street.

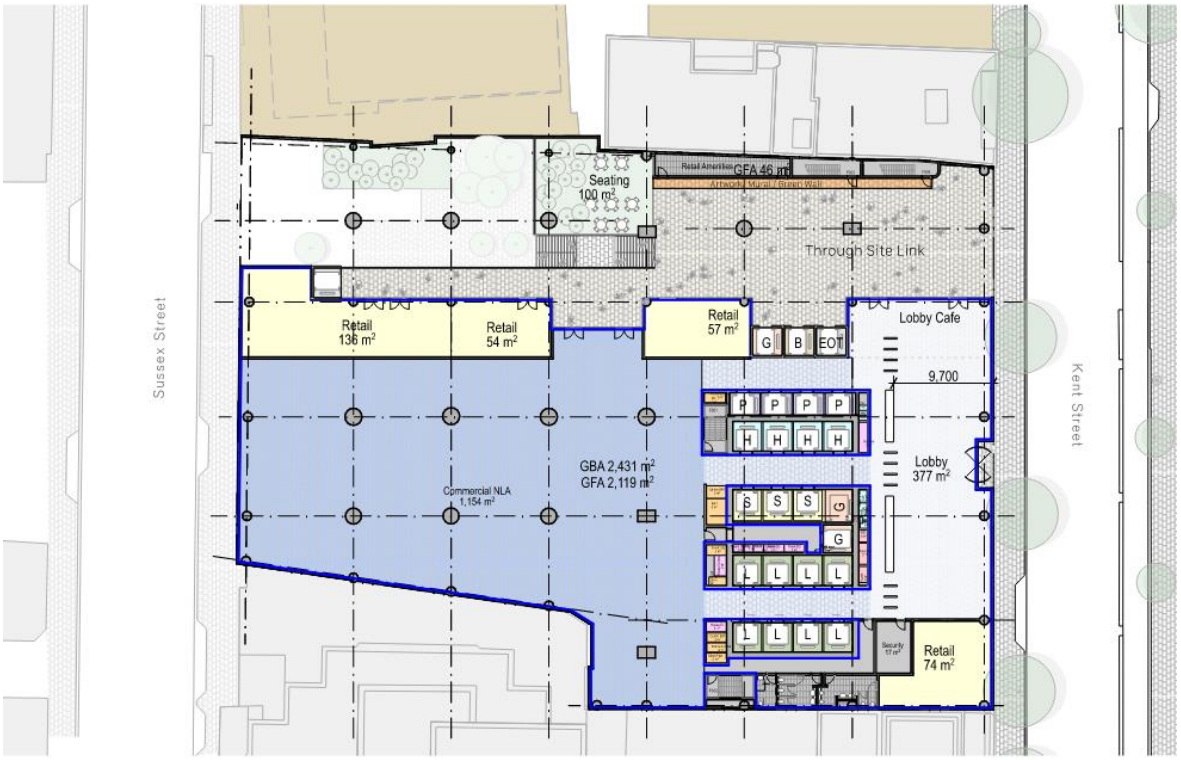


Figure 3 383 Kent Street – street interface

1.2 Pedestrian Comfort Assessment Analysis

The analysis has focussed on a] both sides of Kent Street as well b] the two adjacent intersections north and south. The review has also considered the movements along Sussex Street. The analysis provides TfNSW and CoS considerations of action for the future that are in their direct control and informs Charter Hall on the parameters and opportunities to improve pedestrian amenity around the development in their control.

The assessment has followed the Walking Space Guide framework. The Walking Space Guide has been complimented by the following:

- Site visit and observations
- A walking journey assessment from key transport modes of arrival
- Survey of pedestrian activity for both AM and PM peaks along footpaths and at the two intersections (Market/Kent and King/Kent)
- A count of movements into/out of 383 Kent Street to provide a post-covid arrival / departure profile for the existing tenants
- A review of the 2016 Census data for the specific DZN in which the development sits and provide a high-level assessment of the impact of Metro West.
- A review of the transport trips within Sydney in 2019 compared with 2022 (to provide a Covid adjustment)
- A review of the intersections of Market/Kent and King/Kent to understand the ability for the reservoir spaces to absorb the additional demand

The combination of data sources as well as the observations of behaviour on-site have informed the recommendations of the study.

2 Study Area

2.1 Context

The building of 383 Kent Street sits between King Street to the north and Market Street to the south. The main entry of the building is via Kent Street, although there is an opportunity to enter the building from Sussex Street. The proposed development increases the NLA from just under 18,000m^2 of NLA[1] to approximately ~65,110m^2 of NLA (based on ~75,021m^2 of GFA). The dotted area in red has been used to define the study area.

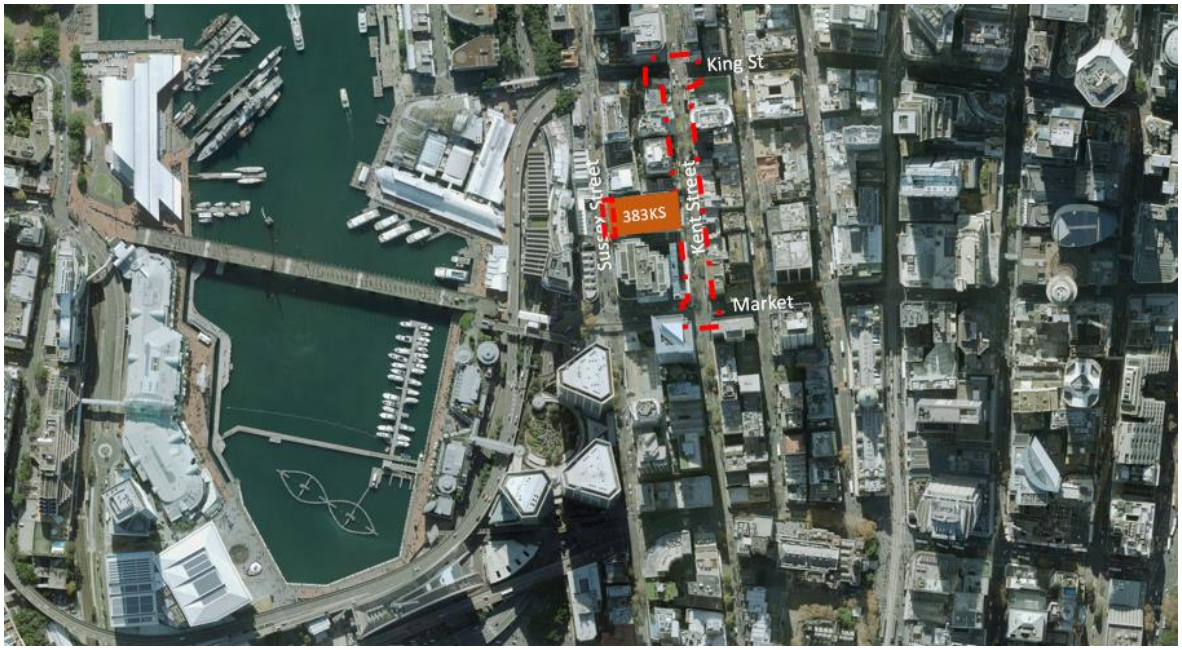


Figure 4: Study area denoted by red dotted line

2.2 Existing & Future Arrival Modes

The opportunities to access 383 Kent Street using mass transit modes are excellent. Figure 5 shows the relationship between the site and the surrounding transit nodes. Not only is the building located within easy reach of these nodes, but most of the walking routes to/from these transit hubs are in highly pedestrianised environments (e.g., Pyrmont Metro via the bridge, Martin Place via the existing streetscape network, Town Hall/Pitt St stations via underground connections or George Street pedestrianised shareway). The ambition for the site should therefore be to encourage a high public transport access strategy.

The routes also indicate that Kent Street is the primary arrival point. There are opportunities to transfer from the extended Pyrmont Bridge to the new Sussex Place (as part of the Cockle Bay Wharf redevelopment), but that would require a grade change down to Sussex Place, only to rise again within the development. Kent Street is therefore considered the most welcoming address for staff and visitors with any vehicular modes will accessed via Sussex Street.

The study investigated the time to walk from each of the key points of arrival to 383 Kent Street. The times for each are presented in the Table 1. The interesting finding was that the timing from Town Hall Station was longer than Wynyard Station and (future) Pyrmont Station. The timing was influenced by the number of intersections required to be crossed. The quickest journey was from Wynyard Station – primarily because of the movement via the partial Kent Street Tunnel and the

[1] Sale of 383 Kent Street Sydney | Dexus

efficiency of moving either south or west at a signalised intersection which minimises waiting time.

The introduction of the new Pyrmont Station provides an efficient and largely pedestrianised walking environment. It would imply that almost all people that have the opportunity to access the new Metro station once completed would shift from using Town Hall Station as the primary arrival point (e.g., all those travelling from Paramatta). However, in terms of the PCA study, the introduction of Metro West does not influence or change movement patterns significantly. If the development was much further north then a shift to Hunter Street Station away from Town Hall Station would influence the directional approach to the building.

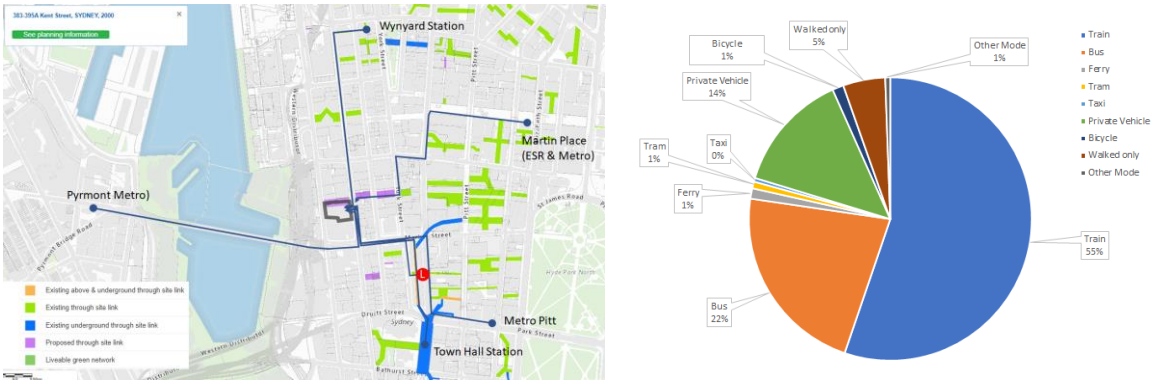


Figure 5: 383 Kent Street and routes to major transport nodes (map source: DCP), and Mode Shares

Station	Time from station (ticket line) to 383 Kent Street
Pyrmont Station	9 mins 5 seconds
Wynyard Station	7 mins 20 seconds
Martin Place (Metro)	7 mins 45 seconds
Town Hall Station	10 mins 45 seconds

Table 1: Timing from key station locations

Existing mode shares were also examined by analysing 2016 Census data (2021 data being compromised by abnormal behaviours during Covid). The data shows over 55% of people accessed the site by rail and 23% of people used Bus (or now LR). Cycling is noted as only 1% for the zone. The development will provide 500 bike spaces (7.5% of building occupancy), so contributes to the opportunity for greater use of sustainable modes of travel.

3 Approach to the Pedestrian Comfort Assessment (PCA)

A four-step approach for the PCA follows the recommendations set out in the "Walking Space Guide: Towards Pedestrian Comfort and Safety". [2] The following sections outline each of these steps in detail.

3.1 Step 1: Select and Assess the Site

A site visit was undertaken on 23rd and 24th November 2022 with a subsequent pedestrian survey undertaken on Tuesday 29th November. The site visit provided the opportunity to review behaviours during the AM, Midday and PM periods. The observations were able to answer the following questions posed within the Walking Space Guide.

Walking Guide Prompt Questions	Response
Is the footpath now (or likely to become) a walking route to or from a transport stop (bus or light rail stop or train station)?	*The footpath currently contains a bus stop to the south of the development. However, this bus stop is not a major stop with high volumes (either alighting or boarding). For rail, Metro West does not provide a significant change of walking route as the introduction of Pyrmont Station does not significantly alter the southern approach to the building.*
Does it connect major destinations?	*No. The major connections would be Pyrmont Bridge to George Street, or along the Sydney Walking 'Ribbon'. Kent Street (between Market and King Streets) is not considered part of a connection between major destinations.*
Are there any locations with high numbers of people waiting (static activity) that may require a static activity survey?	*No. There is a bus stop close by, but the volumes observed waiting were low. A café is located opposite the development on the east side of Kent Street. Again, volumes were low and not considered high enough to require a static activity survey. [see observations]*
Are there any other issues about pedestrian activity and behaviours that may be relevant?	*The area does not have many high-volume commercial developments (383 Kent Street and 2 Market Street are the only major offices in the study area). There are no major retail outlets, major restaurants, or other attractions to drive movement or waiting behaviour.*

Table 2: Walking Guide Questions

Observations

The busiest time of the day for the west side of the street was during the AM peak. Approximately 40-45% of all Northbound or Southbound movements were travelling to 383 Kent Street. The east pavement observations were very similar during both AM and PM peaks and observed to be lower during the midday. The PM peak generally showed a flatter departure profile, and this is reflected in the PM pedestrian counts. Midday was relatively quiet – mainly because the footpath is not part of a major connection to shopping/lunch destinations. The west side of Kent Street (where the development sits) was busier than the east side. But this was largely driven by the commercial offices of 383 Kent Street and 2 Market Street. The survey counts were therefore focussed on the AM and PM peak periods.

Passengers were seen waiting and alighting buses at the nearby bus stop. Observations (and filming at this location) showed negligible impediment to movement because of the alighting or waiting behaviour. During the AM peak, waiting was negligible. During the PM period, the adjacent food outlet removed the outdoor furniture and an additional circulation width is provided by the 2 Market Street development (see Figure 6). The area could be improved during

[2] Walking Space Guide (nsw.gov.au)

the AM peak by removing (or finding an alternative placement) of the Cali Press retail advertising board.

The café across the road to the development was seen as being active, but not especially busy. People were seen crossing the road away from the intersection to get to the café.

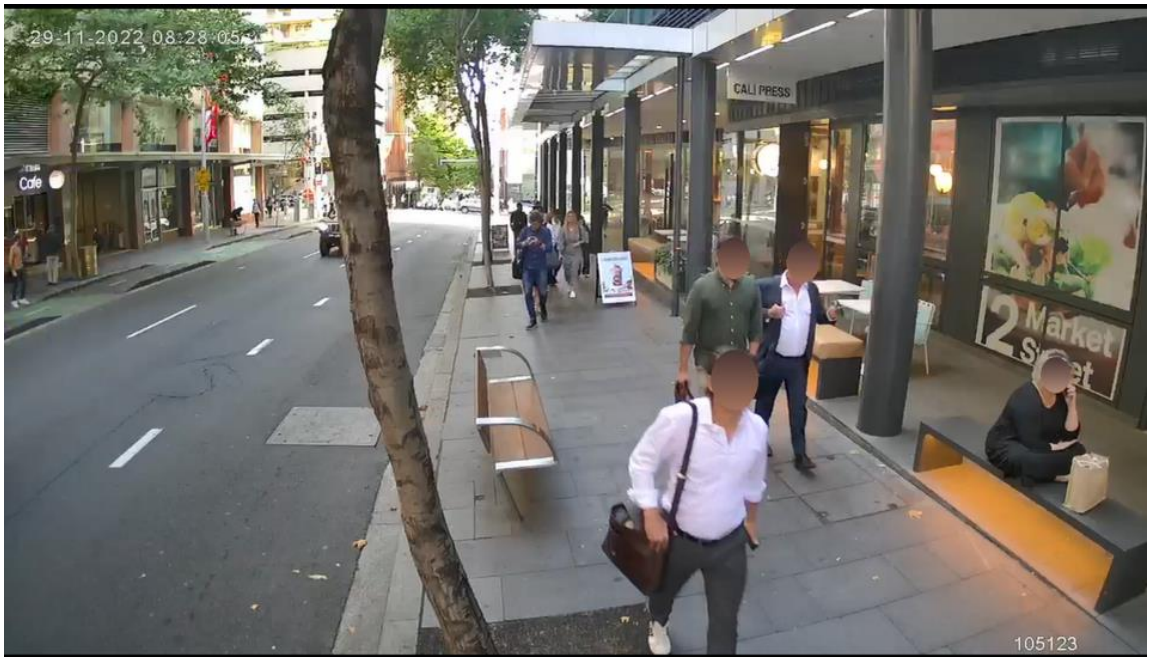


Figure 6: Bus Stop, west side of Kent Street, looking south, 29th November 2022 AM Peak (08:28)

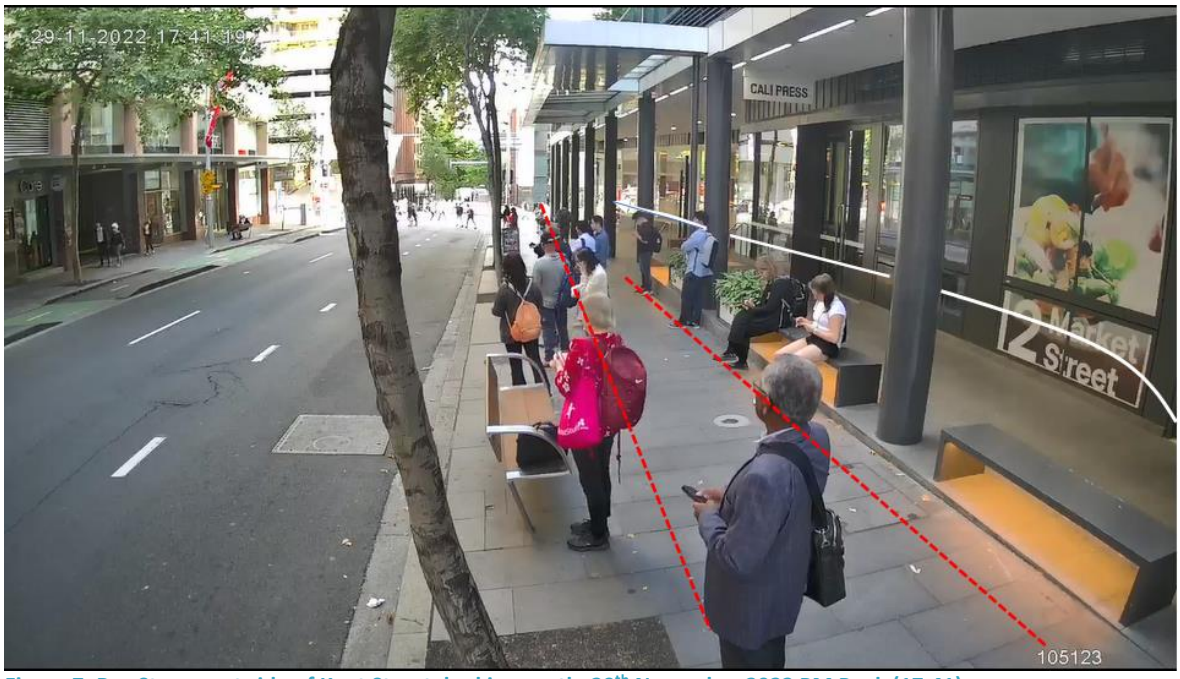


Figure 7: Bus Stop, west side of Kent Street, looking south, 29th November 2022 PM Peak (17:41)

Footpath Dimensions for Assessment

Measurements were taken along both sides of Kent Street. Measurements were taken periodically to test overall width and were taken where any obstruction was observed. Each location (locations labelled A-T) and measurement have been provided within the Appendix. Nine key locations (labelled 1-9) were then taken forward for assessment. These are provided in Figure 8. These locations are the main pinch points along each side of the road and are not reflective of the generic modal width of the full street length. For the east side, the general (or modal) width available is approximately 2.7m-2.9m, with a maximum of 3.6m. A dedicated bike lane is adjacent to the footpath. For the west side the general mode of available width is similar, and the maximum width was measured as just over 3.7m. The difference on the west side is that a portion of the street has parked vehicles, removing the Kerb Side Traffic buffer, and a portion of the street has free flowing traffic within a 40km/hr zone.

The diagram also shows placement of parked vehicles (cars/bikes) and the location of the bus stop. The development is located within a 40km/hr CBD traffic zone.

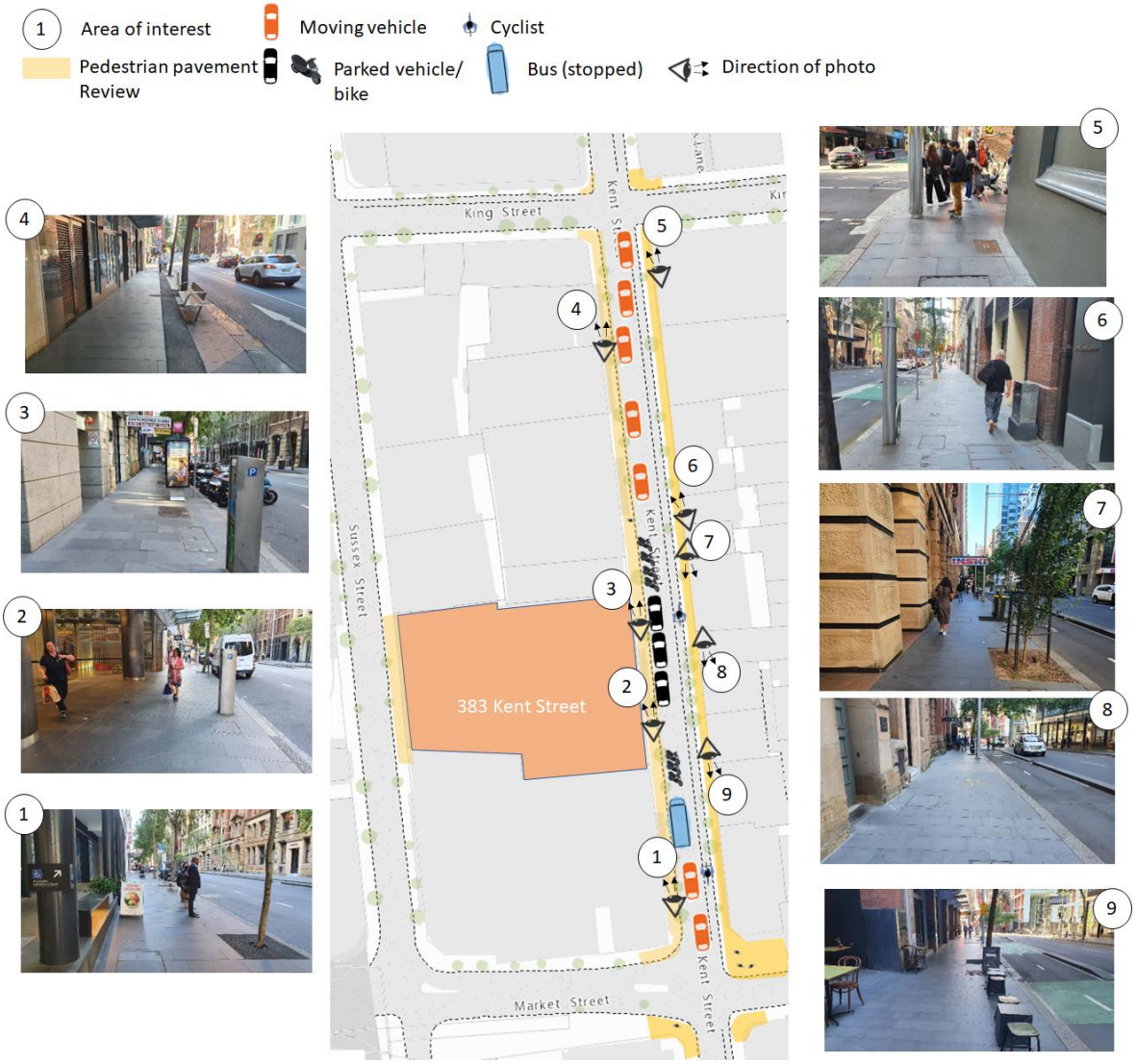


Figure 8: The nine key locations for the Pedestrian Comfort Assessment

Pedestrian Counts

The pedestrian survey counts were undertaken on 29th November for both sides of Kent Street, the two intersections (King and Market) as well as directly outside of 383 Kent Street to assess movement in and out of the existing building. The numbers entering and exiting the existing 383 Kent Street building were then used to adjust for volumes on the west side pavement (i.e. locations 1, 3, and 4).

The peak hour counts for both sides of Kent Street (including those entering and exiting 383 Kent Street) are given in the tables below. The west side shows a higher volume during the AM peak. The east side is slightly higher in the PM, but not significantly and demonstrates a more even split.

There is a dominance from the south during the AM peak – reflecting movement from Town Hall Station and Light Rail stops. This is reversed in the PM.

Time Period			West side of Kent Street								Grand Total
			Left IN	Left OUT	Right IN	Right OUT	Total	NB Incl 383KS, North of 383 KS	SB Incl 383KS, North of 383 KS	Total	
8:10	to	9:10	284	59	97	49	489	415	229	644	**1,133**
17:00	to	18:00	18	70	3	211	302	249	338	587	**889**

Table 3: Pedestrian Counts, west side of Kent Street, peak hour, 29th November 2022

Time Period			East side of Kent Street			Grand Total
			NB	SB	Total	
8:00	to	9:00	209	115	324	**324**
17:00	to	18:00	187	170	357	**357**

Table 4: Pedestrian Counts, east side of Kent Street, peak hour, 29th November 2022

Background Flow uplift

The TfNSW Travel Zone explorer was utilised to estimate the uplift to background flows up to 2042. Six travel zones either side of Kent Street were used as a proxy for movement through the study area. This provided a per annum uplift factor of 0.4%. This is relatively low for Sydney CBD, and likely to reflect this specific corridor.

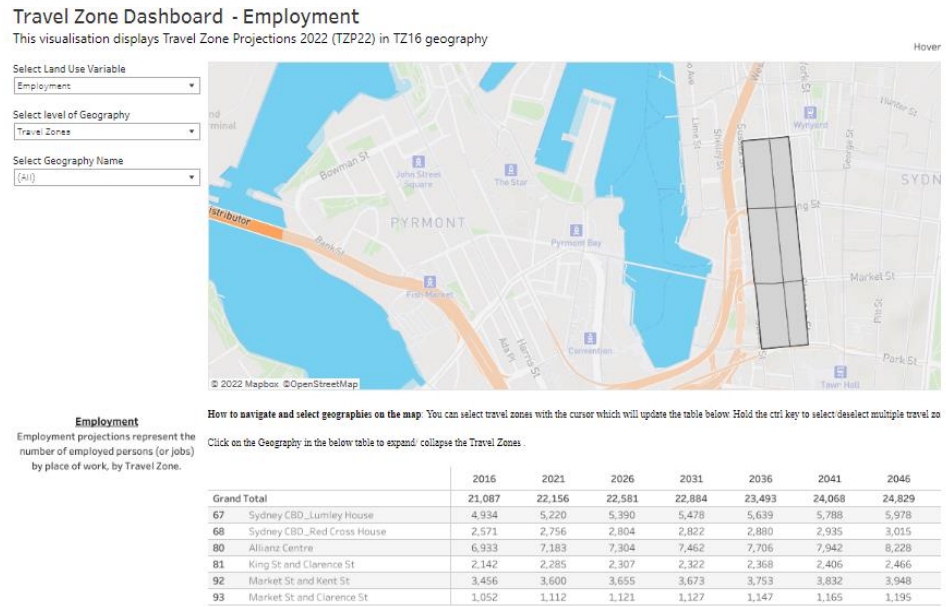


Figure 9: Employment forecasts to aid uplift of background flows [*Source:* Travel Zone Explorer - Visualisation | Transport for NSW]

3.2 Step 2: Classify Footpath Types

The pedestrian survey was undertaken for both the AM (3hrs) and PM (2hrs) peaks. These were the two peaks observed to have the greatest movement activity. The peak hour demand for both AM and PM were then utilised for the analysis. Note the demand values includes the existing patrons of 383 Kent Street. The approach used for the 'Footpath Type' is based on the peak hour flows as outlined in the Walking Space Guide (using Table 2A, Page 22 of 58). Table 5 shows the resultant classifications.

Location# (see Figure 8)	Location Description	Peak Hour Flows (Based on observed data)	Footpath Type (Based on Table 2A of the Walking Guide)
1	Bus Stop, west side	821	Type 4
2	Between Parking Meter and 383 KS property Line, west Side	537	Type 4
3	At Telstra Phonebooth, west side	644	Type4
4	At bench, west side	644	Type 4
5	At intersection (SE of Kent/King) between lamp post and wall, east side	357	Type 3
6	Between signal box and lamp post, east side	357	Type 3
7	Between newly planted tree and building edge, east side	357	Type 3
8	At widest part of east side of Kent Street, east side – directly opposite 383 Kent Street	357	Type 3
9	In between furniture, east side	357	Type 3

Table 5: Footpath Classifications

The table shows the east footpath (locations 1-4) have the highest volumes and are classified as 'Type 4'. Locations on the east of Kent Street are classified at the high end of Type 3.

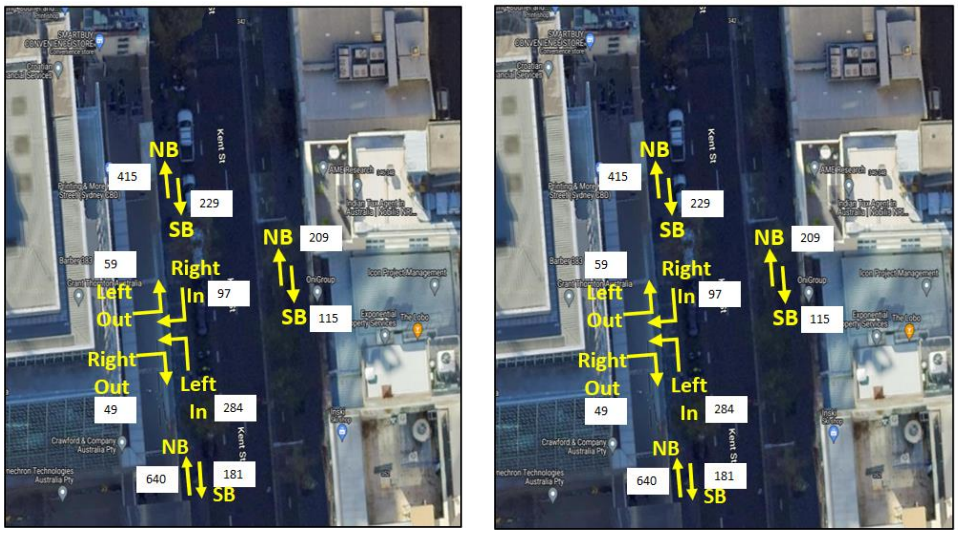


Figure 10: Peak hour flows during AM (left) and PM (right) periods, Nov 2022

3.3 Step 3: Determine the Walking Space

An assessment was undertaken to determine the Walking Space used to then define the Level of Service. The Walking Space was calculated based on the overall footpath width minus:

- Kerbside Traffic Buffer: The development is situated in a 40km/hr CBD Traffic area. A kerbside buffer of 1.2m is therefore applicable at certain locations.
- Width of obstructions: The available pavement width at key locations is provided in the appendix.
- Any Static Activity: Whilst a bus stop is placed south of the development, a static assessment was not undertaken given low volumes.
- Active Edges: not applicable as there are no significant active edges along either side of Kent Street.

The resultant walking space for each of the nine locations is given in Table 6.

Location#	Walking Space (unadjusted)	Adjustment	Comment
1	2400mm	None.	Note, the retail board (see Appendix, Location B), is a temporary board, and therefore for the purposes of this assessment is assumed to be able to be relocated easily. The measurement does however consider waiting passengers.
2	2531mm	None	Opportunity to utilise full width of pavement if meter is removed given parked vehicles
3	2092mm	-200mm	Buffer for the physical obstruction of the advertising
4	2537mm	-500mm	For people waiting (although no one observed to sit at this bench)
5	1983mm	None	Based on 'Individual Posts', page 40 of the Walking Guide
6	2290mm	None	Based on 'Individual Posts', page 40 of the Walking Guide
7	1896mm	None	This has the opportunity to increase in width as the tree matures and the protective cage could be removed.
8	3510mm	None	Adjacent to bike lane, not a vehicular lane
9	2400mm	None	Lane in between furniture.

Table 6: Walking Space with adjustments and comments

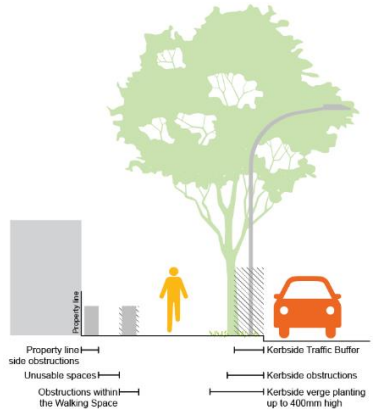


Figure 11: Walking Space were derived based on the intent provided within the Walking Space Guide.

3.4 Step 4: Assessment

The following scenarios have been assessed:

1. **2022 Existing**: Existing (post covid) conditions based on recorded observations and data. This sets the baseline for analysis.

2. **2042 Existing Development, Future Background Flows**: Future 2042 Performance including background growth due to employment (@0.4% per annum). This sets the baseline for future analysis.

3. **2022 Future Development, Existing Background Flows**: A new ~65,110m^2 NLA (~75,021m^2 of GFA) development in operation as of 2022 with existing background flows. This assumes a similar occupancy/profile as of 2022.

4. **2042 Future Development, Future Background Flows**: Future 2042 Performance including background growth due to employment and the *net* impact of the development at 383 Kent Street. This assumes a proxy – return to pre-covid behaviours, but still reflects a shift to a more flexible arrival profile than is evident today.

1. Existing Conditions

The assessment of the walking types (Types 3 & 4) indicates that the target Walking Space to meet the Walking Space Guide LoS C criteria is 3.7m for Type 4 and 3m for Type 3 (excluding Kerbside Traffic Buffers). Type 4 is triggered if the peak hour volumes range from 400-2000 per hour. On a per minute basis this is estimated to equate to 8 people per minute through to 40 people per minute. This range of flow rate would traditionally be described as being Fruin LoS A Walkways through to Fruin LoS C Walkways and would indicate a significant range. The impact and physical characteristics of a flow of 40 people per minute is very different to that of 8 people per minute. The London TfL Pedestrian Comfort Levels (PCL) of 9-11 people per metre per minute or PCL B+ would be considered to be a desirable comfort level.

The inclusion of trees and other obstructions noted in Table 6 show that the Walking Space is reduced from the maximum footpath width of 3.7m, to widths ranging from ~2.0m through to ~3.5m. The generic modal width along each footpath is 2.7m-2.9m.

The analysis process of the Walking Guide indicates that, at the assessment points, the current existing conditions of the pavement LoS along the eastern side of Kent Street are all **Level of Service F – "intervention triggers".** This is because the Walking Space Guide recommends a Type 4 street to have a target width of 3.7m to meet the Level of Service C and a Level of Service F is triggered for walking space less than 2.7m. The full widths of the pavements are approximately 3.7m and 3.5 metres for the west and east sides of Kent Street respectively. This analysis indicates that the Walking Guide Level of Service target metric can only be met on the eastern side if all furniture is removed (and some considerations of a buffer for the bike lane). The Walking Space performance metric can only be met on the western side if a traffic lane is removed (and this cannot be achieved at the northern part of the street). This is for existing conditions. This feels at odds with existing observations and footage which does not show the need for LoS F intervention triggers – even at the assessment points**.**

For the majority of the footpaths, (i.e. the modal widths), the performance based on the Walking Space Guide would be LoS E on the west where parked cars are evident, and LoS C on the east side.

LocM5+A 5:M14	Location Description	Observed Peak Hour flow rate	Observed Peak 5 minute Flow	Footpath Type	Active Building Edge	PPMM (Walking Guide = Observed Pk hr/60)	Walking Space	LOS - Walking Guide	Flow rate (based on observed peak 5mins)	LOS - Fruin Walkways
1	Bus Stop, west side	821	100	4	Not Adjacent	5.7	2.40	F	8.3	A
2	Between Parking Meter and 383 KS property Line, west Side	537	70	4	Not Adjacent	3.5	2.53	F	5.5	A
3	At Telstra Phonebooth, west side	644	85	4	Not Adjacent	5.7	1.89	F	9.0	A
4	At bench, west side	644	85	4	Not Adjacent	5.3	2.04	F	8.3	A
5	At intersection (SE of Kent/King) between lamp post and wall, east side	357	56	3	Not Adjacent	3.0	1.98	F	5.6	A
6	Between signal box and lamp post, east side	357	56	3	Not Adjacent	2.6	2.29	E	4.9	A
7	Between newly planted tree and building edge, east side	357	56	3	Not Adjacent	3.1	1.90	F	5.9	A
8	At widest part of east side of Kent Street, east side – directly opposite 383 Kent Street	357	56	3	Not Adjacent	1.7	3.51	A	3.2	A
9	In between furniture, east side	357	49.98	3	Not Adjacent	2.5	2.40	D	4.2	A

Figure 12: Walking Space Guide Level of Service Assessment, Existing Conditions.

Summary Point #1 – Existing Conditions

The maximum width of the Kent Street pavement is 3.7m – so there is little opportunity to meet the Walking Space Guide's Level of Service C Target – even during existing (post covid) conditions. Traffic lanes are adjacent to the pavement for approximately 60% of the road between King and Market Streets. Therefore, an additional 1.2m of width is required in certain locations to cater for the 40km/hr speed restrictions.

An analysis taking into consideration the observed peak 5-minute flows and reflecting a Fruin Walkways analysis was also undertaken. The flows per metre per minute ranged from 3.2people/m/min through to 9.0 people/m/min. These rates are very low and would be considered to meet the desirable flow of PCL B+ if the TfL Pedestrian Comfort Guidelines are utilised. The physical characteristic of this flow would be described as 'free circulation' and be considered as Level of Service A – Fruin Walkways. This aligns to the video footage of the survey. Hence, even with obstructions, it is unclear why an 'intervention trigger' is required.

The analysis also shows for sites 8 and 9 that the difference in flow rate *per metre per minute* is 1 person. Yet the corresponding Walking Space metric increases from Level of Service A through to Level of Service D. This is because Walking Space Guide is driven by bands of widths for Footpath type (which itself is a large range of volume), and not for the resultant per minute flows.

The per minute flow for each location was also mapped the Walking Space Guide's research of 'Comfort vs. Flow'. This is shown in Figure 13. It shows that the percentage of people having comfort at these assessment locations are above 50%. The intent of the guide is that 50% and more people should feel comfortable to meet the target. On this basis, only the locations of 1, 3 and 4 are the ones in which further investigation may be warranted. Location 2 – directly at 383 Kent Street can utilise the full pavement width (of 3.7m) given parked vehicles *if* the parking meter is removed. This then provides a **Walking Space Guideline of Level of Service C**.

Figure 15 – Percentage of people comfortable versus flow

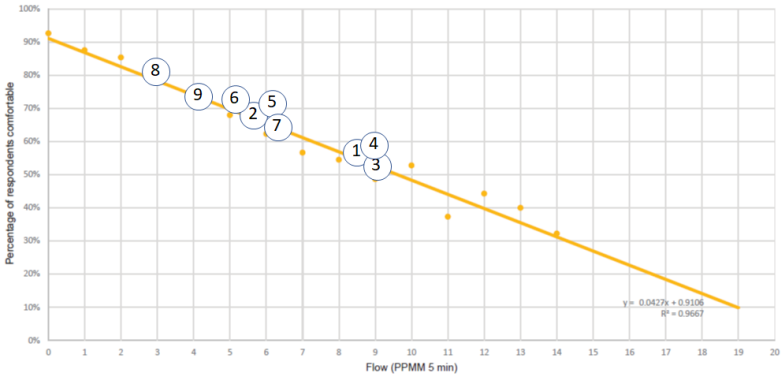


Figure 13: Observed Peak Per Minute flows (PPMM) plotted against the research underpinning the Walking Space Guide

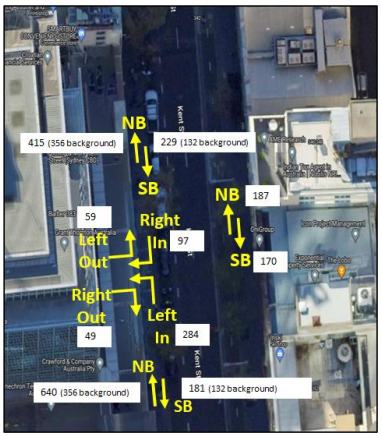
Summary Point #2 – Recommendation for the development to meet LoS C

With respect to the 383 Kent Street development – the modal pavement widths directly outside of the building entrance (i.e. from property line to the kerb) are approximately 3.7m. The design (see Figure 1) shows the development building edge is aligned to the footages of the adjacent buildings and so aims to maintain these modal pavement widths. The adjacency of the parked vehicles means that the whole width can be used and therefore 383 Kent Street is predominantly **Level of Service C.** The only main pinch point is the parking meter, which is recommended to be removed given there are two meters within the length of 383 Kent Street block title. There are also two trees (see Location D in the appendix). As such, the key for the development is to maximise the opportunity to maintain 3.7m – assuming either parked vehicles are maintained or, even better, the parking area is returned to pedestrians.

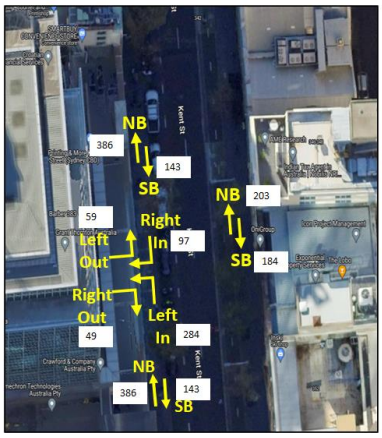
2. Existing Development with future background flows

The volume of patrons entering and exiting the 383 Kent Street building were removed from the survey counts to construct a background flow demand set. This background demand was then uplifted by 0.4% per annum over a 20-year period. Unsurprisingly, because the background demand within this corridor is low, the results for the Walking Space Guide and Fruin Walkways is the same as existing conditions. The same conclusions and recommendations from Scenario 1 therefore apply.

Existing Counts: background (extracted N/S)



Existing Development: background uplifted at 0.4% p.a over 20 years



Existing Development: N/S flows inclusive of development

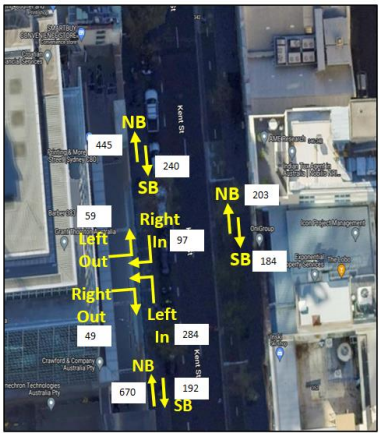


Figure 14: Background demand extracted from the counts and then uplifted at 0.4% per annum over 20 years

Loc#	Location Description	Observed Peak Hour flow rate	Adjusted Peak 5 minute flow	Footpath Type	Active Building Edge	PPMM (Walking Guide = Observed Pk hr/60)	Walking Space	LOS - Walking Guide	Flow rate (based on adjusted future peak 5mins)	LOS - Fruin Walkways
1	Bus Stop, west side	862	102	4	Not Adjacent	6.0	2.40	F	8.5	A
2	Between Parking Meter and 383 KS property Line, west Side	578	72	4	Not Adjacent	3.8	2.53	F	5.7	A
3	At Telstra Phonebooth, west side	685	87	4	Not Adjacent	6.0	1.89	F	9.2	A
4	At bench, west side	685	87	4	Not Adjacent	5.6	2.04	F	8.6	A
5	At intersection (SE of Kent/King) between lamp post and wall, east side	387	57	3	Not Adjacent	3.3	1.98	F	5.8	A
6	Between signal box and lamp post, east side	387	57	3	Not Adjacent	2.8	2.29	E	5.0	A
7	Between newly planted tree and building edge, east side	387	57	3	Not Adjacent	3.4	1.90	F	6.1	A
8	At widest part of east side of Kent Street, east side – directly opposite 383 Kent Street	387	57	3	Not Adjacent	1.8	3.51	A	3.3	A
9	In between furniture, east side	387	56	3	Not Adjacent	2.7	2.40	D	4.6	A

Figure 15: Walking Space Guideline results and Fruin Walkway Results for Scenario 2

3. Future Development with Existing background flows

This scenario assumes the development is built and operational as of November 2022. This is purely a theoretical exercise to understand the impact of increasing the NLA of the existing building within the background demands of the noted survey date.

Since Covid has fundamentally changed travel behaviours within the CBD, both occupancy rates (i.e. number of people who travel) and arrival/departure profiles (when people travel) have been impacted by the hybrid working practices of employees. The process for estimating the future demand has been based on the existing observed demand entering/exiting 383 Kent Street and uplifting these volumes by the ratio of existing (18,000m^2) to future net lettable area (65,110m^2). i.e.

Future Peak hour entries = Existing Peak hour entries x (65,110 *[future NLA]* / 18,000 *[existing NLA]*)

Future Peak hour exits = Existing Peak hour exits x (65,110 *[future NLA]* / 18,000 *[existing NLA]*)

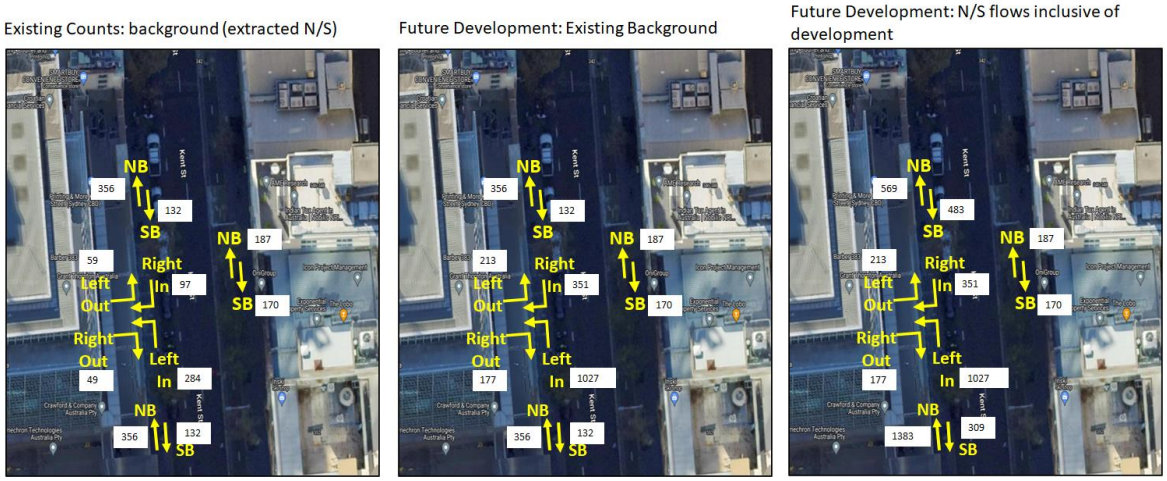


Figure 16: Future Development demand and existing background demand

The results of the Walking Space Guide analysis provide the following outcomes.

- The Classification Type is still Type 4 for the west side of the Kent Street and Type 3 for east side of Kent Street. As such, the Level of Service based on the Walking Space Guide remain the same as existing conditions (i.e. a modal result of LoS C for the west and LoS A for the east).
- Based on an adjusted estimated flow rate, the predicted flow rates through the bus stop and adjacent to the Telstra booth are approx. 18 and 20 people per metre per minute. These rates are getting high and would benefit from improvement in available walking space in areas both within and outside of the control of the Developer. The options could include:
    - Removal of the Telstra Booth. This would seem a sensible intervention measure given there are better locations available (e.g. north east corner of Market/Kent Street intersection).
    - Move the bus stop further north past the 383 Kent Street site (the highest flows are still anticipated to arrive from the south).
    - Removal of the parked vehicles/bikes. This could be enabled by the City of Sydney and aligned with the move of the bus stop. This would aid the southern portion of the west side of Kent Street. This would also seem sensible if a zebra crossing is required to aid the cross city through links.

- The performance of the west side of the Kent Street pavement is considered to be unchanged (people are expected to cross at the intersections). However, there may be an opportunity in the future for a zebra crossing located close to the development as part of City of Sydney's proposed through site (east-west) links. In this way the opportunity exists to share demand originating from Wynyard/Martin Place and Town Hall Stations via the west side of the street.
- The results also indicate that the parking meter directly outside of the development should be removed (there is a second meter very close to the north) to maximise the opportunity to have a clear 3.7m of width to align with the Walking Space Guide recommendation for a Type 4 street.

Loc#	Location Description	Future Predicted with Development	Adjusted Peak 5 minute flow	Footpath Type	Active Building Edge	PPMM (Walking Guide = Observed Pk hr/60)	Walking Space	LOS - Walking Guide	Flow rate (based on adjusted future peak 5mins)	LOS - Fruin Walkways
1	Bus Stop, west side	1,692	213	4	Not Adjacent	11.8	2.40	F	17.7	A
2	Between Parking Meter and 383 KS property Line, west Side	665	149	4	Not Adjacent	4.4	2.53	F	11.8	A
3	At Telstra Phonebooth, west side	1052	185	4	Not Adjacent	9.3	1.89	F	19.6	A
4	At bench, west side	1052	181	4	Not Adjacent	8.6	2.04	F	17.8	A
5	At intersection (SE of Kent/King) between lamp post and wall, east side	357	56	3	Not Adjacent	3.0	1.98	F	5.6	A
6	Between signal box and lamp post, east side	357	56	3	Not Adjacent	2.6	2.29	E	4.9	A
7	Between newly planted tree and building edge, east side	357	56	3	Not Adjacent	3.1	1.90	F	5.9	A
8	At widest part of east side of Kent Street, east side – directly opposite 383 Kent Street	357	56	3	Not Adjacent	1.7	3.51	A	3.2	A
9	In between furniture, east side	387	56	3	Not Adjacent	2.7	2.40	D	4.6	A

Figure 17: Walking Space Guideline results and Fruin Walkway Results for Scenario 3

Summary Point #3 – Impact of the development to Street Type Classification

With respect to the 383 Kent Street development – the future development (existing post covid behaviour) does not trigger a change to the street type. As such, the recommendations for Scenario 3 are the same as existing conditions. The adjacency of the parked vehicles means that the whole width can be used and therefore 383 Kent Street is predominantly operating at **Level of Service C.** The only main pinch point is the parking meter (location #2), which is recommended to be removed given there are two meters within the length of 383 Kent Street block title. There are also two trees (see Location D in the appendix). For scenario #3 the key for the development is to maximise the opportunity to maintain 3.7m – assuming either parked vehicles are maintained or, even better, the parking area is returned to pedestrians.

4. Future Development with Future background flows (2042)

This scenario combines Scenario 2 with Scenario 3. The difference in this scenario is that a factor has been applied to reflect an 'occupancy' return to pre-covid behaviours, but still reflects the more flexible arrival/departure profile that is observed today (i.e. the legacy of Covid is a greater acceptance by employers for more flexible work practices). This factor has been derived by comparing overall transport trips within the city both pre-covid to post-covid and using the ratio as a proxy for the covid impact. Analysis of travel trips across all travel modes in 2019 vs 2022 is shown in **Figure 18**. The number of trips in 2019 pre-Covid is approximately 66% higher than in 2022. The graph also shows a month-on-month increase in trips from February through to November 2022 which is reflected of a return-to-city behaviour. It is not clear whether this uptrend will continue to pre-covid levels, but we have assumed that they have returned to at least the trip volumes associated with 2019 (i.e. have excluded additional employment growth between 2019-2022) and have maintained the assumed floor ratio of the existing 383 Kent Street.

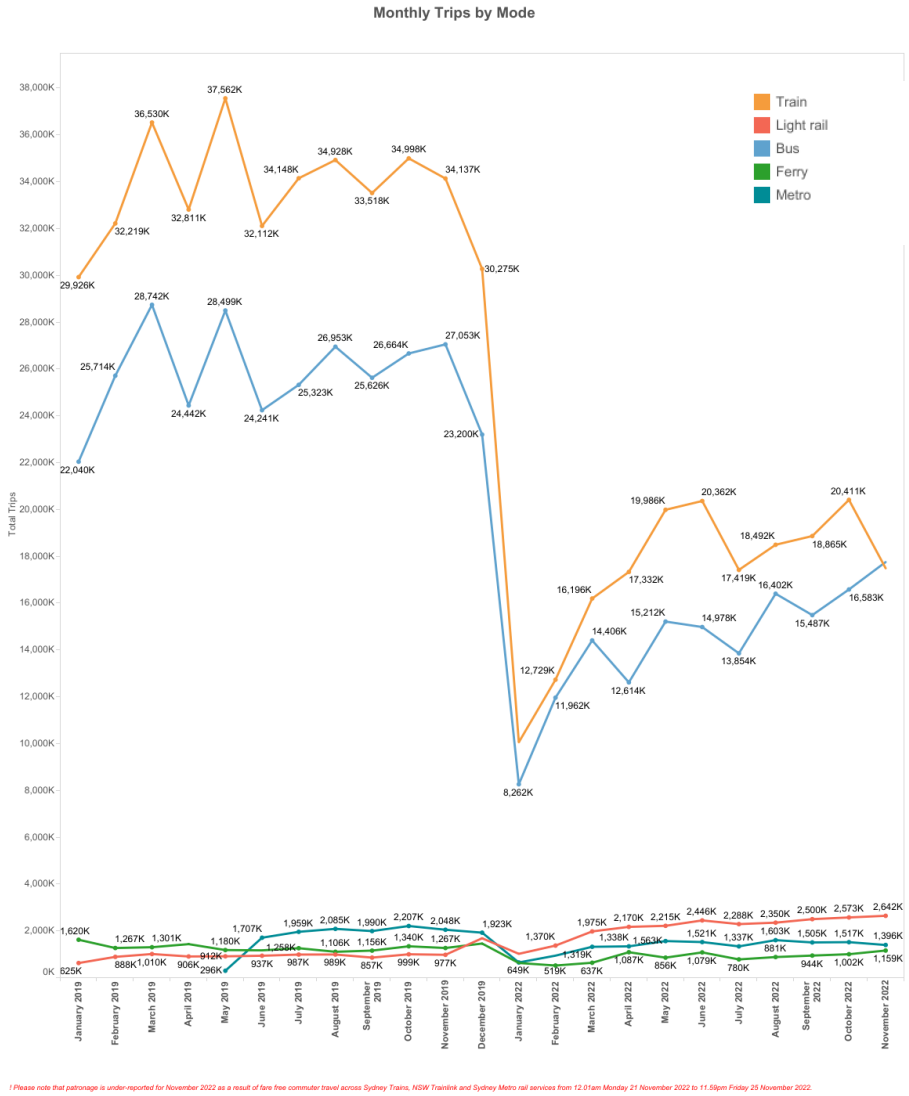


Figure 18: Comparison of 2019 vs 2022 travel trips [*Source:* Public Transport Patronage - Top Level Chart | Transport for NSW]

The results for Scenario 4 are provided in Figure 20 and indicate a total of approximately 2500 staff arriving within the peak hour (some people arrive before or after the peak). Considering bike and basement carparking, this total equates to approximately 45% of full occupancy at 1:10, and 54% of full occupancy at 1:12. Surveys pre-Covid shows arrival profiles were in the range of 55-

65% of building occupancy. Therefore, the process has (by uplifting from existing data of 383 Kent Street) reflected a more flexible working arrangements, including the time of arrival / departure.

These results indicate that the demand from the south past the bus stop may exceed 2000 people in a peak hour and move the Footpath Classification at this location into Type 5. Once people enter 383 Kent Street, the volumes reduce back to Type 4. Movement from the north is within the Type 4 classification.

The results indicate that the bus stop might be a constrained area (and would indicate a higher usage of the link adjacent to 2 Market Street during the PM peak as more people wait for buses). However, the demand across the area could be reduced with the inclusion of zebra crossing (likely with the introduction of the through-site link and other east-west through site city links as proposed and shown in Figure 5). The volumes from Town Hall Station / Light Rail are still estimated to be higher than that from Pyrmont Station and as such, there is greater opportunity to share demand across both sides of the street up to the point of the zebra crossing.

The public bench to the north of Kent Street is also identified as having high adjacent flow rates. A review of usage might indicate that the bench is not being utilised sufficiently and that an alternative placement may aid both users of the bench, and those walking along this footpath. The Telstra cabinet is also recommended for removal, if possible.

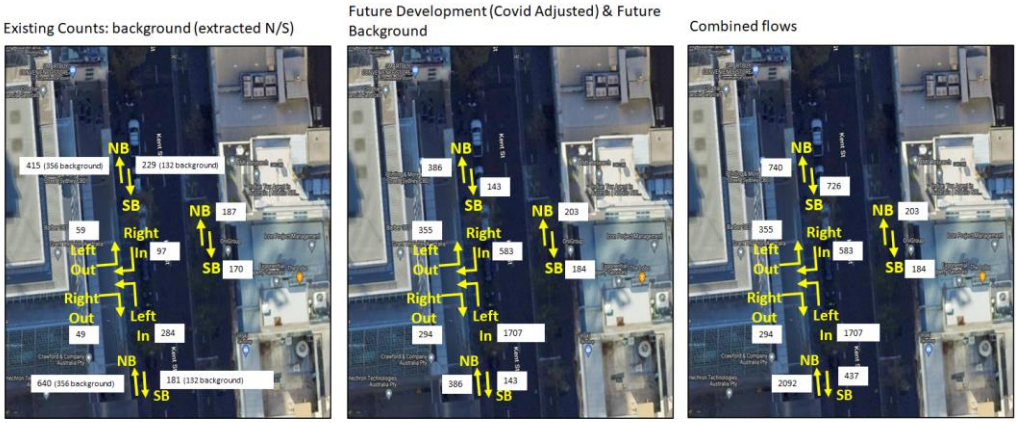


Figure 19: Future Demand Movements for Scenario 4

Loc#	Location Description	Future Predicted with Development	Adjusted Peak 5 minute flow	Footpath Type	Active Building Edge	PPMM (Walking Guide = Observed Pk hr/60)	Walking Space	LOS - Walking Guide	Flow rate (based on adjusted future peak 5mins)	LOS - Fruin Walkways
1	Bus Stop, west side	2,529	308	5	Not Adjacent	17.6	2.40	F	25.7	B
2	Between Parking Meter and 383 KS property Line, west Side	822	107	4	Not Adjacent	5.4	2.53	F	8.5	A
3	At Telstra Phonebooth, west side	1466	193	4	Not Adjacent	12.9	1.89	F	20.5	A
4	At bench, west side	1466	193	4	Not Adjacent	12.0	2.04	F	19.0	A
5	At intersection (SE of Kent/King) between lamp post and wall, east side	387	61	3	Not Adjacent	3.3	1.98	F	6.1	A
6	Between signal box and lamp post, east side	387	61	3	Not Adjacent	2.8	2.29	E	5.3	A
7	Between newly planted tree and building edge, east side	387	61	3	Not Adjacent	3.4	1.90	F	6.4	A
8	At widest part of east side of Kent Street, east side – directly opposite 383 Kent Street	387	61	3	Not Adjacent	1.8	3.51	A	3.5	A
9	In between furniture, east side	387	54	3	Not Adjacent	2.7	2.40	D	4.5	A

Figure 20: Walking Space Guideline results and Fruin Walkway Results for Scenario 4

3.5 Sussex Street

A review of the existing and future pedestrian movements of Sussex Street has also been undertaken. The November 2022 survey identified the busiest period along with street (east) side) was during the AM peak with an hourly flow of 254 pedestrians (08:20-09:20). All these flows are considered predominantly background demand as access to the existing 383 Kent Street is via Kent Street and does not have the proposed through-site link. There is a significant level change between Sussex Street and Kent Street and therefore it is unlikely that the through site link will generate a significant switch in background movement behaviour from those coming from the north towards Market Street/Kent Street intersection as the new route is similar in distance but requires greater effort given the vertical rise via stairs. The new through route does however provide better mobility access given the pavement grade from Sussex Street to the Market Street/Kent Street intersection is steep and not DDA compliant.

In terms of the majority of pedestrian movement driven by the development, those coming from the south (i.e. either from Pyrmont Bridge or Town Hall/ George Street) are estimated to stay at a higher level if accessing 383 Kent Street for Ground Level and above. Those arriving from the north are likely to access via Kent Street as noted in the previous analysis.

There is approximately 1445m^2 of NLA attributed to the Lower Ground level which can be accessed from both Kent Street and Sussex Street. For a 1:10 floor ratio, and 60% within the peak hour would equate to approximately 87 people in the peak hour. Those that arrive during the AM from the south (i.e. approximately 50%) are estimated to walk down the hill along Market Street (or access directly to Sussex Street from the Pyrmont Bridge). There is also the option of utilising the through-site link to access retail (e.g. to grab a coffee prior to work). These workers then have the ability to access the site directly from the stairs within the through-site link with no pedestrian-vehicle conflicts from the development's carpark entry (i.e. the design provides an amenity choice). Those that arrive from the north will likely utilise the through site link or, less likely, continue down King Street towards Sussex Street.

10mins interval

Time Period	IN				OUT				Grand Total	Peds			Grand Total
	Cars	Trucks	Cyclists	Total	Cars	Trucks	Cyclists	Total		NB	SB	Total	
7:30 to 7:40	5	0	0	5	2	0	0	2	7	10	11	21	21
7:40 to 7:50	5	0	0	5	2	0	0	2	7	17	11	28	28
7:50 to 8:00	12	0	1	13	2	0	0	2	15	7	15	22	22
8:00 to 8:10	6	0	0	6	2	0	0	2	8	10	11	21	21
8:10 to 8:20	11	0	0	11	0	0	0	0	11	13	27	40	40
8:20 to 8:30	13	0	0	13	2	0	0	2	15	29	20	49	49
8:30 to 8:40	5	0	0	5	1	0	0	1	6	16	18	34	34
8:40 to 8:50	9	0	0	9	2	0	0	2	11	32	17	49	49
8:50 to 9:00	11	0	1	12	2	0	0	2	14	19	28	47	47
9:00 to 9:10	14	0	0	14	2	0	0	2	16	16	19	35	35
9:10 to 9:20	9	0	0	9	3	0	0	3	12	10	6	16	16
9:20 to 9:30	11	0	0	11	2	0	0	2	13	11	7	18	18
AM Total	**111**	**0**	**2**	**113**	**22**	**0**	**0**	**22**	**135**	**190**	**190**	**380**	**380**

Figure 21: Pedestrian counts along Sussex Street directly outside of the development parcel (vehicle counts in/out of carpark). Counts over two hours in the AM peak.

The Footpath Type Classification for this side of the street is assessed as Type 3 (<399 pedestrians per hour) and requires 3m of footpath width to meet a LoS C – PCA rating (Based on Table 4a of the Walking Space Guide). This 3m of width is more than provided for within the reference drawings with the colonnade being retained to provide a generous walking environment. The increase in pedestrian movement as a result of the development is not estimated to change the classification of the street even if all workers to the lower ground floor utilised Sussex Street. No changes are therefore recommended.

4 Summary Findings & Recommendations

The results of the Walking Space Guide for each scenario along **Kent Street** are summarised in the Table 7. The Street Type 4 band relates to a pedestrian peak hour volume between 400 p/hr and 2000 p/hr. The results across scenario 1-3 are the same as the volumes are estimated to stay within this range. Only in Scenario 4, which assumes a higher return to the city akin to pre-covid behaviours does the southern-west side of Kent Street get triggered into a Type 5 classification.

The east side of the street has a modal performance of Level of Service C, but does have narrowing's around trees/furniture that create the Walking Space metric of Level of Service D-E.

For **Sussex Street**, the existing classification is Type 3 and expected to remain Type 3 even with the development. A width of 3m is therefore sufficient to maintain Level of Service C performance.

Summary Point #4

The 383 Kent Street property itself has very few obstructions and fronts to parked cars along the length of the title boundary. As such, for all scenarios, Level of Service C can be provided *if* 3.7m of width is maintained and assumes parked vehicles are retained. A more beneficial pedestrian outcome is that the parking lane is returned to pedestrians given that 3 of the 6 parking bays are loading bays. A return of this space to pedestrians may also aid the opportunity to include a zebra crossing to support movement to/from the through-site link

Recommendations to improve assessment areas in the short term in the vicinity of the site include:

- Removal of Telstra cabinet (CoS/Telstra)
- Removal of parking meter directly outside of 383 Kent Street (CoS). If this is achieved, and the developer maintains or improves (by indenting the building) from the property line.
- Static survey around the public bench (location #4) at the north-west of Kent Street – to understand usage and whether this is better placed elsewhere (CoS)

Recommendations to improve walking performance as behaviours tend towards Scenario #4

- Removal of parked vehicles and extend the footpath all the way to Market/Kent intersection (CoS).
- Move the bus stop to an indent just further north of 383 Kent Street (i.e. to approximately where the parked bikes are currently located). (TfNSW/CoS)
- Encourage greater usage of both sides of Kent Street – by usage of a zebra crossing which is likely to be needed to aid the cross city through links. (CoS/TfNSW)

Recommendations for the next stage of the development design competition include:

- Review of the quantum and placement of the entrance portals to the building. There may be better opportunities to have the main 'postal address' revolving door as shown, but with a secondary, larger entrance (potentially sliding doors subject to wind impacts) for staff movements in/out of the laneway as well as one within the noted 'retail' outlet at the south. This will be dependent on speedstile locations and hence lift core, so can be reviewed during the subsequent design competition stage.

Scenario	Modal Performance (West/East)	Performance at Assessment Points (West/East)
1. Existing	LoS E / LoS C	LoS F / LoS D-E
2. Existing + Future Background	LoS E / LoS C	LoS F / LoS D-E
3. Future Development + Existing Background	LoS E / LoS C	LoS F / LoS D-E
4. Future Development + Future Background (pre-covid profile)	LoS F (south of 383KS) – although this excludes the through link of 2 Market Street. LoS E (all other areas on east) / LoS C	LoS F / LoS D-E

Table 7: Summary of LoS analysis for Kent Street based on the Walking Space Guide

5 Intersection Analysis

The Walking Space Guide does not provide guidance on the data collection or approach to I pedestrian movement at intersections. The guidelines do indicate a complimentary guide will be released, but as far as we are aware that has not yet occurred.

For completeness, Movissian has investigated the current volumes associated with both the Kent/King intersection to the north and Kent/Market intersection to the south.

A pedestrian survey was undertaken investigating the crossing volumes for each leg, as well as some level of indication of the primary routes to the west side of Kent Street.



Figure 22: Kent / King St intersection (left) and Kent / Market St intersection (right)

The volumes associated with the legs (A-G) for each intersection as noted in Figure 22 are given in the tables below. The peak hour demands are similar for both the AM and PM peaks.

The Kent/Market intersection has pedestrian volumes that are over double that of the Kent / King St intersection. The signals operate on a 90 second cycle, inclusive of a dedicated bike phase.

East-west pedestrian movements are higher than north-south movements. This is a likely to be a factor of:

- greater attractions east-west (e.g. movement to George Street or movement to/from Cocklebay Wharf/across Pyrmont Bridge) and;
- the pedestrian timings for the intersection in which greater vehicular time (and hence pedestrian green time) is awarded to east-west movements. Approximately 25 seconds is awarded to North-South crossing movements and up to 45 seconds for East-West movements (Nb. The available crossing time is less for movements labelled “E & F” of Kent/Market given right turning vehicle movements).

Time Period	South Leg (Kent St)			East Leg (King St)			North Leg (Kent St)			West Leg (King St)			Grand Total
	A	B	Total	C	D	Total	E	F	Total	G	H	Total	
8:10 to 9:10	335	207	542	373	117	490	133	180	313	135	127	262	1,607
17:00 to 18:00	242	397	639	136	241	377	221	223	444	112	101	213	1,673

Table 8: Kent St / King St peak hour counts

Time Period	South Leg (Kent St)			East Leg (Market St)			North Leg (Kent St)			West Leg (Market St)			Grand Total
	A	B	Total	C	D	Total	E	F	Total	G	H	Total	
8:10 to 9:10	1,097	481	1,578	204	252	456	230	438	668	486	154	640	3,342
17:00 to 18:00	763	1,156	1,919	299	144	443	439	254	693	172	325	497	3,552

Table 9: Kent St / Market St peak hour counts

Reservoir Analysis

Movissian has considered the average volumes of people waiting on each corner across the peak hour. The average volumes waiting for Kent/King are all below eleven people. There is more than sufficient space at each corner to cater for this demand.

Time Period			South Leg (Kent St)			East Leg (King St)			North Leg (Kent St)			West Leg (King St)		
			A	B	Total	C	D	Total	E	F	Total	G	H	Total
8:10	to	9:10	8	5	14	9	3	12	3	5	8	3	3	7
17:00	to	18:00	6	10	16	3	6	9	6	6	11	3	3	5

Table 10: Kent St / King St average number of people waiting to cross each leg (Nov 29 2022)

The Kent / King intersection is not expected to be a major issue due to the new development. The only notable consideration for the City of Sydney is the placement of the lamp post/traffic signals on the south-east corner (see Figure 23). This is not expected to be an issue for the development as people will have likely crossed to the west side of the street prior to this intersection. However, it was observed to be a pinch-point. It is likely to be known to the City and created and an accepted constraint given the inclusion of the cycle lane.



Figure 23: Kent / King St intersection – south-east corner, showing pinch point of the lamp/traffic signal pole.

For the busier Kent/Market St intersection, the key legs that will be impacted by an increase in the development for 383 Kent Street are:

- AM – legs G, and D (i.e. northbound movements)
- AM – legs F & A (i.e. west bound movement from Town Hall/George Street)
- PM – leg H southbound
- PM – leg E eastbound

The busiest of these is leg A (which impacts the south-east reservoir space of the intersection). This has an average waiting volume of 27 people.

Time Period			South Leg (Kent St)			East Leg (Market St)			North Leg (Kent St)			West Leg (Market St)		
			A	B	Total	C	D	Total	E	F	Total	G	H	Total
8:10	to	9:10	27	12	39	5	6	11	6	11	17	12	4	16
17:00	to	18:00	19	29	48	7	4	11	11	6	17	4	8	12

Table 11: Kent St / Market St average number of people waiting to cross each leg (Nov 29 2022)

For **Scenario 3** (future development with a similar profile of arrival/occupancy), then the estimated *additional* (average) people crossing for the primary north movements are as follows:

- Leg D: 9 people
- Leg G: 17 people

The existing reservoir spaces can easily cater for these additional people.

For **Scenario 4** (future development but with a greater return to 2019 behaviours) then the estimated extra (average) people crossing for the primary north movements are as follows:

- Leg D: 15 people
- Leg G: 29 people

Again, the existing reservoir spaces are large and can cater for these additional people. However, in a future context where a zebra crossing might be in place, the demand would be expected to be shared more equally between Legs D and G. Note that once Pyrmont Station is open, a higher proportion of the estimated 29 people will be arriving from the west and hence not all of these people will impact the SE corner reservoir (i.e. they will not all be adding to the 'A' leg).

Summary Point #5 Intersection / Reservoir Analysis

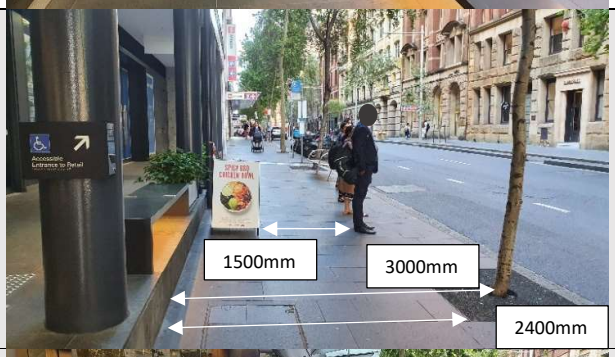
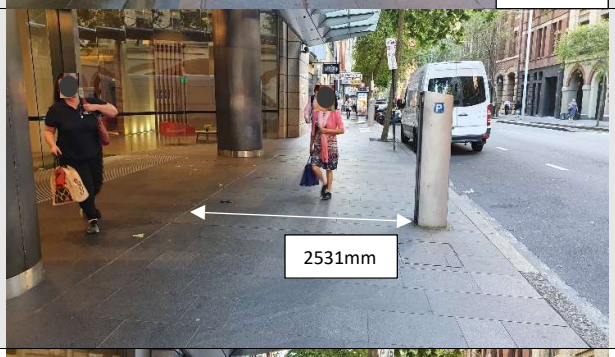
In summary, the two intersections (Market/Kent and King/Kent) are not estimated to become congestion issues because of the development. The Kent/Market Street reservoir spaces present large spaces for people to wait and circulate– even with the increase in demand from the development.

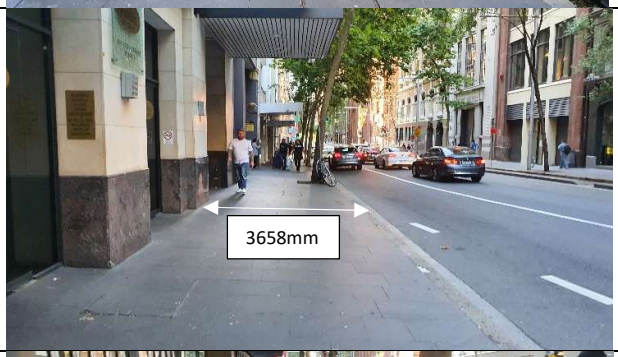
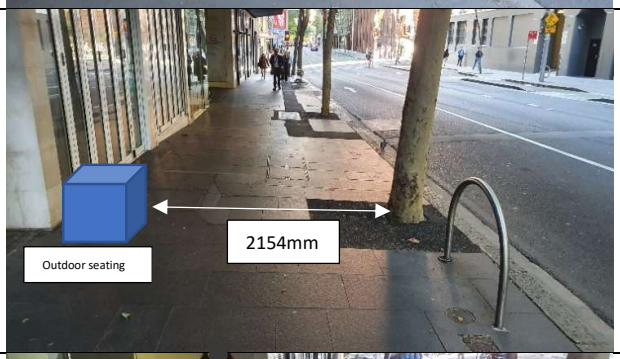
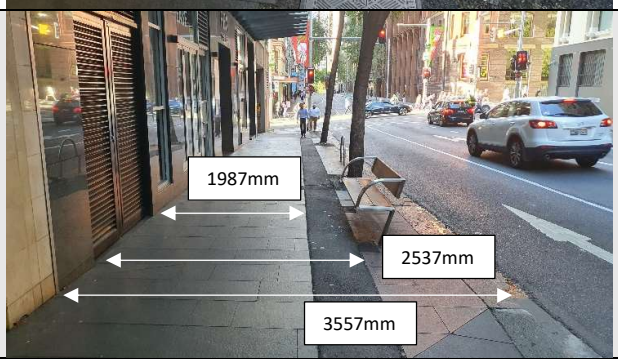
Appendix

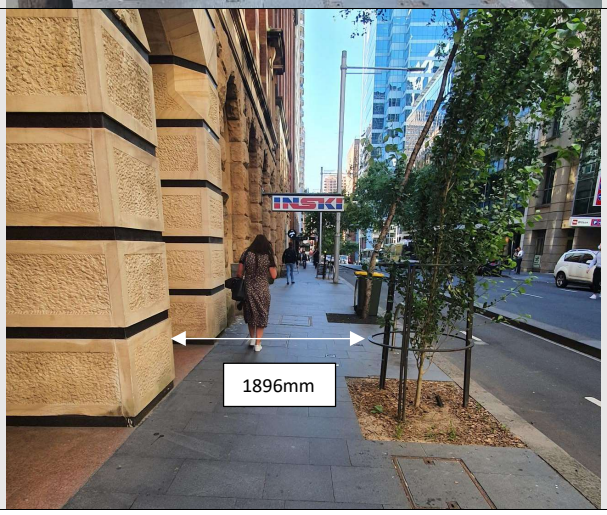
A Footpath Measurements

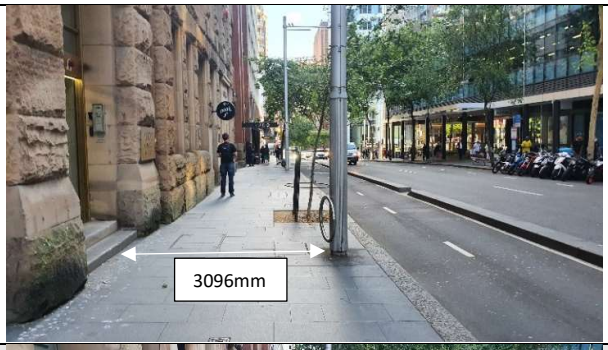
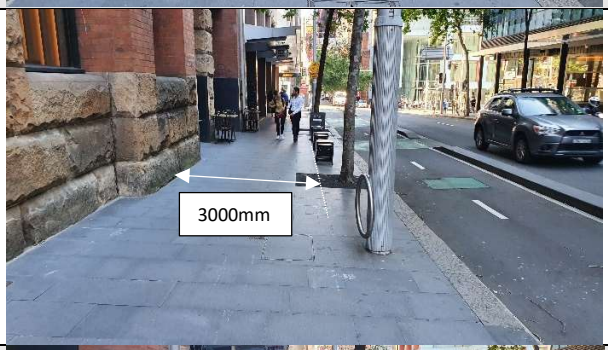
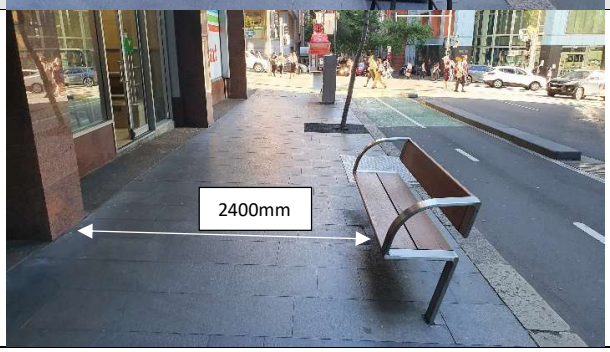
B Pedestrian Counts

Appendix A - Footpath Measurements

#	Site Photo	Comment
A		An extra channel is available adjacent to the bus stop. However, this is available during PM, as during AM the adjacent retail utilises there area with outdoor furniture.
B (1)		People tend to wait in the vicinity of the bus stop, not directly next to it. People were observed to stand and utilise the benches. The retail board restricted width, but there were no observed reduction in personal speed or direction. For the purposes of the analysis, the advertising board is relocated to maximise width.
C (2)		Parking meter directly outside of 383 Kent Street. There is also one directly north at the boundary line of the property. There could be an opportunity to consolidate into one meter, or remove both entirely for smarter methods of payment.
D		
E (3)		The Telstra booth is the major constrainer of width along the western footpath of Kent Street. This is not the best placement of this facility given parked bikes and pedestrian movement along Kent Street. An alternative location should be considered in future planning opportunities.

F		
G		At this point, the parking stops, so a buffer from kerb will be applied.
H		
I		
J (4)		Noone was observed using the bench in this location.

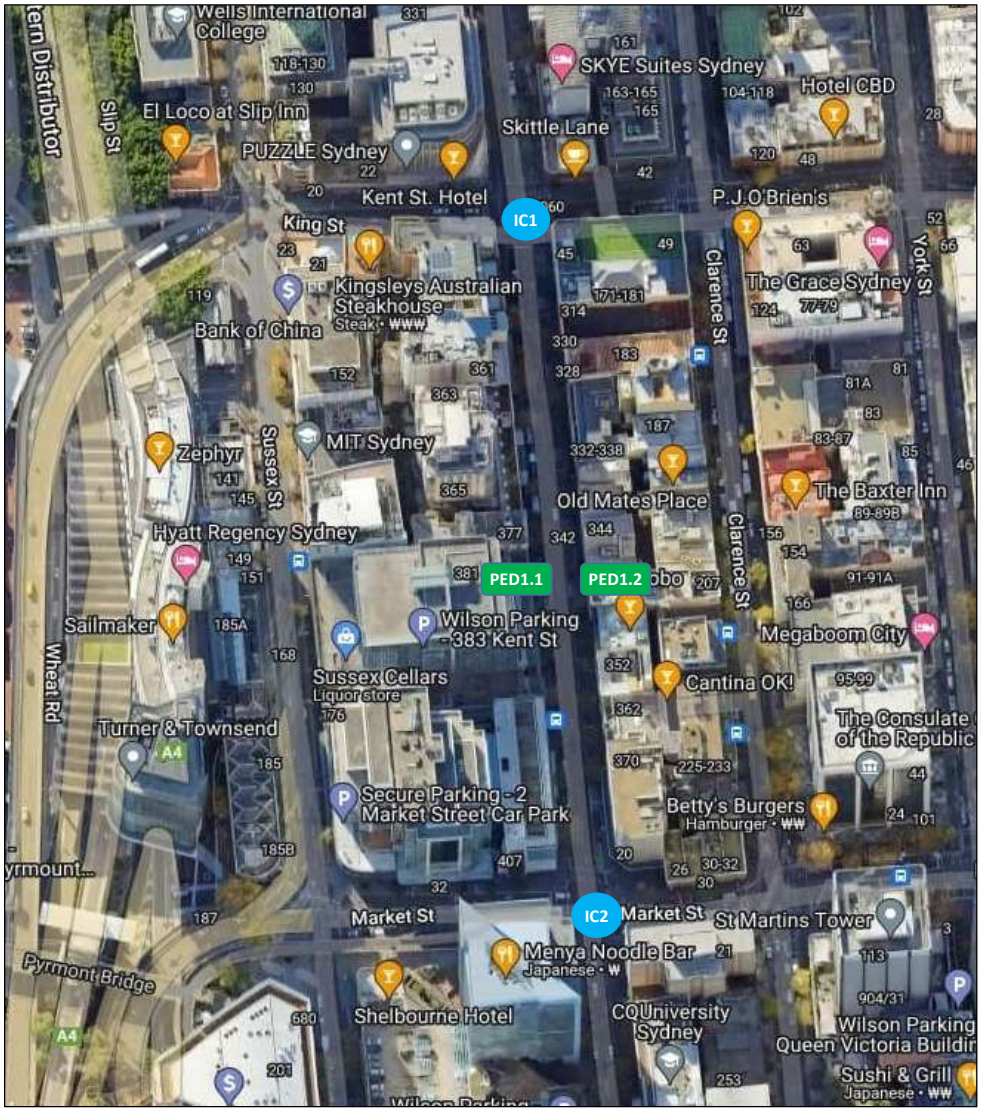
K (5)		South-east corner of King/Kent St has the second most constrained width across the whole observed site. However, the waiting behaviour at the intersection excerbates the constraint further and was seen to be the most congested part of the observed area. The inclusion of the bike path, and the three lanes of traffic (turn right lane) reduces pavement width to 2.3m.
L		
M (6)		
N (7)		The recent (since May 2022) planting of the tree creates the most constrained width across the whole observed site. The constraint is localised, and volumes along the eastern side of Kent Street are lower than those along with west.

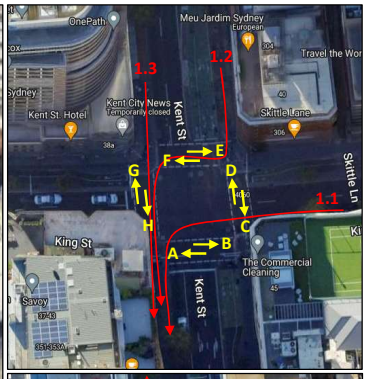
O		
P (8)		
Q		Outdoor dining at the café opposite 383 Kent Street was observed to be busy during AM peak period, where people wait outside. The activity was not observed to impeded anyone materially.
R (9)		
S		No one was observed to be using the bench during site inspections.

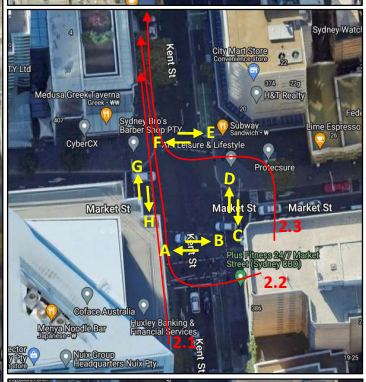
T		

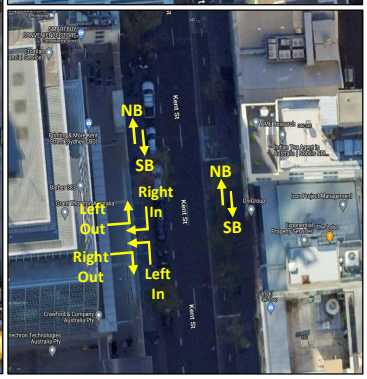
Appendix B - Pedestrian Counts

Date	Tue, 29th November 2022
Survey Time	07:30-09:30 & 16:00-18:00 (4 hours)
Description	Kent St Pedestrians surveys









Location PED1.1. Outside 383 Kent St, Westside footpath bi-directional movements, IN/OUT of 383 Kent St
Date Tue, 29th November 2022
Survey Time 07:30-09:30 & 16:00-18:00 (4 hours)
Description Kent St Pedestrians surveys

[Peak Hour Summary]

Time Period	PED 1.1								Grand Total
	Left IN	Left OUT	Right IN	Right OUT	Total	NB	SB	Total	
8:10 to 9:10	284	59	97	49	489	415	229	644	**1,133**
17:00 to 18:00	18	70	3	211	302	249	338	587	**889**

[Peak 5mins / rest 10mins interval]

Time Period	PED 1.1								Grand Total
	Left IN	Left OUT	Right IN	Right OUT	Total	NB	SB	Total	
7:30 to 7:40	11	2	3	0	16	25	14	39	**55**
7:40 to 7:50	21	2	10	1	34	29	22	51	**85**
7:50 to 8:00	42	6	10	3	61	44	23	67	**128**
8:00 to 8:10	40	6	14	2	62	50	35	85	**147**
8:10 to 8:15	18	5	6	1	30	35	11	46	**76**
8:15 to 8:20	24	6	4	2	36	38	15	53	**89**
8:20 to 8:25	27	1	8	0	36	28	28	56	**92**
8:25 to 8:30	26	6	11	8	51	37	19	56	**107**
8:30 to 8:35	23	4	6	3	36	32	14	46	**82**
8:35 to 8:40	26	2	9	4	41	22	29	51	**92**
8:40 to 8:45	27	4	15	7	53	30	22	52	**105**
8:45 to 8:50	23	6	8	5	42	38	15	53	**95**
8:50 to 8:55	25	7	8	2	42	40	25	65	**107**
8:55 to 9:00	26	5	9	1	41	58	16	74	**115**
9:00 to 9:05	18	8	9	3	38	26	17	43	**81**
9:05 to 9:10	21	5	4	13	43	31	18	49	**92**
9:10 to 9:20	50	12	10	8	80	53	22	75	**155**
9:20 to 9:30	14	12	7	24	57	52	21	73	**130**
AM Total	462	99	151	87	799	668	366	1,034	**1,833**
16:00 to 16:10	3	7	1	16	27	17	36	53	**80**
16:10 to 16:20	2	3	1	11	17	35	36	71	**88**
16:20 to 16:30	2	6	1	15	24	25	32	57	**81**
16:30 to 16:40	3	6	0	24	33	31	47	78	**111**
16:40 to 16:50	0	8	3	20	31	30	68	98	**129**
16:50 to 17:00	1	7	0	29	37	35	42	77	**114**
17:00 to 17:05	3	9	0	18	30	26	27	53	**83**
17:05 to 17:10	3	11	0	24	38	23	19	42	**80**
17:10 to 17:15	3	7	1	29	40	19	27	46	**86**
17:15 to 17:20	4	9	0	17	30	23	34	57	**87**
17:20 to 17:25	2	4	0	21	27	24	43	67	**94**
17:25 to 17:30	0	6	1	12	19	17	34	51	**70**
17:30 to 17:35	2	1	0	21	24	10	27	37	**61**
17:35 to 17:40	0	8	1	21	30	21	18	39	**69**
17:40 to 17:45	1	4	0	13	18	17	28	45	**63**
17:45 to 17:50	0	3	0	6	9	17	27	44	**53**
17:50 to 17:55	0	4	0	21	25	25	31	56	**81**
17:55 to 18:00	0	4	0	8	12	27	23	50	**62**
PM Total	29	107	9	326	471	422	599	1,021	**1,492**

[Hourly Summary]

Time Period	PED 1.1								Grand Total
	Left IN	Left OUT	Right IN	Right OUT	Total	NB	SB	Total	
7:30 to 8:30	209	34	66	17	326	286	167	453	**779**
7:40 to 8:40	247	38	78	24	387	315	196	511	**898**
7:50 to 8:50	276	46	91	35	448	354	211	565	**1,013**
8:00 to 9:00	285	52	98	35	470	408	229	637	**1,107**
8:10 to 9:10	284	59	97	49	489	415	229	644	**1,133**
8:20 to 9:20	292	60	97	54	503	395	225	620	**1,123**
8:30 to 9:30	253	65	85	70	473	382	199	581	**1,054**
AM Total	462	99	151	87	799	668	366	1,034	**1,833**
16:00 to 17:00	11	37	6	115	169	173	261	434	**603**
16:10 to 17:10	14	50	5	141	210	205	271	476	**686**
16:20 to 17:20	19	63	5	176	263	212	296	508	**771**
16:30 to 17:30	19	67	5	194	285	228	341	569	**854**
16:40 to 17:40	18	70	6	212	306	228	339	567	**873**
16:50 to 17:50	19	69	3	211	302	232	326	558	**860**
17:00 to 18:00	18	70	3	211	302	249	338	587	**889**
PM Total	29	107	9	326	471	422	599	1,021	**1,492**

Location PED1.2. Kent St East Side footpath
Date Tue, 29th November 2022
Survey Time 07:30-09:30 & 16:00-18:00 (4 hours)
Description Kent St Pedestrians surveys

[Peak Hour Summary]

Time Period	PED 1.2			Grand Total
	NB	SB	Total	
8:00 to 9:00	209	115	324	**324**
17:00 to 18:00	187	170	357	**357**

[Peak 5mins / rest 10mins interval]

Time Period	PED 1.2			Grand Total
	NB	SB	Total	
7:30 to 7:40	16	9	25	**25**
7:40 to 7:50	18	9	27	**27**
7:50 to 8:00	20	14	34	**34**
8:00 to 8:05	10	5	15	**15**
8:05 to 8:10	22	11	33	**33**
8:10 to 8:15	24	7	31	**31**
8:15 to 8:20	18	6	24	**24**
8:20 to 8:25	15	8	23	**23**
8:25 to 8:30	16	10	26	**26**
8:30 to 8:35	21	6	27	**27**
8:35 to 8:40	20	9	29	**29**
8:40 to 8:45	14	15	29	**29**
8:45 to 8:50	18	11	29	**29**
8:50 to 8:55	13	16	29	**29**
8:55 to 9:00	18	11	29	**29**
9:00 to 9:10	20	14	34	**34**
9:10 to 9:20	26	13	39	**39**
9:20 to 9:30	19	21	40	**40**
AM Total	**328**	**195**	**523**	**523**
16:00 to 16:10	13	27	40	**40**
16:10 to 16:20	21	12	33	**33**
16:20 to 16:30	14	30	44	**44**
16:30 to 16:40	18	14	32	**32**
16:40 to 16:50	19	17	36	**36**
16:50 to 17:00	21	14	35	**35**
17:00 to 17:05	15	9	24	**24**
17:05 to 17:10	32	24	56	**56**
17:10 to 17:15	15	15	30	**30**
17:15 to 17:20	20	12	32	**32**
17:20 to 17:25	6	14	20	**20**
17:25 to 17:30	18	15	33	**33**
17:30 to 17:35	15	14	29	**29**
17:35 to 17:40	8	8	16	**16**
17:40 to 17:45	14	14	28	**28**
17:45 to 17:50	11	14	25	**25**
17:50 to 17:55	18	17	35	**35**
17:55 to 18:00	15	14	29	**29**
PM Total	**293**	**284**	**577**	**577**

[Hourly Summary]

Time Period	PED 1.2			Grand Total
	NB	SB	Total	
7:30 to 8:30	159	79	238	**238**
7:40 to 8:40	184	85	269	**269**
7:50 to 8:50	198	102	300	**300**
8:00 to 9:00	209	115	324	**324**
8:10 to 9:10	197	113	310	**310**
8:20 to 9:20	181	113	294	**294**
8:30 to 9:30	169	116	285	**285**
AM Total	**293**	**195**	**523**	**523**
16:00 to 17:00	106	114	220	**220**
16:10 to 17:10	140	120	260	**260**
16:20 to 17:20	154	135	289	**289**
16:30 to 17:30	164	134	298	**298**
16:40 to 17:40	169	142	311	**311**
16:50 to 17:50	175	153	328	**328**
17:00 to 18:00	187	170	357	**357**
PM Total	**293**	**284**	**577**	**577**

Location IC1. Kent St / King St
Date Tue, 29th November 2022
Survey Time 07:30-09:30 & 16:00-18:00 (4 hours)
Description Kent St Pedestrians surveys

[Peak Hour Summary]

Time Period	South Leg (Kent St)			East Leg (King St)			North Leg (Kent St)			West Leg (King St)			Grand Total
	A	B	Total	C	D	Total	E	F	Total	G	H	Total	
8:10 to 9:10	335	207	542	373	117	490	133	180	313	135	127	262	**1,607**
17:00 to 18:00	242	397	639	136	241	377	221	223	444	112	101	213	**1,673**

[10mins interval]

Time Period	South Leg (Kent St)			East Leg (King St)			North Leg (Kent St)			West Leg (King St)			Grand Total
	A	B	Total	C	D	Total	E	F	Total	G	H	Total	
7:30 to 7:40	42	12	54	22	15	37	6	19	25	7	9	16	**132**
7:40 to 7:50	35	13	48	27	10	37	14	13	27	10	7	17	**129**
7:50 to 8:00	30	13	43	31	19	50	15	33	48	15	5	20	**161**
8:00 to 8:10	38	18	56	35	14	49	20	37	57	16	12	28	**190**
8:10 to 8:20	60	20	80	68	10	78	21	35	56	24	28	52	**266**
8:20 to 8:30	57	41	98	58	25	83	19	24	43	17	26	43	**267**
8:30 to 8:40	46	46	92	63	19	82	29	29	58	26	22	48	**280**
8:40 to 8:50	59	31	90	59	15	74	22	32	54	29	20	49	**267**
8:50 to 9:00	64	32	96	73	19	92	24	29	53	24	21	45	**286**
9:00 to 9:10	49	37	86	52	29	81	18	31	49	15	10	25	**241**
9:10 to 9:20	45	24	69	45	21	66	24	36	60	22	10	32	**227**
9:20 to 9:30	23	8	31	31	10	41	12	38	50	22	19	41	**163**
AM Total	548	295	843	564	206	770	224	356	580	227	189	416	**2,609**
16:00 to 16:10	34	27	61	4	28	32	22	22	44	12	2	14	**151**
16:10 to 16:20	52	20	72	16	27	43	27	24	51	14	9	23	**189**
16:20 to 16:30	33	21	54	20	30	50	31	24	55	21	7	28	**187**
16:30 to 16:40	55	111	166	17	23	40	20	19	39	9	13	22	**267**
16:40 to 16:50	32	45	77	28	31	59	24	8	32	6	16	22	**190**
16:50 to 17:00	30	53	83	11	28	39	27	20	47	12	9	21	**190**
17:00 to 17:10	46	47	93	25	31	56	24	49	73	17	11	28	**250**
17:10 to 17:20	55	42	97	24	55	79	34	25	59	19	18	37	**272**
17:20 to 17:30	38	77	115	21	47	68	34	38	72	21	15	36	**291**
17:30 to 17:40	30	84	114	23	39	62	56	45	101	17	13	30	**307**
17:40 to 17:50	41	99	140	18	33	51	41	27	68	18	24	42	**301**
17:50 to 18:00	32	48	80	25	36	61	32	39	71	20	20	40	**252**
PM Total	478	674	1,152	232	408	640	372	340	712	186	157	343	**2,847**

[Red Line]

Time Period	IC 1 Red Line			
	1.1	1.2	1.3	Total
7:30 to 7:45	2	0	5	7
8:30 to 8:45	9	0	11	20
AM Total	11	0	16	27
16:30 to 16:45	2	1	5	8
17:30 to 17:45	4	0	13	17
PM Total	6	1	18	25

Hourly Summary

Time Period	South Leg (Kent St)			East Leg (King St)			North Leg (Kent St)			West Leg (King St)			Grand Total
	A	B	Total	C	D	Total	E	F	Total	G	H	Total	
7:30 to 8:30	262	117	379	241	93	334	95	161	256	89	87	176	**1,145**
7:40 to 8:40	266	151	417	282	97	379	118	171	289	108	100	208	**1,293**
7:50 to 8:50	290	169	459	314	102	416	126	190	316	127	113	240	**1,431**
8:00 to 9:00	324	188	512	356	102	458	135	186	321	136	129	265	**1,556**
8:10 to 9:10	335	207	542	373	117	490	133	180	313	135	127	262	**1,607**
8:20 to 9:20	320	211	531	350	128	478	136	181	317	133	109	242	**1,568**
8:30 to 9:30	286	178	464	323	113	436	129	195	324	138	102	240	**1,464**
AM Total	548	295	843	564	206	770	224	356	580	227	189	416	**2,609**
16:00 to 17:00	236	277	513	96	167	263	151	117	268	74	56	130	**1,174**
16:10 to 17:10	248	297	545	117	170	287	153	144	297	79	65	144	**1,273**
16:20 to 17:20	251	319	570	125	198	323	160	145	305	84	74	158	**1,356**
16:30 to 17:30	256	375	631	126	215	341	163	159	322	84	82	166	**1,460**
16:40 to 17:40	231	348	579	132	231	363	199	185	384	92	82	174	**1,500**
16:50 to 17:50	240	402	642	122	233	355	216	204	420	104	90	194	**1,611**
17:00 to 18:00	242	397	639	136	241	377	221	223	444	112	101	213	**1,673**
PM Total	478	674	1,152	232	408	640	372	340	712	186	157	343	**2,847**

Location IC2. Kent St / Market St
Date Tue, 29th November 2022
Survey Time 07:30-09:30 & 16:00-18:00 (4 hours)
Description Kent St Pedestrians surveys

[Peak Hour Summary]

Time Period	South Leg (Kent St)			East Leg (Market St)			North Leg (Kent St)			West Leg (Market St)			Grand Total
	A	B	Total	C	D	Total	E	F	Total	G	H	Total	
8:10 to 9:10	1,097	481	1,578	204	252	456	230	438	668	486	154	640	**3,342**
17:00 to 18:00	763	1,156	1,919	299	144	443	439	254	693	172	325	497	**3,552**

[10mins interval]

Time Period	South Leg (Kent St)			East Leg (Market St)			North Leg (Kent St)			West Leg (Market St)			Grand Total
	A	B	Total	C	D	Total	E	F	Total	G	H	Total	
7:30 to 7:40	76	34	110	9	20	29	17	17	34	24	13	37	**210**
7:40 to 7:50	91	57	148	16	22	38	17	30	47	43	14	57	**290**
7:50 to 8:00	107	53	160	21	26	47	23	44	67	47	12	59	**333**
8:00 to 8:10	123	79	202	25	35	60	32	42	74	57	22	79	**415**
8:10 to 8:20	163	89	252	36	31	67	35	42	77	83	20	103	**499**
8:20 to 8:30	183	118	301	29	34	63	40	73	113	69	24	93	**570**
8:30 to 8:40	174	78	252	30	45	75	38	63	101	90	39	129	**557**
8:40 to 8:50	244	43	287	41	48	89	41	88	129	94	21	115	**620**
8:50 to 9:00	203	78	281	34	42	76	38	94	132	91	29	120	**609**
9:00 to 9:10	130	75	205	34	52	86	38	78	116	59	21	80	**487**
9:10 to 9:20	127	76	203	24	27	51	40	41	81	44	18	62	**397**
9:20 to 9:30	122	49	171	34	27	61	45	43	88	48	19	67	**387**
AM Total	1,743	829	2,572	333	409	742	404	655	1,059	749	252	1,001	**5,374**
16:00 to 16:10	66	111	177	49	15	64	28	19	47	16	29	45	**333**
16:10 to 16:20	111	158	269	26	17	43	28	32	60	31	28	59	**431**
16:20 to 16:30	87	109	196	38	16	54	45	43	88	16	40	56	**394**
16:30 to 16:40	88	121	209	32	20	52	52	36	88	31	29	60	**409**
16:40 to 16:50	124	114	238	39	18	57	44	53	97	25	36	61	**453**
16:50 to 17:00	98	164	262	37	24	61	49	49	98	22	37	59	**480**
17:00 to 17:10	134	176	310	49	23	72	78	41	119	24	53	77	**578**
17:10 to 17:20	119	181	300	66	26	92	80	40	120	31	48	79	**591**
17:20 to 17:30	115	208	323	44	16	60	61	45	106	26	67	93	**582**
17:30 to 17:40	122	188	310	50	20	70	81	36	117	38	70	108	**605**
17:40 to 17:50	141	191	332	41	24	65	68	48	116	22	40	62	**575**
17:50 to 18:00	132	212	344	49	35	84	71	44	115	31	47	78	**621**
PM Total	1,337	1,933	3,270	520	254	774	685	486	1,171	313	524	837	**6,052**

[Red Line]

Time Period	IC 2 Red Line			
	2.1	2.2	2.3	Total
8:30 to 8:45	77	6	2	85
9:15 to 9:30	20	1	1	22
AM Total	97	7	3	107
16:15 to 16:30	5	0	3	8
17:45 to 18:00	5	5	2	12
PM Total	10	5	5	20

Hourly Summary

Time Period	South Leg (Kent St)			East Leg (Market St)			North Leg (Kent St)			West Leg (Market St)			Grand Total
	A	B	Total	C	D	Total	E	F	Total	G	H	Total	
7:30 to 8:30	743	430	1,173	136	168	304	164	248	412	323	105	428	**2,317**
7:40 to 8:40	841	474	1,315	157	193	350	185	294	479	389	131	520	**2,664**
7:50 to 8:50	994	460	1,454	182	219	401	209	352	561	440	138	578	**2,994**
8:00 to 9:00	1,090	485	1,575	195	235	430	224	402	626	484	155	639	**3,270**
8:10 to 9:10	1,097	481	1,578	204	252	456	230	438	668	486	154	640	**3,342**
8:20 to 9:20	1,061	468	1,529	192	248	440	235	437	672	447	152	599	**3,240**
8:30 to 9:30	1,000	399	1,399	197	241	438	240	407	647	426	147	573	**3,057**
AM Total	1,743	829	2,572	333	409	742	404	655	1,059	749	252	1,001	**5,374**
16:00 to 17:00	574	777	1,351	221	110	331	246	232	478	141	199	340	**2,500**
16:10 to 17:10	642	842	1,484	221	118	339	296	254	550	149	223	372	**2,745**
16:20 to 17:20	650	865	1,515	261	127	388	348	262	610	149	243	392	**2,905**
16:30 to 17:30	678	964	1,642	267	127	394	364	264	628	159	270	429	**3,093**
16:40 to 17:40	712	1,031	1,743	285	127	412	393	264	657	166	311	477	**3,289**
16:50 to 17:50	729	1,108	1,837	287	133	420	417	259	676	163	315	478	**3,411**
17:00 to 18:00	763	1,156	1,919	299	144	443	439	254	693	172	325	497	**3,552**
PM Total	1,337	1,933	3,270	520	254	774	685	486	1,171	313	524	837	**6,052**

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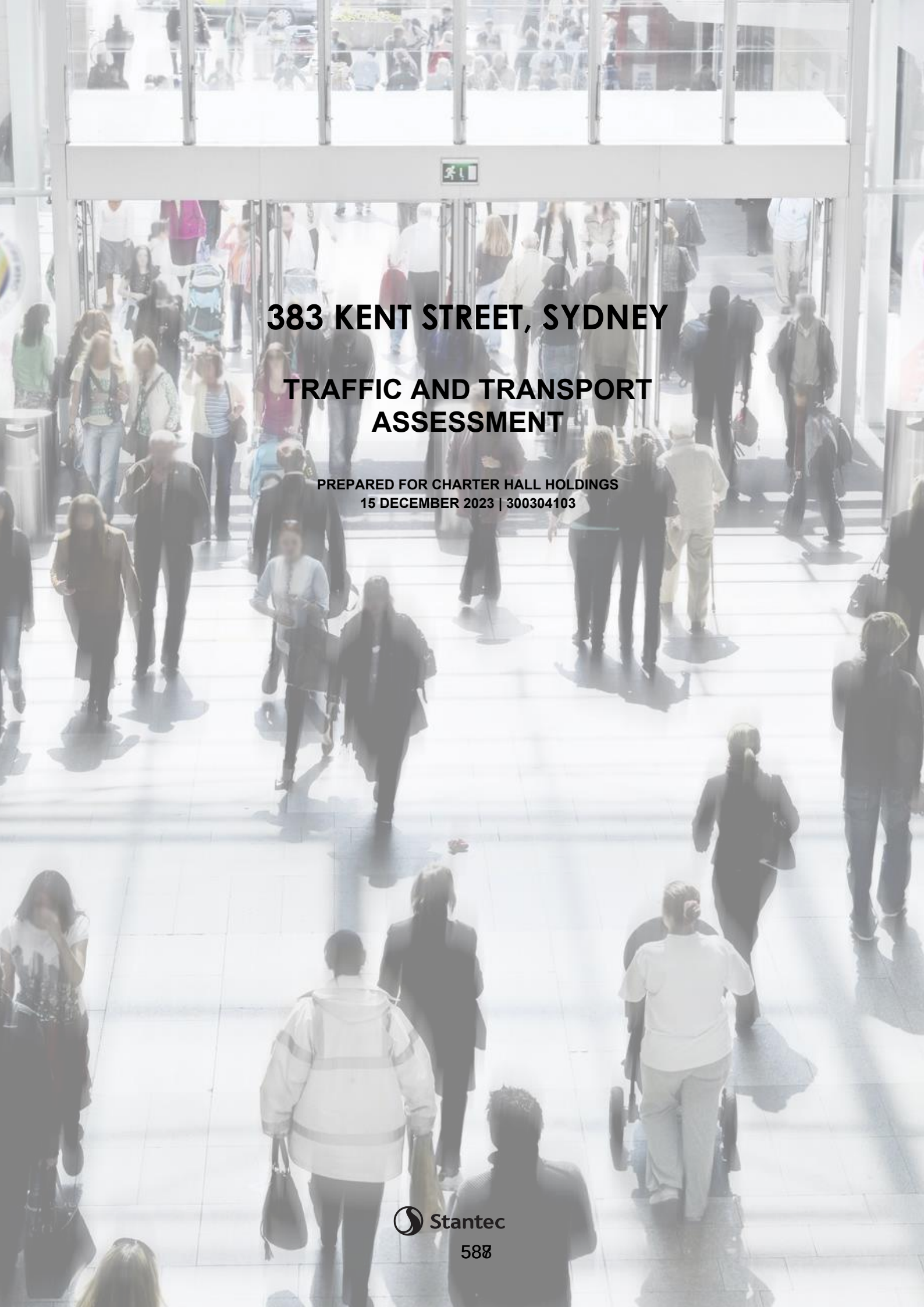
Attachment A13

Traffic and Transport Assessment



383 KENT STREET, SYDNEY

TRAFFIC AND TRANSPORT ASSESSMENT

PREPARED FOR CHARTER HALL HOLDINGS
15 DECEMBER 2023 | 300304103

Stantec

Revision	Date	Description	Author	Quality Check	Approver
A	07/06/2023	Final	Patrick Obmasca, Ashish Modessa	Ashish Modessa	Rhys Hazell
B	23/06/2023	Final updated to include minor modifications	Patrick Obmasca, Ashish Modessa	Ashish Modessa	Rhys Hazell
C	11/07/2023	Final updated to include minor modifications	Patrick Obmasca, Ashish Modessa	Ashish Modessa	Rhys Hazell
D	11/12/2023	Final updated to include minor modifications	Bernadette Chuan	Connor Hoang	Bayzid Khan
E	14/12/2023	Final updated to include minor modifications	Connor Hoang	Connor Hoang	Bayzid Khan
F	15/12/2023	Final updated to include minor modifications	Connor Hoang	Connor Hoang	Bayzid Khan

The conclusions in the Report titled 383 Kent Street, Sydney are Stantec's professional opinion, as of the time of the Report, and concerning the scope described in the Report. The opinions in the document are based on conditions and information existing at the time the scope of work was conducted and do not take into account any subsequent changes. The Report relates solely to the specific project for which Stantec was retained and the stated purpose for which the Report was prepared. The Report is not to be used or relied on for any variation or extension of the project, or for any other project or purpose, and any unauthorized use or reliance is at the recipient's own risk.

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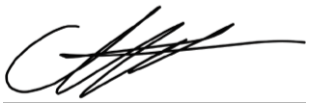
Prepared by: 

Signature

Connor Hoang

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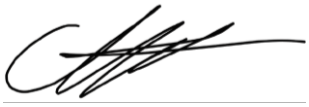
Reviewed by: 

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Executive Summary

A Planning Proposal has been lodged with City of Sydney for the redevelopment of the multi-level commercial building located at 383 Kent Street in Sydney.

The Planning Proposal aims to amend the site's maximum Height of Building development standard and maximum Floor Space Ratio (FSR) to unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the Central Sydney Planning Strategy (CSPS) for tower cluster sites. It also seeks to facilitate significant public benefits through additional site activation by way of a new pedestrian through-site link, shared loading dock facilities and delivering on sustainable initiatives to contribute to the City of Sydney's vision to achieve net zero energy buildings.

The proposed Sydney LEP amendment is part of the broader redevelopment plan for the site to demolish the existing structure (including the existing 10 storey car park) and construct a new 42-level commercial office tower with a total GFA of about 73,191m^2 (inclusive of 640m^2 GFA of retail and 609m^2 of wellness/ fitness uses). This large strategic site presents a unique opportunity to deliver a landmark tower site that will exhibit design excellence and redefine the western edge of the CBD, whilst offering significant employment opportunities for global Sydney.

This report documents the transport related impacts associated with the Planning Proposal. It considers the benefits for the surrounding road and pedestrian networks together with the traffic and pedestrian generation, parking (vehicle and bicycle) and servicing requirements. Additionally, an Overview Loading Dock Management Plan, Green Travel Initiatives and Construction Transport Management Plan have been detailed to facilitate delivery of the development. A separate shared precinct loading dock strategy report has also been prepared to further document the practicalities of implementing such loading dock strategies.

The sites' location lends itself to low parking provision and reliance on active and public transport daily. In this regard, travel mode share targets have been developed for travel behaviour for the future population of the site. With a maximum 72 parking spaces proposed and up to about 670 bicycle spaces for staff and visitors in a quality end of trip facility, the proposal accords with City of Sydney LEP 2012 and the broader mode share targets. Based on the anticipated future building population and the realistic target mode share, the site could generate 2,507 people trips during the weekday peak hours, including 1,505 trips by train and 552 trips by bus.

The basement car park and expansive loading dock would be accessed via Sussex Street. The dock includes capacity for 28 service vehicles for a range of vehicles and is in accordance with DCP 2012. This includes 21 loading bays to service the development and seven as part of a shared loading dock strategy which aims to deliver loading facilities to the wider precinct, namely to those properties that are heritage constrained and do not have access to formal loading dock facilities.

With the existing 799-space Wilson car park (769 spaces being of public use) likely to generate up to about 320 vehicles per hour, the proposal could significantly reduce traffic volumes generated by the site and contribute towards reducing vehicle trips into Sydney CBD with the removal of a significant public car park and subsequent encouragement in further meaningful shifts in travel behaviour.

Overall, the proposal has the potential to effect positive change in this part of the CBD and effectively reintroduce a fine grain texture to the city by way of a new through-site link and retail activation at each ground floor interface to the public domain.

1 Introduction

1.1 Background

This Transport and Transport Assessment (TTA) report has been prepared by Stantec in support of a Planning Proposal to amend the Sydney Local Environmental Plan 2012 (Sydney LEP). This report has been prepared on behalf of Charter Hall Holdings Pty Ltd (Charter Hall) (the Proponent) and it relates to a single development lot identified as Lot 1 in DP 778342 or 383 Kent Street, Sydney (the site), as shown in Figure 1.

Figure 1: Aerial map



Source: Nearmap, edits by Ethos Urban

The purpose of this Planning Proposal is to amend the site's maximum Height of Building development standard and maximum FSR development standard to unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the CSPS for tower cluster sites. This Planning Proposal will also seek to facilitate significant public benefits through additional site activation by way of a new pedestrian through-site link, shared loading dock facility and delivering on sustainable initiatives to contribute to the City of Sydney's vision to achieve net zero energy buildings.

The proposed Sydney LEP amendment is part of the broader redevelopment plan for the site to demolish the existing structure on the site (including the existing 10 storey car park) and construct a new 42 storey commercial office tower with a total maximum FSR of 20.3:1 (circa 73,191m^2 GFA).

1.2 Indicative Reference Scheme Overview

The reference scheme supporting the Planning Proposal and site specific DCP can be described as follows:

- Demolition of the existing building, including removal of the Wilson Car Park (comprises 799 spaces, including 769 spaces being of public use).
- Construction of the following:
    - New 42-storey office tower comprising a total FSR of 20.3:1, up to a height of RL 189.80 (approximately 170m above Kent Street and 180m above Sussex Street).
    - New premium-grade commercial floorspace with an approximate GFA of circa 70,872m^2.
    - New through-site link connecting Kent and Sussex Streets, including public art activation.
    - New ground floor activation opportunities, including an approximate retail GFA of circa 640m^2 and 609m^2 of wellness/ fitness GFA.
    - 2 levels of basement, comprising:
        - Basement Level 1 facilitating 72 car parking spaces; and
        - Sussex Street ground level shared loading dock facility including SRV and MRV short term stay bays to service retail tenancies within buildings along Kent Street (located between Market Street and King Street).
    - New end of trip facilities below the Kent Street ground level.

1.3 Purpose of this Report

This report sets out an assessment of the anticipated transport implications of the proposal, including consideration of the following:

- existing traffic and parking conditions surrounding the site
- suitability of the proposed parking in terms of supply (quantum) and layout
- service vehicle requirements
- pedestrian and bicycle requirements
- shared loading dock strategy
- trip generating characteristics of the proposal
- suitability of the proposed access arrangements for the site
- transport impact of the proposal on the surrounding road network.

1.4 References

In preparing this report, reference has been made to the following:

- several inspections of the site and its surrounds

- Sydney Development Control Plan (DCP) 2012
- Sydney Local Environmental Plan (LEP) 2012
- Australian Standard/ New Zealand Standard, Parking Facilities, Parts 1, 2 and 6
- plans provided by fjmt Architects, December 2023
- other documents and data as referenced in this report.

2 Strategic Context

2.1 Overview

The following key strategies and plans have influenced development opportunities in the broader area, and together will have real effects on future travel demand and mode splits for workers, and visitors alike.

The introduction of Sydney Metro, Australia's biggest public transport project that will operate as a standalone metro covering more than 66 kilometres with 31 new metro stations in its initial stages, will generate real growth opportunities in the area. Sydney Metro City and Southwest is under construction linking Chatswood and Bankstown via new underground station precincts within the CBD and stretching through the existing line to Bankstown. With services due to commence in 2024, the Sydney Metro will improve travel time, capacity and reliability to key employment areas of which Sydney CBD is key.

2.2 Relevant Strategies and Plans

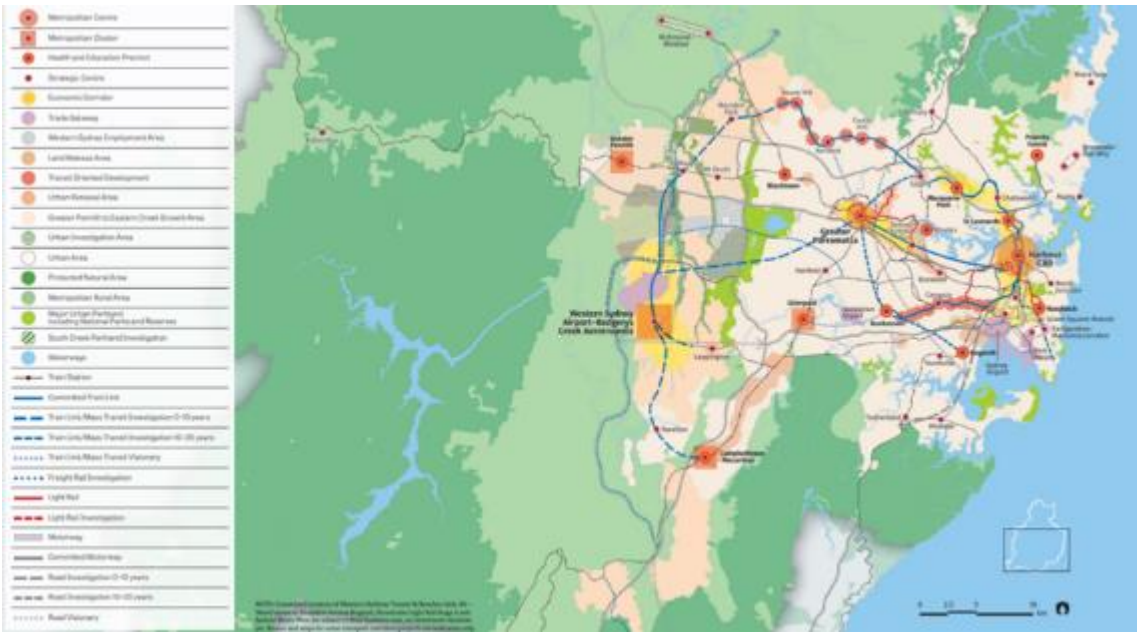
2.2.1 The Greater Sydney Region Plan 2018

The Greater Sydney Commission (GSC) is an independent organisation that leads metropolitan planning for Greater Sydney. It has prepared the Greater Sydney Region Plan which outlines how Greater Sydney will manage growth and guide infrastructure delivery. The plan has been prepared in conjunction with the NSW Government's Future Transport 2056 Strategy and informs Infrastructure NSW's State Infrastructure Strategy.

The GSC's vision is to create three connected cities; a Western Parkland City west of the M7, a Central River City with Greater Parramatta at its heart and an Eastern Harbour City. By integrating land use, transport links and infrastructure across the three cities, more people will have access within 30-minutes to jobs, schools, hospitals and services.

The Greater Sydney Region Plan is a 20-year plan with a 40-year vision and has four key focuses; infrastructure and collaboration, liveability, productivity and sustainability. The Greater Sydney Structure Plan 2056 is shown indicatively in Figure 2.

Figure 2: Greater Sydney Structure Plan 2056 – The Three Cities



Source: Greater Sydney Commission

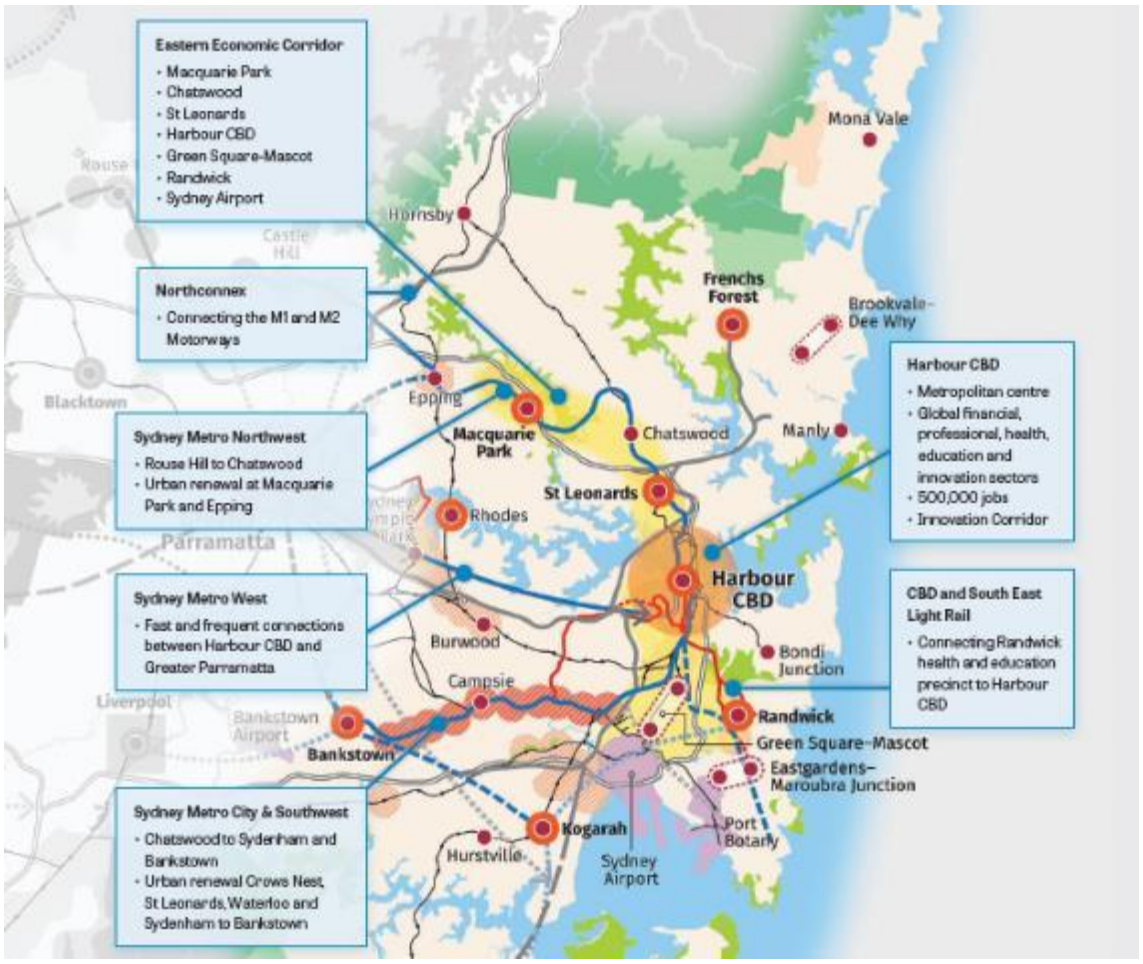
2.2.2 Eastern City District Plan

The Eastern City District is at the centre of the Eastern Harbour City. The metropolitan centre of the Eastern Harbour City, the Harbour CBD, is Australia's global gateway and financial capital, promoting growth to the District. The Eastern City District will grow substantially, due to its well-established, well-serviced and highly accessible Harbour CBD, generating half a million jobs and is the largest office market in the region. The new metro stations will improve access in the Harbour CBD.

The Plan puts emphasis on providing urban renewal around new and existing infrastructure. The focus of growth will be on well-connected walkable places that build on local strengths and deliver quality places. An integrated approach to the green infrastructure of the District – Waterways, bushland, urban tree canopy and open spaces – will improve sustainability. The Greater Sydney Green Grid will provide cool, green links to support walking, cycling and community access to open space.

The Eastern City District is shown in Figure 3.

Figure 3: The Eastern City District



Source: Greater Sydney Commission

2.2.3 Future Transport 2056

Future Transport 2056 provides a 40-year strategy for how transport will be planned, amended and forecasted within NSW, both regional and metropolitan, for the expected 12 million residents within the state. Future Transport 2056 follows from the 2012 Long Term Transport Master Plan which listed over 700 transport projects, the majority of which are completed or in progress. It also ties in with Greater Sydney Region Plan and the subsequent district plans to support the three cities metropolis vision.

Future Transport 2056 is supported by two key documents, Greater Sydney Services and Infrastructure Plan and Regional NSW Services and Infrastructure Plan, which provide guidance and planning for these areas.

From a metropolitan view, Future Transport 2056 and associated plans include the 30-minute city where jobs and services are within 30 minutes of residents with Greater Sydney. Strategic transport corridors to move people and goods are outlined between metropolitan and strategic centres, clusters and surrounds. The Movement and Place framework is also emphasised to support liveability, productivity and sustainability.

2.2.4 Central Sydney Planning Strategy 2016-2036

The Central Sydney Planning Strategy is a 20-year growth strategy that delivers on the City of Sydney's Sustainable Sydney 2030 program. The Strategy identifies 10 key moves to meet the demands of growing numbers of workers, residents and visitors and their changing needs, using a place-led and people-focused approach. One of the key moves is to provide employment growth in well located new tower clusters where taller buildings with higher floor space ratios are permitted for income-earning uses. To balance this, another key move is to enhance public parks, spaces and views within Central Sydney with adequate sunlight to attract visitors, high-value jobs, tourists and residents.

The Strategy acknowledges the development opportunity of space above and around Central Station, and it identifies a public domain spine through Central Sydney along George Street with new public squares at Circular Quay, Town Hall and Railway Square.

Furthermore, the Strategy seeks to rationalise bus routes within Central Sydney, including the removal of bus routes from Lee Street and consolidating them along Broadway-George Street to the south to facilitate future expansion of Railway Square.

The Strategy proposes to reduce car movements through Central Sydney, identifying that the majority of commuter trips originate from Inner Suburbs where public transport is most available. It seeks to provide more space on Central Sydney streets for pedestrians and public transport as they accommodate most internal and inbound journeys compared to cars.

2.2.5 City of Sydney Cycling Strategy and Action Plan 2018-2030

City of Sydney has issued a cycling strategy plan to meet the cycling needs of the Sydney CBD and surrounding suburbs, identifying active transport as the most accessible, equitable, sustainable, and reliable form of transport. The plan identifies an ambitious mode share target of 10 per cent within the city.

The plan builds on the 2007 to 2017 cycling strategy which preceded it. In retrospect, the plan has encouraged changing attitudes to cycling from government, developers and commuters, including TfNSW's partial subsidy of cycling projects since 2015, real estate evaluations placing value on end-of-trip facilities and the increased cycling mode share observed in school students since 2007.

The plan, in summary, looks to:

- continue connecting the network, including completing regional routes, adding wayfinding and improving intersection design
- support people to ride, ensuring programs are evidence-based and responsive to the needs of a diverse community
- support businesses, including a bicycle-friendly workplace accreditation scheme and to
- lead by example.

3 Site and Transport Context

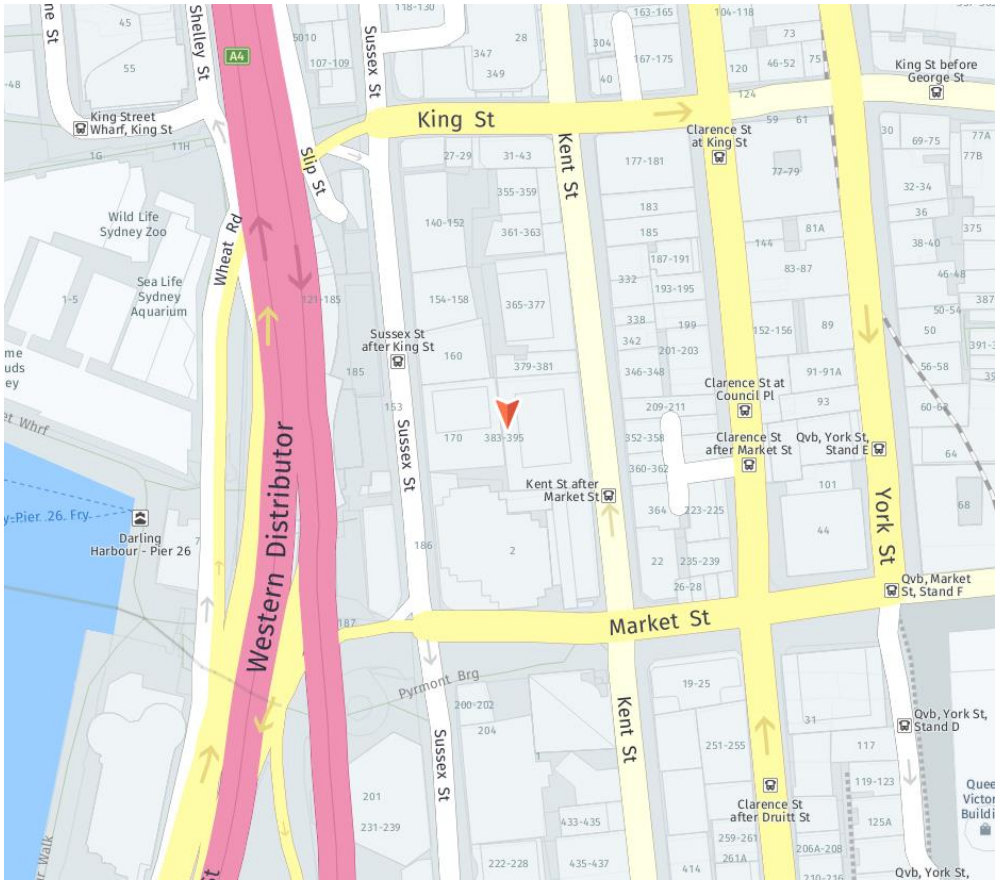
3.1 Site Context

3.1.1 Location

The site at 383 Kent Street, Sydney, is within the City of Sydney Local Government Area (LGA) and Sydney CBD. It is legally described as Lot 1 in Deposited Plan 778342 and has a frontage of 40 metres to Sussex Street to the west and 50 metres to Kent Street to the east. The land is currently zoned as SP5 - Metropolitan Centre.

The site currently comprises a multi-level commercial building with ground floor retail tenancies and a public car park operated by Wilson Parking with capacity for 799 cars (including 769 spaces being for public use). It covers an area of 3,606 square metres, with a 10 metre (3 level) height difference between the Kent Street upper ground and Sussex Street lower ground frontages. The location of the site and the surrounding environs are shown in Figure 4 and Figure 5.

Figure 4: Site location and surrounding environs



Source: Nearmap 2023

Figure 5: Aerial view



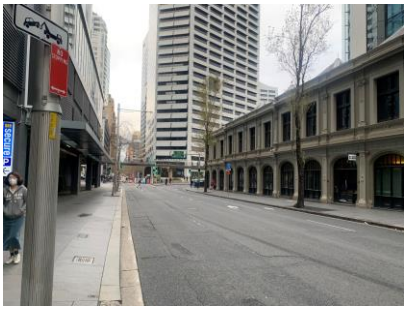
Base Image Source: Nearmap 2023

3.1.2 Surrounding Road Network

The key roads near the site include Kent Street, Sussex Street, King Street and Market Street. A summary of the characteristics of these key roads is provided in Table 1.

Table 1: Surrounding road network

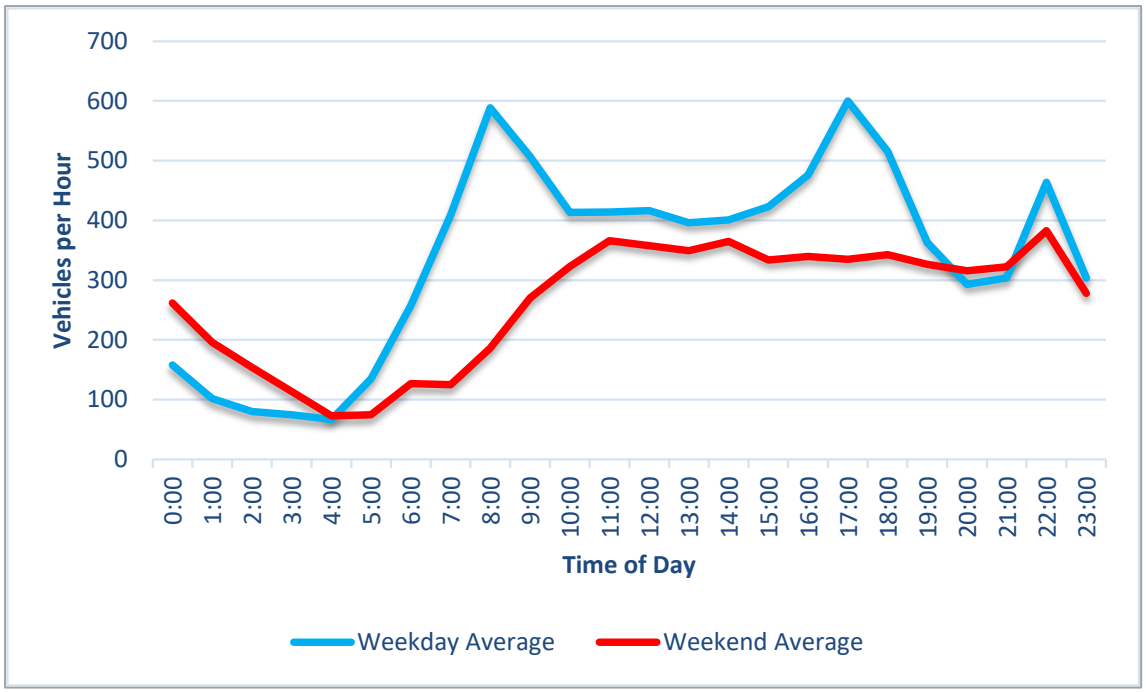
Road	Classification	Description	Photo
Kent Street	Local Road	• Functions as a local road providing connection to Sydney wharfs to the north and Liverpool Street to the south. • One-way northbound road in the area with two travel lanes plus turning lane at intersections. • Separated two-way cycleway on the eastern side. • Mid-block kerbside parking permitted on the western side, subject to time restrictions. • Approximate 9-metre-wide carriageway. • Posted high pedestrian activity 40km/h speed area.	 Image source: Google Maps

Road	Classification	Description	Photo
Sussex Street	Local Road	• Functions as a local road providing connection to Hickson Road to the north and Hay Street to the south. • One-way southbound road through the area with three to four travel lanes and one kerbside parking lane on the western side. • Kerbside parking permitted mid-block on the western side, subject to time restrictions. • Approximate 11-12-metre-wide carriageway. • Posted high pedestrian activity 40km/h speed area.	
King Street	Regional Road	• Functions as a collector road providing connection to A4 Western Distributor to the west and Macquarie Street to the east. • One-way eastbound road with three travel lanes. • Separated two-way cycleway on the northern side. • Approximate 9-metre-wide carriageway. • Posted high pedestrian activity 40km/h speed area.	 Image source: Google Maps
Market Street	Local Road	• Functions as a collector road providing connection to A4 Western Distributor to the west and Elizabeth Street to the East. • One-way westbound road east of Kent Street and two-way west of Kent Street. Bus only lane eastbound. • Approximate 9-metre-wide carriageway. • Mostly a posted high pedestrian activity 40km/h speed area.	 Image source: Google Maps

3.1.3 Traffic Volumes

Tube counts were completed on Kent Street over a 7-day period commencing 7 September 2022, with the weekday (blue) and weekend (red) daily profiles illustrated in Figure 6. The results show distinct peak hours commencing at 8:00am on weekday mornings and 5:00pm on weekday afternoons with around 600 vehicles per hour. During the interpeak period, the hourly volumes were around 400 to 500 vehicles. There was another identified peak at 10:00pm with around 460 vehicles per hour, suggesting either an event or construction detour was occurring on some of the days. The tube count data is included in Appendix A.

Figure 6: Kent Street weekday and weekend traffic volumes



3.1.4 Car Parking

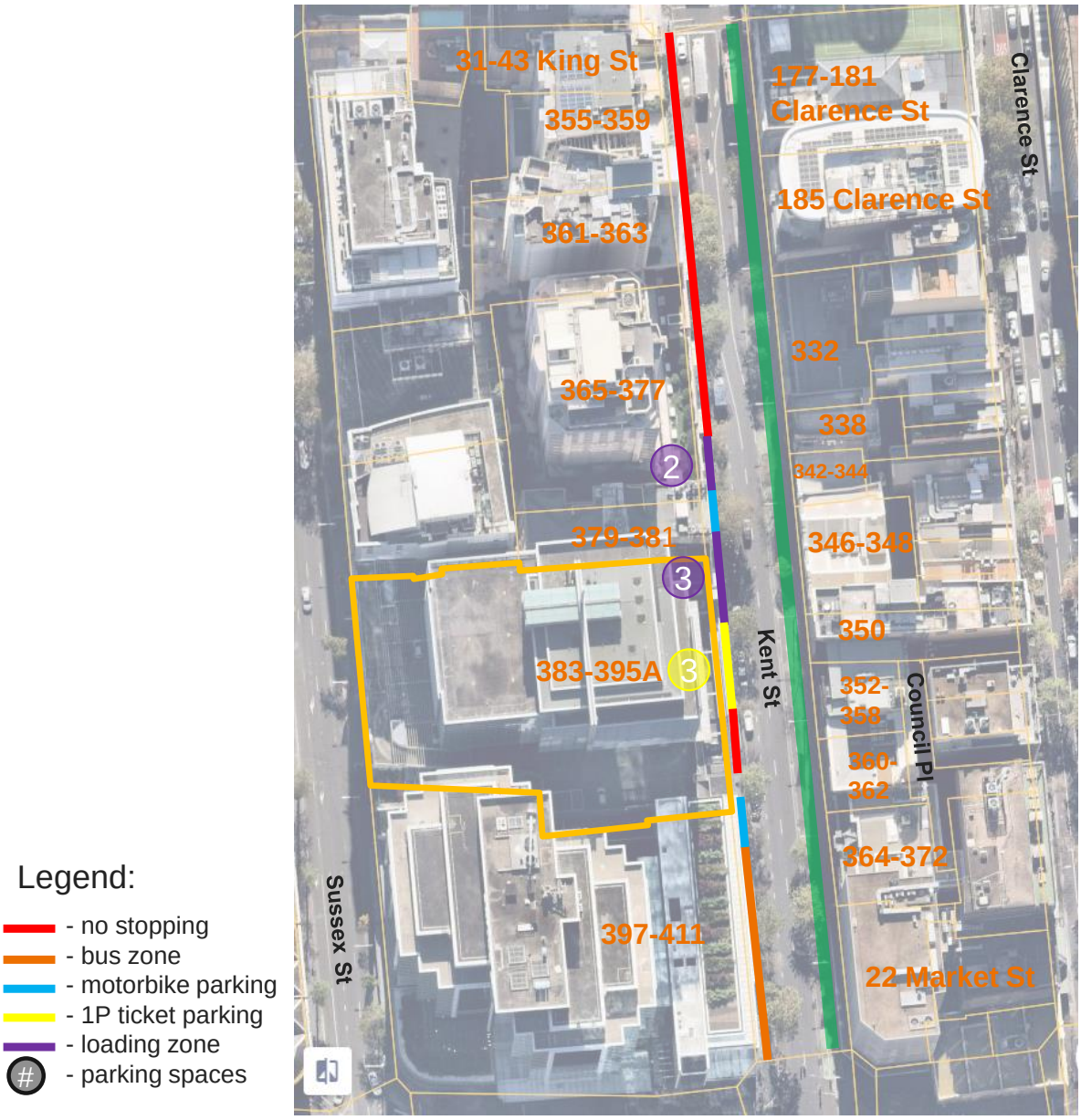
As discussed, the site currently includes a 799-space car park operated by Wilson Parking (with 769 spaces being of public use) and is open all day, seven days a week. Limited on-street parking exists near the site along Kent Street.

The existing on-street parking restrictions along Kent Street (between King Street and Market Street) are shown in Figure 7, with the west side of Kent Street including the following:

- two loading zones with capacity for up to five vehicles
- one-hour parking zone with capacity for three vehicles
- two separate motorcycle parking areas
- bus zone.

The loading zones are in place 6:00am to 6:00pm weekdays and 7:00am to 10:00am Saturdays, with maximum 30-minute duration of stay tickets to be displayed to encourage turnover. These spaces become four-hour ticket spaces on weekday evenings and across most the weekend. The one-hour ticketed spaces have applicable charges in place (with CBD permit holders excepted). There is no on-street parking permitted on the east side of Kent Street, with the Kent Street separated cycleway in place.

Figure 7: Kent Street parking restrictions



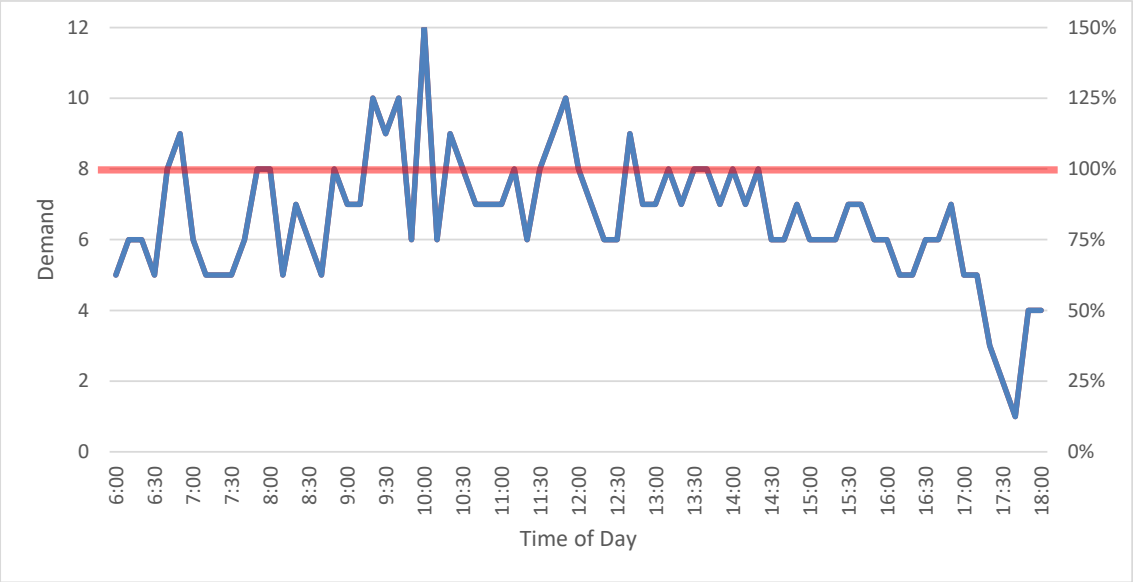
Parking occupancy and duration of stay surveys (shown in Appendix B) were completed on Thursday 8 September 2022 between 6:00am and 6:00pm to understand existing utilisation of the available on-street parking in the block between Market Street and King Street.

There were 136 vehicles recorded using the on-street parking and loading spaces over the duration of the survey. 76 of these vehicles (or 56 per cent) were either a van, ute or rigid truck, with only 43 actually parking in the loading zones. This indicates that loading demand likely exceeds capacity, with a shared loading dock scheme presenting the opportunity to remove a noticeable quantum of service vehicles from Kent Street on a typical weekday.

The following assessment considers the on-street parking demand profiles on the west side of Kent Street and combines both ticketed parking spaces and loading zones on account of demand exceeding the available loading zone supply.

As illustrated in Figure 8, the available eight on-street loading and parking spaces are generally in high demand across the day. There are frequent periods where more than eight vehicles (and up to 12 vehicles at 10:00am) are parked, with the overflow of vehicles observed to park in the bus zone or no stopping areas. Observations also confirm that about 80 per cent of drivers/ passengers visited properties on the west side of Kent Street, with the remainder crossing Kent Street to access properties on the east side.

Figure 8: Kent Street parking and loading zone demand



Analysis of the vehicles that used the on-street parking shown in Figure 9 suggests that 80 per cent parked for less than 30 minutes, nine per cent parked for 30 to 60 minutes and 11 per cent parked for more than 60 minutes. This confirms general high demand for short-stay parking and loading (and broad compliance with the loading zone 30-minute ticketed period), with some minor longer duration of stay demand.

Figure 9: Kent Street parking and loading zone duration of stay

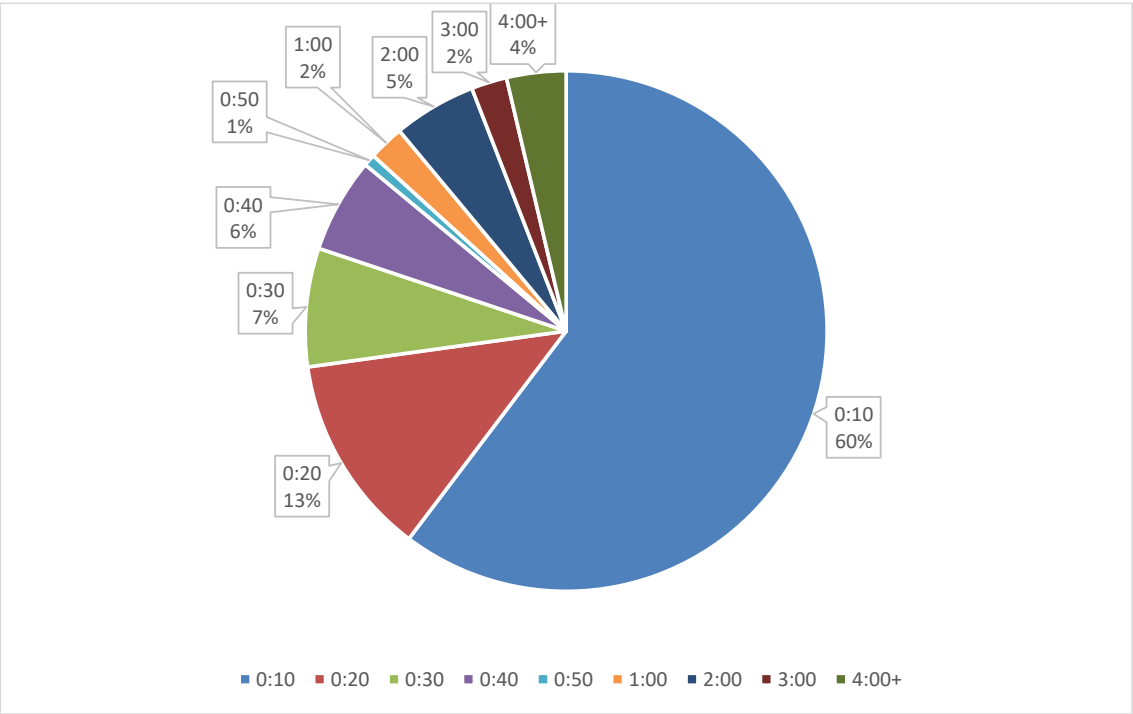
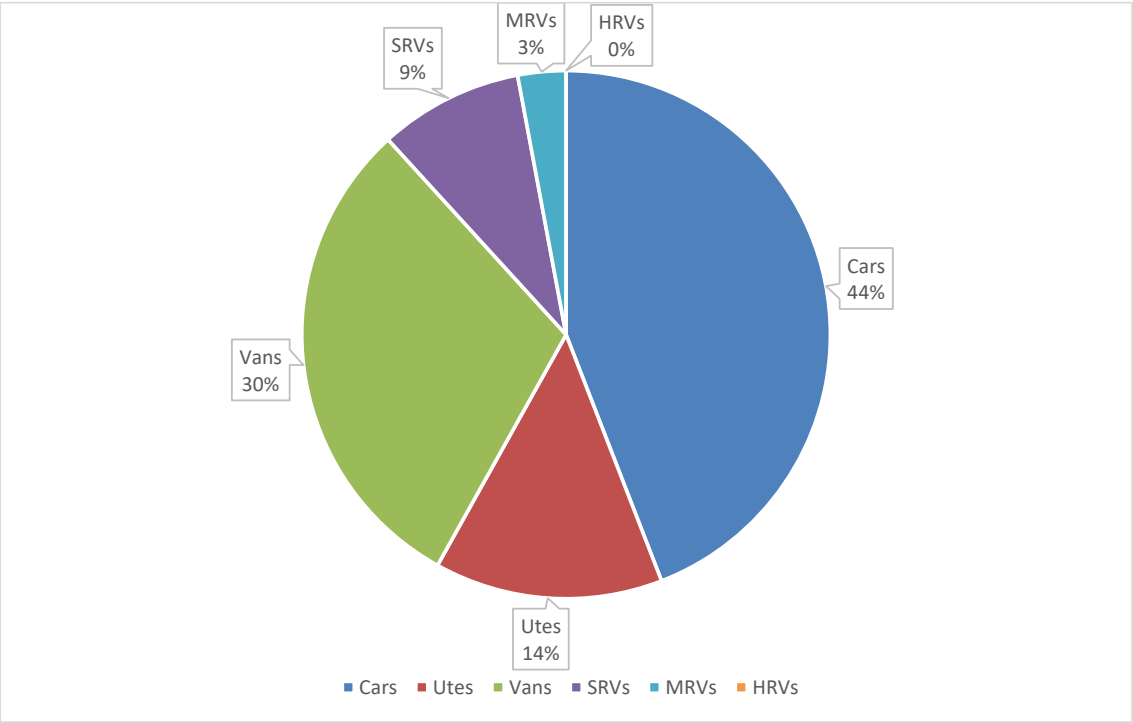


Figure 10 indicates that 44 per cent of all vehicles that park on the west side of Kent Street are cars. Vans and utes also accounted for 44 per cent of all vehicles, with small rigid vehicles and medium rigid vehicles accounting for nine per cent and three per cent, respectively.

Figure 10: Kent Street parking and loading zone demand by vehicle type



In summary, the parking demand survey indicates that vans, utes and rigid trucks account for 56 per cent of all on-street demand in the Kent Street Precinct (or 76 vehicles across the survey period).

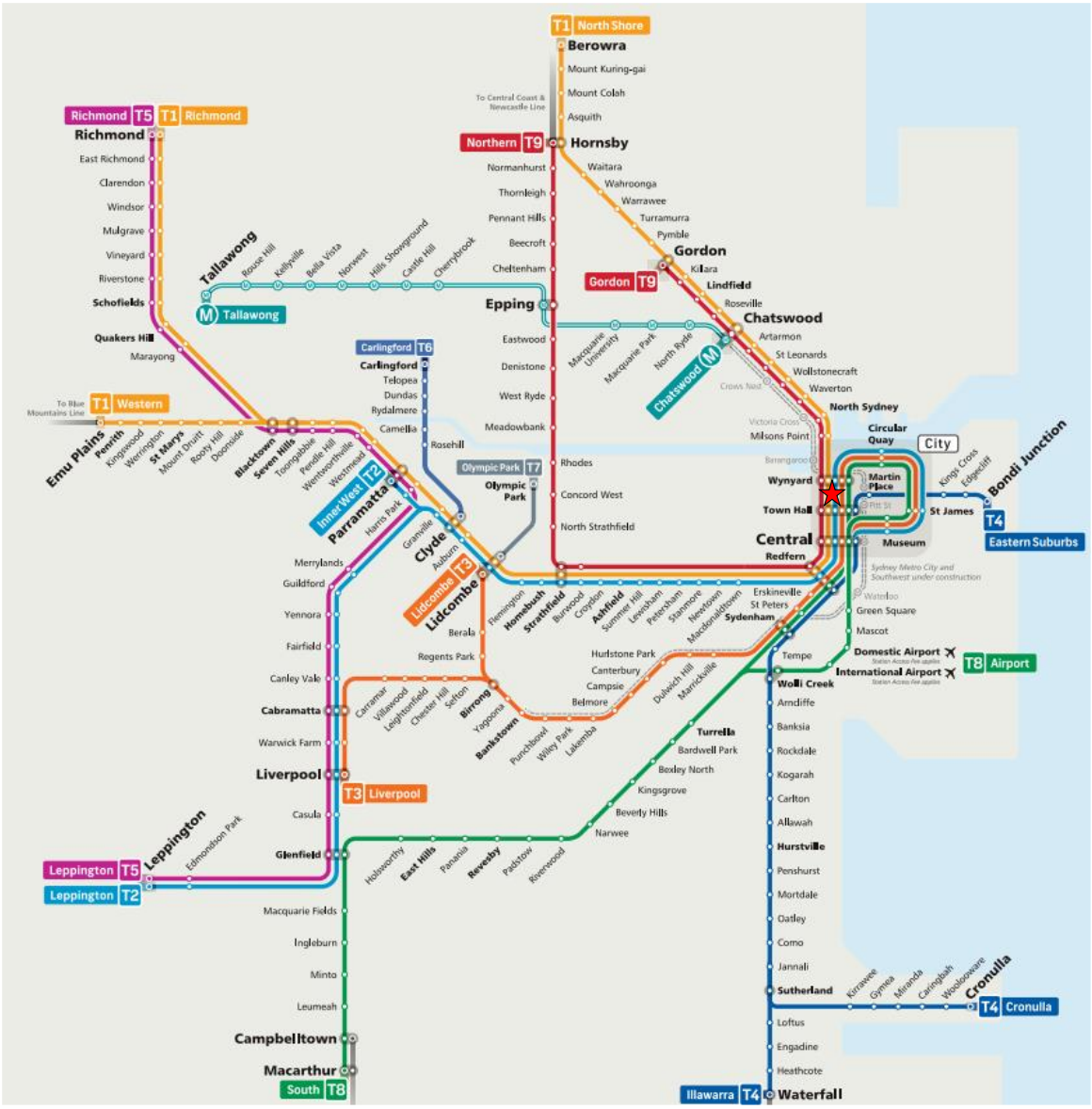
3.2 Public Transport

The site is well serviced by high frequency and highly accessible public transport with a bus stop right outside the site on Kent Street, and multiple train stations and bus stops in close proximity. The following sections consider the available public transport, both existing and future, located near the site.

3.2.1 Heavy Rail

Wynyard train station is an 800m walk to the north and Town Hall train station a 500m walk to the south of the site. Both stations are major stations within the Sydney rail network. Town Hall is one station north of Central Railway Station which services all train lines within the Sydney Trains and NSW TrainLink networks and is a major terminus for suburban as well as interstate rail services. The rail network context is shown in Figure 11.

Figure 11: Surrounding rail network



Source: Transport for NSW, accessed March 2023

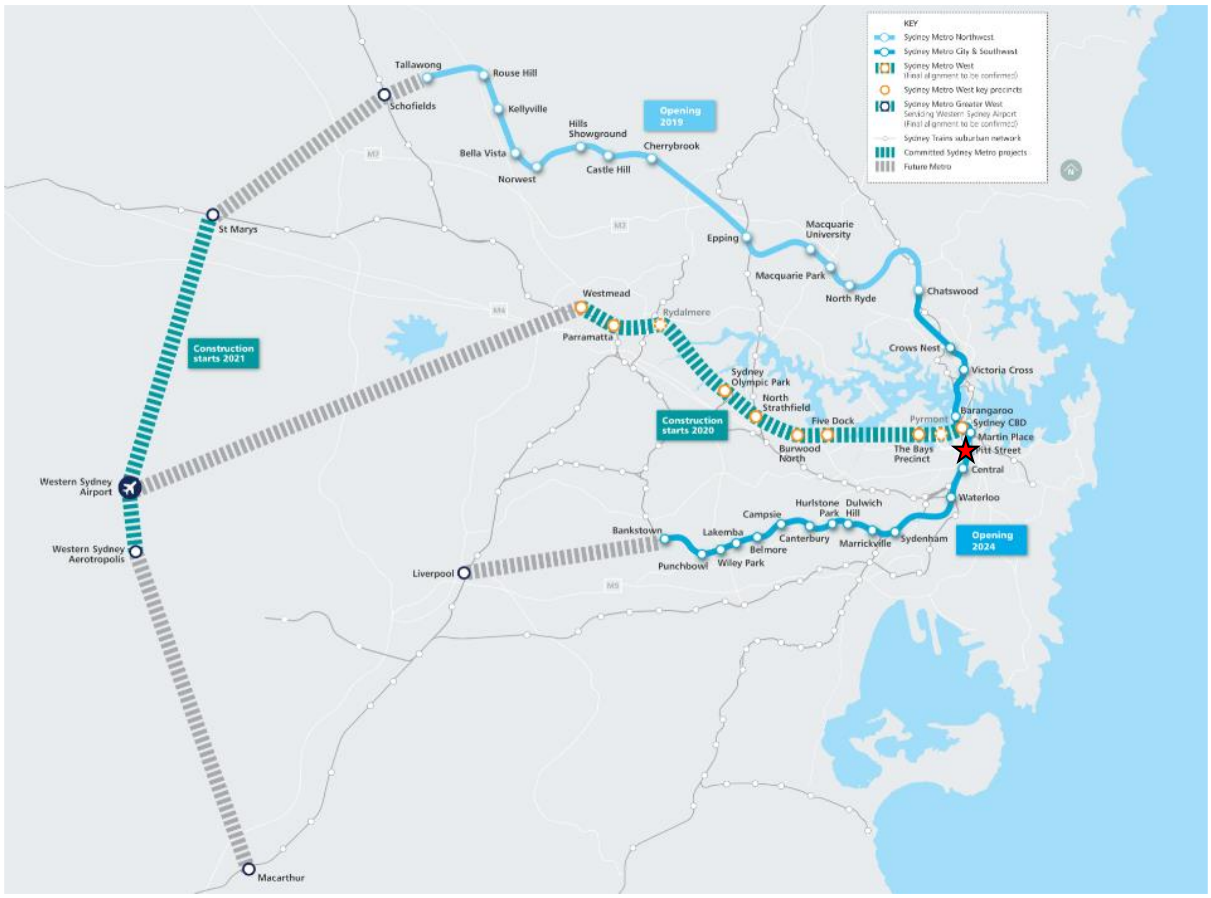
3.2.2 Sydney Metro

The NSW Government is delivering a new Sydney Metro City and Southwest line from Chatswood to Bankstown travelling under Sydney Harbour and through Sydney CBD. The Chatswood to Sydenham section will be operational in 2024 with seven new metro stations, including at Central Railway Station. The Sydenham to Bankstown section is currently delayed by 12 months with eleven upgraded stations. Trains will run at least every four minutes in the peaks, equating to 15 trains per hour.

The new metro station at Pitt Street will significantly increase capacity on the public transport network to/ from the area, further driving development and expansion in the area.

The metro network will be separated from the existing Sydney Trains network that continues beyond Bankstown. An overview of the future Sydney Metro network is shown in Figure 12

Figure 12: Sydney Metro route alignments



Source: Sydney Metro, accessed March 2023

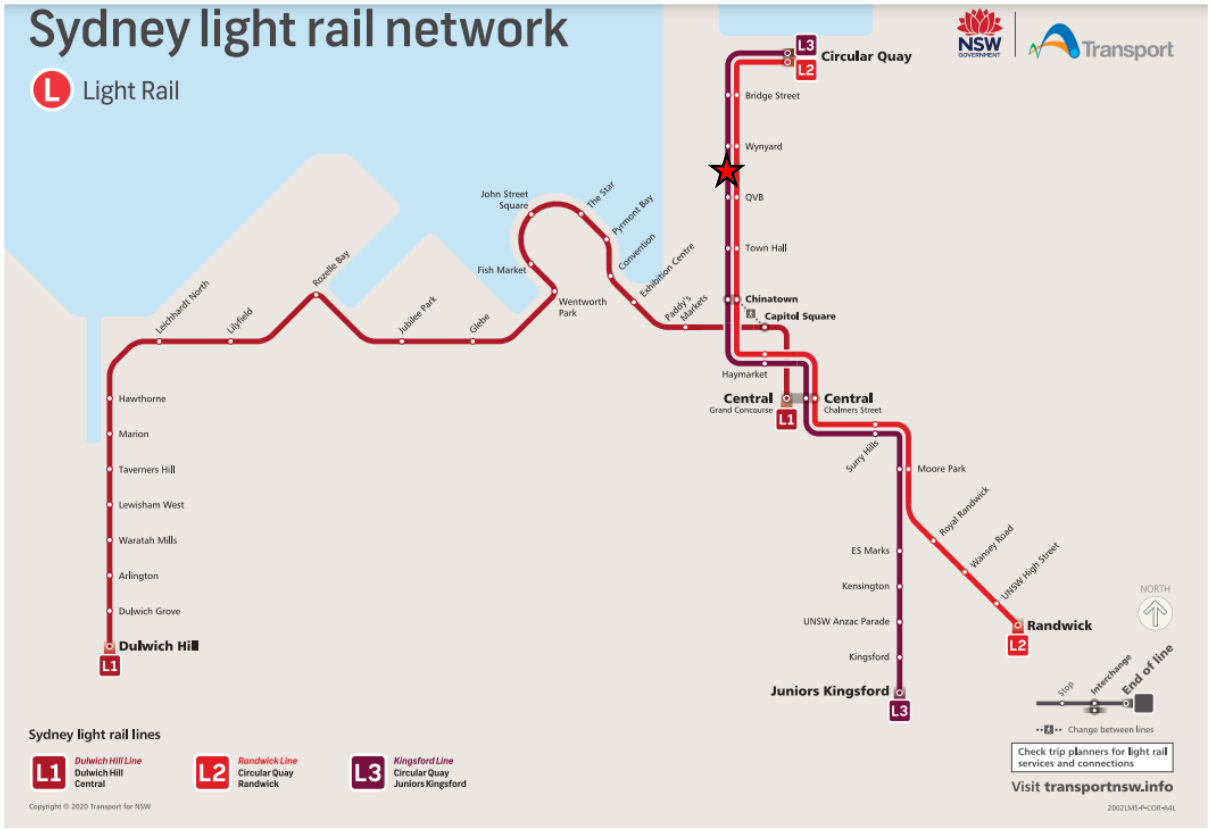
The NSW Government also announced planning for Sydney Metro West with construction in full progress. This further expansion of Sydney's Metro network will significantly increase passenger travel by rail right across Sydney, aggressively reducing travel times and altering the perception of public transport generally.

The intended future Sydney Metro network will improve accessibility and travel times for workers, particularly to/ from Sydney CBD and Parramatta while creating opportunities for real change in travel behaviour for all users.

3.2.3 Sydney Light Rail

The site is also within an easy walk of existing light rail stops at Town Hall and Wynyard. It has a frequency of 7.5 minutes during the day and 15 minutes at night. The L2 Randwick and L3 Kingsford lines connect Central and Sydney CBD with Randwick and Kingsford via Surry Hills and Moore Park with current frequency of 10 minutes during the day and 15 minutes at night. Running from Central, the L1 Dulwich Hill line connects the inner west with inner-city areas such as Darling Harbour and Ultimo. The existing light rail network is shown in Figure 13.

Figure 13: Sydney Light Rail network



Source: https://transportnsw.info/sydney-lightrail-network-map accessed March 2023

3.2.4 Buses

Being in the CBD, the site is well serviced by high frequency and highly accessible bus services, as summarised in Table 2.

Table 2: Surrounding Bus Network

Location of stop	Route number	Route description	Distance to nearest stop	Frequency on/ off-peak
Kent Street after Market Street	311, 324, 324X, 325, 620X, 642X, 652X	Multiple destinations in the city and surround suburbs	20m	1 mins / 20 mins
Sussex Street after King Street	437, 441, 442		290m	4 mins / 20 mins

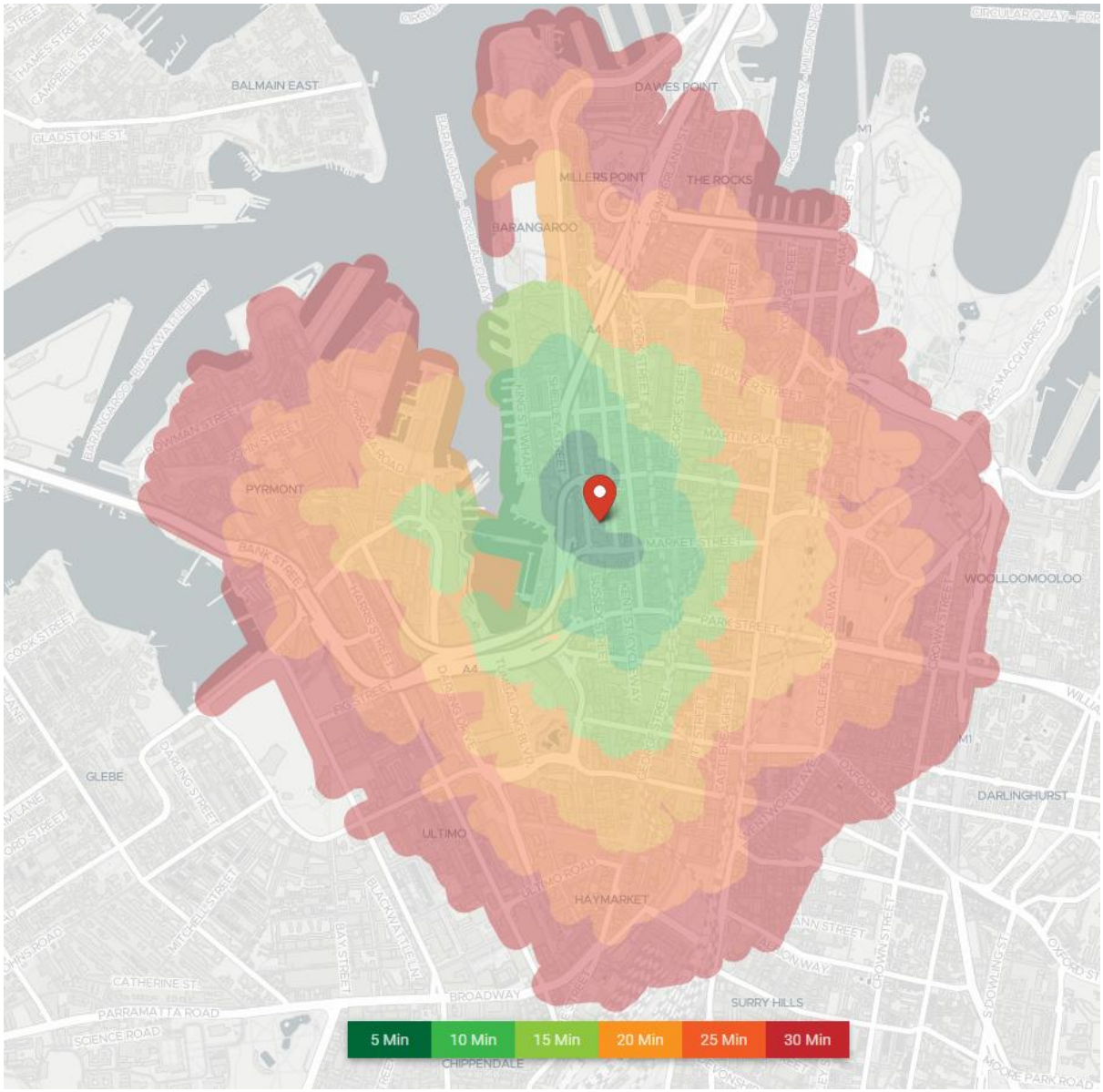
3.3 Active Transport

3.3.1 Pedestrian Accessibility

Walking is the primary local area travel mode with the city naturally providing a high level of pedestrian amenity having played the key role in Sydney's transport network for so long. Generous footpaths are common throughout, with safe crossing facilities at multiple locations including all nearby signalised intersections.

Figure 14 illustrates the walking catchment for the site and shows high level of connectivity throughout.

Figure 14: Existing walking catchment

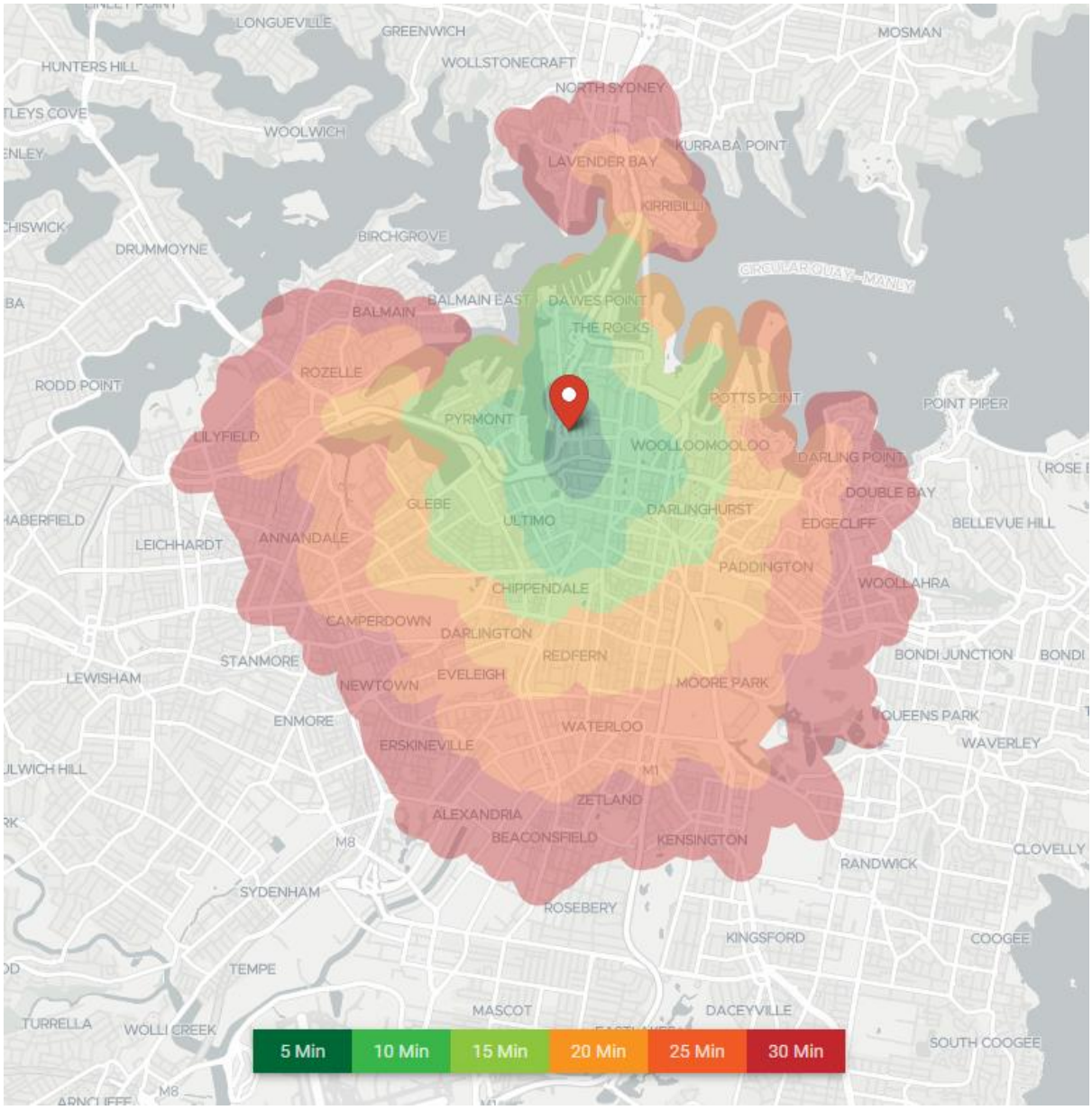


Source: app.targomo.com/

3.3.2 Cyclist Accessibility

Figure 15 highlights the catchment area for cyclists travelling to/ from the site and broader area. The streets near the site include a combination of shared zones and low traffic street with/ without bike lanes that are generally safe cycling routes as identified in Figure 16.

Figure 15: Existing Cycling Catchment



Source: app.targomo.com/

Figure 16: Cycling Map



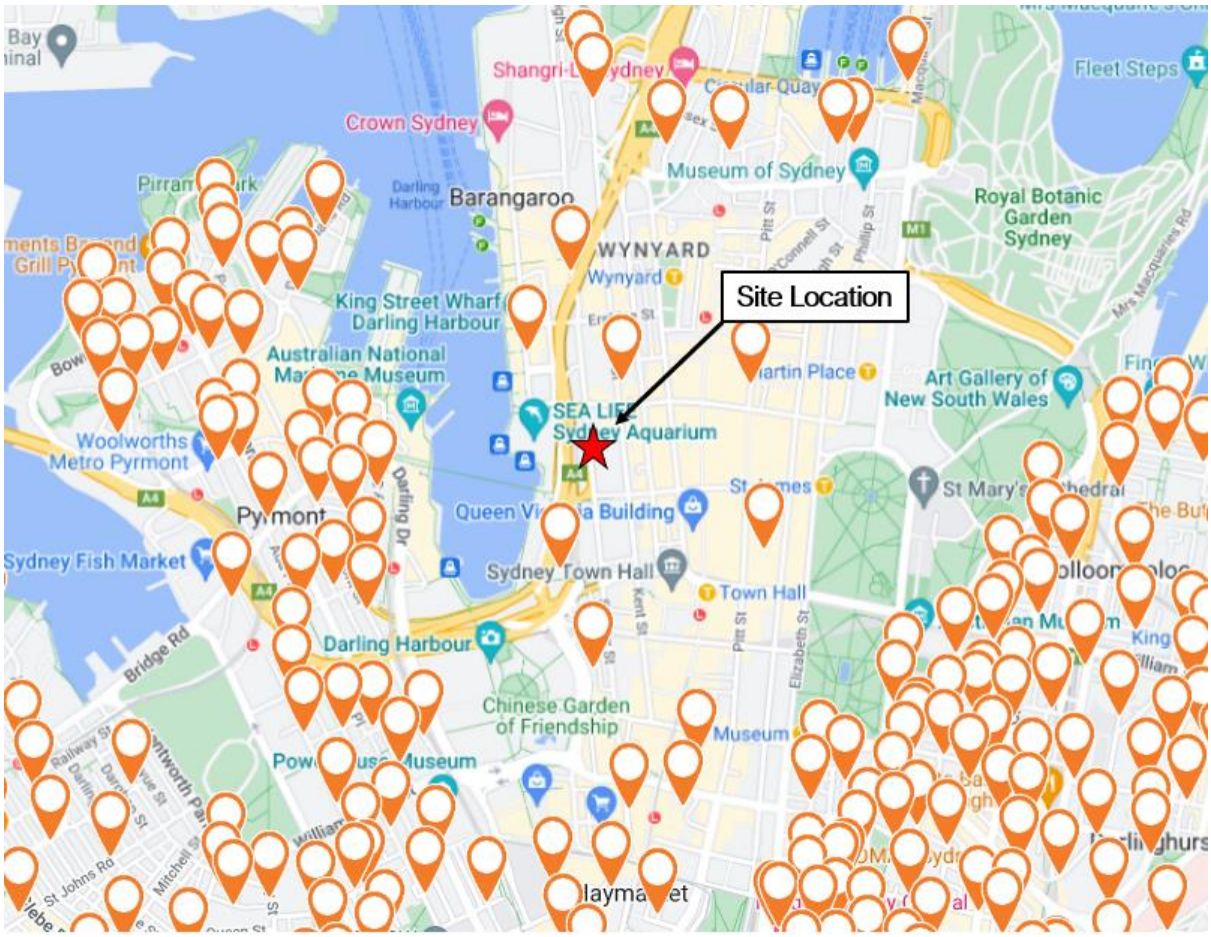
Base image source: Sydney Cycling Map May 2021, accessed March 2023

3.4 Car Share Initiatives

Car share schemes have become increasingly common throughout Sydney and are now recognised as a viable transport option for a range of trip purposes throughout Sydney, particularly shorter trips. Such facilities are likely to be of benefit to future commercial tenants at the site.

GoGet car share for example has a significant number of pods close to the site, as shown Figure 17, with opportunities to provide further facilities as part of the precinct redevelopment to further limit travel by private car. Other providers like Flexicar and Car Next Door also offer services in the area.

Figure 17: GoGet Car Share Pods



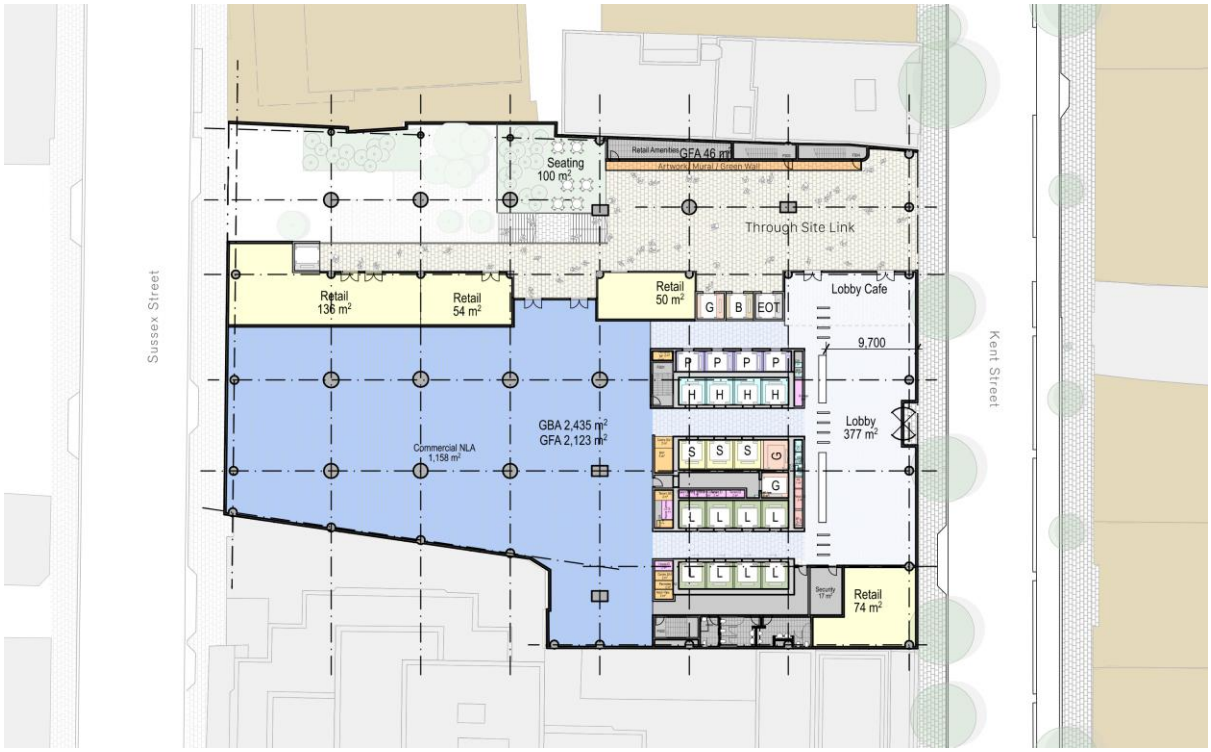
Source: GoGet website, accessed March 2023

4 Planning Proposal

The reference scheme supporting the Planning Proposal and site specific DCP can be described as having some 70,872 square metres of commercial GFA within a 42-storey office tower, 640 square metres GFA of ground floor retail space, and 609 square metres of wellness/ fitness spaces. The end of trip facilities covers 1,070 square metres.

The indicative Kent Street ground level plan is shown in Figure 18 and shows the proposed pedestrian through site link between Kent Street and Sussex Street, with retail frontage. The design works hard to incorporate convenient and quality pedestrian amenity and public domain through and around the site.

Figure 18: Kent Street ground level plan with through-site link



Source: 383 Kent St, Sydney, fjmt Architects, 1 December 2023

A single vehicle access is proposed on Sussex Street providing access to a shared loading dock, basement car park and end-of-trip facilities. The loading dock has been designed to accommodate a range of vehicles up to 8.8 metre medium rigid vehicles (MRV). Two MRV bays, five small rigid vehicle (SRV) bays and 14 light vehicle bays (for cars, vans and utes etc.) have been accommodated for the site. In additional, seven loading bays, including one bay for MRV, two bays for SRVs and four bays for light vehicles (those highlighted in yellow in Figure 19) are proposed to be shared with surrounding constrained developments that do not have adequate loading facilities. The loading dock layout is illustrated in Figure 19. A 72-space basement car park is located toward the eastern side of the site and part of the lower basement level. Motorbike parking is also provided, as shown in Figure 20.

Provision of shared dock arrangements has been a key consideration through site planning and stakeholder engagement. The shared loading dock strategy aims to deliver loading facilities to the

wider precinct, namely to those properties that are heritage constrained and do not have access to formal loading dock facilities.

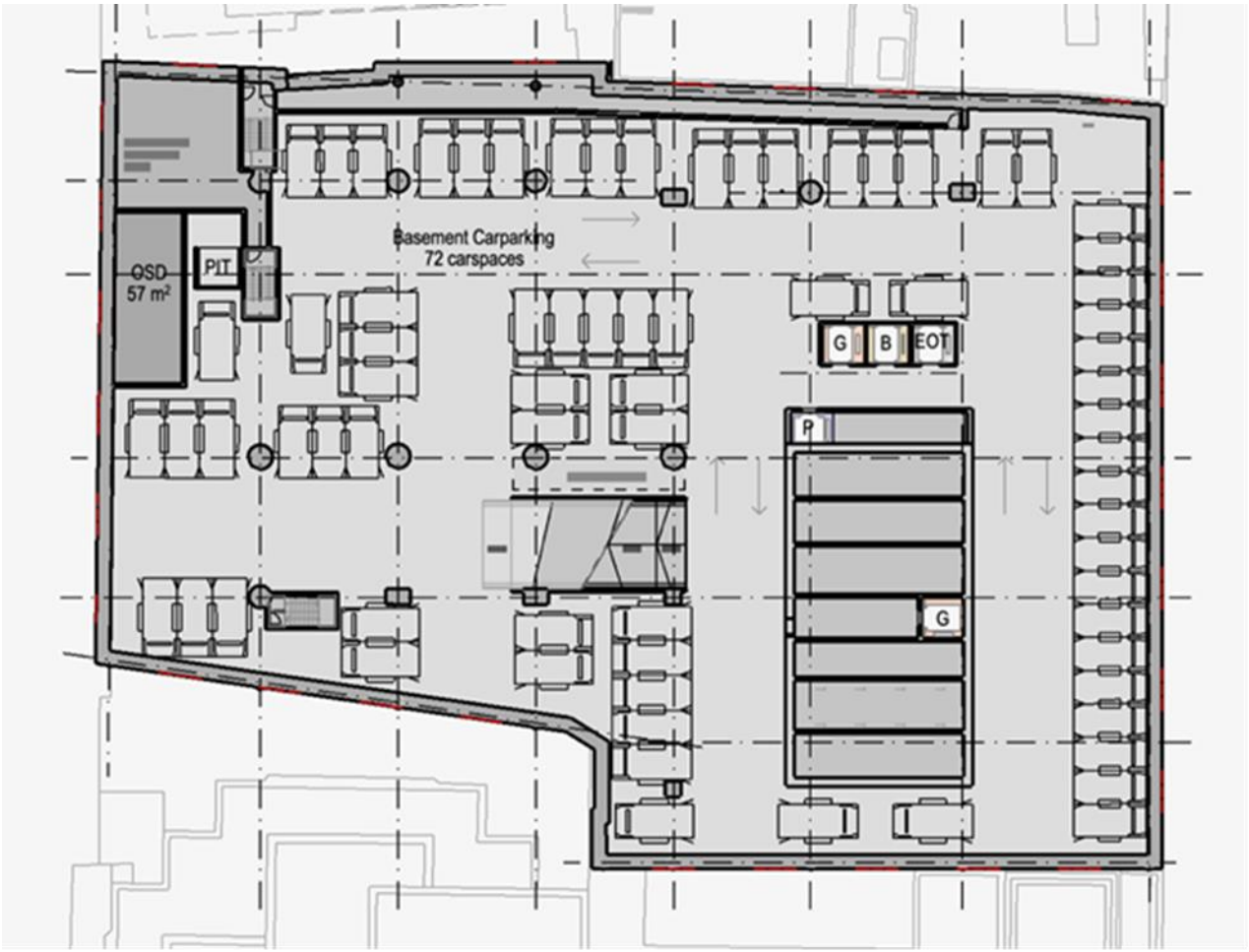
The basement is well laid out and appropriate having regard for the size and type of vehicles and expected time of day demands. There is appropriate separation between service vehicles and light vehicles with the single driveway crossover ensuring minimum impact to the street frontage and façade. Larger service vehicles occupy most of the access driveway on entry and exit and is typical in constrained CBD environments and can be managed given the expected low frequency of large service vehicles. The indicative basement car park layout meets or exceeds Australian Standard requirements.

Figure 19: Sussex Street loading dock



Source: 383 Kent St, Sydney, fjmt Architects, 1 December 2023

Figure 20: Basement 1 parking



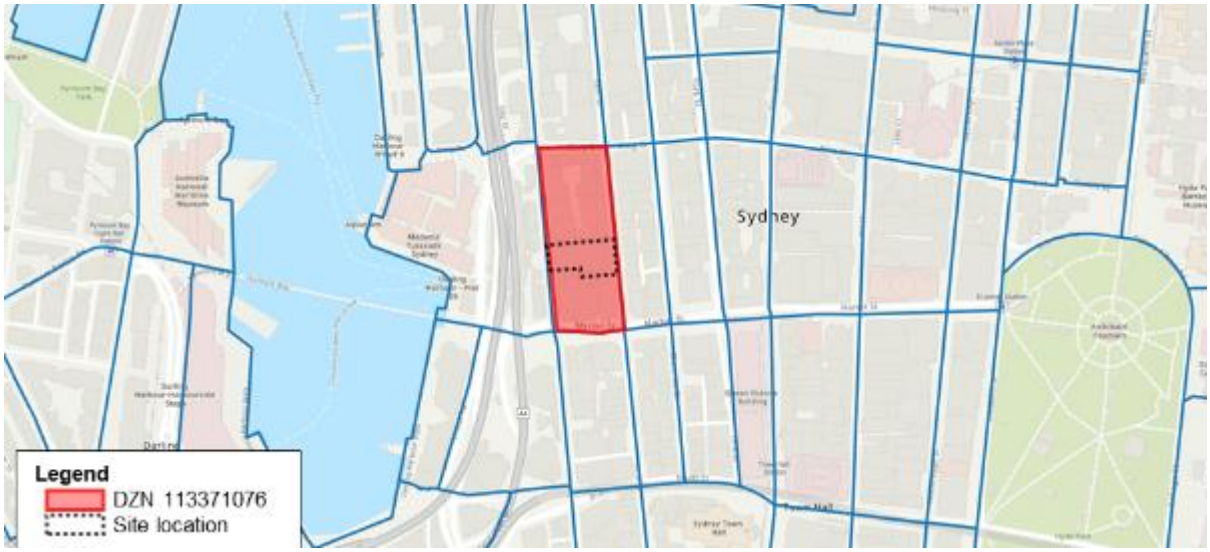
Source: 383 Kent St, Sydney, fjmt Architects, 13 December 2023

5 Transport Appraisal

5.1 Anticipated Travel Behaviour

To understand travel behaviour of existing CBD workers, Journey to Work (JTW) 2016 data from the Australian Bureau of Statistics (ABS) for the site and surrounds has been analysed. The site lies within Destination Zone (DZN) 113371076, which is shown graphically in Figure 21. Given the prime location of the site to high frequency public transport services (more recent and future upcoming services since 2016) and the low parking provisions, mode share targets have been developed for travel behaviour associated with the future population of the proposal.

Figure 21: DZN 113371076



Base image source: ABS

Table 3 shows worker mode share for the area that covers the site.

Table 3: 2016 travel mode share analysis

Mode of Travel	2016 ABS Mode Share	Targets
Train	55%	60%
Bus	22%	22%
Ferry	1%	1%
Light Rail	1%	2%
Vehicle (as driver)	11%	3%
Vehicle (as passenger)	2%	2%
Motorcycle	1%	1%
Bicycle	1%	3%
Walking	5%	5%
Other	1%	1%
Total	100%	100%

The 2016 ABS data suggests that only 13 per cent of workers travelled to the zone by car (as a driver or passenger). Public transport accounted for 79 per cent of all trips and active transport (walking and cycling) accounted for six per cent.

When factoring in the more recent and upcoming public transport availabilities and lower parking provisions proposed for the site, a target for at least 60 per cent of worker trips by train is realistic and achievable. Trips by other public and active transport modes, could also realistically increase (or as a minimum, remain constant). Trips by private car would similarly be expected to reduce on account of less immediate parking and improved train (metro) services.

5.2 Car and Motorcycle Parking Requirements

Parking rates relevant to the proposed land uses are detailed in City of Sydney LEP 2012 and DCP 2012. The rates outline the maximum allowable number of car parking spaces within the development, rounded to the nearest whole number. Minimum rates are not provided in either the City of Sydney LEP 2012 or DCP 2012.

The site is within the “Category A” (Land use and transport integration) and “Category D” (Public transport accessibility level) areas which has the lowest maximum allowances within the City of Sydney LGA. The maximum allowable car parking provisions for the proposed development are summarised in Table 4.

Table 4: Car parking provision

Land Use	Area	Rate	Max. Requirement
Office	70,872m^2	See below [1]	70
Retail	640m^2	See below [2]	1
Wellness/ Fitness	609m^2	See below [3]	1
Total			**72**
Accessible Parking		1 per 20 spaces	4
Motorcycle Parking		1 per 12 spaces	6
Car Share		1 per 30 spaces	3

[1] Max office parking = (Office GFA x Site Area)/ (50 x Total GFA of Site) = (70,872*3,606)/ (50*73,191) = 69.83 (rounded to 70)
[2] Max retail parking = (Retail GFA x Site Area)/ (50 x Total GFA of Site) = (640*3,606)/ (50*73,191) = 0.63 (rounded to 1)
[3] No applicable rate is detailed in the LEP for wellness/ fitness uses, as such the commercial (office) rate has been adopted. Max wellness parking = (Wellness GFA x Site Area)/ (50 x Total GFA of Site) = (609*3,606)/ (50*73,191) = 0.60 (rounded to 1)

Table 4 indicates that the proposal could provide the following:

- 72 car spaces (maximum requirement)
- four accessible car spaces (included within the maximum requirement)
- three car share spaces
- six motorcycle spaces.

The proposal generates a maximum parking requirement of 72 parking spaces (including four accessible spaces) plus three car share spaces (thereby bringing the total to 75 spaces). The proposal can accommodate this maximum number of car spaces across basement level 1 with the current plans indicating a provision of 72 spaces in the basement and as such complies with the

maximum LEP 2012 requirement. Final parking layout and provision will be subject to a future Development Application.

5.3 Bicycle parking and associated facilities

End-of-trip facilities are to be sufficient in scale and appropriately located for use by the end users, in this case, staff and visitors. DCP 2012 has been referenced as a guide to assess the adequacy of the proposed bicycle parking and end-of-trip facilities for the development, as outlined in Table 5.

Table 5: DCP 2012 bicycle provision

Land Use	Area	Rate	Requirement
Office	70,872m^2	Staff (1 per 150sqm) Visitor (1 per 400sqm)	472 177
Retail	640m^2	Staff (1 per 250sqm) Visitor (2 plus 1 per 100sqm over 100sqm)	3 7
Wellness/ Fitness	609m^2	Staff (1 per 150sqm) Visitor (1 per 400sqm) [1]	4 2
Total (Staff - Class 2)			**479**
Total (Visitor - Class 3)			**186**
Lockers		1 per bicycle space	**665**
Showers and change rooms		3 plus 2 per 20 bicycle spaces over 20 spaces	**68**

[1] No applicable rate is detailed in the LEP for wellness/ fitness uses, as such the commercial (office) rate has been adopted.

Table 5 indicates that the following bicycle parking requirements when based on DCP 2012 requirements:

- 479 bicycle spaces for staff in secure locations
- 186 bicycle spaces for visitors in publicly accessible locations
- 665 lockers and 68 showers and change room facilities (DCP 2012 outlines that lockers and change rooms should be provided for both staff and visitor bicycle spaces).

With about 79 per cent of most workers and visitors travelling by public transport and with current mode share confirming an approximate one per cent bicycle mode share (based on JTW data, discussed in Section 5.1) a theoretical building population of 7,174 people (as discussed further in Section 5.5.1) will generate a practical demand for 72 bicycle spaces. Assuming a tripling of staff bicycle use, demand could increase to just over 200 staff bicycle spaces. Such demand profiles are important when considering the provision of such facilities.

The through site link also establishes functional open space mid-block and aims to deliver genuine space for all users. In this regard, the total provision of visitor bicycle parking should be coordinated across the site to ensure equitable provision and use without detracting from the public domain.

Bicycle parking and end-of-trip facilities is planned to be provided within the basement with access via a dedicated lift or direct access via the Sussex Street driveway. Some visitor bicycle parking would be

possible in the public domain, or potentially as separated facilities as part of the staff end-of-trip facilities.

5.4 Loading and Servicing

5.4.1 City of Sydney DCP

DCP 2012 provides requirements for service vehicle parking for various land uses with Table 6 providing an assessment of the minimum requirements as they relate to the proposal.

Table 6: City of Sydney DCP loading requirements

Land use	Size	Rate	Loading requirement
Office space	70,872m^2	1 space per 3,300sqm or part thereof, for the first 50,000sqm; plus 1 space per 6,600sqm, or part thereof, for additional floor area over 50,000sqm and under 100,000sqm	18
Retail space	640m^2	1 space per 350sqm GFA, or part thereof, up to 2,000sqm	2
Wellness/ Fitness	609m^2	1 space per 3,300sqm or part thereof, for the first 50,000sqm; plus 1 space per 6,600sqm, or part thereof, for additional floor area over 50,000sqm and under 100,000sqm	1

[1] No applicable rate is detailed in the LEP for wellness/ fitness uses, as such the commercial (office) rate has been adopted.

Application of the City of Sydney DCP 2012 loading dock rates for the indicative floor areas suggests that about 21 bays are required to accommodate the loading demands associated with the redevelopment potential of 383 Kent Street.

The 21 loading bays can include a combination of vehicle sizes between 99th percentile cars up to 8.8 metre medium rigid vehicles. The split of vehicle types and sizes has been determined using evidence-based data contained in the Arup 2018 AITPM presentation, and would be as follows:

- two MRV bays
- five SRV bays
- 13 van, ute and car bays.

The indicative plans show provision of 28 bays including two for MRVs, five for SRVs and 14 for smaller delivery vehicles dedicated to the development. The remaining seven loading bays (one MRV, two SRV, and four small delivery vehicle loading bays) would be delivered as part of the potential shared loading dock strategy. Such provision exceeds the requirements of DCP 2012. The surplus provision is intended to cater for any such additional retail loading demand generated by Kent Street retail properties in the block between King Street and Market Street. This intends to form part of a broader proposed shared loading strategy.

5.4.2 TfNSW Urban Freight Forecasting

The TfNSW Urban Freight Forecasting Model (UFFM) is a useful planning tool which performs two main functions:

1. Provides daily profiles of the volume and types of freight and servicing activity that a building is likely to generate across a typical weekday, based on building information entered by the user.
2. Assesses the performance of loading dock parking spaces provided by a development to manage the freight demand generated by the building.

The objective of the model is to assist in understanding the facilities that will be appropriate for a development to be self-sufficient in managing its own freight and servicing activity.

By entering key inputs such as the number of loading bays, the model would determine the following:

- Estimated distribution of demand throughout the day.
- Efficiency of the loading dock (dock performance).
- Projected vehicle arrival profiles by loading spaces (i.e., HRV, MRV, SRV and cars, vans, utes etc.).

The inputs as shown in Table 7 generates the anticipated number of spaces, as shown in Table 8.

Table 7: TfNSW loading demand calculator inputs

Parameters	Input
Number of floors	42 floors
Commercial area (incl. wellness/ fitness GFA)	71,481m^2
Retail area	640m^2
Availability of a dedicated goods lift	Yes

Table 8: Parking spaces for commercial vehicles

Commercial Parking Space	Number of Spaces Suggested
Small (B99, vans, utes),	9
Medium (SRV, small truck)	4
Large (MRV, HRV, large trucks)	2

The UFFM tool suggests that the development should provide 15 loading bays, including nine small spaces (B99, vans, utes), four medium spaces (SRV, small truck) and two large spaces (MRV, HRV, large trucks).

The indicative plans show a supply of 18 small spaces, seven medium spaces and three large spaces (total 28 loading bays) can be accommodated within the shared loading dock, thus satisfying the TfNSW recommended requirements.

5.5 Transport Assessment

5.5.1 Trip Generation

To better understand the trip generation of the proposal, it is important to understand the potential future building population. The following assumptions have been adopted to determine a theoretical population:

- Commercial & wellness/ fitness – one person per 10 square metres GFA, equating to 7,148 people.
- Retail – one person per 25 square metres GFA, equating to 26 people.

As such, the proposal is anticipated to have a theoretical peak population of about 7,174 people across the day.

Based on this, the following assumptions have been adopted to understand the potential weekday peak hour trips generated by the development:

- 35 per cent of staff working in the commercial building would travel in the peak hour based on similar sites[1] surveyed for the updated office rates in the TfNSW Guide to Traffic Generating Developments (TDT 2013/04a).
- 25 per cent of retail staff would travel in the peak hour accounting for greater 'peak spreading' typical for such land uses.

On the basis of the above, the anticipated weekday peak hour trips by the theoretical peak population has been estimated adopting the target travel mode share for the area (discussed in Section 5.1), as shown in Table 9. The retail space is considered very much ancillary to all other uses and not considered to generate its own 'new' trips during peak periods.

[1] North Sydney, Parramatta, Sydney Olympic Park and Chatswood sites.

Table 9: Anticipated weekday peak hour trip generation by mode

Mode	Target Mode Share %	Person trips per hour
Train	60%	1,505
Bus	22%	552
Ferry	1%	25
Light Rail	2%	50
Vehicle (as driver)	3%	75
Vehicle (as passenger)	2%	50
Motorcycle	1%	25
Bicycle	3%	75
Walking	5%	125
Other	1%	25
Total	**100%**	**2,507**

Table 9 indicates that the proposal has the potential to generate up to 2,507person trips in any weekday peak hour. In practice, a range of factors contribute to less person trips on any given days and mostly associated with remote working practices, ill-health and further 'peak spreading' practices (where more people travel outside peak hours). In any case, the theoretical maximum person trips are broken down as follows:

- 2,132 trips by public transport
- 200 trips by active travel (bicycle or walking)
- 75 trips by car (as driver)
- 50 trips as a car passenger (private, taxi, rideshare).

Based on similar sites[2] surveyed as part of the TfNSW Technical Direction, a traffic generation rate of 0.4 vehicle trips per space has been conservatively adopted for any weekday peak hour. With about 72 on-site parking spaces, it is anticipated that 30 of the 75 estimated drivers would park in the basement car park, with other drivers using CBD public car parks.

There are several publicly accessible car parks within a short walk of the site. These include the Wilson Parking operated sites on Sussex Street and York Street to the north, south and east and within a 300 to 450 metre walk.

5.5.2 Traffic Distribution

As established in Section 5.1, most workers would use public transport to travel to and from the site. Many vehicle trips will be associated with delivery and service vehicles. Such service vehicle activity generated by the site and neighbouring properties will have origins right across the Sydney

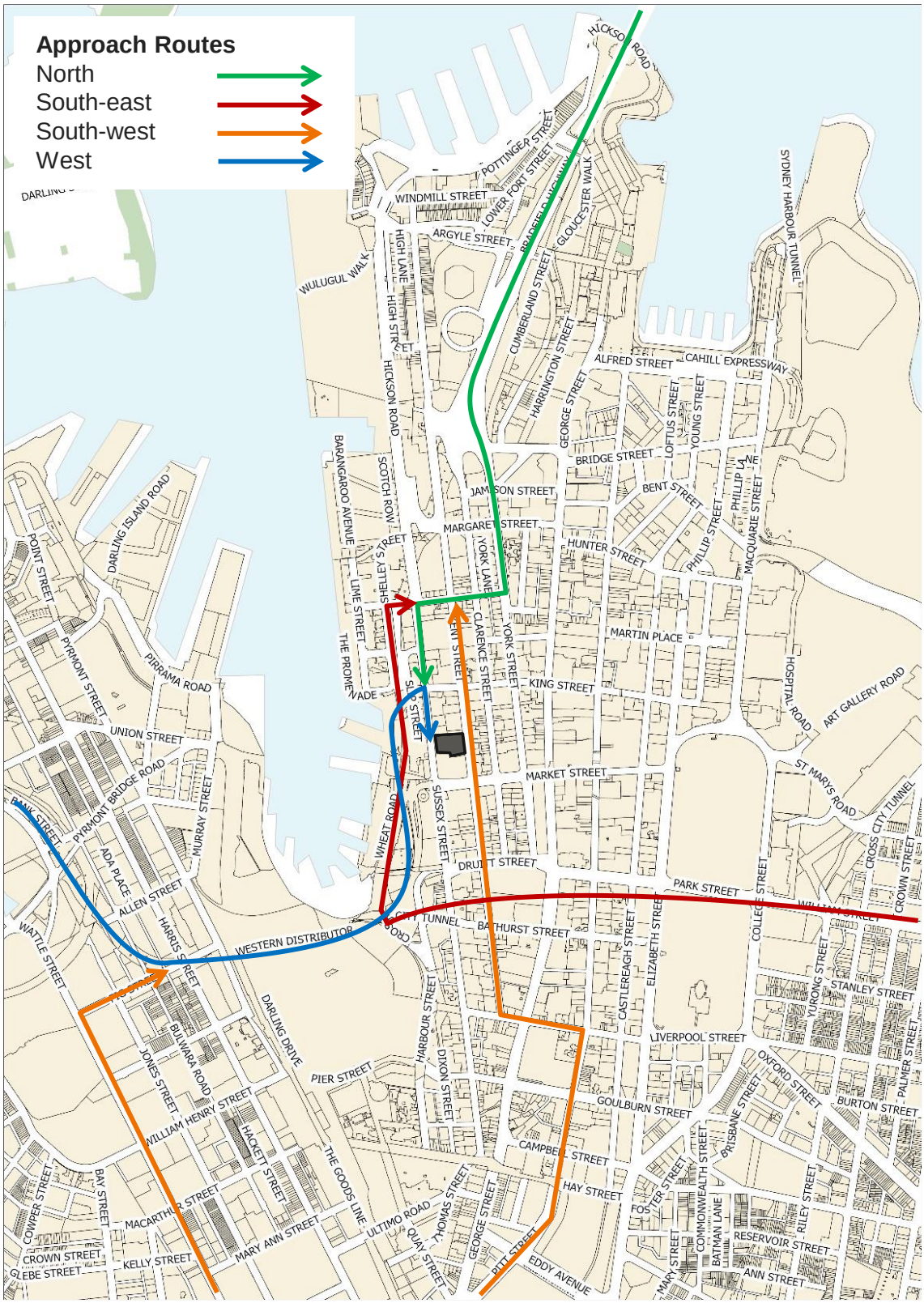
[2] North Sydney and Parramatta sites office premises.

Metropolitan area. The primary approach routes from the arterial road network are detailed below and shown in Figure 22:

- North – Sydney Harbour Bridge, York Street, Erskine Street and Sussex Street.
- South-east – Eastern Distributor, Cross City Tunnel, Harbour Street, Wheat Road, Shelley Street, Erskine Street and Sussex Street.
- South-west – Great Western Highway, Broadway, George Street, Pitt Street, Liverpool Street, Kent Street, Erskine Street and Sussex Street or Great Western Highway, Broadway, Wattle Street, Fig Street, Western Distributor, King Street off ramp and Sussex Street.
- West - Anzac Bridge, Western Distributor, King Street off ramp and Sussex Street.

The approach routes suggest that for most directions, a loading dock access on Sussex Street would be most convenient when compared to a dock access on Kent Street. Only vehicles approaching from the south on Kent Street would need to use Erskine Street to circulate west to access a loading dock on Sussex Steet. The approach routes suggest that a loading dock with access via Sussex Street has the opportunity to reduce traffic using Kent Street, with vehicles mostly able to remain on the periphery of the CBD.

Figure 22: Approach routes



5.5.3 Transport Impacts

The proposal is expected to generate up to 125 car trips (as driver or passenger) in peak hours. When considering the proposed car park alone, the proposal could generate 30 vehicles per hour to/ from the site, accessed via Sussex Street only on the periphery of the CBD.

The site currently includes a 799-space Wilson car park (with 769 spaces being of public use) that can be accessed via both Kent Street and Sussex Street. Applying the same traffic generation rate of 0.4 vehicle trips per space suggests that the public car park could generate up to 320 vehicles trips per hour.

On this basis, the proposal has the ability to significantly reduce traffic volumes generated by the site and contribute towards reducing vehicle trips into Sydney CBD with the removal of a significant public car park thus further encouraging a meaningful shift in travel behaviour.

6 Overview Loading Dock Management

6.1 Shared Loading Arrangement

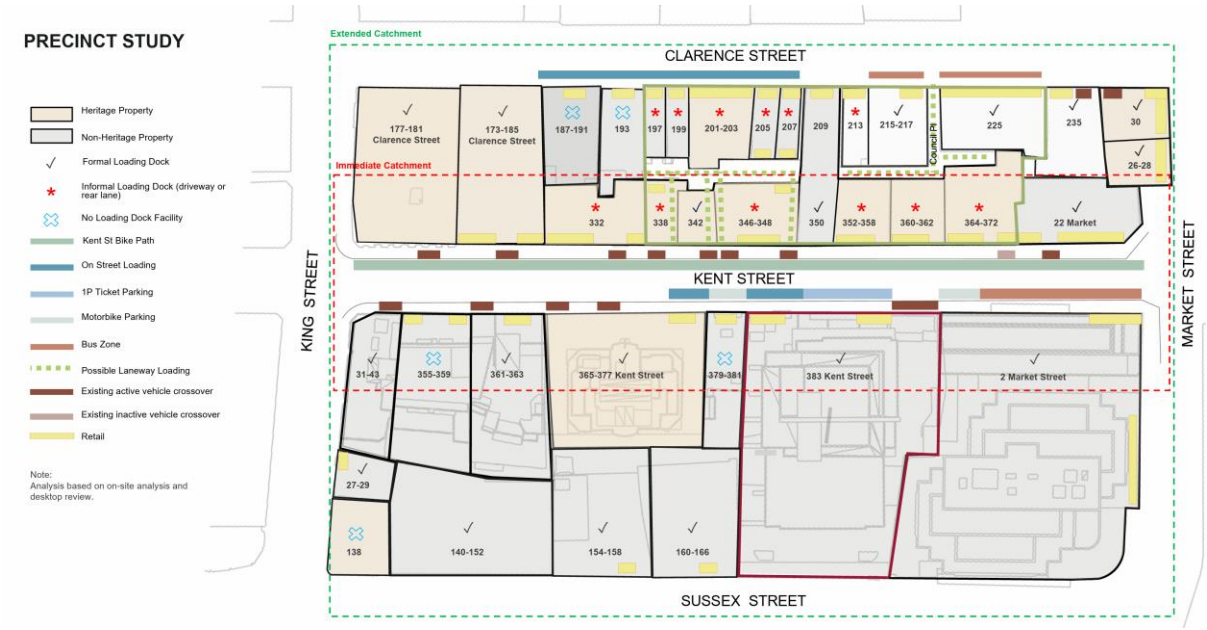
Charter Hall, in consultation with Council, is investigating opportunities for a shared loading dock as part of the redevelopment of the site.

To be read in conjunction with Proponent reports, the aim of a shared loading dock is to deliver practical loading facilities to properties within the precinct, largely those properties that are heritage constrained and may not have practical access to adequate loading facilities. The provision of a shared loading dock will further benefit the study area by:

- supporting the future viability of retail offerings
- minimising on-street loading activities
- reducing driveway crossovers
- improving pedestrian safety and amenity
- improving heritage streetscape.

Any such shared loading dock arrangement is not intended to facilitate waste collection for the study area with such activity expected to continue on-street and after-hours.

Figure 23: Kent Street Shared Loading Study Area



A further assessment of loading dock management and shared loading dock strategies has been discussed in '383 Kent Street, Sydney – Loading Dock Assessment' (prepared by Stantec, dated: 22 November 2023), which is attached at Appendix C.

6.2 Loading Details

6.2.1 Available Loading Facilities

The loading dock is planned to be located on the Sussex Street ground level and designed to accommodate vehicles up to 8.8 metre MRVs. The indicative plans show provision of 28 bays including two for MRVs, five for SRVs and 14 for smaller delivery vehicles dedicated to the development. The remaining loading bays (one MRV, two SRV, and four small delivery vehicle loading bays) would be delivered as part of the potential shared loading dock strategy, as shown in Figure 19.

A single vehicle access is proposed on Sussex Street providing access to the shared loading dock, car parking and end-of-trip facilities. There is good separation between service vehicles and light vehicles with the single driveway crossover ensuring minimum impact to the street frontage and façade. The larger service vehicles do take up much of the access driveway on entry and exit, which is typical in constrained CBD environments and can be managed given the expected low frequency of such larger vehicles.

Figure 24: Indicative Shared Loading Arrangement



Source: 383 Kent St, Sydney, fjmt Architects, December 2023

6.2.2 Hours of Operation

The loading dock will be available for service vehicle access during standard building operating hours, with arrangements for after hours and weekend access.

6.2.3 Demand

As discussed in Section 5.4, loading requirements have been determined with reference to DCP 2012 and TfNSW UFFM too, being 21 and 15 loading bays, respectively.

The typical available operating hours of a loading dock are 10 to 12 hours per day resulting in opportunity to spread deliveries across the day and to manage via a booking system.

Based on an average stay of 20 to 30 minutes, the potential 28 loading bays could accommodate 56 to 84 service vehicles per hour across the day. Most service vehicles travel outside peaks. This is expected to be adequate in meeting the anticipated loading demand generated by the site and surrounding properties as part of a potential shared dock strategy.

6.3 Loading Management

6.3.1 Demand Management

It is recommended that loading dock users be required to book a timeslot prior to arrival. Such arrangements are typically done through an online booking system such as https://www.buildingmanager.com, https://bestrane.com.au or similar. Access to the dock would be granted only to those who have booked via the selected booking system. Unauthorised vehicles would be instructed to leave the site with signage in place to inform all delivery couriers of such arrangements. All booking requests generally need to be logged in advance though provision for short-term requirements can also be factored into the system.

Bookings through the online system will collect the following details:

- delivery type/ reason
- day/ date, timeslot (one timeslot or more)
- carrier/ vehicle type/ size
- vehicle number plate
- company (name, ABN, address, phone/ mobile, email, etc.)
- receiver (tenant/ owner)
- loading space reference number
- additional comments.

The booking system will allow one of the loading bays to be booked and will clearly outline the maximum vehicle size able to be accommodated by the specific bay. It is the responsibility of the dock manager and retail tenants/ owners to ensure that all vehicles permitted access to the site through the online booking system remain strictly within the allowable dimensions (length, height etc.).

Where practical, the building manager should minimise loading activity during the road network peak periods for the site and road network, typically the weekday morning and afternoon peaks.

It will be the responsibility of the building manager to advise approaching loading dock users of any delays or extended loading/ unloading activities as early as practical to avoid inconvenience to the approaching driver. Bookings would be limited to 20-to-30-minute periods. The building manager must contact the relevant receiver should a loading vehicle exceed their booking timeslot by more than five

or 10 minutes. Vehicles would be permitted to enter the loading dock once the booked loading bay has been vacated, or other bay able to be used.

The building manager and/ or retail tenancy personnel will also monitor use of the loading dock to ensure the loading spaces are used for site deliveries and waste collection only, and trade vehicles as required, with no other unauthorised use permitted. They will also be responsible for ensuring materials are not stored in the loading bays or associated loading/ unloading areas at any time.

Considering the above, it is expected that with a booking system and demand management, the loading dock can operate acceptably with minimal impact to site or road network traffic.

6.3.2 Traffic and Pedestrian Management

All loading and unloading activities are to be always conducted within the site. The designated loading dock area is to remain available for always loading and unloading purposes. No storage of goods or parking is to be carried out in these areas.

6.3.3 Operational Review

A detailed loading dock management plan prepared prior to operation should be reviewed regularly (at least once a year) to ensure that the details outlined remain relevant for site operations and activities which are required to occur through the dock.

7 Overview Green Travel Initiatives

7.1 Introduction

7.1.1 Travel Plan Framework

Transport is a necessary part of life, but it has economic, public health and environmental consequences. The transport sector is one of the fastest growing emissions sectors in Australia, and therefore is one of the key opportunities for reducing greenhouse gases. As well as delivering better environmental outcomes, providing a range of travel choices with a focus on walking, cycling and public transport will have major public health benefits and will ensure a strong and prosperous community.

The physical infrastructure being provided as part of the development is only part of the solution. A green travel plan (GTP) will ensure that the transport infrastructure, services and policies both within and external to the site are tailored to the users and coordinated to achieve the most sustainable outcome possible.

7.1.2 What is a Green Travel Plan?

A Green Travel Plan (GTP) is a package of measures aimed at promoting sustainable travel and reducing reliance on the private car. It is not designed to be 'anti-car' however it will encourage and support people's aspirations for carrying out their daily business in a more sustainable way. Travel plans can provide both:

- measures which restrict car use (disincentives or 'sticks')
- measures which encourage or support sustainable travel, reduce the need to travel or make travelling more efficient (incentives or 'carrots').

The travel plan would promote the use of transport, other than the private car, provide choice for staff to travel to and from the site, which is more sustainable and environmentally friendly.

Indeed, there are a range of "non-car" transport options that are available at the site which have been described in this report.

Given the developments aim to reduce private travel to the site, the implementation of a GTP would be beneficial.

7.2 Key Objectives

The aim of the GTP is to bring about better transport arrangements for visiting and working at the site. The key objectives of the Travel Plan are:

- to encourage walking
- to encourage cycling
- to encourage the use of public transport
- to reduce the use of the car, in particular single car occupancy
- where it is necessary to use the car, encourage more efficient use.

It is the intention therefore that the travel plan will deliver the following benefits:

- enable higher public and active travel mode share targets to be achieved
- contribute to greenhouse gas emission reductions and carbon footprint minimisation
- contribute to healthy living for all
- contribute to social equity and reduction in social exclusion
- improve knowledge and contribute to learning.

7.3 Site Specific Measures

The location of the site, in terms of its proximity to a wide range of sustainable transport including bus, train, light rail and future metros services is a key consideration for development in the area. A GTP will put in place measures to raise awareness and further influence the travel patterns of people travelling to/ from the site with a view to encouraging modal shift away from cars.

The following potential measures and initiatives could be implemented to encourage more sustainable travel modes:

- Limiting on-site parking provision.
- Providing a Travel Access Guide (TAG) which would be provided to all staff and publicly available to all visitors. The document would be based on facilities available at the site and include detail on the surrounding public transport services and active transport initiatives. The TAG would be updated as the surrounding transport environment changes.
- Providing public transport information boards/ apps to inform staff and visitors of alternative transport options (the format of such information boards would be based upon the TAG).
- Providing a car sharing pod(s) on-site or nearby and promoting the availability of car sharing pods for trips that require the use of private vehicles.
- Providing bicycle facilities including secure bicycle parking for staff, bicycle racks/ rails for visitors and shower and change room facilities.
- Encouraging staff that drive to work and park on surrounding roads to carpool through creation of a carpooling club or registry/ forum.
- Regularly promoting ride/ walk to work days.
- Providing a regular newsletter to all staff bringing the latest news on sustainable travel initiatives in the area.

7.3.1 Travel Access Guide (TAG)

A TAG provides information to staff and visitors on how to travel to the site using sustainable transport modes such as walking and public transport. The information is presented visually in the format of a map (or app) showing the site location and nearby transport modes highlighting available pedestrian and cycle routes. The information is usually presented as a brochure (or app) to be included in a welcome pack or on the back of company stationery and business cards.

7.3.2 Information and Communication

Several opportunities exist to provide staff and visitors with information about nearby transport options. Connecting them with information would help to facilitate journey planning and increase their awareness of convenient and inexpensive transport options which support change in travel behaviour. These include:

- Transport for NSW provides bus, train and ferry routes, timetables and journey planning through their Transport Info website: http://www.transportnsw.info.
- Council provides a number of services and a range of information and events to encourage people of all levels of experience to travel by bicycle: https://www.cityofsydney.nsw.gov.au/lists-maps-inventories/sydney-cycling-map

In addition, connecting staff and visitors via social media may provide a platform to informally pilot new programs or create travel-buddy networks and communication.

7.3.3 Monitoring of the GTP

There is no standard methodology for monitoring the GTP, but it is suggested that it be monitored to ensure that it is achieving the desired benefits and modify it if required. It will not be possible at this stage to state what additional modifications might be made as this will be dependent upon the particular circumstances prevailing at that time.

The GTP should be monitored on a regular basis, e.g., yearly, by carrying out travel surveys. Travel surveys will allow the most effective initiatives of the GTP to be identified, and conversely less effective initiatives can be modified or replaced to ensure the best outcomes are achieved. It will clearly be important to understand people's reasons for travelling the way they do: - any barriers to changing their behaviour, and their propensity to change.

To ensure the successful implementation of the GTP, a Travel Plan Coordinator should be appointed to ensure the successful implementation of the GTP. This could be the building manager or a member of the body corporate.

7.4 Summary

The proposed development would be able to develop and utilise a travel plan to actively promote increased use of sustainable transport modes. Although it is difficult to predict what measures might be achievable, the above measures provide a framework for the site and implementation of a future travel plan.

8 Overview Construction Transport Management

8.1 Introduction

This section seeks to provide an overview of the construction pedestrian and traffic management initiatives that could be implemented as part of the construction works associated with the proposed development.

Specifically, the following area considered in this overview:

- construction site access arrangements
- anticipated truck volumes during construction stages
- truck routes to/ from the site
- requirements for works zones
- pedestrian and cyclist access
- site personnel parking
- traffic control measures
- overview of CPTMP requirements.

8.2 Principles of Traffic Management

The general principles of traffic management during construction activities are as follows:

- minimise the impact on pedestrian and cyclist movements
- maintain appropriate public transport access
- minimise the loss of on-street parking
- minimise the impact on adjacent and surrounding buildings
- maintain access to/ from adjacent buildings
- restrict construction vehicle movements to designated routes to/ from the site
- manage and control construction vehicle activity near the site
- carry out construction activity in accordance with approved hours of works.

8.3 Work Hours

The works will be carried out during the approved work hours. Indicative work hours are as follows:

- Weekdays: 7:30am – 5:30pm
- Saturdays: 7:30am – 3:00pm
- Sundays and public holidays: no work permitted.

Workers would be advised of the approved work hours during induction. Any works outside of the approved work hours would be subject to specific prior approval from the appropriate authorities. Such works may include delivery of cranes, large plant or equipment required on the site that require oversize vehicle access.

8.4 Site Access and Loading

The construction methodology is not confirmed at this early planning stage. There is opportunity to provide vehicle accesses via both Kent Street and Sussex Street, given existing vehicular crossovers are provided on both frontages of the site. Sussex Street is particularly advantageous considering it is a periphery road that experiences less pedestrian activity than Kent Street. Where practical, loading and unloading would take place within the bounds of the site. That said, there is opportunity to provide on-street works zones. If required, a works zone application(s) will be made to the relevant authorities prior to commencement of works.

As part of the detailed CPTMP, Traffic Guidance Schemes (previously referred to as Traffic Control Plans) will be prepared in accordance with the principles of the Traffic Control at Work Sites manual (TfNSW, 2020). The Traffic Guidance Schemes primarily show where construction signs will be located at specific locations (such as uncontrolled intersections) along the approved truck routes to warn other road users of the increase in construction vehicle movements.

Access to the neighbouring sites by emergency vehicles would not be affected by the works as the road and footpath frontages would be unaffected. Emergency protocols on the site would include a requirement for site personnel to assist with emergency access from the street. All truck movements to the site and/or incident point would be suspended and cleared.

8.5 Construction Staff Parking

It is anticipated that there will be some 300 to 400 workers on-site at any given time during peak activities.

No construction worker parking will be provided. Given the site's proximity to a range of high frequency public transport services, workers will be encouraged to use public transport to access the site. During site induction, workers will be informed of the existing bus network servicing the site. Appropriate arrangements will be made for any equipment/ tool storage and drop-off requirements.

8.6 Heavy Vehicle Traffic Generation

Construction vehicles generated by the site would generally include vehicles up to 12.5 metre heavy rigid vehicles, with permits required for one-off deliveries using 19 metre articulated vehicles. There is expected to be up to 60 vehicles per day during main structure works. At other phase this is likely to be less at approximately 30 to 40 vehicles per day.

Construction vehicle movements will be minimised/ avoided during peak hours where possible to ensure that the works would not materially impact the surrounding road network. Any future detailed CTMP will document and consider the cumulative impact of all other nearby construction sites that are occurring concurrently.

8.7 Heavy Vehicle Access Routes

Heavy vehicle movements would be restricted to designated routes and confined to the arterial road network wherever feasible. Truck routes to/ from the site have been identified with the aim of providing the most direct routes to/ from the site as well as minimising the impact of heavy vehicles on local roads.

Figure 25 and Figure 26 provides a summary of the anticipated construction vehicle routes to/ from the site. Truck drivers will be advised of the designated truck routes to/ from the site.

Figure 25: Construction vehicle routes – Kent Street

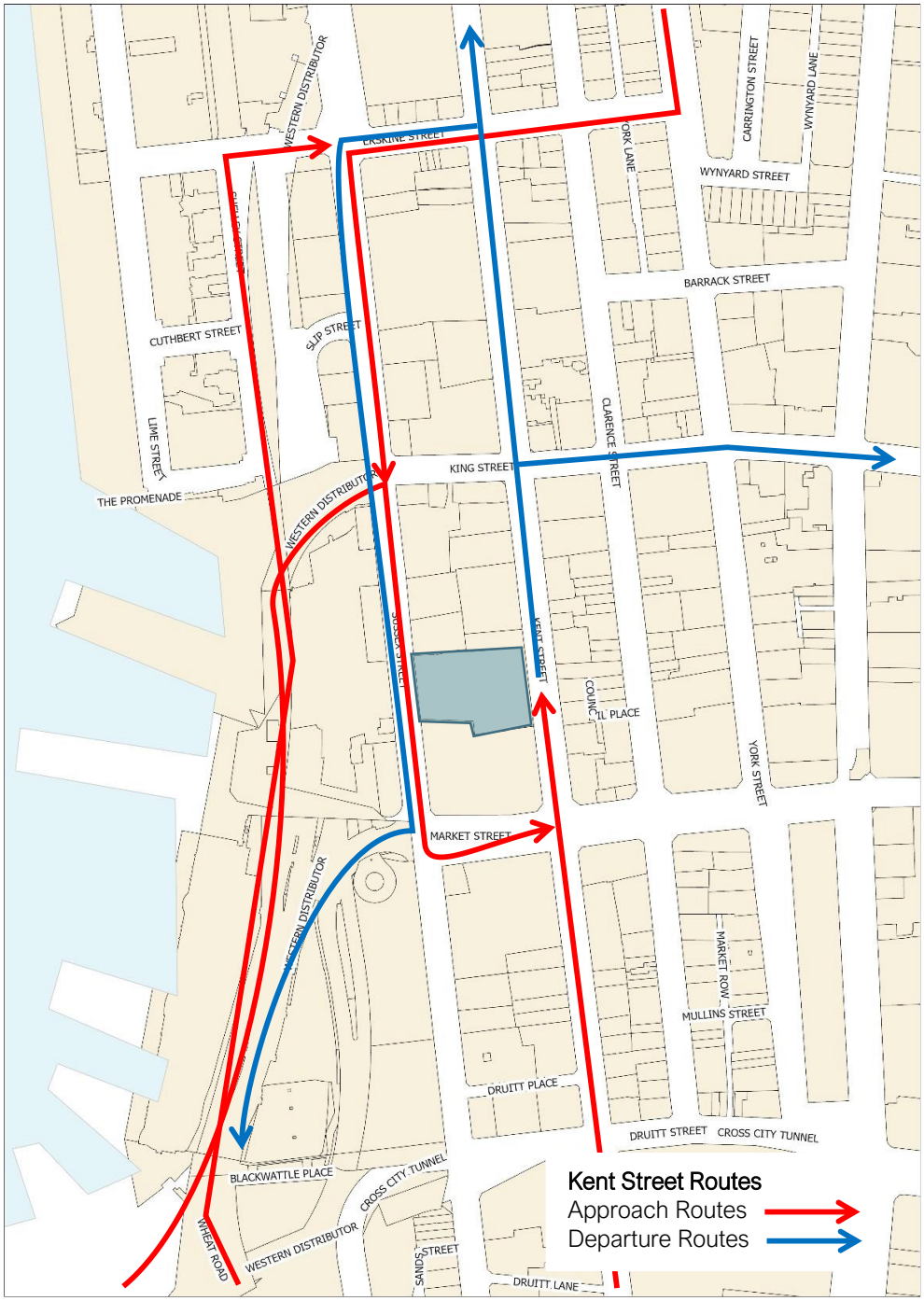
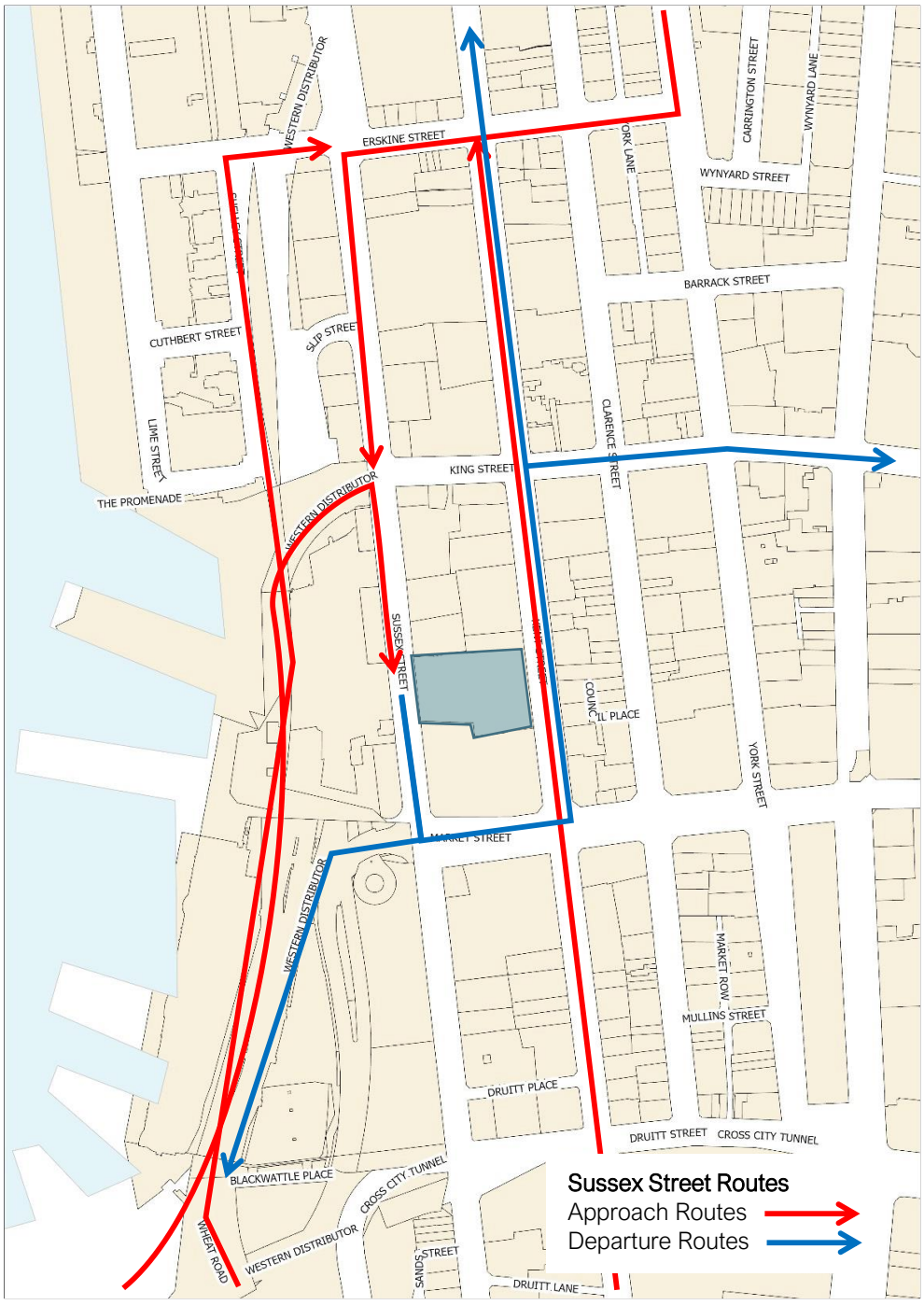


Figure 26: Construction vehicle routes – Sussex Street



8.8 Pedestrian and Cyclist Access

Pedestrian access will generally be maintained along Kent Street and Sussex. B-Class hoardings will be installed along the frontages of the site to maintain and ensure safe pedestrian and cyclist passage adjacent to the site. The corresponding traffic management plans will assist in minimising the impacts to pedestrian and cyclist movements from construction related traffic.

Truck movements will be avoided during peak hours where possible to minimise the impact on pedestrians and cyclists.

8.9 Overview of CPTMP Requirements

This chapter provides an overview of the Construction Pedestrian and Traffic Management Plan (CPTMP) initiatives that would be implemented for the demolition and construction of the commercial building at 383 Kent Street, Sydney. A detailed CPTMP would cover the following additional information:

- Description of construction activities and duration.
- Construction work hours.
- Detailed assessment of construction traffic impacts including any cumulative impacts.
- Details regarding any one-off activities for installation of cranes and other equipment.
- Swept path analysis of heavy vehicle access to the site and Works Zone.
- Detailed assessment of on-street parking impacts.
- Emergency vehicle access.
- Impacts to public transport services.
- Traffic Guidance Scheme(s).
- Contact details of key project personnel.

9 Conclusion

Based on the analysis and discussions presented within this report, the following conclusions are made:

- 383 Kent Street is located within Sydney CBD as part of the Eastern City District that is in a prime location providing staff and visitors quality access to a vast public transport network whether by bus, light rail or train (metro, suburban or interstate heavy rail). This establishes significant opportunities for development whilst keeping private vehicle trip reliance to a minimum.
- The site is currently occupied by a mixed-use commercial/ retail building with retail stores fronting Kent Street, in addition to a 799-space car park (with 769 spaces being of public use) operated by Wilson Parking.
- This planning proposal seeks amendments to planning controls, specifically the site's maximum Height of Building development standard and maximum Floor Space Ratio (FSR) development standard, to facilitate a new 42 storey commercial office tower with a total gross floor area (GFA) of 73,191 square metres (including approximately 640 square metres of retail GFA and 609 square metres of wellness/ fitness GFA).
- On-site car parking, shared loading dock and end-of-trip facilities are envisaged for the proposal, along with a new pedestrian through-site link connecting Kent Street and Sussex Street to increase activation opportunities, through public art and retail.
- This proposal is aligned with one of City of Sydney Council's key moves to provide employment growth in well located new tower clusters where taller building with higher floor space ratios is permitted for income-earning uses.
- Given the sites location proximate to several high frequency and high-capacity public transport services (existing and future) and the low parking provision anticipated for the site (about 72 spaces), travel mode share targets have been developed for travel behaviour for the future population of the site.
- The targets include approximately 60 per cent of worker trips to the development to be by train and 22 per cent by bus with trips by car (as driver) are targeted to account for three per cent. These targets are generally consistent with the JTW data for the area, except for a targeted higher portion of train trips and corresponding decrease in vehicle trips.
- The proposal generates a maximum City of Sydney LEP 2012 parking requirement of 72parking spaces (including four accessible spaces), six motorcycle spaces and three car share spaces. The proposal can achieve the maximum parking requirement within the basement level, with other end-of-trip facilities equally important to catering for future demands, all within the maximum City of Sydney LEP 2012 requirements.
- The proposed generates a Sydney DCP 2012 requirement for up to 665 bicycle spaces, including 479 for staff and 186 for visitors.
- A proposed on-site loading dock can accommodate up to 28 service vehicles (including seven shared loading bays) at any one time including two MRVs, five SRVs and 14 small spaces for use by vans/ utes dedicated to the subject site. An additional one MRV, two SRV and four small spaces would be shared with surrounding constrained heritage site that do not have formal loading facilities. This satisfies the requirements of DCP 2012.
- A shared loading dock strategy aims to deliver loading facilities to the wider precinct, namely to those properties that are heritage constrained and do not have access to formal loading dock facilities. This can be facilitated with the implementation of adequate loading dock management plans.

- Based on the anticipated future building population and the realistic target mode share, the site could generate 2,507 people trips during the weekday peak hours, including 1,505 trips by train and 552 trips by bus.
- With the existing 799-space Wilson car park likely to generate up to about 320 vehicles per hour, the proposal could significantly reduce traffic volumes generated by the site and contribute towards reducing vehicle trips into Sydney CBD with the removal of a significant public car park and subsequent encouragement in further meaningful shifts in travel behaviour.
- Furthermore, the anticipated public transport, cyclist and pedestrian trips are not expected to result in any adverse effects to the public and active network infrastructure when considering that staff residences are located across the Greater Sydney Metropolitan region and would therefore disperse the trips across the broader network.
- The implementation of a Green Travel Plan (GTP) will ensure that the transport infrastructure, services and policies both within and external to the site are tailored to the users and coordinated to achieve the most sustainable outcome possible.
- The implementation of a Construction Traffic Management Plan (CTMP) will ensure that the construction process of the site minimises impacts to pedestrians and the general transport network in a safe and efficient manner.

APPENDICES

Appendix A Tube Count Data

Job No	AUNSW4820
Client	Stantec
Site	Kent St, Sydney
Location	North of Market St
Site No	ATC 1
Start Date	7-Sep-22
Description	Volume Summary
Direction	NB

MATRIX Traffic and Transport Data

Hour Starting	Day of Week							W'Day Ave	7 Day Ave
	Mon	Tue	Wed	Thu	Fri	Sat	Sun		
	12-Sep	13-Sep	7-Sep	8-Sep	9-Sep	10-Sep	11-Sep		
AM Peak	546	622	627	642	506	381	351		
PM Peak	529	615	607	643	605	458	361	**8160**	**7633**
0:00	118	110	120	167	276	247	277	158	188
1:00	70	94	88	115	141	183	208	102	128
2:00	72	66	71	82	110	126	181	80	101
3:00	56	64	77	72	103	90	137	74	86
4:00	52	82	61	69	70	76	70	67	69
5:00	117	126	144	141	146	84	65	135	118
6:00	303	237	245	258	246	151	102	258	220
7:00	412	435	401	432	366	156	94	409	328
8:00	546	622	627	642	506	199	173	589	474
9:00	442	490	517	590	497	291	249	507	439
10:00	365	426	447	406	424	301	345	414	388
11:00	350	375	437	437	471	381	351	414	400
12:00	371	428	392	436	455	354	361	416	400
13:00	337	396	383	434	431	364	334	396	383
14:00	332	408	386	445	432	386	344	401	390
15:00	367	439	427	423	459	363	304	423	397
16:00	389	501	483	531	474	363	316	476	437
17:00	529	615	607	643	605	409	261	600	524
18:00	415	516	556	546	543	458	227	515	466
19:00	262	361	361	360	471	440	213	363	353
20:00	203	272	318	305	367	440	191	293	299
21:00	226	278	312	350	351	434	211	303	309
22:00	301	461	526	624	408	413	353	464	441
23:00	217	264	310	410	318	346	210	304	296
Total	6852	8066	8296	8918	8670	7055	5577	8160	7633

7-19	4855	5651	5663	5965	5663	4025	3359	5559	5026
6-22	5849	6799	6899	7238	7098	5490	4076	6777	6207
6-24	6367	7524	7735	8272	7824	6249	4639	7544	6944
0-24	6852	8066	8296	8918	8670	7055	5577	8160	7633

Appendix B Parking Survey

Client	Stantec
Date	Thursday, 8 September 2022
Description	Parking Survey

Street Name	Side of Street	Between	Restriction	Applicable Hours	Supply	6:00	6:10	6:20	6:30	6:40	6:50	7:00	7:10	7:20	7:30	7:40	7:50
Kent St	West	Market St & King St	No Stopping		-	0	0	0	0	0	0	0	0	0	0	0	0
			Bus Zone		-	0	0	0	1	0	1	0	0	0	0	0	1
			No Stopping		-	0	0	0	0	0	0	0	0	0	0	0	0
			1P	C.B.C Permit holders excepted	**3**	3	3	3	0	3	3	2	2	1	2	3	3
			Loading Zone + 4P	LZ - 6am-6pm(Mon-Fri) & 7am-10am(Sat) / 4P - 6pm-10pm(Mon-Fri) & 10am-10pm(Sun) & Public holidays	**3**	2	3	3	3	3	3	3	3	3	3	3	3
			Loading Zone + 4P	LZ - 6am-6pm(Mon-Fri) & 7am-10am(Sat) / 4P - 6pm-10pm(Mon-Fri) & 10am-10pm(Sun) & Public holidays	**2**	0	0	0	0	1	2	1	0	1	0	0	1
			No Stopping		-	0	0	0	1	1	0	0	0	0	0	0	0
			No Stopping		-	0	0	0	0	0	0	0	0	0	0	0	0
			No Stopping		-	0	0	0	0	0	0	0	0	0	0	0	0
Total					**8**	**5**	**6**	**6**	**5**	**8**	**9**	**6**	**5**	**5**	**5**	**6**	**8**
% Capacity						**63%**	**75%**	**75%**	**63%**	**100%**	**113%**	**75%**	**63%**	**63%**	**63%**	**75%**	**100%**

8:00	8:10	8:20	8:30	8:40	8:50	9:00	9:10	9:20	9:30	9:40	9:50	10:00	10:10	10:20	10:30	10:40	10:50	11:00	11:10	11:20	11:30	11:40	11:50	12:00	12:10	12:20	12:30	12:40	12:50
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100%	**63%**	**88%**	**75%**	**63%**	**100%**	**88%**	**88%**	**125%**	**113%**	**125%**	**75%**	**150%**	**75%**	**113%**	**100%**	**88%**	**88%**	**88%**	**100%**	**75%**	**100%**	**113%**	**125%**	**100%**	**88%**	**75%**	**75%**	**113%**	**88%**

13:00	13:10	13:20	13:30	13:40	13:50	14:00	14:10	14:20	14:30	14:40	14:50	15:00	15:10	15:20	15:30	15:40	15:50	16:00	16:10	16:20	16:30	16:40	16:50	17:00	17:10	17:20	17:30	17:40	17:50	18:00
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7	**8**	**7**	**8**	**8**	**7**	**8**	**7**	**8**	**6**	**6**	**7**	**6**	**6**	**6**	**7**	**7**	**6**	**6**	**5**	**5**	**6**	**6**	**7**	**5**	**5**	**3**	**2**	**1**	**4**	**4**
88%	**100%**	**88%**	**100%**	**100%**	**88%**	**100%**	**88%**	**100%**	**75%**	**75%**	**88%**	**75%**	**75%**	**75%**	**88%**	**88%**	**75%**	**75%**	**63%**	**63%**	**75%**	**75%**	**88%**	**63%**	**63%**	**38%**	**25%**	**13%**	**50%**	**50%**

Appendix C Loading Dock Assessment Memo

Stantec

Memo

To:	Charter Hall	From:	Bayzid Khan
Project/File:	300304103	Date:	22 November 2023

REFERENCE: 383 KENT STREET, SYDNEY – LOADING DOCK ASSESSMENT

Stantec has been providing transport engineering services to Charter Hall for the potential redevelopment of 383 Kent Street, Sydney (the Site). A Planning Proposal has been lodged to amend the Sydney Local Environmental Plan 2012 (Sydney LEP) for the Site to support the redevelopment that would remove the existing 10 storey car park and commercial office tower and construct a new 42 storey commercial office tower with some 73,000 square metres of commercial and retail GFA based on a maximum achievable floor space ratio of 20:1 (this includes approximately 700 square metres GFA of retail space).

Charter Hall, in consultation with City of Sydney Council, has been investigating opportunities for a shared loading dock as part of the redevelopment of the Site. The aim of a shared loading dock is to deliver loading facilities to existing tenancies within the local precinct that are heritage constrained and do not have practical access to adequate or formal loading facilities.

The benefits from delivery of a shared loading dock scheme in the precinct include:

- supporting the future viability of retail offerings
- minimising on-street loading activities
- reducing driveway crossovers
- improving pedestrian safety and amenity

The shared loading dock is not intended to facilitate waste collection for the study area with such activity expected to continue on-street and after-hours.

The memorandum has been prepared to assess the potential for a shared loading dock scheme as part of any such redevelopment of the Site and has considered the following:

- potential loading dock provisions
- suitability against statutory (and other) requirements
- consideration of potential catchment area for a shared scheme
- high level review of indicative layout.

In summary, the proposal seeks to provide seven additional loading bays within the reference design loading dock that can be dedicated to a shared loading dock catchment. A summary of the potential catchment floor areas that these seven loading bays can accommodate is detailed in this memorandum and summarised in Table 1.

Table 1: Potential Shared Loading Dock Catchment

Scenario	Catchment Area	
	Retail Only (GFA)	Retail and Commercial (GFA)
Based on DCP 2012 (7 bays only)	Approx. 2,500sqm	Approx. 1,500sqm retail and 11,500sqm commercial
Based on TfNSW UFFM [1] (7 bays only)	Approx. 7,500sqm	Approx. 4,000sqm retail and 15,000sqm commercial

[1] Transport for NSW's Urban Freight Forecaster Model

BASE REQUIREMENT (TOWER ONLY)

City of Sydney DCP 2012 provides requirements for service vehicle parking for various land uses with Table 2 providing an assessment of the minimum requirements as they relate to the redevelopment proposal.

Table 2: City of Sydney DCP loading requirements

Land use	Size (GFA)	Rate	Loading requirement
Office space	72,300m^2	1 space per 3,300sqm or part thereof, for the first 50,000sqm; plus 1 space per 6,600sqm, or part thereof, for additional floor area over 50,000sqm and under 100,000sqm	19
Retail space	700m^2	1 space per 350sqm GFA, or part thereof, up to 2,000sqm	2

Application of the City of Sydney DCP 2012 loading dock rates to the indicative floor areas suggests that about 21 bays are required to accommodate the loading demands associated with the redevelopment potential of 383 Kent Street.

The 21 loading bays can include a combination of vehicle sizes between 99th percentile cars up to 8.8 metre medium rigid vehicles. The split of vehicle types and sizes has been determined using evidence-based data contained in the Arup 2018 AITPM presentation, and would be as follows:

- two MRV bays
- five SRV bays
- 13 van, ute and car bays.

SHARED LOADING DOCK (ADDITIONAL BAYS)

An additional 7 bays (one MRV, two SRVs and four vans) can be spatially accommodated within the Site's basement as illustrated in Figure 1 (highlighted in orange).

This additional provision is intended to cater for any such additional retail and commercial loading demand generated by the precinct as part of a broader proposed shared loading strategy.

Figure 1: Reference Loading Dock Arrangement



Source: 383 Kent Street - additional loading bay study, ftmt dated 21 November 2023

POTENTIAL SHARED LOADING DOCK CATCHMENT

When accounting for DCP 2012 loading requirements of 21 loading bays to service 383 Kent Street, there are seven additional loading bays that can be dedicated to a shared loading dock catchment.

The seven loading bays could technically service around 2,500 square metres retail GFA within a precinct or say combination of 1,500 square metres retail GFA and 11,500 square metres commercial GFA based on DCP 2012 requirement.

The TfNSW Urban Freight Forecasting Model (UFFM) is a useful planning tool which performs two main functions:

1. Provides daily profiles of the volume and types of freight and servicing activity that a building is likely to generate across a typical weekday, based on building information entered by the user.
2. Assesses the performance of loading dock parking spaces provided by a development to manage the freight demand generated by the building.

The objective of the model is to assist in understanding the facilities that will be appropriate for a development to be self-sufficient in managing its own freight and servicing activity.

By entering key inputs such as the number of loading bays, the model would determine the following:

- Estimated distribution of demand throughout the day.
- Efficiency of the loading dock (dock performance).
- Projected vehicle arrival profiles by loading spaces (i.e., HRV, MRV, SRV and cars, vans, utes etc.).

The TfNSW UFFM is based on a comprehensive data collection effort conducted of 44 buildings of varying sizes, locations, land use sizes and types. The buildings included commercial, residential, retail and hotels with retail being up to 3,000 square metres. It is considered an acceptable tool to understand loading dock requirements for a development and an alternative method to statutory documents such as the Sydney DCP 2012. Based on the TfNSW Urban Freight Forecasting Model, the seven loading bays could technically accommodate an increased requirement being:

- around 7,500 square metres retail GFA within a precinct or
- say combination of 4,000 square metres retail GFA and 15,000 square metres commercial GFA.

Table 3 summarises the potential catchment floor areas.

Table 3: Potential Shared Loading Dock Catchment

Scenario	Catchment Area	
	Retail Only (GFA)	Retail and Commercial (GFA)
Based on DCP 2012 (7 bays only)	Approx. 2,500sqm	Approx. 1,500sqm retail and 11,500sqm commercial
Based on TfNSW UFFM (7 bays only)	Approx. 7,500sqm	Approx. 4,000sqm retail and 15,000sqm commercial

The implementation of an electronic booking system for loading dock operation can readily and efficiently manage demand across the day. Such a booking system would have the potential to allow all 28 loading bays to be used for all demand whether it be from the development or the shared scheme precinct. In such scenario, the loading dock could technically accommodate say a combination of 15,000 square metres retail GFA and 95,000 square metres commercial GFA based on the TfNSW UFFM (or some additional 14,500 square metres retail GFA and 22,500 square metres commercial GFA from the surrounding buildings with limited loading facilities, including servicing development at 383 Kent Street).

CATCHMENT STUDY

An analysis of the surrounding catchment has been undertaken to determine the catchment which would benefit from the proposed shared loading dock, as shown in Figure 2.

The catchment would incorporate sites along Kent Street (between King and Market Streets), and sites on the western side of Clarence Street and eastern side of Sussex Street (also between King and Market Streets).

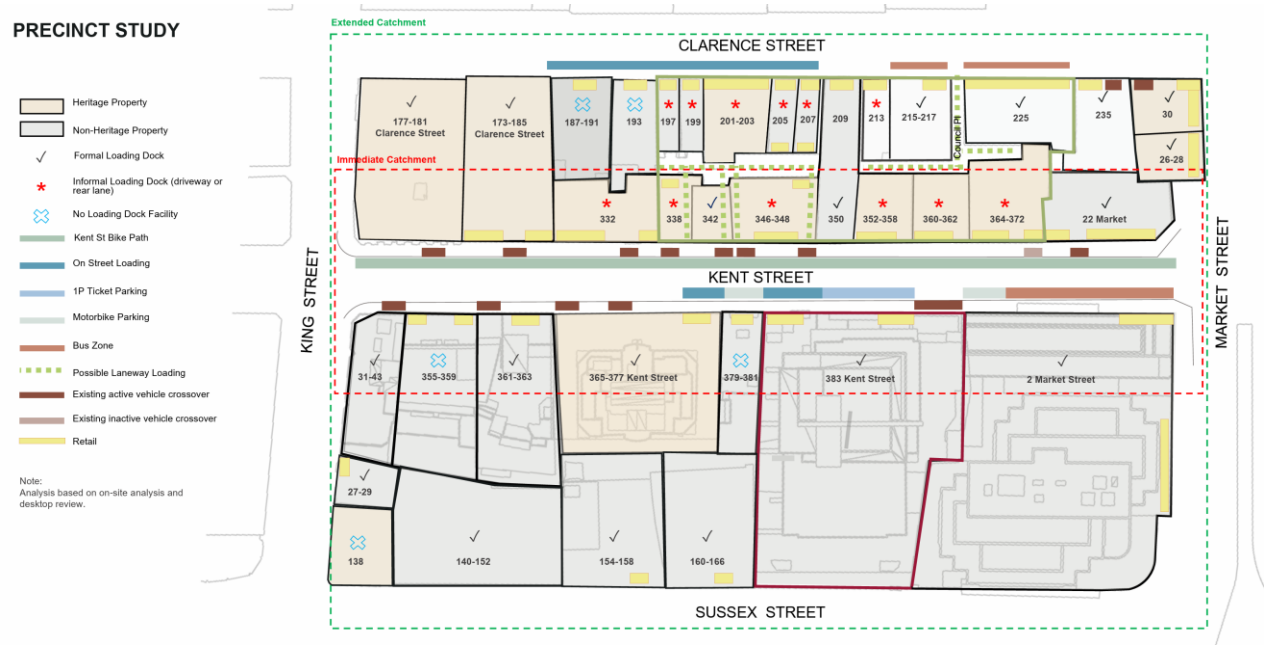
As shown in the analysis, at least five sites within this catchment do not benefit from any existing loading dock provision, and at least 12 sites are serviced by informal docks which likely do not meet the demand required by those buildings (many of which are heritage sites with an inability to accommodate further dock space).

We note from the analysis, the shared loading dock can support (using UFFM):

- 100% of the buildings with no loading dock provision or
- 66% of the buildings with no formal loading dock facility (100% retail, 60% commercial)

Reference: 383 Kent Street, Sydney – Shared Loading Dock Assessment

Figure 2: Immediate and extended loading catchment



Source: Charter Hall Preliminary Desktop Study

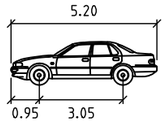
HIGH-LEVEL SWEPT PATH ANALYSIS

Swept path analysis has been completed for the reference vehicular access and shared loading dock and design. The swept paths considered design vehicles including 99th percentile cars, Small Rigid Vehicles and Medium Rigid Vehicles. The swept paths are attached to this memorandum and illustrate that the design vehicles can enter and exit the site in a forward direction and that there is adequate manoeuvring area within the reference loading dock design for the vehicles to enter and exit loading bays.

SWEPT PATH KEY

- VEHICLE CENTRE LINE
- VEHICLE TYRE PATH
- VEHICLE BODY PATH
- 300mm CLEARANCE FROM VEHICLE BODY

ASSUMED SPEED 5km/h



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Track	: 1.84
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Steering Angle	: 33.9

959

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APPROVED BY B.KHAN	DATE ISSUED 22 NOVEMBER 2023

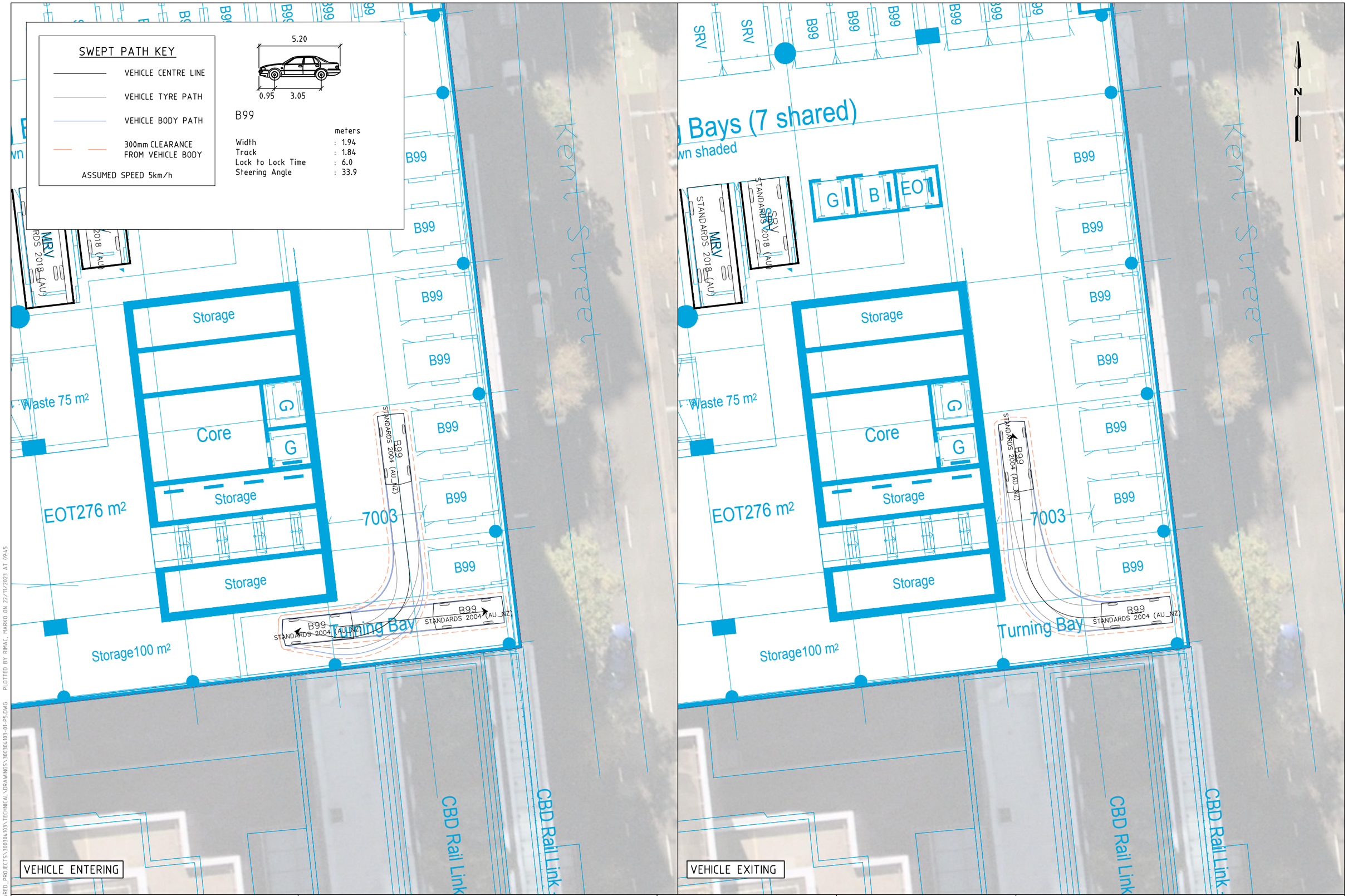
SCALE A3 0 1.25 2.5 5 1:250

CAD FILE NO. 300304103-01-P5.DWG

383 KENT STREET, SYDNEY
SUSSEX STREET - GROUND LEVEL

VEHICLE SWEPT PATH ASSESSMENT

DRAWING NO. 300304103-01-02 SHEET 02 OF 08 ISSUE P5



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CAD FILE NO. 300304103-01-P5.DWG

383 KENT STREET, SYDNEY
SUSSEX STREET - GROUND LEVEL
LOADING DOCK - TURNING BAY
VEHICLE SWEPT PATH ASSESSMENT

DRAWING NO. 300304103-01-03 SHEET 03 OF 08 ISSUE P5

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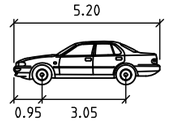
658

659

SWEPT PATH KEY

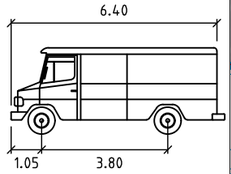
- VEHICLE CENTRE LINE
- VEHICLE TYRE PATH
- VEHICLE BODY PATH
- 300mm CLEARANCE FROM VEHICLE BODY

ASSUMED SPEED 5km/h



B99

	meters
Width	: 1.94
Track	: 1.84
Lock to Lock Time	: 6.0
Steering Angle	: 33.9



SRV

	meters
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Lock to Lock Time	: 6.0
Steering Angle	: 38.0

SRV STRADDLES TRAFFIC LANES ON ENTRY TO ACHIEVE PASSING OF B99 VEHICLE AT SITE ACCESS

SRV PASSING B99

B99 PASSING SRV

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SCALE A3 0 1.25 2.5 5 1:250

383 KENT STREET, SYDNEY
SUSSEX STREET - GROUND LEVEL
SITE ACCESS
VEHICLE SWEPT PATH ASSESSMENT

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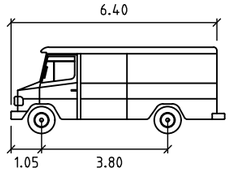
SWEPT PATH KEY

- VEHICLE CENTRE LINE
- VEHICLE TYRE PATH
- VEHICLE BODY PATH
- 300mm CLEARANCE FROM VEHICLE BODY

ASSUMED SPEED 5km/h



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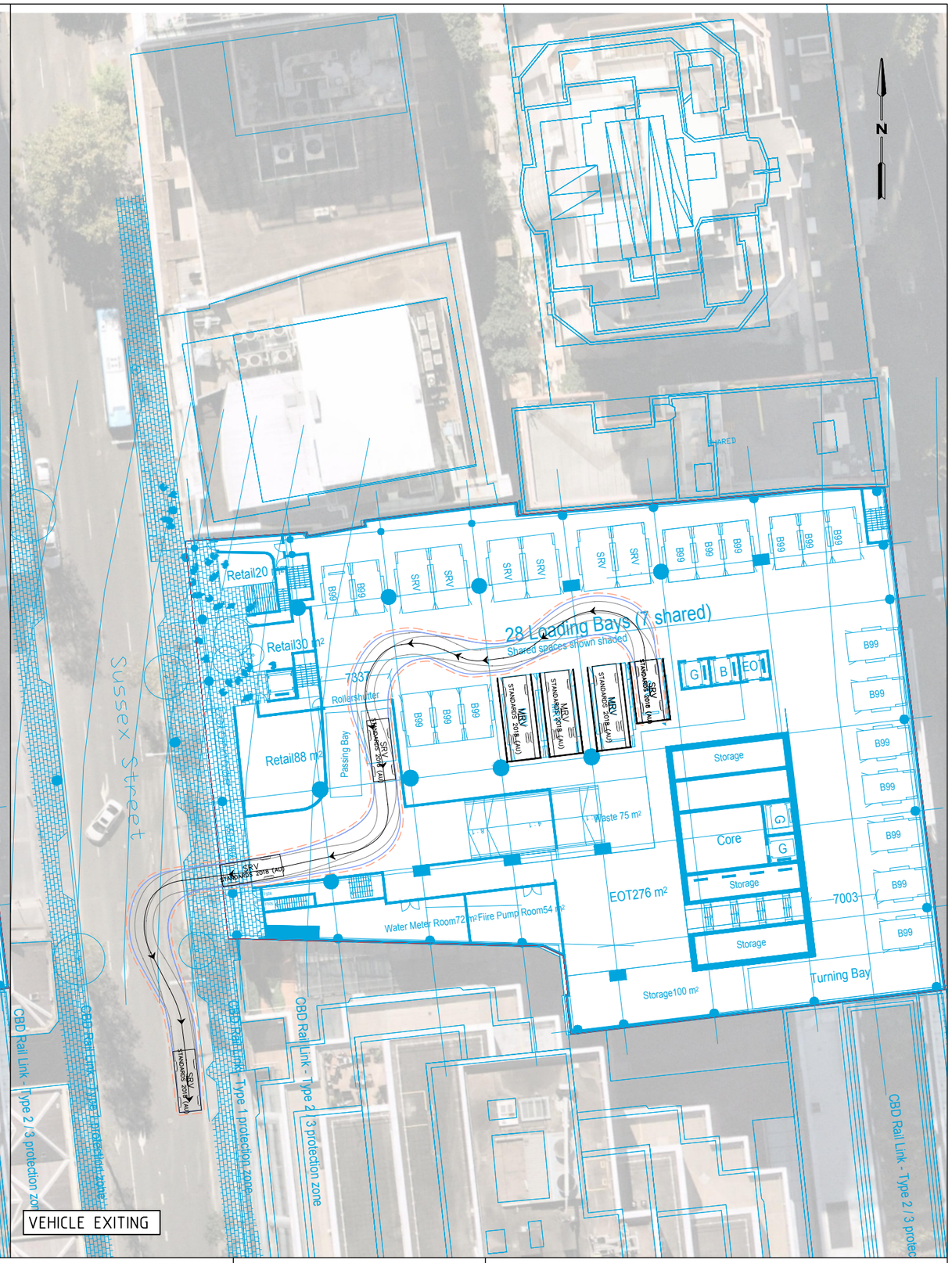
Lock to Lock Time	: 6.0
Steering Angle	: 38.0

VEHICLE ENTERING



VEHICLE EXITING

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383 KENT STREET, SYDNEY
SUSSEX STREET - GROUND LEVEL
LOADING DOCK
VEHICLE SWEPT PATH ASSESSMENT

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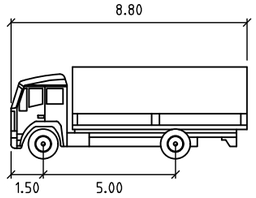
SWEPT PATH KEY

- VEHICLE CENTRE LINE
- VEHICLE TYRE PATH
- VEHICLE BODY PATH
- 600mm CLEARANCE FROM VEHICLE BODY

ASSUMED SPEED 5km/h



MRV

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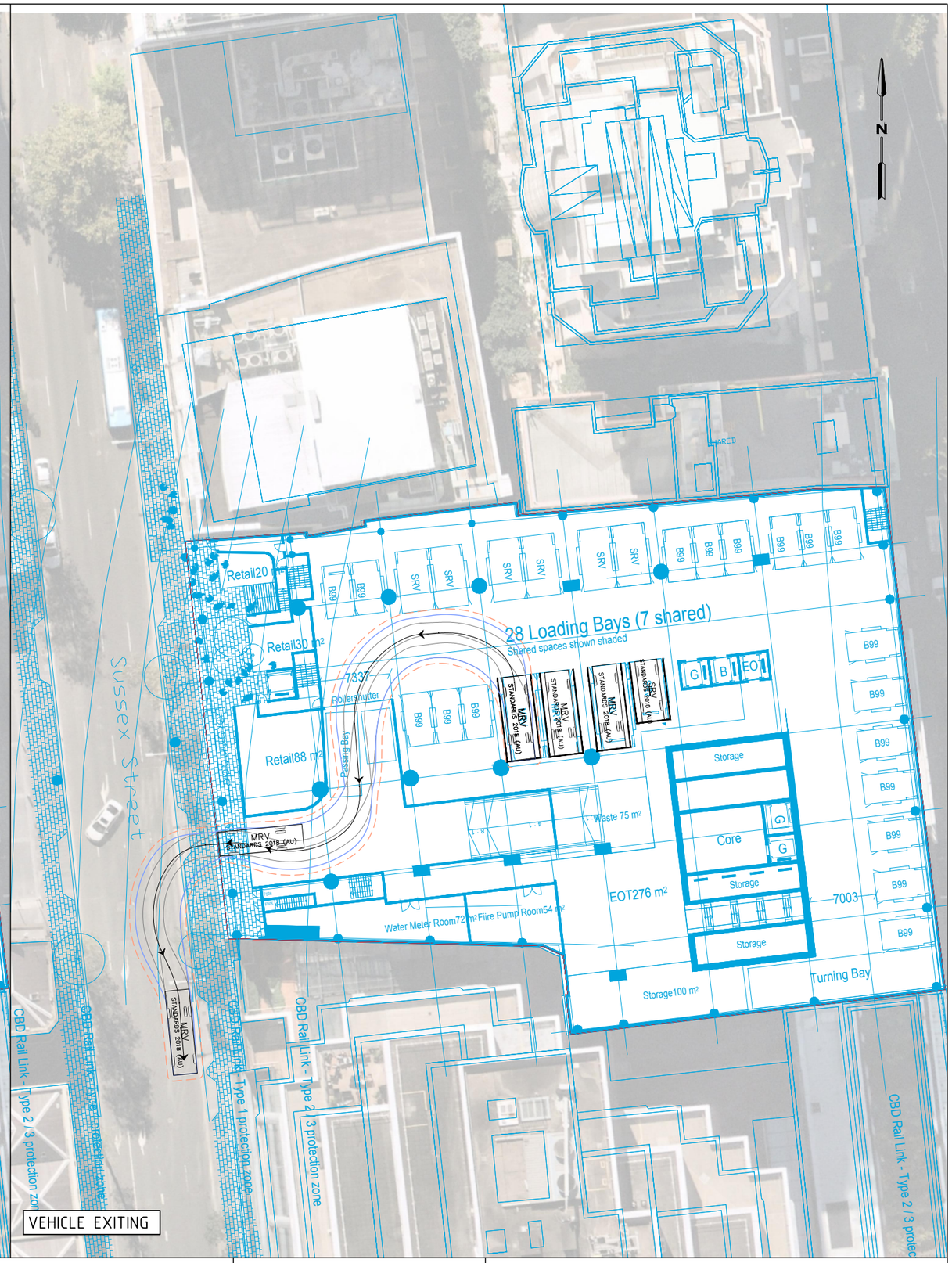
Track	: 2.50
Lock to Lock Time	: 6.0
Steering Angle	: 34.0



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SCALE A3 0 2.5 5 10 1:500

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383 KENT STREET, SYDNEY
SUSSEX STREET - GROUND LEVEL
LOADING DOCK
VEHICLE SWEPT PATH ASSESSMENT

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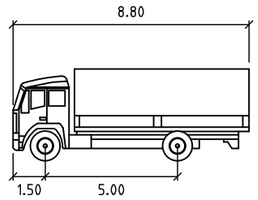
SWEPT PATH KEY

- VEHICLE CENTRE LINE
- VEHICLE TYRE PATH
- VEHICLE BODY PATH
- 600mm CLEARANCE FROM VEHICLE BODY

ASSUMED SPEED 5km/h



MRV

	meters
Width	: 2.50
Track	: 2.50
Lock to Lock Time	: 6.0
Steering Angle	: 34.0

MRV STRADDLES TRAFFIC LANES TO ENTER SITE

VEHICLE ENTERING

VEHICLE EXITING

N

662

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APPROVED BY	B.KHAN
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CAD FILE NO.	300304103-01-P5.DWG

SCALE A3 0 2.5 5 10 1:500

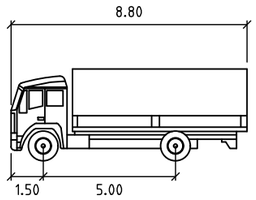
383 KENT STREET, SYDNEY
SUSSEX STREET - GROUND LEVEL
LOADING DOCK
VEHICLE SWEPT PATH ASSESSMENT

DRAWING NO. 300304103-01-07 SHEET 07 OF 08 ISSUE P5

SWEPT PATH KEY

- VEHICLE CENTRE LINE
- VEHICLE TYRE PATH
- VEHICLE BODY PATH
- 600mm CLEARANCE FROM VEHICLE BODY

ASSUMED SPEED 5km/h



MRV

	meters
Width	: 2.50
Track	: 2.50
Lock to Lock Time	: 6.0
Steering Angle	: 34.0



Stantec

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PRELIMINARY PLAN
FOR DISCUSSION PURPOSES ONLY
SUBJECT TO CHANGE WITHOUT NOTIFICATION

WARNING
BEWARE OF UNDERGROUND SERVICES
THE LOCATIONS OF UNDERGROUND SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT POSITION SHOULD BE PROVEN ON SITE. NO GUARANTEE IS GIVEN THAT ALL EXISTING SERVICES ARE SHOWN.

DESIGNED M.RIMAC	DESIGN CHECK B.KHAN
APPROVED BY B.KHAN	DATE ISSUED 22 NOVEMBER 2023

SCALE A3 0 2.5 5 10 1:500

CAD FILE NO. 300304103-01-P5.DWG

383 KENT STREET, SYDNEY
SUSSEX STREET - GROUND LEVEL
LOADING DOCK
VEHICLE SWEPT PATH ASSESSMENT

DRAWING NO. 300304103-01-08 SHEET 08 OF 08 ISSUE P5

663

\\AU2019-PPFS01\SHARED_PROJECTS\300304103\TECHNICAL\DRAWINGS\300304103-01-P5.DWG PLOTTED BY RIMAC, MARKO ON 22/11/2023 AT 09:45

Attachment A14

Preliminary Aeronautical Impact Assessment

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11 July 2023

Ms Michelle Burk
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Assistant Development Manager
Level 20
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Sydney NSW 2000

PRELIMINARY AERONAUTICAL IMPACT ASSESSMENT: 383 KENT ST, SYDNEY

Dear Michelle,

I refer to a request from Charter Hall for advice in relation to identifying airspace height constraints associated with a proposed request to submit a Planning Proposal to amend the Sydney Local Environmental Plan 2012 to amend the height of building provisions for 383 Kent St to allow for a building envelope for a future high rise tower up to 189.80m AHD and associated crane activity to 230m AHD.

Avlaw Aviation Consulting Pty Ltd (Avlaw) has conducted a preliminary aeronautical impact assessment of the maximum building and crane height restrictions at the site against prescribed airspace limits which cover the site. These limits exist due to necessary safety clearances (mandated in legislation) that must be provided between an aircraft and an obstacle. This letter provides details of the current airspace protection surfaces that cover the site which have been assessed following the provision of a brief containing proposed building and crane heights by the projectteam.

The critical (i.e. lowest) airspace protection surface which covers the site is the Outer Horizontal Surface of the Obstacle Limitation Surfaces (OLS) for Sydney Airport at 156m AHD. As this surface will be penetrated both permanently by the building and temporarily by two cranes, each will be classified as a "controlled activity" and will require aeronautical assessment and approval by aviation stakeholders. Avlaw has determined that the penetration of the OLS by the building and cranes in this instance should not be problematic because the site is clear of the approach and take-off areas for all of Sydney Airport's runways as well as being "shielded" by Sydney Tower (Centrepoint) to a height of 280m AHD at the site.

The vertical distance between the maximum building height of 189.80m AHD and the next lowest airspace protection surface (i.e. PANS-OPS at 283.8m AHD) is 94m, providing a generous buffer for temporary crane activity before any other airspace protection surfaces

are penetrated. However, if shielding is to be applied, then the still generous vertical buffer would be reduced to 90.2m AHD. This conclusion is based on the findings of Avlaw's independent modelling of the airspace over site (Figure3) rather than relying solely on the charts published by Sydney Airport, which show the PANS-OPS surfaces at a greater height (Figure 2).

With respect to helicopter operations in proximity to the site, Avlaw has determined that the airspace protected under the National Airport Safeguarding Framework (NASF) – Guideline H for Strategic Helicopter Landing Sites (SHLS) does not limit the currently proposed building and crane heights. This is due to the fact the site is laterally clear of the airspace protected under the guideline and in any case, approaches and departures at the nearest helipad (i.e. Royal Prince Alfred Hospital) are clear of the site. Avlaw is also aware that updated designs for a redevelopment of Royal Prince Alfred Hospital have been revealed by the NSW Government, but there is no reason to suggest there will be an more stringent restrictions resulting from that development proceeding. The proposed development is also shorter in height than that of existing surrounding buildings.

In summary, Avlaw's assessment concludes that the proposed envelope and associated crane activity should receive aviation approval.

1. Introduction

This Preliminary Aeronautical Impact Assessment has been prepared by Avlaw in support of a Planning Proposal to amend the *Sydney Local Environmental Plan 2012* (Sydney LEP). This report has been prepared on behalf of Charter Hall (the Proponent) and it relates to a single development lot identified as Lot 1 in DP 778342 or 383 Kent Street, Sydney (the site).

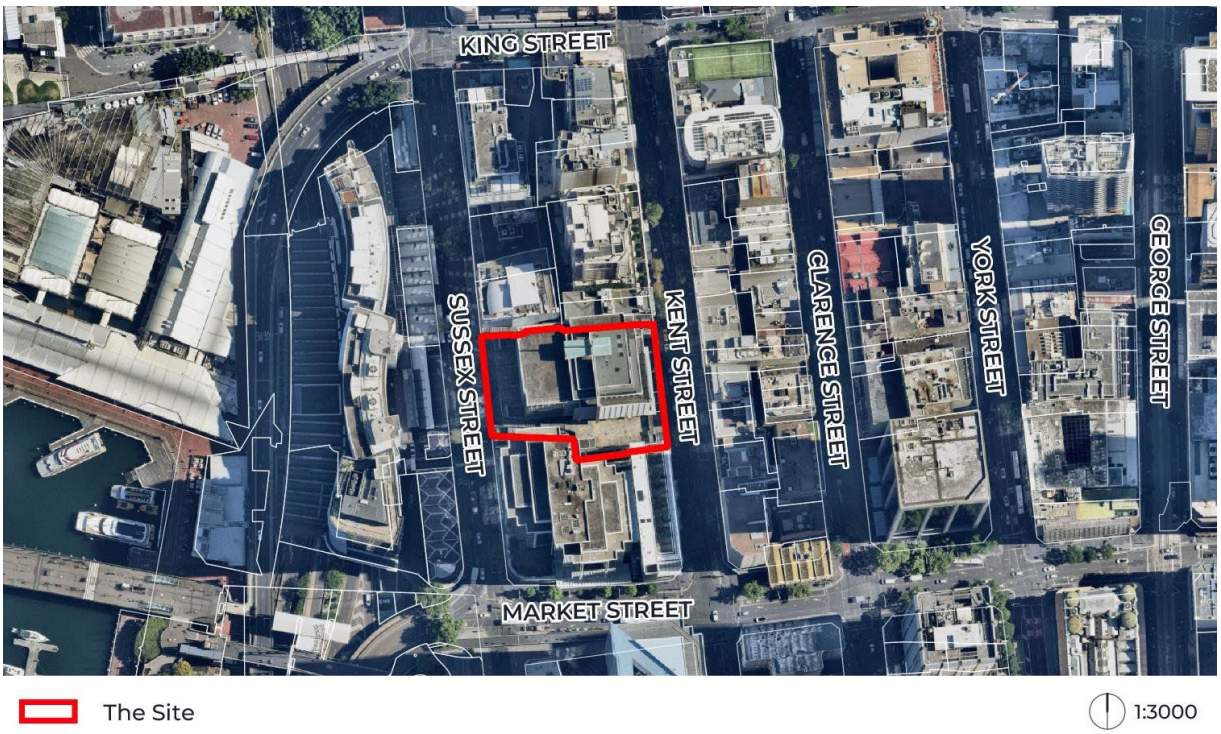

Figure 1: Aerial Map (Source: Nearmap, edits by Ethos Urban)

The purpose of this Planning Proposal is to amend the site's maximum Height of Building development standard and maximum Floor Space Ratio (FSR) development standard to unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the *Central Sydney Planning Strategy* (CSPS) for tower cluster sites. This Planning Proposal will also seek to facilitate significant public benefits through additional site activation by way of a new pedestrian through-site link, shared loading dock facility and delivering on sustainable initiatives to contribute to the City of Sydney's vision to achieve net zero energy buildings.

The proposed Sydney LEP amendment is part of the broader redevelopment plan for the site to demolish the existing structure on the site (including the existing 10 storey car park), and construct a new 42 storey commercial office tower with a total maximum FSR of 20:1 (circa 73,000m^2 GFA).

2. Indicative Reference Scheme Overview

The reference scheme supporting the Planning Proposal and site specific DCP can be described as follows:

- Demolition of the existing building, including removal of the over 800 capacity public car park.
- Construction of the following:
  - New 42-storey office tower comprising a total FSR of 20:1, up to a height of RL 189.60 (approximately 170m above Kent Street and 180m above Sussex Street).
  - New premium-grade commercial floorspace with an approximate GFA of circa 73,000m^2.
  - New through-site link connecting Kent and Sussex Streets, including public art activation.
  - New ground floor activation opportunities, including approximate retail GFA of circa 640 m^2.
  - 2 levels of basement, comprising:
    - Basement Level 1 facilitating 72 car parking spaces; and
    - Sussex Street ground level shared loading dock facility including SRV and MRV short term stay bays to service retail tenancies within buildings along Kent Street (located between Market Street and King Street).
  - New end of trip facilities below the Kent Street ground level.

3. Airspace Height Controls

As a signatory to the *Chicago Convention 1944*, Australia adopts International Civil Aviation Organisation (ICAO) Standards and Recommended Practices (SARPs) with respect to airspace which define sets of invisible surfaces above the ground around an airport. The airspace above these surfaces forms the airport's **prescribed airspace**. With respect to Sydney Airport, the following airspace protection surfaces have been "declared" by the **Department of Infrastructure, Transport, Regional Development, Communications and the Arts** (Department) and are therefore enshrined in legislation:

- OLS;
- Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) surfaces;
- Radar Terrain Clearance Chart (RTCC)/Radar Lowest Sector Altitude (RLSALT) surfaces; and
- Combined Radar Departure Assessment surfaces.

4. Airspace Approval Process

Part 12 of the *Airports Act 1996* (Act) and the *Airports (Protection of Airspace) Regulations 1996* (Regulations) establish a framework for the protection of airspace at and around airports. The Act defines any activity resulting in an intrusion into an airport's prescribed airspace to be a "controlled activity" which cannot be carried out without approval. Controlled activities include the following:

- permanent structures, such as buildings, intruding into the prescribed airspace;
    - temporary structures, such as cranes, intruding into the prescribed airspace; or
    - any activities causing intrusions into the prescribed airspace through glare from artificial light or reflected sunlight, air turbulence from stacks or vents, smoke, dust, steam or other gases or particulate matter.

The Regulations differentiate between short-term (not expected to continue longer than 3 months) and long-term controlled activities. The Regulations allow for the airport operator to approve short- term penetrations of the OLS under delegation from the Department following consultation with the Civil Aviation Safety Authority (CASA) and Airservices Australia (Airservices).

With respect to long-term penetrations (e.g. a building penetrating the OLS), the airport operator is required to invite the following stakeholders to assess or comment on an application if there is an intrusion into prescribed airspace:

- **CASA** for an assessment of the impact on aviation safety;
- **Airservices** for assessments of proposals resulting in a penetration of surfaces including PAPI, PANS-OPS etc.;
- **the local council authority** responsible for building approvals; and
- **the Department of Defence** in the case of joint-user airports.

The final approving authority for all long-term penetrations of the OLS (as is the case in this instance) is the Department as specified in the Act and the Regulations. In making its determination, the Department is required to assess the respective assessments of the airport operator, Airservices and CASA. The Department cannot approve long-term penetrations of the OLS in the event CASA's assessment is not supportive of the application, however that is not expected to be the case in this instance.

The information required in the application must include:

- a description of the proposed controlled activity (building construction, crane operation etc.)
- its precise location (street address and grid reference)
- if the controlled activity consists of the erection of a building or structure:
    - the proposed maximum height of the structure above the Australian Height Datum (including any antennae, towers, BMU etc.), and
    - the proposed maximum height of any temporary structure or equipment (e.g. cranes, scaffolding) intended to be used in the erection of the structure

Each penetration of prescribed airspace has to be assessed against the effect on published

departure and approach procedures and other matters relating to the management and use of airspace surrounding airports. These include published survey data and Air Traffic Control (ATC) procedures and practices, including compatibility with the promulgated ATC RTCC that is used to safely vector aircraft in instrument meteorological conditions (non-visual). Each proposal has to be checked for proximity to published procedures to ensure statutory tolerances and safety buffers are maintained. The tolerances vary according to the type of navigation or aid being utilised by aircraft and cover vertical, lateral and longitudinal criteria.

The approval process requires separate assessments of the permanent building structure and temporary construction crane(s). Applications can be made in advance of planning approval for both, however aviation stakeholders do require detailed architectural drawings and specific dates when penetrations of any airspace surfaces will commence and end to be provided prior to completing its assessment.

Timing to assess applications varies depending on the complexity of the assessment and the workload within the respective agencies at the time of receipt. Avlaw's experience on previous tall building projects suggests proponents should allow at least three months for Sydney Airport, Airservices, CASA and the Department to conduct their own assessments in succession. Complex applications such as those which are seeking penetrations of PANS-OPS surfaces are more likely to take longer to assess, however, that is not the case in this instance. In any case, Avlaw recommends that applications for both building and temporary structures be made as early as possible to avoid delays in the receipt of DA approvals and subsequently construction.

Carrying out a controlled activity without approval is an offence under Section 183 of the Act 1996 and is punishable by a fine of up to 250 penalty units. It is an offence under Section 185 of the Act to contravene any conditions imposed on an approval. Under Section 186 of the Act, it is an offence not to give information to the airport operator that is relevant to a proposed controlled activity.

5. Preliminary Aeronautical Impact Assessment

Based on the site location provided, interrogation of satellite imagery, OLS requirements, PANS-OPS limitations as well as RTCC stipulations, Avlaw's assessment of the heights of airspace protection surfaces covering the site and the respective clearance or penetrations of each by the proposed building (189.8m AHD) and cranes (230m AHD) are tabulated on the following page:

Sydney Airport			
Airspace Surface	**Height (m AHD)**	**Clearance/Penetration (building at 189.8m AHD)**	**Clearance/Penetration (2 x cranes at 230.0m AHD)**
OLS	156	33.8m	74m
PANS-OPS	>283.8	94m (minimum)	53.8m (minimum)
RTCC	335.28	145.48m	105.28m

Figure 2: Summary of prescribed airspace assessment findings



Figure 3: Extract from draft Sydney Airport OLS Chart (2018)



Figure 4: Extract from draft Sydney Airport PANS-OPS Chart (2017)

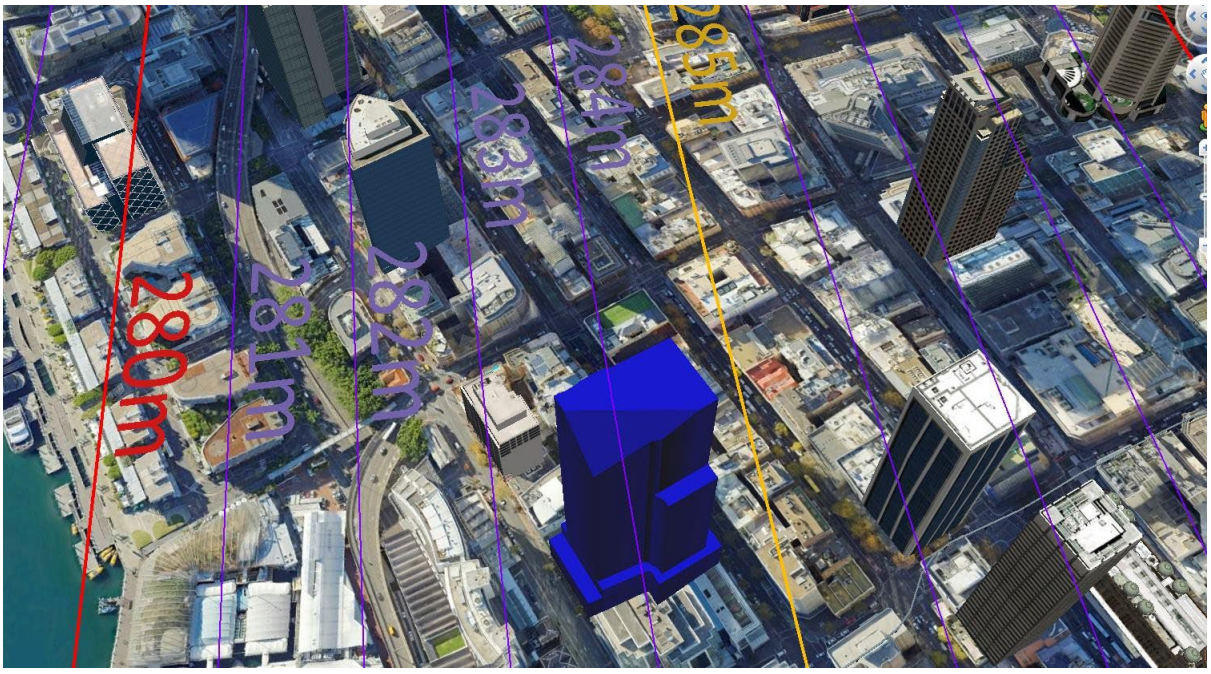

Figure 5: Avlaw's model of the PANS-OPS over the site



Figure 6: Extract from Combined Radar Departure Assessment Surfaces (2015)



Figure 7: Avlaw's model of the RTCC over the site (335.35m AHD horizontal plane in green)

Since the OLS is proposed to be penetrated by the building structure and two temporary construction cranes, each will therefore be considered a controlled activity and trigger detailed aviation assessment. A maximum building envelope including any protrusions from the building (e.g. masts, BMU etc.) must be included in the final height of the building itself for aviation approval, as does temporary construction crane activity. Avlaw notes that there is a generous vertical buffer (i.e. 94m) above the maximum building height and the airspace protection surfaces above the OLS for temporary crane activity without penetrating any other airspace protection surfaces that would make the approval process more complex.

6. Helicopter Operations

Legislation requires the pilot of a helicopter to determine the safe take-off and landing approach taking into account all factors including aircraft performance, wind direction, obstacles, and emergency landing in the event of engine failure. The proposed development is clear of specific helicopter transit routes, with all helicopter operations assessed conducted under Visual Flight Rules (VFR) whereby the pilot in command (PIC) is solely responsible for safe navigation clear of any obstacles.

6.1 Coded Clearances and Sightseeing Flights

The nearest corner of site is located approximately 9,095m NE of Sydney Airport aerodrome reference point. There are a number of prescribed helicopter transit routes published in Aeronautical Information Publication (AIP) En-Route Supplement Australia (ERSA) for helicopter operations in the Sydney Control Zone. These are included in the Coded Clearances and Operating Requirements for Sydney Airport, with the Coded Clearances containing the specific routes and prescribed altitudes to be flown. The coded clearances published in AIP ERSA for helicopter transit lanes to and from Sydney Airport are clear of the site.

6.2 Hospital Helipads

A National Airport Safeguarding Framework (NASF) Guideline H has been issued regarding protection of what are being termed *Strategic Helicopter Landing Sites (SHLS)*. Under the guideline, hospital helipads would be considered as SHLS and therefore protected from obstacles being erected in close proximity to it. The guideline provides for 140m wide rectangular steps in the direction of approach/take-off in 500m increments until reaching 125m above the SHLS which would be protected from obstacles such as buildings and cranes. The figure below has been sourced from the guideline and illustrates this proposed protection of SHLS and the heights above which assessment is triggered.

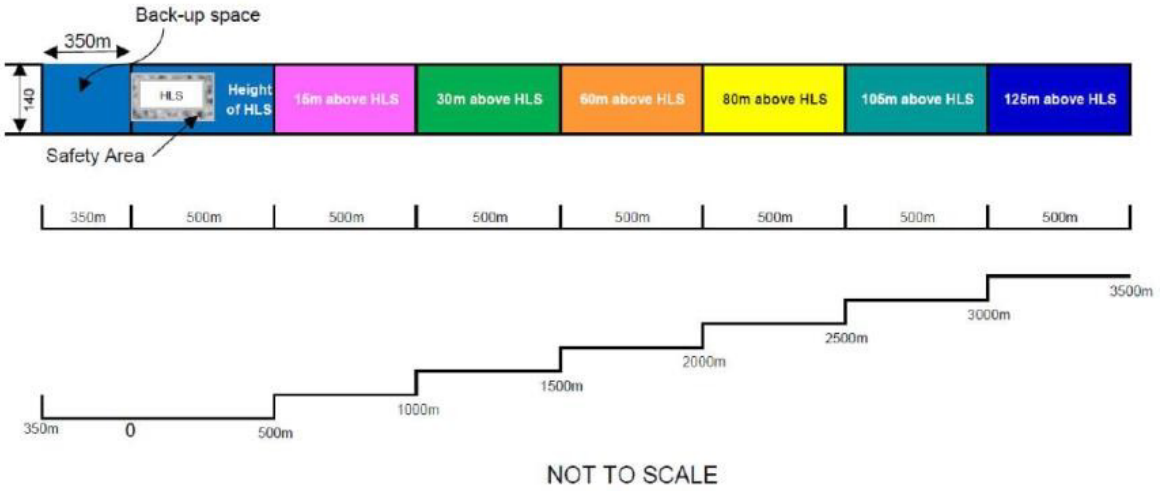

Figure 8: Referral trigger for SHLS

The Royal Prince Alfred Hospital Helipad is located 2,859m to the SW of the site, therefore within the 105m clearance step above the HLS. The declared elevation of the helipad is 29m AHD, so the NASF clearance step is 134m AHD if the direction of approach/take-off was in line with the site. Information provided to helicopter pilots for Royal Prince Alfred Hospital Helipad is that both approach and

departures are to the north and south, so the NASF guideline does not apply with respect to the site. Avlaw is also aware that updated designs for a redevelopment of Royal Prince Alfred Hospital have been revealed by the NSW Government, but there is no reason to suggest there will be an more stringent restrictions resulting from that development proceeding. In any case, proposed building and crane heights at the site are below surrounding taller buildings and therefore the any changes to helicopter activities should not present an impediment to this development proceeding.

7. Rationale for obtaining approval

The Regulations require any decision by the Department to be made in the interests of the safety, efficiency or regularity of existing or future air transport operations into or out of the airport. Any controlled activity approval may be subject to specific conditions, which may concern how the controlled activity is carried out (e.g. hours of operation of a crane) or may require the building or temporary structure to be marked or lit in a certain way as detailed in Manual of Standards (MOS) 139. These conditions must also be in the interests of the safety, efficiency and regularity of existing or future air transport operations.

The proposed development at the site will involve penetration of the Sydney Airport OLS by the building as well as two cranes which in this case Avlaw considers as not being problematic because allowing it to proceed to the heights assessed in this letter will not have adverse impacts on the safety, regularity or efficiency of aircraft operations at Sydney Airport and therefore should be approved.

In considering the application, aviation authorities will consider the principle of "shielding" that specifies that if an obstacle is below a 10 per cent downward slope from an existing obstacle, it is assessed as not being a hazard. This principle over-rides other airspace limitations and can expedite an application. The site is shielded to heights as tabulated below:

Exiting Obstacle	Obstacle Height (m AHD)	Distance from obstacle to opposite side of site	Shielded height at site (m AHD)
Sydney Tower (Centrepoint)	327	465	280.5

Figure 9: Summary of shielding calculations at the site

On the basis of shielding, Avlaw considers an aviation approval for building and crane heights can be expedited, however Avlaw suggests still allowing for at least three (3) months as previously mentioned.

Helicopter operations have also been assessed and they too will not be impacted adversely if the development proceeds.

8. Future controlled activity approval requirements

The proposed development at the site will require two separate controlled activity applications because of the penetration of the OLS by the building and cranes. As mentioned in section two (2), Avlaw's experience suggests Proponents should allow a minimum of three (3) months processing time for Sydney Airport, Airservices, CASA and the Department to complete conducting their assessments of proposed controlled activities.

Given the project is currently at the Planning Proposal stage whereby no detail of the building's final design or it's construction methodology is available, it is Avlaw's recommendation that referral to Sydney Airport only take place when drawings of the final design and details relating to construction cranes (e.g. staging, periods of penetration) can be included in the application.

Yours sincerely,



Amin Hamzavian
Managing Director

Attachment A15

Heritage Impact Assessment

URBIS

HERITAGE IMPACT STATEMENT

383 Kent Street, Sydney

Gadigal Land

Prepared for

CHARTER HALL HOLDINGS PTY LIMITED

14 December 2023

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

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Project Code	P42402
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	03 Revised for issue 07.06.2023
	04 Revised for issue (updated GFA) 26.06.2023
	05 Revised for issue (updated GFA) 12.07.2023
	06 Revised for Issue (updated GFA) 14.12.2023

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

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EXECUTIVE SUMMARY

This Heritage Impact Statement (HIS) has been prepared by Urbis in support of a Planning Proposal to amend the *Sydney Local Environmental Plan 2012* (LEP). This report has been prepared on behalf of Charter Hall Holdings (the Proponent) and it relates to a single development lot identified as Lot 1 in DP 778342 or 383 Kent Street, Sydney (the site).

The purpose of this Planning Proposal is to amend the site's maximum Height of Building development standard and maximum Floor Space Ratio (FSR) development standard to unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the Central Sydney Planning Strategy (CSPS) for tower cluster sites. This Planning Proposal will also seek to facilitate significant public benefits through additional site activation by way of a new through-site link, shared basement loading dock facility and delivering on sustainable initiatives to contribute to the City of Sydney's vision to achieve net zero energy buildings.

The proposed Sydney LEP amendment is part of the broader redevelopment plan for the site to remove the existing 10 storey car park, and construct a new 42 storey commercial office tower.

The subject site is not a heritage item, nor is it located within a Heritage Conservation Area. It is, however, located adjacent to, and in the vicinity of, a number of heritage items which are listed under Schedule 5 of the Sydney LEP 2012. This HIS has therefore been prepared to assess the potential impacts of the Planning Proposal on the established significance of these nearby heritage items.

The assessment of impact carried out in Section 5 of this report has found that the proposal is supportable on heritage grounds for the following reasons:

- There will be no material impacts on any heritage items.
- There are no identified views of significance to nearby heritage items which would be affected by the proposed planning control changes for the site.
- Development in line with the Planning Proposal facilitates the removal of a multi-storey carpark which demonstrates a poor interface with the streetscape and heritage items in the site's vicinity. New development would allow for more useable / habitable floorplates at the podium, which would allow for an improved streetscape outcome.
- The new development is for commercial purposes, which is consistent with the significance of the surrounding area described in the Sydney DCP 2012.
- The reference scheme shows a 5- and 6-storey podium which responds to the street walls at Kent and Sussex Streets (respectively) and, therefore, will maintain the consistency of built forms with respect to the pedestrian experience within the Special Character Area.
- The new tower form will include setbacks at all sides from the property boundary / podium below, in order to maintain appropriate visual separation from the nearby heritage items and other tall-scale forms in the locality. Extant development, being an amalgam of a lower scale podium building (1976) and tower (1998) is not of heritage significance and proposed demolition is supported on heritage grounds. The proposed envelope responds to the streetscape in the adoption of the lower scale podium and setback tower form.
- The Planning Proposal allows for an intensification of development on a site which is of no heritage significance and has no further impact on the setting of the vicinity heritage items or the Special Character Area.

On the basis of the above, the proposal is therefore recommended for approval on heritage grounds, having regard for the recommendations made at the conclusion of this report.

1. INTRODUCTION

1.1. BACKGROUND

This Heritage Impact Statement (HIS) has been prepared by Urbis in support of a Planning Proposal to amend the *Sydney Local Environmental Plan 2012* (LEP). This report has been prepared on behalf of Charter Hall Holdings (the Proponent) and it relates to a single development lot identified as Lot 1 in DP 778342 or 383 Kent Street, Sydney (the site).

1.2. SITE IDENTIFICATION

1.2.1. Location

383 Kent Street falls in Lot 1 Deposited Plan (DP) 778342 within the City of Sydney LGA. It fronts Kent St to the east and Sussex St to the west.



Figure 1 – Aerial image of locality, with subject site outlined red and highlighted yellow
Source: SIX Maps, 2023

1.2.2. Special Character Area

The eastern half of the site (frontage to Kent Street) is situated within the York St/Clarence St/Kent St Special Character Area, as identified in the Sydney LEP 2012.



Figure 2 – Subject site (outlined grey) within the York St/Clarence St/Kent St Special Character Area
Source: City of Sydney Planning Controls Map, 2023, with Urbis overlay

1.3. HERITAGE CONTEXT

1.3.1. Heritage listing

The site is not identified as a heritage item under any statutory or non-statutory register or list.

1.3.2. Heritage Conservation Area

The site is not located within any identified Heritage Conservation Area (HCA).

1.3.3. Heritage items in the vicinity

The site is located in the vicinity of a number of heritage items which are listed under Schedule 5 of the Sydney LEP. These are listed below:

- *Former maritime building façade 'CMC House'*, 160–166 Sussex Street (local significance, I1962)
- *Former commercial building facade 'Metropolitan Business College'/ Former Warehouse Façade (367-371 Kent Street)*, 367–371 Kent Street (local significance, I1826)
- *Former commercial building facade 'Seabridge House'/ Former Warehouse Façade (373-377 Kent Street)*, 373–377 Kent Street (local significance,I1827)
- *Former commercial building facade 'Waratah House'/ Former Warehouse Façade (365 Kent Street)*, 365 Kent Street (local significance, I1825)
- *Former Warehouse/ Former Warehouse (332-334 Kent Street) Including Interiors,* 332–334 Kent Street (local significance, I1815)
- *Former Warehouse/ Former Warehouse Including Interiors, Cartway and Courtyard*, 336 Kent Street (local significance, I1816)
- *Former warehouse 'Royston House'/ Former Warehouse Including Interiors*, 342–344 Kent Street (local significance, I1820)
- *Former commercial building 'Guild House'/ Former Warehouse Including Cartway, Courtyard and Interior (formerly 340 Kent Street)*, 338 Kent Street (local significance, I1819)
- *Commercial building 'Letraset House'/ Former Warehouse Including Interiors, Cartway, Courtyard and Interior*, 346–348 Kent Street (local significance, I1821)

- *Former commercial building 'Norton House'/ Former Warehouse Including Interiors*, 352–358 Kent Street (local significance, I1822)
- *Commercial building 'Century House'/ Former "Hordern" Warehouse Including Interiors*, 360 – 362 Kent Street (local significance, I1823)

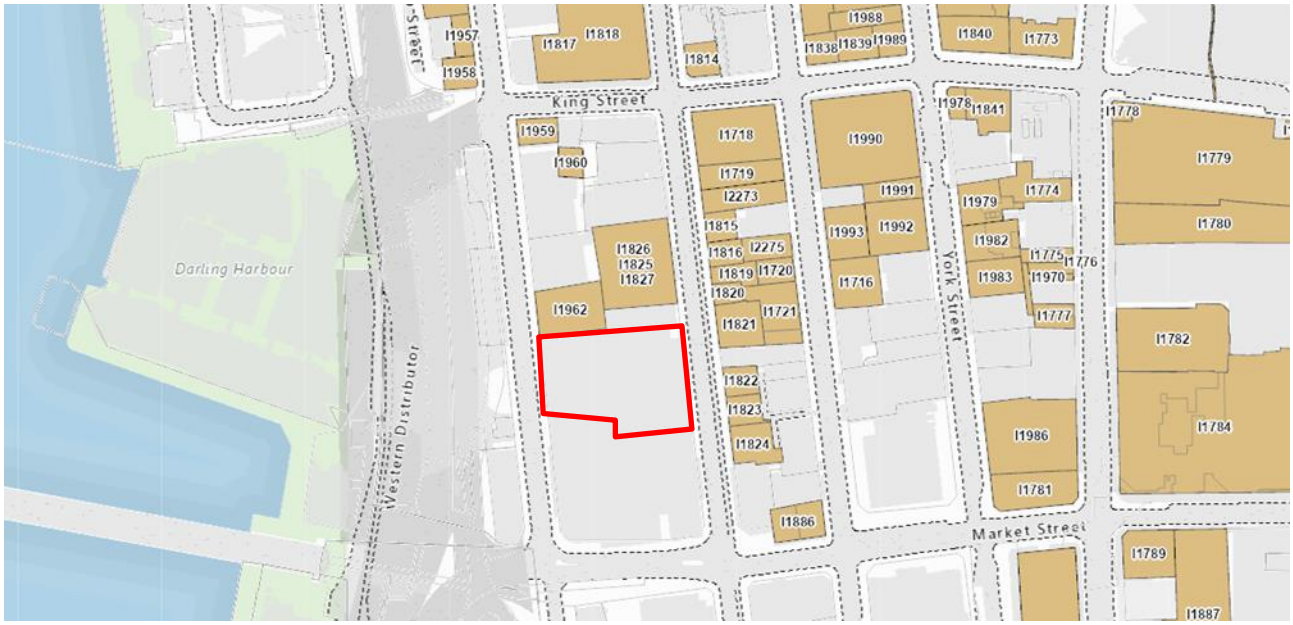


Figure 3 – Heritage map, showing heritage items shaded tan and the subject site outlined red
Source: City of Sydney Planning Controls Map, 2023, with Urbis overlay

1.4. METHODOLOGY

This HIS has been prepared in accordance with the NSW Heritage Division guidelines 'Assessing Heritage Significance', and 'Statements of Heritage Impact'. The philosophy and process adopted is that guided by the Australia ICOMOS *Burra Charter* 1999 (revised 2013).

Site constraints and opportunities have been considered with reference to relevant controls and provisions contained within the Sydney LEP 2012 (LEP) and the Sydney Development Control Plan 2012 (DCP).

1.5. AUTHOR IDENTIFICATION

The following report has been prepared by Oliver Lennon (Heritage Assistant) and Anthony Kilias (Senior Consultant). Fiona Binns (Associate Director) has reviewed and endorsed its content.

Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

1.6. THE PROPOSAL

The purpose of this Planning Proposal is to amend the site's maximum Height of Building development standard and maximum Floor Space Ratio (FSR) development standard to unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the Central Sydney Planning Strategy (CSPS) for tower cluster sites. This Planning Proposal will also seek to facilitate significant public benefits through additional site activation by way of a new pedestrian through-site link, shared loading dock facility and delivering on sustainable initiatives to contribute to the City of Sydney's vision to achieve net zero energy buildings.

The proposed Sydney LEP amendment is part of the broader redevelopment plan for the site to demolish the existing structure on the site (including the existing 10 storey car park), and construct a new 42 storey commercial office tower with a total maximum FSR of 20:1 (circa 73,000m2 GFA).

The reference scheme supporting the Planning Proposal and site specific DCP can be described as follows:

- Demolition of the existing building, including removal of the over 800 capacity public car park.
- Construction of the following:

– New 42-storey office tower comprising a total FSR of 20:1, up to a height of RL 189.60 (approximately 170m above Kent Street and 180m above Sussex Street).
– New premium-grade commercial floorspace with an approximate GFA of circa 73,000m^2.
– New through-site link connecting Kent and Sussex Streets, including public art activation.
– New ground floor activation opportunities, including approximate retail GFA of circa 700m^2.
– 2 levels of basement, comprising:
    - Basement Level 1 facilitating 70 car parking spaces; and
    - Sussex Street ground level shared loading dock facility including SRV and MRV short term stay bays to service retail tenancies within buildings along Kent Street (located between Market Street and King Street).
– New end of trip facilities below the Kent Street ground level.

The assessment in this HIS is undertaken with reference to the following plans prepared by FJC Studio.

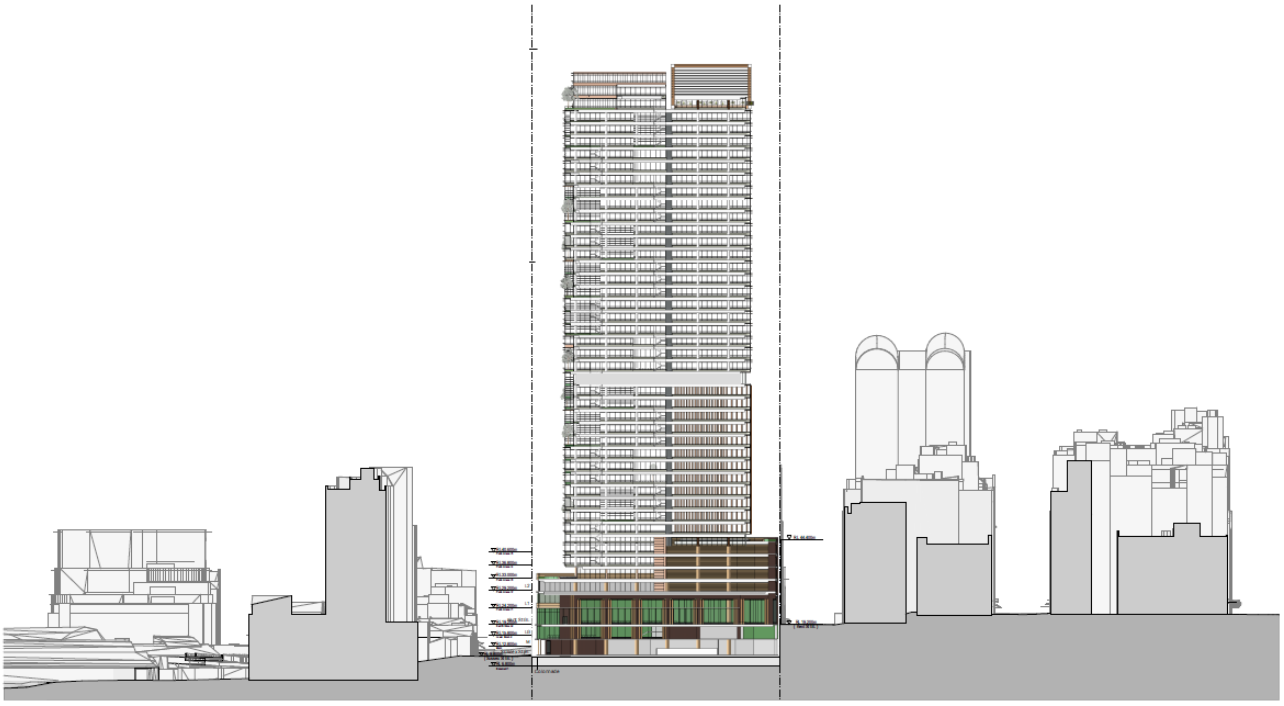


Figure 4 – Reference scheme, showing section east–west
Source: FJC Studio, May 2023

2. PHYSICAL DESCRIPTION

2.1. SETTING

The block on which 383 Kent St is located is bounded by King St on the north and Market St on the south. With frontages to both Kent Street and Sussex Street, the site is surrounded by a mixture of retail and restaurant tenancies, school and university campuses, and government premises. On the opposite side of Kent Street, buildings are predominately heritage listed and of consistent character and styles, generally being early twentieth-century warehouse and commercial buildings of brick construction. On the western side of Kent Street, there are more modern buildings including larger scale contemporary tower development.

The Site is located within the York St/Clarence St/Kent St Special Character Area. The following description of the Special Character Area is reproduced from the Sydney DCP 2012.

> *York Street and the streets and lanes surrounding it contain evidence of one of the early warehousing areas in Sydney that developed due to its proximity to Darling Harbour and the City Markets. The area is characterised by nineteenth and early twentieth century warehouse development interspersed with a hotels that flourished in association with the wharves as well as a number of banks. The warehouse stock generally comprises masonry buildings, 3-8 stories in height, and robustly articulated. The architectural emphasis of the buildings located at street intersections are a distinctive characteristic of this area. The network of lanes, internal cartways and courtyards, uniform block pattern with narrow frontages and west-east transport links represent the progressive development of the area, past and present commercial and retail character.*
>
> *Barrack Street, at the northern end of the area, is one of the finest urban places in Sydney being defined on all four sides, for the most part, by heritage items of exceptional quality.*
>
> *With the completion of the Sydney Harbour Bridge in 1932, York Street became the main arterial road into the City Centre. Its character altered as higher scale development incorporating retail and commercial office uses was constructed on key street corners, such as the Grace building, ACA House and Asbestos House. In the post WWII period, the value of the warehouse stock diminished as the shipping trade at Darling Harbour declined, whilst the land value and the need for commercial office space increased. As a result, a considerable number of warehouses were either demolished or their facades retained as podiums to high rise development, changing the skyline of the area. From the 1970s, the character of the area has continued to be altered through major elevated freeway and motorway construction at its western edge, severing pedestrian and visual links with Darling Harbour.*
>
> *The Queen Victoria Building is evidence of early markets in the area, the first on the site established by Governor Macquarie. Its conversion to retail arcade in the early 1980s was amongst the first large scale adaptive re uses and conservation programmes in Australia representing a shift in public sentiment. The building forms an important pedestrian link, both at ground level and underground. Its grand scale and rare composition of dominant domes define many views and terminate vistas within the area, such as from Mullins Street. Together with St Andrews Cathedral and Sydney Town Hall, it remains a major landmark in the City Centre despite surrounding high scale tower development. Bicentennial Plaza is an important urban space that complements its landmark surrounds and provide an expansion of vistas to these key buildings. There are also important key east west views through the area between the City and Darling Harbour and the Pyrmont ridge beyond, as well as many significant vistas such as southwards along York Street, which is terminated by the Town Hall, and eastwards along Barrack Street is terminated by the former General Post Office.*

General streetscape views are provided below.



Figure 5 – Kent Street facing south, with the subject site at the right of frame
Source: Urbis, March 2023



Figure 6 – Subject site (right, part view only) and neighbouring building on the south side (left)
Source: Urbis, March 2023



Figure 7 – The boundary between the subject site and neighbouring building on the north side
Source: Urbis, March 2023



Figure 8 – Kent Street, general view facing north-west
Source: Urbis, March 2023



Figure 9 – Kent Street, general view facing south-east
Source: Urbis, March 2023



Figure 10 – Kent Street, general view facing south towards the subject site
Source: Urbis, March 2023

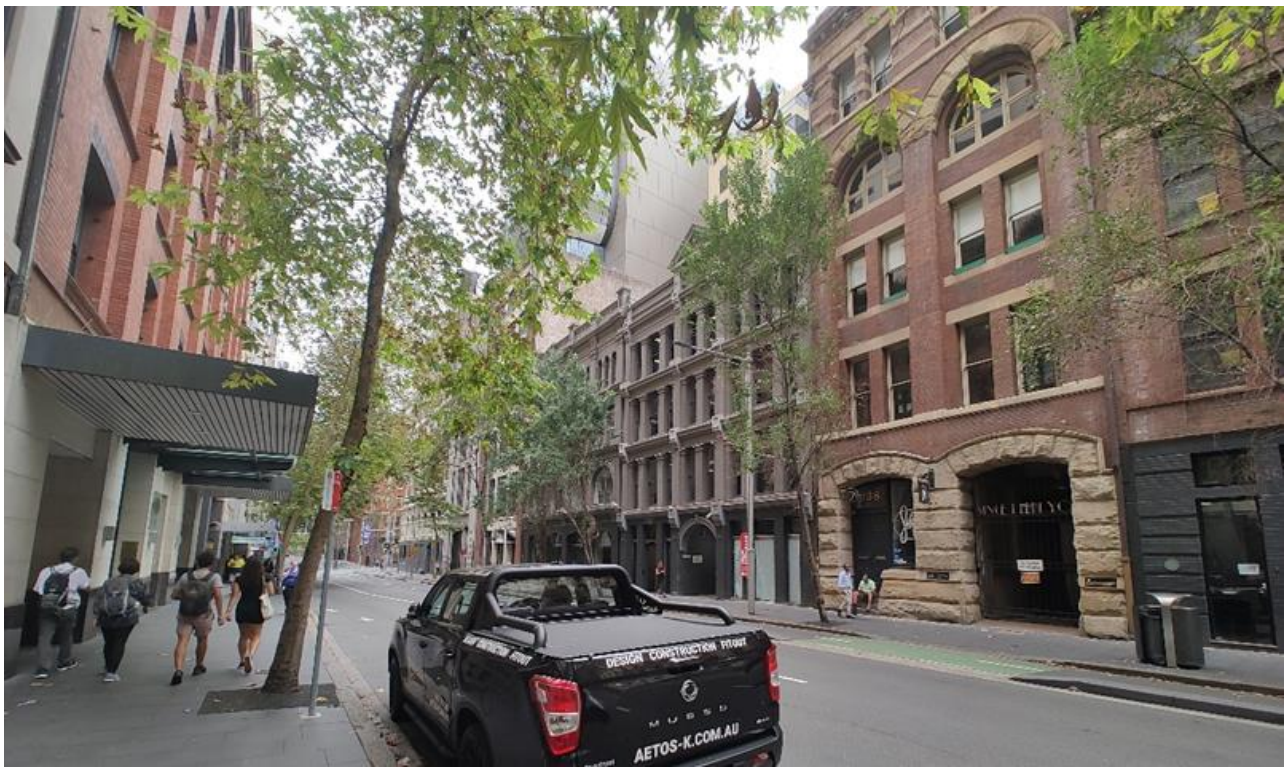


Figure 11 – Kent Street, general view facing north from the subject site
Source: Urbis, March 2023



Figure 12 – Kent Street, general view facing south-east, showing historic warehouse façades
Source: Urbis, March 2023



Figure 13 – Sussex Street, general view facing north with subject site at right of frame
Source: Urbis, March 2023



Figure 14 – Sussex Street, general view facing south-east, showing façade of listed warehouse building at left of frame
Source: Urbis, March 2023



Figure 15 – Sussex Street, general view facing south with subject site at right of frame
Source: Urbis, March 2023

2.2. SUBJECT SITE

383 Kent St is a mixed-use building that extends the full boundaries of the site, consisting of ground level retail tenancies, 10 levels of public car park in the podium, and 11 levels of commercial space above. The topography of the site is steep, falling away from east-to-west, so the elevation of the Kent Street frontage several levels above the Sussex Street frontage. This topography accommodates two partial basement levels beneath the Kent Street frontage, which are accessed via Sussex Street. This has involved excavation to approximately 9.5m depth at the Kent Street frontage to ensure consistent levels across the site and match the ground floor RL at Sussex Street.

The building is a contemporary commercial building. At the Kent Street (east) frontage, the podium (comprising the first four levels) is half-clad with sandstone (at the southern half) with a glazed curtain wall at the northern half. At the Sussex Street (west) frontage, only the ground-floor level is stone clad, while the rest of the eight-storey podium is glazed. The tower form at both frontages is a simple curtain wall structure.



Figure 16 – 383 Kent Street, viewed from the south side of Kent Street
Source: Urbis, March 2023



Figure 17 – View north along Kent Street, showing the awning and ground-floor lobby
Source: Urbis, March 2023



Figure 18 – Front lobby and small retail tenancy at ground-floor level of subject building, at Kent Street
Source: Urbis, March 2023



Figure 19 – Front lobby and small retail tenancy at ground-floor level of subject building, at Kent Street
Source: Urbis, March 2023



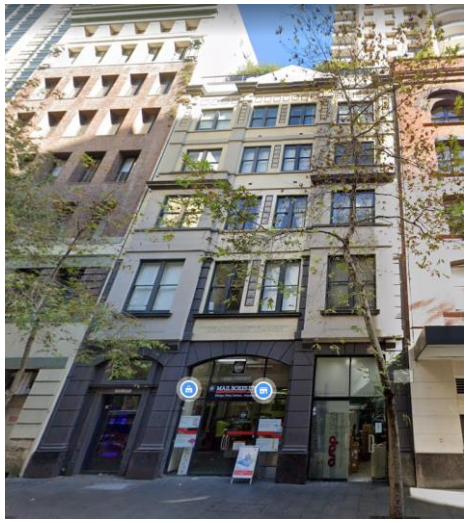
Figure 20 – Sussex Street frontage of subject site
Source: Urbis, March 2023

2.3. HERITAGE ITEMS IN THE VICINITY

As noted in Sections 1.3.3 and Section 2.1 above, the site is situated in the vicinity of a number of heritage items which are listed under Schedule 5 of the Sydney LEP 2012. The following table provides a description of these items (as reproduced from the NSW State Heritage Inventory) as well as images of these items to provide additional context.

Table 1 – Physical description – heritage items in the vicinity

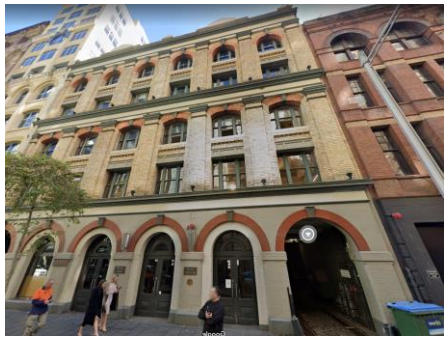
Site	Image	Description
Former commercial building facade 'Metropolitan Business College'/ Former Warehouse Façade (367-371 Kent Street) 367-371 Kent Street I1826	 *Source: Google Maps, 2023*	*367-371 Kent Street has a face brick front divided into five bays by substantial piers, united at the top by semicircular arches of three header-soldier rings. Above this is an entablature motif with moulded brick bands for architrave and cornice, and a brick parapet with a moulded-brick coping. The two-light windows have single segmental arch heads laid in three rings of header-soldiers, and a two course sill band of moulded bricks extending from pier to pier. The top windows have round top sashes and arch heads of five rings which, being inside the plane of the pier arches, give the top ensemble an interesting layered-arch character. All the arches are laid in distinctive blue brick. The vehicular entrance has a grooved concrete floor panel indicative of use by horses. The facade at street level is modified. Internally, the building has a conventional timber post and beam structure sheeted over, and suspended plasterboard ceilings. Category:Individual Building. Style:Federation Warehouse. Storeys:5. Facade:Face brick, with blue brick arches; timber windows; render at ground floor level.. Side/Rear Walls:Common bricks. Internal Walls:Painted and plastered brick; plasterboard and stud. Roof Cladding:Corrugated asbestos-cement. Internal Structure:Heavy timber posts; some loadbearing brickwork. Floor:Heavy timber lateral girders, longitudinal joists, herringbone strutting. Roof:Timber trusses and purlins. Ceilings:Modern plasterboard, suspended; exposed floor structure in parts. Stairs:Timber original stair in fire-rated enclosure with sheet metal floor overlay. Sprinkler System:Yes. Lifts:One, modern.*

Site	Image	Description
Former commercial building facade 'Seabridge House'/ Former Warehouse Façade (373-377 Kent Street) 373-377 Kent Street I1827	 *Source: Google Maps, 2023*	*The structural frame of Seabridge House is two bays wide, expressed in the facade ambiguously as three pilastrated bays; a wide centre bay flanked by two narrow bays. The centre bay rises from a segmentally arched window at street level to a stripped pediment motif at the top but is divided by a centre pier into two windows. This central pier and the top pilasters are embellished by panels of diamond-point rustication. A moulded cornice crowns the centre bay and the outer piers are also corniced. At street level the render is rusticated. The side bays have entrances; the main doorways have side panels, transom light and terrazzo threshold, and the vehicular entrance has a concrete floor with a grooved centre panel to assist horse traction. A subtle two-storey oriel motif, with bracket supports and an entablature, appears in each of the side bays. Internally the building has an original reinforced concrete structure. The entrance hall has been modified. Category:Individual Building. Style:Inter-War Free Classical/Chicagoesque. Storeys:5. Facade:Modelled cement rendered concrete, painted; modern aluminium windows. Side/Rear Walls:Cement rendered concrete, off-form concrete. Internal Walls:Plastered concrete, plasterboard studs. Roof Cladding:Corrugated steel. Internal Structure:Reinforced concrete columns; beams and walls. Floor:Reinforced concrete beams and slabs. Roof:Timber Queen-post trusses and purlins. Ceilings:Plasterboard, suspended; plastered concrete; ripple iron on timber furring. Stairs:Concrete (original). Sprinkler System:Yes. Lifts:One, modern.*
Former commercial building facade 'Waratah House'/ Former Warehouse Façade (365 Kent Street) 365 Kent Street I1825	 *Source: Google Maps, 2023*	*The ground floor front has sandstone pier bases, cement rendered pilaster piers and a secondary entablature, above which the street facade is articulated in three bays by one-brick thick piers. The main entablature, supported by stone modillions and surmounted by a parapet, comprises a single course of moulded bricks which doubles as both a narrow architrave and a pier cap, a dressed sandstone frieze, and a moulded cornice. In each bay there are deep-set paired windows with stone lintels, rendered sills and moulded brick bands beneath. A cart-way extends from the Kent Street vehicle entrance westwards into the light well. It is at street level, in contrast to the main ground floor which is several steps up from Kent Street. This has allowed the insertion of a low-ceiling store room above the cartway. The*

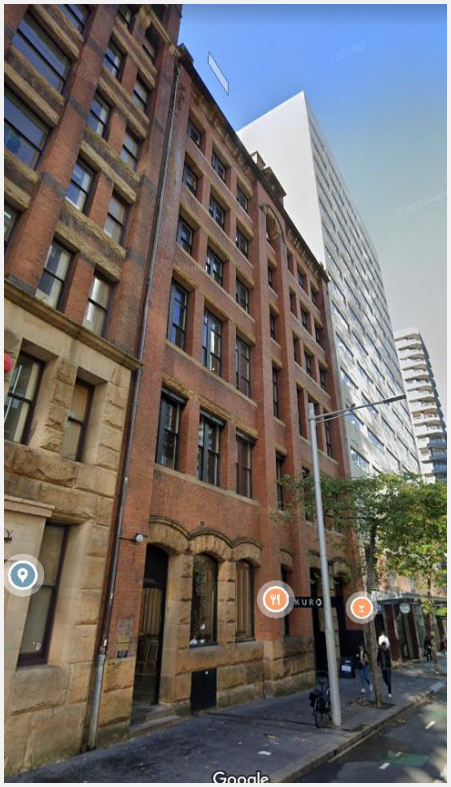
Site	Image	Description
		building structure is a conventional timber post and beam structure sheeted over and modified by removal of one bay of posts. The light well divides the building into two parts, the larger on the east and the smaller on the west, linked by a structure along the north boundary incorporating a connecting corridor and toilets on each of the upper levels. A painted sign at the top reads '2UW fantastic'. The windows facing east and west into the light well are wider than those of the facade and have three-light timber casement frames, deep reveals, squint-brick raking sills and exposed I-beam lintels. Category:Individual Building. Style:Federation Warehouse. Storeys:5 + Basement. Facade:Face brick with sandstone detailing and some cement render; timber windows. Side/Rear Walls:Common bricks, painted. Internal Walls:Painted and plastered brick; plasterboard and stud. Roof Cladding:Corrugated steel. Internal Structure:Heavy timber posts; some loadbearing brickwork. Floor:Heavy timber lateral girders; longitudinal joists, herringbone strutting. Roof:Timber trusses and purlins. Ceilings:Modern plasterboard, suspended; exposed floor structure in parts. Stairs:Concrete, enclosed, modern. Lifts:One, modern.
Former Warehouse/ Former Warehouse (332-334 Kent Street) Including Interiors 332-224 Kent Street I1815	 *Source: Google Maps, 2023*	*The building at 332-334 Kent Street is a four storey structure with load bearing brick walls surmounted by a parapet wall and painted stucco finish and timber structure internally. Windows are grouped together into bays, with the size of individual windows diminishing towards the top of the building. Piers and floors are emphasised on the facade of the building by the use of pilasters and cornices. The building has undergone a series of alterations to allow it to be used as offices, including the replacement of timber windows with steel and the insertion of modern stairs. Category:Individual Building. Style:Victorian Italianate. Storeys:4. Facade:Stucco masonry, steel frame windows. Side/Rear Walls:Face brick. Internal Walls:Face brick. Roof Cladding:Corrugated steel sheet. Internal Structure:Beams not visible; Howells report states timber beams. Floor:Timber joists & boards. Roof:Timber & iron trusses. Ceilings:Plasterbd. , susp. acoustic tiles. Stairs:Refer fire stairs. Fire Stairs:Reinf conc., steel & brass balustrade. Sprinkler System:Yes. Lifts:None. AirConditioned:Yes*

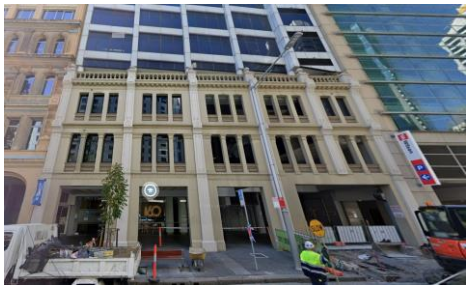
Site	Image	Description
Former Warehouse/ Former Warehouse Including Interiors, Cartway and Courtyard 336 Kent Street I1816	 *Source: Google Maps, 2023*	*The Merchant and Partners building No.336-338 (now No.332) is a 4 storey painted brick building with stucco detailing designed in the Victorian Free Classical style. The symmetrical façade is divided vertically by piers into 3 bays. The central bay features a semi-circular vehicular opening at ground level providing evidence of a previous rear loading dock, with simple keystone detailing. The building is crowned at the upper level by a classical pediment rising above the parapet. Levels are defined by cornice string courses. Tall double-hung windows are separated by brick piers. Adjoining the Victorian retail building at 332-334 Kent Street, this building forms part of a cohesive streetscape of late 19th and early 20th century warehouse buildings which are principally grouped along the eastern side of Kent Street, between King and Market Streets, with a large opening to the street level providing evidence of a previous rear loading dock.* *Category:Individual building. Style:Victorian Free Classical. Storeys:4. Façade:Painted brickwork, stucco detailing, timber framed windows. Side/Rear Walls:Adjoining building. Internal Walls:Original brickwork painted (with internal archways), Plastbd & stud. Roof Cladding:Minimum pitch corrugated metal sheet.. Internal Structure:Loadbearing brickwork, internal arched openings in masonry. Floor:Contemporary reinf. Conc., timber, carpet (generally). Roof:Timber frame minimum pitch skillion. Ceilings:Contemporary plaster with ceiling roses (bar area), susp. Plasterbd. Ceilings(generally).. Stairs:1970's reinf. Conc. Stair with ceramic tile finish, steel handrail, brick & RC shaft. AirConditioned:Yes FireStairs:1 Lifts:No.*

Site	Image	Description
Former warehouse 'Royston House'/ Former Warehouse Including Interiors 342-244 Kent Street I1820	 *Source: Google Maps, 2023*	*Royston House is 4 storey former warehouse which appears to be an early example of the Federation Warehouse style. It has face brick walls with plain dressed sandstone lintels and arches over each bay of a darker coloured brick, and timber framed windows with 9-pane upper sashes. The facade at street level, of face brick with regular courses recessed to give a rusticated appearance, has been painted and has aluminium framed doors and windows. Internally, the building has a conventional timber post and beam structure, and an original late Victorian stair. Category:Individual Building. Style:Federation Warehouse. Storeys:4. Facade:Face brick & sandstone, timber frame windows. Side/Rear Walls:Face brick, arched niches. Internal Walls:Plasterbd. & stud. Roof Cladding:Corrugated steel sheet. Internal Structure:Timber post & beam (sheeted over on 3rd floor). Floor:Timber joists & boards, carpet (1st floor only). Roof:Timber trusses or framing (concealed). Ceilings:Plasterbd. (3rd floor), fibrous plaster (2nd), susp. acoustic tiles (1st), ripple iron (garage). Stairs:Original timber stair with timber balustrade and turned newel posts, ripple iron soffit, in plasterbd. & stud shaft. Fire Stairs:Refer Stairs above. Lifts:1, manual operation. General Details:Although in only fair condition, the building retains a great deal of its early fabric and evocative character. The timber structure is generally exposed internally..*
Former commercial building 'Guild House'/ Former Warehouse Including Cartway, Courtyard and Interior (formerly 340 Kent Street) 338 Kent Street I1819	 *Source: Google Maps, 2023*	*The buildings at 197-199 Clarence Street and 340 Kent Street were evidently constructed about the same time and designed by the same hand, and would originally have shared a common rear yard. They are both five storeys high (the Clarence Street building also has a basement) and two bays wide, and have face brick facades with sandstone lintels and arches in the Federation Warehouse style, and timber windows. The top floor of each facade is decorated with horizontal stone banding, and topped with a bracketed stone cornice. The Clarence Street building shows some Romanesque features such as the stub columns supporting arches at the entrances. Internally the buildings have timber floors and structures, with most original features covered by later finishes. Category:Individual Building. Style:Federation Warehouse. Storeys:5. Facade:Face brick & sandstone, timber frame windows. Side/Rear Walls:Face brick. Internal Walls:Face brick to cartway,*

Site	Image	Description
		elsewhere plasterbd.. Roof Cladding:Corrugated steel sheet. Internal Structure:Loadbearing walls & timber beams. Floor:Timber joists & boards, carpet. Roof:Timber framing. Ceilings:Plasterbd.. Stairs:Timber stair in plasterbd. enclosure, timber balustrade, ripple iron soffit *Internal timber stair in restaurant. Fire Stairs:Refer Stairs above. Lifts:1 modern hydraulic.*
Commercial building 'Letraset House'/ Former Warehouse Including Interiors, Cartway, Courtyard and Interior 346-348 Kent Street I1821	 *Source: Google Maps, 2023*	*No 207 Clarence Street is a former warehouse with a face brick and stucco facade in a simplified Victorian Free Classical style, part of the Letraset House group. The interior has been replaced by a modern structure of reinforced concrete beams spanning the full width of the building between the original brick walls, now rendered internally. Windows are aluminium framed in original openings, although the front door case and fanlight above survive (the only examples of these in the group). At the top floor, the stone seatings for former roof trusses are visible on one side only; the roof itself is a modern skillion. Category:Individual Building. Style:Victorian Free Classical. Storeys:4 + basement. Facade:Polychrome brickwork, stucco detailing, timber frame door & fanlights and alumin. frame windows. Side/Rear Walls:Face brick, alumin. frame windows, steel roller shutter. Internal Walls:Plastered brick. Roof Cladding:Corrugated steel sheeting. Internal Structure:Reinf. conc. beams. Floor:Reinf. conc. slab & carpet. Roof:Encased beams. Ceilings:Set plaster on soffit, plasterbd.. Stairs:Reinf. conc., wrought iron balustrade. Fire Stairs:As above. Lifts:None. General Details:This building retains little of its original internal character, but does retain front and rear facades (including original front door joinery). It is in good condition..*

Site	Image	Description
Former commercial building 'Norton House'/ Former Warehouse Including Interiors 352-358 Kent Street I1822	 *Source: Google Maps, 2023*	*AME House is an 8 storey former warehouse having features of both the Federation Warehouse and Federation Free styles. It has a face brick and sandstone facade which uses rusticated stone for the street level of the facade and dressed stone for the narrow window mullions, arched pediments, lintels, and the variegated voussoirs in the topmost arches. All the dressed stonework is decoratively carved, giving a delicacy to the facade. The windows are timber framed, with multi-paned top sashes at the 7th floor; the ground floor has modern aluminium framed shopfronts. Internally most original features appear to have been removed or covered. Category:Individual Building. Style:Federation Free Style. Storeys:8. Facade:Face brick & sandstone, timber frame windows, alumin. shopfronts. Side/Rear Walls:Face brick, arched niches. Internal Walls:Plasterbd. & stud. Roof Cladding:Corrugated steel sheet. Internal Structure:Steel column & beam (shown on drawings), oversheeted. Floor:Timber joists & boards, carpet. Roof:Presumably steel framing. Ceilings:Susp. acoustic tiles. Stairs:Timber in fire rated shaft. Fire Stairs:Refer to Stairs. Sprinkler System:Yes. Lifts:1 modern. AirConditioned:Yes.*
Commercial building 'Century House'/ Former "Hordern" Warehouse Including Interiors 360-362 Kent Street I1823	 *Source: Google Maps, 2023*	*Century House is an 8 storey former factory and warehouse in the Federation Warehouse style. The facade is polychrome brick with rusticated sandstone used for the ground and first floor, and above for lintels and cornices. The facade has a strong vertical emphasis deriving from the main brick piers which rise several floors, with the remainder of the facade recessed between them. Windows are timber framed, and the front entrance has a later (Interwar) surround and doors. Internally, the original structure has largely been concealed behind later finishes. However, many early (although possibly not original) internal elements survive including a birdcage lift, an early timber stair and a remnant of pressed metal ceiling. Category:Individual Building. Style:Federation Warehouse. Storeys:8. Facade:Polychrome brick & sandstone, timber frame windows, later entrance. Side/Rear Walls:Plastered brick, arched niches. Internal Walls:Plasterbd. & stud.*

Site	Image	Description
		Roof Cladding:Waterproof membrane. Internal Structure:Timber post & beam, concealed. Floor:Timber joists & boards, carpet. Roof:Not inspected; presumably as for floors. Ceilings:Susp. acoustic tiles. Stairs:1 timber stair with timber balustrade, elaborate design on ground and first floors, plain above. Fire Stairs:Refer Stairs above. Sprinkler System:Yes. Lifts:1 early birdcage lift, automatic operation; 1 more modern lift. AirConditioned:Yes.
Commercial building 'Kelco House'/ Former Warehouse Including Interiors and Cart Docks 364-372 Kent Street I1824	 *Source: Google Maps, 2023*	*Kelco House is a former 6 storey warehouse in the Federation Warehouse style (a seventh storey was added in 1990). It has a typical face brick facade with sandstone used for the ground level wall, and also for sills, lintels, arches and cornice. Sills and cornice are of dressed stone; other stone elements are rock-faced. The central brick piers extend downwards into the stone base wall, and upwards above the cornice where they form a small pediment; between them on the top storey is the only arched opening of the facade above ground level. Windows generally are timber framed. Openings at ground level have been altered, in particular at the southern end where the former cart docks have become a colonnade to the main entrance. Internally the timber structure and floors survive and are exposed on some levels; elsewhere the original structure is concealed by modern finishes. Category:Individual Building. Style:Federation Warehouse. Storeys:7. Facade:Face brick & sandstone, timber frame windows. Side/Rear Walls:Face brick. Internal Walls:Plasterbd. & stud. Roof Cladding:Corrugated steel sheet. Internal Structure:Timber post & beam. Floor:Timber joists & boards. Roof:Possibly steel frame. Ceilings:Susp. acoustic tiles, plasterbd. (entrance). Stairs:Refer fire stairs. Fire Stairs:Steel frame, precast conc. treads, plasterbd. & stud enclosure. Sprinkler System:Yes. Lifts:1 modern. AirConditioned:Yes FireStairs:Steel frame, precast conc. treads, plasterbd. & stud enclosure.*

Site	Image	Description
Former maritime building facade 'CMC House' 160-166 Sussex Street I1962	 *Source: Google Maps, 2023*	*The former CMC house is now a three storey facade attached to the base of a 14 storey office building. The facade is of painted stucco, with aluminium framed windows to the upper storeys, a balustrade at the top, and plain openings at the base forming a colonnade and driveway entrance. The facade of the building above is set back less than one metre behind the old facade, and apart from having similar bay widths bears no relationship with the original. Category:Building Element. Style:Victorian Italianate. Storeys:3. Facade:Rendered brick, stucco detailing. Side/Rear Walls:Reinf. conc. frame, conc. block (1990). Internal Walls:Reinf. conc., conc. block, plasterbd. & stud (1990). Roof Cladding:Corrugated steel street, waterproof membrane (1990). Internal Structure:Reinf. conc. column & beam (1990). Floor:Reinf. conc. slab (1990). Roof:Reinf. conc. slab, steel framing (1990). Ceilings:Susp. acoustic tile, susp. plasterbd. (1990). Stairs:Refer fire stair (1990). Fire Stairs:Reinf. conc. (1990). Sprinkler System:Yes. Lifts:3 (1990). AirConditioned:Yes*

3. HISTORICAL OVERVIEW

The following histories are extracted from the history section of Urbis' Historical Archaeological Impact Assessment, submitted under separate cover as part of the Planning Proposal. Full referencing is provided in that report.

3.1. AREA HISTORY

The area was an expansive military precinct in its early history after European settlement. Kent Street itself, initially known as "Soldier's Back Row", was likely undeveloped during the early 19th century, and possibly emerged after Lesueur's 1802 map of Sydney was completed. By 1809, lease agreements were allocated to soldiers, and the street was formalised into Kent Street in 1810. It boomed, and historical mapping from 1821 shows that by this time, the formalised streetscape of modern Sydney had largely developed. The structures assumably were a mixture of residential and commercial premises, with city markets and Cockle Bay wharf nearby.

The area was described by Maclehose in his *Picture of Sydney and Stranger's Guide in N.S.W. for 1839* as an established commercial hub and chief maritime gateway, which Maclehose describes as:

> *the main thoroughfare between the wharfs, warehouses, flour mills, shipbuilding yards and manufactories, which are positioned between it and Darling Harbour- and perhaps for its length, has more valuable merchandise and other property conveyed through it than any other street in Sydney.*[1]

Being situated between the local economy of the market district and the international economy of the wharves defines this area's history. By the 1830s and 40s, the nearby Wynyard Military Barracks were seen as inappropriately located, and so Victoria Barracks took its role in 1848. Civilian land holdings on Kent and Sussex streets increased in this time, and further subdivisions were drawn.

3.2. SITE HISTORY

By 1823, the future site had been formally subdivided into lots and granted to several landowners, such as Thomas Moore, Arthur Little, Samuel Clymm, Mary Bone and William Birch. It was likely used for mostly residential purposes, with workshops and detached structures for the next few decades. It featured mostly brick and stone constructions, being inferred from 1833 City Section Survey Plans and later detail plans. By 1842, Thomas Bowen occupied Bone's property, and developed the holding significantly so that by 1955, it held two rectangular brick structures with associated fencing that encompass much of the lot's Kent St frontage. The western boundary of the lot was built-up with three rectangular brick buildings with fenced yard spaces and outbuildings.

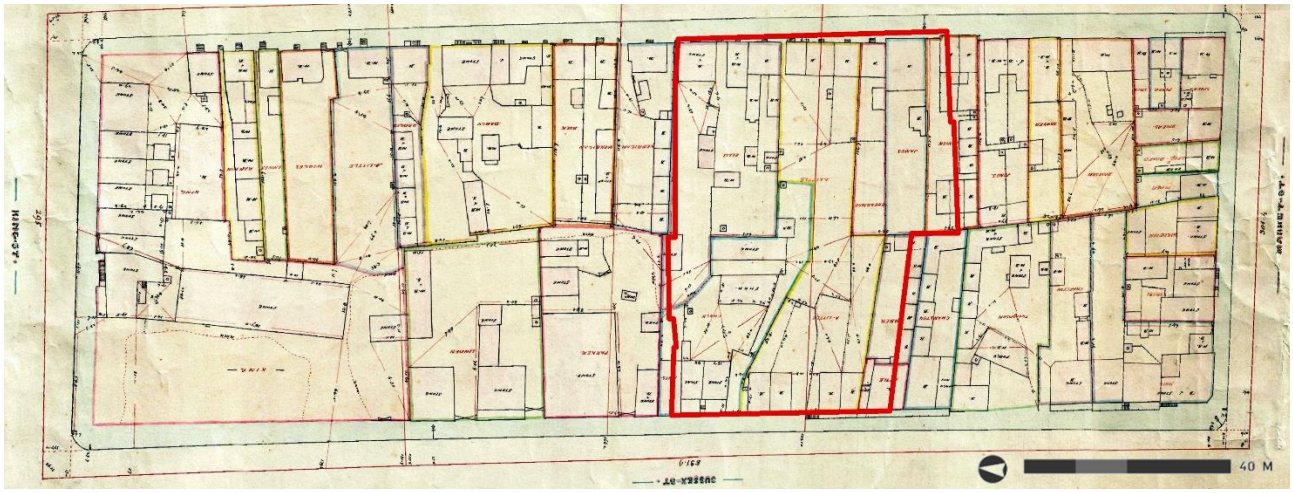


Figure 21 – 1855 Detail Plan of Section 29, showing the extent of development within the subject site at this time (outlined in red), including service connections to outbuildings.
Source: City of Sydney Archives 1855, A/00880278

[1] Maclehose, *Picture of Sydney and Strangers' Guide in N.S.W. for 1839*, 1977, page 61.

By the 1880s, the site had developed to resemble a densely populated mixed-use district with commercial premises along the Sussex Street frontage and private residences on the Kent Street side.

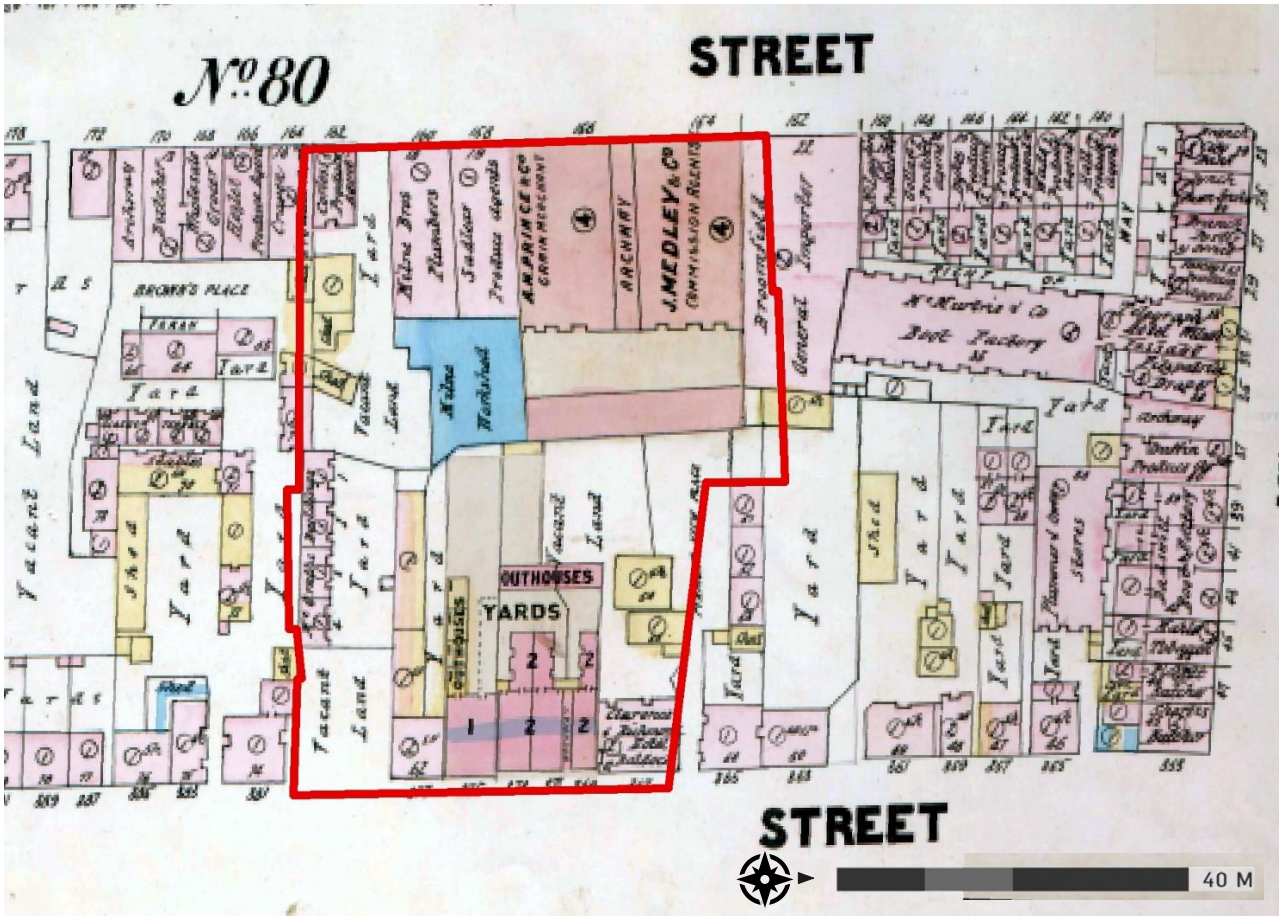


Figure 22 – Dove's 1880 Plan of the City of Sydney, showing the subject site in red
Source: City of Sydney Archives 1880, A/00880135

Over the ensuing decades, lots were bought and sold over the site and buildings constructed for business and residential purposes. This included two four-storey symmetrical brick buildings with a bridging archway at 154-156 Sussex Street likely constructed around 1865-1880, and a double-strorey building with a fenced garden and two wooden outbuildings at 377 Kent Street that was residential during the 1880s and commercial from the 1890s. Importers, grain merchants, produce agents, blacksmiths and a hotel were some of the uses for lots within the subject site from the late 19th and early 20th centuries.

By 1910, numbering on Sussex and Kent Streets had changed to match the modern streetscape.

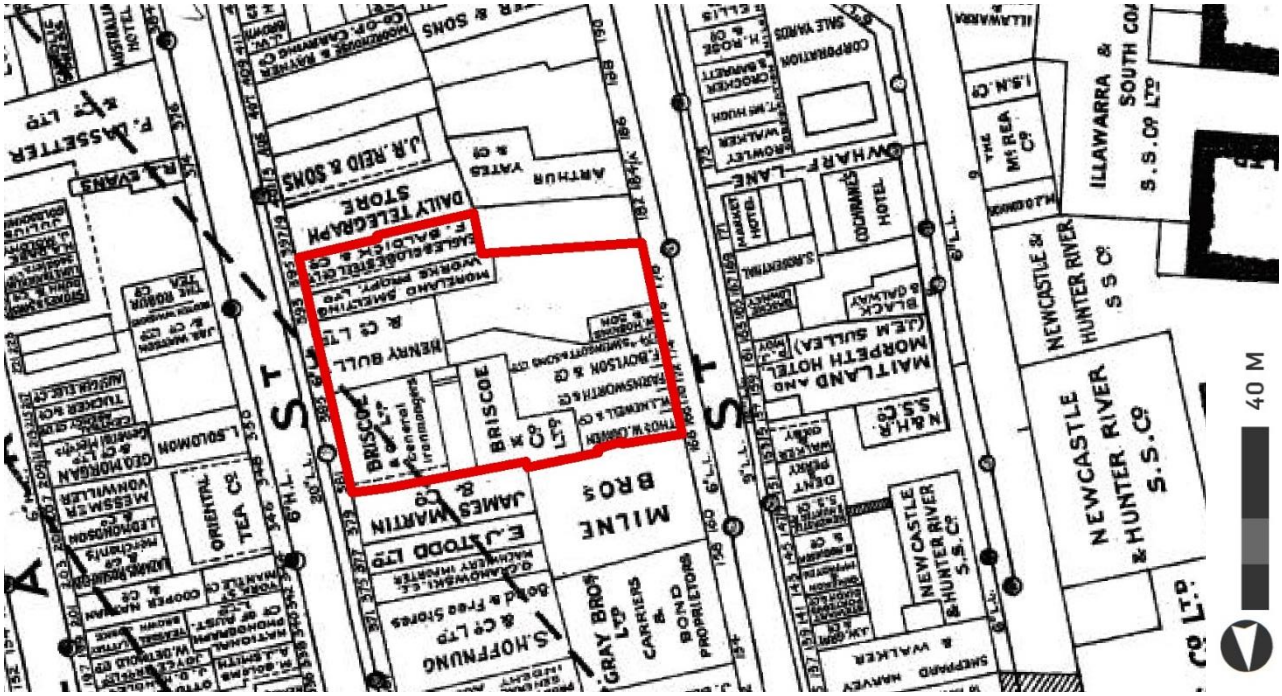


Figure 23 – City of Sydney Plan of Central Sydney from 1910, showing the subject site in red
Source: City of Sydney Archives 1910, A/00880476

In February 1976, when the site was a densely populated mix of warehouses and commercial buildings, a Development Application was lodged to demolish all properties on the site to build a public parking facility holding around 1000 spaces. It was approved in September that year and built shortly after.



Figure 24 – Historic aerial image of Central Sydney from 1986, showing the subject site outlined in red. Note that at this time, the carparking station is now visible, occupying the entire extent of the lot.
Source: NSW Historical Imagery Viewer 1986, ID/ 3528_22_061

In April 1998, the Development Application for the current site was submitted by Leighton Properties Pty Ltd to add a 14-level commercial office tower onto the existing carpark.

3.3. HERITAGE ITEMS IN THE VICINITY

Historical overviews are provided below for the heritage items in the vicinity of the site. These histories have been reproduced from the NSW State Heritage Inventory.

Note that the historical overviews for all items include the following introduction:

The "Eora people" was the name given to the coastal Aborigines around Sydney. Central Sydney is therefore often referred to as "Eora Country". Within the City of Sydney local government area, the traditional owners are the Cadigal and Wangal bands of the Eora. There is no written record of the name of the language spoken and currently there are debates as whether the coastal peoples spoke a separate language "Eora" or whether this was actually a dialect of the Dharug language. Remnant bushland in places like Blackwattle Bay retain elements of traditional plant, bird and animal life, including fish and rock oysters.

With the invasion of the Sydney region, the Cadigal and Wangal people were decimated but there are descendants still living in Sydney today. All cities include many immigrants in their population. Aboriginal people from across the state have been attracted to suburbs such as Pyrmont, Balmain, Rozelle, Glebe and Redfern since the 1930s. Changes in government legislation in the 1960s provided freedom of movement enabling more Aboriginal people to choose to live in Sydney.

(Information sourced from Anita Heiss, "Aboriginal People and Place", Barani: Indigenous History of Sydney City http://www.cityofsydney.nsw.gov.au/barani)

Table 2 – Historical overview – heritage items in the vicinity

Site	History
I1826 367-371 Kent St: Former commercial building facade 'Metropolitan Business College'/ Former Warehouse Façade (367-371 Kent Street)	*The warehouse at 367-371 Kent Street was first occupied in 1903 as the bond and free stores of S Hoffnung & Co Ltd, general importers and merchants of 165-169 Pitt Street and with a wharf in Hoffnung's Wharf Road. The owner of the property was William Moffit. Work was required on the building in 1938 after a fire. There may also have been a replacement of a column or columns in an unspecified area of the ground floor in 1976. Applications to Council for internal changes reflect the way in which the building was adapted to other uses when economic and technological changes reduced the need for warehouses in the centre of the city; the third and fourth floors were used as a showroom and factory for manufacturing ladies dresses, premises for (unspecified) sales, general offices and showrooms.*
I1827 373-377 Kent Street: Former commercial building facade 'Seabridge House'/ Former Warehouse Façade (373-377 Kent Street)	*New Century Press, both owner and occupier of the property was first recorded at this address in 1923. Prior to that, the Press had functioned from further along Kent Street. The building was constructed of concrete with an iron roof, with five floors and five 'rooms'. The architects were W Kenwood and Son. In 1928 the Press sold the property to Alfred Angel Catts. By the 1930s two of the floors were occupied by advertising agents Catts-Patterson. New Century Press moved to a new building in York Street in the mid-1930s. Council records distinguish in some cases between 373-377 Kent Street and 375-377 Kent Street. In the former case there is the record of a 'fit out' of offices on four floors in 1987 and lesser changes in 1986, in the latter case a number of minor changes. The building has been known as Seabridge House. In December 1995 Meriton Properties Pty Ltd bought No's 365 and 367 Kent Street. In March of the following year the company also acquired Seabridge House. At the time the five storey building was vacant.*
I1825 365 Kent Street: Former commercial building facade 'Waratah House'/	*The person or company responsible for the construction of the building is not known. The warehouse was most likely constructed in 1901 and by September of that year was the property of William Frederick Lawson. It was of brick construction with an iron roof and consisted of six undivided*

Site	History
Former Warehouse Façade (365 Kent Street)	*floors. S A Joseph and Rickard Limited, merchants and importers, Rickard's Bond, took occupancy in 1901. Changes to the building occurred in 1937 and again in 1957 when at least a proportion of the building was adapted for use as a broadcasting studio and offices. Tenants included the radio station 2UW. A major refurbishment was undertaken in 1982 at a cost of $500,000 and in 1986 further changes were made by the Returned Services League for its uses as offices, library and committee rooms. Sydney Cityscope notes its present name is Anzac House.*
I1815 332-334 Kent Street: Former Warehouse/ Former Warehouse (332-334 Kent Street) Including Interiors	*The building stands on land granted to Anthony Best in 1835. In 1911, by which time the building had presumably been constructed, it was transferred to nine people, mostly member of the Hicks and Jones families (including Sydney Toogood Jones). Their descendants retained the property until 1978. In 1931, the building was reinstated after a fire; this is likely to be the time that the steel windows were installed in the facade. The 1964 alterations appear to have left the building basically as it is at present, apart from the interconnection to 336-338 Kent Street which occurred in 1987 after the building had been bought by Merchant & Partners.*
I1816 336 Kent Street: Former Warehouse/ Former Warehouse Including Interiors, Cartway and Courtyard	*This building may have been constructed in two parts beginning with 338 Kent Street in 1887 and 336 Kent Street in the following year. The building was initially used by a variety of merchants apparently for warehouse purposes. Throughout the later years of the 19th century and into the 20th century it was occupied by a number of merchants as well as small businesses including printers and book-binders. In addition it served as storage space for the Catholic Press Newspaper and Sydney Cardboard Co. There are no available details with respect to alterations to the building fabric.*
I1820 342-344: Former warehouse 'Royston House'/ Former Warehouse Including Interiors	*Royston House stands on land originally granted to Henry Hitchcock in 1839. The original title for this property was issued in 1891 to Robert Matcham Pitt, stock & station agent, and shows a different arrangement of buildings on the land. Mr Pitt took out a mortgage in 1891 on which he presumably defaulted, as the London Chartered Bank of Australia resumed the land and transferred it to James Channon in 1901. The likely date of construction of the building lies within this period, suggesting that Robert Pitt may have taken out the mortgage to fund the construction of a new building. The property passed to Ellen Marie Rabone in 1902, and remained with the Rabone family until 1922 when it was sold to Fanny Johnson. Subsequent owners were Cecil Paroissen Johnson (1939) and George Salter & Co (1950).*
I1819 338 Kent St: Former commercial building 'Guild House'/ Former Warehouse Including Cartway, Courtyard	*The buildings at 197-199 Clarence Street and 340 Kent Street stand on land granted to Anthony Best and Thomas Fuller in 1835 and 1838. The land was a single block running between Kent and Clarence Streets. The buildings were constructed about 1906 to designs by Roberston & Marks, architects, and must have had a yard between them, with deliveries possible only from Kent Street. The Clarence Street building was known*

Site	History
and Interior (formerly 340 Kent Street)	*as the W Horace Friend Warehouse. In the 1920s, the property was owned by members of the Hinton family, and tenants of the buildings included Jackson & Spring (197 Clarence), Burgin Electric Co (340 Kent), and Bedgood & Co (199 Clarence).* *In 1954 the property was divided, the Clarence Street building being transferred to Hazel Shay Hugo, and the Kent Street property to J & W Stuart.*
I1821 346-348 Kent St: Commercial building 'Letraset House'/ Former Warehouse Including Interiors, Cartway, Courtyard and Interior	*207 Clarence Street was constructed in about 1885 on land formerly occupied by housing, and granted to James Spears in 1835. The land was purchased in 1881 by William Henry Paling, and later that year was transferred to the Anglo-Australian Investment, Finance and Land Company, Limited (of which Paling was a director), together with the other allotments on which Letraset House (346-348 Kent St) and 201-205 Clarence St now stand. The whole group is believed to have been constructed at about the same time and designed by the same person. Early occupants included Hickham & Martin and Messmer Vonwiller & Co. In 1893, the properties were transferred to William Henry Hinton and John See (later Sir John See, premier of NSW), and to John See alone in 1896.*
I1822 352-358 Kent St: Former commercial building 'Norton House'/ Former Warehouse Including Interiors	*The land on which AME House stands was part of a grant to Allan Barbour Michie in 1838. In 1909 the land was transferred to Alexander and Robert Amos, who sold it in 1910 to John Frederick Utz, merchant. It was for Utz that Spain Cosh & Minett prepared drawings for the new warehouse in 1911, and the building was presumably constructed shortly afterwards. In 1913 the property was transferred to the Perpetual Trustee Co Ltd which held it until 1950. The building was converted to offices in 1970 and extensively refurbished and strata titled in 1985.*
I1823 360-362 Kent St: Commercial building 'Century House'/ Former "Hordern" Warehouse Including Interiors	*Century House stands on land first granted to James McKay in 1842. In 1909 the property was transferred from Alexander and Robert Amos to Eva Connell Hordern, wife of Cecil Hordern, gentleman. In the same year, plans for the present building were prepared by John B Spencer architect, and construction was probably completed later that year. The property then passed to Esther Balkind (1922), members of the Jackson & McDonald families (1926 and 1948) and to Howard F Hudson Pty Ltd (1953). In 1926 and again in 1941 applications were lodged to reinstate the building after fire. The latest refurbishment was completed in 1985.*
I1824 Commercial building 'Kelco House'/ Former Warehouse Including Interiors and Cart Docks	*J A D Gibson and Co took a lease on the property in 1934, and continued in occupation until 1977. The property then passed to Bushells Pty Ltd and a number of subsequent owners. It was fully refurbished in 1990.*
I1962:160-166 Sussex St: Former maritime building facade 'CMC House	*The land on which this building stands was part of a Crown grant to Thomas Norton James and John Riddell. The earliest title for the property dates from 1939, when the AMP Society acquired the site. The building appears from physical evidence to have been constructed around 1890. The building was demolished except for the facade in 1990.*

4. HERITAGE SIGNIFICANCE

4.1. WHAT IS HERITAGE SIGNIFICANCE?

Before making decisions to change a heritage item, an item within a heritage conservation area, or an item located in proximity to a heritage listed item, it is important to understand its values and the values of its context. This leads to decisions that will retain these values in the future. Statements of heritage significance summarise the heritage values of a place – why it is important and why a statutory listing was made to protect these values.

For this development, the significance of the heritage items in the vicinity is being considered, for reference to how the development will relate to these. The statements of significance for these items (presented below) have been reproduced from NSW State Heritage Inventory

4.2. STATEMENTS OF SIGNIFICANCE

Table 3 – Heritage significance – heritage items in the vicinity

Site	Significance
Former commercial building facade 'Metropolitan Business College'/ Former Warehouse Façade (367-371 Kent Street) 367-371 Kent Street I1826 Local significance	*367-371 Kent Street has aesthetic significance as an intact example of the Federation warehouse style and as part of the 'Kent Street Wall' group, of modestly-scaled buildings in traditional construction ranging in architectural style from Victorian Free Classical through Federation Warehouse to Inter-War Free Classical. The irregular but similar height of buildings in this warehouse group contributes to their streetscape value which is also enhanced by the traditional nature of their forms, textures, colours and details. The facade and timber structure are representative of the Federation Warehouse style. It has historic significance as part of a cohesive collection of former warehouses in an area of Sydney which once abounded with buildings of this kind.*
Former commercial building facade 'Seabridge House'/ Former Warehouse Façade (373-377 Kent Street) 373-377 Kent Street I1827 Local significance	*373-377 Kent Street has aesthetic significance as an intact example of the Inter-War Free Classical/Chicagoesque warehouse style and as part of the 'Kent Street Wall' group, moderately-scaled buildings ranging in architectural style from Victorian Free Classical, through Federation Warehouse to Inter-War Free Classical. The irregular but similar height of buildings in this warehouse group contributes to their streetscape value which is also enhanced by the nature of their forms, textures, colours and details. It has historic significance as part of a cohesive collection of former warehouses in an area of Sydney which once abounded with buildings of this kind. The building has scientific significance as a comparatively intact example of an Inter-War concrete frame building exhibiting tentative Chicagoesque stylistic expression. It is possibly an early surviving example of a concrete-framed warehouse.*
Former commercial building facade 'Waratah House'/ Former Warehouse Façade (365 Kent Street) 365 Kent Street	*365 Kent Street has aesthetic significance as an intact example of the Federation warehouse style and as part of the 'Kent Street Wall' group, moderately-scaled buildings in traditional construction ranging in architectural style from Victorian Free Classical trough Federation Warehouse to Inter-War Free Classical. The irregular but similar height of buildings in this warehouse group contributes to their*

Site	Significance
I1825 Local significance	*streetscape value which is also enhanced by the traditional nature of their forms, textures, colours and details. The facade and timber structure are representative of the Federation Warehouse style. It has historic significance as part of a cohesive collection of former warehouses in an area of Sydney which once abounded with buildings of this kind. The cartway provides evidence of how these warehouse buildings were once serviced.*
Former Warehouse/ Former Warehouse (332-334 Kent Street) Including Interiors 332-334 Kent Street I1815 Local significance	*The Merchant & Partners building at 332-334 Kent Street has historic significance as apparently one of the earlier buildings in the Kent Street warehouse precinct which developed as an adjunct to Darling Harbour. It has aesthetic significance as a well detailed composition in the Victorian Italianate style which contributes to the character of the warehouse precinct.*
Former Warehouse/ Former Warehouse Including Interiors, Cartway and Courtyard 336 Kent Street I1816 Local significance	*332 (previously 336-338) Kent Street reflects the association of this part of the city with concentrated warehousing throughout the 19th century and up to the Inter-War period. It also documents the major redevelopment of the city during the later decades of the nineteenth century, and is considered of local significance.* *The building represents a restrained use of Classical detailing for a utilitarian building which contributes to the townscape character of Kent Street. The apparent lightness of the façade reflects the simple internal framed structure however its original architectural quality has been diminished by the painting of the external face brickwork. It has aesthetic significance as having an intact cartway and courtyard, one of the few remaining in Sydney.* *Together with the adjoining building at 332-334 Kent Street, the scale, form and detailing of the Merchant and Partners building contribute to the townscape quality of Kent Street.*
Former warehouse 'Royston House'/ Former Warehouse Including Interiors 342-344 Kent Street I1820 Local significance	*Royston House has aesthetic significance as a good and substantially intact example on a small scale of the early Federation Warehouse style, with echoes of the earlier Queen Anne style. The building contributes to the streetscape of Kent Street as part of a cohesive group of late 19th and early 20th century former warehouses between King and Market Street. It has historic significance as a physical reminder of the demand for warehouses following the 1890s depression which led to the redevelopment of the western side of Sydney as a warehouse precinct. High Significance:Face brick and sandstone façade and other walls, timber floor and roof structures, stairs and windows, ripple iron ceilings.*
Former commercial building 'Guild House'/ Former Warehouse	*The former warehouse building at 340 (now 338) Kent Street, together with the former warehouse building at 197-199 Clarence Street , has aesthetic significance as a fine example of the*

Site	Significance
Including Cartway, Courtyard and Interior (formerly 340 Kent Street) 338 Kent Street I1819 Local significance	*Federation Warehouse style with bold Romanesque detailing. The two buildings contribute to the streetscape of Clarence and Kent Streets. They have historic and scientific significance as physical reminders of a once common pattern of development in Sydney, involving the construction of two warehouses facing parallel streets, with a yard between, and of the proliferation of warehouse construction in the western precinct of Sydney during the late 19th and early 20th century. The pair is one of about three such groups remaining, the best example being the Letraset House group. The buildings are also associated with the well-known Sydney architects Robertson & Marks.*
Commercial building 'Letraset House'/ Former Warehouse Including Interiors, Cartway, Courtyard and Interior 346-348 Kent Street I1821 Local significance	*207 Clarence Street, together with the internal courtyard at the rear and the neighbouring buildings at 346-348 Kent Street and 201-205 Clarence Street (referred to as the Letraset House group), has historic, aesthetic and scientific significance deriving from its unique ability to evoke the character of, and demonstrate in one place the type of construction, pattern of development and use of commercial buildings in Sydney in the late 19th century. This group is the best example in Sydney of this pattern of development which was once common. The Letraset House group has aesthetic significance deriving from the architectural composition of the polychrome face brick and render facades.* *The Evaluation of Significance below refers to the Letraset House group of buildings including the courtyard.* *High Significance:Configuration of building (with 346-348 Kent Street and 205-207 Clarence St) and courtyard* *Street façade, especially timber door case and fanlights, and courtyard façade (excluding windows). Low Significance:Basement, ground, first, second and third floor spaces* *Street entrances and lobbies.* *Concrete structure and stairs, and aluminium windows.*
Former commercial building 'Norton House'/ Former Warehouse Including Interiors 352-358 Kent Street I1822 Local significance	*AME House has aesthetic significance as a good and substantially intact example of the transition from the Federation Warehouse to Federation Free style in warehouse design. The building contributes to the streetscape of Kent Street as part of a cohesive group of late 19th and early 20th century former warehouses between King and Market Street. It has historic significance as a physical reminder of the proliferation of warehouse construction in the western precinct of Sydney during the late 19th and early 20th century, and is associated with the well-known Sydney architects Spain, Cosh & Minett.*
Commercial building 'Century House'/ Former "Hordern" Warehouse Including Interiors	*Century House has aesthetic significance as a good and substantially intact example of the Federation Warehouse style which contributes to the streetscape of Kent Street as part of a cohesive group of late 19th and early 20th century former warehouses*

Site	Significance
360-362 Kent Street I1823 Local significance	*between King and Market Street. It has historic significance as a physical reminder of the proliferation of warehouse construction in the western precinct of Sydney during the late 19th and early 20th century, and is associated with Sydney architect John Spencer who designed a number of buildings in this area.*
Commercial building 'Kelco House'/ Former Warehouse Including Interiors and Cart Docks 364-372 Kent Street I1824 Local significance	*Kelco House has aesthetic significance as a good and substantially intact example of the Federation Warehouse style. The building contributes to the streetscape of Kent Street as part of a cohesive group of late 19th and early 20th century former warehouses between King and Market Street. It has historic significance as a physical reminder of the proliferation of warehouse construction in the western precinct of Sydney during the late 19th and early 20th century.*
Former maritime building facade 'CMC House 160-166 Sussex Street I1962 Local significance	*The facade of the former CMC House has historic significance as a physical reminder of the former warehouse on this site. The facade is typical of a small warehouse of the late nineteenth century.*

5. IMPACT ASSESSMENT

Below, the potential impact of the proposal is assessed against the applicable heritage-related statutory and non-statutory planning controls which relate to the site and the Planning Proposal.

5.1. SYDNEY LEP 2012

The table below provides and assessment of the proposal against the relevant provisions for heritage conservation as found in the Sydney LEP 2012.

Table 4 – Assessment against Sydney LEP, part 5.10

Clause	Response
(1) Objectives	The Planning Proposal would not generate any material or physical impacts on any site which is identified as a heritage item under the Sydney LEP 2012. Descriptions and assessments of the significance of items in the vicinity of the site have been reproduced from the NSW State Heritage Inventory in Sections 2 and 4 of this HIS. These heritage items are evidence of the progressive development of the area for commercial purposes, especially warehousing, in the early 20th century. The Planning Proposal is considered to not affect the fabric, setting of views of the heritage significance of the area including the identified heritage items in the site's vicinity, noting that the reference scheme maintains a podium at the existing 6 storey scale. Continuing to use the space for commercial purposes is consistent with the historic character of the locality as a commercial area that connected the maritime economy at Darling Harbour with the local economy of Sydney CBD.
(2) Requirement for consent	The subject site is not a listed heritage item; however, consent is required for works in the vicinity of heritage items. The subject site is in the vicinity of numerous heritage items, as set out in section 1.3, comprising predominantly Federation warehouse development. This HIS assesses the potential impact of the Planning Proposal on the heritage items in the vicinity of the site. It is found that there would be no material or physical impacts on the vicinity items, and that their setting and context would not be adversely impacted by the proposed development. The established setting of these items is a dense urban area in a designated tower cluster zone, with surrounding high-rise buildings, and the proposed scheme would not obscure or interrupt this context. The Planning Proposal replaces a late 20th century high-rise building, of no heritage significance and the Planning Proposal envelope similarly responds to the immediate setting in the adoption of a similarly scaled podium and setback tower form.
(4) Effect of proposed development on heritage significance	This HIS has been prepared to assist the consent authority in its determination of the Planning Proposal on heritage grounds. This HIS has been prepared due to the location of the subject site in the vicinity of several listed heritage items. It is found that there would be no material or physical impacts on the vicinity items, and that their setting and

Clause	Response
	context would not be adversely impacted by the changes sought by the Planning Proposal. Extant development, being an amalgam of a lower scale podium building (1976) and tower (1998) is not of heritage significance and proposed demolition is supported on heritage grounds. The proposed envelope responds to the streetscape in the adoption of the lower scale podium and setback tower form. The below assessment considers heritage items in the immediate context, principally the former maritime building façade 'CMC House', 160–166 Sussex Street (local significance, I1962) which is immediately adjacent to the subject site and the former commercial building facade 'Seabridge House'/ Former Warehouse Façade (373-377 Kent Street), 373–377 Kent Street (local significance, I1827). The proposal also considers the Special Character Area, see DCP discussion below) and the general character of 19th and early 20th century warehouse development. In general, the proposal responds by adopting a lower scale podium and setback tower form. The scale of development on the Sussex Street frontage is more varied and the proposed podium envelope is generally consistent with the existing podium height and responds to the scale of extant development at 154 Sussex Street. It is acknowledged that the heritage listed façade to the north is a lower scale item (3 storeys) however only the façade is retained, and the building has been redeveloped with a contemporary tower with a minimal setback. The Kent Street frontage is more consistent in terms of scale and development, and generally comprises lower scale Federation warehouse development with some contemporary overlay. The PP podium aligns with contemporary development to the south and is not inconsistent with the scale of the group of heritage listed facades to the north of the site at 365-377 Kent Street including Seabridge House. The Planning Proposal allows for an intensification of development on a site which is of no heritage significance and has no further impact on the setting of the vicinity heritage items or the Character Area.

5.2. SYDNEY DCP 2012

5.2.1. Section 2 (Locality Statements)

The table below assesses the proposal against the relevant principles for the York Street Special Character Area including Clarence Street and Kent Street as found in Section 2 of the Sydney DCP 2012.

Table 5 – Assessment against Sydney DCP 2012, Section 2.1.1

Principle	Response
(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting	Extant development is not of heritage significance and does not contribute to the character area.

Principle	Response
general objectives for special character areas, in addition to the principles below.	The proposed development in line with the Planning Proposal will not affect the ability of the area to attest to the development of the streets between Darling Harbour and the City Markets. The heritage listed warehouses and commercial buildings will not be materially or visually affected. The reference scheme shows a face brick podium which is consistent with the 3-8 storey range of heights associated with the surrounding buildings, in accordance with the locality statement. Any works are subject to a further Development Application and future development should consider an appropriate design response having regard for proximate heritage items, the York St/Clarence St/Kent St Special Character Area, podium scale, form and articulation as well as the predominance of face brick materiality. The proposal keeps the subject site in commercial and retail use, which is consistent with the character statement. The subject site does not include any evidence of internal cartways or courtyards, narrow frontages or other features that the character statement specifically seeks to preserve.
(b) Maintain and reinforce the urban character and scale of the area by requiring development to: *i. Have street frontage heights and building setbacks above street frontage heights, consistent with the prevailing scale and form of heritage items.* *ii. Respond to the historic warehouse and commercial typologies and materiality in the area.* *iii. Ensure new development is designed and sited to enhance the views and settings of heritage items within the area.* *iv. Maintain and enhance the historic fine grain subdivision pattern.*	The proposal replaces a late 20th century development (podium 1976/ tower 1998) and incorporates a similar podium envelope of 6 storeys, with the tower setback 8m from both frontages. The podium envelope is consistent with and responds to neighbouring development, specifically contemporary development to the immediate south of the site and the heritage item group to the north of the site at 365-377 Kent Street including Seabridge House. The podium is also generally consistent with the lower scale of warehouse development within the York St/Clarence St/Kent St Special Character Area which is typically between 3-8 storeys. Consistent with the streetscape, development is built to the Kent and Sussex Street frontages. As such the Planning Proposal meets the provisions with regard to sympathetic scale. There will therefore be no impact on the views to, and setting of, nearby heritage items as a result of the proposal. There are however opportunities to improve the contribution of the site to the streetscape and the Character Area, through a sympathetic podium design, having regard for form, scale and materiality. No further changes are proposed to the historic subdivision pattern. The site was consolidated for the 1976 carpark development.

5.2.2. Section 3 (General Provisions)

The table below assesses the proposal against the relevant objectives and provisions as found in Section 3 of the Sydney DCP 2012.

Table 6 – Assessment against Sydney DCP 2012, Section 3

Control	Response
3.9.5 Heritage items	
Objective	
(a) Ensure that development in the vicinity of heritage items is designed and sited to protect the heritage significance of the item.	There will be no material impacts on adjacent or nearby heritage items as a result of the Planning Proposal. The Planning Proposal seeks to replace the building on the subject site with a larger skyscraper occupying more floor space and reaching 42 storeys. By keeping a six-storey podium with setback tower, it does not alter the established setting and respects the scale and proportions of the surrounding heritage items and other historical buildings, noting that significant warehouse development in the Special Character Area typically varies between 3 and 8 storeys. While detailed design of a new built form on the site will be subject to a separate, future application, it is noted that the reference scheme shows a sympathetic approach to new development it the vicinity of heritage items owing to an appropriate podium treatment (with respect to scale, proportions, and materials).
Provisions	
(3) Alterations and additions to buildings and structures and new development of sites in the vicinity of a heritage item are to be designed to respect and complement the heritage item in terms of the: *(a) building envelope;* *(b) proportions;* *(c) materials, colours and finishes; and* *(d) building and street alignment.*	The new building will be taller than the present, but this will not alter the existing setting of the heritage items at the pedestrian level and will form part of an identified tower cluster zone. No changes are proposed to the street alignment, with the reference scheme showing a nil-setback from the Sussex and Kent Street frontages in keeping with surrounding development. The materials, colours and finishes of the final design will be subject to a future, separate development application following gazettal of the LEP amendments, however the treatment of the new building will be required to be complementary to the surrounding historical built forms and proximate heritage items As detailed above, the massing is broken into a lower scale podium (6 storeys to Kent Street) with a setback tower form (setback 8m from both the Kent and Sussex Street frontages). Proposed podium scale is consistent with the varied scale of significant warehouse development.
(4) Development in the vicinity of a heritage item is to minimise the impact on the setting of the item by:	Future development on the property will replace an existing building that occupies the entirety of the lot. It does not encroach upon the surrounding heritage items, either physically or visually.

Control	Response
(a) *providing an adequate area around the building to allow interpretation of the heritage item;* (b) *retaining original or significant landscaping (including plantings with direct links or association with the heritage item);* (c) *protecting, where possible and allowing the interpretation of archaeological features; and* (d) *Retaining and respecting significant views to and from the heritage item.*	Established views to and from nearby heritage items will not be obscured, interrupted, or otherwise adversely impacted by the proposed development, noting that the proposed podium and setback tower form is consistent with the extant late 20th century development. Detailed archaeological assessments have been prepared by Urbis and are provided under separate cover. The site does not include significant site landscaping and development is sited over the whole of the lot.

5.2.3. Section 5 (Specific Areas)

The table below assesses the Planning Proposal against the relevant objectives and provisions as found in Section 5 of the Sydney DCP 2012.

Table 7 – Assessment against Sydney DCP 2012, Section 5

Control	Response
5.1.1.2 Street frontage heights and street setbacks in Special Character Areas	
(a) To ensure appropriate height transitions between development, heritage items and buildings in Special Character Areas as required by Clause 4.3 of Sydney LEP 2012.	The Planning Proposal envelope shows RLs of 40.6m to Sussex Street and 44.4m to Kent Street. This is consistent with adjoining development to the south and the varied scale of lower scale warehouse development. which typically scaled between 3 and 8 storeys in the character area. The reference scheme presented with the Planning Proposal shows a 6-storey podium form at Sussex Street and a 5-storey podium form at Kent Street, consistent with the street wall comprising the listed early-20th century warehouse buildings, and a set-back tower form above, This will complement the nearby heritage items and form part of a lower scale podium of development, providing a more pedestrian scale to the street.
(c) To ensure development is compatible with distinctive character and significance of each Special Character Area.	The proposal has been discussed above in relation to the established character and significance of the Special Character Area, and is found to comply with the relevant objectives and controls.
(d) To enhance the heritage significance of heritage items and their settings.	The proposed changes to the LEP will not generate adverse heritage impacts and will maintain the established high-density character of the area. Nearby heritage items will remain visually distinct as important streetscape elements and will form part of a more pedestrian scaled podium of development

Control	Response
	in the streetscape The Planning Proposal is generally consistent with extant development, in terms of the podium although it allows for an increase in density to the tower form. This will not considerably alter the current setting of the streetscape and proximate heritage items. Importantly, redevelopment in line with the Planning Proposal (subject to a future DA) enables an improved streetscape contribution, with any proposed redevelopment being required to respond to the proximate heritage items and Character Area context.
(e) To enhance existing public views and public vistas to heritage items and places of historic and aesthetic significance.	No established significant views to heritage items will be impacted, noting that the new tower form will be set back from the site boundaries and the podium envelope is consistent with existing development. Views to the heritage items on Kent and Sussex Streets are available from the streets themselves and not from surrounding areas. There is no impact to these general streetscape views.
(f) To ensure development has regard to the fabric and qualities of heritage items within Special Character Areas in respect of scale, form, modulation, articulation, proportion, street alignment, materials and finishes.	The Planning Proposal envelope and reference scheme presents a 5- and 6-storey podium form with a set-back tower. This will respect the established scale of the pedestrian-level streetscape (especially with respect to nearby heritage items) while meeting the objectives of the tower cluster zone in which the site is located. A detailed design will follow as part of a future development application, in which built form, articulation, materiality and detailing will be considered. As outlined above, proposed future redevelopment has the potential to greatly improve the current streetscape contribution.
5.1.3 Heritage items, warehouses and special character areas	
Objectives *(a) To conserve heritage items in their entirety.*	The subject building is not a listed heritage item, and the proposal replaces a late 20th century building of no heritage significance. The proposal will not generate any material or adverse visual impacts on nearby heritage items.
(d) To ensure appropriate height transitions between development and heritage items as required by Clause 6.16 of Sydney LEP 2012.	The Planning Proposal envelope and reference scheme shows a 6-storey podium form at Sussex Street and a 5-storey podium form at Kent Street, consistent with the street wall comprising the listed early-20th century warehouse buildings, and a set-back tower form above. This will provide sufficient visual separation between new development on the site and nearby heritage items. The heritage items will form part of a podium of more pedestrian scaled development.
(f) To conserve the setting of heritage items by ensuring that new development	The proposed changes to the LEP will not generate adverse heritage impacts and will maintain the established high-density

Control	Response
respects and reinforces the significant scale, form, modulation, articulation, proportions, street alignment, materials and finishes of heritage items in the vicinity.	character of the area. Nearby heritage items will remain visually distinct as important streetscape elements. A detailed design will follow as part of a future development application, in which built form, articulation, and detailing will be considered, however the envelope as proposed is consistent in terms of form, scale, height, street alignment and setbacks. .
5.1.3.2 Development adjacent to heritage items	
(1) New development adjacent to a heritage item should respect and reinforce the historic scale, form, modulation, articulation, proportions, street alignment, materials and finishes that contribute to the heritage significance of the adjacent heritage item.	The reference scheme presented with the Planning Proposal shows a 6-storey podium form at Sussex Street and a 5-storey podium form at Kent Street, consistent with the street wall comprising the listed early-20th century warehouse buildings. It is noted that the immediately adjacent heritage listed façade to Sussex Street (CMC House) is only three storeys, however that site has been redeveloped and forms part of a contemporary high-rise development which has altered the scale of the building. The proposed envelope is consistent with significant development in the Character Area which varies between 3 and 8 storeys.
(2) Consideration must be given to the impact of adjacent development on the significance, setting, curtilage, landmark values and ability to view and appreciate the heritage item from Public Places.	No established significant views to heritage items will be impacted, noting that the new tower form will be set back from the site boundaries. Views to the heritage items on Kent and Sussex Streets are available from the streets themselves and not from surrounding areas and are not altered by the subject proposal. As detailed above, the proposed envelope incorporates a lower scaled podium consistent with the streetscape and more pedestrian in scale.

5.3. HERITAGE NSW GUIDELINES

The proposed works are addressed in relation to relevant questions posed in Heritage NSW's 'Statement of Heritage Impact' guidelines.

Table 8 – Assessment against Heritage NSW guidelines

Question	Discussion
The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:	The Planning Proposal facilitates the removal of a multi-storey carpark which demonstrates a poor interface with the streetscape and heritage items in the site's vicinity. New development would allow for more useable / habitable floorplates at the podium, which would allow for an improved streetscape outcome. The new development is for commercial purposes, which is consistent with the significance of the surrounding area described in the Sydney DCP 2012. Extant development, being an amalgam of a lower scale podium building (1976)

Question	Discussion
	and tower (1998) is not of heritage significance and proposed demolition is supported on heritage grounds. The proposed PP envelope responds to the streetscape in the adoption of the lower scale podium and setback tower form. The proposal will not generate any material or adverse visual impacts on nearby heritage items. No established significant views to heritage items will be impacted, noting that the new tower form will be set back from the site boundaries. Views to the heritage items on Kent and Sussex Streets are made from the streets themselves and not from surrounding areas. The 5- and 6-storey podium form, at Kent and Sussex Streets respectively, is sympathetic to the street walls which comprise the listed heritage items early-20th century warehouse buildings. The setback tower form will maintain adequate visual and physical separation from nearby heritage items while demonstrating consistency with other contemporary developments in the locality. Importantly, redevelopment in line with the PP (subject to a future DA) enables an improved streetscape contribution, with any proposed redevelopment being required to respond to the proximate heritage items and Special Character Area context.
The following aspects of the proposal could detrimentally impact on heritage significance. *The reasons are explained as well as the measures to be taken to minimise impacts:*	No aspects of the Planning Proposal or future development facilitated by the planning control changes will generate adverse heritage impacts with respect to fabric, setting, or views.
The following sympathetic solutions have been considered and discounted for the following reasons:	None known. The proposal will not generate any adverse heritage impacts with respect to fabric, setting, or views. Importantly, redevelopment in line with the Planning Proposal (subject to a future DA) enables an improved streetscape contribution, with any proposed redevelopment being required to respond to the proximate heritage items and Special Character Area context.
New development adjacent to a heritage item (including additional buildings and dual occupancies) ▪ *How is the impact of the new development on the heritage*	The changes sought by the Planning Proposal will have no adverse or unreasonable impacts on adjacent or nearby heritage items, including on their fabric, settings, or views. This is as a result of the appropriately-scaled podium which will be consistent with the street wall of heritage items, as well as the setback tower form which will provide sufficient physical and visual separation above. However, this will also be contingent

Question	Discussion
significance of the item or area to be minimised? ▪ *Why is the new development required to be adjacent to a heritage item?* ▪ *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?* ▪ *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?* ▪ *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?* ▪ *Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?* ▪ *Will the additions visually dominate the heritage item? How has this been minimised?* ▪ *Will the public, and users of the item, still be able to view and appreciate its significance?*	upon a future development application and detailed design of the tower. A detailed design will follow as part of a future development application, in which built form, articulation, materiality and detailing will be considered. As outlined above, proposed future redevelopment has the potential to greatly improve the current streetscape contribution. Archaeological assessment is subject to a separate report prepared by Urbis.

6. CONCLUSION & RECOMMENDATIONS

6.1. GENERAL CONCLUSION

This HIS has been prepared to accompany a Planning Proposal which seeks to amend the site's maximum Height of Building development standard and maximum Floor Space Ratio (FSR) development standard to unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the Central Sydney Planning Strategy (CSPS) for tower cluster sites. This Planning Proposal will also seek to facilitate significant public benefits through additional site activation by way of a new through-site link, shared basement loading dock facility and delivering on sustainable initiatives to contribute to the City of Sydney's vision to achieve net zero energy buildings. The HIS is required as the site is located in the vicinity of a number of heritage items which are listed under Schedule 5 of the Sydney LEP 2012. The assessment of impact carried out in Section 5 of this report has found that the proposal is supportable on heritage grounds for the following reasons:

- There will be no material impacts on any heritage items.
- There are no identified views of significance to nearby heritage items which would be affected by the proposed planning control changes for the site.
- Development in line with the Planning Proposal facilitates the removal of a multi-storey carpark which demonstrates a poor interface with the streetscape and heritage items in the site's vicinity. New development would allow for more useable / habitable floorplates at the podium, which would allow for an improved streetscape outcome.
- The new development is for commercial purposes, which is consistent with the significance of the surrounding area described in the Sydney DCP 2012.
- The reference scheme shows a 5- and 6-storey podium which responds to the street walls at Kent and Sussex Streets (respectively) and, therefore, will maintain the consistency of built forms with respect to the pedestrian experience within the Special Character Area.
- The new tower form will include setbacks at all sides from the property boundary / podium below, in order to maintain appropriate visual separation from the nearby heritage items and other tall-scale forms in the locality. Extant development, being an amalgam of a lower scale podium building (1976) and tower (1998) is not of heritage significance and proposed demolition is supported on heritage grounds. The proposed new envelope responds to the streetscape in the adoption of the lower scale podium and setback tower form.
- The Planning Proposal allows for an intensification of development on a site which is of no heritage significance and has no further impact on the setting of the vicinity heritage items or the Special Character Area.

On the basis of the above, the proposal is therefore recommended for approval on heritage grounds, having regard for the recommendations made below.

6.2. RECOMMENDATIONS

Notwithstanding the positive assessment made in this HIS, the following is recommended to be incorporated into a future detailed design in order to best respond to the site's surrounding heritage context:

- Any works are subject to a further Development Application and future development should consider an appropriate design response having regard for proximate heritage items, the York St/Clarence St/Kent St Special Character Area and the predominance of face brick materiality.
- Future development on the site should be designed in a manner which responds to the predominant characteristics and detailing of surrounding heritage items, with particular reference to the podium scale and materiality. This includes the use of sympathetic materials, introduction of a solid-to-void ratio which responds to traditional detailing, and a general response to the historic fine-grain subdivision pattern of the locality.

DISCLAIMER

This report is dated 12 July 2023 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd **(Urbis)** opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Charter Hall Holdings Pty Limited **(Instructing Party)** for the purpose of a Planning Proposal **(Purpose)** and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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

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

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

Attachment A16

Geotechnical Desktop Investigation

Douglas Partners
Geotechnics / Environment / Groundwater

Integrated Practical Solutions

Report on
Geote□□ni□al Desktop Investigation

Proposed Commer□ial Development
□□□ Kent Street□Sydney

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Douglas Partners
Geotechnics / Environment / Groundwater

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The undersigned on behalf of Douglas Partners Pty Ltd confirm that this document and all attached drawings, logs and test results have been checked and reviewed for errors, omissions and inaccuracies.

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Douglas Partners
Geotechnics / Environment / Groundwater

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Report on Preliminary Geotechnical Investigation
Proposed Commercial Development
111 Kent Street, Sydney
for Lendlease Pty Ltd

1. Introduction

This report presents the results of a geotechnical desktop investigation undertaken for a proposed commercial development at 111 Kent Street, Sydney. The desktop study was carried out for the Planning Proposal stage with the project seeking approval for a building envelope only. The report has been prepared on behalf of Charter Hall Holdings the proponent and it was undertaken in accordance with Douglas Partners proposal 85169.000.P.001.Rev1 dated 1 September 2015.

It is understood the proposed development will comprise a 55 storey (RL 235m) office tower with a single basement level car park below Sussex Street with premium grade services.

The aim of the desktop study was to provide preliminary geotechnical advice comprising the following:

- Geology including groundwater;
- Excavatability of materials likely to be encountered;
- Shoring / retention systems;
- Foundations;
- Impact on Transport for New South Wales (TfNSW) assets the CBD Rail Link tunnels (up and Down tracks);
- Further geotechnical work.

2. Site Description

The proposed development covers 111 Kent Street, Sydney (DP 1202169) as shown in Figure 1. The site is approximately rectangular shaped bounded by Kent Street to the east, Sussex Street to the west, 120 Kent Street to the south, 100 Kent Street to the north-east and 100 Sussex Street to the north-west. The site has an area of approximately 2,000 m² and has a street frontage of approximately 40 m on Sussex Street and 50 m on Kent Street (refer Detail Survey Plan Drawing 'Detail 1 of 1' prepared by Beveridge Williams, Appendix B). The ground surface level along Kent Street boundary and the Sussex Street boundary is approximately RL 20.0 m and RL 19.0 m respectively.

The site is currently occupied by a mixed use building consisting of 4 levels of public car park and 20 levels of commercial space above. The site has three existing basement levels below Kent Street which extends horizontally towards Sussex Street ground level. There is vehicle access from both Kent Street and Sussex Street. It is further understood the site is constrained by the future CBD Rail Link rail reserve with proposed tunnels positioned under both Kent Street and Sussex Street (refer Sketch 1 of SK1.0 prepared by Robert Bird Group, Appendix D).



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3.□ Regional Geology

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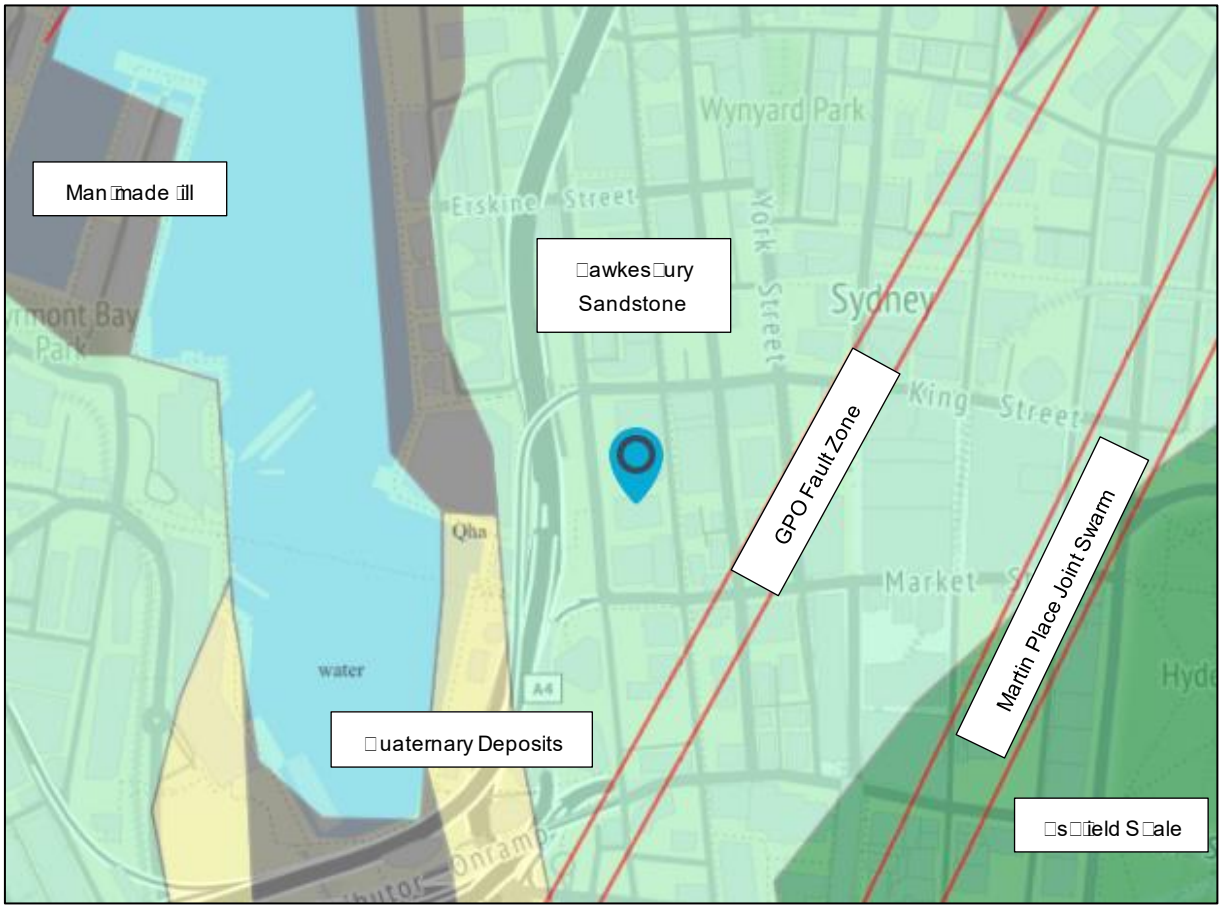
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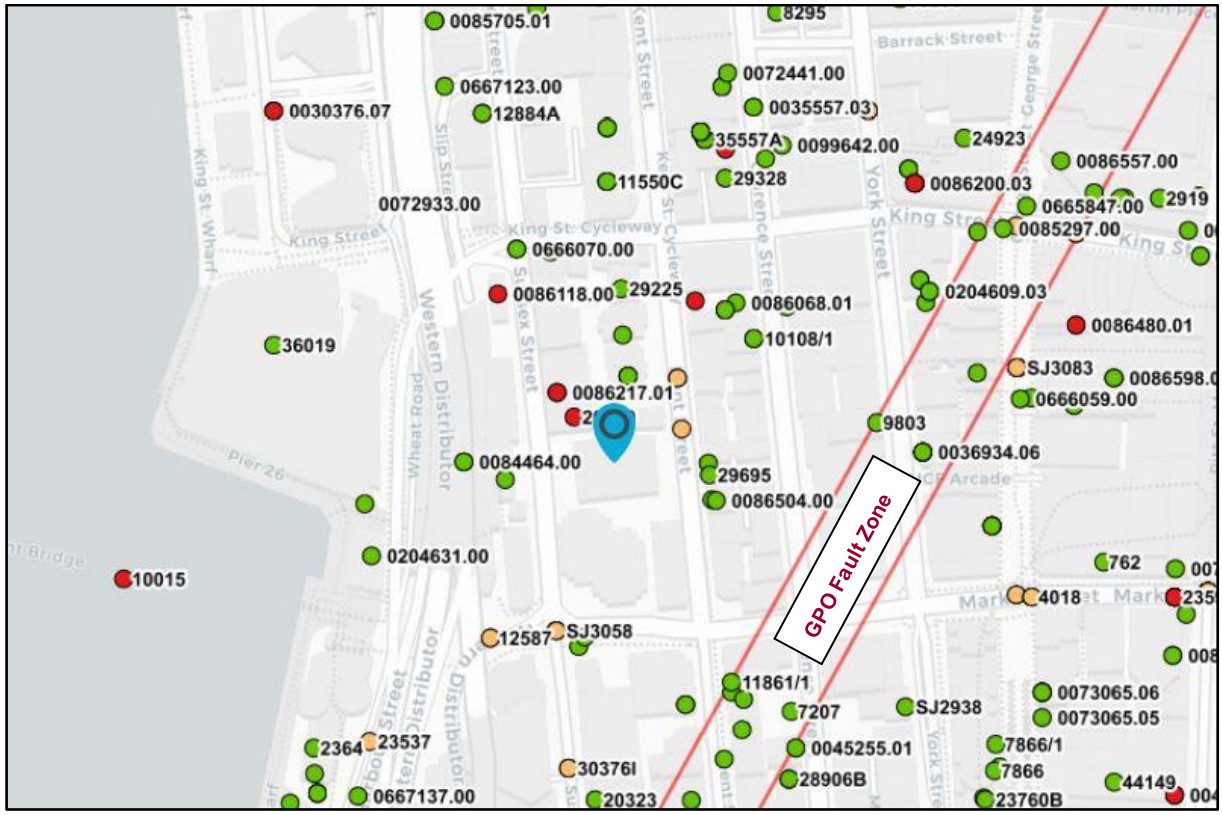
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Western Distributor
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6. □Proposed Development

T□e proposed development at t□e site is in its planning stage□It is understood t□e proposed development is to □reate a □□□□□□□s□m G□□ o□i□e tower □in□luding a single level □asement□wit□premium grade servi□es (refer "For Information" drawings prepared □y □mt□□ppendi□C□□ It is understood t□at t□ere will □e a one level □asement □elow Susse□Street level to □e utilised as a □ar park w□i□□DP □ave □een advised □y Tou□□stone Partners to □e □etween □ m and □□□m □elow t□e e□isting ground level at appro□imately RL □□□m at Susse□Street□□

T□e site is □onstrained at □ot□Kent Street and Susse□Street ends wit□t□e □and □prote□tion □ones □rossing over t□e property □oundary re□er drawings □ppendi□C and □ppendi□D□□T□e Type □ prote□tion □one is s□own to □ross t□e property □oundary along Susse□Street□□ut strikes parallel outside t□e property □oundary along Kent Street□

7. □Comments

T□e □ollowing □omments □ave □een prepared □or planning and preliminary design purposes□only□T□e geote□□ni□al model and advi□e will need to □e reviewed □ollowing □ompletion o□a detailed geote□□ni□al investigation□

7.1□ Existing Retention Structures and Adjacent Buildings

Prior to □elow ground demolition and e□□avation□it will □e ne□essary to determine t□e type□t□i□kness and □ounding □onditions o□t□e e□isting □asement retaining stru□tures along t□e nort□□eastern and sout□ern □oundaries□Determining t□e details o□t□e e□isting □asement retaining stru□tures will re□uire investigation □y □are□ul and □ontrolled e□posure o□t□e ground □e□ind and at t□e □ase o□t□e e□isting walls□as re□uired to assess t□e □urrent lateral eart□ pressures on t□e walls and □ounding □onditions□ T□is pro□ess is □riti□al as demolition and e□□avation □ould potentially desta□ilise t□e walls and □ootings□

In□ormation o□t□e neig□□ouring □ootings along t□e □oundaries o□t□e site will also □e re□uired i□t□ey will □e a□□e□ted □y t□e development□ T□ese □ootings may □e □ounded ad□a□ent to or wit□in t□e □one o□ in□luen□e □taken as a □□□line drawn up □rom t□e □ase o□t□e proposed □ulk e□□avation level □o□t□e proposed e□□avation down to RL □□□m□□ e□□avation ad□a□ent to t□ese □ootings may remove □on□inement □espe□ially □ig□er level □ootings□w□i□□ may indu□e additional settlement and redu□e t□e allowa□le □earing pressure o□t□e material □eneat□t□e □ootings□ □n assessment o□t□e □earing □apa□ity □eneat□ t□ese neig□□ouring □ootings s□ould □e undertaken to ensure t□e □oundations remain wit□in t□eir

servi□ea□ility design limits□Depending on t□eir □ounding level and □oundation material□the neighbour's □ootings may re□uire underpinning□

I□relia□le and a□□urate re□ords o□t□e e□isting stru□ture and ad□a□ent □ooting types and □oundation □onditions are availa□le t□ese re□ords would assist in t□e preliminary assessment□DP □an provide an appropriate investigation and underpinning met□odology on□e t□e position o□t□e neig□□ouring □ootings relative to t□e □one o□in□uen□e o□t□e proposed □ulk e□□avation □as □een esta□lis□ed□

7.2□ Excavation Conditions

□□□avation is □urrently planned to RL □□□m□ □□□avation is e□pe□ted to en□ounter □ill□residual soil and sandstone o□up medium strengt□or □etter□

7.2.1□ Excavatability

□ill□residual soils and e□tremely low to very low strengt□ro□k s□ould □e readily e□□avated □y □ydrauli□ e□□avators□□ □□avation o□t□e underlying □edro□k will largely □e dependent on t□e ro□k strengt□and dis□ontinuity spa□ing en□ountered and may re□uire ro□k □ammers□ro□k saws and ripping□

Detailed e□□avation □or □ootings and servi□e tren□□es □pits s□ould □e a□□ieva□le using ro□k □ammers□ □ydrauli□ro□k saws or milling □eads□Ro□k saws may also □e re□uired to redu□e t□e risk o□vi□ration a□□e□ting ad□a□ent stru□tures□Piling may □e re□uired wit□in t□e Type □and □ prote□tion reserves□It is re□ommended t□e piling □eart□works □ontra□tor □arry out an independent e□□avata□ility assessment □on□e geote□□ni□al investigation □as □een □ompleted□prior to tendering □or e□□avation□

7.2.2□ Trafficability

During □onstru□tion□pro□lems may □e e□perien□ed wit□ site tra□□i□a□ility during wet weat□er in areas w□ere residual soils are □ound at sur□a□e or at e□□avation level□□or general □onstru□tion ma□□inery□ tra□ked ve□i□les s□ould □e used□

I□larger plant su□□ as piling rigs□□eavy mo□ile □ranes et□ are to □e used on □ill□residual soils or very low strengt□ro□k□a working plat□orm is likely to □e re□uired□□ working plat□orm assessment s□ould □e □arried out □ased on t□e detailed applied tra□k loads provided □y t□e piling □ontra□tor or eart□works □ontra□tor □or t□e di□□erent rigs□□ranes□

7.2.3□ Ground-borne Vibration

During demolition and e□□avation□it will □e ne□essary to use appropriate met□ods and e□uipment to keep ground vi□ration at ad□a□ent □uildings and stru□tures wit□in a□□epta□le limits□ □or □uildings□t□e level o□a□□epta□le vi□ration is dependent on various □a□tors in□luding t□e type o□□uilding stru□ture e□g□□ rein□or□ed □on□rete□□ri□k□et□□□its stru□tural □ondition□□ounding □onditions□t□e re□uen□y range o□ vi□ration produ□ed □y t□e □onstru□tion e□uipment□t□e natural re□uen□y o□t□e □uilding and t□e vi□ration transmitting medium□

Ground vi□ration □an □e strongly per□epti□le to □umans at levels a□ove □mm□s □omponent peak parti□le velo□ity □PPVi□□ T□is is generally mu□□ lower t□an t□e vi□ration levels re□uired to □ause stru□tural damage to most □uildings□T□e Standard □S □ISO □□□□□□– □□□□ "Mechanical vibration and shock –

□valuation o□□uman e□posure to w□ole□ody vi□ration – Vi□ration in □uildings □□□□to □□ Hz)" suggests an a□□epta□le daytime limit o□□ mm□s □omponent PPVi □or □uman □om□ort□

Based on DP's e□perien□e and wit□ re□eren□e to □S□ISO □□□□□□□it is suggested t□at a ma□imum □omponent PPVi o□□mm□s □measured at t□e □irst o□□upied level o□ neig□□ouring □uildings□□e provisionally adopted at t□is site □or □ot□ar□□ite□tural and □uman □om□ort □onsiderations for 'modern □uildings□

DP maintains an e□tensive □onstru□tion vi□ration data□ase□□s a preliminary estimate□Ta□le □provides appro□imate minimum □u□er distan□es □or sele□ted e□uipment □or e□□avation□□ased on a set vi□ration limit o□□mm□s □assuming t□at plant is appropriately si□ed □or t□e ground □onditions□□

Table 2: Approximate buffer distances for selected Plant (PPVi 8 mm/s)

Excavation Plant		Distance from plant at which vibration attenuates to 8 mm/s	
Type	**Operating Weight**	**From DP Trial Maxima[1]**	**From DP Trial Average**
Ro□k saw on e□□avator□	□	□m	□□□m
Ripper on □□t e□□avator	□	□m	□□□m
Ro□k □ammer	□□□□kg	□m	□m
	□□□– □□□□kg	□m	□m
	□□□□– □□□□kg	□□m	□m

Notes:

1. *Smaller distances can generally be determined from individual trials, as indicated by those from trial averages.*
2. *Buffer distances for rock hammers may be slightly reduced by prior saw cutting along, or parallel to, excavation boundaries.*
3. *Loading effects from adjacent buildings may reduce vibration levels, to enable boundary saw cuts with few exceedances.*

□s t□e magnitude o□ vi□ration transmission is site spe□i□□it is re□ommended t□at a vi□ration trial is □arried out at t□e □ommen□ement o□demolition and ro□k e□□avation□ T□ese trials may indi□ate t□at smaller or di□□erent types o□e□□avation e□uipment are re□uired to redu□e vi□ration to a□□epta□le levels□

7.2.4□ Dilapidation Surveys and Monitoring

Dilapidation surveys s□ould □e □arried out on ad□a□ent □uildings□stru□tures□pavements□servi□es and sensitive stru□tures t□at may □e a□□e□ted □y t□e e□□avation works□ □ □aseline re□eren□e□survey s□ould □e □arried out □e□ore t□e □ommen□ement o□any demolition or e□□avation work in order to do□ument e□isting de□e□ts so t□at any □laims □or damage due to □onstru□tion related a□tivities □an □e a□□urately assessed□

□ollow on dilapidation surveys may □e re□uired during □onstru□tion□ □inal dilapidation surveys s□ould □e □arried out on □ompletion o□t□e pro□e□t to □□e□k □or any impa□t □rom t□e works□

7.2.5□ Disposal of Excavated Material

□ll surplus e□□avated materials will need to □e disposed o□in a□□ordan□e wit□t□e provisions o□t□e □urrent legislation and guidelines in□luding t□e *Waste Classification Guidelines* □□P□□□□□□□and t□e Prote□tion o□t□e □nvironment Operations □□t □□□□ □PO□O □□t□□ □ll materials removed □rom t□e site are de□ined as waste under t□e PO□O □□t and must □e disposed o□in a□□ordan□e wit□ one o□t□e □ollowing□

- Virgin e□□avated natural materials □V□□M□as de□ined under t□e PO□O □□t□permitting □ene□□ial reuse□
- □ waste □ategory meeting t□e □riteria set out in t□e □SW □P□ Waste Classi□□□ation Guidelines □□□□□□□wit□t□e materials disposed to a land□ill li□en□ed to re□eive t□e waste under t□e assigned □lassi□□ation or taken to a re□y□ling □a□ility li□en□ed to re□eive t□e waste□
- Material □omplying wit□a Resour□e Re□overy Order □RRO□as de□ined under t□e Prote□tion o□t□e □nvironment Operations □Waste□Regulation □□□□□wit□ □omplying materials a□le to □e reused under □ertain □onditions□

□□□ordingly□environmental testing will need to □e □arried out to determine t□e most appropriate o□□site destination□s□□or t□e surplus e□□avated material□

7.3□ Excavation Support

7.3.1□ General

Care□ul □onsideration must □e given to t□e planning and design o□e□□avations and e□□avation retention system□s□□espe□ially along □oundaries w□ere e□□essive de□ormation or □ailure □an □ause damage to near□y □uildings□road in□rastru□ture□□ootpat□s□servi□es□et□□

T□e proposed additional □asement level is s□own not to e□tend t□e □ull leng□ □etween Susse□Street and Kent Street□□o additional e□□avation is planned along t□e Kent Street □oundary□w□ereas t□e Susse□Street side o□t□e development will □e deepened □y □□□m □elow □urrent ground level□It may □e possi□le to use t□e e□isting retaining walls to temporarily s□ore t□e upper e□□avation□depending on t□e □ounding dept□□□ounding material and position o□t□ese walls□Care□ul □onsideration s□ould t□ere□ore □e given to t□e design o□t□e e□□avation sidewall retention systems□W□et□er e□isting or new□all walls are to □e temporarily supported wit□an□□ors□ □ew s□oring will □e re□uired w□ere t□e e□□avation □a□es do not align wit□t□e e□isting walls or w□ere t□e e□isting walls are in t□e way□Parti□ular □are s□ould □e taken w□ere installation o□t□e new wall is o□stru□ted □y t□e e□isting wall□ □ spe□ial approa□□will □e re□uired in su□□a □ase□w□ere t□e old wall is systemati□ally removed as t□e new wall is installed□T□is will re□uire a design and □onstru□t approa□□and is generally □arried out under □ose supervision o□t□e geote□□ni□al and stru□tural engineers□ □ori□ontal drilling and slot investigations will □e re□uired w□ere e□isting □asement walls are used□

S□oring s□ould □e designed to support t□e soil□weak ro□k and any sur□□arge loads□taking into a□□ount t□e allowa□le de□ormation limits o□any a□□e□ted servi□es and stru□tures as well as Transport □or □ew Sout□Wales □T□□SW□re□uirements □see Se□tion □□□□□ T□e levels and types o□□ootings □eneat□t□e ad□a□ent □uildings are not known□It is assumed□until □on□rmed ot□erwise□t□at t□ey are □ounded at a □ig□er level t□an t□e e□isting □ulk e□□avation level at t□e site□ □s□□uilt drawings o□t□e neig□□ouring □uildings s□ould □e re□uested□Investigation will need to □e □arried out to determine t□e □ounding level and □ounding □onditions w□ere t□ese drawings are not availa□le□ □nderpinning and additional support o□t□e neig□□ouring □uildings may □e re□uired□

7.3.2 Battering/Excavation Faces

Battering of the excavation sides at safe angles may be possible where there is sufficient distance to the boundary likely along Kent Street. Temporary batters and permanent batters of [illegible] m in height in fill soils should be cut at no steeper than [illegible] V and [illegible] V respectively. Temporary batters and permanent batters of [illegible] m in height in low strength sandstone should be cut no steeper than [illegible] V.

All batters will have to be inspected with every [illegible] m drop in level to confirm that the rock is not adversely affected by discontinuities. Permanent batters over [illegible] m in height should be designed individually. These recommended safe batter angles are expected to remain stable provided all surcharge loads including construction loads and stockpiles are kept well clear at least [illegible] m of the crest of the batters.

Where there is insufficient space for battering excavations will require temporary and permanent retention. The retention system shoring should be designed to support the soil, low strength rock and all surcharge loads taking into account the allowable deformation limits for adjacent buildings and surrounding services.

[illegible]avation for the single level basement is planned excavation may cause stress relief within the rock mass depending on depth and rock strength [illegible] from numerical modelling and site monitoring at similar sites within the Sydney the stress relief movements vary from [illegible] to [illegible] mm/m depth of rock excavation measured at the crest midpoint of the face reducing to near zero in the corners of the excavation. Stress relief movement decreases horizontally with distance away from the excavation. Horizontal stress relief movement can be expected to occur, albeit very minor, to distances back from the excavation of up to the equivalent of [illegible] times the length of the excavated face. Careful consideration of the effects of stress relief will be needed when considering the existing neighbouring buildings and surrounding services.

7.3.3 Earth Pressures for Shoring Design

It is suggested that preliminary design of shoring with one row of anchors or propping should be based on a triangular earth pressure distribution using the earth pressure coefficients provided in Table [illegible]. 'Active' earth pressure coefficient (K_a) values may be used where some wall movement is acceptable. 'At rest' earth pressure coefficient (K_o) values should be used where the wall movement needs to be limited.

[illegible]

Material	Unit Weight (kN/m³)	Earth Pressure Coefficient	
		Active (K_a)	At Rest (K_o)
Fill	[illegible]	[illegible]	[illegible]
Residual soil	[illegible]	[illegible]	[illegible]
Very low/low strength sandstone	[illegible]	[illegible]	[illegible]
Medium strength or stronger sandstone	[illegible]	[illegible]	[illegible]

Note: [illegible] assuming no adverse dipping joints are present

T□e triangular eart□ pressure distri□ution on t□e wall □an □e □al□ulated as □ollows□

□□ □ K □γ □□p□

W□ere□	□□	□	□ori□ontal pressure at dept□ □□kPa□
	γ	□	unit weig□t o□ soil or ro□k □k□m□□
	K	□	eart□ pressure □oe□□i□ient
	□	□	dept□ □m□
	p	□	verti□al sur□□arge pressure □kPa□

□or □ra□ed walls or w□ere two or more rows o□ an□□ors □propping are used□t□e s□oring □an □e designed using a re□tangular or trape□oidal eart□pressure distri□ution□

□n alternative approa□□ □ould also □e used □□ommonly used □or □ra□ed s□oring systems or w□ere multiple rows o□ an□□ors are installed□□w□ere t□e support pressure is related to t□e □eig□t o□ soil□weat□ered ro□k retained□W□ere t□ere are no movement□sensitive stru□tures near□y□an eart□ pressure distri□ution e□ual to □□ kPa □an □e used w□ere □□in metres e□uals t□e dept□ to t□e top o□ sel□□supporting medium strengt□ or stronger ro□k□□W□ere t□e wall movement is to □e minimised □i□e□□ □lose to ad□a□ent □uildings or servi□es□t□e lateral eart□ pressure □an □e □al□ulated using □□ kPa□□or movement□sensitive stru□tures□w□ere it is □riti□al t□at de□ormation is □ontrolled□it may □e ne□essary to □al□ulate t□e pressure using □□ kPa□

T□ese pressures □an □e applied as eit□er re□tangular or trape□oidal eart□ pressure distri□utions□ □ote t□ese eart□ pressure distributions are “pressure envelopes”, selected to ensure that no row of anchors are overloaded during t□e temporary support p□ase□T□e a□tual magnitude and distri□ution o□ lateral eart□ pressures □or t□e □uilding in its □inal □long term □□ondition may di□er □rom t□e uni□orm distri□utions given a□ove□T□e □inal □ondition eart□ pressures □an □e assessed using numeri□al met□ods

In all □ases□additional sur□□arge loads su□□ as new and e□isting □ootings□□onstru□tion loads□et□□□must □e allowed □or in t□e design□applied as a re□tangular eart□ pressure distri□ution over t□e dept□ o□ in□uen□e□

T□e eart□ pressure loading des□ri□ed a□ove does not in□lude eit□er eart□□uake loads or □ydrostati□ pressures□□nless positive drainage measures are in□orporated to prevent water pressure □uild□p □e□ind t□e walls□□ull □ydrostati□□ead s□ould □e allowed □or in design□w□ile at t□e same time redu□ing t□e unit weig□t to a□□ount □or t□e □uoyant □ondition□

Passive resistan□e □or piles or stru□tures □ounded □elow □ulk e□□avation level may □e □ased on a ‘working’ passive □earing pressure o□□□□□ kPa□provided t□at t□e ro□k □omprises medium strengt□ or stronger sandstone w□i□□ is not adversely a□e□ted □y dis□ontinuities□T□e □irst □□□ m o□ ro□k so□ket or e□□avation □elow t□e □ulk e□□avation level s□ould not □e □onsidered □or t□e purpose o□ passive restraint□ T□e minimum so□ket dept□ s□ould □e e□ual to t□e greater o□ one pile diameter or □□□ m □elow t□e lowest level o□ any near□y e□□avation □in□luding any detailed e□□avations□□su□e□t to analysis□T□is is also relevant w□ere toe an□□ors are installed□□ust prior to □ully e□posing t□e toe o□ t□e pile□□ll ot□er □ases s□ould □e assessed individually□

Staged e□□avation and inspe□tion □y a suita□ly □uali□ied geote□□ni□al eng ineer will □e re□uired to □on□rm t□at t□e ro□k in □ront o□ t□e wall□pile is not adversely a□e□ted □y dis□ontinuities w□ere passive resistan□e is relied upon□

7.3.4□ Self-Supporting Rock Faces and Rock Discontinuities

□s dis□ussed in Se□tion □□ t□e two ma□or □oint sets □□□□ and □S□□in □awkes□ury Sandstone are very prominent and □an dip up to □□□□o□ t□e verti□al□to t□e east or west□T□e □S□ □oints are typi□ally strata □ound□are generally not as persistent and are more widely spa□ed t□an t□e □□□ □oint set□Bedding planes and so□ weat□ered seams are □ommon in t□e □awkes□ury Sandstone□even i□ t□e ro□k is o□□ig□ strengt□□□T□ese □oints□□edding planes and seams □dis□ontinuities□□an adversely a□e□t t□e ro□k mass and □orm unsta□le □eat□er edges□ro□k slivers□□lo□ks and wedges□

□□□avation □or t□e additional □asement level on t□e Susse□Street side is e□pe□ted to en□ounter medium strengt□ or stronger sandstone□□ □□avated □a□es in medium strengt□ or stronger sandstone are only □onsidered sel□supporting i□ t□ey are not adversely a□e□ted □y dis□ontinuities□Ro□k mass support □an only □e □inalised on□e t□e a□tual □oint lo□ation□dip and dip dire□tion □ave □een determined during e□□avation□ □□□avation s□ould t□ere□ore □e □arried out in a □ontrolled manner□wit□ inspe□tions □y a suita□ly e□perien□ed engineering geologist □geote□□ni□al pro□essional every □□□m drop to determine i□ su□□ wedges are present and w□et□er support is re□uired□ T□e re□uirement □or regular geote□□ni□al inspe□tions every □□□m drop s□ould □e e□pli□itly stated on t□e drawings and t□e eart□works □ontra□tor s□ould □e made □ully aware o□ t□is re□uirement□

□llowan□e s□ould □e made □or ground an□□ors□ro□k □olting and s□ot□rete support□□ll □lay seams and s□ale layers □□□□mm t□i□k□will re□uire s□ot□rete prote□tion to prevent □uture weat□ering and □retting□regression□ □ll t□i□k s□ale □laminate seams will also re□uire□in addition to t□e s□ot□rete □a□e prote□tion□ro□k□olting or an□□or support□

7.3.5□ Ground Anchors and Rockbolts

It is anti□ipated t□at t□e □uilding will support t□e s□oring wall in t□e long term and t□ere□ore any ground an□□ors are e□pe□ted to □e temporary only□ T□e use o□ permanent an□□ors i□ re□uired□would need □are□ul attention to □orrosion prote□tion □or w□i□□ □urt□er geote□□ni□al advi□e s□ould □e soug□t□

Post□stressed ground an□□ors□ro□k□olts and dowels □support elements □□an □e used to laterally support e□isting walls□new s□oring□underpinning works or unsta□le ro□k □lo□ks and wedges□ □n□□ors □ould also □e used verti□ally as □old□down an□□ors to resist temporary or long term upli□t o□ t□e □ore □walls and s□ould □e designed as per □S □□□□□ T□e designer s□ould □□e□k t□e □one□pull□out □ailure me□□anism □y assuming a □□° □one in medium to □ig□ strengt□□sli□tly □ra□tured sandstone □or □etter□□ □ote t□at t□e □uoyant weig□t o□ t□e ro□k s□ould □e used □elow t□e water ta□le□

Support elements used □or lateral support s□ould □e □onded in t□e stronger ro□k□in□lined as re□uired□ □ut pre□era□ly not steeper t□an □□□□below t□e □ori□ontal□Ground an□□ors s□ould □e designed to □ave a □ree lengt□ e□ual to t□eir □eig□t a□ove t□e □ase o□ t□e s□oring wit□ a minimum □ree lengt□ o□□m□ Ta□le □provides ultimate and allowa□le □ond stresses □or preliminary design and estimating purposes□

Table 4: Bond Stresses

Material	Allowable Bond Stress (kPa)	Ultimate Bond Stress (kPa)
Very low to low strengt□ sandstone	□□□	□□□
Medium strengt□ sandstone	□□□	□□□
Medium to □ig□ strengt□ sandstone	□□□	□□□□

T□ese values s□ould □e □on□rmed □y pull□out tests prior to installation o□ support elements □ □ltimately□ it is t□e □ontra□tor□s responsi□ility to ensure t□at t□e □orre□t design values □spe□i□□ to t□e support system and met□od o□ installation□ are used and t□at t□e support element □oles are □are□ully □leaned prior to grouting□

□□ter temporary support elements □ave □een installed□ it is re□ommended t□at t□ey are tested to □□□□ o□ t□eir nominal Working load□ W□ere stress relie□ or □urt□er unavoida□le movement o□ t□e s□oring is e□pe□ted□ it is re□ommended t□at t□e support elements are lo□ked o□□at a lower value□as re□uired to a□□ommodate t□e additional movement and su□se□uent in□rease in stress in t□e support elements□ C□e□ks □□ t o□□□tests□s□ould □e □arried out to □on□rm t□at t□e load in t□e support elements □as □een maintained and t□at losses due to □reep or ot□er □auses do not o□□ur□

S□orter support elements □□e□□ro□k□olts□dowels and pins□may □e re□uired to support unsta□le ro□k wedges□slivers□□lo□ks or □eat□er edges □ormed w□ere su□□parallel □oints interse□t t□e □a□e□ S□ot□rete wit□ mes□ □or □□re□rete□may □e re□uired w□ere □eds □seams o□ e□tremely low or very low strengt□ ro□k are en□ountered wit□in □ig□er strengt□sandstone□se□ured wit□an□□ors□ro□k□olts□dowels or pins□ as re□uired□

Care s□ould □e e□er□ised to ensure t□at an□□ors are installed progressively during e□□avation and stressed prior to e□□avation o□ t□e ne□t drop to ensure t□at sta□ility is maintained at all times□ □ll s□oring support elements s□ould □e installed prior to demolition o□ t□e e□isting □asement □oor sla□s□

It s□ould □e noted t□at permission will □e re□uired □rom aut□orities and ad□a□ent property owners prior to installing ro□k□olts □ground an□□ors □elow t□eir land□ Due □onsideration s□ould also □e given to □elow□ground e□□avations□servi□es□et□□

7.4□ Groundwater

It is e□pe□ted t□at t□e regional groundwater ta□le will □e near t□e planned □ulk e□□avation level o□ t□e □asement□ Seepage s□ould t□ere□ore □e e□pe□ted along t□e top o□ t□e ro□k □arti□ularly a□ter periods o□ wet weat□er□and t□roug□ t□e ro□k mass□oints and □edding planes in t□e ro□k □a□e□

I□ t□e groundwater level is □ound to □e a□ove t□e □ulk e□□avation level□ yearly seepage □ould e□□eed □megalitres□ During □onstru□tion and in t□e long term□□owever□ it is anti□ipated t□at seepage into t□e e□□avation □ould □e □ontrolled □y perimeter drains □onne□ted to a "sump□and□pump" system□□pproval □rom Water □SW□□owever□will □e re□uired prior to designing and □onstru□tion o□a drained □asement□ □ drained □asement□i□approved □y Water □SW□will re□uire permanent su□□oor drainage to dire□t seepage to t□e stormwater drainage system□

It is not possi□le to provide a relia□le estimate o□ t□e seepage □uantity t□at may □e e□pe□ted wit□in t□e □asement □ased on t□e availa□le data□ Ro□k mass permea□ility testing will t□ere□ore □e re□uired during t□e geote□□ni□al investigation to provide t□e ne□essary parameters □or seepage analysis□

Previous e□perien□e in Sydney is t□at seepage will likely □ontain relatively □ig□ levels o□ solu□le iron t□at will form a precipitate in the form of a gelatinous 'sludge' when exposed to oxygen. This 'sludge' □as t□e potential to □lo□k up subsoil (gravel) drains and 'seize up' pumps. Therefore, detailing of su□□loor drains□sumps and pumps s□ould in□orporate provision □or regular maintenan□e su□□ as flushing and 'rodding' of drains and/or "baffle" pits.

7.5□ Foundations

T□e preliminary geote□□ni□al model suggests medium or medium to □ig□ strengt□ sandstone is e□pe□ted at □ulk level□

Typi□al parameters □or t□e design o□ □oundations on sandstone □□ased on t□e □lassi□i□ation met□ods o□ Pells et al □□□□□□□ are s□own in Ta□le □□ su□□e□t to spoon testing□proo□□oring□w□ere re□uired□ S□a□t ad□esion values □or uplift t□ension□in piles or □old down an□□ors may □e taken as □eing e□ual to □□□ o□ t□e values □or □ompression□provided t□at ade□uate so□ket roug□ness is a□□ieved □□ote t□at □old down an□□ors will also re□uire a □one o□ su□□i□ient ro□k mass to resist uplift□as per □□□□□□□□□□□□□□□□

Table 5: Preliminary Design Parameters for Foundation Design

Foundation Stratum	Allowable Bearing Pressure (Serviceability)		Ultimate Bearing Pressure		Typical Field Modulus (MPa)
	End Bearing (kPa)	Shaft Adhesion (Compression) (kPa)	End Bearing (kPa)	Shaft Adhesion (Compression) (kPa)	
Medium strengt□ sandstone	□□□□□□	□□□	□□□□□□□	□□□	□□□
Medium to □ig□ strengt□ sandstone	□□□□□□	□□□	□□□□□□□	□□□□□□	□□□□

□ote□ S□a□t ad□esion appli□a□le to t□e design o□□ored piles□un□ased over t□e ro□k so□ket lengt□□w□ere ade□uate sidewall □leanliness and roug□ness are a□□ieved□

□oundations proportioned on t□e □asis o□ t□e allowa□le □earing pressures in Ta□le □would □e e□pe□ted to e□perien□e total settlements o□ less t□an □□ o□ t□e pile diameter or □ooting widt□ under t□e applied working load□wit□ di□erential settlements □etween ad□a□ent □olumns e□pe□ted to □e less t□an □al□o□ t□is value□

To use a □earing pressure value □or design o□ greater t□an □□□ MPa□a minimum o□ si□ □ored □ores are re□uired wit□ spoon testing □arried out in a t□ird o□ □ootings a□ross t□e site during □onstru□tion□ □□earing pressures greater t□an □ MPa are used in design□t□en □ored □ores at a ma□imum □□ m grid spa□ing or □ored □ores □or □□□ o□ □ootings and spoon testing □arried out on t□e remaining □ootings are re□uired□

□or spoon testing□a □□ mm diameter □ole is drilled □elow t□e □ase o□t□e □ooting to a dept□ o□□□□ times t□e □ooting widt□□□ollowed □y testing to □□e□k □or t□e presen□e o□weak layers or □lay □ands□

□or design using t□e ultimate values provided in Ta□le □□a geote□□ni□al strengt□ redu□tion □a□tor □Ø$_g$□ s□ould □e determined □y t□e designer□T□e servi□ea□ility assessment s□ould □e □ased on using geote□□ni□al parameters t□at are appropriately sele□ted and to w□i□□ no redu□tion □a□tor is applied□

□ootings □rom neig□□ouring □uildings may □e □ounded wit□in t□e □one o□in□uen□e o□proposed e□□avation□T□e □one o□in□uen□e may □e taken as a □□□line drawn up □rom t□e □ase o□t□e proposed □ulk e□□avation level□T□e allowa□le □earing pressure □eneat□ neig□□ouring □ootings lo□ated wit□in t□is □one o□in□uen□e is generally redu□ed□down to □□□ o□t□e original value□□n assessment o□t□e □earing □apa□ity □eneat□t□ese neig□□ouring □ootings s□ould □e undertaken to ensure t□e □oundation remain wit□in t□eir servi□ea□ility design limits□Progressive inspe□tions o□e□□avated □a□es □elow neig□□ouring □ootings will □e ne□essary in □□□ m drops to □□e□k t□e ground pro□ile in□luding any de□e□ts or adversely dipping □oints t□at may a□e□t t□e neig□□ouring □oundation per□orman□e□

□ll □oundations s□ould □e inspe□ted □y a geote□□ni□al engineer to □on□rm t□at □oundation □onditions are suita□le □or t□e design parameters□and proo□drilled□or spoon tested as appropriate□□weak seams or de□e□ts are en□ountered□□ootings may need to □e deepened until suita□le □oundation material is rea□□ed□□lternatively□t□e □ooting □an □e enlarged □□earing in mind di□□erential settlement and stru□tural toleran□e□□or redesigned □or a lower □earing pressure□

□dditional geote□□ni□al adv□e □or pile design □an □e provided i□deep piles are re□uired□

7.6□ Design for Earthquake Loading

□ □a□ard □a□tor □Z□o □□□□□ would □e appropriate □or preliminary design in a□□ordan□e wit□ □ustralian Standard □S □□□□□□□ – □□□□ *Structural design actions – Part 4: Earthquake actions in Australia*□ T□e site su□□soil □lass is □onsidered to □e Class B$_e$□

7.7□ Geotechnical Considerations Relating to the CBDRL Corridors

Based on data availa□le □rom t□e surrounding area□t□e geote□□ni□al □onditions o□t□e site □an □e predi□ted wit□ a reasona□le level o□□on□iden□e□ □owever□site spe□i□ □onditions will need to □e investigated□

It is understood □rom t□e in□ormation provided t□at t□e □uture CBD Rail Link □CBDRL□□wit□ a □p and Down tunnel proposed □elow Kent Street and Susse□ Street□respe□tively□ T□e □S□ Standard □Developments near Rail Tunnels T □R CI □□□□□ ST V□ □Developments □ear Rail Tunnels□dated □ovem□er □□□□□□sets out T□□SW re□uirements □or proposed developments near e□isting underground rail tunnels and in□rastru□ture□ □ll e□□avations e□□eeding □m in dept□ □loser t□an □□ m □rom t□e rail □orridor re□uires assessment o□t□e potential impa□t o□t□e proposed e□□avation on t□e tunnels or vi□e versa□ □ew □oundation loads□in□luding a □□ange in load □rom e□isting□□onditions are also re□uired to □e assessed w□en wit□in □□ m o□t□e rail □orridor□su□□as t□is □ase□□

It is noted t□at t□e CBDRL is □urrently an easement and□t□ere□ore□any □uilding will need to take into a□□ount □e □uture □onstru□tion o□t□e tunnel and not impede t□e □onstru□tion o□t□e tunnel□ Based on

□urrent plans o□ t□e CBDRL t□e proposed □ulk e□□avation is likely to □e appro□imately □□ m a□ove t□e "First Reserve" o□ t□e proposed down tra□k and t□e up tra□k is o□set □rom t□e □oundary □□s t□e □ulk e□□avation is predi□ted to □e in medium strengt□ ro□k or □etter t□e impa□t □rom t□e □onstru□tion o□ t□e tunnels is predi□ted to □e small and managea□le □to □e □on□rmed □y numeri□al modelling□□

8. □Recommended Additional Geotechnical Work

T□e a□ove adv□e is □ased on a desktop assessment o□ predi□ted su□sur□a□e □onditions at □□□ Kent Street□Sydney□It is suita□le □or planning purposes only□Con□rmation o□ ground □onditions will t□ere□ore □e re□uired□

T□e □ollowing additional work is re□ommended at a later stage□

□□ Geote□□ni□al investigation o□ t□e site □omprising diamond □ore drilling to at least □ m □elow t□e □ulk e□□avation level at □our □□□lo□ations a□ross t□e proposed □asement □ootprint□wit□ two o□ t□e □ored □ore□oles e□tending □elow t□e invert level o□ t□e proposed CBDRL tunnels along Susse□ Street and Kent Street□

□□ Installation and monitoring o□ water levels a□ross t□e □asement □ootprint□Minimum t□ree temporary groundwater monitoring wells re□uired to triangulate groundwater □ow□

□□ Slot inspe□tions in t□e e□isting □asement walls to determine s□oring re□uirements□

□□ □ooting investigation o□ any ad□a□ent □uildings to determine □ooting type s□□ □ounding dept□s and □onditions□

□□ Waste Classi□i□ation □ssessment o□ material proposed to □e transported o□□ site □in a□□ordan□e wit□ t□e appropriate guidelines□

□□ □ull details o□ t□e proposed CBDRL tunnels s□ould □e o□tained □rom Sydney Trains so t□at t□eir lo□ation □an □e plotted □plan and se□tion□in relation to t□e □asement e□□avation□ □ registered surveyor will □e re□uired to prepare□ert□y a □ross se□tion s□owing t□e tunnel positions at t□e □losest point to t□e e□□avation□

Ot□er works may □e re□uested □y T□□SW in□ludes□

- □ deep □ore□ole down to t□e proposed invert level o□ t□e CBDRL □in□luding permea□ility testing and determination o□ t□e standing water ta□le□
- □umeri□al analysis using □inite □lement or □inite Di□eren□e so□tware □or predi□tions o□ t□e e□e□ts o□ t□e proposed development on t□e ad□a□ent rail in□rastru□ture□
- Risk assessment in a□□ordan□e wit□ T□□SW □ramework□

9. □Limitations

Douglas Partners □DP□□as prepared t□is report □or t□is pro□e□t at □□□ Kent Street□Sydney in a□□ordan□e with DP's proposal dated □ Septem□er □□□□ and a□□eptan□e re□eived □rom S□aran Saini o□ Tou□□stone Partners Pty Ltd. The work was carried out under DP's Conditions of Engagement. This report is provided □or t□e e□□lusive use o□ C□arter □all □oldings Pty Ltd □or t□is pro□e□t only and □or t□e purposes

as des□ri□ed in t□e report□ It s□ould not □e used □y or relied upon □or ot□er pro□e□ts or purposes on t□e same or ot□er site or □y a t□ird party□ □ny party so relying upon t□is report □eyond its e□□lusive use and purpose as stated a□ove□and wit□out t□e e□press written □onsent o□DP□does so entirely at its own risk and wit□out re□ourse to DP □or any loss or damage□ In preparing t□is report DP □as ne□essarily relied upon in□ormation provided □y t□e □lient and□or t□eir agents□

DP's advice is based upon t□e pu□lis□ed data and DPs e□perien□e wit□ similar developments□ T□e a□□ura□y o□t□e advi□e provided □y DP in t□is report may □e a□□e□ted □y undete□ted variations in ground □onditions a□ross t□e site □etween and □eyond t□e sampling and□or testing lo□ations□ T□e advi□e may also □e limited □y □udget □onstraints imposed □y ot□ers or □y site a□□essi□ility□

T□e assessment o□atypi□al sa□ety □a□ards arising □rom t□is advi□e is restri□ted to t□e □geote□□ni□al □ environmental □groundwater□□omponents set out in t□is report and □ased on known pro□e□t □onditions and stated design advi□e and assumptions□ W□ile some re□ommendations □or sa□e □ontrols may □e provided, detailed 'safety in design' assessment is outside the current scope of this report and requires additional pro□e□t data and assessment□

T□is report must □e read in □on□un□tion wit□ all o□t□e atta□□ed and s□ould □e kept in its entirety wit□out separation o□individual pages or se□tions□ DP □annot □e □eld responsi□le □or interpretations or □on□lusions made □y ot□ers unless t□ey are supported □y an e□pressed statement□interpretation□ out□ome□or □on□lusion stated in t□is report□

T□is report□or se□tions □rom t□is report□s□ould not □e used as part o□a spe□i□i□ation □or a pro□e□t wit□out review and agreement □y DP□ T□is is □e□ause t□is report □as □een written as advi□e and opinion rat□er t□an instru□tions □or □onstru□tion□

D□□□□□□□□□r□□□r□□□□□□□□d□

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out T is Report

About this Report

Introduction

These notes have been provided to amplify DP's report in regard to classification methods, field procedures and the comments section. Not all are necessarily relevant to all reports.

DP's reports are based on information gained from limited subsurface excavations and sampling, supplemented by knowledge of local geology and experience. For this reason, they must be regarded as interpretive rather than factual documents, limited to some extent by the scope of information on which they rely.

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Borehole and Test Pit Logs

The borehole and test pit logs presented in this report are an engineering and/or geological interpretation of the subsurface conditions, and their reliability will depend to some extent on frequency of sampling and the method of drilling or excavation. Ideally, continuous undisturbed sampling or core drilling will provide the most reliable assessment, but this is not always practicable or possible to justify on economic grounds. In any case the boreholes and test pits represent only a very small sample of the total subsurface profile.

Interpretation of the information and its application to design and construction should therefore take into account the spacing of boreholes or pits, the frequency of sampling, and the possibility of other than straight line variations between the test locations.

Groundwater

Where groundwater levels are measured in boreholes there are several potential problems, namely:

- In low permeability soils groundwater may enter the hole very slowly or perhaps not at all during the time the hole is left open.
- A localised, perched water table may lead to an erroneous indication of the true water table.
- Water table levels will vary from time to time with seasons or recent weather changes. They may not be the same at the time of construction as are indicated in the report; and
- The use of water or mud as a drilling fluid will mask any groundwater inflow. Water has to be flushed out of the hole and drilling mud must first be washed out of the hole if water measurements are to be made.

More reliable measurements can be made by installing standpipes which are read at intervals over several days, or perhaps weeks for low permeability soils. Piezometers, sealed in a particular stratum, may be advisable in low permeability soils or where there may be interference from a perched water table.

Reports

The report has been prepared by qualified personnel, is based on the information obtained from field and laboratory testing, and has been undertaken to current engineering standards of interpretation and analysis. Where the report has been prepared for a specific design proposal, the information and interpretation may not be relevant if the design proposal is changed. If this happens, DP will be pleased to review the report and the sufficiency of the investigation work.

Every care is taken with the report as it relates to interpretation of subsurface conditions, discussion of geotechnical and environmental aspects, and recommendations or suggestions for design and construction. However, DP cannot always anticipate or assume responsibility for:

- Unexpected variations in ground conditions. The potential for this will depend partly on borehole or pit spacing and sampling frequency.
- Changes in policy or interpretations of policy by statutory authorities; or
- The actions of contractors responding to commercial pressures.

Where these occur, DP will be pleased to assist with investigations or advice to resolve the matter.

About this Report

In the event that conditions encountered on site during construction appear to vary from those which were expected from the information contained in the report DP requests that it be immediately notified. Most problems are much more readily resolved when conditions are exposed rather than at some later stage well after the event.

Where information obtained from this report is provided for tendering purposes it is recommended that all information including the written report and discussion be made available. In circumstances where the discussion or comments section is not relevant to the contractual situation it may be appropriate to prepare a specially edited document DP would be pleased to assist in this regard and/or to make additional report copies available for contract purposes at a nominal charge.

The company will always be pleased to provide engineering inspection services for geotechnical and environmental aspects of work to which this report is related. This could range from a site visit to confirm that conditions exposed are as expected to full time engineering presence on site.

Survey Site Plan

NOTES:

- THESE NOTES AND LEGEND (IF SHOWN) FORM PART OF THE PLAN AND SURVEY AND MUST REMAIN WITH THE PLAN IN ANY REPRODUCTION IN WHOLE OR PART.
- THE CAD FILE USES METRES AS ITS BASE UNIT AND IS IN A "GROUND" COORDINATE SYSTEM. IF THE SURVEY IS STATED AS MGA, ANY POINT IN THE FILE WILL BE AN APPROXIMATE MGA COORDINATE.
- SOME SYMBOLS REPRESENTING PHYSICAL STRUCTURES SUCH AS POWER POLES AND PITS ARE DIAGRAMMATIC ONLY AND DO NOT NECESSARILY REPRESENT THE ACTUAL SIZE AND EXTENT OF THESE FEATURES.
- THE SURVEY INFORMATION SHOWN HERE WAS PREPARED FOR A SPECIFIC PURPOSE FOR THE CLIENT SHOWN. THIS INFORMATION IS NOT INTENDED TO BE USED FOR ANY OTHER PURPOSE OR BY ANYONE NOT AUTHORISED BY THIS CLIENT.
- BOUNDARY DIMENSIONS AND AREAS HAVE BEEN DETERMINED BY CURRENT CADASTRAL SURVEY AND THE BOUNDARY AND EASEMENT LINES IN THE ELECTRONIC FILE HAVE BEEN INCLUDED USING THOSE SURVEYED DIMENSIONS. THE TITLE DIMENSIONS SHOWN ON THE HARD COPY PLAN TAKE PRECEDENCE OVER THE LINES IN THE ELECTRONIC FILE.
- THE TITLE/S TO THE SUBJECT LAND HAS BEEN REVIEWED AND THE POSITION OF ALL EASEMENTS AFFECTING THE LAND ARE SHOWN. THE TERMS OF ANY EASEMENT, RESTRICTION ON THE USE OF LAND OR COVENANT AFFECTING THE LAND HAVE NOT BEEN INVESTIGATED. LEASES AND OTHER NOTATIONS MAY ALSO EXIST WHICH AFFECT THE LAND.
- UNDERGROUND SERVICES OTHER THAN THOSE SHOWN HAVE NOT BEEN INVESTIGATED.
  PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION WORK ON THE SITE, THE RELEVANT SERVICE AUTHORITY SHOULD BE CONTACTED TO ESTABLISH DETAILED LOCATION AND DEPTH.
- THIS SURVEY IS LIMITED TO IMPROVEMENTS AND OTHER DETAIL WHICH WERE VISIBLE AND ACCESSIBLE AT THE TIME OF SURVEY. THE LOCATION OF DETAIL SUCH AS PRIVATE UNDERGROUND SERVICE LINES AND BUILDING FOUNDATIONS WITHIN THE SITE IS UNKNOWN.
- THE COORDINATES WITHIN THIS DRAWING RELATE TO THE DATUM SHOWN IN THE TITLE BLOCK. REFER TO A REGISTERED LAND SURVEYOR FOR FURTHER CLARIFICATION. CAUTION SHOULD BE TAKEN WHEN IMPORTING INFORMATION OBTAINED FROM OTHER SUB-CONSULTANTS OR SOURCES TO ENSURE THAT THE DATA IS ON A MATCHING COORDINATE SYSTEM.
- CONTOURS SHOWN HEREON DEPICT THE GENERAL TOPOGRAPHY ONLY. EXCEPT AT SPOT LEVELS SHOWN, THEY DO NOT NECESSARILY REPRESENT THE EXACT LEVEL AT ANY PARTICULAR POINT.
- CONTOUR INTERVAL 0.5m
- ANY GUTTER, RIDGE, ROOF AND WINDOW DETAILS AND LEVELS SHOWN HAVE BEEN OBTAINED VIA INDIRECT SURVEY METHODS WHERE VISIBLE FROM GROUND LEVEL AND ARE SHOWN ON THIS PLAN IN THEIR APPROXIMATE LOCATION FOR THE PURPOSE OF GENERAL SITE ANALYSIS ONLY.
- ANY TREE CANOPIES, TRUNK DIAMETERS AND HEIGHTS SHOWN ARE APPROXIMATE ONLY AND SHOULD BE VERIFIED BY FURTHER SURVEY WORKS IF CRITICAL TO DESIGN OR SITE ANALYSIS.
- SMALL TREES, SHRUBS, GARDEN FEATURES, PATHWAYS AND OTHER MINOR DETAIL MAY NOT BE SHOWN ON THIS PLAN, FOR THE PURPOSES OF THIS SURVEY.

ORIGIN OF LEVELS: PM 43307
R.L. 16.752 (AHD)

ORIGIN OF MGA 2020 CO-ORDINATES
E.333955.491
N.6250722.208

LEGEND:

FL	FLOOR LEVEL
DCK	DECK
DS	DOOR SILL
PAR	PARAPET
PP	POWER POLE
RF	ROOF
RDG	RIDGE
SGN	ROAD SIGN
SIC	SEWER INSPECTION COVER
TG	TOP OF GUTTER
TP	TOP OF PERGOLA
TK	TOP OF KERB
TOG	TOP OF GRATE
TRW	TOP OF WALL
TF	TOP OF FENCE (GLASS)
VER	VERANDAH
US	UNDERSIDE OF BUILDING
COL	COLUMN
SL	DRAINAGE PIT SURFACE LEVEL
INV	DRAINAGE PIT INVERT LEVEL
VER	VERANDAH
AWN	AWNING
GRW	DENOTES GROUND LEVEL WALL
L5W	DENOTES LEVEL 5 WALL
L6W	DENOTES LEVEL 6 WALL

Comms Pit/Manhole
Drainage Manhole
Electrical Power Pole
Gas Meter
Miscellaneous Manhole
Sewer Vent
Sewer Lamphole
Sign Post
Tree (Canopy spread, trunk diameter, Height)
Water Meter
Water Tap

DANIEL GERARD WILLIAMS
REGISTERED SURVEYOR
BEVERIDGE WILLIAMS
447 KENT STREET, SYDNEY 2000

NOTATIONS SHOWN ON CERTIFICATE OF TITLE LOT 1 D.P.778342
AFFECTING THE LAND: (A) EASEMENT FOR SUPPORT VARIABLE WIDTH BENEFITTING THE SUBJECT LAND (VIDE DP778342) CREATED BY DEALING AA977313 SUBSTATION PREMISES No 7901 IS LOCATED AT BASEMENT 3 & 4. EASEMENTS FOR ELECTRICITY PURPOSES EXIST AT BASEMENT 1 & 4. RIGHTS OF WAY EXIST AT BASEMENT 1, 2 & 3 EASEMENT FOR ELECTRICITY CABLE RISER EXISTS AT BASEMENT 1 & 2 SITE OF SUBSTATION PREMISES, RIGHTS OF WAY AND EASEMENTS FOR ELECTRICITY HAVE NOT BEEN SHOWN FOR CLARITY PURPOSES RESTRICTIONS AS312062, 7246097
THE TERMS AND LOCATIONS OF COVENANTS & RESTRICTIONS HAVE NOT BEEN INVESTIGATED.



VER	BY	AMENDMENTS	DATE
A	V.M	INITIAL ISSUE	30.09.22
B	V.M	TRUE NORTH ADDED	07.10.22
C	D.W	CO-ORDINATES SHIFTED FROM GDA94 TO MGA2020	11.10.22
D			
E			
F			
G			

- SERVICE AUTHORITY PITS, MANHOLES, POLES, MARKER POSTS, ETC., WHERE SIGHTED AT TIME OF SURVEY, HAVE BEEN LOCATED. THE SURVEY DOES NOT INCLUDE INVESTIGATION OR LOCATION OF UNDERGROUND INFRASTRUCTURE.
- PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION ON OR ADJACENT TO THE SITE IT IS THE RESPONSIBILITY OF THE DEVELOPER AND CONTRACTORS TO APPLY FOR AND OBTAIN UP TO DATE PLANS THROUGH A NEW DIAL BEFORE YOU DIG SEARCH AND TO CONTACT ALL THE RELEVANT AUTHORITIES TO ESTABLISH AND CONFIRM THE DETAILED LOCATION AND DEPTH OF ALL UNDERGROUND SERVICES.

www.dialbeforeyoudig.com.au DIAL 1100 BEFORE YOU DIG

CLIENT: Charter Hall Holdings Pty Ltd

Beveridge Williams
Land Development Consultants
Registered Surveyors
Sydney (02) 9283 6677 www.beveridgewilliams.com.au

DETAILS:
DETAIL SURVEY PLAN FOR
DEVELOPMENT APPLICATION PURPOSES
LOT 1 DP 778342
383 KENT STREET SYDNEY

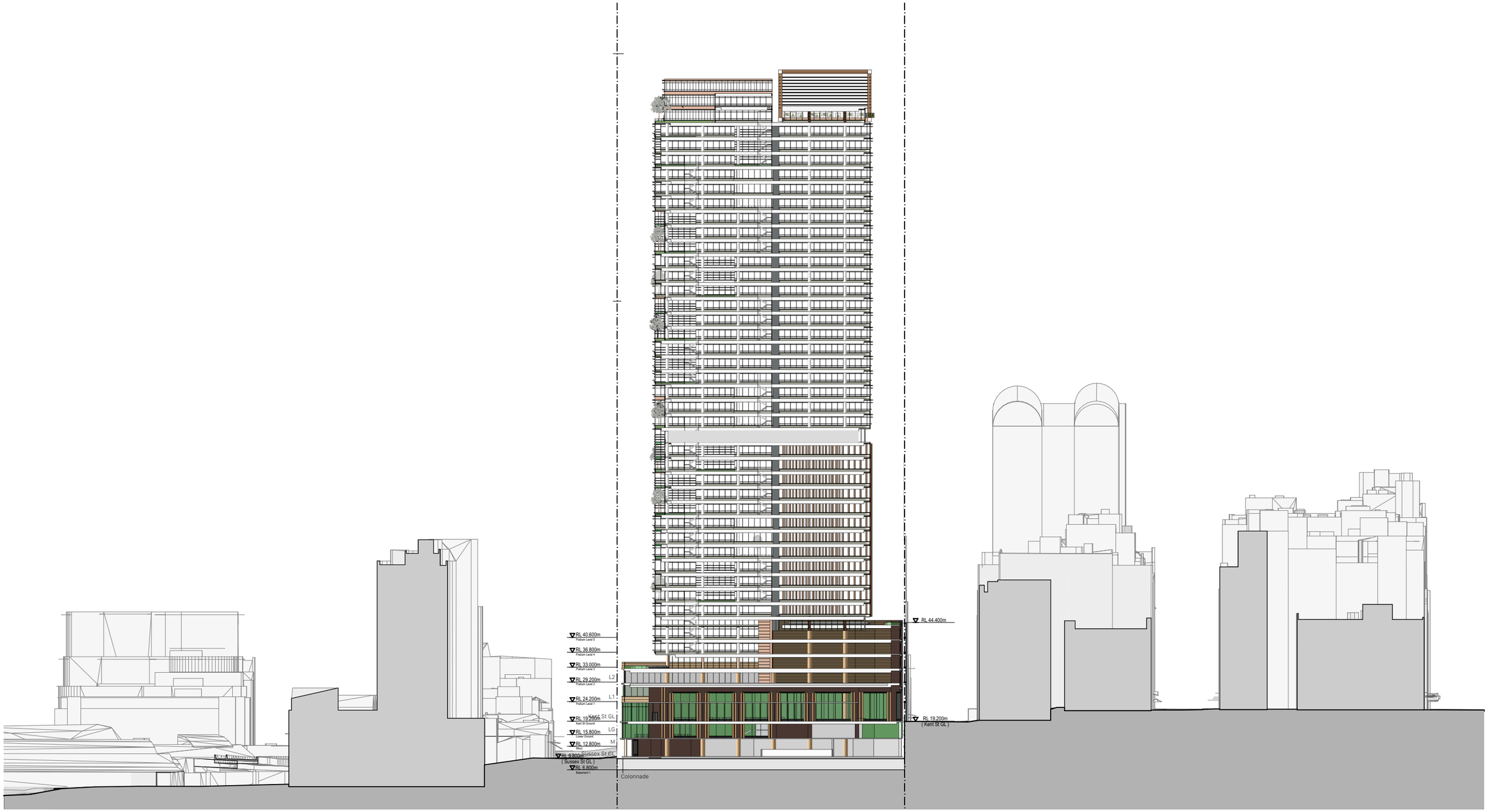
ORIGINAL SHEET SIZE A1
SCALE 1:300
CAD REFERENCE: 2201978_DET3D_221011
0 6 12 18
SCALE ON ORIGINAL DRAWING AT 1:300

SURVEYOR:	V.M.
DRAWN:	J.T.
CHECKED:	V.M.
SURVEY DATE:	07.09.2022
VERTICAL DATUM:	AHD
HORIZONTAL DATUM:	MGA 2020

PROJECT No. 2201978
DRAWING REF. DETAIL 3D
VERSION A
SHEET 1 OF 7

Proposed Development Drawings

© FRANCIS-JONES MOREHEN THORP PTY LTD 2023 ABN 28 101 197 219 NOMINATED ARCHITECT: RICHARD FRANCIS-JONES (REG NO 5301)



fjmt

West-East Section

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

4/5/23

For Information

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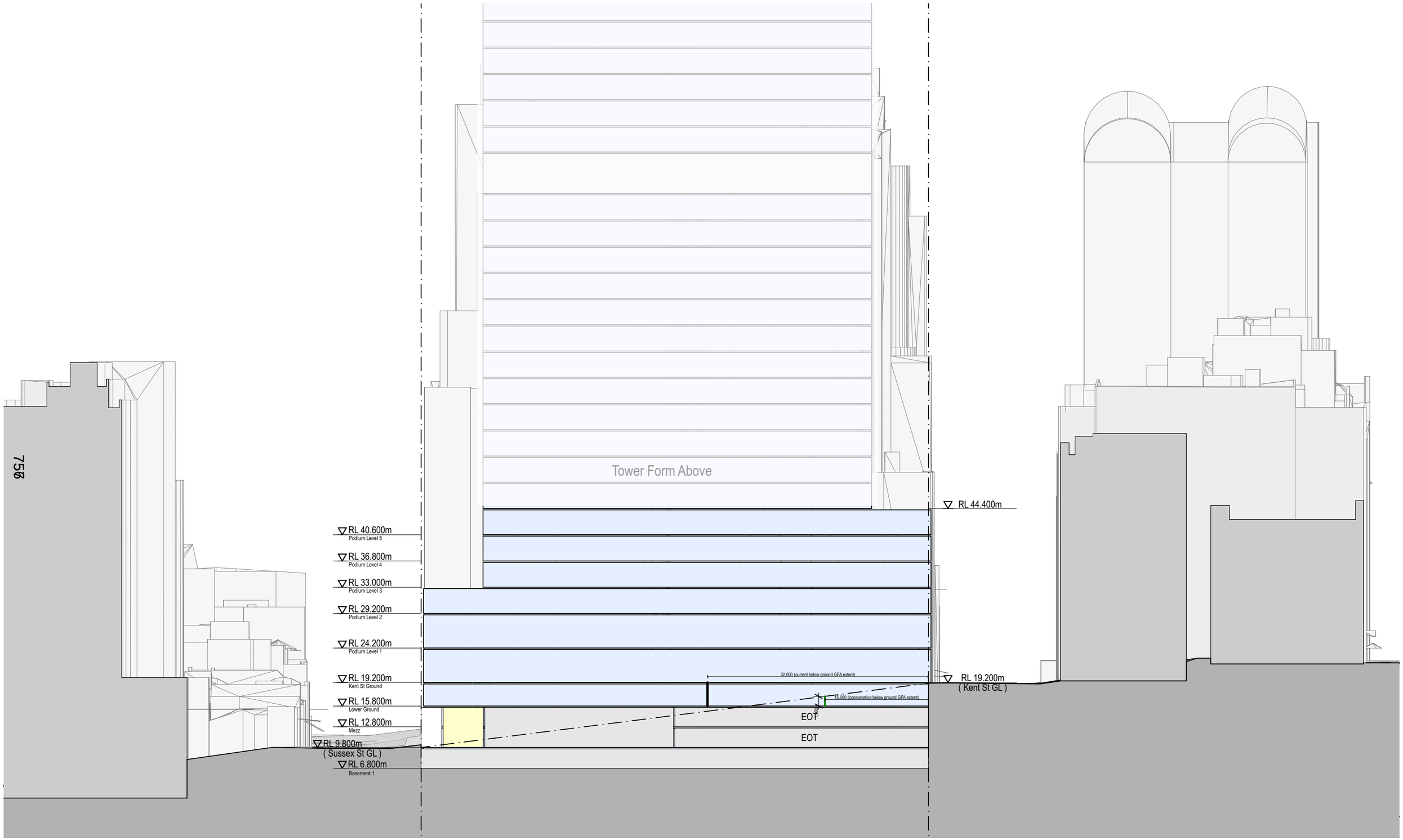

fjmt

West-East Podium Section

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

4/5/23

For Information

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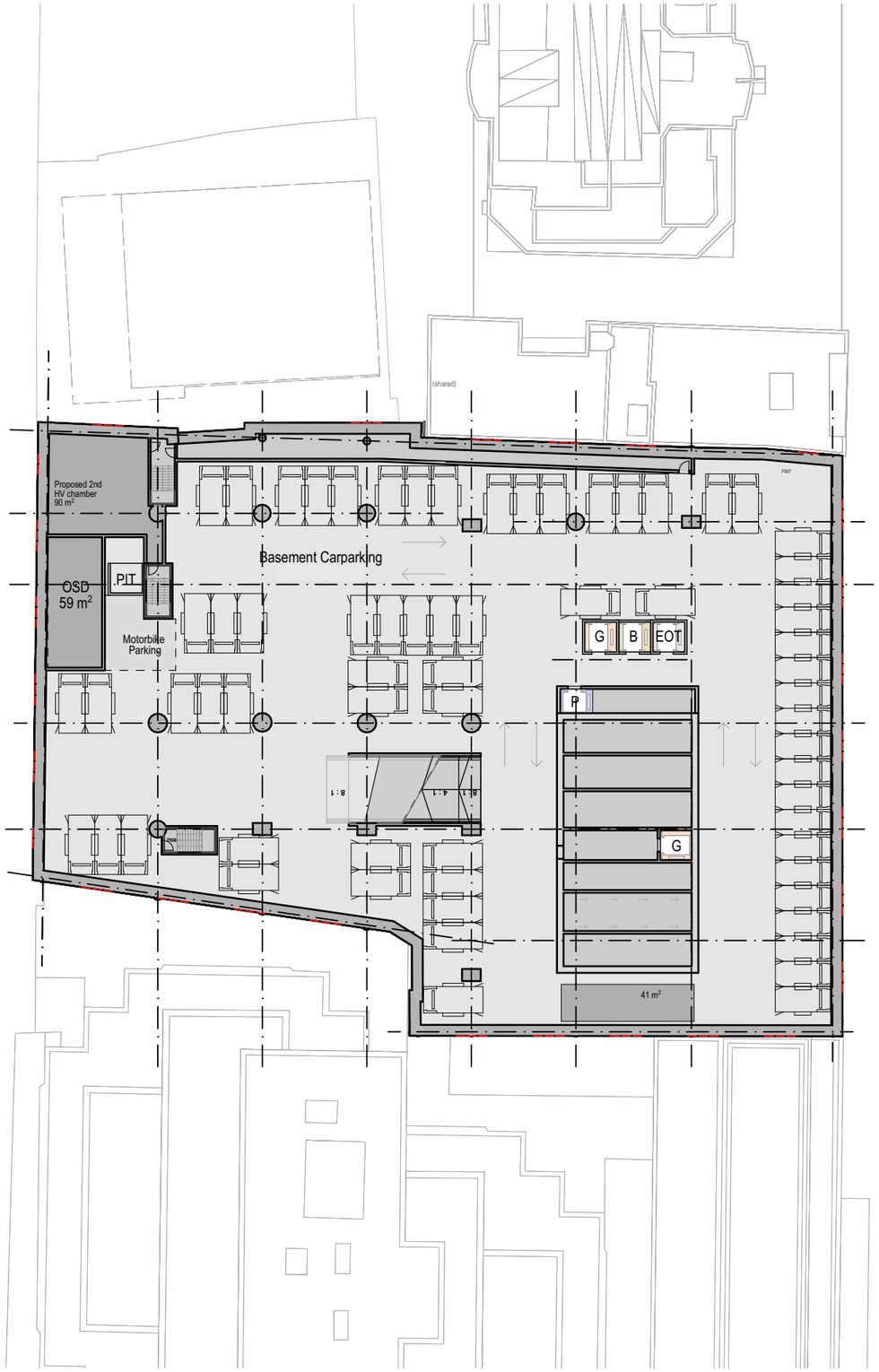

fjmt

Basement 1 - Carparking

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

<16/02/2023>

Issued for Approval

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759

Sussex Street

Colonnade

Kent Street

SHARED

Retail
20 m²

Retail
30 m²

Retail
88 m²

28 Loading Bays (7 shared)
Shared spaces shown shaded

Rollershutter

B99 SRV MRV G B EOT

Waste
76 m²

Core

EOT
287 m²

Water Meter Room
72 m²

Fiire Pump Room
54 m²

Storage
104 m²

Turning Bay

650 x 1800

CBD Rail Link - Type 2 / 3 protection zone

CBD Rail Link - Type 1 protection zone

CBD Rail Link - Type 2 / 3 protection zone

CBD Rail Link - Type 1 protection zone

CBD Rail Link - Type 2 / 3 protect

CBD Rail Link - Type 1 protection

CBD Rail Link - Type 2 / 3 protect

fjmt

Sussex St GL - Shared Loading/ retail

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

1/12/23

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fjmt

Sussex St Mezzanine - EOT

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

1/12/23

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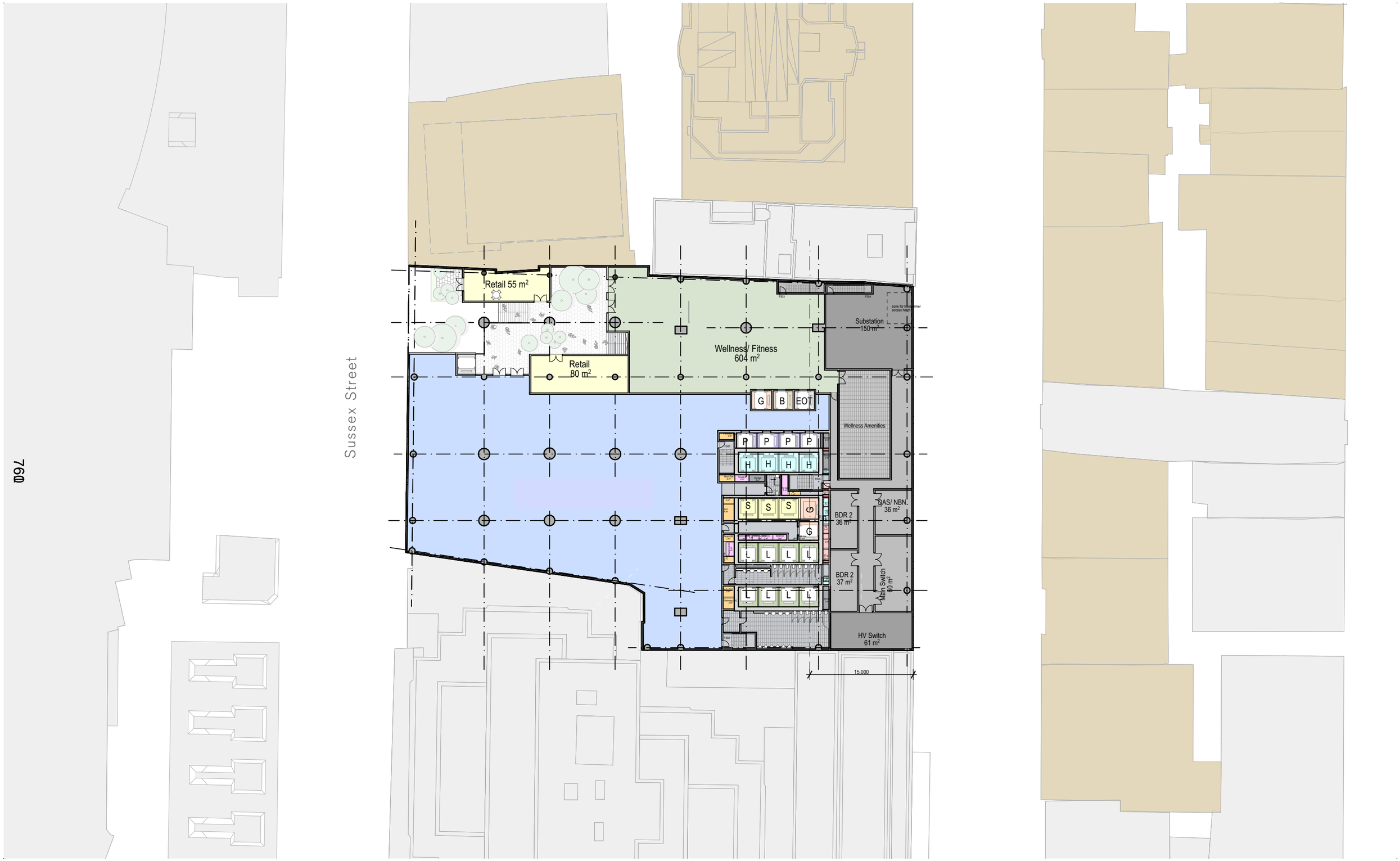

fjmt

Lower GL - Commercial/ EOT/ Plant

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

1/12/23

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762

Sussex Street

Kent Street

Seating
100 m²

Retail Amenities GFA 46 m²

Artwork / Mural / Green Wall

Through Site Link

Retail
136 m²

Retail
54 m²

Retail
50 m²

G

B

EOT

Lobby Cafe

9,700

P P P P

H H H H

Lobby
377 m²

S S S G

G

L L L L

L L L L

Security
17 m²

Retail
74 m²

0 5 10 20m

1:500 @ A3

1/12/23

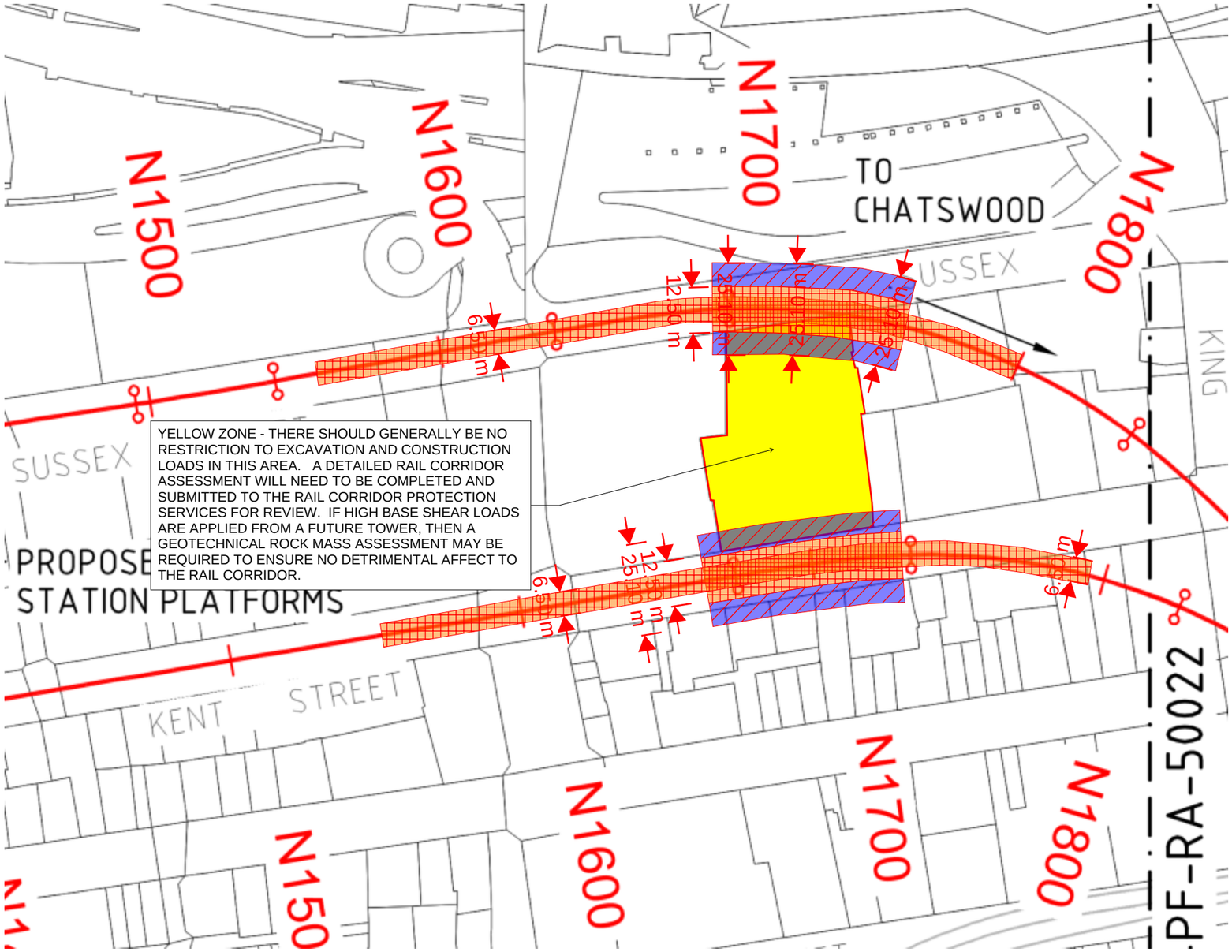
fjmt

Kent St GL - Lobby/ Retail/ Commercial

Charter Hall - 383 Kent Street

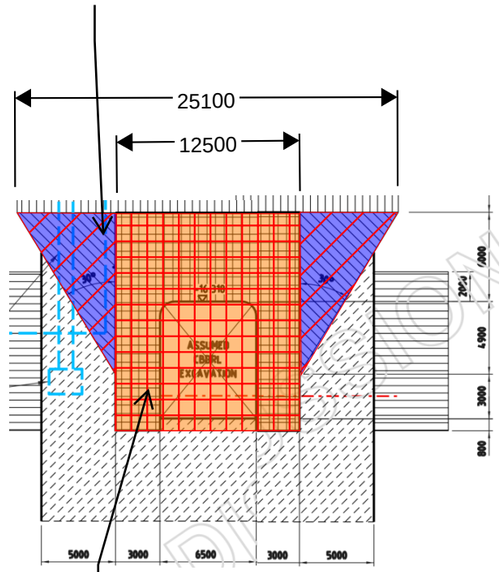
Issued for Approval

CBD Rail Link Drawings



763

TYPE 2 ZONE - REFER TO DETRMINATION DRAWING. EXCAVATION IS POSSIBLE, BUT YOU CANNOT APPLY SHALLOW FOOTING PRESSURE TO TOP OF THE WEDGE.



TYPE 1 ZONE - NO EXCAVATION OR PILING

RAIL CORRIDOR ASSESSMENT

THIS IS A HIGH LEVEL REVIEW ONLY USING INFORMATION PROVIDED AND ATTACHED TO THIS DOCUMENT. THE DOCUMENTS RECIEVED ARE ASSUMED TO SCALE. ALL ANNOTATIONS HAVE BEEN DONE USING APPROXIMATE SCALES PROVIDED AND SHOULD ONLY BE USED FOR HIGH LEVEL OBSERVATIONS ONLY. IN ORDER TO COMPLETE A DETAILED ASSESSMENT, SURVEYED AND SCALED CAD INFORMATION IS REQUIRED OF THE SITE AND ALIGNMENT

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Member of the Surbana Jurong Group
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Ph: (02) 8246 3200
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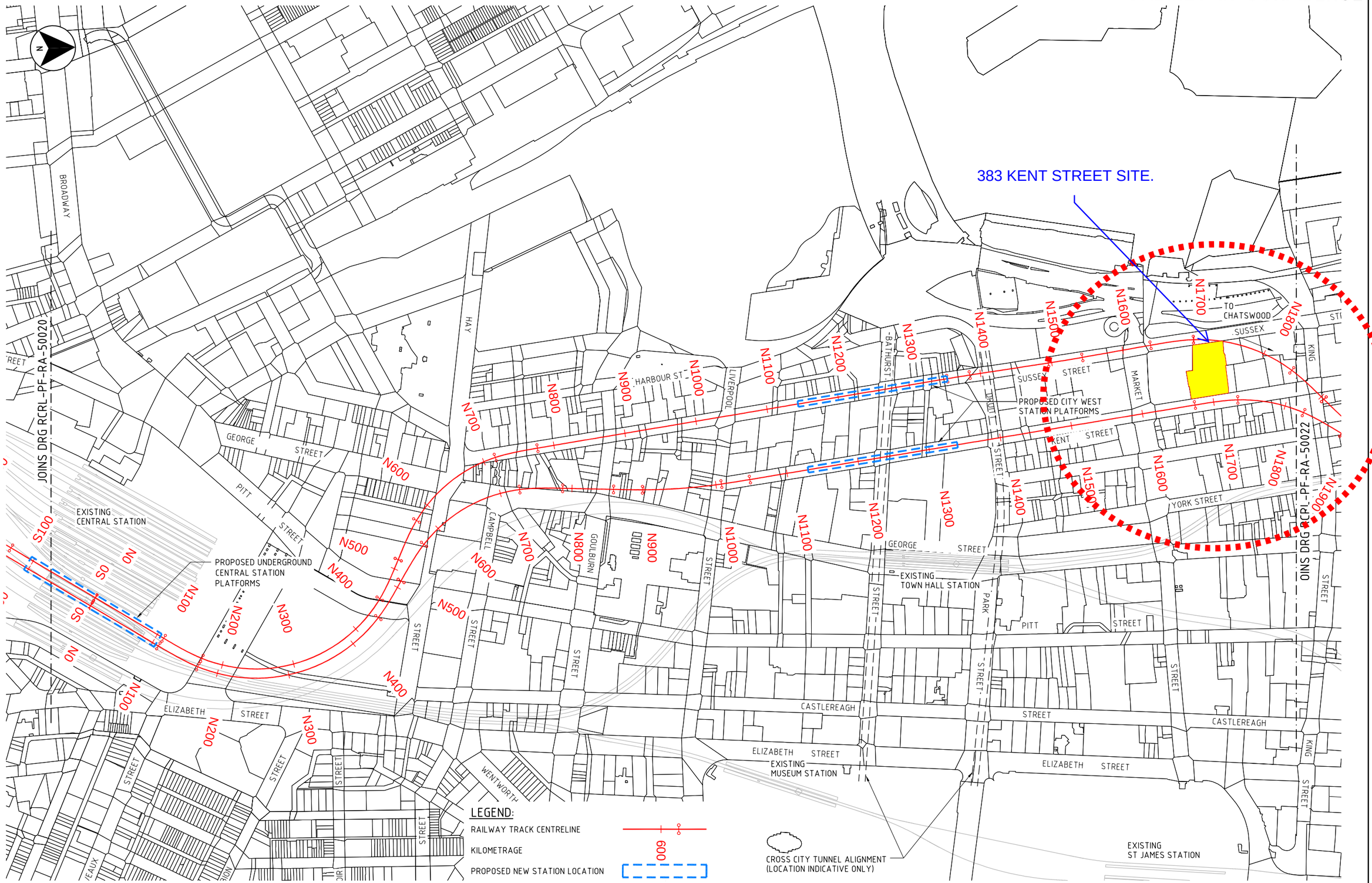
Email: sydney@robertbird.com.au
Web: www.robertbird.com
ACN 010 580 248

Rev.	Revision Description	App	Date
A	FOR INFORMATION	MH	28.8.20

Client: CHARTER HALL
Project: 383 KENT STREET
Title: RAIL CORRIDOR ASSESSMENT
Designer:
Checker:
Approved: MH
Status: PRELIMINARY - NOT FOR CONSTRUCTION
Sketch No: SK-001
Rev: 1

CABINET IN CONFIDENCE



NOT FOR CONSTRUCTION

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This drawing is confidential and shall only be used for the purposes of this project.

No.	BY	DATE	DESCRIPTION	APPD
C	BK	6.06.06	REFERENCE SCHEME - THIRD DRAFT	
B	BK	3.04.06	REFERENCE SCHEME - SECOND DRAFT	
A	BK	29.03.06	REFERENCE SCHEME - FIRST DRAFT	

THE SIGNING OF THIS TITLE BLOCK CONFIRMS THE DESIGN AND DRAFTING OF THIS PROJECT HAVE BEEN PREPARED AND CHECKED IN ACCORDANCE WITH THE MAUNSELL QUALITY ASSURANCE SYSTEM TO ISO 9001-2000

DESIGNED		CHECKED	
DRAWN		CHECKED	
APPROVED		DATE	

SCALES: 25 0 50 100m — 1 : 5000

DESIGNER: MAUNSELL AECOM — Maunsell Australia Pty Ltd A.B.N. 20 093 846 925

DESIGNER: Halcrow

CLIENT: Transport Infrastructure Development Corporation

CBD RAIL LINK

METROWEST UNDER HARBOUR OPTION PLAN

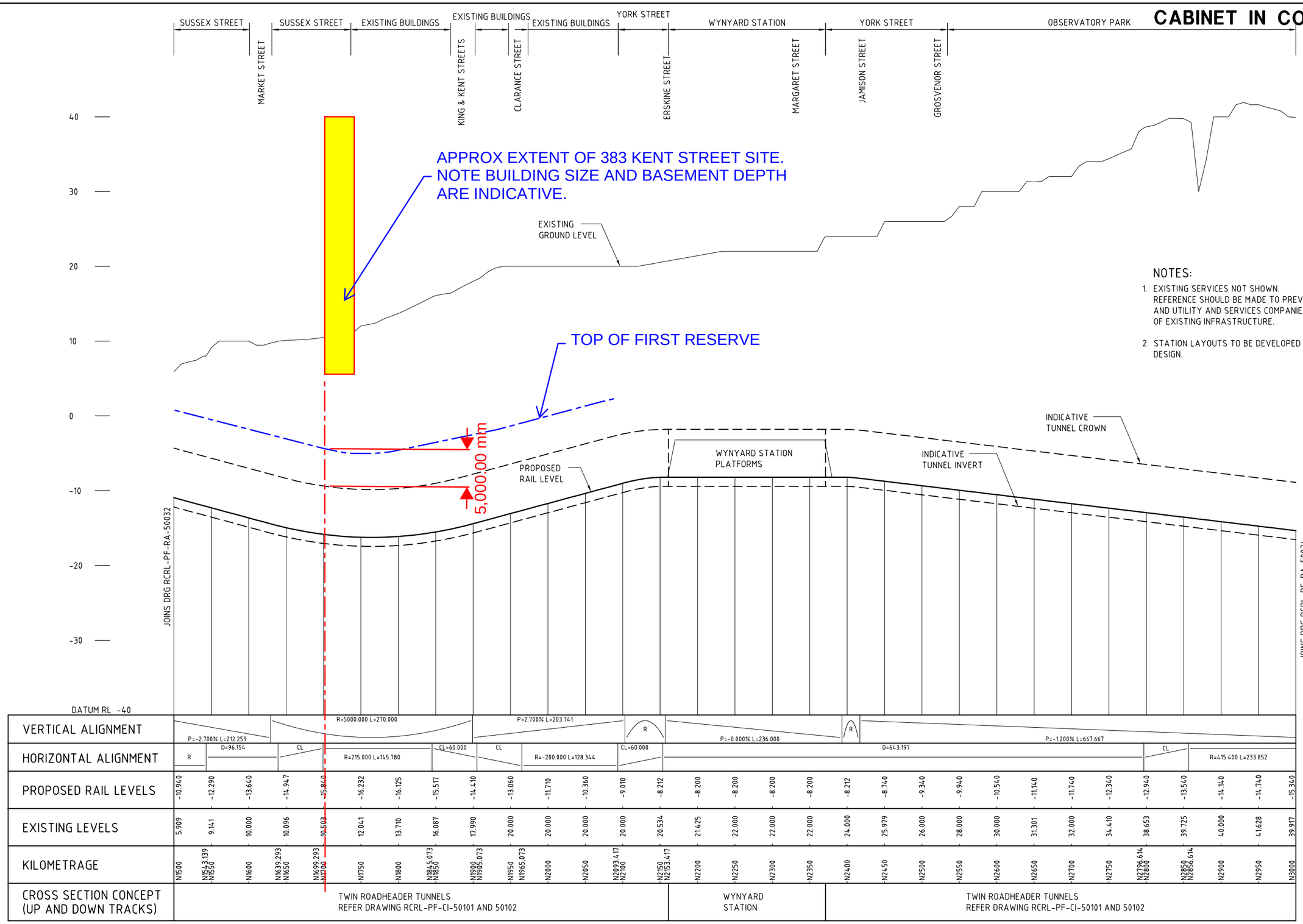
SHEET 2 OF 7

STATUS:	DRAWING NO:	REV:
PRELIMINARY	RCRL-PF-RA-50021	C

Cad ref: K:\20012506_00_MREL\CAD\Dwg\03_RCRL\RCRL-PF-RA-50021.dwg Last modified: 06 Jun 06 - 08:38

CABINET IN CONFIDENCE

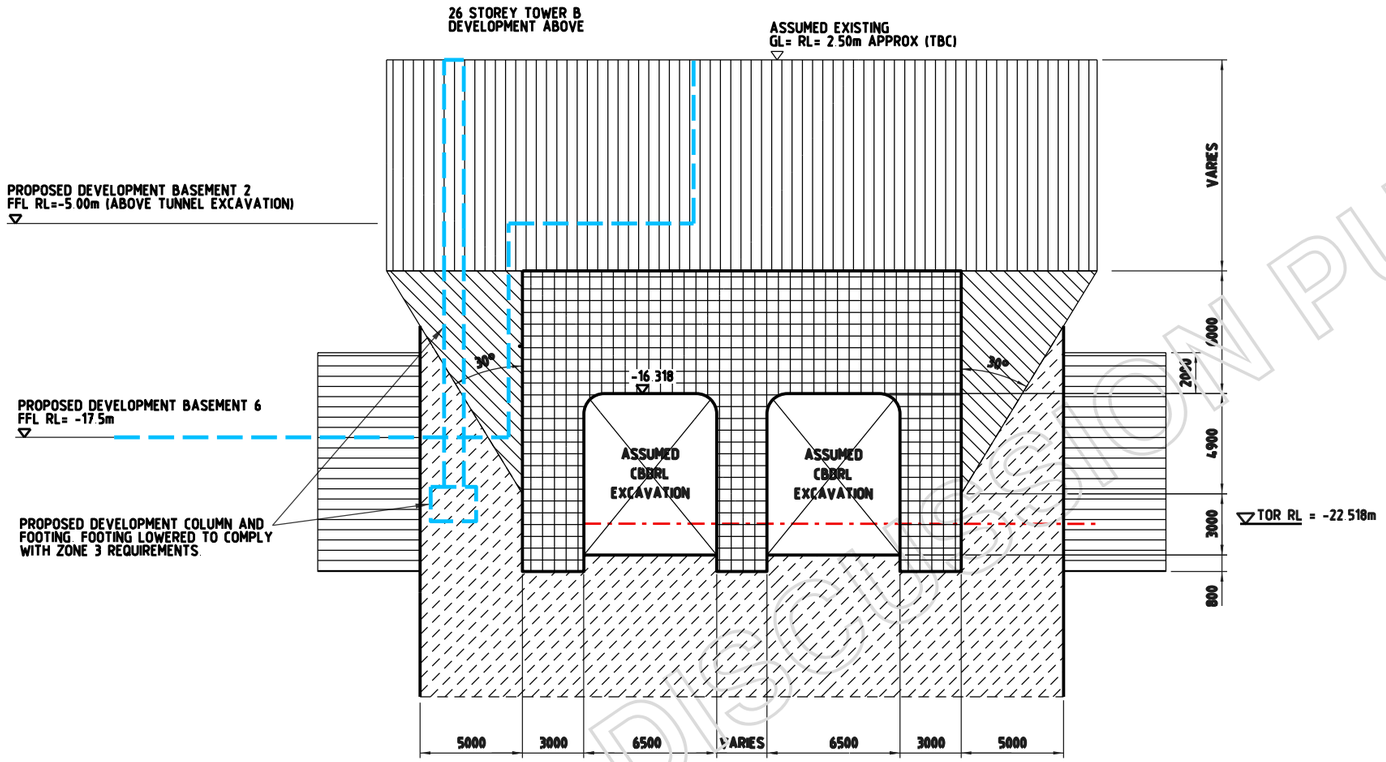
Cad ref: K:\20012506_00_MRE\CAD\Dwg\03_RCRL\RCRL-PF-RA-50033.dwg Last modified: 06 Jun 06 - 08:45



NOTES:

1. EXISTING SERVICES NOT SHOWN. REFERENCE SHOULD BE MADE TO PREVIOUS REPORTS AND UTILITY AND SERVICES COMPANIES FOR DETAILS OF EXISTING INFRASTRUCTURE.
2. STATION LAYOUTS TO BE DEVELOPED BYCONCEPT DESIGN.

| | | |



SECTION A-A

KEY:

STRUCTURE EXCLUSION ZONES:

ASSUMED CBDRL TUNNEL EXCAVATION ZONE

TYPE 1 ZONE — EXCAVATION, STRUCTURES, OR STRUCTURES APPLYING LOADING DIRECTLY TO ROCK MASS ARE NOT PERMITTED IN THIS ZONE. HORIZONTAL LOADING EFFECTS EITHER FROM STRUCTURES AND FOUNDATIONS BEARING DIRECTLY ON ZONE 1 OR FOUNDATIONS OUTSIDE ZONE 1 AND ACTING THROUGH THE GROUND SHALL NOT CAUSE SIGNIFICANT HORIZONTAL LOADING TO ACT ON ZONE 1 BELOW OR WITHIN 2m OF THE TUNNEL CROWN LEVEL.

TYPE 2 ZONE — FOUNDATIONS APPLYING VERTICAL LOADING DIRECTLY TO ROCK MASS ARE NOT PERMITTED IN THIS ZONE EXCEPT FOR TRANSFER STRUCTURES AND GROUND ANCHORS APPLYING LOADS GENERALLY AWAY FROM THE TUNNEL.
EXCAVATION AND CONSTRUCTION OF STRUCTURES PERMITTED BUT MUST AVOID DETERIORATION OF ROCK STRUCTURE IN ADJACENT ROCK MASS.

TYPE 3 ZONE — VERTICAL DOWNWARDS LOADS FROM STRUCTURES PERMITTED.
VERTICAL UPWARDS LOADS (AND COMPONENTS THEREOF) TO BE DESIGNED TO ALLOW FOR REMOVAL OF ROCK MASS IN ASSUMED TUNNEL ZONE.
HORIZONTAL LOADS PERMITTED BELOW LEVEL OF TUNNEL INVERT.
LOADING TO BE VERIFIED AND SHALL ALLOW FOR ASSUMED TUNNEL EXCAVATION.

TYPE 4 ZONE — SUM OF VERTICAL DOWNWARDS LOADING TO BE LIMITED TO 3000kN/m² ON 2.0mX2.0m AREAS AND AN AVERAGE OF 250 kN/m² ON ANY 10mX10m AREA (WHICH EVER IS THE MOST ONEROUS CONDITION)
FOUNDATIONS AND SUPPORTING STRUCTURE TO BE DESIGNED TO ACCOMMODATE MOVEMENTS DUE TO FUTURE CBDRL WORKS. NOTE 10 APPLIES.

SIGNIFICANT HORIZONTAL LOADING TOWARDS THE PROPOSED CBDRL TUNNEL IS NOT PERMITTED. (REFER TO ZONE 1 NOTES)

GENERAL NOTES:

G1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED
G2. ALL LEVELS ARE IN METRES TO A.H.D UNLESS OTHERWISE NOTED
G3. DRAWINGS TTSRCP030, 031 & 032 TO BE READ TOGETHER.
G4. FOR DETAILS OF ASSUMED RAIL TUNNEL EXCAVATION REFER TO DRAWINGS TTSRCP030 & 031.

NOTES:

1. INDICATIVE LOADS ARE UNFACTORED WORKING LOADS. (TYPE 4 ZONE)
2. SUPPORT OF LOADS FROM PROPERTY FOUNDATIONS TO ALLOW FOR ASSUMED TUNNEL EXCAVATION. LOADS OF A DYNAMIC NATURE (SUCH AS FROM WIND) ARE NOT TO HAVE A NEGATIVE IMPACT ON THE TUNNEL SUPPORT INCLUDING SANDSTONE BEDDING PLANES AND ROCK BOLT DESIGN.
3. LOADING REQUIREMENTS FOR ZONE 4 ARE INDICATIVE ONLY AND ARE TO BE DETERMINED.
4. EXCAVATION FACE TO BE INSPECTED AND MAPPED PRIOR TO COVERING BY PROPERTY DEVELOPER.
5. SITE INVESTIGATION OF GROUND CONDITIONS SHALL BE UNDERTAKEN AND RECORDED.
6. REQUIREMENTS ARE BASED ON DEVELOPMENT APPLICATION No ????.
7. LOADING REQUIREMENTS ARE BASED UPON ASSUMPTION THAT ZONE 1 IS FAVOURABLE ROCK CONDITIONS WHICH IS DEFINED AS CLASS 1 OR 2 SYDNEY SANDSTONE.
8. CONSTRUCTION METHOD SHALL AVOID DETERIORATION OF ROCK STRUCTURE IN ZONE 1.
9. ALLOWANCE SHALL BE MADE IN THE ASSUMED TUNNEL EXCAVATION FOR POSSIBLE OVERBREAK DURING CONSTRUCTION OF THE TUNNEL. THE PROPERTY DEVELOPER SHALL MAKE IT'S OWN DETERMINATION IN THIS REGARD BUT SHALL ALLOW FOR POSSIBLE OVERBREAK OF BLOCKS AT LEAST 1m DEEP IN THE TUNNEL CROWN OR 1m WIDE IN THE TUNNEL SIDE WALL.
10. FOUNDATION LOADS IN ZONE 4 ARE ONLY PERMITTED IF GOOD QUALITY ROCK EXISTS BETWEEN FOUNDATIONS AND THE ASSUMED TUNNEL AND IT IS DEMONSTRATED THAT A NEGLIGBLE OR LOWER RISK EXISTS OF PERSISTENT SUB-VERTICAL JOINTING BEING PRESENT WHICH WOULD POTENTIALLY CAUSE INSTABILITY OF THE TUNNEL EXTRADOS.
11. MINIMUM DIMENSION OF ROCK BETWEEN ASSUMED STATION EXCAVATION AND PROPERTY BASEMENT TO BE DETERMINED BY ASSESSMENT OF HYDROGEOLOGY AND ANY MITIGATION MEASURES PROPOSED BY THE DEVELOPER TO ENSURE WATER INGRESS INTO THE STATION CAVERN CAN BE CONTROLLED WITHIN REASONABLE LIMITS.

FOR DISCUSSION PURPOSES

NOT FOR CONSTRUCTION

Issue	Revision - Revise on CAD do not amend by hand	Chk'd	App'd	Date
8	FOR TfNSW DEED ISSUE	IM		19.10.16
7	FOR DISCUSSION PURPOSES	RH		02.06.15
6	DRAFT	RH		12.05.11

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Project: FUTURE RAIL CORRIDOR PROTECTION

NSW GOVERNMENT Transport for NSW

Title: 1 ALFRED STREET SYDNEY CBD RAIL LINK (CBDRL) LOADING REQUIREMENTS

Drg No: TTSRCP-032

Version: 8

Attachment A17

Preliminary Site Investigation (Contamination)

Douglas Partners
Geotechnics / Environment / Groundwater

Integrated Practical Solutions

Report on
Preliminary Site Investigation (Contamination)

Proposed Commercial Development
383 Kent Street, Sydney

Prepared for
Charter Hall Holdings Pty Ltd

Project 217267.01
December 2023

Douglas Partners
Geotechnics / Environment / Groundwater

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The undersigned, on behalf of Douglas Partners Pty Ltd, confirm that this document and all attached drawings, logs and test results have been checked and reviewed for errors, omissions and inaccuracies.

	Signature	Date
Author	wen-fei yuan	08 December 2023
Reviewer	P. Gorman	08 December 2023

Douglas Partners acknowledges Australia's First Peoples as the Traditional Owners of the Land and Sea on which we operate. We pay our respects to Elders past and present and to all Aboriginal and Torres Strait Islander peoples across the many communities in which we live, visit and work. We recognise and respect their ongoing cultural and spiritual connection to Country.

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Report on Preliminary Site Investigation (Contamination)
Proposed Commercial Development
383 Kent Street, Sydney

1. Introduction

This preliminary site investigation (contamination) (PSI) report has been prepared by Douglas Partners Pty Ltd (DP) in support of a Planning Proposal to amend the *Sydney Local Environmental Plan 2012* (Sydney LEP), as discussed further in Section 2. This report has been prepared on behalf of Charter Hall Holdings (the Proponent) and it relates to a single development lot identified as Lot 1 in DP 778342 or 383 Kent Street, Sydney (the site). The site is shown on Drawing 1, Appendix A.

The investigation was undertaken in accordance with DP's proposal 217267.00.P.002.Rev1 dated 2 September 2022.

The objectives of the PSI are to:

- Assess the potential for contamination at the site based on the historical and current land uses; and
- Comment on whether further investigation is needed to enable a statement on the suitability of the site for the proposed commercial development (planning proposal).

This report must be read in conjunction with all appendices including the notes provided in Appendix B.

The following key guidelines were consulted in the preparation of this report:

- NEPC *National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013) [NEPM]* (NEPC, 2013); and
- NSW EPA *Guidelines for Consultants Reporting on Contaminated Land* (NSW EPA, 2020).

2. Planning Proposal and Development

The purpose of the Planning Proposal is to amend the site's maximum Height of Building development standard and maximum Floor Space Ratio (FSR) development standard to unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the *Central Sydney Planning Strategy* (CSPS) for tower cluster sites. The Planning Proposal will also seek to facilitate significant public benefits through additional site activation by way of a new pedestrian through-site link, shared basement loading dock facility and delivering on sustainable initiatives to contribute to the City of Sydney's vision to achieve net zero energy buildings.

The proposed Sydney LEP amendment is part of the broader redevelopment plan for the site to demolish the existing structure on the site (including the existing 10 storey car park), and construct a new 42 storey commercial office tower with a total maximum FSR of 20:1 (circa 73,000 m^2 GFA).

The uplift being sought is consistent with the strategic intent of the CSPS for tower cluster sites within Central Sydney, which contains the City's requirements and expectations for projects pursuing this pathway. Following the Planning Proposal, the planning approval pathway involves a competitive design process and a detailed Development Application (DA). As such, this report reflects the concept stage of the proposal, and may be embellished as the detailed design and required works evolve.

This Planning Proposal is accompanied by amendments to the Sydney Development Control Plan 2012 (Sydney DCP). The site specific DCP amendments reflect the proposed outcome to create a new commercial office tower that reintroduces a fine grain texture to the city by way of a new through-site link and retail activation at each ground floor interface to the public domain. This is reflected in the accompanying reference design prepared by FJMT which serves as a baseline proof of concept for this Planning Proposal. This large strategic site presents a unique opportunity to deliver a landmark tower site that will exhibit design excellence and redefine the western edge of the CBD, whilst offering significant employment opportunities for global Sydney.

The reference scheme supporting the Planning Proposal and site specific DCP can be described as follows:

- Demolition of the existing building, including removal of the over 800 capacity public car park; and
- Construction of the following:
  - New 42-storey office tower comprising a total FSR of 20:1, up to a height of RL 189.80 (approximately 170 m above Kent Street and 180 m above Sussex Street).
  - New premium-grade commercial floorspace with an approximate GFA of circa 72,300 m^2.
  - New through-site link connecting Kent and Sussex Streets, including public art activation.
  - New ground floor activation opportunities, including approximate retail GFA of circa 700 m^2.
  - Two levels of basement, comprising:
    - Basement Level 1 facilitating 70 car parking spaces; and
    - Sussex Street ground level shared loading dock facility including SRV and MRV short term stay bays to service retail tenancies within buildings along Kent Street (located between Market Street and King Street).
  - New end of trip facilities below the Kent Street ground level.

The architectural drawings are attached in Appendix B.

3. Scope of Works

The scope of works for this investigation included:

- Review of documents provided by the client as part of the briefing stage:
  - Aboveground storage (fuel) tank inspection report;
  - Hazardous chemical register;
  - MSDS register; and
  - Hazardous building material inspection report.

- Review of DP's internal database: geological, soil, acid sulfate soil and hydrogeological published information to assess and document the site's environmental setting;
- Review of readily available desktop site history information including:
  - Historical aerial photographs;
  - NSW EPA online database for contaminated sites;
  - Section 10.7 Certificates;
  - Current and historic land title deed information;
  - Relevant readily available Council Records; and
  - SafeWork NSW records. The records held by SafeWork may include current and historic licences to store Dangerous Goods.
- Site walkover of the site's ground and basement levels by an Environmental Engineer / Scientist to identify site uses, site features and potential sources of contamination; and
- Preparation of a preliminary site investigation report.

4. Site Information

Site Address	383 Kent Street, Sydney
Legal Description	Lot 1 Deposited Plan 778342
Area	Approximately 3,600 m^2
Current Zoning	Zone B8 Metropolitan Centre
Local Council Area	City of Sydney Council
Current Use	Retail land use on ground level and office / commercial spaces on upper levels
Surrounding Uses	North East – 379-381 Kent Street North West – 160-166 Sussex Street East – Kent Street South – 397-411 Kent Street West – Sussex Street



Figure 1: Site Location

5. Environmental Setting

Regional Topography	The regional topography is generally sloping west towards Cockle Bay
Site Topography	The ground level along the eastern boundary of the site (Kent Street) is approximately RL 18 m AHD. The ground levels along the western boundary of the site (Sussex Street) are approximately 10 m AHD. The site topography has been altered through the construction of basement levels, with the lower basement aligning with street level at Sussex Street
Soil Landscape	Reference to the Sydney 1:100 000 Soil Landscape Series Sheet indicates that the site is underlain by a landscape group known as the Gymea soil landscape. The Gymea soil landscape is an erosional soil landscape and is characterised by topography of undulating to rolling rises and low hills on Hawkesbury Sandstone, with local relief of 20 m to 80 m and slope gradients of 10% to 25%. The soil landscape is typically represented by localised steep slopes, high soil erosion, rock outcrops and shallow highly permeable soil.
Geology	Reference to the Sydney 1:100 000 Geological Series Sheet indicates that the site is underlain by Hawkesbury Sandstone of Triassic age, which typically comprises medium to coarse-grained quartz sandstone with minor shale and laminite lenses.

Acid Sulfate Soils	Reference to the 1:25 000 Acid Sulphate Soils (ASS) Risk map indicates that the site is within an area of no known occurrence of acid sulphate soils.
Surface Water	Surface water is expected to flow into nearby stormwater drains which would flow towards the nearest receiving body, Cockle Bay approximately 250 m west of the site.
Groundwater	Reference to the groundwater bore register data from WaterNSW indicates that three groundwater monitoring bores are located within 500 m of the site; and were registered for use as monitoring wells. The worksheets for these bores have no information on groundwater bearing zones. The nearby registered groundwater bore records are provided in Appendix C. The regional groundwater table is typically deep in the inner CBD; and is likely to be below the proposed excavation depth; although groundwater seepage may be encountered at the soil / rock interface, especially after heavy rainfall.

Based on other nearby projects by DP, the subsurface profile at the site is expected to comprise minor surficial fill, residual soil and shallow sandstone bedrock. The residual soil, where present, is likely to mainly comprise medium plasticity sandy clay.

6. Site History

6.1 Historical Aerial Photography

Several historical aerial photographs were obtained from public databases. Extracts of the aerial photographs are included in Appendix D. A summary of key features observed for the site and surrounding land is presented in Table 1.

Table 1: Summary of Historical Aerial Photographs

Year	Site	Surrounding Land Use
1930	The resolution or quality of 1930 aerial photograph is poor.	High-density commercial / industrial / possibly residential development occupied the CBD prior to the 1930s.
1943 to 1970	The site appears to be occupied by three multi-storey buildings towards the eastern portion (Kent Street) of the site and a tiled roof retail / residential building along the western portion (Sussex Street).	There has been an increase in commercial and high-density development surrounding site.
1978 and 1994	The previous buildings on site have been demolished and redeveloped into a single multi-storey commercial building with a car park on the roof top.	Significant changes are visible in the 1978 aerial photograph with several high-rise towers constructed in the eastern and southern surrounding areas.

Year	Site	Surrounding Land Use
2000	The rooftop car park is no longer visible and looks like construction activities are taking place to build higher levels on the building,	More commercial development and increase in high-rise commercial towers in the surrounding areas.
2005 to 2022	Higher levels are now visible along the eastern portion of the building.	More commercial development and increase in high-rise commercial towers in the surrounding areas.

6.2 Title Deeds

A historical title deeds search was used to obtain ownership and occupancy information including company names and the occupations of individuals. The title information can assist in the identification of previous land uses by the company names or the site owners and can, therefore, assist in establishing whether there were potentially contaminating activities occurring at the site. A summary of the title deeds and possible land uses (with reference to the aerial photographs and other historical searches) is presented in Table 2.



Figure 2: Cadastral Plan

Table 2: Historical Title Deeds

As regards the part numbered 1 on the attached Cadastral Records Enquiry Report:

Date of Acquisition and Term Held	Registered Proprietor(s) & Occupations	Inferred Land Use
07.05.1923 (1923 to 1930)	J.J. Sullivan Limited	Retail / Residential
17.06.1930 (1930 to 1941)	John James Sullivan (Merchant) Mary Sullivan (Married Woman)	Retail / Residential
03.03.1941 (1941 to 1965)	Mary Sullivan (Widow)	Retail / Residential
16.02.1965 (1965 to 1970)	John Anthony Sullivan (Company Director) (Section 94 Application not investigated)	Retail / Residential
24.06.1970 (1970 to 1970)	Matthew John O'Neill (Solicitor) Gerald Wells (Solicitor) (Section 94 Application not investigated)	Retail / Residential
03.11.1970 (1970 to 1976)	Sussex Land Pty Limited	Retail / Residential
30.09.1976 (1976 to 1977)	Central Parking Pty Limited	Retail / Residential

As regards the part numbered 2 on the attached Cadastral Records Enquiry Report:

Date of Acquisition and Term Held	Registered Proprietor(s) & Occupations	Inferred Land Use
18.05.1926 (1926 to 1930)	J.J. Sullivan Limited	Retail / Residential
17.06.1930 (1930 to 1934)	John James Sullivan (Merchant) Mary Sullivan (Married Woman)	Retail / Residential
19.01.1934 (1934 to 1962)	Arthur Yates & Co Limited	Retail / Residential
04.05.1962 (1962 to 1971)	S & Varga Investments Pty Limited	Retail / Residential
12.03.1971 (1971 to 1976)	Conlaw (No. 8) Pty Limited Now Westpoint Investments Pty Limited	Retail / Residential
30.09.1976 (1976 to 1977)	Central Parking Pty Limited	Retail / Residential

As regards the part numbered 3 on the attached Cadastral Records Enquiry Report:

Date of Acquisition and Term Held	Registered Proprietor(s) & Occupations	Inferred Land Use
17.10.1907 (1907 to 1939)	Hulda Ulivia Agt Marshall (Married Woman)	Retail / Residential
02.06.1939 (1939 to 1939)	Reginald Edmund Coleman (Bank Officer) John Otho Stevenson (Solicitor) Stella Elizabeth Sarah Baxter (Married Woman) (Transmission Application not investigated)	Retail / Residential
21.06.1939 (1939 to 1958)	Reginald Edmund Coleman (Bank Officer) (And his deceased estate)	Retail / Residential
04.09.1958 (1958 to 1970)	J. Goldstein & Co Pty Limited	Retail / Residential
12.06.1970 (1970 to 1976)	C.M.P. (Investments) Pty Limited Now C.M.P. (Nominees) Pty Limited	Retail / Residential
30.09.1976 (1976 to 1977)	Central Parking Pty Limited	Retail / Residential

As regards the part numbered 4 on the attached Cadastral Records Enquiry Report:

Date of Acquisition and Term Held	Registered Proprietor(s) & Occupations	Inferred Land Use
05.01.1926 (1926 to 1947)	D & W Murray Limited	Retail / Residential
29.05.1947 (1947 to 1950)	The Merchant Navy War Memorial Fund Limited	Retail / Residential
12.12.1950 (1950 to 1976)	Kentex Investments Pty Limited	Retail / Residential
30.09.1976 (1976 to 1977)	Central Parking Pty Limited	Retail / Residential

As regards the part numbered 5 on the attached Cadastral Records Enquiry Report:

Date of Acquisition and Term Held	Registered Proprietor(s) & Occupations	Inferred Land Use
19.06.1934 (1934 to 1968)	Briscoe & Company Limited	Retail / Residential
23.04.1968 (1968 to 1976)	Aleph Pty Limited	Retail / Residential
15.12.1976 (1976 to 1977)	Central Parking Pty Limited	Retail / Residential

Continued as regards to the whole of Lot 1 D.P. 778342:

Date of Acquisition and Term Held	Registered Proprietor(s) & Occupations	Inferred Land Use
08.08.1977 (1977 to 1987)	The National Mutual Life Association of Australasia Limited	Retail / Residential
09.12.1987 (1987 to 2000)	Permanent Trustee Nominees (Canberra) Limited Now Permanent Trustee Australia Limited	Retail / Residential
06.09.2000 (2000 to 2000)	Axa Australia Property Management Limited	Retail / Residential
06.09.2000 (2000 to 2002)	National Mutual Life Nominees Limited	Retail / Residential
12.09.2002 (2002 to 2022)	Perpetual Trustee Company Limited	Retail / Residential
17.08.2022 (2022 to Date)	# The Trust Company (Australia) Limited	Retail / Residential

6.3 Public Registers and Planning Records

EPA Notices available under Section 58 and 60 of the Contaminated Lands Management Act (CLM Act) Database searched 17/01/2023	The results of a search of the public database of records of contaminated sites under Section 58 of the *Contaminated Land Management Act* 1997 (CLM Act) and sites notified to EPA under Section 60 of the CLM Act indicated that the site was not listed as a contaminated site notified to the EPA. There is currently one contaminated site within 1 km buffer zone of the subject site. The activity of the contaminated site includes Interpro House (Activity type – Other petroleum) at 447 Kent Street, Sydney which is approximately 250 m downgradient from the site. There are currently two contaminated sites within 2 km buffer zone of the subject site. The activity of the contaminated site includes Eurostar dry cleaners and Chifley Tower (basement fuel storage area) at 100 Oxford Street and 2 Chifley Square, Sydney respectively. The EPA has completed an assessment for these three contaminated sites and determined that the contamination does not require regulation under the CLM Act. Considering the topography, which is gently sloping towards the south-westerly direction, the contaminated site within the 1 km buffer zone is located downgradient and at least 250 m away from the subject site. The likelihood of groundwater contamination (if any) migrating from the other two contaminated sites is also very low as they are at least 1.5 km away from the subject site. Results of the searches are attached in Appendix D.
Licences listed under Section 308 of the Protection of the Environment Operations Act 1997 (POEO Act) Database searched 17 December 2022	No licences, applications and notices were listed for the site; accessed on 17 December 2023. The results found 285 licences, applications, and notices in Sydney. The closet nearby site which holds an existing POEO licence is located at 153 Clarence Street, Sydney. The licence is used for the storage of 0-10 tonnes of hazardous, industrial and Group A waste consisting of predominately medical related waste. Results of the searches are attached in Appendix D.
SafeWork NSW	A search was not completed for 383 Kent Street, Sydney.
PFAS Investigation Sites	The site was not listed or adjacent to a site listed under: • NSW EPA PFAS Investigation Program; • Defence PFAS Investigation Program; • Defence PFAS Management Program; and • Airservices Australia National PFAS Management Program.

Planning Certificate(s)	Review of the Planning Certificate for 383 Kent Street, Sydney states that: • The land to which the certificate relates is not declared to be significantly contaminated land within the meaning of that act as at the date when the certificate is issued; • The land to which the certificate relates is not subject to a management order within the meaning of that act as at the date when the certificate is issued; • The land to which the certificate relates is not the subject of an approved voluntary management proposal within the meaning of that act at the date the certificate is issued; and • The land to which the certificate relates is not the subject of an ongoing maintenance order within the meaning of that act as at the date when the certificate is issued. As at the date when the certificate is issued, Council has not identified that a site audit statement within the meaning of that act has been received in respect of the land the subject of the certificate.
Council Records	DP has requested for the following information from the City of Sydney Council on 18 January 2023: • Notice of determination (Pre 2004); • Assessment reports (Pre 2004); • Building / development plans; • Occupation certificate; and • Other information requested: o Development consents; o Council notices (e.g., clean up notices); o Previous investigation reports that may be held by council; o Council inspection records (may be handwritten); o Neighbourhood complaints (e.g., emissions); and o As well as any possible contamination related reports or incidences. The search results for development applications were received on 20 January 2023. The results of the informal access to City of Sydney Council information in chronological order are outlined as follow: • Additions to existing commercial carpark including a commercial office (1998-2003); • Level 16 partitions office fit out (2002-2003); • Room T3 fit out as customer waiting room (2003-2004); • To operate car park (1994-2001); • Internal office fit out levels 17 and 18 (2001-2002); and • New floor space at Kent Street level T4 & T5 juice bar and café in lobby area (2002-2003); • Internal fit out and use of Shop T5 to relocate an existing nearby newsagency (2005);

	• Fit out and use of level 1 - Shop T2 (facing Sussex Street) as a Liquor Store (2006); • To continue the use of existing liquor store at Level 1 – Shop T2 facing Sussex Street (2011); • Construction of an end of trip facility at basement level 1 including new bike storage cages, showers, changing rooms, drying rooms and bathroom facilities and upgrade of mechanical services including installation of two grilles to the Sussex Street building façade (2013); and • Installation of Australia post parcel lockers to the Sussex Street side of the building (2015). The above development applications are predominately related to internal renovation and refurbishment of the site building. Infrastructure of importance includes additions to existing commercial carpark including a commercial office between the year 1998 and 2003.
Other Sources AST Inspection Report – Premo Fuel Solutions	The above ground storage tank (AST) visual inspection was carried on 18 May 2021 to inspect the condition of the AST bulk diesel tank as a due diligence exercise. The report stated that the bulk diesel tank was generally in good condition and complied with the AS1940 standard.
Hazardous Chemical Register – Dexus Property Group	Review of the client supplied hazardous chemical register noted that the site has many harmful hazardous chemicals stored, which are corrosive, toxic, irritant, and flammable. These chemicals are predominantly stored in cleaner's storeroom and were maintained in good condition i.e., on hardstand and locked in cages or rooms with restricted access.
Hazardous Materials Management Plan and Register – Dexus Property Group	Review of the client supplied hazardous material register noted that the site has many asbestos containing materials (ACM) and synthetic mineral fibres (SMF) but was generally in good and sealed conditions.

6.4 Site History Integrity Assessment

The information used to establish the history of the site was sourced from reputable and reliable reference documents, many of which were official records held by Government departments / agencies. The databases maintained by various Government agencies potentially can contain high quality information, but some of these do not contain any data at all.

In particular, aerial photographs can provide high quality information that is generally independent of memory or documentation. They are only available at intervals of several years, so some gaps exist in the information from this source. The observed site features are open to different interpretations and can be affected by the time of day and / or year at which they were taken, as well as specific events, such as flooding. Care has been taken to consider different possible interpretations of aerial photographs and to consider them in conjunction with other lines of evidence.

6.5 Summary of Site History

The site history information suggests that the site was acquired by the current owner(s) in 2022 from the Perpetual Trustee Company Limited. Information on historical aerial photographs suggest that the site had three multi storey buildings and one retail / residential building, which were demolished and redeveloped into the current single multi storey commercial building in 1978.

The historical titles information did not suggest any on-site manufacturing.

The results of a search of the public database of records of environmental protection licenses under Section 308 of the *Protection of the Environment Operations Act* 1997 (POEO Act) indicated that there are no licences, applications and notices were listed for the site.

There was one record of contaminated site, includes Interpro House (Activity type – Other petroleum) at 447 Kent Street, Sydney, within 1 km buffer zone. However, given that this site is not situated in immediate proximity to the subject site and is hydraulically down gradient of the site, the potential for this site to contribute to contamination of the subject site is considered negligible.

7. Site Walkover

A site walkover was undertaken by an Environmental Engineer on 20 December 2022. The general site topography was consistent with that described in Section 5. The site layout appears to have remained unchanged from the 2005 aerial photograph. The following key site features pertinent to the PSI were observed (refer to photographs in Appendix D).

- The site comprised of 10 levels of public car park in the podium, with 11 levels of commercial space above and small retail tenancies occupying ground level. There is vehicle access from both Kent and Sussex Streets;
- The following were observed at different levels of the building:
  - The ground floor comprised of a lobby area, accessible off the Kent Street and a small office / administration area;
  - A plant room was observed in level 7 and 19 (Photographs 1 & 2);
  - Above ground diesel storage tank with a pump and a spill kit was observed in basement 2 near to the Sussex Street entrance. This fuel tank is used as a standby power fuel storage for the building. No evidence of spills or leakages were observed (Photographs 3 & 4);
  - A cooling tower was observed on level 19 of the site and some chemical containers were stored. The systems in these rooms appeared to be the original systems (Photographs 5 & 6);
  - A lift motor room was observed in level 20 (Photographs 7 & 8);
  - Switchboard rooms were observed at each level of the site (Photographs 9 & 10);
  - A diesel generator room and a spill kit were observed in level 7 of the site (Photographs 11, 12, 13 & 14);
  - Cleaners' storeroom was observed in level 7, and B1. The cleaning chemicals were stored properly in appropriate containers (Photographs 15 & 16);

- Recycled waste storerooms and garbage rooms were observed in the basement 2. The waste areas are properly maintained within a cabinet (Photographs 17 & 18);
- Grease arrestor and water pump room was observed in basement 2 near Sussex Street (Photographs 19 & 20); and
- The loading dock area was observed in basement 2 and no staining observed on the surface of the concrete (Photographs 21 & 22).

- Lift shafts were located at the centre of the building, accessed off the lobby; and
- No staining or cracks observed in the concrete in the basement car park areas.

High rise commercial buildings were observed in the streets surrounding the site.

8. Preliminary Conceptual Site Model

A Conceptual Site Model (CSM) is a representation of site-related information regarding contamination sources, receptors and exposure pathways between those sources and receptors. The CSM provides the framework for identifying how the site became contaminated and how potential receptors may be exposed to contamination either in the present or the future i.e., it enables an assessment of the potential source - pathway - receptor linkages (complete pathways).

Potential Sources

Based on the site history information obtained, mapping information and site walkover, the following potential sources of contamination and associated contaminants of potential concern (COPC) have been identified.

- **S1: Fill –** Associated with the levelling of the site. Given the presence of basement levels, it is anticipated that fill will be shallow at the site:
  - COPC for materials of unknown origin typically include metals, total recoverable hydrocarbons (TRH), benzene, toluene, ethylbenzene, xylene (BTEX), polycyclic aromatic hydrocarbons (PAH), polychlorinated biphenyls (PCB), organochlorine pesticides (OCP), phenols and asbestos.
- **S2: Existing building** - Asbestos containing materials and other hazardous materials were identified in the building in the hazardous materials register prepared for the site by Dexus Property Group:
  - COPC include asbestos, synthetic mineral fibres (SMF), lead (in paint) and PCB.
- **S3: Storage of Hazardous Chemicals** – An above ground diesel pump and associated tank, loading dock zone spills and hazardous chemicals stored in the basement level (listed as per hazardous chemicals register by Dexus Property Group) which could leak into surface soils through cracks of the basement slab:
  - COPC include metals, volatile organic compounds (solvents), TRH, BTEX and phenols.

Potential Receptors

The following potential human receptors have been identified:

- R1: Current users [commercial / retail land use];
- R2: Construction and maintenance workers;
- R3: End users [commercial / retail / visitor]; and
- R4: Adjacent site users [commercial / retail land use].

The following potential environmental receptors have been identified:

- R5: Surface water [Cockle Bay (saline) approximately 250 m west of the site];
- R6: Groundwater; and
- R7: Terrestrial ecology.

Potential Pathways

The following potential pathways have been identified:

- P1: Ingestion and dermal contact;
- P2: Inhalation of dust and / or vapours;
- P3: Surface water run-off;
- P4: Lateral migration of groundwater providing base flow to water bodies;
- P5: Leaching of contaminants and vertical migration into groundwater; and
- P6: Contact with terrestrial ecology.

Summary of Potentially Complete Exposure Pathways

A ‘source - pathway - receptor’ approach has been used to assess the potential risks of harm being caused to human or environmental receptors from contamination sources on or in the vicinity of the site, via exposure pathways (potential complete pathways). The possible pathways between the above sources (S1 to S3) and receptors (R1 to R4) are provided in below Table 3.

Table 3: Summary of Potentially Complete Exposure Pathways

Source and COPC	Transport Pathway	Receptor	Risk Management Action
S1: Fill, Metals, TRH, BTEX, PAH, OCP and asbestos S2: Former buildings, asbestos, SMF, lead (in paint) and PCB S3: Storage of hazardous chemicals, metals, VOCs, TRH, BTEX and phenols	P1: Ingestion and dermal contact P2: Inhalation of dust and / or vapours P3: Surface water run-off P4: Lateral migration of groundwater providing base flow to water bodies P5: Leaching of contaminants and vertical migration into groundwater P6: Contact with terrestrial ecology	R1: Current users [commercial / retail land use] R2: Construction and maintenance workers R3: End users [commercial / retail land use] R4: Adjacent site users [commercial / retail land use].	An intrusive investigation is recommended to assess the presence or otherwise of the identified potential sources and / or the associated contaminants, including testing of the soils and, if necessary, groundwater.

9. Conclusions and Recommendations

9.1 General

The site history information suggests that the site has been utilised predominantly for retail and commercial purposes, and potentially residential prior. Potential sources of contamination identified in this desktop investigation include imported fill for levelling (likely to be shallow if any), storage of hazardous chemicals (e.g., above ground fuel tank, cleaning products), and past and present building materials (including reported hazardous materials such as asbestos).

9.2 Recommendations

Based on the findings of this desktop investigation, it is considered that the site can be made suitable for the proposed development (planning proposal) subject to the following:

- **Hazardous Building Materials -** Removal of Hazardous Building Material (HBM) as per the Hazardous Materials Management Plan and Register by Dexus Property Group;
- **Soil and Groundwater Investigation -** As the current assessment was limited to desktop study and site walkover only, a conclusive statement on the contamination status of the soil and groundwater cannot be provided in the absence of quantitative data. Therefore, a detailed site investigation is recommended to assess the potential contamination status of soil and groundwater within the site; and

- **Waste Classification** - Any material requiring disposal offsite (either as a result of surplus or assessed to be unsuitable), should be waste classified in accordance with reference to the *Waste Classification Guidelines, Part 1: Classifying Waste* (NSW EPA, 2014) and disposed off-site to a suitably licensed landfill.

10. References

NEPC. (2013). *National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013) [NEPM].* Australian Government Publishing Services Canberra: National Environment Protection Council.

NSW EPA. (2014). *Waste Classification Guidelines, Part 1: Classifying Waste.* NSW Environment Protection Authority.

NSW EPA. (2020). *Guidelines for Consultants Reporting on Contaminated Land.* Contaminated Land Guidelines: NSW Environment Protection Authority.

11. Limitations

Douglas Partners (DP) has prepared this report (or services) for this project at 383 Kent Street, Sydney in accordance with DP's proposal dated 2 September 2022 and acceptance received from Sharan Saini of Touchstone Partners Pty Ltd. The work was carried out under DP's Conditions of Engagement. This report is provided for the exclusive use of Charter Hall Holdings Pty Ltd for this project only and for the purposes as described in the report. It should not be used by or relied upon for other projects or purposes on the same or other site or by a third party. Any party so relying upon this report beyond its exclusive use and purpose as stated above, and without the express written consent of DP, does so entirely at its own risk and without recourse to DP for any loss or damage. In preparing this report DP has necessarily relied upon information provided by the client and / or their agents.

The results provided in the report are indicative of the sub-surface conditions on the site only at the specific sampling and / or testing locations, and then only to the depths investigated and at the time the work was carried out. Sub-surface conditions can change abruptly due to variable geological processes and also as a result of human influences. Such changes may occur after DP's field testing has been completed.

DP's advice is based upon the conditions encountered during this investigation. The accuracy of the advice provided by DP in this report may be affected by undetected variations in ground conditions across the site between and beyond the sampling and / or testing locations. The advice may also be limited by budget constraints imposed by others or by site accessibility.

The assessment of atypical safety hazards arising from this advice is restricted to the (geotechnical / environmental / groundwater) components set out in this report and based on known project conditions and stated design advice and assumptions. While some recommendations for safe controls may be provided, detailed 'safety in design' assessment is outside the current scope of this report and requires additional project data and assessment.

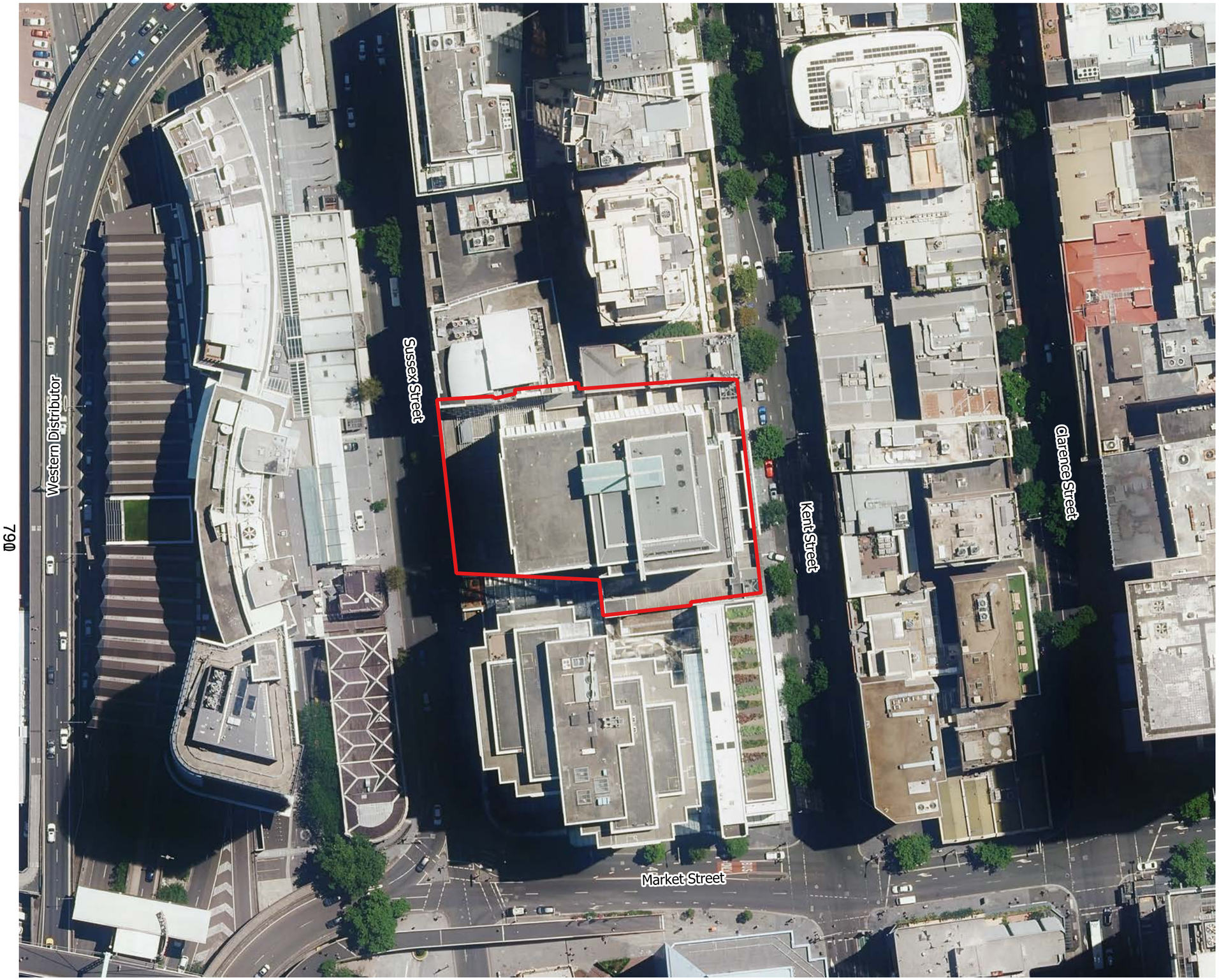
This report must be read in conjunction with all of the attached and should be kept in its entirety without separation of individual pages or sections. DP cannot be held responsible for interpretations or conclusions made by others unless they are supported by an expressed statement, interpretation, outcome or conclusion stated in this report.

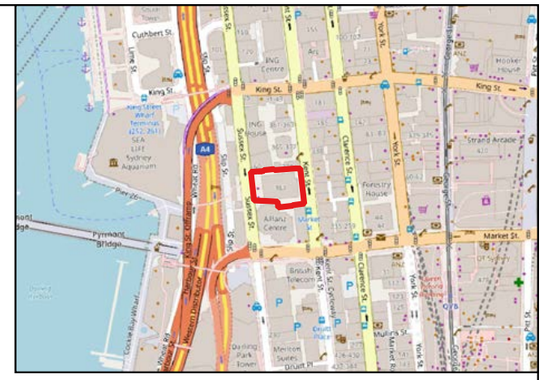
This report, or sections from this report, should not be used as part of a specification for a project, without review and agreement by DP. This is because this report has been written as advice and opinion rather than instructions for construction.

Douglas Partners Pty Ltd

Appendix A

Drawings





LOCALITY MAP

Notes:
1. Basemap from metromap.com

Legend

Site Boundary

15 0 15 30 45 m

Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Charter Hall Holdings Pty Ltd	TITLE: **Site Layout**	PROJECT No: 217267.01
	OFFICE: Sydney / DRAWN BY: SR	**Proposed Commercial Development**	DRAWING No: 1
	SCALE: 1:950 @ A3 / DATE: 18.01.2023	**383 Kent Street, Sydney NSW**	REVISION: 0

Appendix B

About this Report

Architectural Drawings

About this Report

Douglas Partners

Introduction

These notes have been provided to amplify DP's report in regard to classification methods, field procedures and the comments section. Not all are necessarily relevant to all reports.

DP's reports are based on information gained from limited subsurface excavations and sampling, supplemented by knowledge of local geology and experience. For this reason, they must be regarded as interpretive rather than factual documents, limited to some extent by the scope of information on which they rely.

Copyright

This report is the property of Douglas Partners Pty Ltd. The report may only be used for the purpose for which it was commissioned and in accordance with the Conditions of Engagement for the commission supplied at the time of proposal. Unauthorised use of this report in any form whatsoever is prohibited.

Borehole and Test Pit Logs

The borehole and test pit logs presented in this report are an engineering and/or geological interpretation of the subsurface conditions, and their reliability will depend to some extent on frequency of sampling and the method of drilling or excavation. Ideally, continuous undisturbed sampling or core drilling will provide the most reliable assessment, but this is not always practicable or possible to justify on economic grounds. In any case the boreholes and test pits represent only a very small sample of the total subsurface profile.

Interpretation of the information and its application to design and construction should therefore take into account the spacing of boreholes or pits, the frequency of sampling, and the possibility of other than 'straight line' variations between the test locations.

Groundwater

Where groundwater levels are measured in boreholes there are several potential problems, namely:

- In low permeability soils groundwater may enter the hole very slowly or perhaps not at all during the time the hole is left open;
- A localised, perched water table may lead to an erroneous indication of the true water table;
- Water table levels will vary from time to time with seasons or recent weather changes. They may not be the same at the time of construction as are indicated in the report; and
- The use of water or mud as a drilling fluid will mask any groundwater inflow. Water has to be blown out of the hole and drilling mud must first be washed out of the hole if water measurements are to be made.

More reliable measurements can be made by installing standpipes which are read at intervals over several days, or perhaps weeks for low permeability soils. Piezometers, sealed in a particular stratum, may be advisable in low permeability soils or where there may be interference from a perched water table.

Reports

The report has been prepared by qualified personnel, is based on the information obtained from field and laboratory testing, and has been undertaken to current engineering standards of interpretation and analysis. Where the report has been prepared for a specific design proposal, the information and interpretation may not be relevant if the design proposal is changed. If this happens, DP will be pleased to review the report and the sufficiency of the investigation work.

Every care is taken with the report as it relates to interpretation of subsurface conditions, discussion of geotechnical and environmental aspects, and recommendations or suggestions for design and construction. However, DP cannot always anticipate or assume responsibility for:

- Unexpected variations in ground conditions. The potential for this will depend partly on borehole or pit spacing and sampling frequency;
- Changes in policy or interpretations of policy by statutory authorities; or
- The actions of contractors responding to commercial pressures.

If these occur, DP will be pleased to assist with investigations or advice to resolve the matter.

About this Report

Site Anomalies

In the event that conditions encountered on site during construction appear to vary from those which were expected from the information contained in the report, DP requests that it be immediately notified. Most problems are much more readily resolved when conditions are exposed rather than at some later stage, well after the event.

Information for Contractual Purposes

Where information obtained from this report is provided for tendering purposes, it is recommended that all information, including the written report and discussion, be made available. In circumstances where the discussion or comments section is not relevant to the contractual situation, it may be appropriate to prepare a specially edited document. DP would be pleased to assist in this regard and/or to make additional report copies available for contract purposes at a nominal charge.

Site Inspection

The company will always be pleased to provide engineering inspection services for geotechnical and environmental aspects of work to which this report is related. This could range from a site visit to confirm that conditions exposed are as expected, to full time engineering presence on site.

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796

Retail 20 m²
Retail 30 m²
Retail 88 m²
Rollershutter
SHARED
Waste & Storage 196 m²
Water Meter Room 72 m²
Fiire Pump Room 54 m²
Core
EOT 794 m²
Sussex Street
Colonnade
Kent Street
CBD Rail Link - Type 2 / 3 protection zone
CBD Rail Link - Type 1 protection zone

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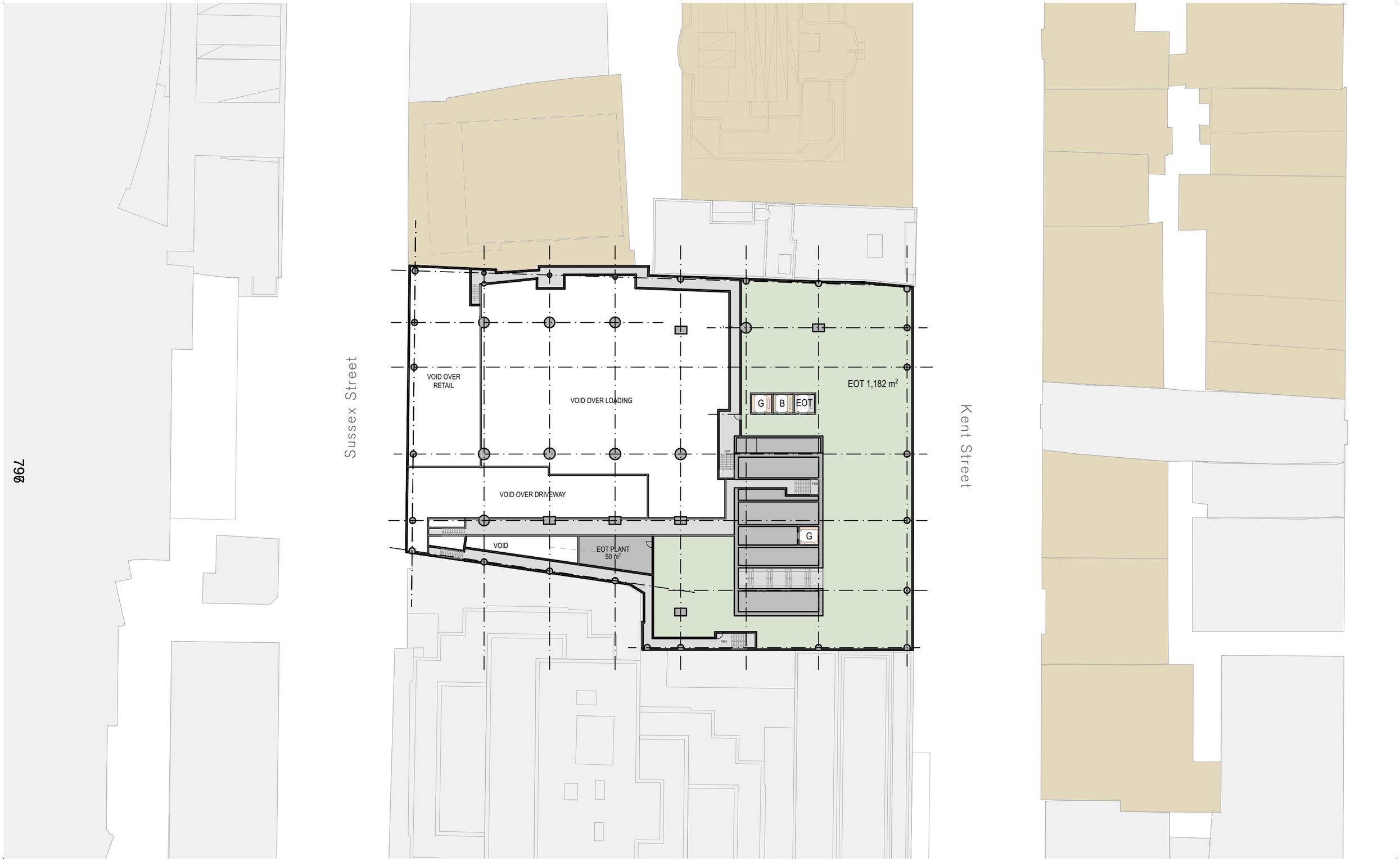

fjmt

Sussex St Mezzanine - EOT

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

6/7/23

Work In Progress

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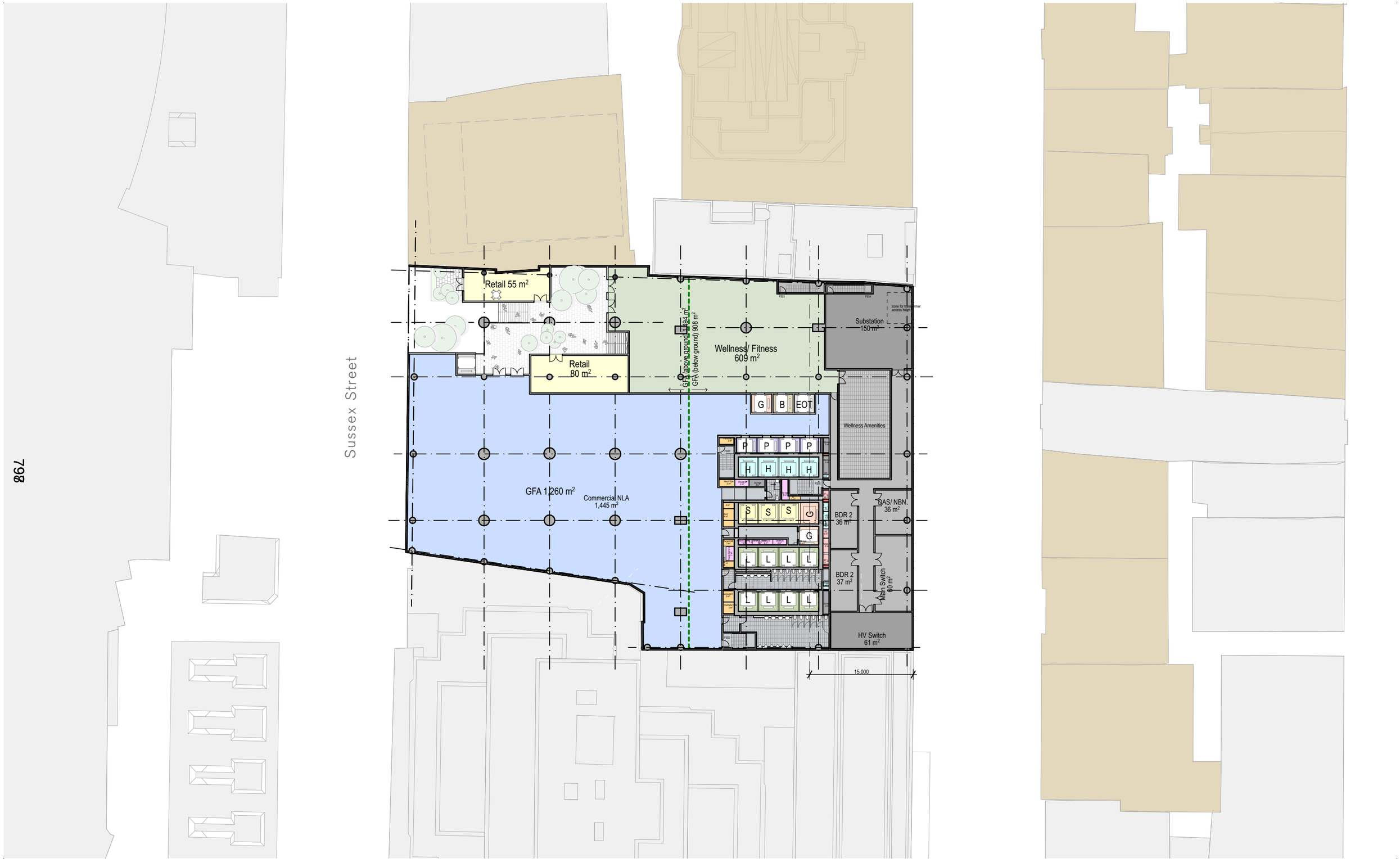

fjmt

Lower GL - Commercial/ EOT/ Plant

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

6/7/23

Work In Progress

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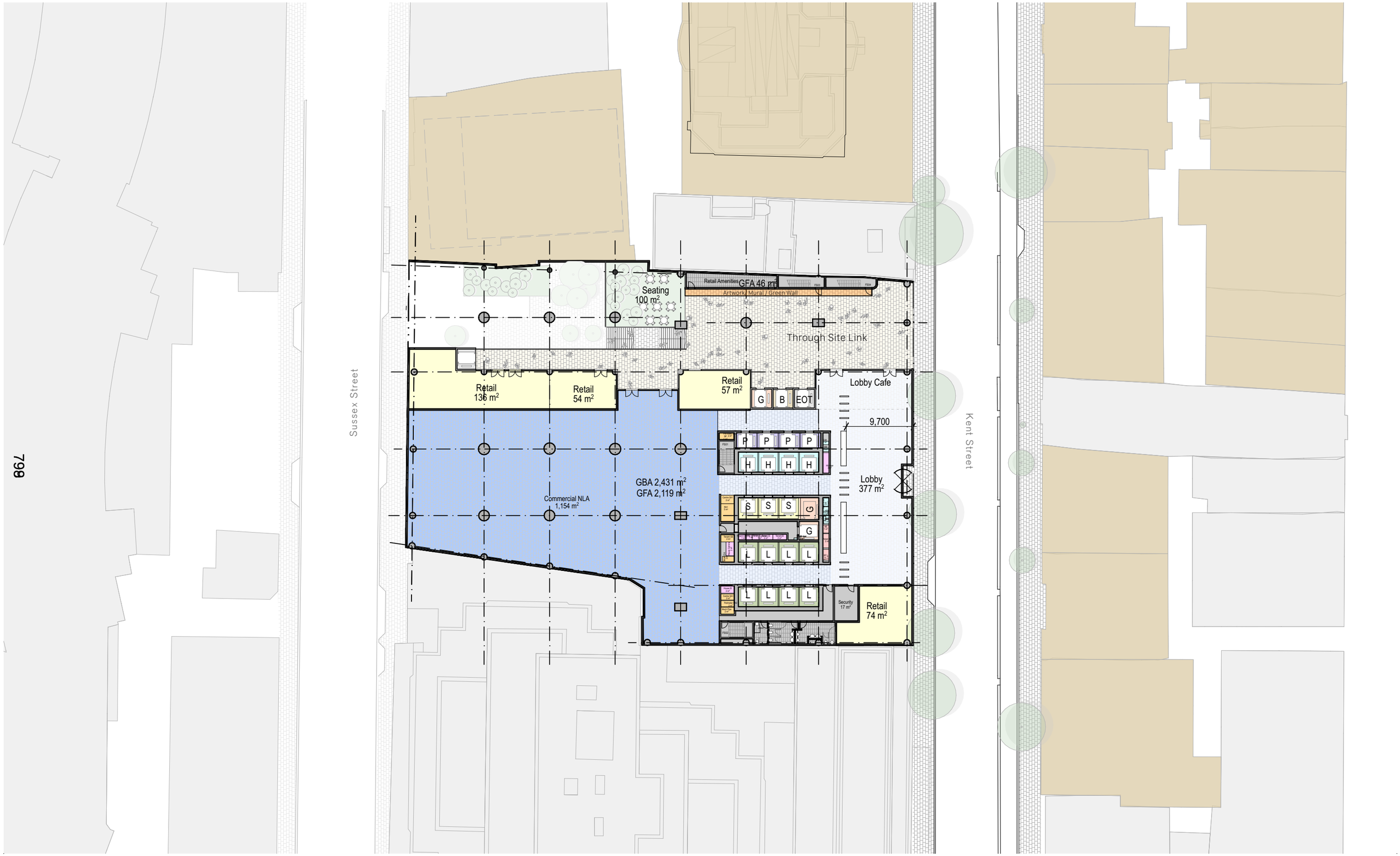

fjmt

Kent St GL - Lobby/ Retail/ Commercial

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

6/7/23

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fjmt

L1 Podium - Commercial

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

6/7/23

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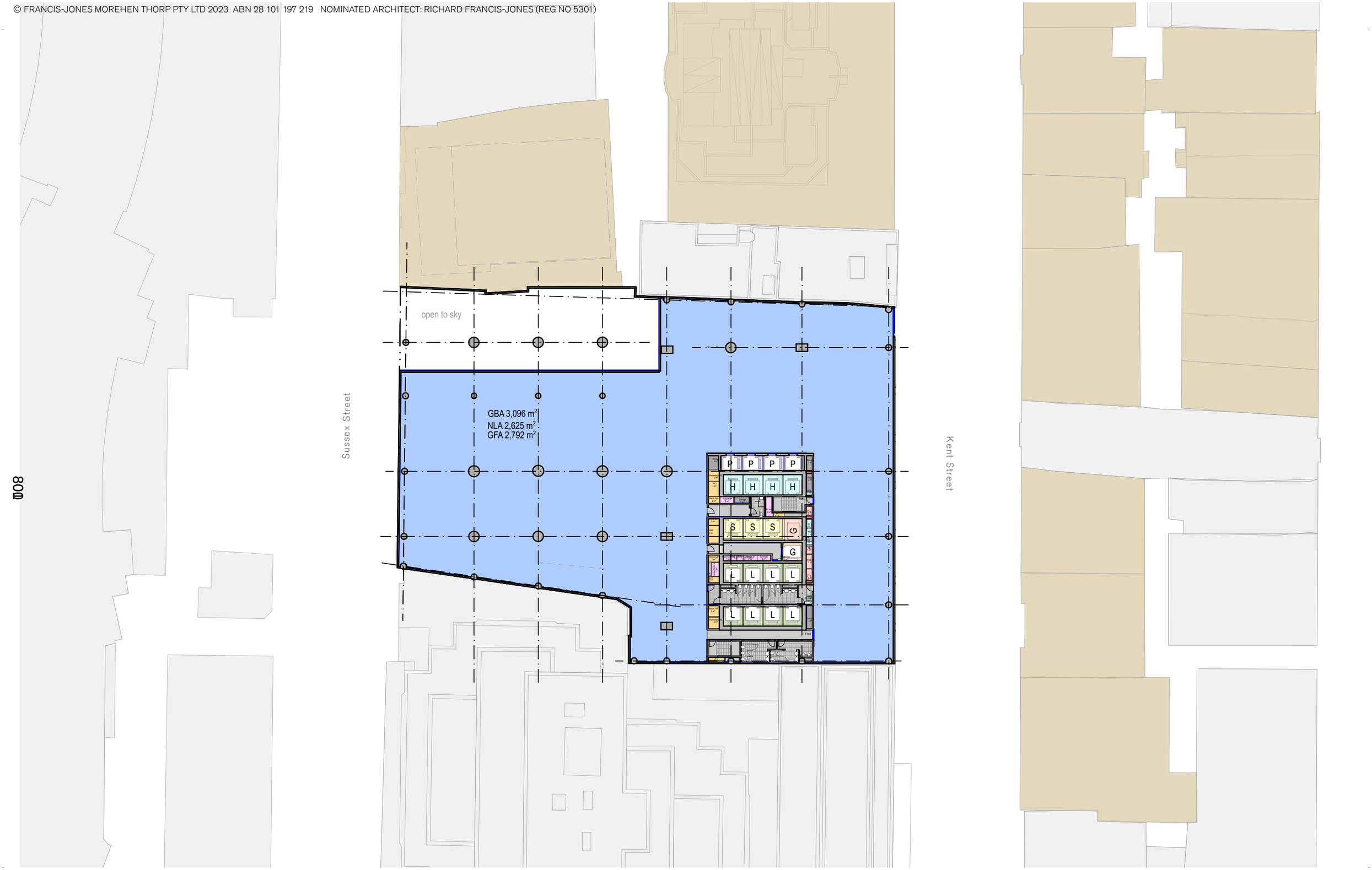

fjmt

L2 Podium - Commercial

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

6/7/23

Work In Progress

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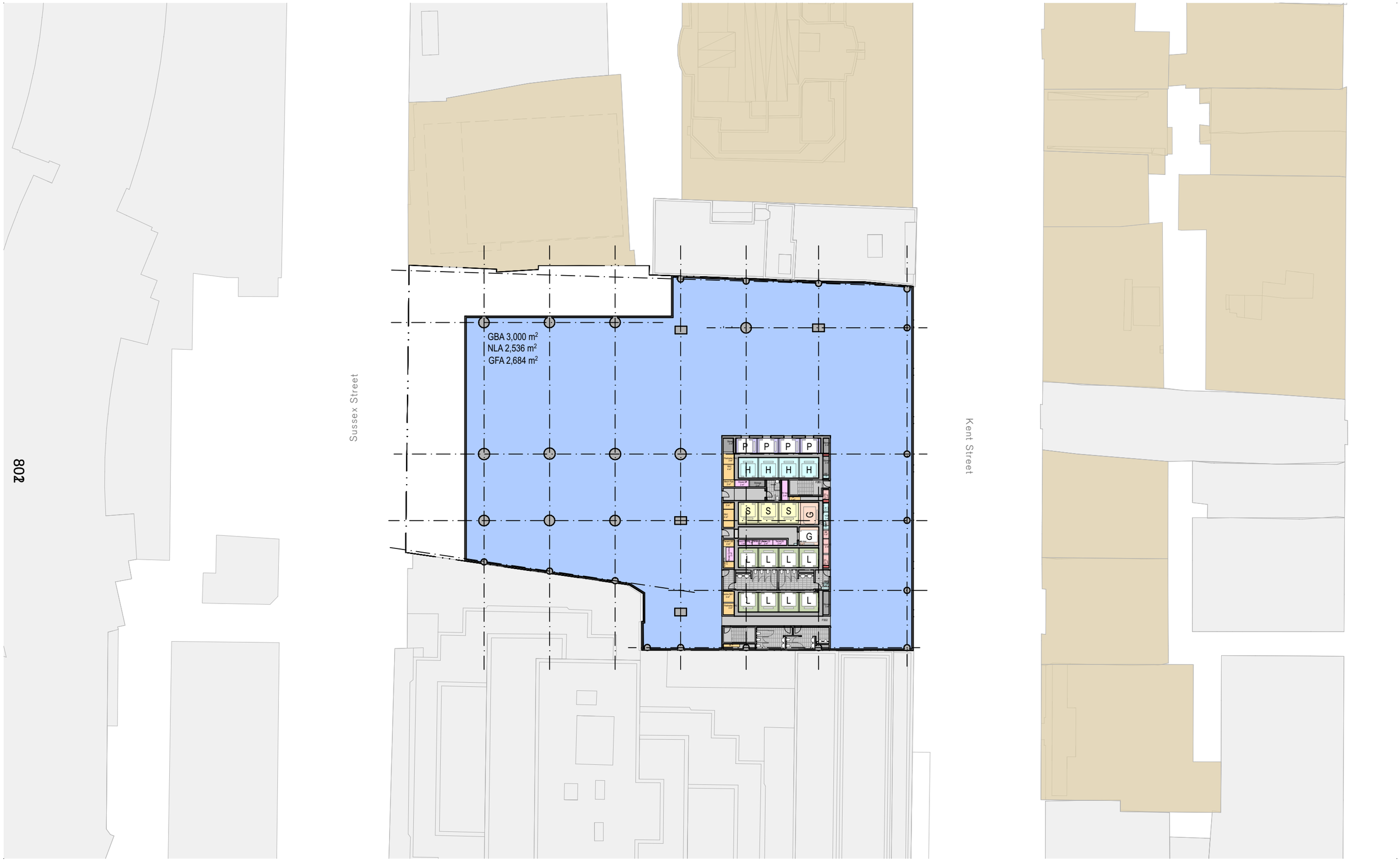

fjmt

L3-5 Podium - Commercial

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

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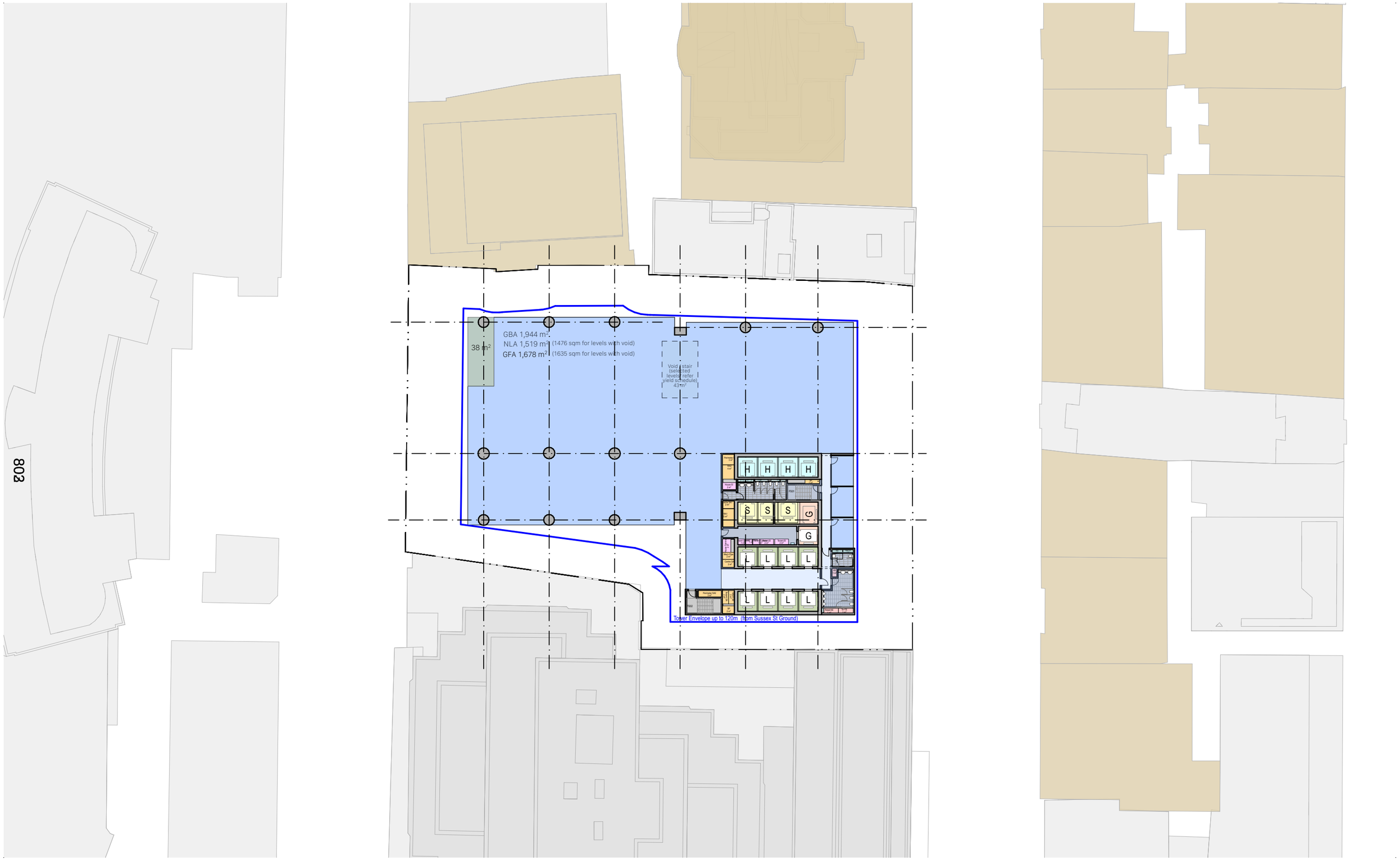

fjmt

Typical Low Rise

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

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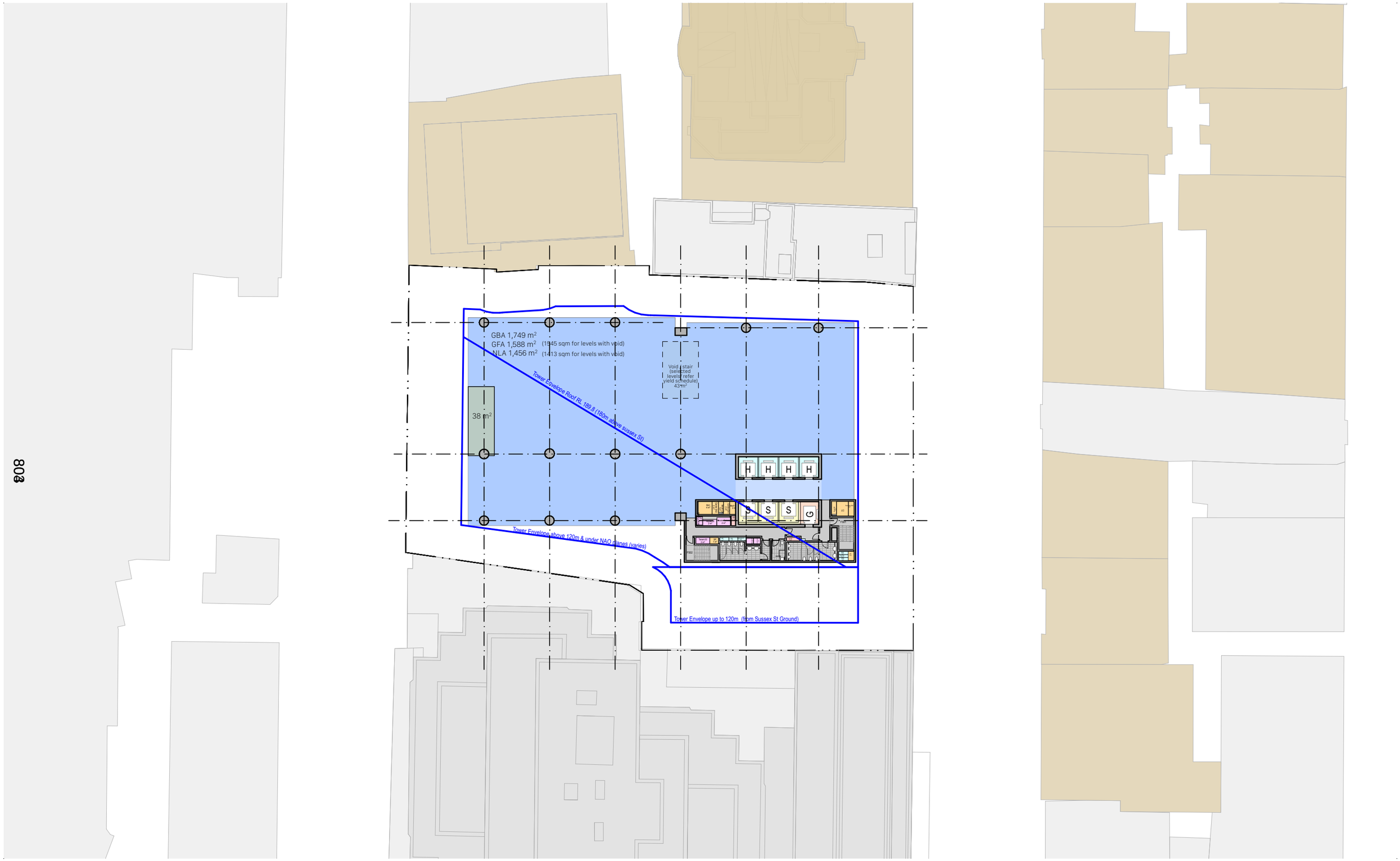

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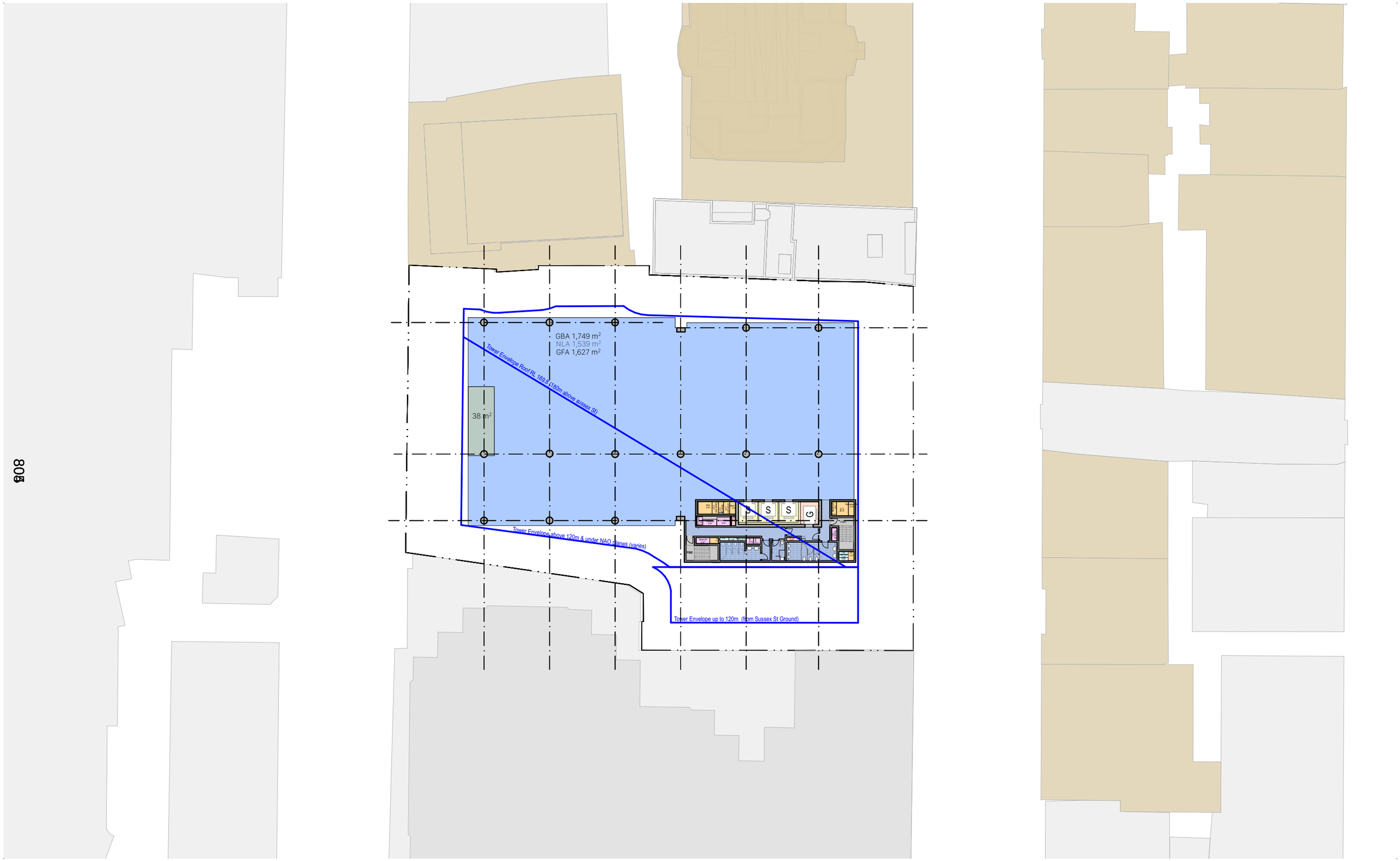

fjmt

High Rise - Level 36

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

6/7/23

Work In Progress

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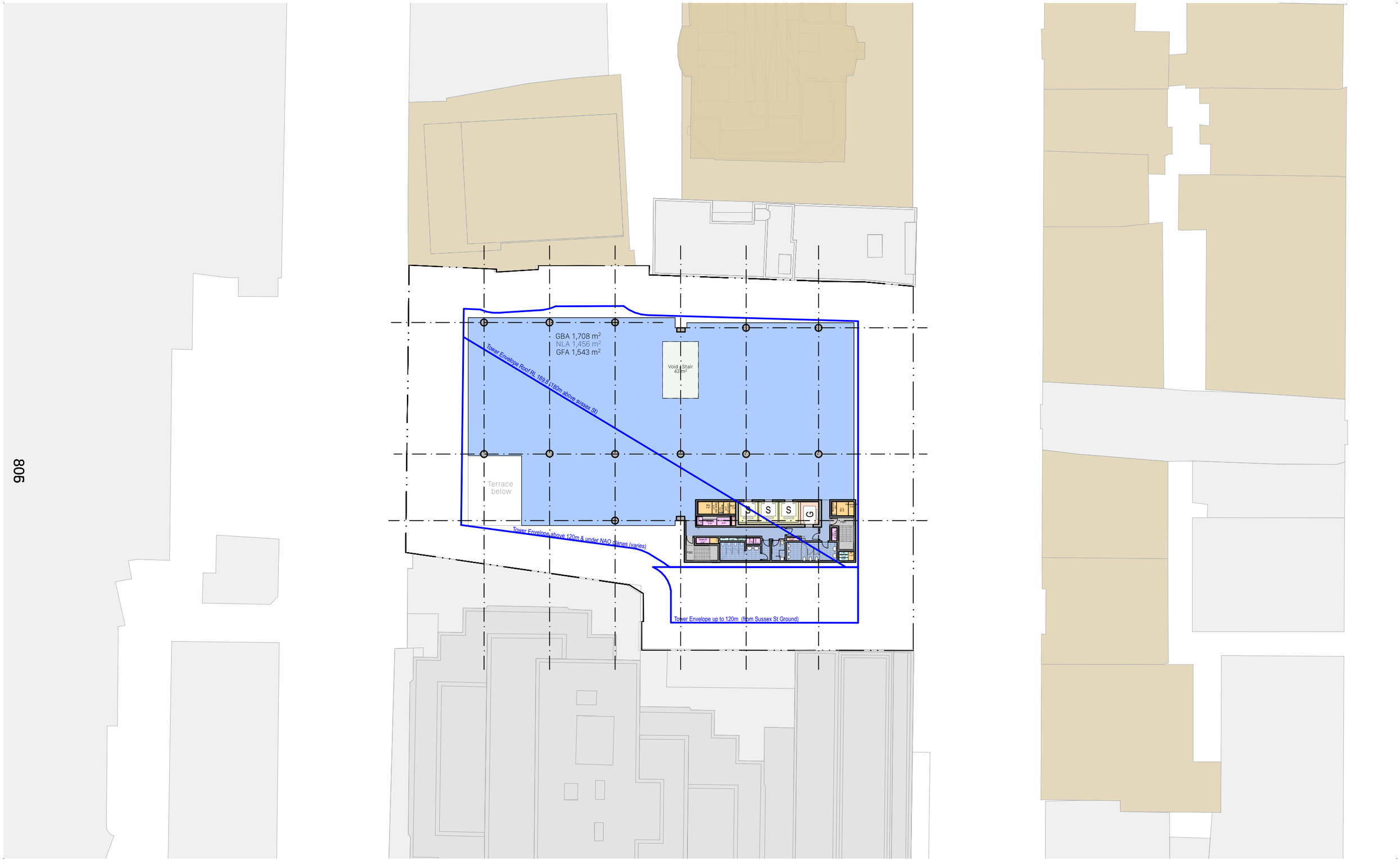

fjmt

High Rise - Level 37

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

6/7/23

Work In Progress

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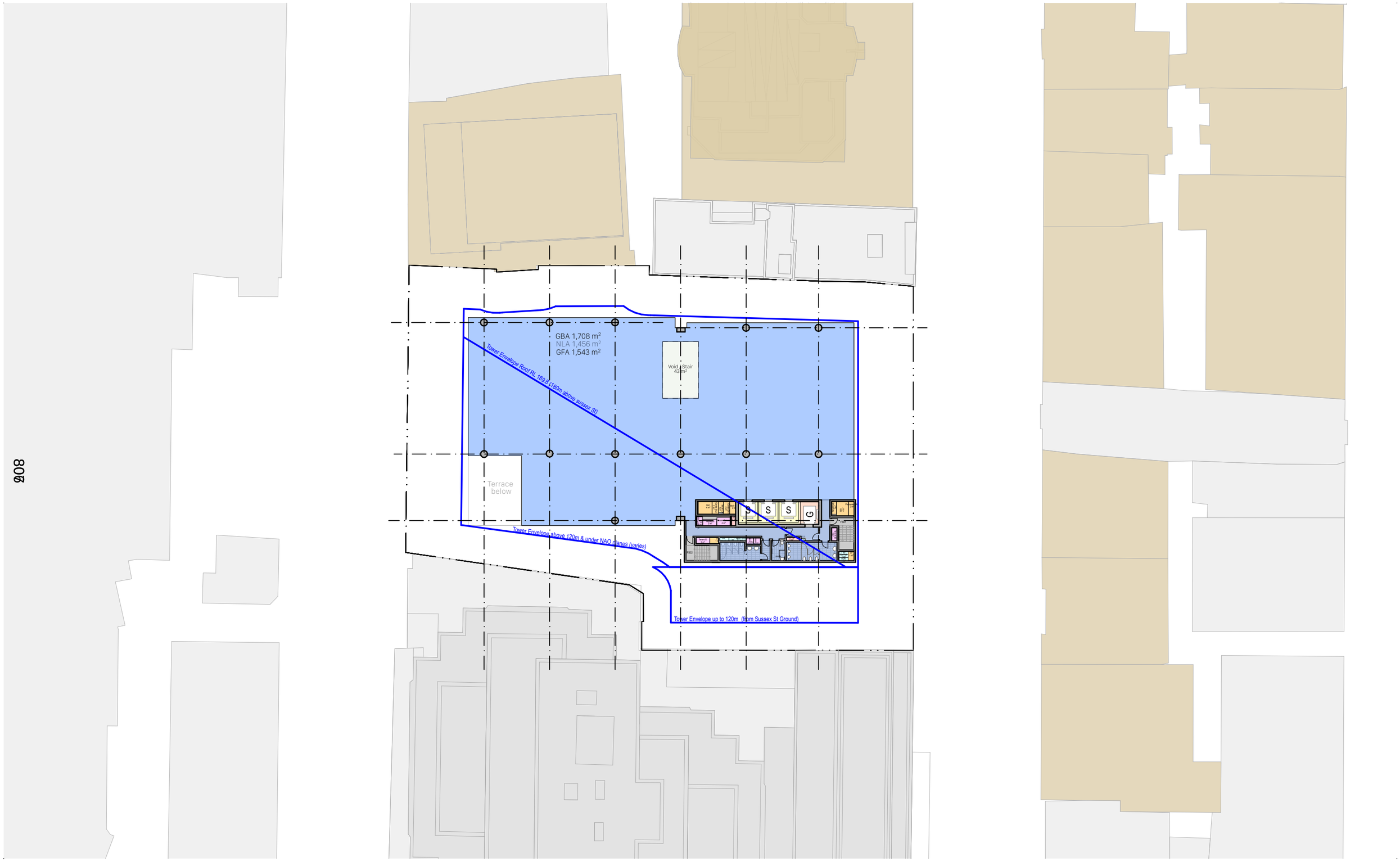

fjmt

High Rise - Level 38

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

6/7/23

Work In Progress

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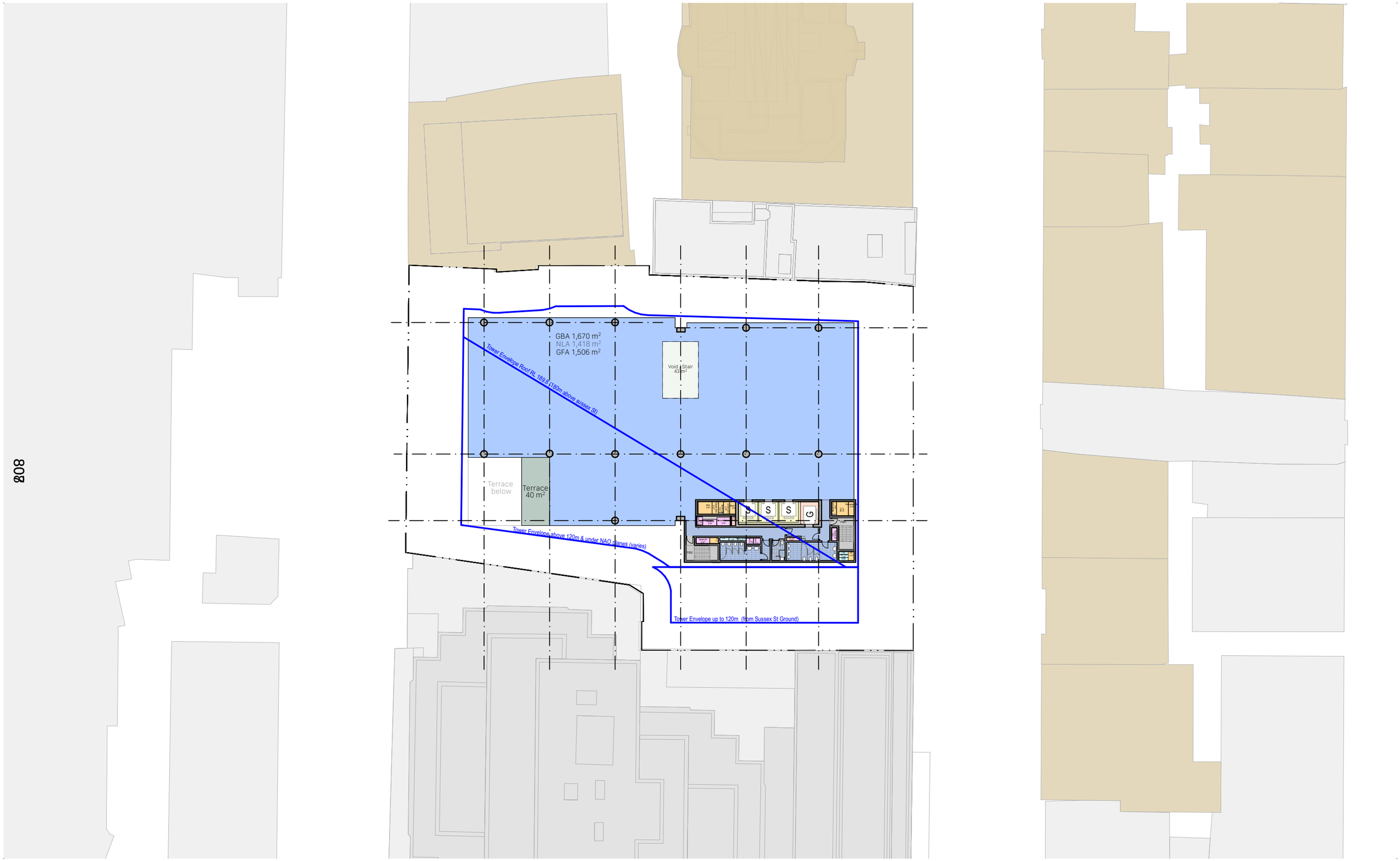

fjmt

High Rise - Level 39

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

10/7/2023

Work In Progress

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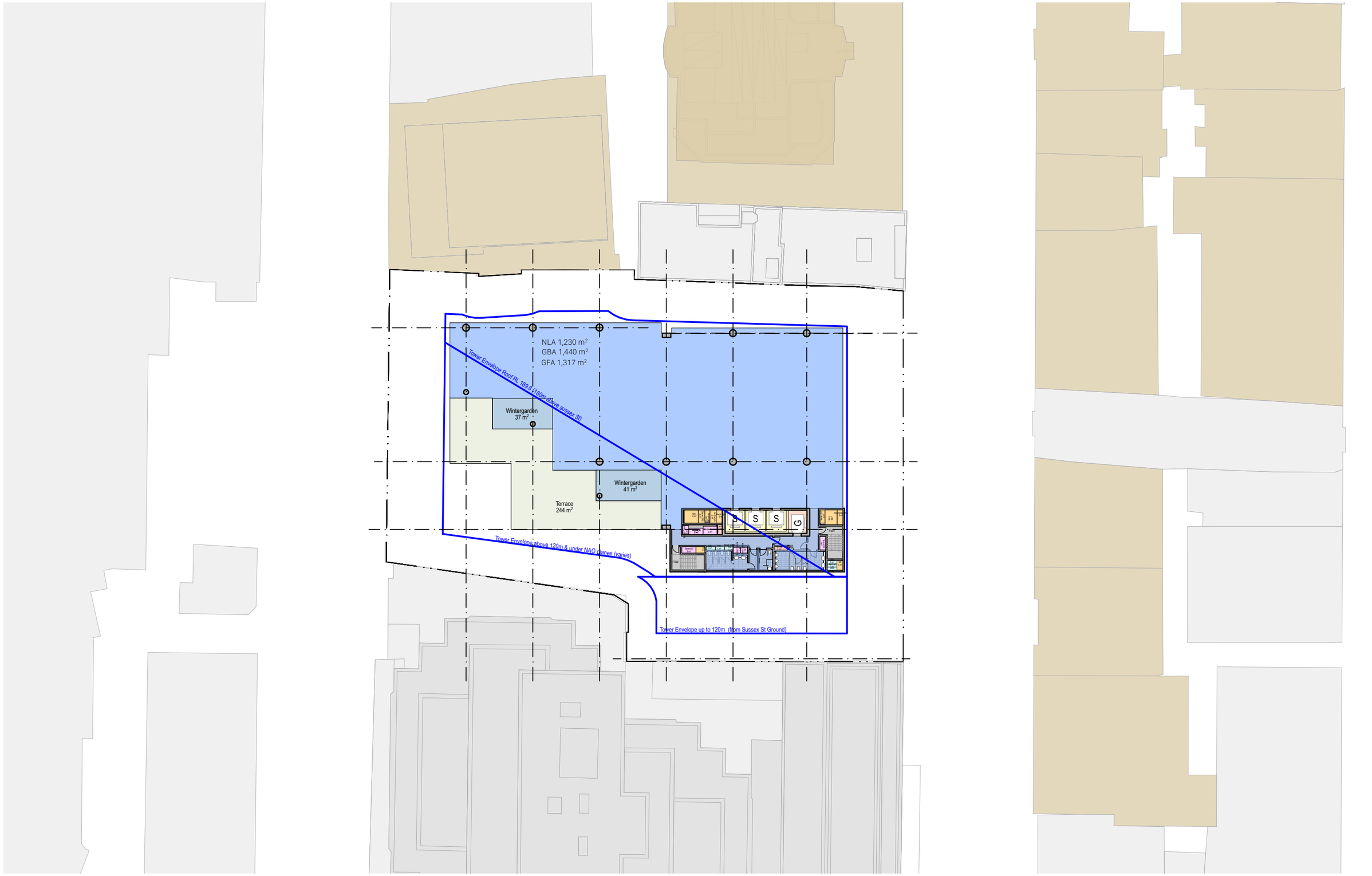
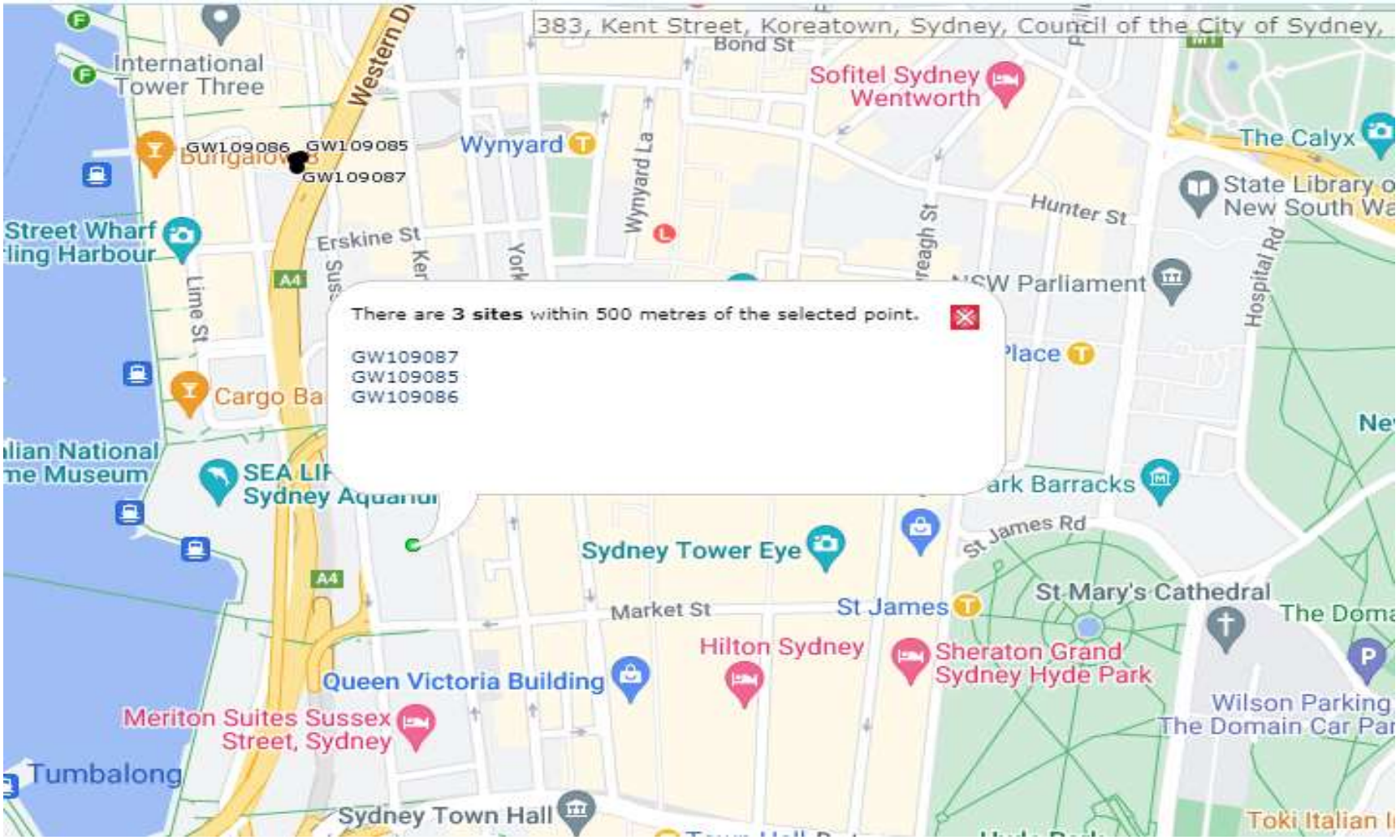


Appendix C

Groundwater Data Report



Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Charter Hall Pty Ltd	**Registered Groundwater Bores**	PROJECT No: 217267.01
	OFFICE: Sydney	**Proposed Commercial Development**	DWG No: 2
	DATE: 17 Jan 2023	**383 Kent Street, Sydney**	REVISION: 0

NSW OFFICE OF WATER
Work Summary

GW109085

Licence : 10BL602334
Licence Status Active
Authorised Purpose(s) MONITORING BORE
Intended Purpose(s) MONITORING BORE
Work Type : Bore
Work Status :
Construct. Method :
Owner Type : Other Govt

Commenced Date :
Completion Date : 22-Jul-2008
Final Depth : 5.68 m
Drilled Depth : 5.68 m

Contractor Name : CH2MHILL
Driller : 400 UNKNOWN, Unkown
Assistant Driller's Name :

Property : - SYDNEY WATER
GWMA : -
GW Zone : -
Standing Water Level :
Salinity :
Yield :

Site Details

Site Chosen By	County	Parish	Portion/Lot DP
Form A :	CUMBERLAND	ST PHILIP	1//87659
Licensed :	CUMBERLAND	ST PHILIP	1 87659

Region : 10 - SYDNEY SOUTH COAST
River Basin :
Area / District :
CMA Map :
Grid Zone :
Scale :

Elevation :
Elevation Source :
Northing : 6251263
Easting : 333786
Latitude (S) : 33° 51' 57"
Longitude (E) : 151° 12' 11"

GS Map :
MGA Zone : 56
Coordinate Source :

Construction

Negative depths indicate Above Ground Level;

H-Hole;P-Pipe;OD-Outside Diameter;ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity;PL-Placement of Gravel Pack;PC-Pressure Cemented;S-Sump;CE-Centralisers

H	P	Component	Type	From (m)	To (m)	OD (mm)	ID (mm)	Interval	Details
1		Hole	Hole	0.00	5.68	120			
1	1	Casing	P.V.C.	0.00	3.20	40			

Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)

(No Water Bearing Zone Details Found)

Drillers Log

From (m)	To (m)	Thickness(m)	Drillers Description	Geological Material	Comments
0.00	1.30	1.30	FILL,SILTY SAND MEDIUM TO COARSE	Fill	
1.30	2.10	0.80	FILL,SILT SAND CLAY MIXTURE	Fill	
2.10	2.20	0.10	FILL, SHINY GRAVEL ,BLACK SILT	Fill	
2.20	3.10	0.90	FILL,SILTY SAND BROWN RED	Fill	
3.10	4.00	0.90	FILL CLAY,GREY,BROWN,MOIST	Fill	
4.00	5.68	1.68	SAND,FINE TO MEDIUM	Sand	

Remarks

***** End of GW109085 *****

Warning To Clients: This raw data has been supplied to the Department of Land and Water Conservation (DLWC) by drillers, licensees and other sources. The DLWC does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in interpreting and using this data.

NSW OFFICE OF WATER
Work Summary

GW109086

Licence : 10BL602334
Licence Status Active
Authorised Purpose(s) MONITORING BORE
Intended Purpose(s) MONITORING BORE
Work Type : Bore
Work Status :
Construct. Method :
Owner Type : Other Govt

Commenced Date :
Completion Date : 22-Jul-2008
Final Depth : 5.68 m
Drilled Depth : 5.68 m

Contractor Name : CH2MHILL
Driller : 400 UNKNOWN, Unkown
Assistant Driller's Name :

Property : - SYDNEY WATER
GWMA : -
GW Zone : -
Standing Water Level :
Salinity :
Yield :

Site Details

Site Chosen By

	County	Parish	Portion/Lot DP
Form A :	CUMBERLAND	ST PHILIP	1//87659
Licensed :	CUMBERLAND	ST PHILIP	1 87659

Region : 10 - SYDNEY SOUTH COAST
River Basin :
Area / District :
CMA Map :
Grid Zone :
Scale :

Elevation :
Elevation Source :
Northing : 6251262
Easting : 333781
Latitude (S) : 33° 51' 57"
Longitude (E) : 151° 12' 11"

GS Map :
MGA Zone : 56
Coordinate Source :

Construction

Negative depths indicate Above Ground Level;

H-Hole;P-Pipe;OD-Outside Diameter;ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity;PL-Placement of Gravel Pack;PC-Pressure Cemented;S-Sump;CE-Centralisers

H	P	Component	Type	From (m)	To (m)	OD (mm)	ID (mm)	Interval	Details
1		Hole	Hole	0.00	5.80	120			
1	1	Casing	P.V.C.	0.00	3.20	40			

Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)

(No Water Bearing Zone Details Found)

Drillers Log

From (m)	To (m)	Thickness(m)	Drillers Description	Geological Material	Comments
0.00	0.50	0.50	FILL,MEDIUM TO COARSE	Fill	
0.50	1.00	0.50	FILL,SILTY SAND	Fill	
1.00	1.80	0.80	FILL,CLAYEY SAND FINE GRAINED	Fill	
1.80	2.00	0.20	FILL,GRAVELLY SAND	Fill	
2.00	3.20	1.20	FILL,SAND WITH SOME SILT	Fill	
3.20	3.80	0.60	FILL SILTY SAND	Fill	
3.80	4.50	0.70	FILL CLAY SILT SAND MIXTURE	Fill	
4.50	5.68	1.18	SAND,FINE TO MEDIUM GRAINED	Sand	

Remarks

***** End of GW109086 *****

Warning To Clients: This raw data has been supplied to the Department of Land and Water Conservation (DLWC) by drillers, licensees and other sources. The DLWC does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in interpreting and using this data.

NSW OFFICE OF WATER
Work Summary

GW109087

Licence : 10BL602334
Licence Status Active
Authorised Purpose(s) MONITORING BORE
Intended Purpose(s) MONITORING BORE
Work Type : Bore
Work Status :
Construct. Method :
Owner Type : Other Govt

Commenced Date :
Completion Date : 22-Jul-2008
Final Depth : 8.50 m
Drilled Depth : 8.50 m

Contractor Name : CH2MHILL
Driller : 400 UNKNOWN, Unkown
Assistant Driller's Name :

Property : - SYDNEY WATER
GWMA : -
GW Zone : -
Standing Water Level :
Salinity :
Yield :

Site Details

Site Chosen By

	County	Parish	Portion/Lot DP
Form A :	CUMBERLAND	ST PHILIP	1//87659
Licensed :	CUMBERLAND	ST PHILIP	1 87659

Region : 10 - SYDNEY SOUTH COAST
River Basin :
Area / District :
CMA Map :
Grid Zone :
Scale :

Elevation :
Elevation Source :
Northing : 6251252
Easting : 333783
Latitude (S) : 33° 51' 57"
Longitude (E) : 151° 12' 11"

GS Map :
MGA Zone : 56
Coordinate Source :

Construction

Negative depths indicate Above Ground Level;

H-Hole;P-Pipe;OD-Outside Diameter;ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity;PL-Placement of Gravel Pack;PC-Pressure Cemented;S-Sump;CE-Centralisers

H	P	Component	Type	From (m)	To (m)	OD (mm)	ID (mm)	Interval	Details
1		Hole	Hole	0.00	8.50	120			
1	1	Casing	P.V.C.	0.00	3.20	40			

Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)

(No Water Bearing Zone Details Found)

Drillers Log

From (m)	To (m)	Thickness(m	Drillers Description	Geological Material	Comments
0.00	1.00	1.00	FILL,CLAY MIXED WITH COARSE GRAVEL	Fill	
1.00	1.50	0.50	FILL SAND MEDIUM GRAINED	Fill	
1.50	2.20	0.70	FILL,SILTY SAND,MOIST,FIRM WITH GRAVEL	Fill	
2.20	3.50	1.30	FILL,SAND MEDIUM GRAINED,GREY/BROWN	Fill	
3.50	4.00	0.50	FILL,SILTY SAND,MOIST,LOOSE TO FIRM	Fill	
4.00	4.50	0.50	FILL,CRUSHED SANDSTONE	Fill	
4.50	5.90	1.40	SAND MEDIUM TO FINE ,SILT BROWN,CLAY	Invalid Code	
5.90	7.00	1.10	CLAY,HIGH PLASTICITY,WET,SHELLS	Clay	
7.00	8.50	1.50	SAND,FINE TO MEDIUM GRAINED,BEIGE	Sand	

Remarks

***** End of GW109087 *****

Warning To Clients: This raw data has been supplied to the Department of Land and Water Conservation (DLWC) by drillers, licensees and other sources. The DLWC does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in interpreting and using this data.

Appendix D

Title Deeds

Historical Aerial Photographs

Public Registers Search Results

Planning Records

Informal Access to Council Information

Cadastral Records Enquiry Report : Lot 1 DP 778342

Locality : SYDNEY
Parish : ST ANDREW
LGA : SYDNEY
County : CUMBERLAND



Copyright © Crown in right of New South Wales, 2017

This information is provided as a searching aid only.Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For ALL ACTIVITY PRIOR TO SEPTEMBER 2002 you must refer to the RGs Charting and Reference Maps

Req:R752799 /Doc:DP 0778342 P /Rev:29-Jun-1992 /NSW LRS /Pgs:ALL /Prt:15-No
© Office of the Registrar-General /Src:InfoTrack /Ref:383 Kent Street, Sydney

PLAN FORM 2

Plan Drawing only to appear in this space

*OFFICE USE ONLY

DP 778342

Registered: 22-12-1988

C.A.: 13/88 OF 30-3-1988

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: CITY SECTION 29#,

Last Plan: DP68175, DP76603, DP57614, DP167779, DP499817, DP593439, DP621905, DP61551 DP700398

PLAN OF SUBDIVISION OF LOT 1 IN DP499817 AND CONSOLIDATION OF PT. LOT 1 IN DP499817, DP 57614, LOT 26 IN DP61551, DP 78151, LOT 28 IN DP76603, LOT 1 IN DP 700398, LOT 1 IN DP167779, LOT 2 IN DP 68175, LOT 1 IN DP 593439 & LOT 10 IN DP621905.

Reduction Ratio 1: 400
Lengths are in metres.

~~Muni/Shire~~ City: SYDNEY

Locality: SYDNEY

Parish: ST. ANDREW

County: CUMBERLAND

This is sheet 1 of my plan in sheets. (Delete if inapplicable).

I, MICHAEL ANTHONY CONROY of AUSTIN SWAN CONROY PTY LTD of ...DX 11245 BANKSTOWN... a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that the survey represented in this plan [WAS / BEEN PARTLY COMPILED FROM X / Y] FROM DP 499817 is accurate and has been made [by me / by me or under my immediate supervision] in accordance with the Survey Practice Regulations, 1933, and was completed on ? 22 ND JULY 1987

Signature Michael A Conroy

Surveyor registered under Surveyors Act, 1929, as amended. Datum Line of Azimuth: A - B
*Strike out either (1) or (2). †Insert date of survey.

Panel for use only for statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to user.

THE LAND MARKED ROAD WIDENING IS HEREBY DEDICATED TO THE PUBLIC AS ROAD.

PURSUANT TO SEC. 88B OF THE CONVEYANCING ACT, 1919, IT IS INTENDED TO CREATE, IN THE TERMS OF THE ACCOMPANYING INSTRUMENT :

1. EASEMENT FOR SUPPORT, VARIABLE WIDTH.

Signatures and seals only.

THE COMMON SEAL of IMMER No. 143 PTY. LIMITED was hereunto affixed in accordance with the Articles of Association of the presence of

IMMER (No.143) PTY. LIMITED

PERMANENT TRUSTEE AUSTRALIA LIMITED by its duly authorised signatory

COUNCIL CONSENT TO STREET DEFINITIONS FURNISHED

Council Clerk's Certificate

I hereby certify that –

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

*(b) the requirements of section 348 of the †Metropolitan Water, Sewerage and Drainage Act, 1924, as amended. ~~†Hunter District Water, Sewerage and Drainage Act, 1938, as amended.~~

have been complied with by the applicant in relation to the proposed subdivision (Insert "new road", "subdivision" or "consolidated lot") set out hereon

Subdivision No. 13/88

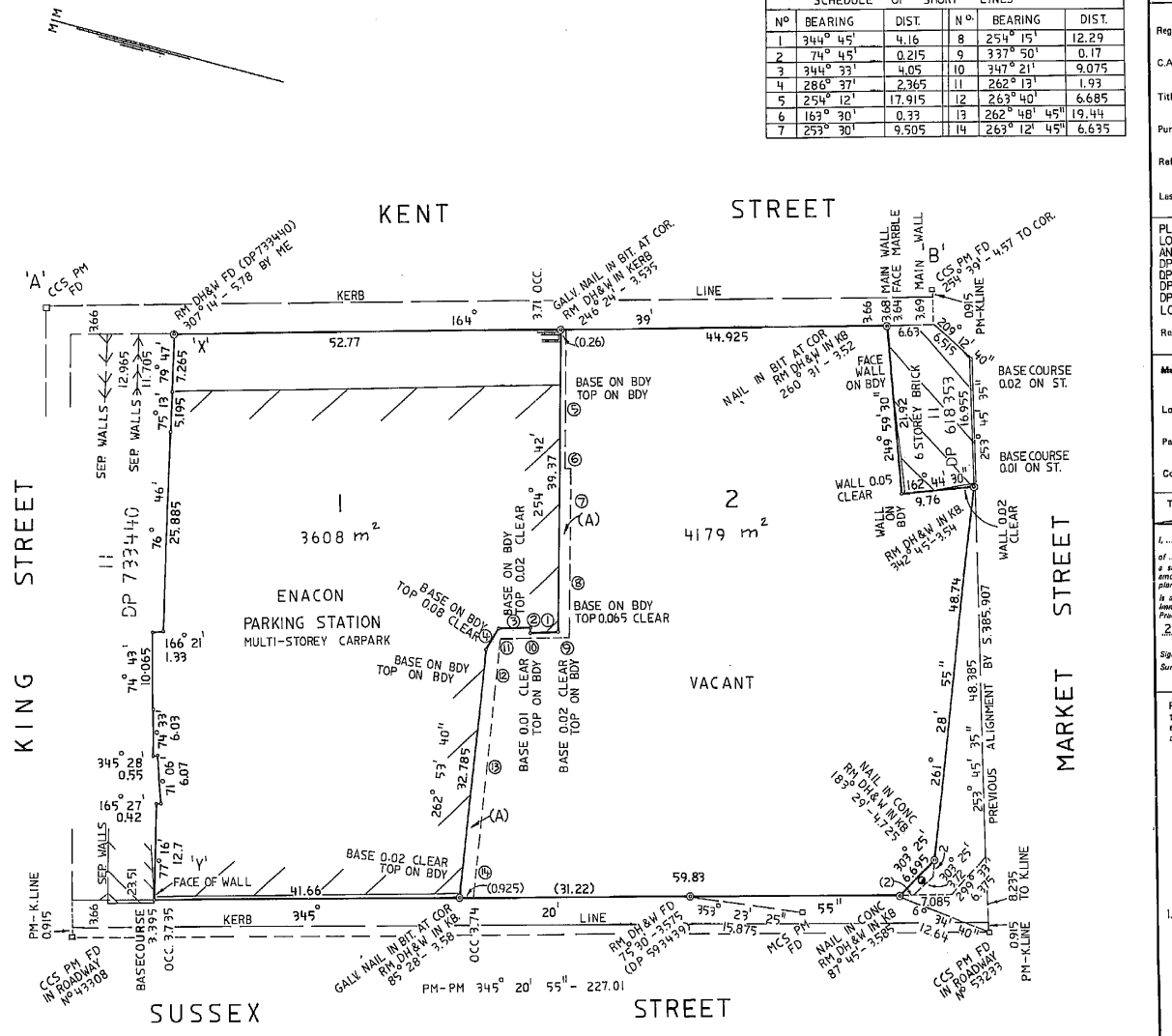
Date 30th March 1988

(Signature) ..... Council Clerk

*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the areas of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board.

†Delete if inapplicable. A.F. 508-00010

SCHEDULE OF SHORT LINES					
N°	BEARING	DIST.	N°	BEARING	DIST.
1	344° 45'	4.16	8	254° 15'	12.29
2	74° 45'	0.215	9	337° 50'	0.17
3	344° 33'	4.05	10	347° 21'	9.075
4	286° 37'	2.365	11	262° 13'	1.93
5	254° 12'	17.915	12	263° 40'	6.685
6	163° 30'	0.33	13	262° 48' 45"	19.44
7	253° 30'	9.505	14	263° 12' 45"	6.635



◔ - ROAD WIDENING
(A) - EASEMENT FOR SUPPORT, VAR. WIDTH

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SURVEYOR'S REFERENCE 1587/E1543

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day. 28th December, 1988

Req:R548059 /Doc:CT 11420-008 CT /Rev:10-Jan-2011 /NSW LRS /Pgs:ALL /Prt:26-Aug-2020 06:33 /Seq:1 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

NEW SOUTH WALES

CERTIFICATE OF TITLE

PROPERTY ACT, 1900.

11420-008

Appln. No. 9930

Prior Title Vol. 1204 Fol. 126

Vol. 11420 Fol. 8

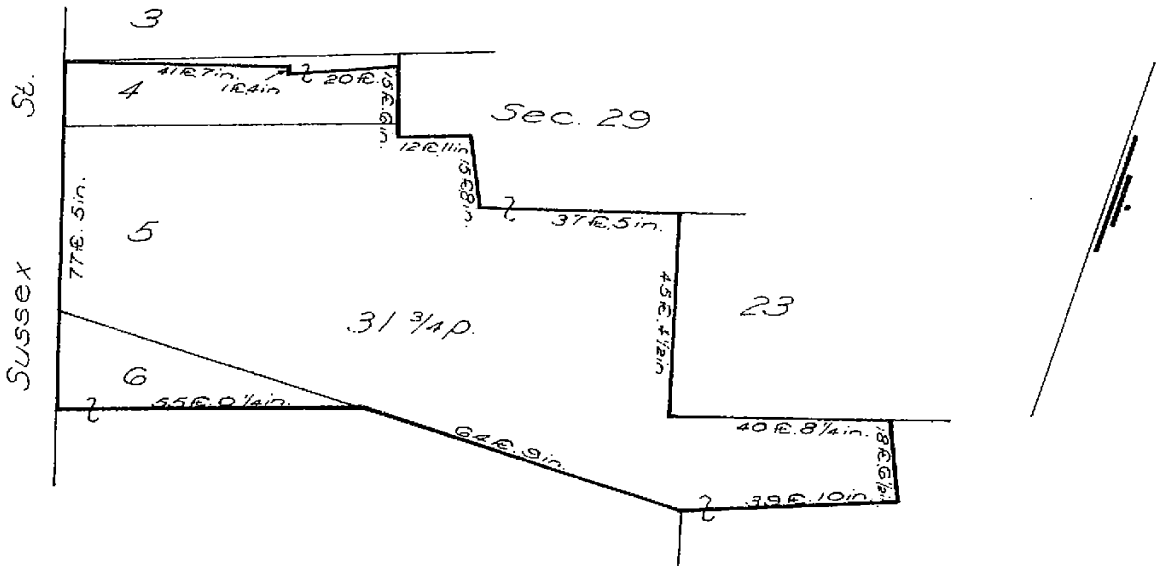
Edition issued 29-9-1970

L980177 [illegible] (W)

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Registrar General.

PLAN SHOWING LOCATION OF LAND



L980177 [illegible]

Scale: 30 feet to one inch.

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in land in plan lodged with Primary Application 9930 (filed as F.P.59930) in the City of Sydney, Parish of St.Andrew and County of Cumberland being part of Allotment 4 of Section 29 situated aforesaid granted to John Riddell on 30-11-1840 also part of Allotment 5 of said Section granted to Richard Siddons, Richard Driver, James Powell and William Small on 15-8-1837 and also part of Allotment 6 of said Section granted to Arthur Little on 27-2-1836.

FIRST SCHEDULE

~~MATTHEW JOHN O'NEILL and GERALD WELLS both of Sydney, Solicitors.~~

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. ~~Mortgage No.B180446 to Perpetual Trustee Company Limited and Antoine William Mary D'Apice of Sydney Solicitor. Entered 16-2-1925.~~ Discharged M51486
3. ~~Lease No.B332786 of premises known as 168-174 Sussex Street, Sydney (together with rights, with consent of Mortgagee) to Francois (Design) Pty. Limited. Entered 27-3-1969.~~ Expired 30-9-1976
4. ~~Caveat No.L860482 by Registrar General. Entered 24-6-1970.~~ Withdrawn M514137

Registrar General.

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED.

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

(Page 1 Vol. 11420 Fol. 8)

Req:R548059 /Doc:CT 11420-008 CT /Rev:10-Jan-2011 /NSW LRS /Pgs:ALL /Prt:26-Aug-2020 06:33 /Seq:2 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

V. C. N. BLIGHT, GOVERNMENT PRINTER

Vol. 11420 Fol 8

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	ENTERED	Signature of Registrar-General
~~Sussex Land Pty. Limited~~	~~Transfer~~	~~M51487~~	~~3-11-1970~~	~~18-11-1970~~	Jackson
Central Parking Pty. Limited.	Transfer	P906683	------	30-9-1976	Jackson

This Deed is cancelled and Certificate of Title issued.
Vol. 13377 Fol. 1 dated 13/1/1977
vide application Q206320
REGISTRAR GENERAL

N614992
P906683T
Refer SDB re redefinition
77N1033
~~Q499817~~
DP499817

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION		
~~Lease~~	~~L958363~~	~~17-4-1970~~	~~of premises situated on part of the 1st floor of No. 174 Sussex Street, Sydney to Better Controls Pty. Limited~~	~~6-11-1970~~	Jackson	Expired	30-9-1976	Jackson
~~Mortgage~~	~~M51488~~	~~3-11-1970~~	~~to Matthew John O'Neill and Gerald Wells both of Sydney Solicitors~~	~~18-11-1970~~	Jackson	/ Discharged	N614992	Jackson

819

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

Req:R548064 /Doc:CT 12291-168 CT /Rev:10-Jan-2011 /NSW LRS /Pgs:ALL /Prt:26-Aug-2020 06:35 /Seq:1 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

12291168

[redacted]ICATE OF TITLE

NEW SOUTH WALES

[redacted] PROPERTY ACT, 1900

Vol. [redacted] Fol. 100

Appln No. 26281

Prior Title Vol.3866 Fol.111

Edition issued 30-11-1973.

N562196 CANCELLED

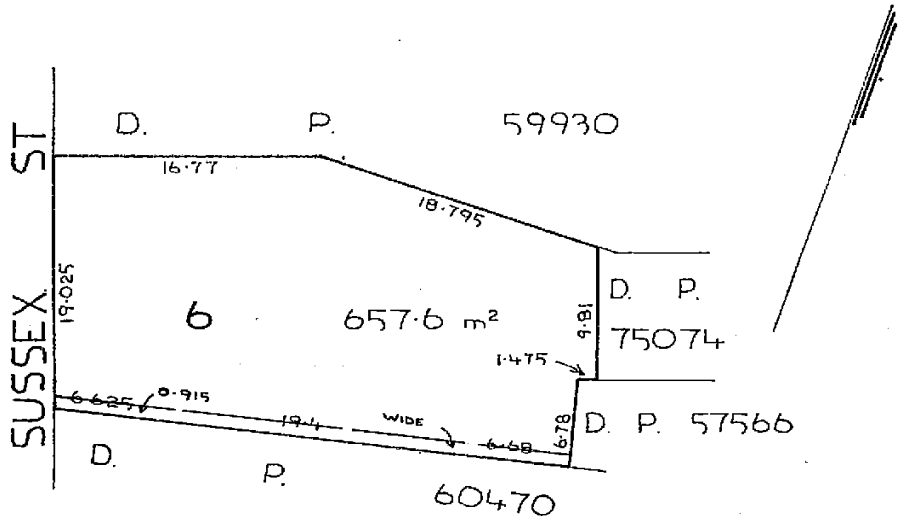
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Registrar General.

(Page 1) Vol. 12291 Fol. 168

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



N562196 S.G.

REDUCTION RATIO 1:400

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 6 in Deposited Plan 76281 in the City of Sydney Parish of St.Andrew and County of Cumberland being part of Allotment 6 of Section 29 granted to Arthur Little on 27-2-1836.

FIRST SCHEDULE

~~CONLAW (NO. 8) PTY. LIMITED~~.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
~~2. Lease No.L677375 of premises known as 176-180 Sussex Street, Sydney to Kings Parking Co. (N.S.W.) Pty. Limited. Entered 17-12-1969.~~ Expired 16-6-1976

Registrar General

8962M7500

Reg. Gen. 20·2·1974

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.
PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON
NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED.

Req:R548064 /Doc:CT 12291-168 CT /Rev:10-Jan-2011 /NSW LRS /Pgs:ALL /Prt:26-Aug-2020 06:35 /Seq:2 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

NS05867 T+
P546036 Pte
P683284 Wtr. — 85 m
P763427 M
P906680 D/m 81 D/m 82 TE
Refer SDB redefinition 77M135
DP499817

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	ENTERED	Signature of Registrar General
~~The name of the Proprietor is Westpoint Investments Pty. Limited~~	~~Change of Name~~	~~P763427~~		~~16-6-1976~~	[signature]
Central Parking Pty. Limited	Transfer	P906682	------	30-9-1976	[signature]

This Deed is cancelled and Certificate of Title issued.
Vol. 13377 Fol. 1 dated 13/7/77
vide application Q206320.
[signature]
REGISTRAR GENERAL

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION		
Transfer	NS05867	12.3.1971.	Easement for Support, appurtenant to the land comprised in Certificate of Title Volume 9952 Fol 18 affecting the land within described	5.3.1974.	[signature]			
Transfer	NS05867	12.3.1971.	Easement for Light and Air appurtenant to the land comprised in Certificate of Title Vol 9952 Fol 18, affecting the part of the land within described shown as "0.915 wide" in the plan hereon.	5.3.1974.	[signature]			
~~Caveat~~	~~P546036~~			~~8-1-1976~~	[signature]	Withdrawn	P683284	[signature]
~~Mortgage~~	~~P683205~~	------	~~to Harry Francis Weston of Sydney, Chartered Accountant~~	~~15-4-1976~~	[signature]	Discharged	P906680	[signature]
~~Mortgage~~	~~P763427~~		~~to Harry Francis Weston of Sydney, Chartered Accountant~~	~~16-6-1976~~	[signature]	Discharged	P906681	[signature]

820

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

Req:R548091 /Doc:DL J053832 /Rev:14-Sep-2012 /NSW LRS /Pgs:ALL /Prt:26-Aug-2020 07:04 /Seq:1 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

FORM FOR SIMPLE TRANSFER. WHERE NEW RESTRICTIVE COVENANTS ARE IMPOSED, OR EASEMENTS CREATED, OR WHERE THIS FORM IS OTHERWISE UNSUITABLE, FORM R.P. 13A SHOULD BE USED.

FEES:— £ s. d.
Lodgment : :
Endorsement : :
Certificate : :
: :
: :
: :
£ 2 : 10 : —

R.P. 13. No. J 53832

New South Wales

MEMORANDUM OF TRANSFER

(REAL PROPERTY ACT, 1900)

MAY 10 3 06 1962 05

SEVEN SHILLINGS SIX PENCE STAMP DUTY

(Trusts must not be disclosed in the transfer.)

Typing or handwriting in this instrument should not extend into any margin. Handwriting should be clear and legible and in permanent black non-copying ink.

I, XXXXXX ~~ARTHUR YATES & COMPANY, PTY., LIMITED~~ ARTHUR YATES & CO. PTY. LIMITED (formerly Arthur Yates & Co. Limited) of 90-100 Sussex Street, Sydney (herein called transferor)

being registered as the proprietor of an estate in *fee simple*[a] in the land hereinafter described, subject, however, to such encumbrances, liens and interests as are notified hereunder, in consideration of TWENTY-FIVE THOUSAND POUNDS (£25,000.0.0) (the receipt whereof is hereby acknowledged) paid to it by[b] S. & Varga Investments Pty. Limited

do hereby transfer to

[c1] S. & VARGA INVESTMENTS PTY. LIMITED of 327 George Street, Sydney (herein called transferee)[c2]

ALL such its Estate and Interest in ALL THE land mentioned in the schedule following:—

County	Parish	Reference to Title			Description of Land (if part only)[d]
		Whole or Part	Vol.	Fol.	
CUMBERLAND	ST. ANDREW	WHOLE	3866	111	

a If a less estate, strike out "in *fee simple*" and interline the required alteration.

b State in full the name of the person who furnished the consideration monies.

c1 Show in BLOCK LETTERS the full name, postal address and description of the persons taking, and if more than one,
c2 whether they hold as joint tenants or tenants in common.

d The description may refer to parcels shown in Town or Parish Maps issued by the Department of Lands or shown in plans filed in the Office of the Registrar-General. Where these records are inadequate for the purpose, a suitable plan may be endorsed hereon, or furnished as an annexure signed by the parties and their signatures witnessed.
Where the consent of the local Council to a subdivision is required the certificate and plan mentioned in the Local Government Act, 1919, should accompany the transfer.

e A very short note will suffice.

f Execution in New South Wales may be proved if this instrument is signed or acknowledged before the Registrar-General, or Deputy Registrar-General, or a Notary Public, a J.P., or Commissioner for Affidavits, to whom the Transferor is known, otherwise the attesting witness should appear before one of the above functionaries who having questioned the witness should sign the certificate on the back of this form.

As to instruments executed elsewhere, see Section 107 of the Real Property Act, 1900-1956, Section 168 of the Conveyancing Act, 1919-1954, and Section 52A of the Evidence Act, 1898-1954.

g Repeat attestation if necessary.

If the Transferor or Transferee signs by a mark, the attestation must state "that the instrument was read over and explained to him, and that he appeared fully to understand the same."

THIS SPACE TO BE LEFT FREE FROM NOTATION — NOT TO BE ALTERED BY ERASURE—See Foot Note

ENCUMBRANCES, &c., REFERRED TO[e]

N I L

Signed at Sydney the 4th day of May, 19 62.

[f] Signed in my presence by the transferor
WHO IS PERSONALLY KNOWN TO ME

The COMMON SEAL of ARTHUR YATES & CO. PTY. LTD. was hereunto affixed by authority of its Board of ~~Directors~~ in the presence of

Transferor) Directors

Secretary

[g] Signed

Signed in my presence by the transferee
WHO IS PERSONALLY KNOWN TO ME

† Accepted, and I hereby certify this Transfer to be correct for the purposes of the Real Property Act.

Solicitor for the *Transferee(s)* whose execution cannot be obtained without difficulty and delay

[e] If signed by virtue of any power of attorney, the original power must be registered in the Miscellaneous Register, and produced with each dealing, and the memorandum of non-revocation on back of form signed by the attorney before a witness.

† N.B.—Section 117 requires that the above Certificate be signed by each Transferee or his Solicitor or Conveyancer, and renders any person falsely or negligently certifying liable to a penalty of £50; also to damages recoverable by parties injured. Acceptance by the Solicitor or Conveyancer (who must sign his own name, and not that of his firm) is permitted only when the signature of the Transferee cannot be obtained without difficulty, and when the instrument does not impose a liability on the party taking under it. When the instrument contains some special covenant by the Transferee or is subject to a mortgage, encumbrance or lease, the Transferee must accept personally.

No alterations should be made by erasure. The words rejected should be scored through with the pen, and those substituted written over them, the alteration being verified by signature or initials in the margin, or noticed in the attestation.

St 437—W K 1165 C. N Blight, Government Printer

No. J 53832

LODGED BY

REED, HANICAN & TURNER
LAW STATIONERS
55 ROWE STREET, SYDNEY

PARTIAL DISCHARGE OF MORTGAGE[h]

(*N.B.—Before execution read marginal note*)

I,

mortgagee under Mortgage No.

release and discharge the land comprised in the within transfer from such mortgage and all claims thereunder but without prejudice to my rights and remedies as regards the balance of the land comprised in such mortgage.

Dated at this day of 19 .

Signed in my presence by

who is personally known to me.

Mortgagee.

h This discharge is appropriate to a transfer of part of the land in the Mortgage. The mortgagee should execute a formal discharge where the land transferred is the whole of or the residue of the land in the Certificate of Title or Crown Grant or is the whole of the land in the mortgage.

MEMORANDUM AS TO NON-REVOCATION OF POWER OF ATTORNEY

(*To be signed at the time of executing the within instrument*)

Memorandum whereby the undersigned states that he has no notice of the revocation of the Power of Attorney registered No. Miscellaneous Register under the authority of which he has just executed the within transfer.[i]

Signed at the day of , 19 .

Signed in the presence of—

i Strike out unnecessary words. Add any other matter necessary to show that the power is effective.

CERTIFICATE OF J.P., &c., TAKING DECLARATION OF ATTESTING WITNESS[j]

Appeared before me at , the day of , one thousand nine hundred and the attesting witness to this instrument and declared that he personally knew the person signing the same, and whose signature thereto he has attested; and that the name purporting to be such signature of the said is own handwriting, and that he was of sound mind and freely and voluntarily signed the same.

j To be signed by Registrar-General, Deputy Registrar-General, a Notary Public, J.P., Commissioner for Affidavits, or other functionary before whom the attesting witness appears. Not required if the instrument itself be signed or acknowledged before one of these parties.

LEAVE THESE SPACES FOR DEPARTMENTAL USE

INDEXED	MEMORANDUM OF TRANSFER
Checked by	Particulars entered in Register Book, Volume 3866 Folio 111
Passed (in S.D.B.) by	
Signed by	the 7th day of September, 1962, at 20 minutes past 9 o'clock in the fore noon.

Registrar

DOCUMENTS LODGED HEREWITH

To be filled in by person lodging dealing

1	4	Received Docs. Nos.
2	5	Receiving Clerk.
3	6	

PROGRESS RECORD

	Initials	Date
Sent to Survey Branch		
Received from Records		
Draft written		
Draft examined		
Diagram prepared		
Diagram examined		
Draft forwarded		
Supt. of Engrossers		
Cancellation Clerk		

VOL. FOL.

K 1165 St 437—W

Req:R548091 /Doc:DL J053832 /Rev:14-Sep-2012 /NSW LRS /Pgs:ALL /Prt:26-Aug-2020 07:04 /Seq:2 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

Req:R548058 /Doc:CT 10687-233 CT /Rev:12-Jan-2011 /NSW LRS /Pgs:ALL /Prt:26-Aug-2020 06:33 /Seq:1 of 4
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

[redacted]IFICATE OF TITLE

NEW SOUTH WALES [redacted]ERTY ACT, 1900, as amended.

Applications Nos. 7566, 7614 and 7972

Prior Titles Volume 952 Folio 225
Volume 1821 Folio 38

Vol. 10687 Fol. 233

CANCELLED

EH

Edition issued 29-11-1967

K718871

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Witness

Registrar General.

(Page 1) Vol. 10687 Fol. 233

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in the land in plan lodged with Transfer No:368165 (filed as F.P.900419), plan lodged with Primary Application No. 7566 (filed as F.P.57566) and plan lodged with Primary Application No.7972 (filed as F.P.57972) in the City of Sydney, Parish of St.Andrew and County of Cumberland being the land set out in the Schedule of Grants hereunder and shown in the plan hereon.

SCHEDULE OF GRANTS

Allotment and Section		Name of Grantee	Date of Grant
Part 25	29	Charles Bones and Mary his Wife	3 -10 - 1835
Part 6	29	Arthur Little	27 - 2 - 1836
24	29	Samuel Clymm	9 - 1 - 1837
Part 5	29	Richard Siddons Richard Driver James Powell William Small	15 - 8 - 1837

FIRST SCHEDULE (continued overleaf)

~~J. GOLDSTEIN & CO. PTY. LIMITED~~.

Registrar General.

SECOND SCHEDULE (continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. ~~Mortgage No.J418682 to The National Bank of Australasia Limited. Entered 22-8-1963.~~ Discharged L915246.
3. ~~Lease No.J711013 of the whole of the ground floor of the building known as No.393 Kent Street, Sydney (together with rights) to I B M (Australia) Pty. Limited (with consent of Mortgagee). Entered 28-7-1964.~~ Cancelled 24-11-1971.

Registrar General.

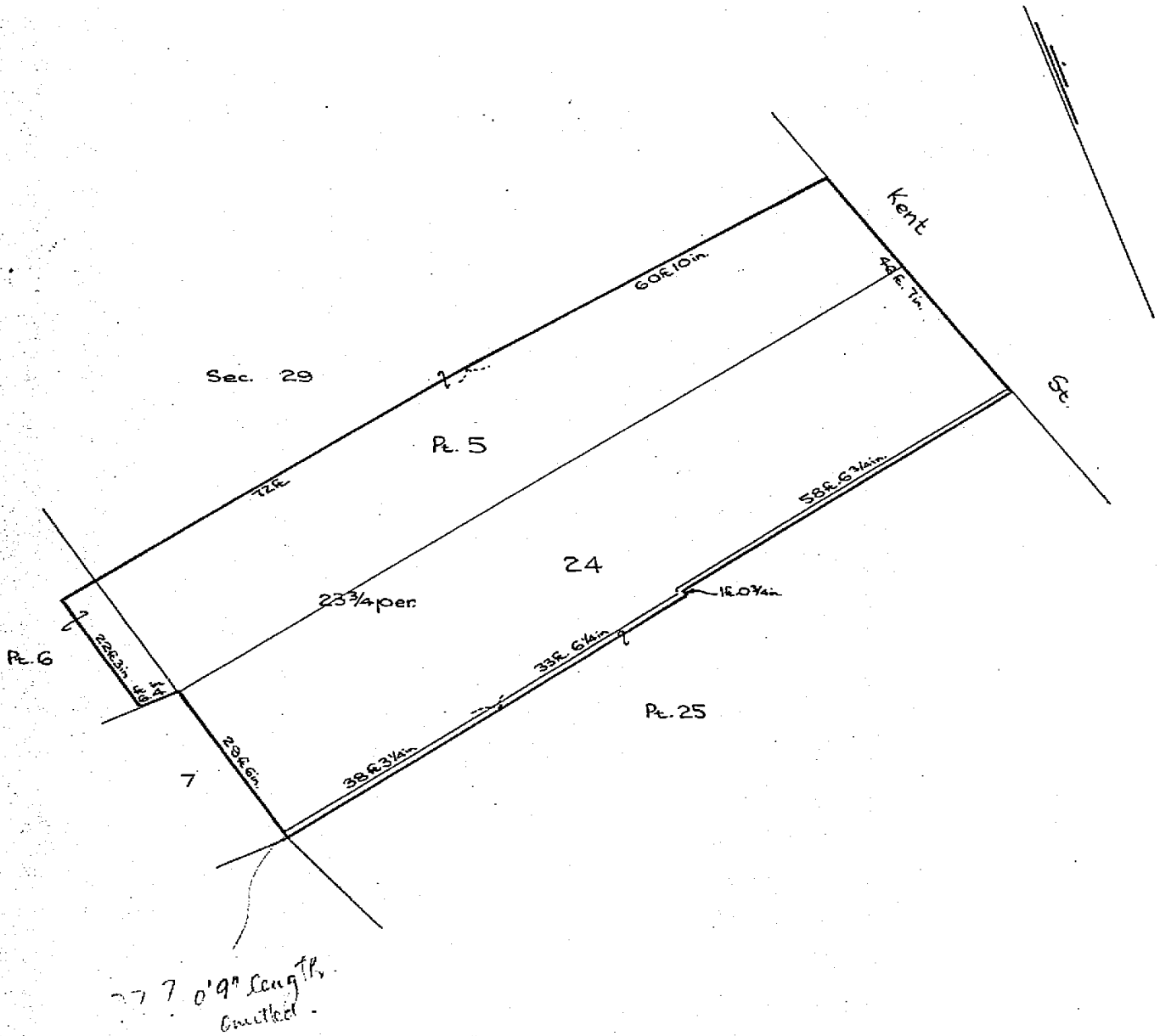
PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED.

Vol. 10687 Fol. 233

PLAN SHOWING LOCATION OF LAND



K 7188-11 clb clb

Scale: 20 feet to one inch.

Req:R548058 /Doc:CT 10687-233 CT /Rev:12-Jan-2011 /NSW LRS /Pgs:ALL /Prt:26-Aug-2020 06:33 /Seq:2 of 4
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

Req:R548058 /Doc:CT 10687-233 CT /Rev:12-Jan-2011 /NSW LRS /Pgs:ALL /Prt:26-Aug-2020 06:33 /Seq:3 of 4
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	ENTERED	Signature of Registrar General
~~C.M.P. Investments Pty Limited~~	~~Transfer~~	~~L915848~~	~~12-6-1970~~	~~16-7-1970~~	[signature]
~~C.M.P. (Nominees) Pty Limited~~	~~Change of Name~~	~~N220301~~	~~17-4-1973~~	~~14-5-1973~~	[signature]
Central Parking Pty. Limited	Transfer	P906688	------	30-9-1976	[signature]

This Deed is cancelled and Certificate of Title issued.
Vol. 13377 Fol. 1 dated 13/7/1977
VIDE application Q206320

[signature]
REGISTRAR GENERAL

K906988 Appt. 2
T.G.
CT 2915
N220301

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION		
Lease	K696991	8-5-1967	of the premises being the first floor of the building known as No 393/5 Kent Street Sydney together with rights without evidence of the consent of the mortgagee to David Hewitt Photography Pty. Limited	6-12-1967	[signature]	Expired	14-5-1973	
Lease	~~K9488~~ K748210	30-6-1967	of the premises being the ground floor AREA of the building known as Nos 395-395A Kent Street Sydney together with rights without evidence of consent of mortgagee to R.J. Buxton Pty Limited	6-12-1967	[signature]	Expired	17-7-1970	[signature]
Transfer	K906988	20-12-1967	Easement for support appurtenant to the land within described affecting the piece of land ~~shown~~ being the party wall shown in F.P. 900419 (comprised in Certificate of Title Volume 1464 Folio 145)	22-2-1968	[signature]			
Transfer	K906989	20-12-1967	Easement for support affecting that part of the land within described being the party wall shown in F.P. 900419 (with consent of mortgagee)	22-2-1968	[signature]			
~~Lease~~	~~L454531~~	~~17-10-1968~~	~~of the second floor of the building known as 395-395A Kent Street, Sydney together with rights, with consent of mortgagee under mortgage No 5[illegible] to Malcolm Charles Vaughan of Sydney, Illustrative Photographer and Margaret Mary Vaughan wife~~	~~11-6-1969~~	[signature]	Expired	14-5-1973	

826

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

Vol. 10687 Fol. 233

Vol. 10687 Fol 233

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	ENTERED	Signature of Registrar General

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION		
~~Lease~~	~~L595431~~	~~17-6-1969~~	~~of premises being part of the ground floor known as 393 Kent Street of the building situated at 393-395 Kent Street, Sydney (together with rights) (with consent of mortgagee) to Lopers Pty Limited~~	~~3-12-1969~~		Expired	30-9-1976	
~~Lease~~	~~L915247~~	~~11-6-1970~~	~~of premises being the whole of the ground floor of the building known as 395-395A Kent Street Sydney to Burton Wright Pty Limited (together with rights)~~	~~17-7-1970~~		Expired	14-5-1973	
~~Mortgage~~	~~L915249~~	~~12-6-1970~~	~~to J. Goldstein & Co. Pty Ltd~~	~~17-7-1970~~		Discharged	M500067	
~~mortgage~~	~~M500068~~	~~9-11-1971~~	~~to: A.M.P. Acceptance Limited~~	~~24-11-1971~~		DISCHARGED	P906687	
~~Mortgage~~	~~N220301~~	~~17-9-1973~~	~~to A.M.P. Acceptance Limited~~	~~14-1-1975~~		Discharged	P906684	

(Page 4 of 4 pages)

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

Req:R548058 /Doc:CT 10687-233 CT /Rev:12-Jan-2011 /NSW LRS /Pgs:ALL /Prt:26-Aug-2020 06:33 /Seq:4 of 4
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

Req:R548060 /Doc:CT 12500-202 CT /Rev:14-Jan-2011 /NSW LRS /Pgs:ALL /Prt:26-Aug-2020 06:33 /Seq:1 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

12500202

[redacted]ICATE OF TITLE

NEW SOUTH WALES

[redacted] PROPERTY ACT, 1900

Vol. 12500 Fol. 202

CANCELLED

Edition issued 8-8-1974

Appln. No.25074

Prior Title Vol.3818 Fol.82

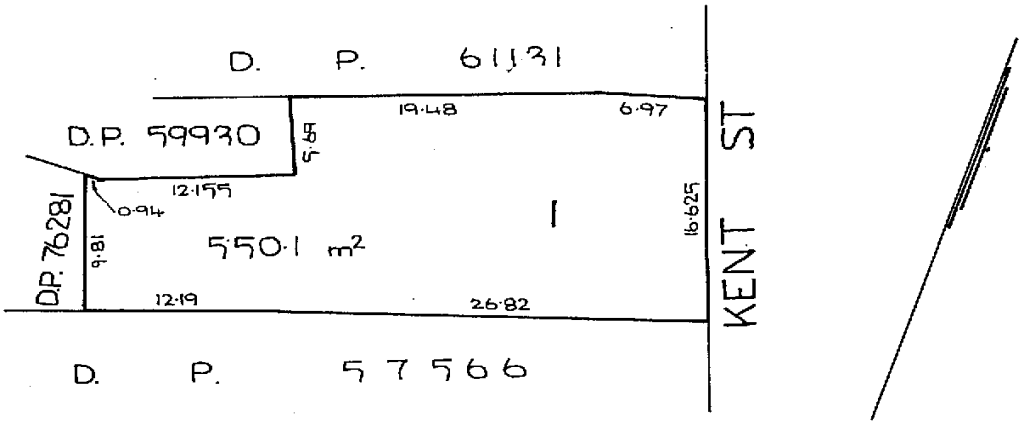
(Page 1) Vol. 12500 Fol. 202

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Registrar General.

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



N857315 W.J.P.

REDUCTION RATIO 1:400

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 1 in Deposited Plan 75074 in the City of Sydney Parish of St.Andrew and County of Cumberland being part of Allotment 5 of Section 29 granted to Richard Siddons, Richard Driver, James Powell and William Small on 15-8-1837 and also part of Allotment 6 of Section 29 granted to Arthur Little on 27-2-1836.

FIRST SCHEDULE

~~KENTEX INVESTMENTS PTY. LIMITED~~.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. ~~Mortgage No.M500069 to A.M.P. Acceptances Limited. Entered 26-11-1971.~~ Discharged P906685
3. ~~Mortgage No.M220301 to A.M.P. Acceptances Limited. Entered 14-5-1973.~~ Discharged P906684
4. ~~Lease No.N857315 of premises of the eastern side of the ground floor of the building known as "Kentex House" at 387 to 391 Kent Street, Sydney to Fordel Jewellers Supplies Pty. Limited. Entered 3-6-1974.~~ Expired 30-9-1976

828

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED.

P906684 D/M
85 D/M
86 Te

Refer SDB re redefinition plan 77M135

~~DP 498~~
DP 499817

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	ENTERED	Signature of Registrar General
Central Parking Pty. Limited	Transfer	P906686	-------	30-9-1976	[signature]

This Deed is cancelled and Certificate of Title issued.
Vol. 13377 Fol. 1 dated 13/7/1977.
vide application Q206320.
[signature]
REGISTRAR GENERAL

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION		
828								

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

Req:R548060 /Doc:CT 12500-202 CT /Rev:14-Jan-2011 /NSW LRS /Pgs:ALL /Prt:26-Aug-2020 06:33 /Seq:2 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street Vol. 12500 Fol. 202
(Page 2 of 2 pages)

Req:R531233 /Doc:CT 13377-001 CT /Rev:21-Jan-2011 /NSW LRS /Pgs:ALL /Prt:21-Aug-2020 18:21 /Seq:1 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

[redacted] CATE OF TITLE

NEW SOUTH WALES
PROPERTY ACT, 1900

Appln. Nos.7566, 7614, 7972, 9930, 11131, 25074 and 26281
Prior Titles Vol. 1339 Fol. 24
Vol.10687 Fol.233
Vol.11420 Fol. 8
Vol.12291 Fol.168
Vol.12500 Fol.202

Vol. 13377 Fol. 1

EDITION ISSUED

CANCELLED W 13 7 1977

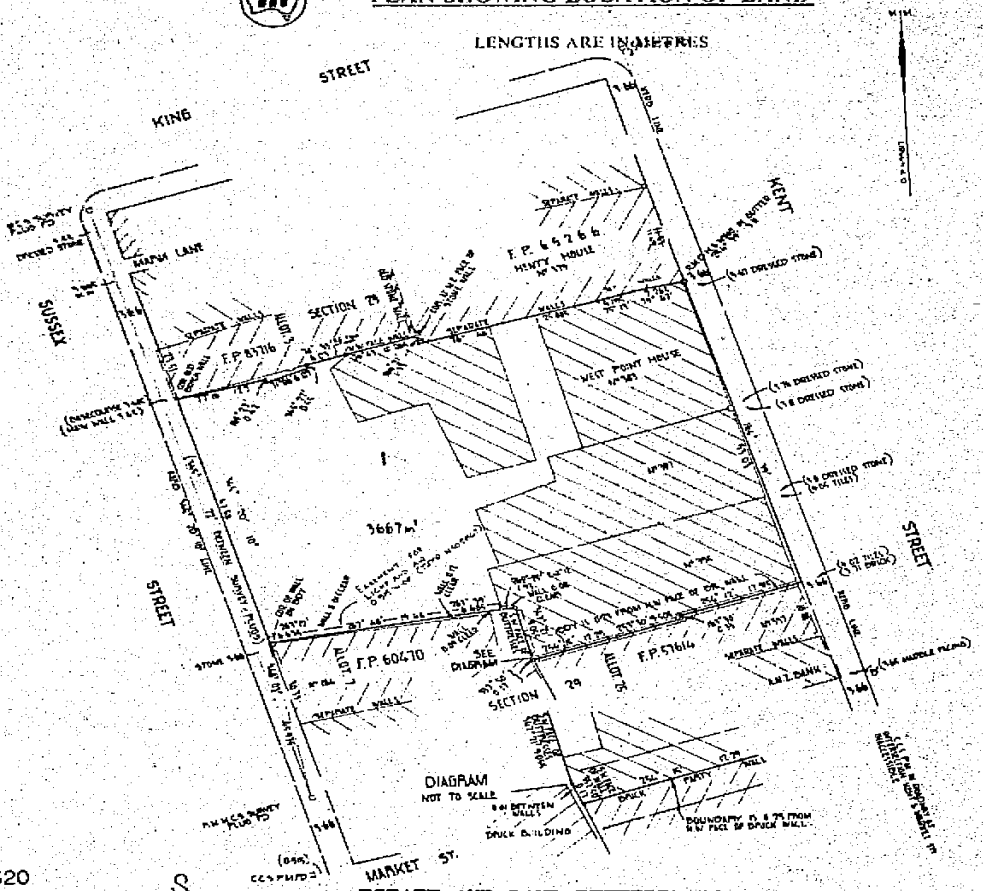
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Registrar General:

(Page 1) Vol. 13377 Fol. 1

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



Q206320

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 1 in Deposited Plan 499817 in the City of Sydney Parish of St.Andrew and County of Cumberland being Allotment 23 of Section 29 granted to William Birch on 23-9-1839, Allotment 24 of Section 29 granted to Samuel Clym on 9-1-1837, part of Allotment 4 of Section 29 granted to John Riddell on 30-11-1840, part of Allotment 5 of Section 29 granted to Richard Siddone, Richard Driver, James Powell and William Small on 15-8-1836, part of Allotment 6 of Section 29 granted to Arthur Little on 27-2-1836, part of Allotment 22 of Section 29 granted to Thomas Cooper and Mary Cooper, his wife on 6-6-1836, part of Allotment 25 of Section 29 granted to Charles Bones and Mary Bones, his wife on 3-10-1835.

FIRST SCHEDULE

~~CENTRAL PARKING PTY. LIMITED.~~

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. ~~K906988 Easement for Support appurtenant to the part of the land within described formerly comprised in Certificate of Title Volume 10687 Folio 233 affecting the piece of land being the party wall shown in Deposited Plan 900419 (comprised in Certificate of Title Volume 1464 Folio 145).~~ X877112.
3. ~~K906989 Easement for Support affecting part of the land within described being the party wall shown in Deposited Plan 900419 (with consent of Mortgagee).~~ X877109.
4. ~~N505867 Easement for Support affecting the part of the land within described formerly comprised in Certificate of Title Volume 12291 Folio 168.~~ X877111.
5. ~~N505867 Easement for Light and Air affecting the part of the land within described shown as "Easement for Light and Air 0.915 wide" in the plan hereon.~~ X877111.

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.
PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON
NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED.

Req:R531233 /Doc:CT 13377-001 CT /Rev:21-Jan-2011 /NSW LRS /Pgs:ALL /Prt:21-Aug-2020 18:21 /Seq:2 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

Vol. 13377 Fol. 1

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	ENTERED	Signature of Registrar General
~~The National Mutual Life Association of Australasia Limited~~ ~~Permanent Trustee Nominees (Canberra) Limited~~ by Transfer X250311. Registered 9-12-1987 Permanent Trustee Australia Limited by Application X877107. Registered 6.12.1988.	Transfer	Q308762	------	8-8-1977	

DP/SP 778342 Registered 22/12/1988
This folio is cancelled as to whole/~~part~~ upon creation of computer folios for lots 1, 2 in the ~~abovementioned~~ plan.

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION		
~~Caveat~~	~~Q304969~~	------	~~by The National Mutual Life Association of Australasia Limited.~~	~~29-7-1977~~		Withdrawn	Q308761	
~~Caveat~~	~~Q346409~~	------	~~by Enacon Limited~~	~~14-9-1977~~		Withdrawn	R969681	
Lease	R816265	------	to Enacon Limited. Expires 9-7-1998	18-8-1980				
~~R816265 Lease. T964350 Caveat by Westpac Banking Corporation. Registered 3-2-1984.~~						Withdrawn	X515697	
X180404 Caveat by Permanent Trustee Nominees (Canberra) Limited Registered 11-11-1987.						Withdrawn	X250310	

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

(Page 2 of 2 pages)

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

15/11/2022 12:28PM

FOLIO: 1/778342

First Title(s): OLD SYSTEM
Prior Title(s): VOL 13377 FOL 1

Recorded	Number	Type of Instrument	C.T. Issue
4/1/1989	DP778342	DEPOSITED PLAN	FOLIO CREATED EDITION 1
6/9/2000	7000570	APPLICATION	
6/9/2000	7000571	TRANSFER	EDITION 2
8/12/2000	7246097	REQUEST	EDITION 3
12/9/2002	8950786	TRANSFER	EDITION 4
5/11/2002	9099610	LEASE	EDITION 5
15/11/2002	9131616	LEASE	EDITION 6
21/11/2002	9146241	LEASE	EDITION 7
12/12/2002	9211037	TRANSFER OF LEASE	EDITION 8
3/6/2003	9666646	LEASE	EDITION 9
16/6/2003	9702203	LEASE	EDITION 10
18/7/2003	9801607	LEASE	EDITION 11
29/10/2003	AA109366	LEASE	EDITION 12
22/12/2003	AA250067	SUB-LEASE	
10/2/2004	AA331151	SUB-LEASE	
26/8/2004	AA908892	DEPARTMENTAL DEALING	
27/8/2004	AA902586	LEASE	
27/8/2004	AA903796	TRANSFER OF LEASE	EDITION 13
31/8/2004	AA921844	SUB-LEASE	
1/10/2004	AA977313	LEASE	EDITION 14
1/3/2005	AB321982	LEASE	EDITION 15

END OF PAGE 1 - CONTINUED OVER

SEARCH DATE
15/11/2022 12:28PM

FOLIO: 1/778342 PAGE 2

Recorded	Number	Type of Instrument	C.T. Issue
18/3/2005	AB358308	VARIATION OF LEASE	EDITION 16
5/4/2005	AB385511	SURRENDER OF LEASE	
5/4/2005	AB385512	VARIATION OF LEASE	
5/4/2005	AB385513	LEASE	
5/4/2005	AB385514	TRANSFER OF LEASE	EDITION 17
19/4/2005	AB420688	LEASE	EDITION 18
5/9/2005	AB744680	SURRENDER OF LEASE	EDITION 19
15/12/2005	AB980135	LEASE	EDITION 20
17/5/2006	AC311013	DEPARTMENTAL DEALING	
7/7/2006	AC439347	VARIATION OF LEASE	
7/7/2006	AC439341	TRANSFER OF LEASE	
14/11/2006	AC737109	LEASE	
23/3/2007	AD9768	SURRENDER OF LEASE	
23/3/2007	AD9769	LEASE	
23/3/2007	AD9770	LEASE	
15/10/2007	AD480849	LEASE	
5/11/2007	AD535710	TRANSFER OF LEASE	
5/12/2007	AD611919	SURRENDER OF LEASE	
5/12/2007	AD611920	LEASE	
12/2/2008	AD756235	SUB-LEASE	
10/7/2008	AE76109	LEASE	
11/7/2008	AE48108	MORTGAGE OF LEASE	
20/10/2008	AE276542	TRANSFER OF LEASE	
20/1/2009	AE451388	LEASE	
11/8/2009	AE890447	TRANSFER OF LEASE	
11/8/2009	AE890448	VARIATION OF LEASE	

END OF PAGE 2 - CONTINUED OVER

SEARCH DATE
15/11/2022 12:28PM

FOLIO: 1/778342 PAGE 3

Recorded	Number	Type of Instrument	C.T. Issue
16/9/2009	AE976719	LEASE	
9/12/2009	AF179230	TRANSFER OF LEASE	
9/12/2009	AF179231	VARIATION OF LEASE	
31/5/2010	AF522202	LEASE	
31/5/2010	AF522203	LEASE	
8/6/2010	AF432651	LEASE	
9/6/2010	AF544791	SUB-LEASE	
8/7/2010	AF612502	TRANSFER OF LEASE	
8/7/2010	AF612503	VARIATION OF LEASE	
7/9/2010	AF741217	LEASE	
17/11/2010	AF880615	VARIATION OF LEASE	
8/3/2011	AG104844	LEASE	
1/4/2011	AG30533	SUB-LEASE	
13/4/2011	AG173596	SUB-LEASE	
31/5/2011	AG267778	LEASE	
8/9/2011	AG479675	TRANSFER OF LEASE	
8/9/2011	AG464124	VARIATION OF LEASE	
5/10/2011	AG535356	LEASE	
28/6/2012	AH80487	DEPARTMENTAL DEALING	
10/7/2012	AH97219	REQUEST	
21/8/2012	AH182255	LEASE	
5/9/2012	AH216042	VARIATION OF LEASE	
5/9/2012	AH216043	LEASE	
12/9/2012	AH231573	TRANSFER OF LEASE	

END OF PAGE 3 - CONTINUED OVER

SEARCH DATE
15/11/2022 12:28PM

FOLIO: 1/778342 PAGE 4

Recorded	Number	Type of Instrument	C.T. Issue
7/11/2012	AH170464	TRANSFER OF LEASE	
21/11/2012	AH378290	SUB-LEASE	
26/2/2013	AH562057	SURRENDER OF LEASE	
26/2/2013	AH575159	DEPARTMENTAL DEALING	
26/2/2013	AH575909	DEPARTMENTAL DEALING	
11/3/2013	AH598174	LEASE	
27/3/2013	AH543572	CHANGE OF NAME	
23/5/2013	AH748769	DEPARTMENTAL DEALING	
5/6/2013	AH781262	DEPARTMENTAL DEALING	
5/6/2013	AH746478	VARIATION OF LEASE	
8/10/2013	AI68577	VARIATION OF LEASE	
8/10/2013	AI68578	VARIATION OF LEASE	
8/10/2013	AI68579	LEASE	
8/10/2013	AI68580	LEASE	
8/10/2013	AI68581	LEASE	
8/10/2013	AI68582	LEASE	
8/10/2013	AI68583	LEASE	
8/10/2013	AI68584	LEASE	
26/11/2013	AI173122	DEPARTMENTAL DEALING	
26/11/2013	AI68576	SURRENDER OF LEASE	
6/1/2014	AI262910	LEASE	
9/1/2014	AI195814	DEPARTMENTAL DEALING	
9/1/2014	AI280875	DEPARTMENTAL DEALING	
9/1/2014	AI281223	DEPARTMENTAL DEALING	
10/1/2014	AI283965	DEPARTMENTAL DEALING	
28/2/2014	AI410676	TRANSFER OF LEASE	
30/5/2014	AI619621	LEASE	
5/8/2014	AI783928	REQUEST	

END OF PAGE 4 - CONTINUED OVER

SEARCH DATE
15/11/2022 12:28PM

FOLIO: 1/778342 PAGE 5

Recorded	Number	Type of Instrument	C.T. Issue
10/9/2014	AI470459	REJECTED - LEASE	
23/9/2014	AI910503	SURRENDER OF LEASE	
2/10/2014	AI929887	SURRENDER OF LEASE	
13/10/2014	AI951199	LEASE	
11/12/2014	AJ106210	SURRENDER OF LEASE	
11/3/2015	AJ322477	DEPARTMENTAL DEALING	
23/3/2015	AJ71566	CHANGE OF NAME	
12/5/2015	AJ471509	LEASE	
18/5/2015	AJ490745	LEASE	
25/5/2015	AJ505081	TRANSFER OF LEASE	
5/6/2015	AJ63527	REJECTED - SURRENDER OF LEASE	
9/6/2015	AJ545099	LEASE	
27/8/2015	AJ761452	LEASE	
3/9/2015	AJ783740	DEPARTMENTAL DEALING	
3/9/2015	AJ761453	LEASE	
27/11/2015	AK13306	LEASE	
23/3/2016	AK306694	SURRENDER OF LEASE	
4/5/2016	AK360650	LEASE	
12/5/2016	AK418881	SURRENDER OF LEASE	
12/5/2016	AK388287	LEASE	
12/5/2016	AK419132	LEASE	
27/9/2016	AK767596	LEASE	
2/12/2016	AK968401	TRANSFER OF LEASE	
2/12/2016	AK968402	TRANSFER OF LEASE	

END OF PAGE 5 - CONTINUED OVER

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE
15/11/2022 12:28PM

FOLIO: 1/778342 PAGE 6

Recorded	Number	Type of Instrument	C.T. Issue
14/2/2017	AM140299	LEASE	
14/2/2017	AM140400	LEASE	
28/2/2017	AK971351	LEASE	
28/2/2017	AK971352	SUB-LEASE	
28/2/2017	AK971502	MORTGAGE OF LEASE	
28/2/2017	AK971571	CHANGE OF NAME	
28/2/2017	AM164915	DEPARTMENTAL DEALING	
28/3/2017	AM252352	SUB-LEASE	
25/5/2017	AM420516	LEASE	
2/6/2017	AM436731	VARIATION OF LEASE	
26/7/2017	AM592676	LEASE	
29/8/2017	AM677282	LEASE	
20/9/2017	AM740295	LEASE	
22/9/2017	AM750189	LEASE	
27/10/2017	AM837188	LEASE	
11/1/2018	AM710113	REJECTED - LEASE	
30/1/2018	AM840249	TRANSFER OF LEASE	
21/2/2018	AN134348	SURRENDER OF LEASE	
21/2/2018	AN132566	LEASE	
26/2/2018	AN138086	LEASE	
9/3/2018	AN171170	SURRENDER OF LEASE	
9/3/2018	AN171171	LEASE	
9/3/2018	AN171183	LEASE	
4/3/2019	AP72511	LEASE	
4/3/2019	AP72512	LEASE	
11/6/2019	AN791266	REJECTED - LEASE	

END OF PAGE 6 - CONTINUED OVER

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE
15/11/2022 12:28PM

FOLIO: 1/778342 PAGE 7

Recorded	Number	Type of Instrument	C.T. Issue
2/8/2019	AP380315	TRANSFER OF LEASE	
8/10/2019	AP535447	LEASE	
20/8/2020	AQ330441	DEPARTMENTAL DEALING	
20/8/2020	AQ46713	LEASE	EDITION 21
24/9/2020	AQ419662	DEPARTMENTAL DEALING	
24/9/2020	AQ420061	DEPARTMENTAL DEALING	
24/9/2020	AQ408066	LEASE	EDITION 22
27/10/2020	AQ482910	LEASE	EDITION 23
22/12/2020	AQ601773	SURRENDER OF LEASE	EDITION 24
24/2/2021	AQ805522	VARIATION OF LEASE	
15/12/2021	AR663066	LEASE	
15/12/2021	AR663132	LEASE	EDITION 25
23/3/2022	AR984758	DEPARTMENTAL DEALING	EDITION 26
8/4/2022	AR969050	LEASE	EDITION 27
19/7/2022	AS244790	SURRENDER OF LEASE	
19/7/2022	AR881286	LEASE	EDITION 28
26/7/2022	AS312062	RESTRICTION ON USE OF LAND BY/VESTED IN PRESCRIBED AUTHORITY	EDITION 29
27/7/2022	AS339358	PRIORITY NOTICE	EDITION 30
17/8/2022	AS348701	TRANSFER	EDITION 31

*** END OF SEARCH ***

383 Kent Street, Sydney PRINTED ON 15/11/2022

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Received: 15/11/2022 12:28:59

Req:R531234 /Doc:DL 7000570 /Rev:09-Sep-2000 /NSW LRS /Pgs:ALL /Prt:21-Aug-2020 18:21 /Seq:1 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

Licence: 98M111
Edition: 9909

APPLICATION TO RECORD NEW REGISTERED PROPRIETOR

New South Wales
Section 46C Real Property Act 1900
Section 12(4) Trustee Act 1925

Land Titles Office use only

7000570E

STAMP DUTY Office of State Revenue use only

(A) **LAND** Torrens Title: Title Reference 1 Folio Identifier 778 342

(B) **REGISTERED DEALING**

Number	Torrens Title

(C) **LODGED BY**

LTO Box	Name, Address or DX and Telephone	CODE
41J	Mallesons Stephen Jaques Level 60, Governor Phillip Tower, 1 Farrer Place Sydney NSW 2000 Reference (optional): AAV 03-5026-2535	AP

(D) **APPLICANT** AXA Australia Property Management Limited (ACN 006 036 442)

(E) **PRESENT REG'D PROPRIETOR** Permanent Trustee Australia Limited (ACN 008 412 913)

(F) **NEW REG'D PROPRIETOR** AXA Australia Property Management Limited (ACN 006 036 442)

(G) **APPLICATION UNDER SECTION 46C REAL PROPERTY ACT 1900**

In regard to the land/registered dealing specified above, the applicant requests the Registrar General to record the new registered proprietor on the folio of the Register, the land/registered dealing having vested in the new registered proprietor pursuant to—

(H) Sections 601EB, 601FS and 1462 of the Corporations Law and by virtue of registration of the new registered proprietor as responsible entity of the AXA Australia Diversified Property Trust (ARSN 089 324 541)

(G) ~~**APPLICATION UNDER SECTION 12(4) TRUSTEE ACT 1925**~~

In regard to the land/registered dealing specified above, the applicant requests the Registrar General to record the new registered proprietor on the folio of the Register consequent on—

(I) ~~**See Annexure A for execution**~~

(J) We certify this dealing correct for the purposes of the Real Property Act 1900. **DATE:**

~~Signed in my presence by the applicant who is personally known to me~~.

See Annexure A for execution

~~Signature of witness:~~ ~~Signature of applicant~~:

Name of witness:

~~Address of witness:~~

All handwriting must be in block capitals.
A set of notes on this form (04RP-2) is available from the Land Titles Office.

Checked by (LTO use): Legis 101

Req:R531234 /Doc:DL 7000570 /Rev:09-Sep-2000 /NSW LRS /Pgs:ALL /Prt:21-Aug-2020 18:21 /Seq:2 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

ANNEXURE A

EXECUTED by **AXA AUSTRALIA PROPERTY MANAGEMENT LIMITED** (ACN 006 036 442)

The Common Seal of
AXA AUSTRALIA PROPERTY MANAGEMENT LIMITED
was hereunto affixed in accordance with its constitution in the presence of:

AXA AUSTRALIA PROPERTY MANAGEMENT LIMITED ACN 006 036 442
The Common Seal of

.....
DIRECTOR

.....
SECRETARY

Req:R531235 /Doc:DL 7000571 /Rev:09-Sep-2000 /NSW LRS /Pgs:ALL /Prt:21-Aug-2020 18:21 /Seq:1 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

Form: 97-01T
Licence: 026CN/0526/96

TRANSFER

New South Wales

Real Property Act 1900

7000571C

Instructions for filling out this form are available from the Land Titles Office

Office of State Revenue use only

NEW SOUTH WALES DUTY
19-07-2000 0000358973-305
SECTION 54A(1)(A)
DUTY $ ********10.00

(A) **LAND TRANSFERRED**
Show no more than 20 titles. If appropriate, specify the share or part transferred.

TITLE REFERENCE 1 FOLIO IDENTIFIER 778342

(B) **LODGED BY**

LTO Box	Name, Address or DX and Telephone
41J	Mallesons Stephen Jaques DX 113 Sydney (02) 9296 2000 REFERENCE (15 character maximum): AAV: 03-5026-2535

(C) **TRANSFEROR** AXA AUSTRALIA PROPERTY MANAGEMENT LIMITED (ACN 006 036 442)

(D) acknowledges receipt of the consideration of the transferee agreeing to act as custodian and as regards the land specified above transfers to the transferee an estate in fee simple.

(E) Encumbrances (if applicable) 1. 2. 3.

(F) **TRANSFEREE**

T **TS** (s713 LGA) **TW** (Sheriff)	**NATIONAL MUTUAL LIFE NOMINEES LIMITED** (ACN 004 387 133) **TENANCY:**

(G)

(H) We certify this dealing correct for the purposes of the Real Property Act 1900. **DATE** .....

~~Signed in my presence by the transferor who is personally known to me.~~

SEE ANNEXURE A FOR EXECUTION

.....
Signature of Witness

.....
Name of Witness (BLOCK LETTERS)

.....
Address of Witness

.....
~~Signature of Transferor~~

Signed in my presence by the transferee who is personally known to me.

.....
Signature of Witness

.....
Name of Witness (BLOCK LETTERS)

.....
Address of Witness

.....
~~Signature of Transferee~~

~~NB: if signed on the transferee's behalf by a solicitor or licensed conveyancer, show the signatory's full name in block letters.~~

CHECKED BY (LTO use) .....

Req:R531235 /Doc:DL 7000571 /Rev:09-Sep-2000 /NSW LRS /Pgs:ALL /Prt:21-Aug-2020 18:21 /Seq:2 of 2
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

ANNEXURE A

EXECUTED BY **AXA AUSTRALIA PROPERTY MANAGEMENT LIMITED (ACN 006 036 442)**

The Common Seal of
AXA AUSTRALIA PROPERTY MANAGEMENT LIMITED
was hereunto affixed in accordance with its constitution in the presence of:

AXA AUSTRALIA PROPERTY MANAGEMENT LIMITED ACN 006 036 442
The Common Seal of

.....
DIRECTOR

.....
SECRETARY

EXECUTED BY **NATIONAL MUTUAL LIFE NOMINEES LIMITED (ACN 004 387 133)**

The Common Seal of ~~AXA AUSTRALIA PROPERTY MANAGEMENT LIMITED~~ NATIONAL MUTUAL LIFE NOMINEES LIMITED
was hereunto affixed in accordance with its constitution in the presence of:

NATIONAL MUTUAL LIFE NOMINEES LIMITED A.C.N. 004 387 133
The Common Seal Of

.....
DIRECTOR

.....
SECRETARY

11.7.2000

7606571

Req:R531236 /Doc:DL 8950786 /Rev:16-Sep-2002 /NSW LRS /Pgs:ALL /Prt:21-Aug-2020 18:21 /Seq:1 of 3
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

Form: 01T
Licence: 01-06-050
Licensee: Mallesons Stephen Jaques

(1)

TRANSFER

New South Wales
Real Property Act 1900

8950786D

09-08-2002 0001073662-001
SECTION 54(2)
DUTY $ **********10.00

PRIVACY NOTE: this information is legally require

STAMP DUTY

Office of State Revenue use only

(A) **TORRENS TITLE**

If appropriate, specify the part transferred
1/778342

(B) **LODGED BY**

Delivery Box 27C ~~41J~~

Name, Address or DX and Telephone
~~Mallesons Stephen Jaques~~
~~DX 113 Sydney~~
~~(02) 9296 2000~~
Reference (optional): ~~5592572_1~~

FREEHILLS
MLC CENTRE
MARTIN PLACE SYDNEY
AS(N2)

CODES
T
TW
(Sheriff)

\# OFFL.
R016265

(C) **TRANSFEROR**

NATIONAL MUTUAL LIFE NOMINEES LIMITED (ABN 98 004 387 133)

(D) **CONSIDERATION**
(E) **ESTATE**
(F) **SHARE TRANSFERRED**

The transferor acknowledges receipt of the consideration of $ SEE ANNEXURE B and as regards the land specified above transfers to the transferee an estate in fee simple.

(G) Encumbrances (if applicable): 1. 2. 3.

(H) **TRANSFEREE**

PERPETUAL TRUSTEE COMPANY LIMITED (ABN 42 000 001 007)

(I) **TENANCY:** (S)

(J) **DATE** 01 / 03 / 2002
dd mm yyyy

Certified correct for the purposes of the Real Property Act 1900.

SEE ANNEXURE A FOR EXECUTION

ALL HANDWRITING MUST BE IN BLOCK CAPITALS

5592572_1

843

Req:R531236 /Doc:DL 8950786 /Rev:16-Sep-2002 /NSW LRS /Pgs:ALL /Prt:21-Aug-2020 18:21 /Seq:2 of 3
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

Annexure **A** to Transfer

Parties:

NATIONAL MUTUAL LIFE NOMINEES LIMITED and

PERPETUAL TRUSTEE COMPANY LIMITED

Dated: 1 March 2002

SIGNED by BRETA FRANK)
and)
LALITH SUSEW ALEXANDER DE SOYSA)
as attorneys for **NATIONAL MUTUAL LIFE NOMINEES LIMITED** under power of attorney registered book 4292 no. 472 in the presence of: ACN 004 387 133 26 October 2000)

.....
Signature of witness

JUNE TYRO – 13/447 Collins St. Melbourne
Name of witness (block letters)

.....
By executing this agreement the attorney states that the attorney has received no notice of revocation of the power of attorney

.....
By executing this agreement the attorney states that the attorney has received no notice of revocation of the power of attorney

SIGNED by VICKI RIGGIO)
and SUDHAMOY HAZRA)
as attorneys for **PERPETUAL TRUSTEE COMPANY LIMITED** under power of attorney registered book 4303 no. 331 dated 27/2/2001 in the presence of:)

.....
Signature of witness

FRAN MADDOCK
Name of witness (block letters)
Level 9 8 Castlereagh St
SYDNEY NSW 2000

.....
By executing this agreement the attorney states that the attorney has received no notice of revocation of the power of attorney

.....
By executing this agreement the attorney states that the attorney has received no notice of revocation of the power of attorney

Req:R531236 /Doc:DL 8950786 /Rev:16-Sep-2002 /NSW LRS /Pgs:ALL /Prt:21-Aug-2020 18:21 /Seq:3 of 3
© Office of the Registrar-General /Src:INFOTRACK /Ref:Sydney 383 Kent Street

Annexure **B** to Transfer

Parties:

NATIONAL MUTUAL LIFE NOMINEES LIMITED and

PERPETUAL TRUSTEE COMPANY LIMITED

Dated: 1 March 2002

In consideration of the appointment of the Transferee under a Custody Agreement dated 1 March 2002

Req:R752867 /Doc:DL AS348701 /Rev:17-Aug-2022 /NSW LRS /Prt:15-Nov-2022 12:29 /Seq:1 of 2
© Office of the Registrar-General /Src:InfoTrack /Ref:383 Kent Street, Sydney

System Document Identification

Form Number: 01T-e
Template Number: t_nsw18
ELN Document ID: 1328028553
ELN NOS ID: 1328028555

TRANSFER

New South Wales
Real Property Act 1900

Land Registry Document Identification

AS348701

Stamp Duty: 10314244-001

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

LODGED BY:

Responsible Subscriber:	ALLENS ABN 47702595758
Address:	L 28, 126 Phillip ST Sydney 2000
Email:	adam.gould@allens.com.au
ELNO Subscriber Number:	8443
Customer Account Number:	501337S
Document Collection Box:	1W
Client Reference:	FED:1087180 (38

LAND TITLE REFERENCE

1/778342

TRANSFEROR

PERPETUAL TRUSTEE COMPANY LIMITED ACN 000001077
Registered company

TRANSFEREE

THE TRUST COMPANY (AUSTRALIA) LIMITED ACN 000000993
Registered company

Tenancy: Sole Proprietor

CONSIDERATION

The transferor acknowledges receipt of the consideration of $385,000,000.00

ESTATE TRANSFERRED

FEE SIMPLE

The Transferor transfers to the Transferee the Estate specified in this Instrument and acknowledges receipt of any Consideration shown.

SIGNING FOR TRANSFEROR

I certify that:

1. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.
2. The Certifier has retained the evidence supporting this Registry Instrument or Document.
3. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to verify the identity of the transferor or his, her or its administrator or attorney.

Party Represented by Subscriber:

PERPETUAL TRUSTEE COMPANY LIMITED

Signed By: Martin Downing
ELNO Signer Number: 50501
Signer Capacity: Practitioner Certifier
Digital Signing Certificate Number:

Signed for Subscriber: PARTNERS OF HWL EBSWORTH LAWYERS ABN 37246549189

HWL EBSWORTH LAWYERS

Req:R752867 /Doc:DL AS348701 /Rev:17-Aug-2022 /NSW LRS /Prt:15-Nov-2022 12:29 /Seq:2 of 2
© Office of the Registrar-General /Src:InfoTrack /Ref:383 Kent Street, Sydney

Subscriber Capacity: Representative Subscriber
ELNO Subscriber Number: 7943 **Customer Account Number:** 501286
Date: 29/07/2022

SIGNING FOR TRANSFEREE

I certify that:

1. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.
2. The Certifier has retained the evidence supporting this Registry Instrument or Document.
3. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to verify the identity of the transferee or his, her or its administrator or attorney.

Party Represented by Subscriber:

THE TRUST COMPANY (AUSTRALIA) LIMITED

Signed By: Annabelle Aland **Signer Capacity:** Practitioner Certifier
ELNO Signer Number: 3860243 **Digital Signing Certificate Number:**

Signed for Subscriber: PARTNERS OF ALLENS ABN 47702595758

ALLENS

Subscriber Capacity: Representative Subscriber
ELNO Subscriber Number: 8443 **Customer Account Number:** 501337
Date: 27/07/2022

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/778342

SEARCH DATE	TIME	EDITION NO	DATE
15/11/2022	12:19 PM	31	17/8/2022

LAND

LOT 1 IN DEPOSITED PLAN 778342
AT SYDNEY
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ST ANDREW COUNTY OF CUMBERLAND
TITLE DIAGRAM DP778342

FIRST SCHEDULE

THE TRUST COMPANY (AUSTRALIA) LIMITED (T AS348701)

SECOND SCHEDULE (28 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 EASEMENT(S) APPURTENANT TO THE LAND ABOVE DESCRIBED CREATED BY:
DP778342 -FOR SUPPORT VARIABLE WIDTH
3 7246097 RESTRICTION AS TO USER (S.88E(3) CONVEYANCING ACT, 1919)
4 AA977313 LEASE TO AUSGRID (SEE AJ71566) OF SUBSTATION NO 7901 (BASEMENTS 3 & 4) TOGETHER WITH RIGHT OF WAY & EASEMENT OVER ANOTHER PART OF THE LAND ABOVE DESCRIBED SHOWN IN PLAN WITH AA997313. EXPIRES: 31/1/2102.
AK971351 LEASE OF LEASE AA977313 TO BLUE ASSET PARTNER PTY LTD, ERIC ALPHA ASSET CORPORATION 1 PTY LTD, ERIC ALPHA ASSET CORPORATION 2 PTY LTD, ERIC ALPHA ASSET CORPORATION 3 PTY LTD & ERIC ALPHA ASSET CORPORATION 4 PTY LTD EXPIRES: SEE DEALING. CLAUSE 2.3 (b) (ii).
AK971352 LEASE OF LEASE AK971351 TO BLUE OP PARTNER PTY LTD, ERIC ALPHA OPERATOR CORPORATION 1 PTY LTD, ERIC ALPHA OPERATOR CORPORATION 2 PTY LTD, ERIC ALPHA OPERATOR CORPORATION 3 PTY LTD & ERIC ALPHA OPERATOR CORPORATION 4 PTY LTD EXPIRES: SEE DEALING. CLAUSE 12.1
AK971502 MORTGAGE OF LEASE AK971351 TO ANZ FIDUCIARY SERVICES PTY LTD
AK971571 CHANGE OF NAME AFFECTING LEASE AA977313 LESSEE NOW ALPHA DISTRIBUTION MINISTERIAL HOLDING CORPORATION
5 AI68579 LEASE TO GRANT THORNTON AUSTRALIA LIMITED BEING BASEMENT LEVEL B1. COMMENCING DATE 1/2/2014. EXPIRES: 31/10/2024. OPTION OF RENEWAL: 5 YEARS.

END OF PAGE 1 - CONTINUED OVER

SECOND SCHEDULE (28 NOTIFICATIONS) (CONTINUED)

AK306694 SURRENDERED AS REGARDS PART BEING AREA A, BASEMENT LEVEL B1

6 AI68580 LEASE TO GRANT THORNTON AUSTRALIA LIMITED BEING LEVEL 15. COMMENCING DATE 1/11/2013. EXPIRES: 31/10/2024. OPTION OF RENEWAL: 5 YEARS.

7 AI68581 LEASE TO GRANT THORNTON AUSTRALIA LIMITED BEING SUITE 1601, LEVEL 16. COMMENCING DATE 1/11/2014. EXPIRES: 31/10/2024. OPTION OF RENEWAL: 5 YEARS.

8 AI68582 LEASE TO GRANT THORNTON AUSTRALIA LIMITED BEING SUITE 1602, LEVEL 16.COMMENCING DATE 1/11/2013. EXPIRES: 31/10/2024. OPTION OF RENEWAL: 5 YEARS.

9 AI68583 LEASE TO GRANT THORNTON AUSTRALIA LIMITED BEING LEVEL 17. COMMENCING DATE 1/11/2014. EXPIRES: 31/10/2024. OPTION OF RENEWAL: 5 YEARS.

10 AI68584 LEASE TO GRANT THORNTON AUSTRALIA LIMITED BEING LEVEL 18. COMMENCING DATE 1/11/2014. EXPIRES: 31/10/2024. OPTION OF RENEWAL: 5 YEARS.

AM252352 LEASE OF LEASE AI68584 TO CRAWFORD & COMPANY (AUSTRALIA) PTY LTD EXPIRES: 30/9/2024.

11 AI951199 LEASE TO ANNE STREET PARTNERS SERVICES PTY LTD BEING SUITE 1401, LEVEL 14. EXPIRES: 31/1/2021. OPTION OF RENEWAL: 5 YEARS.

12 AK360650 LEASE TO WILSON PARKING AUSTRALIA 1992 PTY LIMITED OF THE PREMISES KNOWN AS WILSON PARKING STATION ON LEVELS B3, B2, B1, G, L1, L2, L3, L4, L5 & L6, 383-395 KENT STREET, SYDNEY. EXPIRES: 30/11/2018.

AM436731 VARIATION OF LEASE AK360650 EXPIRY DATE NOW 30/11/2021.

13 AM140299 LEASE TO MASOUD ABDOLLAH BEING SHOPS T1 & T2, GROUND FLOOR, 383 KENT STREET, SYDNEY. EXPIRES: 31/10/2026.

14 AM592676 LEASE TO S & A PANETTA PTY LTD (SEE AP380315) BEING SHOP T4, GROUND FLOOR. EXPIRES: 30/6/2024.

AM840249 TRANSFER OF LEASE AM592676 LESSEE NOW MJI TRADING PTY LTD

15 AM677282 LEASE TO MAX DOUEIHI BEING SUITE G03, GROUND LEVEL, 383-395 KENT STREET, SYDNEY. EXPIRES: 31/5/2022.

16 AM750189 LEASE TO MORGAN MCKINLEY PTY LIMITED BEING SUITE 902, LEVEL 9, 383-395 KENT STREET, SYDNEY. COMMENCES: 1/10/2017. EXPIRES: 31/3/2023.

17 AN171171 LEASE TO MAERSK LINE A/S BEING SUITE 801, LEVEL 8. EXPIRES: 31/3/2023.

18 AP72511 LEASE TO LAWCOVER INSURANCE PTY LTD OF SUITE 1303, LEVEL 13, 383-395 KENT ST, SYDNEY. COMMENCES 01/04/2021. EXPIRES: 30/9/2024. OPTION OF RENEWAL: 5 YEARS.

AQ805522 VARIATION OF LEASE AP72511 OPTION OF RENEWAL:

END OF PAGE 2 - CONTINUED OVER

SECOND SCHEDULE (28 NOTIFICATIONS) (CONTINUED)

PRESERVED.

19 AP72512 LEASE TO LAWCOVER INSURANCE PTY LTD OF SUITE 1301, LEVEL 13, 383-395 KENT ST, SYDNEY COMMENCES 1/10/2019. EXPIRES: 30/9/2024. OPTION OF RENEWAL: 5 YEARS.

20 AP535447 LEASE TO BMC SOFTWARE (AUSTRALIA) PTY LTD BEING SUITE 1302, LEVEL 13. COMMENCES: 1/3/2020. EXPIRES: 28/2/2025.

21 AQ46713 LEASE TO MUHAMMAD MOUKACHAR & MAJID MAJIDI OF SHOP RET-G-05, 383-395 KENT STREET, SYDNEY (SEE DEALING FOR SHARES). COMMENCES 14/11/2020. EXPIRES: 31/10/2025.

22 AQ408066 LEASE TO BOND AND CREDIT COMPANY PTY LTD OF SUITE 1402, LEVEL 14, 383-395 KENT STREET, SYDNEY. EXPIRES: 7/6/2023.

23 AQ482910 LEASE TO INTERSYSTEMS AUSTRALIA PTY LIMITED OF LEVELS 11 AND 12, 383-395 KENT STREET, SYDNEY. EXPIRES: 31/12/2024. OPTION OF RENEWAL: 5 YEARS AND TWO FURTHER OPTIONS OF 5 YEARS.

24 AR663066 LEASE TO WORLD MANAGER PTY LTD OF SUITE 1403, LEVEL 14, 383-395 KENT STREET, SYDNEY. EXPIRES: 14/6/2024.

25 AR663132 LEASE TO WARRINGTONFIRE AUSTRALIA PTY LTD OF SUITE 802, LEVEL 8, 383-395 KENT STREET, SYDNEY. EXPIRES: 30/6/2024.

26 AR969050 LEASE TO MOTT MACDONALD AUSTRALIA PTY LIMITED PART BEING SUITES 901 AND 903, LEVEL 9 AND LEVEL 10, 383-395 KENT STREET, SYDNEY. EXPIRES: 14/1/2027. OPTION OF RENEWAL: 3 YEARS.

27 AR881286 LEASE TO MACULAR DISEASE FOUNDATION AUSTRALIA OF MEZZANINE FLOOR, 383-395 KENT STREET, SYDNEY. EXPIRES: 30/11/2026. OPTION OF RENEWAL: 3 YEARS.

28 AS312062 RESTRICTION(S) ON THE USE OF LAND

NOTATIONS

REFER ALL DEALINGS TO SD2

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

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LOTSEARCH

LOTSEARCH AERIALS

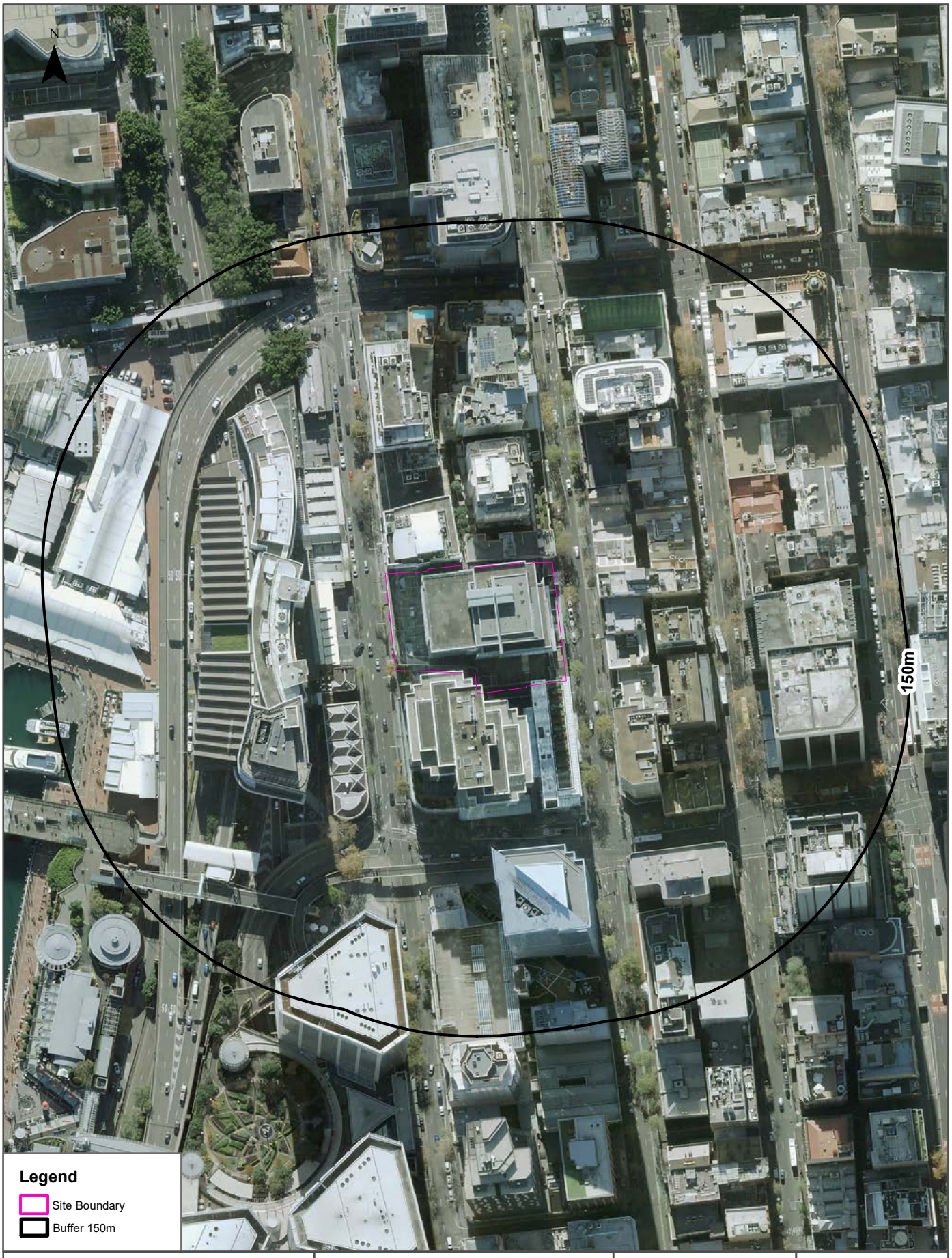
Date: 04 Nov 2022

Reference: LS037673 EA

Address: 383 Kent Street, Sydney, NSW 2000

Aerial Imagery 2022

383 Kent Street, Sydney, NSW 2000



Scale:	Data Source Aerial Imagery:	Coordinate System:	Date: 04 November 2022
0 25 50 75 100 Meters	© Aerometrex Pty Ltd	GDA 1994 MGA Zone 56	

852

Aerial Imagery 2017

383 Kent Street, Sydney, NSW 2000

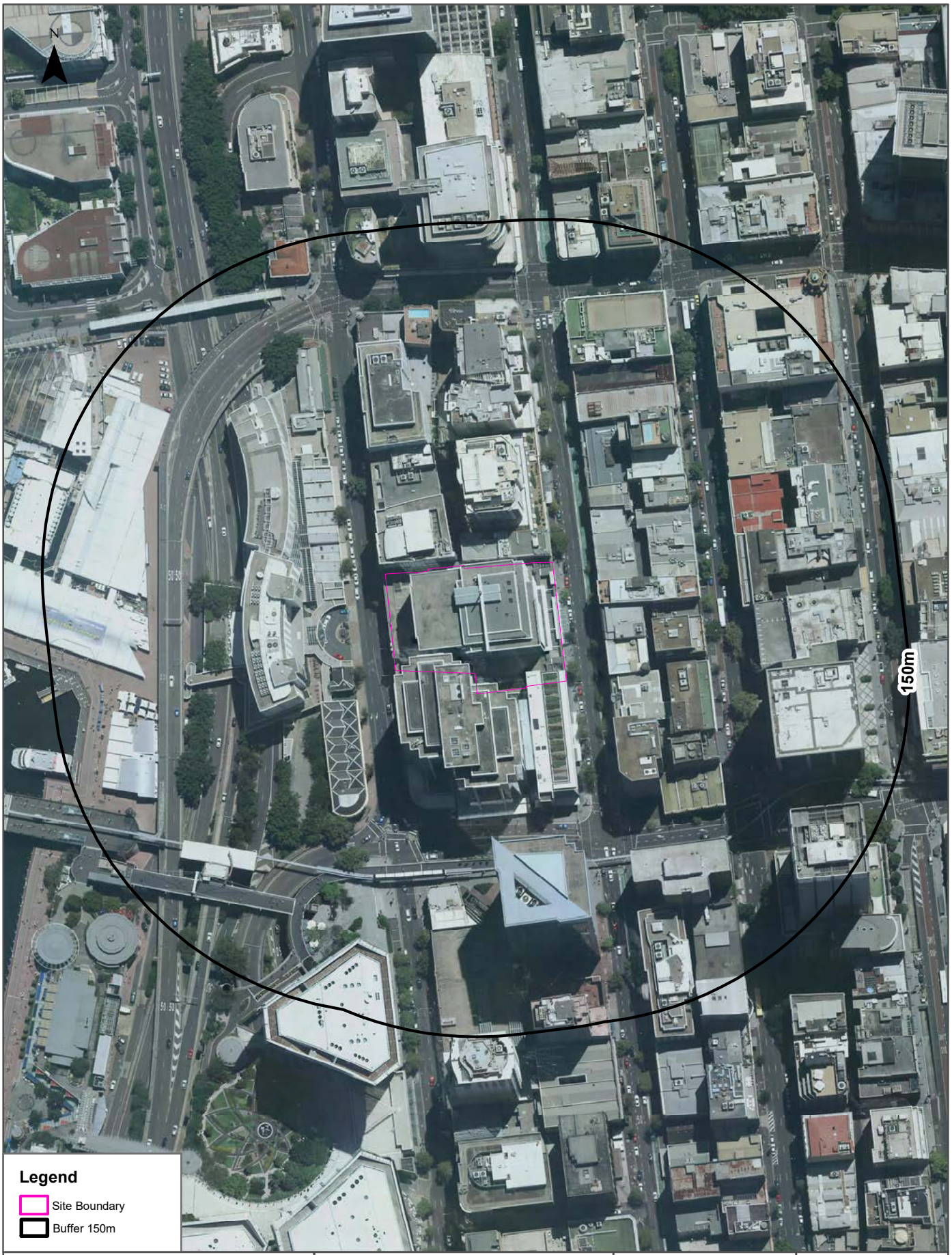


Scale:	Data Source Aerial Imagery:	Coordinate System:	Date: 04 November 2022
0 25 50 75 100 Meters	© Aerometrex Pty Ltd	GDA 1994 MGA Zone 56	

853

Aerial Imagery 2011

383 Kent Street, Sydney, NSW 2000



Scale:	Data Source Aerial Imagery:	Coordinate System:	Date: 04 November 2022
0 25 50 75 100 Meters	© Aerometrex Pty Ltd	GDA 1994 MGA Zone 56	

Aerial Imagery 2005

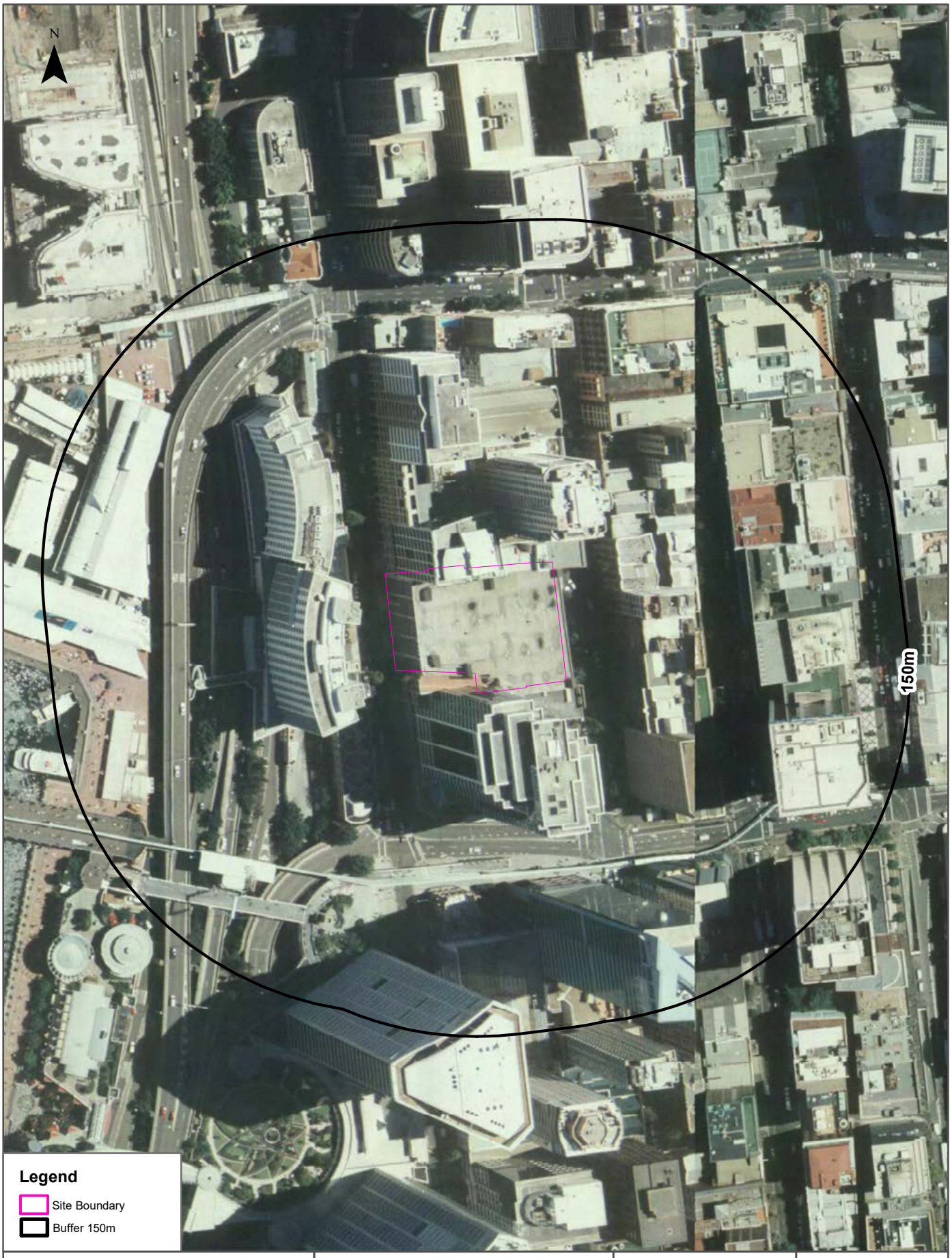
383 Kent Street, Sydney, NSW 2000



Scale:	Data Source Aerial Imagery:	Coordinate System:	Date: 04 November 2022
0 25 50 75 100 Meters	© Aerometrex Pty Ltd	GDA 1994 MGA Zone 56	

Aerial Imagery 2000

383 Kent Street, Sydney, NSW 2000



Aerial Imagery 1994

383 Kent Street, Sydney, NSW 2000



Scale: 0 25 50 75 100 Meters

Data Source Aerial Imagery:
© NSW Department of Customer Service

Coordinate System:
GDA 1994 MGA Zone 56

Date: 03 November 2022

Aerial Imagery 1991

383 Kent Street, Sydney, NSW 2000



Aerial Imagery 1986

383 Kent Street, Sydney, NSW 2000



Aerial Imagery 1982

383 Kent Street, Sydney, NSW 2000



Scale:
0 25 50 75 100
Meters

Data Sources: Aerial Imagery:
© NSW Department of Customer Service

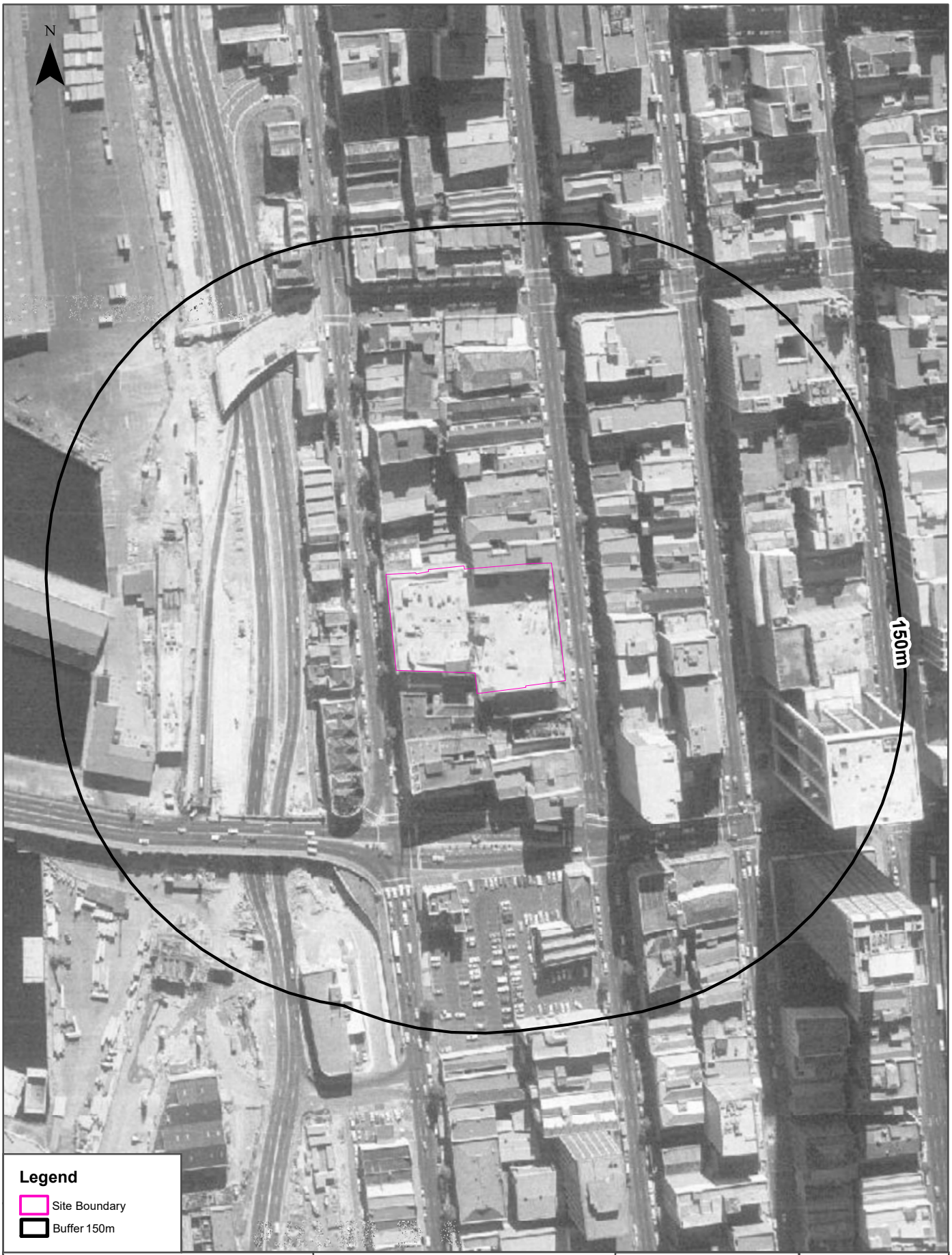
869

Coordinate System:
GDA 1994 MGA Zone 56

Date: 04 November 2022

Aerial Imagery 1978

383 Kent Street, Sydney, NSW 2000



Aerial Imagery 1970

383 Kent Street, Sydney, NSW 2000



Data Sources: Aerial Imagery:
© NSW Department of Customer Service

Coordinate System:
GDA 1994 MGA Zone 56

Date: 04 November 2022

862

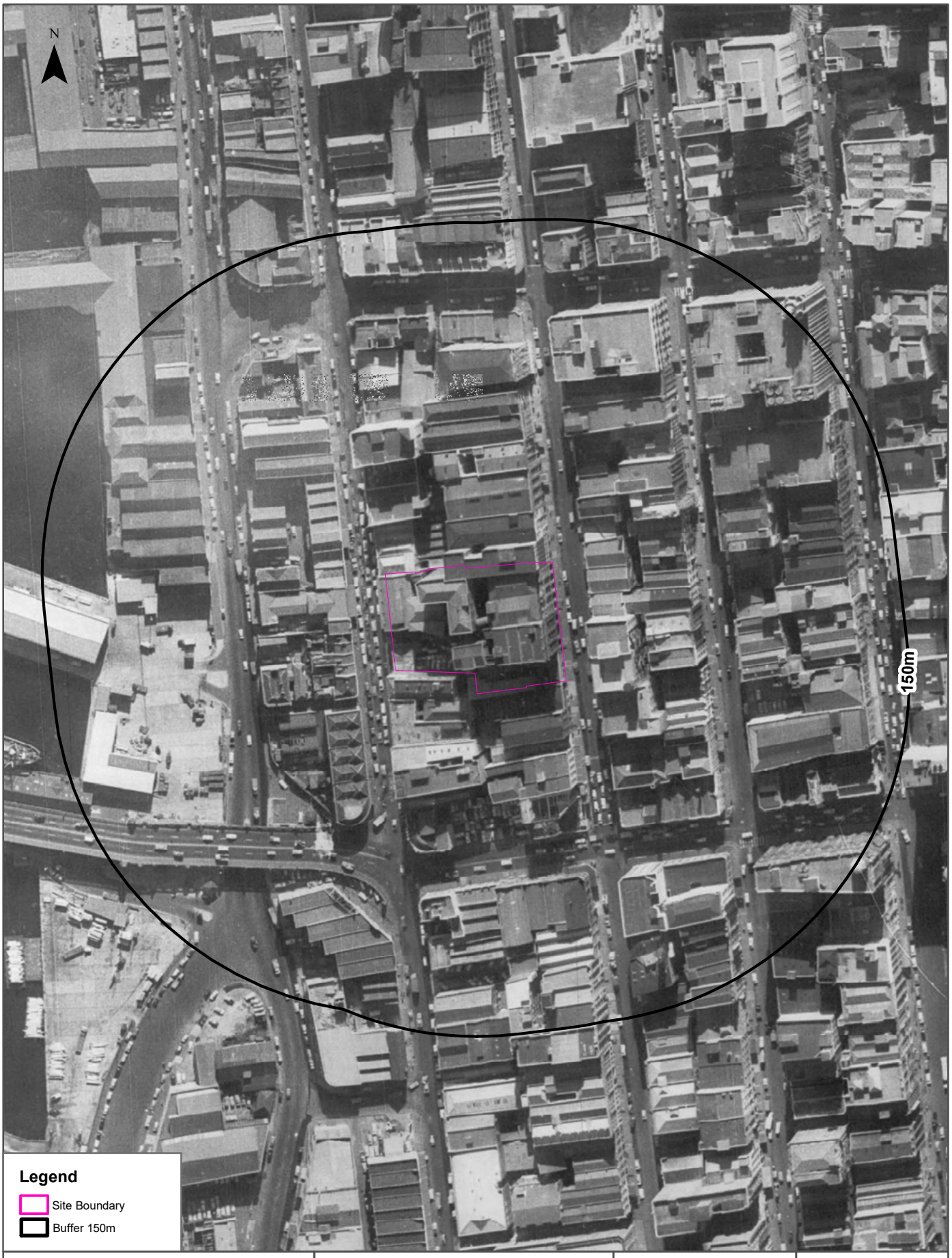
Aerial Imagery 1965

383 Kent Street, Sydney, NSW 2000



Aerial Imagery 1961

383 Kent Street, Sydney, NSW 2000



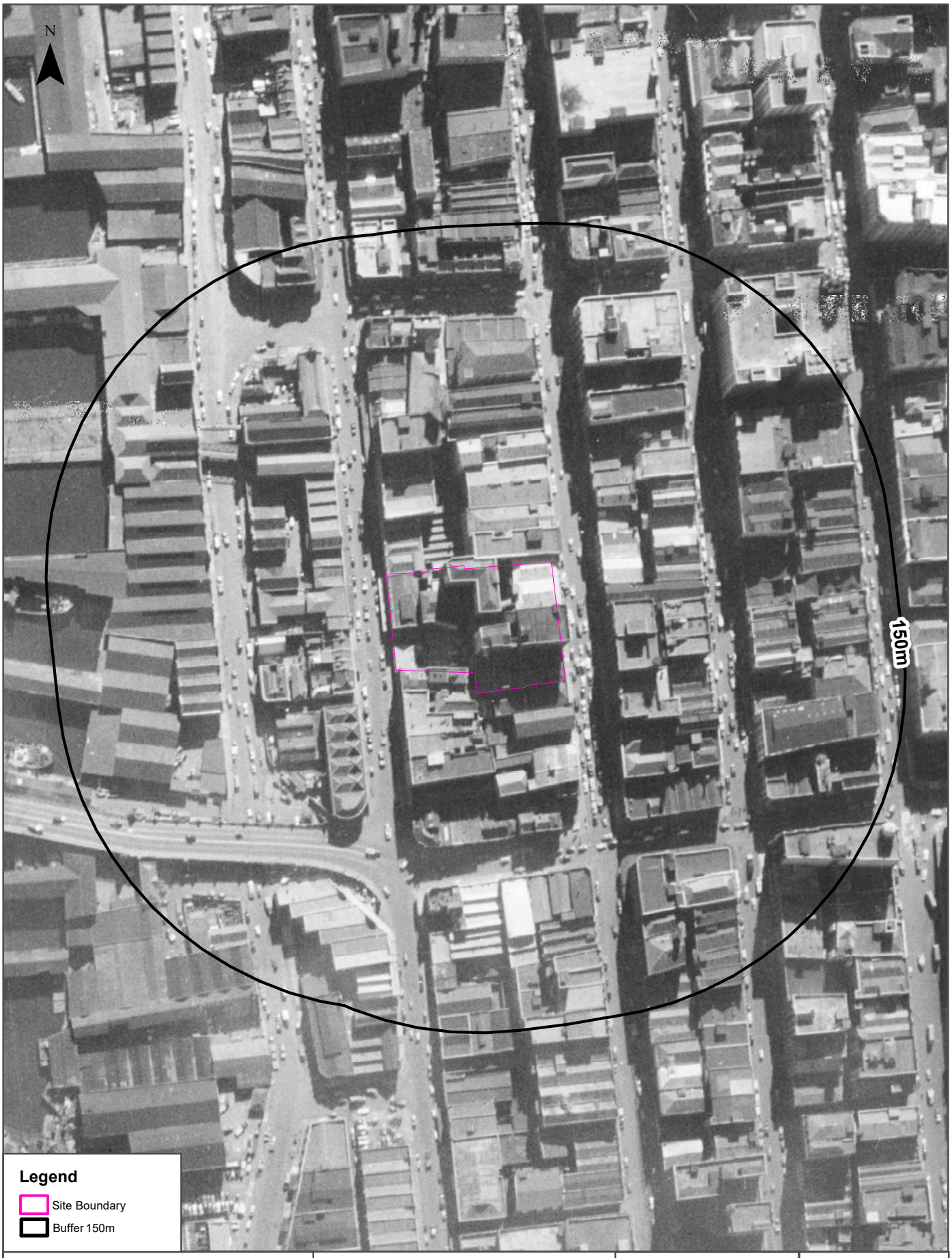
Aerial Imagery 1955, 1956

383 Kent Street, Sydney, NSW 2000



Aerial Imagery 1951

383 Kent Street, Sydney, NSW 2000



Aerial Imagery 1943

383 Kent Street, Sydney, NSW 2000



Aerial Imagery 1930

383 Kent Street, Sydney, NSW 2000



USE OF REPORT - APPLICABLE TERMS

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Suburb	SiteName	Address	ContaminationActivityType	ManagementClass	Latitude	Longitude
SWANSEA	Caltex Service Station	126 Pacific HIGHWAY	Service Station	Regulation under CLM Act not required	-33.08811841	151.6381764
SWANSEA	Swansea 1 - Wastewater Pumping Station	137 and 137a Northcote AVENUE	Other Industry	Regulation under CLM Act not required	-33.0973813	151.6473669
SYDENHAM	SRA Land	117 Railway PARADE	Other Industry	Regulation under CLM Act not required	-33.91560723	151.1656846
SYDENHAM	Sydenham XPT Maintenance Facility	Way STREET	Other Industry	Regulation under CLM Act not required	-33.91698468	151.1614089
SYDNEY	Interpro House (OSP 46581)	447 Kent STREET	Other Petroleum	Regulation under CLM Act not required	-33.87225413	151.204761
SYDNEY	Eurostar Dry Cleaners	100 Oxford STREET	Chemical Industry	Regulation under CLM Act not required	-33.8792987	151.2156647
SYDNEY	Chifley Tower (basement fuel storage area)	2 Chifley SQUARE	Other Petroleum	Regulation under CLM Act not required	-33.8659151	151.2117496
SYDNEY OLYMPIC PARK	RMS Western Precinct	14A-14E and 16 Hill ROAD	Other Petroleum	Regulation under CLM Act not required	-33.82239777	151.0758664
SYDNEY OLYMPIC PARK	Haslams Creek South Area 3	At Kronos Hill, Kevin Coombes AVENUE	Landfill	Contamination formerly regulated under the CLM Act	-33.84113059	151.0602966
SYDNEY OLYMPIC PARK	Bicentennial Park	Bicentennial DRIVE	Landfill	Ongoing maintenance required to manage residual contamination (CLM Act)	-33.84456248	151.0788116
SYDNEY OLYMPIC PARK	Former Golf Driving Range Landfill	Sarah Durack AVENUE	Landfill	Ongoing maintenance required to manage residual contamination (CLM Act)	-33.85358517	151.0713987
SYDNEY OLYMPIC PARK	Kronos Hill Landfill	Kevin Coombes AVENUE	Landfill	Ongoing maintenance required to manage residual contamination (CLM Act)	-33.84014442	151.0649521
SYDNEY OLYMPIC PARK	Wilson Park (Former oil gas plant site)	Newington ROAD	Gasworks	Ongoing maintenance required to manage residual contamination (CLM Act)	-33.82623982	151.0536833
SYDNEY OLYMPIC PARK	Woo-la-ra Landfill	Hill ROAD	Landfill	Ongoing maintenance required to manage residual contamination (CLM Act)	-33.82695807	151.07282
SYDNEY OLYMPIC PARK	Aquatic Centre Carpark Landfill	Shane Gould AVENUE	Landfill	Ongoing maintenance required to manage residual contamination (CLM Act)	-33.85153457	151.0678127

Property

Property Address 383-395A Kent Street , SYDNEY NSW 2000

(All 131 Parent Property/Default records)

383-395A Kent Street , SYDNEY NSW 2000

Property Applications: B/1971/1248, PARTITIONS 4TH FLOOR
Property Applications: B/1971/1341, PARTITIONS - 4TH FLOOR
Property Applications: B/1971/1384, PARTITIONS - 6TH FLOOR
Property Applications: B/1971/1588, NEW TOILET BLOCK, 5TH FLOOR
Property Applications: B/1972/18, MECHANICAL VENTILATION
Property Applications: B/1972/1157, NEW TOILET
Property Applications: B/1972/1181, MECH VENT
Property Applications: B/1972/1388, MECHANICAL VENTILATION, FIRST FLOOR,REAR
Property Applications: B/1973/73, MECHANICAL VENTILATION BASEMENT
Property Applications: B/1973/79, MECHANICAL VENTILATION GROUND FLOOR
Property Applications: B/1974/877, PARTITIONS, UPPER GROUND FLOOR
Property Applications: B/1976/813, EXCAVATION
Property Applications: B/1976/1350, MULTI LEVEL CAR PARK
Property Applications: B/1978/636, ERECTION OF TWO SIGNS
Property Applications: D/1971/213, NEW COMMERCIAL BUILDING
Property Applications: D/1973/56, USE AS OFFICES, SHOWROOM & WAREHOUSE
Property Applications: D/1974/11, USE LOWER GROUND FLOOR AS WAREHOUSE
Property Applications: D/1974/64, EXTENSION OF EXISTING PARKING LOT
Property Applications: D/1976/65, USE PREMISES FOR A PRKING.
Property Applications: D/1976/341, USE PREMISES AS A CAR PARKING STATION
Property Applications: D/1978/655, ERECT AN ILLUMINATED SIGN
Property Applications: D/1998/222, Additions to existing public carpark including a 14 level commercial tower
Property Applications: D/1999/67, Install 3 temporary real estate leasing signs
Property Applications: D/2000/175, Continue use of three real estate leasing signs on Kent & Sussex St facades
Property Applications: D/1998/222/A, S96 Cancelled incorrectly lodged at OSS
Property Applications: D/1998/222/B, Amend schedule 1 to reflect the amended building height Amend condition 1 incorporate plans which reflect the amendments;Amend condition 2 relating to the approval of architectual roof feature Amend condition 10 relating to the amended building height;Amen
Property Applications: C/2000/371, 11 Storey office block to be constructed on existing 10 level carpark
Property Applications: D/2000/10, Extension of DA consent DA 222/1998
Property Applications: B/2000/182, Erect B Class Hoarding Erection approx 12-18months
Property Applications: D/2001/260, Internal fitout of levels 17 & 18 for office use
Property Applications: P/2001/134, D/260/01 CC 21095 Occ Cert 10/05/02 Office fitout levels 17 & 18
Property Applications: D/2001/466, Alter existing temporary signage upon the hoarding
Property Applications: D/1998/222/C, S96 Amend condition 38 relating to the required standards for carparking and service vehicle spaces; and Amend condition 93 to specify the minimum size of nominated parking spaces on LB1, L1 and L2-L5
Property Applications: D/2001/260/A, S96 Delete condition 7 relating to windows mullion and internal partitions
Property Applications: D/2001/782, Erect a temporary car park sign on existing hoarding on Kent Street footway
Property Applications: B/2001/177, Erect class 'A' type hoarding on footpath
Property Applications: D/2002/38, Installation of two illuminated sign boxs to each of the two street facades of the building for parking station identification purposes
Property Applications: D/1998/222/D, Modifications to the internal configuration of the ground floor, levels 1,2 and 3 for the inclusion of a lift to replace staircase and revised cladding material for two circular columns at Kent St entrance; Amend condition 1 to incorporate revised drawings
Property Applications: D/1998/222/E, S96 amendment. Created in erreor by oss
Property Applications: P/2002/192, CDC 35738 Lvl 8,9 & part lvl 10 office fitout FOcc 29/05/02
Property Applications: D/2002/279, Fitout and use of tenancies T4 in the entry foyer and T5 on the Kent Street level as a Juice Bar
Property Applications: D/2002/343, Alterations level 16 involving fitout for use as offices
Property Applications: P/2002/326, 2053CC1 fitout tenancies T4 & T5 DA 02/00279 OCC 2002OC58 22/11/02
Property Applications: P/2002/373, Ground level 4 box signs CC 22376 DA 02/38
Property Applications: J/2002/439, Lvl 16 office partitions
Property Applications: D/2002/793, Use of part of the building forecourt area for provision of outdoor seating facilities in conjuncyion with the adjoining cafe (Tenancy 4)
Property Applications: P/2002/718, CDC 22692 Lvls 13,14 & 15 commercial use occupsation cert OC22692
Property Applications: J/2003/38, Lvl 16 office partitions
Property Applications: D/2003/190, Alterations to shop No.T5 involving fitout for use as a bookshop and to erect a top hamper sign
Property Applications: D/2003/199, Alterations to shop No T3 involving fitout for use as office
Property Applications: J/2003/123, Office fitout Level 16
Property Applications: D/2003/802, Erect underawning sign at the ground floor of the premises
Property Applications: D/2003/904, Fitout/use mezzanine Tenancy T2 for sale of computers and two tenancy identification signs
Property Applications: C/2003/366, Fitout of Shop T2
Property Applications: D/2004/230, Use of the ground floor tenancy known as T1 as a convenience store, involving fitout of the tenancy area and the installation of identification signage.
Property Applications: B/2004/123, Fitout of Shop T1 for convenience store
Property Applications: B/2004/431, Office Fitout - Level 18
Property Applications: P/2004/496, CDC 04/934-1 issued 10/03/04. Remote fire alarm monitoring system
Property Applications: P/2004/1029, CDC 620/2004. Fitout of mezzanine levels 2 and 3 and levels 11 and 12. FOC 0620/2004 15/03/05
Property Applications: P/2004/1096, CDC 04/564/01. Final Occ Cert No. 04/564/01 - JTB Office fitout of level 15.
Property Applications: D/2005/1770, Internal fitout and use of Shop T5 to relocate an existing nearby newsagency.
Property Applications: B/2006/602, Level 15 office partitions. Final OC Issued 12 July 2006
Property Applications: P/2006/636, CDC No. 06/360/01 - Final Occ Cert issued 01/11/2006 - Fit out to Level 10.
Property Applications: D/2006/1508, Fit out and use of level 1 - Shop T2 (facing Sussex Street) as a Liquor Store.
Property Applications: B/2007/670, Level 16 Internal partitions only
Property Applications: B/2007/998, Interior commercial fitout consisting of modification of existing & construction of new partitions.
Property Applications: P/2007/981, J070244 - Final Occ. Cert. 29/10/07 - Level 16 suite 2 alterations & addtions to commercial office
Property Applications: P/2008/225, CDC08/040/01 - Final Occ Cert issued 9/05/08 - Level 16 internal office fitout
Property Applications: P/2008/266, CDC39379 - final Occ Cert issued 16/07/08 - Level 13 minor internal alterations to existing office
Property Applications: P/2008/1047, CDC: 39748 - final occ cert issued 14/11/08 - Level 13 Minor internal alterations to existing office
Property Applications: P/2009/1502, CDC 09/907/01 - Office fitout to levels 11 and 12 - Intersystems
Property Applications: P/2010/1032, CDC 10/0578/01 - Internal Fitout - Level 14 - Genesys
Property Applications: P/2010/938, CDC 10/0526/01 - Level 14 construction of inter-tenancy walls
Property Applications: P/2010/1886, CDC 251169 - Minor internal fitout to Level 10
Property Applications: P/2011/790, CDC: 251523 - Minor internal fitout work for Part Level 16
Property Applications: D/2011/953, Continue the use of the existing liqour store approved in DA D/2006/1508 at Level 1 - Shop T2 facing Sussex St.
Property Applications: D/2004/230/A, Amend Condition 9(b) to allow continued 24 hour use of the existing ground floor convenience store at ground level Shop T1 facing Sussex Street.
Property Applications: P/2011/1520, CDC 11/0855/01 - Internal office fitout to mezzanine level 2 & 3
Property Applications: P/2012/733, CDC 12/12 - Mod of exiting adjacent tenancy for Qantas use
Property Applications: P/2012/1603, CDC NO - CF12354CD01 - GROUND FLOOR LOBBY REFURBISHMENT
Property Applications: P/2012/2037, CDC N0 - 121488/01 - DEMOLITION OF EXISTING WALLS AND NEW FITOUT INTERNAL WORK ONLY OF LEVEL 8 FOR EXECUTIVE INTERIORS P/L
Property Applications: P/2013/624, CDC NO - CF13143CD01 - WORKS TO LEVEL 13 FOR DEXUS FUNDS MANAGEMENT C/- KNIGHT FRANK
Property Applications: P/2013/1182, CDC No. 13/0526/01 - Proposed office fit out to levels 15, 16 & 17 for Grant Thornton Australia Pty Ltd,
Property Applications: D/2013/1127, Construction of an end of trip facility at basement level 1 including new bike storage cages, showers, changing rooms, drying rooms and bathroom facilities and upgrade of mechanical services including installation of two grilles to the Sussex Street building facade.
Property Applications: P/2013/1182/A, CDC No. 13/0526/02 - Amendments minor internal office modifications to part level 16
Property Applications: P/2014/2, CC: 13/0776/01 - D/2013/1127 - Construction of an end of trip facility at basement level 1 including new bike storage cages,, showers, changing rooms, drying rooms and bathroom facilities and upgrades of mechanical, services including installation of two grilles to the Sussex Street building façade
Property Applications: P/2014/606, CDC N0 - 14/0332/01 - PART OFFICE FITOUT TO LEVEL 13 FOR LAWCOVER C/O INCORP
Property Applications: P/2014/797, CDC: CF14142CD01 - Level 13 construction of inter tenancy walls
Property Applications: P/2014/801, CDC: CF14146CD01 - Level 14 Demolition of internal partitions and make good
Property Applications: P/2014/940, CDC 14/0520/01 - Internal office alterations to part level 8
Property Applications: P/2014/1062, CDC CF14187 - Level 16 Internal demolition and make good
Property Applications: P/2014/1503, CDC 14/0846/01 - level 15-18 Internal Office Fitout
Property Applications: P/2014/2401, CDC N0 - 140355 - Mott MacDonald office fitout to level 10 for Project Control Group Pty Ltd
Property Applications: P/2014/2689, CDC: CF14421CD01 - Construction of inter-tenancy walls level 13
Property Applications: P/2014/2689/A, CDC: CF14421CD02 - Minor amendment Construction of inter-tenancy walls level 13
Property Applications: P/2014/2401/A, CDC N0 - 140355.1 - Mott MacDonald office fitout to level 10 for Project Control Group Pty Ltd
Property Applications: P/2015/47, Office fitout class 5 to level 13 for BMC Software
Property Applications: D/2015/94, Installation of Australia Post parcel lockers to the Sussex Street side of the building.
Property Applications: P/2015/109, CDC: 14/2077/01 - New minor internal office fitout level 13
Property Applications: P/2015/235, CDC CF15019CD01 - Internal Office Fitout
Property Applications: P/2015/1014, CF15117CC01 - D/2015/94 - Installation of Australia Post Parcel locker
Property Applications: P/2015/2273, 1145 - Fitout of existing retail suite G.02 for new Barber Shop
Property Applications: P/2016/760, CF16110CD01 - Installation of inner tenancy walls level 14
Property Applications: P/2016/760/A, CF16110CD02 - Amended Fire Engineer Report
Property Applications: P/2016/1229, GDL160199 - Re-instatement of internal wall level 11
Property Applications: P/2016/2493, GDL160420 - Demolition of two office walls.
Property Applications: P/2017/319, 17/0028/01 - level 18 internal alterations to existing commercial tenancy
Property Applications: P/2017/858, CDC GDL170057 - Internal office alterations on level 8
Property Applications: P/2017/1427, CDC N0 - 17/1437/01 - Office fit-out to level 9 for Valmont Interiors

(All 131 Parent Property/Default records)

Property Applications: P/2017/1608, CF17096CD01 - Level 8 alterations to exisitng internal office fitout
Property Applications: P/2017/2721, CDC 17/3063/01 - Internal demolition of partitions level 9
Property Applications: P/2017/3007, CDC 4646/0 - Tenancy fit out as "The Little Cuppa'
Property Applications: P/2018/1158, CDC - 18226CDC01 - Tenancy 1 level 14 office fitout including new partations and service alterations
Property Applications: P/2018/1979, CDC N0 - 18/2308/01 - Office refurbishment to level 10 for Project Support Group
Property Applications: P/2018/2531, CDC N0 - 18/3496/01 - Modification to existing office fit-out to level 13 for Lawcover C/0 Incorp Property Solutions Group
Property Applications: P/2018/2658, CDC: 18/3222/01 - Levels 15 & 16 Internal alterations & fitout modificaiton to part of the levels continued office use
Property Applications: P/2019/1049, CDC19/1079/01 - Level 9 - Construction of two meeting rooms
Property Applications: P/2019/1627, GDL190045- L8 Internal alterations to an existing office
Property Applications: P/2020/2132, CDC - 20/2947/01 - Internal alterations to existing office premises on Level 13 for Lawcover
Property Applications: P/2021/1007, CDC - 21000281/1 - Level 8 internal office fitout
Property Applications: D/2021/1456, PAN-176200 Alterations and additions to commercial development comprising removal of 13 commercial carparking spaces and creation of new end of trip facility
Property Applications: P/2022/572, CC - 8057727 - D/2021/1456 - Delection of 13 commercial car parking spaces and construcion of new end of trip facility and installation of a new mechanical louvre in the sussex street facade of the building
Property Applications: D/2021/1456/A, PAN-217584, S4.55(1A) - Modification of consent
Property Applications: DU/1998/222/A, PAN-217586, S4.55(1A) - Modification of consent
Property Applications: D/1998/222/F, PAN-217586 - S4.55(1A) - Modification of consent
Property Applications: D/1998/222/G, Notice of Modification – under Section 4.17(5) of the Act
Property Applications: P/2022/1671, CDC - CF22347CD01 - internal office fitout
Property Applications: P/2022/2089, CDC - 22/0554/01 - Minor internal alterations to an existing office premise on Level 10
FI
Lot 1 DP 778342

Linked Request Selection

Search Profile

Request (All 65 records - 1 se ected)

Request Number	Role	Request Status	Request Type	Date Received	Actioning Officer	Locked	User Name
2900802	Property at Issue	Completed	Rate requests to defer payment Covid-19	14/12/2022 3:06:08 PM	Rates Debt Recovery	☐	
2857498	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	27/09/2022 5:17:08 PM	CRANGER	☐	
2857487	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	27/09/2022 5:06:49 PM	CRANGER	☐	
2792460	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	30/05/2022 9:22:19 AM	CRANGER	☐	
2771550	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	29/04/2022 9:12:14 AM	CRANGER	☐	
2768840	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	26/04/2022 8:16:51 AM	CRANGER	☐	
2761498	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	13/04/2022 8:41:56 AM	CRANGER	☐	
2665799	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	17/11/2021 3:57:08 PM	CRANGER	☐	
2644027	Property at Issue	Completed	Illegal Parking - Safety & Obstruct on Issues	15/10/2021 10:00:22 AM	CRANGER	☐	
2424966	Property at Issue	Completed	Referral < Essent.Serv.BU > F reSafety BU - North	19/11/2020 1:22:50 PM	Tracey McCann	☐	
2407197	Property at Issue	Completed	Customer Service - Council Re ated Enquiries	23/10/2020 8:03:14 AM	Customer Service Team Leaders	☐	
2321700	Property at Issue	Completed	Grants Application Feedback	3/06/2020 1:14:22 PM	Irfon Evans	☐	
2283955	Property at Issue	Completed	Rates: Debt Recovery & Accounts Receivable	7/04/2020 10:46:14 AM	Rates Debt Recovery	☐	
2258415	Property at Issue	Completed	Request a Service : On L ne : OBG	3/03/2020 10:51:51 AM	Customer Service Team Leaders	☐	
2256647	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	1/03/2020 2:26:52 PM	CRANGER	☐	
2083103	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	8/05/2019 5:36:47 PM	CRANGER	☐	
2070475	Property at Issue	CAMS - Job Complete	Traffic Calm ng Devices:To Slow Down Road Traffic	13/04/2019 3:06:45 PM	Claudia Calabro	☐	
2053932	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	15/03/2019 10:41:54 AM	CRANGER	☐	
2044715	Property at Issue	Completed	Illegal Parking - Safety & Obstruct on Issues	27/02/2019 3:52:23 PM	CRANGER	☐	
2029463	Property at Issue	Completed	Parking F nes-Appeals not w thin Revenue NSW	4/02/2019 11:41:17 AM	CRANGER	☐	
2028652	Property at Issue	Completed	Report Local Issue : On L ne : OBG	2/02/2019 3:36:55 PM	Customer Service Team Leaders	☐	
2028649	Property at Issue	Completed	Report Local Issue : On L ne : OBG	2/02/2019 3:31:43 PM	Customer Service Team Leaders	☐	
2004892	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	20/12/2018 7:31:45 PM	CRANGER	☐	
1936571	Property at Issue	Waste - Not Presented	Dumps - I legal - West : OBG	9/08/2018 1:06:42 PM	Craig Clark	☐	
1917818	Property at Issue	Completed	Illegal Parking - Overstay / Did not pay	2/07/2018 10:33:14 AM	CRANGER	☐	
1908591	Property at Issue	Completed	Illegal Parking -Continual Overstaying: OBG	11/06/2018 7:56:48 PM	CRANGER	☐	
1845682	Property at Issue	Completed	Report Local Issue : On L ne : OBG	7/02/2018 5:41:42 PM	Customer Service Team Leaders	☐	
1799246	Property at Issue	Completed	Request a Service : On L ne : OBG	7/11/2017 8:54:40 PM	Customer Service Team Leaders	☐	
1791501	Property at Issue	Completed	Illegal Parking -Continual Overstaying: OBG	23/10/2017 7:56:43 AM	CRANGER	☐	
1776407	Property at Issue	Completed	Obstruction - Blocked Public Access - Path / Road	18/09/2017 2:52:12 PM	Matthew Rattle	☐	
1720567	Property at Issue	Completed	Obstruction - Blocked Public Access - Path / Road	12/05/2017 8:31:47 AM	CRANGER	☐	
1651791	Property at Issue	Completed	Request a Service : On L ne : OBG	20/12/2016 5:51:47 PM	Customer Service Team Leaders	☐	
1556930	Property at Issue	Completed	Illegal Activity n a Publ c Place	19/05/2016 3:30:39 PM	James Fryer	☐	
1543881	Property at Issue	Completed	Illegal Activity n a Publ c Place	21/04/2016 2:18:58 PM	Dean Pallister	☐	
1527271	Property at Issue	Completed	Blocked Fire Exit Passage / Path - North	17/03/2016 9:44:35 AM	Greg Scotton	☐	
1519708	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	2/03/2016 11:41:56 AM	CRANGER	☐	
1436198	Property at Issue	Completed	Illegal Activity n a Publ c Place	18/09/2015 7:46:57 AM	Tracey Brataniec	☐	
1359956	Property at Issue	Completed	Illegal Parking - Safety & Obstruct on Issues	9/03/2015 3:07:10 PM	CRANGER	☐	
1356714	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	2/03/2015 6:26:43 PM	CRANGER	☐	
1345571	Property at Issue	Completed	Noise - AfterHours - Rangers Only Enter Requests	5/02/2015 9:41:54 PM	Christopher Carpenter	☐	
1345566	Property at Issue	Completed	Noise - Bus./Com'rcial/Home/ConstctSite - North	5/02/2015 8:56:56 PM	Barry Mullin	☐	
1343153	Property at Issue	Completed	Illegal Parking - Breaches - Happening Now : OBG	2/02/2015 7:47:48 AM	CRANGER	☐	
1330997	Property at Issue	Completed	Report Local Issue : On L ne : OBG	3/01/2015 10:01:54 PM	Customer Service Team Leaders	☐	
1253356	Property at Issue	Completed	Illegal Parking - Safety & Obstruct on Issues	20/05/2014 12:00:48 PM	CRANGER	☐	
1235306	Property at Issue	Completed	Illegal Activity n a Publ c Place	21/03/2014 10:15:00 AM	Andrew Porter	☐	
1224953	Property at Issue	Completed	Blocked Fire Exit Passage / Path - North	28/02/2014 8:14:27 AM	Luke Jeffree	☐	
1143240	Property at Issue	Completed	Illegal Parking - Safety & Obstruct on Issues	11/07/2013 12:21:25 PM	CRANGER	☐	
1094556	Property at Issue	Completed	Dog / Cat - Stray / Report of Found Animal	5/03/2013 9:54:38 AM	Elena King	☐	
991237	Property at Issue	Completed	Dumps - I legal / Dead Animals - Central	14/04/2012 7:54:30 AM	Craig Clark	☐	
968576	Property at Issue	Completed	Illegal Parking - Safety & Obstruct on Issues	11/02/2012 9:12:02 PM	CRANGER	☐	
933035	Property at Issue	Completed	Illegal Parking - Safety & Obstruct on Issues	26/10/2011 2:18:07 PM	CRANGER	☐	
907824	Property at Issue	Completed	Graffiti & Bill Posters - CBD	8/08/2011 3:08:17 PM	TCLEAN	☐	
907778	Property at Issue	Completed	Graffiti & Bill Posters - Non CBD	8/08/2011 2:44:11 PM	TCLEAN	☐	
899100	Property at Issue	Completed	Noise - AfterHours - Rangers Only Enter Requests	9/07/2011 11:29:24 PM	CRANGER	☐	
775904	Property at Issue	Completed	Customer Service - Council Re ated Enquiries	21/05/2010 5:21:51 PM	Wendy Long	☐	
720057	Property at Issue	Completed	Trees - Streets - Maintenance	17/11/2009 12:26:50 PM	City Wide Tree Serv ces	☐	
688877	Property at Issue	Completed	Bu ding - Non Compliance with DA - Central	5/08/2009 10:04:20 AM	Venus Cervantes	☐	
655355	Property at Issue	Completed	Trees - Streets - Maintenance	25/03/2009 1:34:19 PM	City Wide Tree Serv ces	☐	
617855	Property at Issue	Completed	Pollution - Air/ Odour - Central	16/01/2009 10:43:53 AM	Jaskiran Kaur Bajwa	☐	
523761	Property at Issue	Completed	Illegal Activity n a Publ c Place	12/09/2008 4:34:35 PM	CRANGER	☐	
444603	Property at Issue	Completed	Illegal Activity n a Publ c Place	27/05/2008 2:32:17 PM	CRANGER	☐	

Request (All 65 records - 1 se ected)

Request Number	Role	Request Status	Request Type	Date Received	Actioning Officer	Locked	User Name
199268	Property at Issue	Completed	Trees - Streets - Maintenance	27/04/2007 3:33:37 PM	City Wide Tree Serv ces	☐	
170440	Property at Issue	Completed	Customer Service - Council Related Enquiries	1/03/2007 4:14:06 PM	Peter Ryan	☐	
22550	Property at Issue	Completed	Bu lding - Unauthor sed Work - Central	26/10/2005 12:05:56 PM	Robert Carr	☐	
21558	Property at Issue	Completed	Bu lding - Unauthor sed Work - Central	18/10/2005 8:58:19 AM	Robert Pearson	☐	

Request Summary

Property at Issue:
383-395A Kent Street SYDNEY NSW 2000
Assessment:
6985 (6) 383-395A Kent Street SYDNEY NSW 2000
Receiving Officer:
Michel e Chambers
CustomerContact Code:
TelephoneCall from Public / OBG
Nature of Call Code:
Request
Prior ty:
3
Date Prior ty Last Mod fied:
14-Dec-2022 15:06:08
Due Date:
28-Dec-2022 15:06:08
Date Completed:
15-Dec-2022 09:29:23
T me Taken:
1 Days
References:
ADDNAM - Addit onal Contact Name
[redacted]
ADDLOC - Additional Location Details
[redacted]

Notes Summary

15-Dec-2022 09:28:32 - Sujata Khade - GEN
[redacted] w ll try and pay by end of the year he said property sett ed recently. Advised him can not hold inteest and property sett ed in August2022.

Number	Name	Location	Type	Status	Issued date
1583892		Parts of Lot 118 DP1078271 and Lot 103 DP1188890, SYDNEY, NSW 2000	s.80 Surrender of a Licence	Issued	9-Apr-20
1596268		HOMEBUSH BAY DRIVE, HOMEBUSH WEST 2140, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	2-Jul-20
1589782		AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	5-Aug-20
1598492		CBD and South East Light Rail Alignment and Ancillary Sites, SYDNEY, NSW 2000	s.80 Surrender of a Licence	Issued	23-Sep-20
1601884		BETWEEN CHATSWOOD DIVE SITE AND SYDENHAM DIVE SITE, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	11-Dec-20
1613453		locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.80 Surrender of a Licence	Issued	26-Oct-21
1615121		AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	28-Jan-22
1621103		AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	2-Sep-22
1623553		WARRINGAH FREEWAY UPGRADE EARLY WORKS, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	13-Oct-22
1623331		AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	26-Oct-22
1624222		HOMEBUSH BAY DRIVE, HOMEBUSH WEST 2140, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	28-Nov-22
20699	ACCIONA INFRASTRUCTURE AUSTRALIA PTY LTD	CBD and South East Light Rail Alignment and Ancillary Sites, SYDNEY, NSW 2000	POEO licence	Surrendered	8-Apr-16
1545062	ACCIONA INFRASTRUCTURE AUSTRALIA PTY LTD	CBD and South East Light Rail Alignment and Ancillary Sites, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	23-Sep-16
1550575	ACCIONA INFRASTRUCTURE AUSTRALIA PTY LTD	CBD and South East Light Rail Alignment and Ancillary Sites, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	28-Mar-17

1553237	ACCIONA INFRASTRUCTURE AUSTRALIA PTY LTD	CBD and South East Light Rail Alignment and Ancillary Sites, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	27-Jun-17
1582970	ACCIONA INFRASTRUCTURE AUSTRALIA PTY LTD	CBD and South East Light Rail Alignment and Ancillary Sites, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	26-Jul-19
1009568	AGSERV PTY. LIMITED	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	17-Sep-01
3142	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	POEO licence	Issued	20-Dec-00
1040462	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	6-Sep-04
1052119	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	22-Sep-05
1092348	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	30-Sep-08
1093829	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	14-Nov-08
1103541	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	8-Jul-09
1105912	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	4-Sep-09
1108138	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	28-Oct-09
1110207	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	23-Dec-09
1112635	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	18-May-10

1121864	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	5-Jan-11
1123526	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	7-Jan-11
1123725	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	14-Jan-11
1123791	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	19-Jan-11
1123916	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	1-Apr-11
1130376	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	8-Jul-11
1501777	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	28-Sep-11
1503705	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	13-Jan-12
1506907	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	20-Jun-12
1507804	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	3-Aug-12
1508511	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	30-Aug-12
1509294	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	9-Oct-12
1509718	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	25-Oct-12

1510875	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	18-Dec-12
1512282	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	4-Apr-13
1513680	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	Compliance Audit	Complete	22-Apr-13
1513859	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	10-May-13
1514367	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	28-May-13
1516856	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	9-Dec-13
1519381	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	20-Jan-14
1526184	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	11-Feb-15
1531018	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	11-Jun-15
1534754	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	2-Nov-15
1539866	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	15-Apr-16
1540874	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	3-Aug-16
1553083	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	22-Jun-17

1557516	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	4-Dec-17
1559512	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	8-Dec-17
1571526	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	20-Sep-19
1606709	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.91 Clean Up Notice	Issued	4-Mar-21
1607679	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.110 Variation of Clean Up Notice	Issued	31-Mar-21
1607561	AUSTRALIAN RAIL TRACK CORPORATION LIMITED	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	5-May-21
6847	AUSTRALIAN RED CROSS SOCIETY	153 CLARENCE STREET, SYDNEY, NSW 2000	POEO licence	No longer in force	30-May-00
1019130	AUSTRALIAN RED CROSS SOCIETY	153 CLARENCE STREET, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	25-Jul-02
1042818	AUSTRALIAN RED CROSS SOCIETY	153 CLARENCE STREET, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	3-Dec-04
1055199	AUSTRALIAN RED CROSS SOCIETY	153 CLARENCE STREET, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	11-Jan-06
11804	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	POEO licence	Surrendered	24-Dec-02
1024468	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	22-Jan-03
1025147	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	24-Feb-03
1025478	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	7-Mar-03
1025596	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	17-Mar-03
1026044	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	4-Apr-03
1026884	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	16-May-03
1027585	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	28-May-03
1027906	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	4-Jun-03
1027956	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	20-Jun-03
1028720	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	4-Jul-03
1028951	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	11-Jul-03
1029605	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	6-Aug-03

1029978	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	28-Aug-03
1030731	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	11-Sep-03
1031044	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	19-Sep-03
1031358	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	1-Oct-03
1031595	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	16-Oct-03
1031939	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	22-Oct-03
1032103	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	31-Oct-03
1032913	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	5-Dec-03
1033145	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	12-Dec-03
1033349	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	19-Dec-03
1033988	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	19-Jan-04
1034134	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	29-Jan-04
1034422	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	13-Feb-04
1034629	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	19-Feb-04
1035021	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	2-Mar-04
1035389	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	26-Mar-04
1035821	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	8-Apr-04
1036225	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	16-Apr-04
1036631	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	4-May-04
1037069	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	15-May-04
1037484	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	27-May-04
1037689	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	4-Jun-04
1037887	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	11-Jun-04
1038254	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	24-Jun-04
1038434	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	12-Jul-04
1039534	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	13-Aug-04
1039940	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	3-Sep-04
1040577	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	10-Sep-04
1040663	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	17-Sep-04
1040918	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	27-Sep-04
1041494	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	15-Oct-04
1041731	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	25-Oct-04
1041890	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	29-Oct-04
1042034	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	5-Nov-04
1042459	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	22-Nov-04
1042474	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	8-Dec-04
1043143	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	17-Dec-04
1043584	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	6-Jan-05
1043836	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	21-Jan-05

1044361	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	11-Feb-05
1044772	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	23-Feb-05
1044862	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	25-Feb-05
1044898	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	28-Feb-05
1044953	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	1-Mar-05
1045026	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	3-Mar-05
1045386	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	14-Mar-05
1045454	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	15-Mar-05
1045543	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	18-Mar-05
1046027	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	1-Apr-05
1046188	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	8-Apr-05
1046440	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	12-Apr-05
1046466	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	15-Apr-05
1046583	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	18-Apr-05
1046924	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	21-Apr-05
1047498	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	11-May-05
1047630	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	25-May-05
1048418	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	16-Jun-05
1050424	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	4-Aug-05
1050625	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	19-Aug-05
1056208	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	17-Feb-06
1057565	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	17-Mar-06
1065348	BILFINGER BERGER AG	-, SYDNEY, NSW 2000	s.80 Surrender of a Licence	Issued	6-Dec-06
1521	CARLTON & UNITED BREWERIES (N S W) PTY LTD	26-98 BROADWAY, SYDNEY, NSW 2000	POEO licence	Surrendered	24-Mar-00
1012149	CARLTON & UNITED BREWERIES (N S W) PTY LTD	26-98 BROADWAY, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	23-Nov-01
1043979	CARLTON & UNITED BREWERIES (N S W) PTY LTD	26-98 BROADWAY, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	14-Feb-05
1055436	CARLTON & UNITED BREWERIES (N S W) PTY LTD	26-98 BROADWAY, SYDNEY, NSW 2000	s.80 Surrender of a Licence	Issued	2-Feb-06
21423	CPB CONTRACTORS PTY LIMITED	BETWEEN CHATSWOOD DIVE SITE AND SYDENHAM DIVE SITE, SYDNEY, NSW 2000	POEO licence	Issued	31-Jul-20
1607404	CPB CONTRACTORS PTY LIMITED	BETWEEN CHATSWOOD DIVE SITE AND SYDENHAM DIVE SITE, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	23-Mar-21

1608338	CPB CONTRACTORS PTY LIMITED	BETWEEN CHATSWOOD DIVE SITE AND SYDENHAM DIVE SITE, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	23-Apr-21
1612912	CPB CONTRACTORS PTY LIMITED	BETWEEN CHATSWOOD DIVE SITE AND SYDENHAM DIVE SITE, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	1-Oct-21
1616108	CPB CONTRACTORS PTY LIMITED	BETWEEN CHATSWOOD DIVE SITE AND SYDENHAM DIVE SITE, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	25-Jan-22
1620722	CPB CONTRACTORS PTY LIMITED	BETWEEN CHATSWOOD DIVE SITE AND SYDENHAM DIVE SITE, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	27-Jul-22
1621969	CPB CONTRACTORS PTY LIMITED	BETWEEN CHATSWOOD DIVE SITE AND SYDENHAM DIVE SITE, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	24-Aug-22
21130	DOWNER EDI WORKS PTY LTD	Parts of Lot 118 DP1078271 and Lot 103 DP1188890, SYDNEY, NSW 2000	POEO licence	Surrendered	10-Oct-18
21644	Dynamic Central Pty Ltd	NOT APPLICABLE, SYDNEY, NSW 2000	POEO licence	Pending	
3085775597	HYMIX AUSTRALIA PTY LIMITED	LEVEL 10 35 Clarence St, SYDNEY, NSW 2000	Penalty Notice	Issued	26-Nov-14
3085780107	IMAD NUSTAS	59 Goulburn Street, SYDNEY, NSW 2000	Penalty Notice	Issued	5-Sep-16
3085780720	IMAD NUSTAS	59 Goulburn Street, SYDNEY, NSW 2000	Penalty Notice	Issued	13-Jan-17
3085763872	JOHN HOLLAND PTY LTD	SYDNEY, NSW 2000	Penalty Notice	Withdrawn	
20079	JOHN HOLLAND PTY LTD	SYDNEY, NSW 2000	POEO licence	Surrendered	2-Mar-12
1504855	JOHN HOLLAND PTY LTD	SYDNEY, NSW 2000	s.58 Licence Variation	Issued	13-Mar-12
1505716	JOHN HOLLAND PTY LTD	SYDNEY, NSW 2000	s.58 Licence Variation	Issued	3-May-12
1506853	JOHN HOLLAND PTY LTD	SYDNEY, NSW 2000	s.58 Licence Variation	Issued	20-Jun-12
1507027	JOHN HOLLAND PTY LTD	SYDNEY, NSW 2000	s.58 Licence Variation	Issued	28-Jun-12
3085764606	JOHN HOLLAND PTY LTD	SYDNEY, NSW 2000	Penalty Notice	Issued	3-Jul-12
1527823	JOHN HOLLAND PTY LTD	SYDNEY, NSW 2000	s.80 Surrender of a Licence	Issued	1-May-15
20971	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	POEO licence	Surrendered	28-Sep-17
1559155	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	27-Nov-17
1559546	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	8-Dec-17

1560259	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	22-Dec-17
1561132	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	25-Jan-18
1562663	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	9-Mar-18
1563535	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	6-Apr-18
1563667	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	20-Apr-18
1564051	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	1-May-18
1566174	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	20-Jun-18
1567155	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	19-Jul-18
1567615	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	6-Aug-18
1568214	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	8-Aug-18
1568701	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	30-Aug-18
1569191	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	30-Aug-18
1569575	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	6-Sep-18

1569758	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	25-Sep-18
1570695	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	3-Oct-18
1571201	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	18-Oct-18
1571469	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	24-Oct-18
1571521	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	26-Oct-18
1571610	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	2-Nov-18
1572205	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	13-Nov-18
1572986	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	4-Dec-18
1573386	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	10-Dec-18
1573552	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	12-Dec-18
1574895	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	18-Jan-19
1575670	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	5-Feb-19
1575988	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	13-Feb-19

1576774	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	1-Mar-19
1576888	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	4-Mar-19
1577281	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	18-Mar-19
1578129	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	11-Apr-19
1579637	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	16-May-19
1580989	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	24-Jun-19
1585029	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	16-Sep-19
1588959	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	2-Dec-19
1590518	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	11-Feb-20
1592723	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	13-Mar-20
1593078	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	20-Mar-20
1593580	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	3-Apr-20
1593797	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	9-Apr-20

1594757	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	12-May-20
1595151	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	25-May-20
1595941	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	9-Jun-20
1596560	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	26-Jun-20
1597281	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	9-Jul-20
1597503	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	3-Aug-20
1598538	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	7-Aug-20
1598770	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	13-Aug-20
1599209	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	25-Aug-20
1600097	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	15-Sep-20
1601089	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	1-Oct-20
1601210	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	2-Oct-20
1601727	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	19-Oct-20

1601962	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	30-Oct-20
1602473	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	4-Nov-20
1605635	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	3-Feb-21
1607343	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	19-Mar-21
1607802	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	31-Mar-21
1608781	JOHN HOLLAND PTY LTD	locations between Chatswood railway station and Sydenham railway station, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	10-May-21
21528	JOHN HOLLAND PTY LTD	WARRINGAH FREEWAY UPGRADE EARLY WORKS, SYDNEY, NSW 2000	POEO licence	Issued	24-May-21
1623848	JOHN HOLLAND PTY LTD	WARRINGAH FREEWAY UPGRADE EARLY WORKS, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	28-Oct-22
4653	LUHRMANN ENVIRONMENT MANAGEMENT PTY LTD	-, SYDNEY, NSW 2000	POEO licence	Surrendered	6-Sep-00
1021590	LUHRMANN ENVIRONMENT MANAGEMENT PTY LTD	-, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	22-Nov-02
1526546	LUHRMANN ENVIRONMENT MANAGEMENT PTY LTD	-, SYDNEY, NSW 2000	s.80 Surrender of a Licence	Issued	16-Jan-15
3085771884	MATHEW LAISON	59 Goulburn Street, SYDNEY, NSW 2000	Penalty Notice	Issued	17-Jul-13
7180	PATRICK STEVEDORES OPERATIONS PTY LIMITED	GATE 5 HICKSON ROAD, SYDNEY, NSW 2000	POEO licence	Surrendered	25-Feb-00
1028037	PATRICK STEVEDORES OPERATIONS PTY LIMITED	GATE 5 HICKSON ROAD, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	27-Jun-03
1090391	PATRICK STEVEDORES OPERATIONS PTY LIMITED	GATE 5 HICKSON ROAD, SYDNEY, NSW 2000	s.80 Surrender of a Licence	Issued	18-Jul-08
1007100	RAIL INFRASTRUCTURE CORPORATION	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	30-May-01

1010600	RAIL INFRASTRUCTURE CORPORATION	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	15-Aug-01
1011934	RAIL INFRASTRUCTURE CORPORATION	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	5-Oct-01
1012143	RAIL INFRASTRUCTURE CORPORATION	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	29-Nov-01
1015602	RAIL INFRASTRUCTURE CORPORATION	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	1-May-02
1018132	RAIL INFRASTRUCTURE CORPORATION	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	12-Jun-02
1023724	RAIL INFRASTRUCTURE CORPORATION	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	19-Dec-02
1028108	RAIL INFRASTRUCTURE CORPORATION	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	1-Jul-03
1029702	RAIL INFRASTRUCTURE CORPORATION	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	1-Aug-03
1030573	RAIL INFRASTRUCTURE CORPORATION	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	31-Oct-03
1032289	RAIL INFRASTRUCTURE CORPORATION	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	9-Dec-03
1033638	RAIL INFRASTRUCTURE CORPORATION	AUSTRALIAN RAIL TRACK CORPORATION (ARTC) NETWORK, SYDNEY, NSW 2001	s.58 Licence Variation	Issued	31-Dec-03
1571739	RICHARD CROOKES CONSTRUCTIONS PTY. LIMITED	71-79 Macquarie St, SYDNEY, NSW 2000	s.55 Licence Refusal	Issued	31-Jan-19
4838	ROBERT ORCHARD	-, SYDNEY, NSW 2000	POEO licence	Surrendered	7-Sep-00
1506713	ROBERT ORCHARD	-, SYDNEY, NSW 2000	s.80 Surrender of a Licence	Issued	29-Jun-12
6193	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	POEO licence	No longer in force	4-Aug-00

1006659	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.96 Prevention Notice	Issued	24-Jun-03
1047181	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	10-May-05
1066372	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.110 Variation of Prevention Notice	Issued	30-Oct-06
1096585	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.110 Variation of Prevention Notice	Issued	5-Feb-09
1503345	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.110 Variation of Prevention Notice	Issued	15-Dec-11
1504026	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.110 Variation of Prevention Notice	Issued	1-Feb-12
1506865	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.110 Variation of Prevention Notice	Issued	5-Jul-12
1511045	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.110 Variation of Prevention Notice	Issued	21-Dec-12
1511757	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.110 Variation of Prevention Notice	Issued	14-Feb-13
1530309	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.110 Variation of Prevention Notice	Issued	2-Jul-15
1548933	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.110 Variation of Prevention Notice	Issued	9-Feb-17
1549567	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.110 Variation of Prevention Notice	Issued	13-Mar-17
1565324	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.110 Variation of Prevention Notice	Issued	25-Jun-18
1603625	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.110 Variation of Prevention Notice	Issued	9-Dec-20
1617371	ROYAL BOTANIC GARDENS AND DOMAIN TRUST	MRS MACQUARIES ROAD, SYDNEY, NSW 2000	s.110 Revocation of Prevention Notice	Issued	14-Mar-22
7370	SOUTH EASTERN SYDNEY AND ILLAWARRA AREA HEALTH SERVICE	8 MACQUARIE STREET, SYDNEY, NSW 2000	POEO licence	No longer in force	30-May-00
1018977	SOUTH EASTERN SYDNEY AND ILLAWARRA AREA HEALTH SERVICE	8 MACQUARIE STREET, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	25-Jul-02
1041473	SOUTH EASTERN SYDNEY AND ILLAWARRA AREA HEALTH SERVICE	8 MACQUARIE STREET, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	13-Oct-04
4091	SYDNEY OPERA HOUSE TRUST	BENNELONG POINT, SYDNEY, NSW 2000	POEO licence	Surrendered	10-Jan-02
1056613	SYDNEY OPERA HOUSE TRUST	BENNELONG POINT, SYDNEY, NSW 2000	s.80 Surrender of a Licence	Issued	28-Feb-06

1014577	SYDNEY SHIP REPAIR & ENGINEERING PTY LIMITED	Goat Island, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	6-Feb-02
1041143	SYDNEY SHIP REPAIR & ENGINEERING PTY LIMITED	Goat Island, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	26-Apr-05
1050231	SYDNEY SHIP REPAIR & ENGINEERING PTY LIMITED	Goat Island, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	31-Aug-05
1065958	SYDNEY SHIP REPAIR & ENGINEERING PTY LIMITED	Goat Island, SYDNEY, NSW 2000	s.91 Clean Up Notice	Issued	12-Dec-06
1067925	SYDNEY SHIP REPAIR & ENGINEERING PTY LIMITED	Goat Island, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	4-Jul-07
1095725	SYDNEY SHIP REPAIR & ENGINEERING PTY LIMITED	Goat Island, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	16-Sep-09
1114245	SYDNEY SHIP REPAIR & ENGINEERING PTY LIMITED	Goat Island, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	26-Jul-10
11517	SYDNEY SHIP REPAIR & ENGINEERING PTY LTD	Goat Island, SYDNEY, NSW 2000	POEO licence	Issued	9-Nov-01
1509194	SYDNEY SHIP REPAIR & ENGINEERING PTY LTD	Goat Island, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	22-Nov-12
10420	THE HOSPITALS CONTRIBUTION FUND OF AUSTRALIA LTD	403 George Street, SYDNEY, NSW 2000	POEO licence	No longer in force	8-Feb-00
1007252	THE HOSPITALS CONTRIBUTION FUND OF AUSTRALIA LTD	403 George Street, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	21-May-01
1017144	THE HOSPITALS CONTRIBUTION FUND OF AUSTRALIA LTD	403 George Street, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	13-May-02
1034575	THE HOSPITALS CONTRIBUTION FUND OF AUSTRALIA LTD	403 George Street, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	17-Feb-04
21372	WCX PT PTY LTD	HOMEBUSH BAY DRIVE, HOMEBUSH WEST 2140, SYDNEY, NSW 2000	POEO licence	Issued	5-Mar-20
1593549	WCX PT PTY LTD	HOMEBUSH BAY DRIVE, HOMEBUSH WEST 2140, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	27-Apr-20
1608063	WCX PT PTY LTD	HOMEBUSH BAY DRIVE, HOMEBUSH WEST 2140, SYDNEY, NSW 2000	s.58 Licence Variation	Issued	26-May-21
1506657	WU, KE MING	94 Goulburn Street, SYDNEY, NSW 2000	s.91 Clean Up Notice	Issued	8-Jun-12

CITY OF SYDNEY

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DOUGLAS PARTNERS
96 Hermitage Rd
WEST RYDE NSW 2114

PLANNING CERTIFICATE

Under Section 10.7 of the Environmental Planning and Assessment Act, 1979

Applicant:	DOUGLAS PARTNERS
Your reference:	217267.01
Address of property:	383-395A Kent Street , SYDNEY NSW 2000
Owner:	THE TRUST COMPANY (AUSTRALIA) LIMITED
Description of land:	Lot 1 DP 778342
Certificate No.:	202330081
Certificate Date:	11/01/23
Receipt No:	0210897
Fee:	$80.00
Paid:	11/01/23

Title information and description of land are provided from data supplied by the Valuer General and shown where available.

Issuing Officer
per **Monica Barone**
Chief Executive Officer

CERTIFICATE ENQUIRIES:
Ph: 9265 9333

PLANNING CERTIFICATE UNDER SECTION 10.7 (2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 2 - ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2021, CLAUSES (1) - (2).

DEVELOPMENT CONTROLS

The following information must be read in conjunction with and subject to all other provisions of the environmental planning instruments specified in this certificate.

ZONING

Zone B8 Metropolitan Centre (Sydney Local Environmental Plan 2012)

1 Objectives of zone
• To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia's participation in the global economy.
• To provide opportunities for an intensity of land uses commensurate with Sydney's global status.
• To permit a diversity of compatible land uses characteristic of Sydney's global status and that serve the workforce, visitors and wider community.
• To encourage the use of alternatives to private motor vehicles such as public transport, walking or cycling.
• To promote uses with active street frontages on main streets and on streets in which buildings are used primarily (at street level) for the purposes of retail premises.

2 Permitted without consent
Nil

3 Permitted with consent
Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

4 Prohibited
Nil

PROPOSED ZONING

Employment Zones Reform Implementation

On 26 April 2023, Business and Industrial zones will be replaced by Employment zones within standard instrument local environmental plans. The Department of Planning and Environment exhibited in May 2022 details of how each Local Environmental Plan that includes a Business or Industrial zone will be amended to include Employment zones. The exhibition detail can be viewed on the Planning Portal.

Draft Zone B8 Metropolitan Centre - Planning Proposal (Sydney Local Environmental Plan 2012)

1 Objectives of zone

• To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia's participation in the global economy.

• To provide opportunities for an intensity of land uses commensurate with Sydney's global status.

• To permit a diversity of compatible land uses characteristic of Sydney's global status and that serve the workforce, visitors and wider community.

• To encourage the use of alternatives to private motor vehicles such as public transport, walking or cycling.

• To promote uses with active street frontages within podiums that contribute to the vitality, life and existing character of the street.

• To promote the efficient and orderly development of land in a compact urban centre.

• To promote a diversity of commercial opportunities varying in size, type and function, including new cultural, social and community facilities.

• To recognise and reinforce the important role that Central Sydney's public spaces, streets and their amenity play in a global city.

• Promote the primary role of the zone as a centre for employment and permit residential and serviced apartment accommodation where they complement employment generating uses.

2 Permitted without consent

Nil

3 Permitted with consent

Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

4 Prohibited

Nil

LOCAL PLANNING CONTROLS

Sydney Local Environmental Plan 2012 (as amended) – Published 14 December 2012 NSW Legislation Website.

Planning Proposal – Performance Standards for Net Zero Energy Buildings

The objective of this planning proposal is to reduce energy consumption and the associated greenhouse gas emissions of office, shopping centre and hotel developments, as well as improve the resilience of these developments to the impacts of climate change. The intended outcome will be to facilitate net zero energy development by 2026 for development subject of this planning proposal. This will occur through amendments to the following: • Sydney Local Environmental Plan 2012 • Sydney Local Environmental Plan (Green Square Town Centre) 2013 • Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013.

Draft B Development Control Plan Performance Standards for Net Zero Energy Buildings 2021:

The purpose of this draft Development Control Plan (DCP) is to amend various development control plans applying to the City of Sydney local government area by inserting provisions that set out energy performance standards for net zero energy buildings

Planning Proposal: Affordable Housing Program Update 2022:

This Planning Proposal is to amend the Sydney Local Environmental Plan 2012 (Sydney LEP 2012), the Sydney Local Environmental Plan (Green Square Town Centre) 2013, and Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013 (the Green Square Town Centre LEPs). Generally, the intended outcome of this planning proposal is to increase the amount of affordable housing in the City of Sydney local government area.

HERITAGE

This property may be identified as being of state heritage significance, and entered on the State Heritage Register.

To confirm whether the site is listed under the Heritage Act 1977 a Section 167 Certificate should be obtained from the NSW Heritage Office by contacting the NSW Heritage office on (02) 9873 8500 for an application from or by downloading the application form from

www.heritage.nsw.gov.au

STATE PLANNING INSTRUMENTS

Full copies of State Environmental Planning Policies are available online at www.planning.nsw.gov.au.

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

This is a policy to protect and preserve bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. This policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

This policy aims to improve the design quality of flats of three or more storeys with four or more self contained dwellings. The policy sets out a series of design principles for local councils to consider when assessing development proposals for residential flat development. The policy also creates a role for an independent design review panel and requires the involvement of a qualified designer in the design and approval process.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Aims to ensure consistency in the implementation of the BASIX scheme throughout the State.

This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007

This Policy aims to ensure that suitable provision is made for ensuring the safety of persons using temporary structures or places of public entertainment.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

This Policy Streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979.

State Environmental Planning Policy (Urban Renewal) 2010

The aims of this Policy are as follows:

(a) to establish the process for assessing and identifying sites as urban renewal precincts,

(b) to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts,

(c) to facilitate delivery of the objectives of any applicable government State, regional or metropolitan strategies connected with the renewal of urban areas that are accessible by public transport.

State Environmental Planning Policy (Housing) 2021

The principles of this Policy are as follows:

(a) enabling the development of diverse housing types, including purpose-built rental housing,

(b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,

(c) ensuring new housing development provides residents with a reasonable level of amenity,

(d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,

(e) minimising adverse climate and environmental impacts of new housing development,

(f) reinforcing the importance of designing housing in a way that reflects and enhances its locality,

(g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,

(h) mitigating the loss of existing affordable rental housing.

State Environmental Planning Policy (Planning Systems) 2021

- identifies State or regionally significant development, State significant Infrastructure, and critical State significant infrastructure.
- provides for consideration of development delivery plans by local Aboriginal land councils in planning assessment.
- allows the Planning Secretary to elect to be the concurrence authority for certain development that requires concurrence under nominated State environmental planning policies.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

This SEPP contains:

- planning rules and controls for the clearing of native vegetation in NSW on land zoned for urban and environmental purposes that is not linked to a development application.
- the land use planning and assessment framework for koala habitat.
- provisions which establish a consistent and co-ordinated approach to environmental planning and assessment along the River Murray.
- provisions seeking to protect and preserve bushland within public open space zones and reservations.
- provisions which aim to prohibit canal estate development.
- provisions to support the water quality objectives for the Sydney drinking water catchment.

- provisions to protect the environment of the Hawkesbury-Nepean River system.
- provisions to manage and improve environmental outcomes for Sydney Harbour and its tributaries.
- provisions to manage and promote integrated catchment management policies along the Georges River and its tributaries.
- provisions which seek to protect, conserve and manage the World Heritage listed Willandra Lakes property.

State Environmental Planning Policy (Resilience and Hazards) 2021

This SEPP contains planning provisions:

- for land use planning within the coastal zone, in a manner consistent with the objects of the Coastal Management Act 2016.
- to manage hazardous and offensive development.
- which provides a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.

State Environmental Planning Policy (Transport and Infrastructure) 2021

This SEPP contains planning provisions:

- for infrastructure in NSW, such as hospitals, roads, railways, emergency services, water supply and electricity delivery.
- for child-care centres, schools, TAFEs and Universities.
- planning controls and reserves land for the protection of three corridors (North South Rail Line, South West Rail Link extension and Western Sydney Freight Line).
- the land use planning and assessment framework for appropriate development at Port Kembla, Port Botany and Port of Newcastle.

State Environmental Planning Policy (Industry and Employment) 2021

This SEPP contains planning provisions:

- applying to employment land in western Sydney.
- for advertising and signage in NSW.

State Environmental Planning Policy (Resources and Energy) 2021

This SEPP contains planning provisions:

- for the assessment and development of mining, petroleum production and extractive material resource proposals in NSW.
- which aim to facilitate the development of extractive resources in proximity to the population of the Sydney Metropolitan Area by identifying land which contains extractive material of regional significance.

State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021

This SEPP contains planning provisions for precinct planning, which is a form of strategic planning applied to a specified geographic area. The precincts in this SEPP are located in the Eastern Harbour City. This city is based the strategic planning vision of the 'three cities' regions identified in the Greater Sydney Region Plan – A Metropolis of Three Cities.

OTHER MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 2 - E. P. & A. REGULATION, 2021. SECTIONS (2A) - (22)

(2A) Zoning and land use under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*

This SEPP does not apply to the land.

(3) Contribution plans

The following Contributions Plans apply to properties within the City of Sydney local government area. Contributions plans marked **YES** may apply to this property:

▪ Central Sydney Development Contributions Plan 2020 – in operation 26th November 2021	**YES**
▪ City of Sydney Development Contributions Plan 2015 – in operation 1st July 2016	**NO**
▪ Redfern Waterloo Authority Contributions Plan 2006 – in operation 16th May 2007 ▪ Redfern Waterloo Authority Affordable Housing Contributions Plan – in operation 16th May 2007	**NO**

Note: An affordable housing contribution may be payable as part of a development application or planning proposal under The City of Sydney Affordable Housing Program (Program) – in operation 1st July 2021.

(4) Complying Development

(1) If the land is land on which complying development may be carried out under each of the complying development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. because of that Policy, clause 1.17A (1) (c) to (e), (2), (3) or (4), 1.18(1)(c3) or 1.19.

(2) If complying development may not be carried out on that land because of 1 of those clauses, the reasons why it may not be carried out under those clauses.

(3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council

does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

(4) If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land.

Note: Note: ***If any restrictions apply to this land, or to part of this land, which may preclude the carrying out of complying development. Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.***

Clause 1.12 does not apply to the land in the City of Sydney LGA

Clause 1.12 does not apply to the land in the City of Sydney LGA

Housing Code, Commercial and Industrial (New Buildings and Additions) Code and Low Rise Housing Diversity Code

Complying development **may not** be carried out on the land under the Housing Code, the Commercial and Industrial (New Buildings and Additions) and the Low Rise Housing Diversity Code if because of the provisions of clause 1.17A, 1.18(1)(c3) & 1.19 (Land-based requirements for exempt and complying development) any of the following statements are **YES.**

▪ Clause 1.19(5)d. Land that is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. (Applies only to the Commercial and Industrial (New Buildings and Additions) Code.	NO
▪ Clause 1.17A(d). Has been identified as a property that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*.	NO
▪ Clause 1.17A(d) & 1.18(1)(c3). Has been identified as a property that comprises, or on which there is, a heritage item or draft heritage item.	**NO**
▪ Clause 1.17A(c). Has been identified as being within a wilderness area (identified under the *Wilderness Act 1987*.	**NO**
▪ Clause 1.17A(e) & 1.19(1)e or 1.19(5)f. Has been identified as land that is within an environmentally sensitive area or by an environmental planning instrument as being within a buffer area, a river front area, an ecologically sensitive area, environmentally sensitive land or a protected area	**NO**
▪ Clause 1.19(1)a.or 1.19(5)a Has been identified as being within a heritage conservation area or a draft heritage conservation area.	**NO**
▪ Clause 1.19(1)b or 1.19(5)b. Has been identified as being land that is reserved for a public purpose in an environmental planning instrument.	**NO**
▪ Clause 1.19(1)c or 1.19(5)c. Has been identified as being on an Acid Sulfate Soils Map as being Class 1 or Class 2.	**YES**
▪ Clause 1.19(1)d or 1.19(5)e. Has been identified as land that is subject to a biobanking agreement under part 7A of the threatened Species Conservation Act 1995 or a property vegetation plan under the Native Vegetation Act 2003.	**NO**
▪ Clause 1.19(1)f or 1.19(5)g. Has been identified by an environmental planning instrument, a development control plan or a policy adopted by the Council as being or affected by a coastline hazard, a coastal hazard or a coastal erosion hazard.	**NO**
▪ Clause 1.19(1)g or 1.19(5)h. Has been identified as being land in a foreshore area.	**NO**
▪ Clause 1.19(1)h. Has been identified as land that is in the 25 ANEF contour or a higher ANEF contour. (Applies to the Housing Code & Low Rise Housing Diversity Code)	**NO**
▪ Clause 1.19(1)j or 1.19(5)i. Has been identified as unsewered land within a drinking water catchment.	**NO**
▪ Clause 1.19(1)i. Has been identified as land that is declared to be a special area under the Sydney Water Catchment Management Act 1998.	**NO**
▪ Clause 1.19(2) & 1.19(3)c Has been identified as land described or otherwise identified on a map specified in Schedule 5, and ceases to	**NO**

have effect on 31 December 2022. (Applies to the Housing Code & Low Rise Housing Diversity Code)	

Housing Alterations Code

Complying development under the Housing Alterations Code **may** be carried out on the land.

Commercial and Industrial Alterations Code

Complying development under the Commercial and Industrial Alterations Code **may** be carried out on the land.

Subdivisions Code

Complying development under the Subdivisions Code **may** be carried out on the land.

Rural Housing Code

The Rural Housing Code does not apply to this Local Government Area.

General Development Code

Complying development under the General Development Code **may** be carried out on the land.

Demolition Code

Complying development under the Demolition Code **may** be carried out on the land.

(5) Exempt Development

(1) If the land is land on which exempt development may be carried out under each of the exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. because of that Policy, clause 1.16(1)(b1)-(d) or 1.16A.

(2) If exempt development may not be carried out on that land because of 1 of those clauses, the reasons why it may not be carried out under those clauses.

(3) If the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

(4) If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land.

Note: ***If any restrictions apply to this land, or to part of this land, which may preclude the carrying out of exempt development. Council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land.***

Clause 1.12 does not apply to the land in the City of Sydney LGA

All Exempt and Complying Development Codes

Exempt development under each of the exempt development codes **may** be carried out on the land.

(6) Affected building notices and building product rectification orders

(1)

(a) The land to which the certificate relates is not subject to any affected building notice of which Council is aware.

(b) The land to which the certificate relates is not subject to any building product rectification order of which Council is aware and has not been fully complied with.

(c) The land to which the certificate relates is not subject to any notice of intention to make a building product rectification order of which Council is aware and is outstanding.

(2) In this clause:

affected building notice has the same meaning as in Part 4 of the Building Products (Safety) Act 2017.

building product rectification order has the same meaning as in the Building Products (Safety) Act 2017.

(7) Land reserved for acquisition

No environmental planning instrument, or proposed environmental planning instrument applying to the land, provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

(8) Road Widening and/or Road Realignment affected by (a) Division 2 of Part 3 of the Roads act 1993 or (c) any resolution of council or other authority.

This land **is not** affected by road widening and/or road realignment under section 25 of the Roads Act, 1993 and/or resolution of Council or any other authority.

(8) Road Widening and/or Road Realignment Affected by (b) any environmental planning instrument.

This land **is not** affected by any road widening or road realignment under any planning instrument.(9) Flood related development controls information.

(1) If the land or part of the land is within the flood planning area and subject to flood related development controls.

Property is within the flood planning area	**NO**
Property is outside the flood planning area	**YES**
Property is within a buffer zone	**NO**

(2) If the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls.

Property is between the flood planning area and probable maximum flood.	**NO**
Property is outside the flood planning area and probable maximum flood	**YES**
Property is within a buffer zone	**NO**

(3) In this section:

flood planning area has the same meaning as in the Floodplain Development Manual.

Floodplain Development Manual means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

probable maximum flood has the same meaning as in the Floodplain Development Manual.

(10) Council and other public authorities policies on hazard risk restrictions:

(a) The land **is not** affected by a policy adopted by the Council that that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk; and

(b) The land **is not** affected by a policy adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to on planning certificate issued by Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

(11) Bush fire prone land

The land has not been identified as Bush fire prone land.

(12) Loose-fill asbestos insulation

Not Applicable.

(13) Mine Subsidence District

This land has not been proclaimed to be a mine subsidence district within the meaning of section 15 of the mine subsidence compensation act, 2017.

(14) Paper subdivision information

Not Applicable.

(15) Property vegetation plans

Not Applicable.

(16) Biodiversity stewardship sites

Not Applicable.

(17) Biodiversity certified land

The land has not been certified as biodiversity certified land.

(18) Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of an order which as been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

(19) Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

In relation to a coastal council: The owner (or any previous owner) of the land has not consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before 1 January 2011.

(20) Western Sydney Aerotropolis

Not Applicable.

(21) Development consent conditions for seniors housing

State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 5 *does not* apply to the land *to which the certificate relates.*

(22) Site compatibility certificates and development conditions for affordable rental housing

(1) The land to which the certificate relates is not subject to a current site compatibility certificate under *State Environmental Planning Policy (Housing) 2021*, and is not subject to a former site compatibility certificate, of which the council is aware, in relation to proposed development on the land.

(2) *State Environmental Planning Policy (Housing) 2021*, Chapter 2, Part 2, Division 1 or 5 does not apply to the land which the certificate relates.

(3) The land to which the certificate relates is not subject to any conditions of development consent in relation to land of a kind referred to in *State Environmental Planning Policy (Affordable Rental Housing) 2009*, clause 17(1) or 38(1).

(4) In this section:

former site compatibility certificate means a site compatibility certificate issued under *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Note. The following matters are prescribed by section 59 (2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

(a) The land to which the certificate relates **is not** declared to be **significantly contaminated land** within the meaning of that act as at the date when the certificate is issued.

(b) The land to which the certificate relates **is not** subject to a **management order** within the meaning of that act as at the date when the certificate is issued.

(c) The land to which the certificate relates **is not** the subject of an **approved voluntary management proposal** within the meaning of that act at the date the certificate is issued.

(d) The land to which the certificate relates **is not** the subject of an **ongoing maintenance order** within the meaning of that act as at the date when the certificate is issued.

(e) As at the date when the certificate is issued, Council **has not** identified that a **site audit statement** within the meaning of that act has been received in respect of the land the subject of the certificate.

PLANNING CERTIFICATE SECTION 10.7 (2) INFORMATION:

Information provided in accordance with planning certificate section 10.7 (2) has been taken from council's records and advice from other authorities but council disclaims all liability for any omission or inaccuracy in the information. Specific inquiry should be made where doubt exists.

PLANNING CERTIFICATE UNDER SECTION 10.7 (5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

PLANNING CERTIFICATE SECTION 10.7 (5) ADVICE is current as at 12:00 noon two working days prior to the date of issue of this certificate. The following matters have been considered & details provided where information exists: easements in favour of council; parking permit scheme; heritage floor space restrictions; low-rental residential building; foreshore building line; tree preservation order.

Contaminated Land Potential:

Council records do not have sufficient information about the uses (including previous uses) of the land which is the subject of this section 10.7 certificate to confirm that the land has not been used for a purpose which would be likely to have contaminated the land. Parties should make their own enquiries as to whether the land may be contaminated.

Hazard Risk Restriction:

Some City of Sydney Local Environmental Plans incorporate Acid Sulfate soil maps.

Development on the land identified in those maps should have regard to the acid sulfate soil clause within the relevant Local Environmental Plan.

Construction Noise and View Loss Advice:

Intending purchasers are advised that the subject property may be affected by construction noise and loss or diminution of views as a result of surrounding development.

Outstanding Notice & Order information

In relation to this property, there **is not** an outstanding Order or Notice of Intention to issue an Order relating to Fire Safety (being an Order or Notice of Intention to issue an Order under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act, 1979). Further information about the Order or Notice of Intention to issue an Order may be obtained by applying for a certificate under clause 41 of Schedule 5 of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.In relation to this property, there **is not** an outstanding Order or Notice of Intention to issue an Order (being an Order or Notice of Intention to issue an Order of a type other than relating to fire safety). Further information about the Order or Notice of Intention to issue an Order may be obtained by applying for a certificate under clause 41 of Schedule 5 of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.**Ineligible for the Award of Transferable Floor Space**

The building/s on the site/s are not eligible for the award of transferable floor space. The area occupied by the building/s has previously been, or is included as part of a site area for the purpose of calculating the floor space ratio of another building or site. The award was based on the principal zoning instrument at the time, namely the City Of Sydney Planning Scheme Ordinance, and Strategic Action Plan No. 4 (West Car Parks).

Metrowest Investigation Area

Consent may be granted to the carrying out of development below ground level on land identified as the Future Rail Tunnel Investigation Area in Schedule 7, or determined by the consent authority to be within the Future Rail Tunnel Investigation Area, only after the consent authority has referred a copy of the development application to Rail Corporation New South Wales pursuant to Clause 80 of Sydney Local Environmental Plan 2005.

Neighbourhood Parking Policy

The City of Sydney co-ordinates a Resident Permit Parking Scheme and a Visitor Permit Parking scheme. This property may be restricted from participating in either scheme. Eligibility may change after the date of this certificate, as parking supply and other traffic demands change. For more information contact Council's call centre on 9265 9333.

ADVICE FROM OTHER BODIES

Sydney Ports Corporation Advice

Some land in the City of Sydney located in the vicinity of the White Bay, Glebe Island and Darling Harbour ports may be affected by noise from port operations.

Advice provided in accordance with planning certificate section 10.7 (5) is supplied in good faith. Council accepts no liability for the validity of the advice given. (see section 10.7 (6) of the Environmental Planning and Assessment Act, 1979).

Planning certificate section 10.7 (2), local planning controls are available are available online at www.cityofsydney.nsw.gov.au

General Enquiries:
Telephone: 02 9265 9333

Town Hall House
Level 2
Town Hall House
456 Kent Street
Sydney
8am – 6pm Monday - Friday

State planning controls are available online at www.legislation.nsw.gov.au

Where planning certificate section 10.7 (5) matters are supplied, complete details are available by writing to:

Chief Executive Officer
City of Sydney
G.P.O. Box 1591
Sydney NSW 2000

End of Document

Deepa Easwar

From: Information Access <InformationAccess@cityofsydney.nsw.gov.au>
Sent: Friday, 20 January 2023 3:39 PM
To: Srikanth Raghuraman
Subject: GIPAA - Informal - GIPA0015304 - SRIKANTH RAGHURAMAN - 383 Kent Street SYDNEY
Attachments: Development - Construction related files - 383 Kent Street.pdf; List of complaints recevied - 383 Kent Street_Redacted.pdf

Dear Srikanth,

Thank you for your Information Access Request (references: 2023/034827 / GIPA0015304), relating to 383 Kent Street Sydney.

In response to your request may we please direct you (in the first instance) to the City's online services such as, the City's ePlanning/Find a DA link and the City's Archives Catalogue:

- For building and development related information from:

c.1907 – 2008 - Use our 'Archives and History Resources' catalogue

To view and download items - register and log in (top right of screen) to be sure you can view and download items. We recommend you use Chrome or Firefox. Search by address, and filter results by format or date. Content includes Development Applications, Building Applications and other related planning series. Records include files, plans, cards and correspondence. Consult the Guide to Records of Development and Building for tips on how to search the catalogue.

As discussed over the phone this afternoon, the following links lead to the Development Application for the construction of the building (D1998/00222-01 to D1998/00222-04):

D1998/00222-01 - https://archives.cityofsydney.nsw.gov.au/nodes/view/1499275
D1998/00222-02 - https://archives.cityofsydney.nsw.gov.au/nodes/view/1499276
D1998/00222-03 - https://archives.cityofsydney.nsw.gov.au/nodes/view/1499277
D1998/00222-04 - https://archives.cityofsydney.nsw.gov.au/nodes/view/1499278

The corresponding Building Application File is the following:

C2000/00371-01 - C2000/00371-05 - CONSTRUCTION CERTIFICATES - 383 - 395A - KENT STREET - SYDNEY - CONSTRUCT 11 STOREY OFFICE BLOCK - LEIGHTON CONTRACTORS PTY LTD - 16 08 2000 - $51000000 PART 2 CONCERTINA - PLANS TRANSFERRED TO ARCHIVES 15 05 02

It is a five part file and currently is in hardcopy format (please see below in this email the viewing or copying records section).

The corresponding 'as built' drawings can be accessed via online links:
https://archives.cityofsydney.nsw.gov.au/nodes/view/1657180
https://archives.cityofsydney.nsw.gov.au/nodes/view/1650727
https://archives.cityofsydney.nsw.gov.au/nodes/view/1657132
https://archives.cityofsydney.nsw.gov.au/nodes/view/1657138

https://archives.cityofsydney.nsw.gov.au/nodes/view/1657147
https://archives.cityofsydney.nsw.gov.au/nodes/view/1657152
https://archives.cityofsydney.nsw.gov.au/nodes/view/1657160
https://archives.cityofsydney.nsw.gov.au/nodes/view/1657166
https://archives.cityofsydney.nsw.gov.au/nodes/view/1657173

- For Development Application (DA) content only from:

2004 onwards – Use our 'Find a DA'

Relevant records may be searched for by address or Development Application number. In this case the following link may provide you directly with information pertaining to the site in question - https://eplanning.cityofsydney.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx?pid=514325

Viewing or copying of records

If the files/plans you seek are not yet digitised, you can request digitisation. Digitisation costs are $25 per file with approximately 1 week turnaround time. Alternately, you may request to inspect non-digitised records in our reading room by appointment.

Finally, as advised over the phone please find attached a list of development/construction related files located in the City's systems and a list outlining complaints received.

I hope these lists provide you with some insight into the types of applications and complaints the City holds in relating to this property.

Please feel free to call with any questions.

Kind regards
Makrina

Makrina Poljakova
Information Access Officer
Data & Information Management Services

CITY OF SYDNEY

Telephone: +612 9265 9754
cityofsydney.nsw.gov.au

The City of Sydney acknowledges the Gadigal of the Eora Nation as the Traditional Custodians of our local area.

From: Noreply - Council of Sydney <noreply@cityofsydney.nsw.gov.au>
Sent: Wednesday, 18 January 2023 12:33 PM

To: council@cityofsydney.nsw.gov.au
Subject: GIPAA - Informal - GIPA0015304 - SRIKANTH RAGHURAMAN - 383 Kent Street SYDNEY

CITY OF SYDNEY

18 January 2023

ONLINE SERVICES

Dear SRIKANTH RAGHURAMAN
Douglas Partners Pty Ltd

This is confirmation of your request for information.

Your request has been assigned reference number GIPA0015304. Please quote this reference number if you need to contact us in relation to this request.

We aim to respond to informal requests for information within 10 working days. However, response times will vary depending on the current levels of demand on our services.

Request reference no	GIPA0015304
Request type	Property
Date submitted	18 Jan 2023
Submitted?	Yes

First name	SRIKANTH
Last name	RAGHURAMAN
Company	Douglas Partners Pty Ltd
Email	srikanth.raghuraman@douglaspartners.com.au
Daytime number	+61400317494
Business number	+61400317494
Client name	Charter Hall Holdings Pty Ltd
Postal address	96 Hermitage Rd WEST RYDE NSW 2114 Australia

Property street no. & name	383 Kent Street
Suburb	SYDNEY
Property also known as	
Building name	
Application No.	
I am the property owner	No
Notice of determination (pre 2004)	Yes
Assessment reports (pre 2004)	Yes
Building/development plans	Yes
Occupation certificate	Yes
Other (specify below)	Yes
Other information requested	The information we require includes the following: â€¢ Contamination assessment reports and remediation action/management plans; â€¢ Approval for the installation of under/aboveground storage tanks; â€¢ Previous commercial/industrial activities; â€¢ Storage of large quantities of hazardous chemicals on site; and â€¢ Complaint

	letters regarding use of unauthorised filling on site, illegal dumping of contaminated material on site and/or release of contaminants from the site.
Current or most recent only	Yes
Date from (YYYY)	
Date to (YYYY)	
Proof of property owner's consent	N/A
Proof of copyright owner's consent	N/A
Supporting document 1	N/A
Supporting document 2	N/A
Form of access	Digital

Regards,

City of Sydney

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Appendix E

Site Photographs



Photo 1: Plant room in level 19



Photo 2: Plant room in level 7

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs**	PROJECT:	217267.01
	Proposed Commercial Development	PLATE No:	1
	383 Kent Street, Sydney	REV:	0
	CLIENT: Charter Hall Holdings Pty Ltd	DATE	17/01/2023



Photo 3: Above ground storage tank in basement 3 near Sussex Street



Photo 4: Standby power fuel storage pump room

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs**	PROJECT:	217267.01
	Proposed Commercial Development	PLATE No:	2
	383 Kent Street, Sydney	REV:	0
	CLIENT: Charter Hall Holdings Pty Ltd	DATE	17/01/2023



Photo 5: Coolin tower room in level 19



Photo 6: Chemical containers stored in cooling tower room

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs**	PROJECT:	217267.01
	Proposed Commercial Development	PLATE No:	3
	383 Kent Street, Sydney	REV:	0
	CLIENT: Charter Hall Holdings Pty Ltd	DATE	17/01/2023



Photo 7: Lift motor room in level 20



Photo 8: Lift motor room in level 20

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs**	PROJECT:	217267.01
	Proposed Commercial Development	PLATE No:	4
	383 Kent Street, Sydney	REV:	0
	CLIENT: Charter Hall Holdings Pty Ltd	DATE	17/01/2023



Photo 9: Switchboard rooms



Photo 10: Switchboard rooms

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs**	PROJECT:	217267.01
	Proposed Commercial Development	PLATE No:	5
	383 Kent Street, Sydney	REV:	0
	CLIENT: Charter Hall Holdings Pty Ltd	DATE	17/01/2023



Photo 11: Diesel generator room in level 7



Photo 12: Diesel generator room in level 7

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs**	PROJECT:	217267.01
	Proposed Commercial Development	PLATE No:	6
	383 Kent Street, Sydney	REV:	0
	CLIENT: Charter Hall Holdings Pty Ltd	DATE	17/01/2023



Photo 13: Diesel generator room in level 7

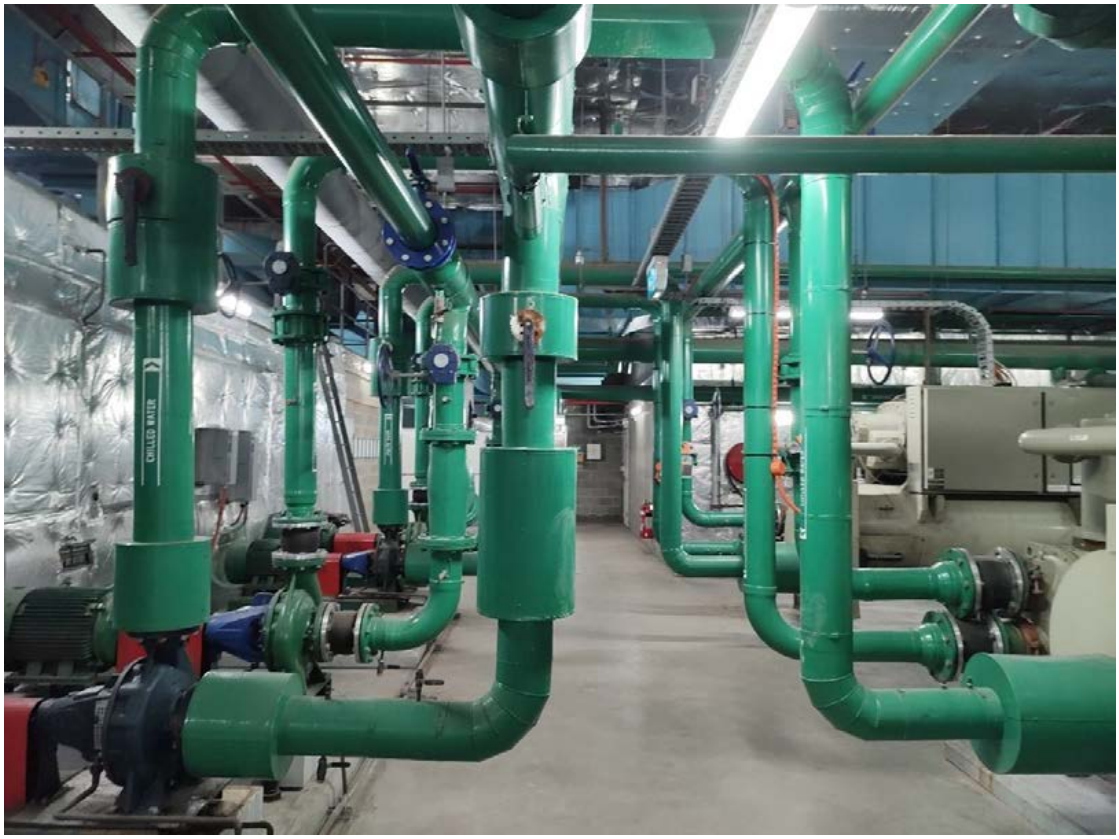

Photo 14: Diesel generator room in level 7

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs**	PROJECT:	217267.01
	Proposed Commercial Development	PLATE No:	7
	383 Kent Street, Sydney	REV:	0
	CLIENT: Charter Hall Holdings Pty Ltd	DATE	17/01/2023

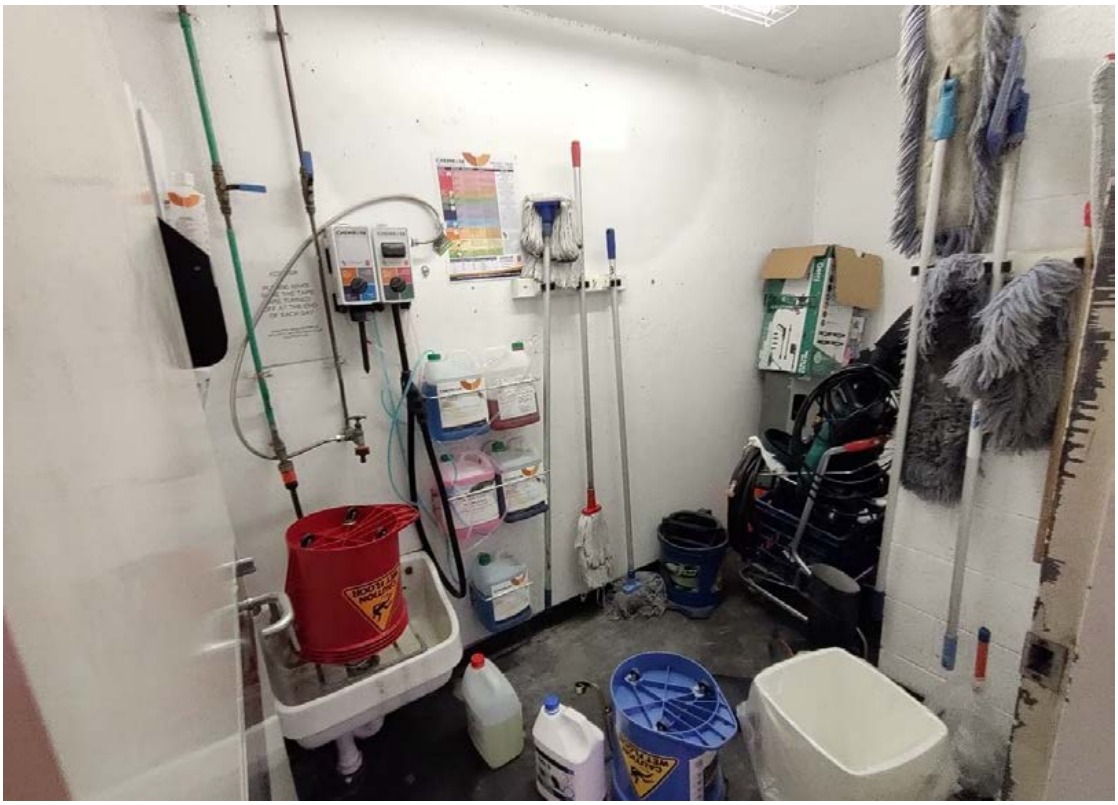

Photo 15: Cleaners storeroom



Photo 16: Cleaners storeroom

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs**	PROJECT:	217267.01
	Proposed Commercial Development	PLATE No:	8
	383 Kent Street, Sydney	REV:	0
	CLIENT: Charter Hall Holdings Pty Ltd	DATE	17/01/2023

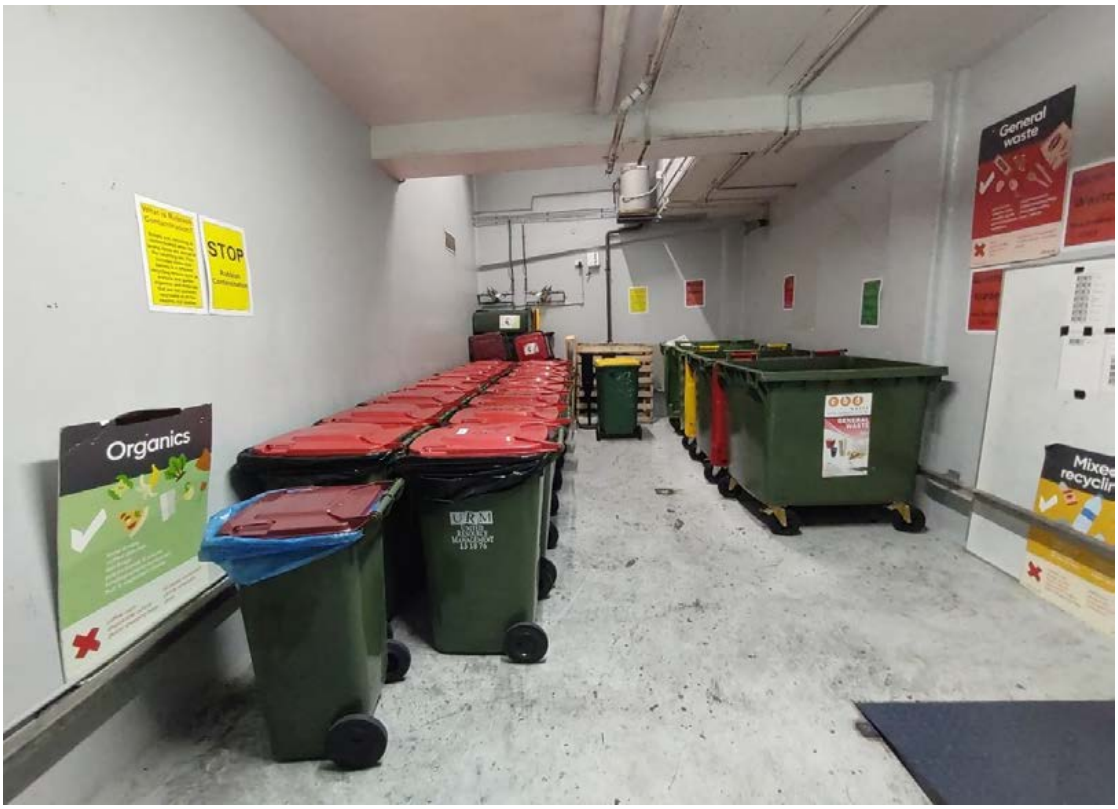

Photo 17: Garbage rooms in basement 2



Photo 18: Recycled waste store room in basement 2

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs**	PROJECT:	217267.01
	Proposed Commercial Development	PLATE No:	9
	383 Kent Street, Sydney	REV:	0
	CLIENT: Charter Hall Holdings Pty Ltd	DATE	17/01/2023



Photo 19: Water pump room in basement 2



Photo 20: Grease arrestor room in basement 2

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs**	PROJECT:	217267.01
	Proposed Commercial Development	PLATE No:	10
	383 Kent Street, Sydney	REV:	0
	CLIENT: Charter Hall Holdings Pty Ltd	DATE	17/01/2023

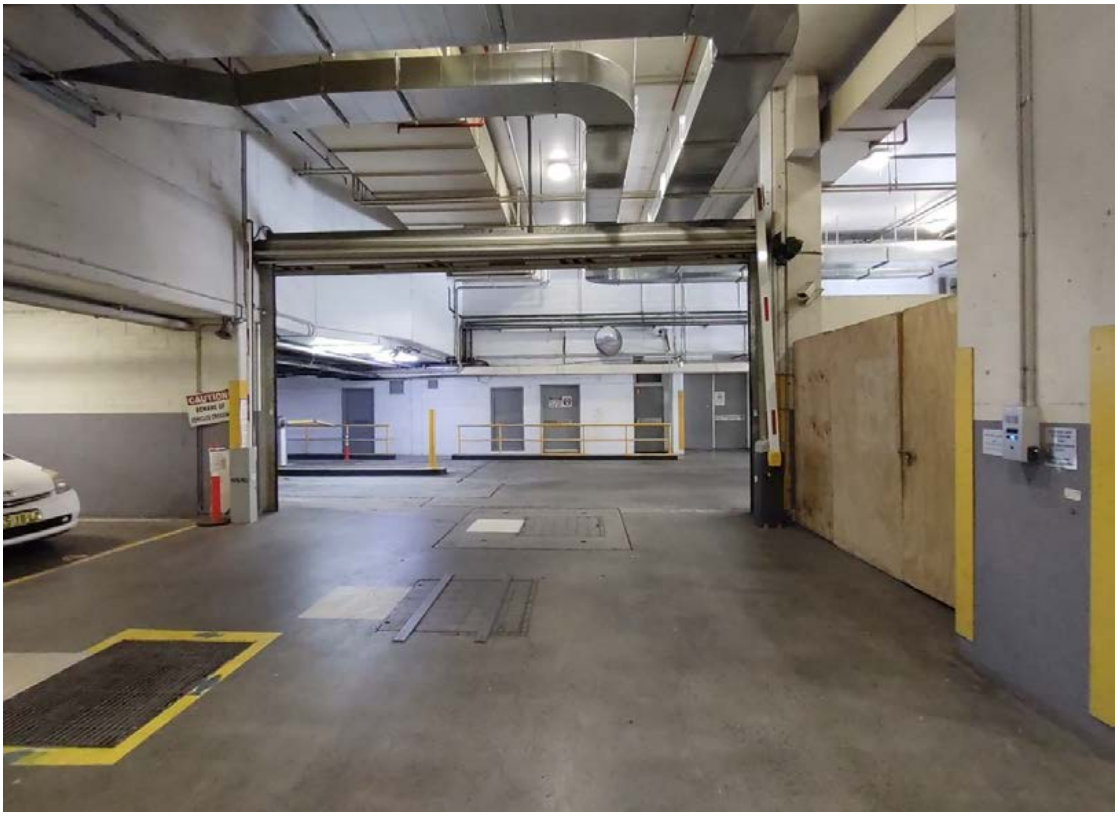

Photo 21: Loading dock area (entry from Sussex Street)

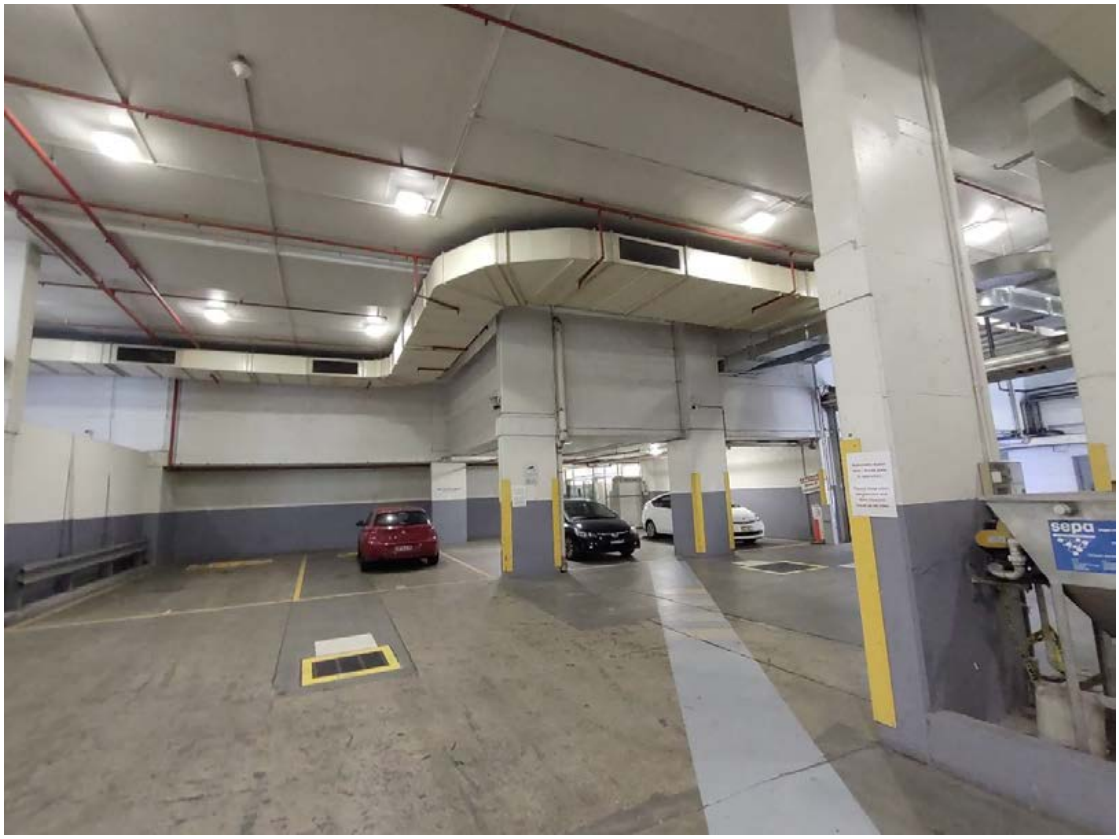

Photo 22: Loading dock area (entry from Sussex Street)

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs**	PROJECT:	217267.01
	Proposed Commercial Development	PLATE No:	11
	383 Kent Street, Sydney	REV:	0
	CLIENT: Charter Hall Holdings Pty Ltd	DATE	17/01/2023

Attachment A18

Preliminary Acid Sulfate Soils Study

Douglas Partners
Geotechnics / Environment / Groundwater

Integrated Practical Solutions

Report on
Acid Sulfate Soils Desktop Study Review and Preliminary ASS Management Plan

Proposed Commercial Development
383 Kent Street, Sydney

Prepared for
Charter Hall Holdings Pty Ltd

Project 217267.02
December 2023

Document History

Document details

Project No.	217267.02	Document No.	R.001.Rev1
Document title	Report on Acid Sulfate Soils Desktop Study Review and Preliminary ASS Management Plan		
Site address	383 Kent Street, Sydney		
Report prepared for	Charter Hall Holdings Pty Ltd		
File name	217267.02.R.001.Rev1- Preliminary Acid Sulfate Soils Study		

Document status and review

Status	Prepared by	Reviewed by	Date issued
Revision 0	Angus Nelson	Glyn Eade	23 October 2023
Revision 1	Angus Nelson	Glyn Eade	08 December 2023

Distribution of copies

Status	Electronic	Paper	Issued to
Revision 0	1	-	Tracy Hoven, Touchstone Partners Pty Ltd
Revision 1	1	-	Tracy Hoven, Touchstone Partners Pty Ltd

The undersigned, on behalf of Douglas Partners Pty Ltd, confirm that this document and all attached drawings, logs and test results have been checked and reviewed for errors, omissions and inaccuracies.

	Signature	Date
Author		08 December 2023
Reviewer		08 December 2023

Douglas Partners acknowledges Australia's First Peoples as the Traditional Owners of the Land and Sea on which we operate. We pay our respects to Elders past and present and to all Aboriginal and Torres Strait Islander peoples across the many communities in which we live, visit and work. We recognise and respect their ongoing cultural and spiritual connection to Country.

FS 604853

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Douglas Partners
Geotechnics / Environment / Groundwater

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Appendix C: Acid Sulfate Soils Treatment

Appendix D: Contingency Options to On-Site Treatment and Off-Site Disposal

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Report on Acid Sulfate Soils Desktop Study Review and Preliminary ASS Management Plan

Proposed Commercial Development

383 Kent Street, Sydney

1. Introduction

This report was conducted for a proposed commercial development located at 383 Kent Street, Sydney (herein after referred to as "the site"). The site location and layout is shown in Drawing 1, Appendix B. The study and management plan was commissioned in an email dated 18 September 2023 by Tracy Hoven of Touchstone Partners Pty Ltd and was conducted in general accordance with Douglas Partners' (DP) proposal 217267.02.P.001.Rev0 dated 20 September 2023.

This report has been prepared giving due consideration to Section 9.1 Local Planning Direction 4.5 from the Council of the City of Sydney and comprises a desktop review of relevant, nearby DP projects and the preparation of a preliminary acid sulfate soil management plan (ASSMP). The report assesses the likelihood of acid sulfate soils (ASS) at the site. It is noted from the proposal 217267.02.P.001.Rev0 that the site is classified as Class 1 and Class 2 Acid Sulfate Soils from the Sydney Local Environment Plan 2012 ASS Maps. If not properly managed ASS can pose environmental risks when disturbed by construction activities such as excavation, piling and dewatering.

The following guidelines were consulted in the preparation of this report:

- EPA Waste Classification Guidelines (2014) (EPA, 2014) Part 4: Acid Sulfate Soils.
- National Acid Sulfate Soils Guidance (2018). National Acid Sulfate Soils Sampling and Identification Methods manual.
- Queensland Acid Sulfate Soil Technical Manual Soil Management Guidelines v4.0 (2014).
- Acid Sulfate Soils Assessment Guidelines, NSW Acid Sulfate Soils Management Advisory Committee (August 1998).

The purpose of this preliminary ASSMP is to minimise the risk of adverse effects of exposing ASS to the environment and to:

- Outline the procedure to identify ASS at the site, as described in Section 6;
- Outline the procedures for the appropriate management/mitigation of potential environmental impacts that may result from the disturbance of ASS (if ASS is encountered);
- Outline the procedures for the on-site treatment of ASS (if ASS found);
- Provide a monitoring program for validating the effectiveness of the management process; and
- Provide emergency response procedures for potential environmental threats which could occur during ASS management (if ASS found).

2. Proposed Development

It is understood that the proposed development involves the demolition of the existing building and public car park as well as the construction of a new 42-storey office tower with up to 73,000 m^2 of gross floor area and a two-level basement, covering the full extent of the development footprint. The first level of basement comprises approximately seventy car park spaces as shown in drawing "Basement 1 Carparking" (dated 16/02/2023) and the second level of basement comprises a loading dock, with 28 loading bays and shared retail space as shown in drawing "Sussex St GL- Shared Loading/ retail" (dated 1/12/23). These drawings and other architectural drawings provided are attached in Appendix A. There will also be a new through-site link connecting Kent and Sussex St and will feature public art installations.

It is noted an existing basement level is present on the eastern portion of the site. Dewatering may also be required when constructing the two-level basement.

3. Acid Sulfate Soils Background

ASS are naturally occurring sediments that contain iron sulphides, primarily pyrite, commonly deposited in estuarine environments. The occurrence of ASS is associated with areas or regions that have previously been or are currently estuarine environments. Due to changes in sea level or geomorphologic changes to coastal systems, these sediments are often overlain by terrestrial sediments. Fill can also overlay ASS.

When ASS are exposed to air (e.g., due to bulk excavation or dewatering), the oxygen reacts with iron sulphides in the sediment, producing sulphuric acid. This acid can be produced in large quantities and is highly mobile in water. The sulphuric acid can drain into waterways causing severe short and long term socio-economic and environmental impacts, including damage to man-made structures and natural ecosystems.

ASS can either be classified as "*actual acid sulphate soils*" (AASS) which are soils that have already reacted with oxygen to produce acid, or "*potential acid sulphate soils*" (PASS). PASS are soils containing iron sulphide that have not been exposed to oxygen (e.g., soils below the water table). PASS therefore have not produced sulphuric acid but have the potential to do so if exposure to oxygen occurs.

The NSW Environment Protection Authority (EPA) *Waste Classification Guidelines* (2014) (EPA, 2014) Part 4 (Acid Sulfate Soils) defines PASS as soils that:

- Meet the definition of 'virgin excavated natural material' (VENM) under the Protection of the Environment Operations Act 1997, even though they contain sulfidic ores or soils.

Jarosite is an acidic, pale-yellow iron hydroxysulfate mineral and occurs as a by-product of the ASS oxidation process. As such, the presence of jarosite is an indicator of AASS.

Table 2.1 of the National Acid Sulfate Soils Guidance 2018 describes indicators where ASS materials are generally found. Indicators where ASS are generally found include but are not limited to:

- Shallow estuarine or marine deposits;
- Areas known to contain peat or build-up of organic matter;

- Highest known water table is three metres from the surface;
- Land with elevation less than five metres relative to the Australian Height Datum (AHD);
- The presence of jarosite; and
- Detection of sulphurous odours.

4. Site Information

Site Address	383 Kent Street, Sydney, refer to Drawing 1, Appendix B
Legal Description	Lot 1 Deposited Plan 778342
Approximate Area	3,600 m^2
Zoning	Zone B8 Metropolitan Centre
Local Council Area	The Council of The City of Sydney
Current Use	Commercial
Topography	The site slopes steeply to the west and sits at reduced level (RL) 18 m relative to the AHD along its eastern boundary to RL 10 m AHD along its western boundary. Little vegetation is observed at this site.
Soil Landscape	Reference to the Sydney 1:100 000 Soil Landscape Series Sheet indicates that the site is underlain by a landscape group known as the Gymea soil landscape. The Gymea soil landscape is an erosional soil landscape and is characterised by undulating to rolling rises and low hills on Hawkesbury Sandstone, with local relief of 20 m to 80 m and slope gradients of 10% to 25%. The Gymea soil landscape typically contains localised steep slopes, high soil erosion, rock outcrops and shallow highly permeable soil. It consists of predominantly yellow sandy soils, including podzolic soils. Podzolic soils are acidic soils containing a mixture of sand, silt and clay subsoils. This soil landscape is likely to have an increasing clay content with depth.
Geology	Reference to the Sydney 1:100 000 Geological Series Sheet indicates that the site is underlain by Hawkesbury Sandstone, symbol Rh, of Triassic age, which typically comprises medium to coarse-grained quartz sandstone with minor shale and laminite lenses. This geological unit is not considered 'geologically recent'. It is noted that beyond the western edge of the site boundary, there are Quarternary sediments, symbol Qha, which contain silty to peaty quartz sand, silt and clay. An extract of the Sydney 1:100 000 Geology Sheet is shown below in Figure 1. The site locality is indicated in a dashed, blue outline in Figure 1.

Surface Water	The closest surface water body is Cockle Bay Wharf located approximately 250 metres west of the site. It is expected that stormwater drains will flow west towards Cockle Bay Wharf.
Groundwater	Reference to the groundwater bore register data from WaterNSW indicates that three registered groundwater monitoring bores are located within 500 m of the site. These are labelled GW109085, GW109086 and GW109087. No information on groundwater levels was provided during a search of these groundwater bores. A search of the DP database identified a groundwater well for Project No. 72924.00, located on the northwestern corner of King St / Pitt St approximately 400 m west from site. Groundwater levels were reported as being at approximately RL 12 m AHD. Another investigation located approximately 750 m south of the site (Project No. 207999.00), installed three groundwater wells. Two of the wells recorded groundwater levels at RL 2.5 m AHD and RL 4.5 m AHD, which were measured after installation on 27/9/2022. The third groundwater well was dry.

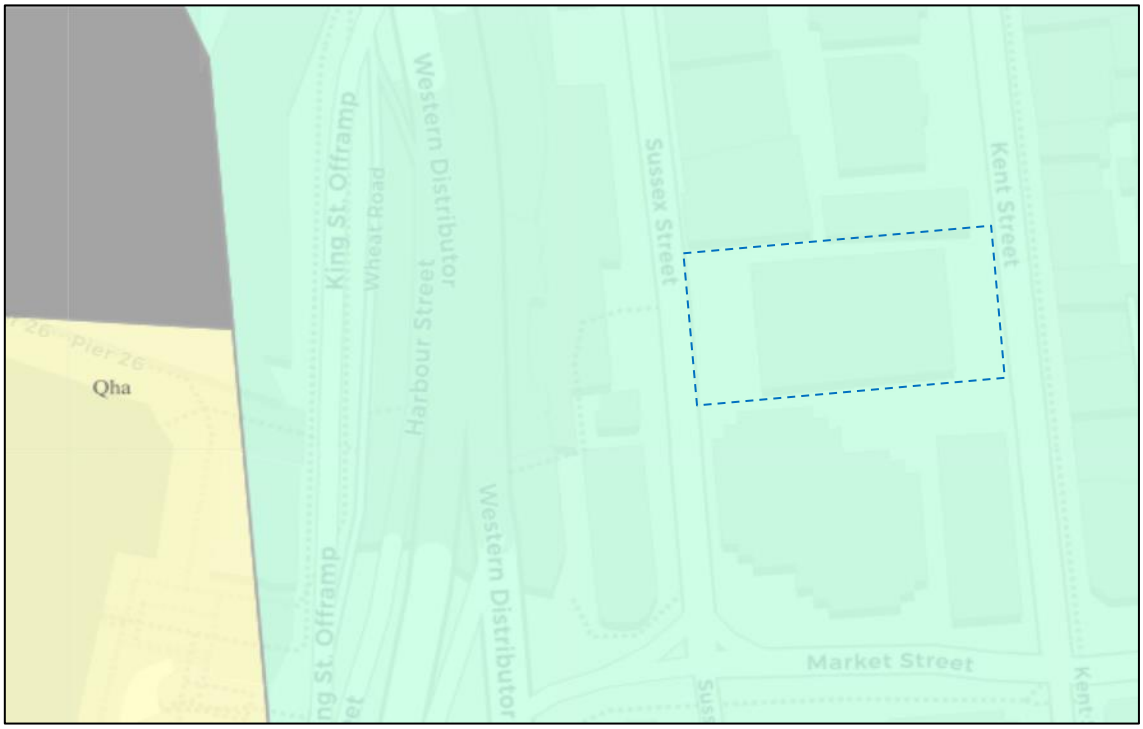

Figure 1: Extract of Sydney 1:100 000 Geology Sheet (site locality shown as dashed line)

The Australian Soil Resource Information System (ASRIS) ASS risk map (2014) for the site is shown below in Figure 2. The site locality is indicated in a blue dashed outline.

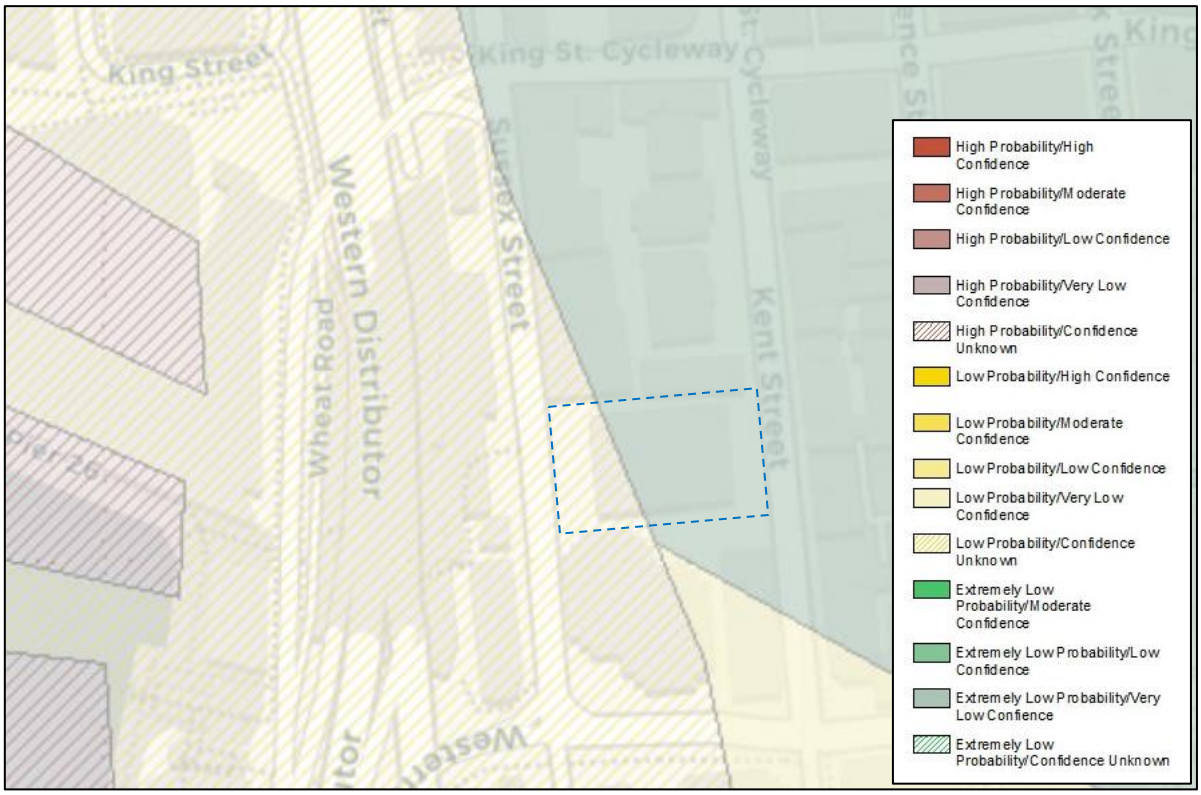

Figure 2: Extract of ASRIS ASS Map 2014 (site locality shown as dashed line)

Figure 2 shows that the green eastern portion of the site is mapped as having an extremely low risk of ASS but of very low confidence whereas the yellow western portion is mapped as a low risk but of unknown confidence levels.

The NSW Department of Environment and Climate Change 1:25 000 ASS risk map (1998) is shown in Figure 3. The site locality is indicated in a blue dashed outline. Figure 3 shows that the western portion of is mapped as disturbed terrain, indicating that a soil investigation is needed to establish whether ASS exists at the site or not.



Figure 3: Extract of NSW Acid Sulfate Soil Risk Map 1998 (site locality shown as dashed line)

5. Previous Investigations

DP has conducted the following investigations deemed relevant for this project:

- DP Report: 211320.01.R.012.Rev0, dated 31 July 2023
- DP Report: 207999.00.R.002.Rev1, dated 22 May 2023 and DP Report: 207999.01.R.001.Rev3

5.1 DP Report: 211320.01.R.012.Rev0

This Detailed Site Investigation (Contamination) Report was prepared by Douglas Partners Pty Ltd for a site located in Union Street, Pyrmont. The investigation comprised of a desktop review of the NSW Department of Environment and Climate Change 1:25 000 Acid Sulfate Soil Risk Maps and Sydney Local Environmental Plan 2012 ASS maps, and intrusive sampling at thirteen (13) borehole locations. ASS maps shown in the Sydney Local Environmental Plan 2012 depict that the northern portion of the site is in Class 1 ASS and the southern portion is in Class 5 ASS. ASS risk maps published by the NSW Department of Environment and Climate Change for this site show that the northern portion was located in disturbed terrain and the southern portion of this site as having a low occurrence of ASS. The desktop review concluded that there was a low probability of ASS occurring at this site but should be confirmed by field observations, pH screening and laboratory analysis.

Field observations also indicated that this site had a low risk of ASS. One sample (BH4/3.2-3.5) returned pH results potentially indicative of ASS. Laboratory analysis for the chromium reducible sulphur full suite was conducted on this sample and found that the recorded chromium reducible sulphur and net acidity recorded below laboratory practical quantitation limit and assessment criteria. These results indicate that the sample BH4/3.2-3.5 m did not contain ASS. This was consistent with field observations indicating that the risk of ASS was low.

5.2 DP Report: 207999.00.R.002.Rev1 and DP Report: 207999.01.R.001.Rev3

The geotechnical investigation report 207999.00.R.002.Rev1 was prepared by Douglas Partners Pty Ltd for a site located in Sussex Street, Sydney. The field work for this investigation included the drilling of three boreholes (identified as BH1 to BH3), which were each converted into groundwater monitoring wells.

The general sequence of materials encountered included concrete (ranging from 120 mm to 200 mm thick) overlying a mixture of clay / sand fill, overlying typically very stiff residual clay, overlying sandstone bedrock. The residual clay unit was encountered to a thickness of 300 mm at BH3. No marine or estuarine sediments were encountered at these borehole locations.

The PSI investigation report, 207999.01.R.001.Rev3 identified that there was no known occurrence of ASS and that the encountered soil profile was unlikely to contain ASS because the area did not contain alluvial or estuarine sediments.

6. Proposed Works for ASS Assessment

These proposed works will identify if ASS are present at the site. It was developed in accordance with the National Acid Sulfate Soils Guidance (2018) and consists of:

- Four boreholes will be extended to a minimum depth of 1.0 m below the proposed excavation level or top of bedrock. The boreholes will be drilled post-demolition of the existing structures. Indicative borehole locations are provided in Drawing 1, Appendix B, with three boreholes targeting the western portion of the site.
- Collection of soil samples from either surface or below the level of the concrete slab, and then at 0.5 metre intervals, changes in strata or apparent signs of PASS, including sulphuric odours.
- DP will store all samples in air-tight zip lock bags in an esky on ice. Within 24 hours the samples are either frozen or delivered to the NATA accredited laboratory.
- All samples will be subjected to field screening for field pH and pH_{fox} (oxidised pH). These tests will be performed by a NATA-accredited laboratory.
- Selected / representative samples that exceed the field screening criteria will be analysed for chromium reducible sulfur test.
- The minimum quality assurance and quality control (QA / QC) procedures will include:
  - Collection of one field duplicate for every 20 investigative samples (QC); and
  - Use of standardised field sampling forms, methods and Chains of Custody (QA).

7. Management Options

If the proposed works described in Section 6 confirms the presence of ASS management strategies will need implementing. These strategies are detailed in this section of this report. ASSMAC (1998) provides the following potential management options:

- Non-excavation or minimal earthworks;
- On-site treatment, followed by off-site disposal;
- On-site treatment, followed by on-site re-use;
- Off-site treatment and disposal;
- On-site reburial without treatment (PASS only);
- Off-site reburial without treatment (PASS only); and
- Separation of ASS fines.

Based on the proposed development, DP considers on-site treatment followed by off-site disposal is the most appropriate option. Contingency options, including off-site treatment and disposal and off-site disposal as PASS are discussed in Appendix D.

In addition, if a formal ASSMP is required as part of the proposed development, the following procedures must be included:

- An ASS investigation report (to be completed following demolition of existing site buildings);
- Treating soils according to their existing acidity plus potential acidity with an appropriate amount of neutralising agent (ag lime);
- Laboratory tests to verify that the ASS have been properly treated and that neutralising material has been thoroughly mixed throughout the soil;
- Substantial bunding of the site using non-ASS material to divert site run-on and collect all site runoff during earthworks which is in contact with any identified PASS. Any material suspected to be ASS can be appropriately stored on site (e.g., skip bins);
- Monitoring the pH of any pools of water collected within bunding or sealed areas;
- All leachate from treatment pads and / or discharge water from excavations should be contained and must meet acceptable standards of pH, metal content (particularly iron and aluminium) and turbidity prior to release;
- Preventing infiltration from passing through ASS to groundwater using impermeable materials. Otherwise, apply an extra layer of neutralising material to intercept and neutralise leachate from ASS;
- Development of an environmental management plan (EMP) that meets the requirements of the City of Sydney; and
- On completion of works, provide documentation of ASS management activities to the site / project manager in the form of a simple closure report, including information on the final placement / use of disturbed soil.

7.1 On-site Treatment and Off-site Disposal

The general process for the on-site treatment and off-site disposal of ASS is as follows:

1. Prepare a treatment pad as described in Section 7.3.
2. Transport ASS material requiring treatment to the treatment pad.

   If ASS are not present then no further action is required unless other signs of ASS are noted during excavation such as sulphurous odours or iron staining from leachate. If ASS is present, continue to step three.
3. Manage ASS during stockpiling and treatment to minimise dust and leachate generation (e.g., by covering, or lightly conditioning with water). If wet weather prevails, stop works and cover the stockpiled material with plastic sheeting to reduce the formation of leachate. Possible treatment options for leachate are provided in Appendix C;
4. Spread the ASS material onto the guard layer in layers of up to 0.3 metre thick, leaving a 1 metre flat area between the toe of the spread soil and the containment bund or drain. When spreading the first soil layer, care should be taken not to churn up the lime guard layer;
5. Let the ASS dry to facilitate lime mixing (if too wet, then adequate mixing of lime cannot be achieved). The use of rotary plough equipment (e.g., auger bucket) may be appropriate for cohesive soils, where adequate mixing is difficult to achieve;
6. Apply ag lime to the stockpiled soil (refer to Section 7.2 for liming rates and Section 7.4 for explanation of ag lime) over each spread layer and harrow / mix thoroughly prior to spreading the next layer;
7. The results of verification testing, described in Section 7.5, should confirm that the ASS has been adequately neutralised in each layer prior to placement of the next layer to be treated. If verification sampling indicates that additional neutralisation is required, add additional lime (at an appropriate liming rate) and mix as described above;
8. Continue the spreading / liming / harrowing / verification cycle until excavation is finished; and
9. When verification testing, described in Section 7.5, indicates that lime neutralisation is complete, then the soil may be removed from the treatment area and disposed off-site in accordance with a waste classification.

   Note: If significant volumes of PASS or soil with sulphidic ores are present on the site then we would suggest that the client consider applying for a specific exemption (similar to the excavated natural material [ENM] exemption) for treated PASS or natural soils with sulphidic ores generated from the site. In some instances, the EPA has granted specific exemptions for treated PASS under agreements similar to the ENM Exemption (and where a specific receiving site can be named in the specific exemption). This would significantly reduce disposal cost for such material.

7.2 Liming Rate

Following the results of the proposed works described in Section 6 the following table is to be completed to provide the liming rates. The liming rate calculation is described in Appendix C.

Table 1: Indicative Liming Rate

Material	Net Acidity (%S)	'Ag' Lime Application Rate for Treatment	
		Guard Layers (kg/m^2) per metre of height	Stockpiled Soil[a] (kg/tonne)
To be confirmed	To be determined	5[b]	To be determined

a – adopt 95% upper confidence limit of test results in calculation.
b – Note if the highest detected sum of existing and potential acidity is more than 1.0% S-equivalent, this rate will be at least 10 kilograms of fine ag lime per m^2

7.3 Neutralisation Pads and Treatment of Soils

The key features of the treatment area and design considerations are summarised below and shown in Figure 4 below:

- **Treatment pad area** - The treatment pad should be of an appropriate area for the volume of soil to be treated / stored, and should be prepared on relatively level or gently sloping ground to minimise the risk of potential instability issues, with a fall to the local drainage sump;
- **Pad location** - The pad should be located as far as practical from any potential ecological receptors (such as drainage lines) which enter the stormwater system;
- **Lining** - An approved compacted clay layer (at least two layers to a combined compacted thickness of 0.5 m) or an approved geosynthetic liner (such as HDPE sheeting) should be used to line the pad. Where the subgrade soils comprise low permeability clay, no geosynthetic lining will be required;
- **Guard Layer** - A guard layer of fine agricultural lime ('ag lime'), as described in Section 7.4, should be applied over the clay subgrade or lining to neutralise downward seepage. This guard layer of lime should be applied at a rate appropriate to the soil to be treated (refer to Table 1 above) for each 1.0 m height of stockpiled soil;
  - The guard layer should be re-applied following removal of treated soils prior to addition of untreated ASS; and
  - NOTE: if the stockpiled soils on the treatment pad are expected to be greater than 3.0 m in height, it is recommended that the guard layer be applied as a base guard layer, with interim guard layers through the height of the stockpile.
- **Bunding** - The treatment pad should be bunded to contain and collect potential leachate runoff within the treatment pad area and to prevent surface water from entering the treatment pad. The inner bund slopes should be lined to prevent leachate seeping into the ground surface and sized such as to prevent overflow of untreated leachate onto the site.

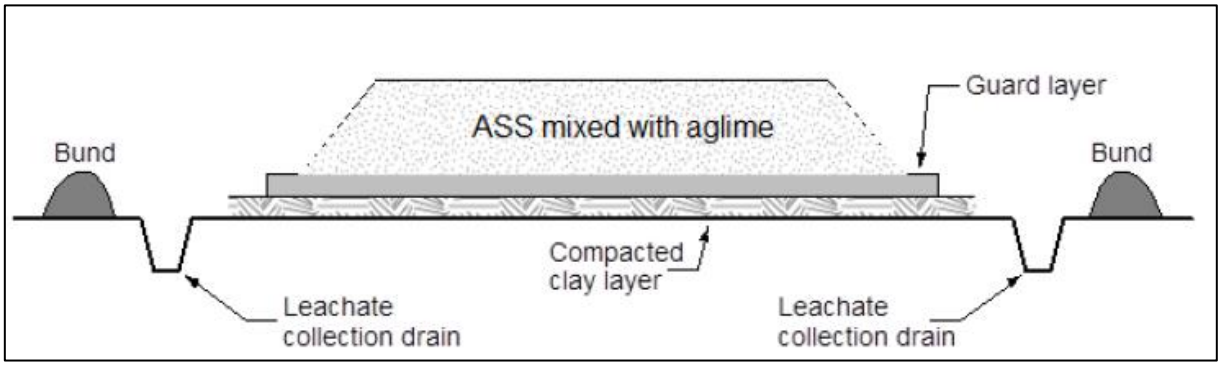

Figure 4: Schematic cross-section of a treatment pad

Alternatively, for smaller batches of soil it may be preferrable to store and treat soils within a sealed container e.g., skip bin. The method for developing this alternate treatment pad is provided below:

- **Bin size** - The bin should be of an appropriate volume for the soil to be treated / stored. Care should be taken to not overfill a container which may cause leachate, run-off or soils to overflow from the bin;
- **Lining** - Approved geosynthetic liner (such as HDPE sheeting) should be used to line the bin;
- **Cover** - The bin should be covered when not actively used to prevent potential accumulation of water from rain;
- **Guard layer** - A guard layer of fine agricultural lime ('ag lime') should be applied over the base lining. This guard layer of lime should be applied at a rate appropriate to the soil to be treated (refer to Table 1 above) for every 1.0 m height of stockpiled soil; The guard layer should be re-applied following removal of treated soils prior to addition of untreated ASS; and
- **Leachate and water** - Any excess leachate or water collected within the bin will be managed in accordance with the requirements presented in Appendix C.

7.4 Neutralising Materials

Agricultural lime, commonly known as ag lime, is the preferred neutralisation material for the management of ASS, as this material is usually the cheapest and most readily available product for acid neutralisation. Furthermore, ag lime is slightly alkaline (pH of 8.5 to 9), non-corrosive, of low solubility and does not present handling problems.

Ag lime comprises calcium carbonate ($CaCO_3$), typically made from limestone that has been finely ground and sieved to a fine powder. Ag lime with the following properties is the preferred neutralising agent:

- Purity of at least 95% or better (i.e., NV > 95, where NV is the neutralising value, a term used to rate the neutralising power of different forms of materials relative to pure, fine calcium carbonate which is designated NV = 100); and
- Fine (at least <1 mm) and dry, as texture and moisture can decrease the effective NV.

Ag lime requires no special handling, however, it would be advisable to cover any ag lime stockpiles with a tarpaulin both to minimise wind erosion and wetting, as the material is more difficult to spread when wet.

It is noted that ag lime is not suitable for the neutralisation of leachate because it has a low solubility in water. The most suitable neutralising agent for leachate and retained drainage water is slaked lime or quicklime (calcium hydroxide) because of its very quick reaction and high solubility.

Calcium hydroxide is made by treating burnt lime (calcium oxide) with water (slaking) and comes as a fine white powder. It has a typical NV of about 135. A calcium hydroxide solution can be produced by stirring calcium oxide into water, in a container of sufficient volume (for example, a plastic 200 litre drum). The slurry should be allowed to settle, and the clear solution (which will be caustic, with a pH of approximately 12.5 to 13) can be pumped or sprayed into the standing water in small amounts, with some agitation and monitoring. Due to its very strong alkalinity (pH or about 12.5 to 13), slaked lime or quicklime should not be allowed to come into contact with skin or be inhaled. This procedure should be continued until the pH is adjusted to acceptable levels. Adequate care should be taken not to "*overshoot*" the desired pH with calcium hydroxide. Quicklime is very reactive, and relatively corrosive (due to its caustic nature). When quicklime is mixed with water, the resulting reaction generates heat. Therefore, if utilised, the material should be added in increments to a large amount of water to control the reaction.

Application of slaked lime is discussed in greater detail in Appendix C.

7.5 Verification Testing of Treated Soil

Verification testing of the ASS and drainage water (if present) is required to be conducted after the addition of ag lime to test whether mixing has been adequate, and to reduce the risk of acidic water being returned to watercourses. This testing consists of a field test (pH_F and pH_{Fox} screening) and laboratory analysis using the Chromium Reducible Sulfur (SCr) method and / or the Suspension Peroxide Oxidation Combined Acidity and Sulfur (SPOCAS) method at the frequency given below:

- One sample per soil type OR one sample per 500 m^3 of treated material. Adopt which ever has the greatest frequency; and
- At least one sample per 200 mm to 300 mm of the deep soil treatment layer.

Potential sulfidic acidity is measured using either the SPOCAS or SCr Method. The SCr method is recommended for all soil materials. However, the SPOCAS method is not recommended for soil materials with organic matter containing greater than 0.6% organic carbon, as the organic matter in many soil materials with organic carbon contents greater than 0.6% can produce false positive identifications when using the SPOCAS method. The sulfur from organic matter, even at these relatively low concentrations, can be erroneously included in the SPOCAS determination at levels that exceed action criteria. Furthermore, if SPOCAS is used to quantify the potential sulfidic acidity of soil materials, it is recommended at least 15% of samples are also analysed by the SCr method to allow for the verification of the SPOCAS values.

In addition, the pH of all ponded drainage water around the confines of the treatment bunds (or pooled within skip bins) should be measured daily and results assessed against the criteria provided in Table 2.

The soil and water contained within the bunded treatment area or bins should not be removed until the target values presented in Table 2 below have been achieved.

Treatment of deeper soil layers should not commence until the existing surface layer has been validated and removed.

Table 2: Target Levels of Neutralised Soil and Water

Test	Component	Target Level
Monitoring of water	pH	6.5 < pH < 8.5
	Turbidity	To comply with either values established in consultation with the Authority or less than local background levels (baseline monitoring required).
	Aluminium (Al) and Iron (Fe)	Establish local water quality data prior to site disturbance and ensure that these values are not exceeded.
	Dissolved Oxygen	To comply with either values established in consultation with the Authority or less than local background levels (baseline monitoring required).
Field Screening of Soil	pH_f	6.5 < pHF ≤ 8.5
Acid based accounting of soil (Chromium suite test method)	Net acidity (using appropriate fine factor)	Zero or negative
	pH_{KCL}	pHKCL ≥ 6.5
	Total Actual Acidity (TAA)	Zero

It should be noted that laboratory tests may require up to five days turnaround, possibly longer, and hence sufficient time should be allowed in the treatment programme for such verification testing. Only appropriately skilled staff should collect and test verification samples. In addition to normal regular supervision of the soil management process, it is suggested that formal regular inspections be conducted.

8. Contingency Plan and Emergency Response Procedures

When the proposed primary management option of on-site treatment and off-site disposal is not possible, it is then necessary to adopt a contingency. Appendix D details the contingency plan for off-site treatment and disposal and off-site disposal of PASS. Construction activities which may cause potential environmental threats and preliminary contingency and emergency response procedures are summarised in Table 3 below. The preliminary contingency and emergency response procedures outlined in Table 3 will require updating pending the results of the intrusive investigation described in Section 6.

Table 3: Contingency and Emergency Response Procedure

Construction Activity	Potential Environmental Threat	Preliminary Contingency and / or Emergency Response
Bulk Excavation	Flooding of open excavation causing or leading to potential acid leachate once the excavation is drained	• Inform site foreman and project manager or environmental officer; • Determine pH of groundwater / floodwater in excavation; • Correct groundwater / floodwater pH to bring pH in range of 6.5 to 8.5; • Drain pit to tanks / basins for water quality assessment prior to discharge.
Stockpiling and neutralisation	Stockpile washes or slips outside bunded lime pad	• Inform site foreman and project manager or environmental officer; • Estimate volume of material breeching bund; • Conduct pH monitoring of adjacent surface water (if potentially impacted), and establish an alternative monitoring / management approach if potential impacts are detected; • Move breeched soil into a bunded limed pad; • Over-excavate contaminated area to 0.2 m depth, apply and mix lime at rate as for guard layers (10 kg ag lime per m^2 of surface).
	Breach in stockpile containment bund	• Inform site foreman and project manager or environmental officer; • Fix breach in bund; • Conduct pH monitoring of adjacent surface water (if potentially impacted) and establish an alternative monitoring / management approach if potential impacts are detected.

Construction Activity	Potential Environmental Threat	Preliminary Contingency and / or Emergency Response
Dewatering	A pH decrease by 0.5 to 1 unit below background	• Inform site foreman and project manager or environmental officer; • Perform pH monitoring every second day; • Conduct groundwater assessment of metals (aluminium, arsenic, cadmium, chromium, cobalt, copper, lead, manganese, mercury, nickel, zinc and iron); • Establish the cause of the pH drop; • Implement measures to prevent further decrease in pH. This may include change to dewatering procedure.
	A pH decrease by more than 1 pH unit below background	• As per pH drop of 0.5 to 1; plus • Assess the need for corrective measures to increase pH to previous level.

It is required that an incident report is completed for all construction incidents which pose an environmental threat, not just limited to ASS. The report must detail:

- The cause of the incident; and
- Implementation of additional control measures; and
- How to reduce the likelihood of the incident reoccurring, including by modifying work procedures.

9. Reporting

The contractor must maintain a record of ASS treatment. The ASS treatment record should include the following details:

- Date of works involving ASS;
- Location / area and depth of excavated ASS material and location of treatment pads;
- Time of excavation;
- Neutralisation process completed;
- Liming material and rate utilised;
- Results of field and analytical testing and comparison to acceptance criteria;
- Disposal location;
- Tonnages and disposal / transfer dockets (if applicable);
- Results of water monitoring; and
- Water discharge records.

These records should be provided to DP if requested and upon completion of works.

A record should also be maintained confirming contingency measures and additional treatment if undertaken. A final report should be issued upon completion of the works presenting the monitoring regime and results and confirming that adverse environmental impact has not occurred during the works.

10. Conclusion

This report included a desktop review of relevant DP reports, databases and reference material as well as the development of a preliminary ASSMP.

The preliminary ASSMP will be formalised, after conducting the intrusive soil sampling outlined in Section 6 and will allow adoption of appropriate management procedures to mitigate the potential environmental risks associated with ASS.

11. References

ASRIS. (2014). ASRIS - Australian Soil Resource Information System. http://www.asris.csiro.au. Accessed November 14 October 2023

Dear, S-E., Ahern, C. R., O'Brien, L. E., Dobos, S. K., McElnea, A. E., Moore, N. G. & Watling, K. M., 2014. *Queensland Acid Sulfate Soil Technical Manual: Soil Management Guidelines*. Brisbane: Department of Science, Information Technology, Innovation and the Arts, Queensland Government.

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Sullivan, L., Ward, N., Toppler, N., & Lancaster, G. (2018). *National Acid Sulfate Soils Guidance: National Acid Sulfate Soils Sampling and Identification Methods Manual.* Canberra ACT CC BY 4.0: Department of Agriculture and Water Resources.

12. Limitations

Douglas Partners (DP) has prepared this report for this project at 383 Kent Street, Sydney in accordance with DP's proposal dated 20/09/2023 and acceptance received from Tracy Hoven dated 25/09/2023. The work was carried out under DP's Conditions of Engagement. This report is provided for the exclusive use of Touchstone Partners Pty Ltd and Charter Hall Holdings Pty Ltd for this project only and for the purposes as described in the report. It should not be used by or relied upon for other projects or purposes on the same or other site or by a third party. Any party so relying upon this report beyond its exclusive use and purpose as stated above, and without the express written consent of DP, does so entirely at its own risk and without recourse to DP for any loss or damage. In preparing this report DP has necessarily relied upon information provided by the client and/or their agents.

The results provided in the report are indicative of the sub-surface conditions on the site only. Sub-surface conditions can change abruptly due to variable geological processes and also as a result of human influences.

This report must be read in conjunction with all of the attached, including notes in Appendix E, and should be kept in its entirety without separation of individual pages or sections. DP cannot be held responsible for interpretations or conclusions made by others unless they are supported by an expressed statement, interpretation, outcome or conclusion stated in this report.

This report, or sections from this report, should not be used as part of a specification for a project, without review and agreement by DP. This is because this report has been written as advice and opinion rather than instructions for construction.

Douglas Partners Pty Ltd

Appendix A

Architectural Drawings

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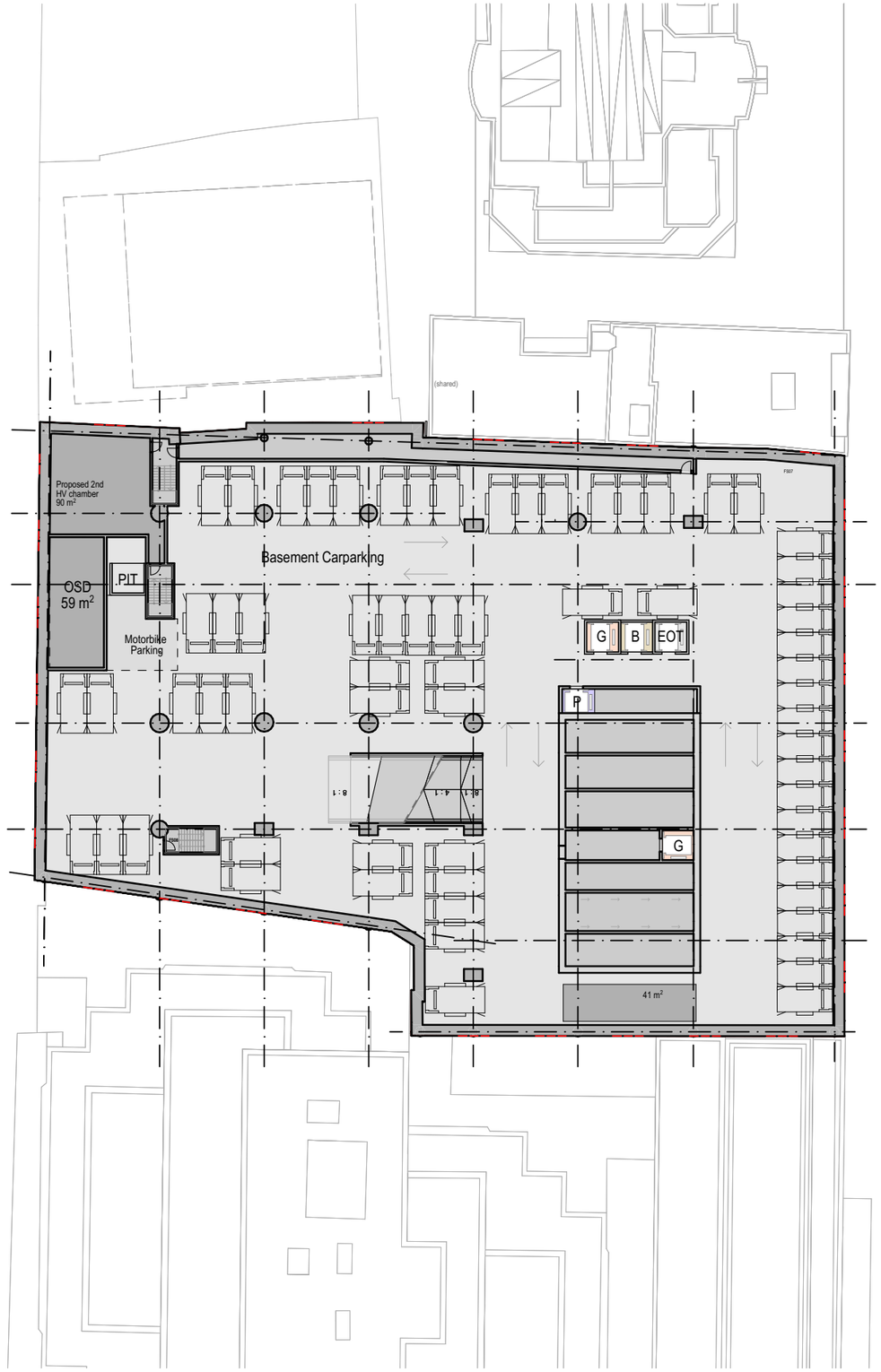

fjmt

Basement 1 - Carparking

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

<16/02/2023>

Issued for Approval

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fjmt

Sussex St GL - Shared Loading/ retail

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

1/12/23

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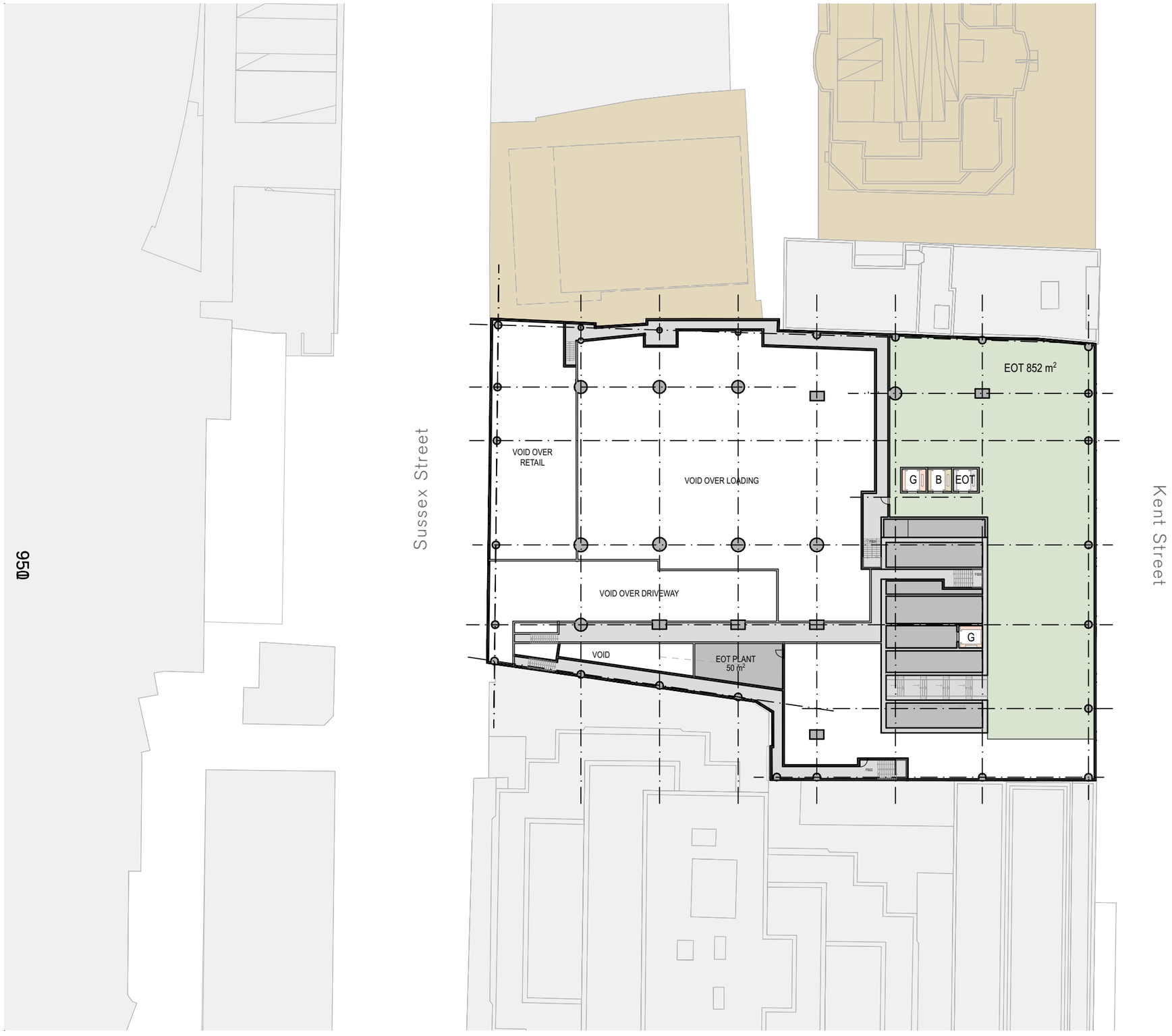

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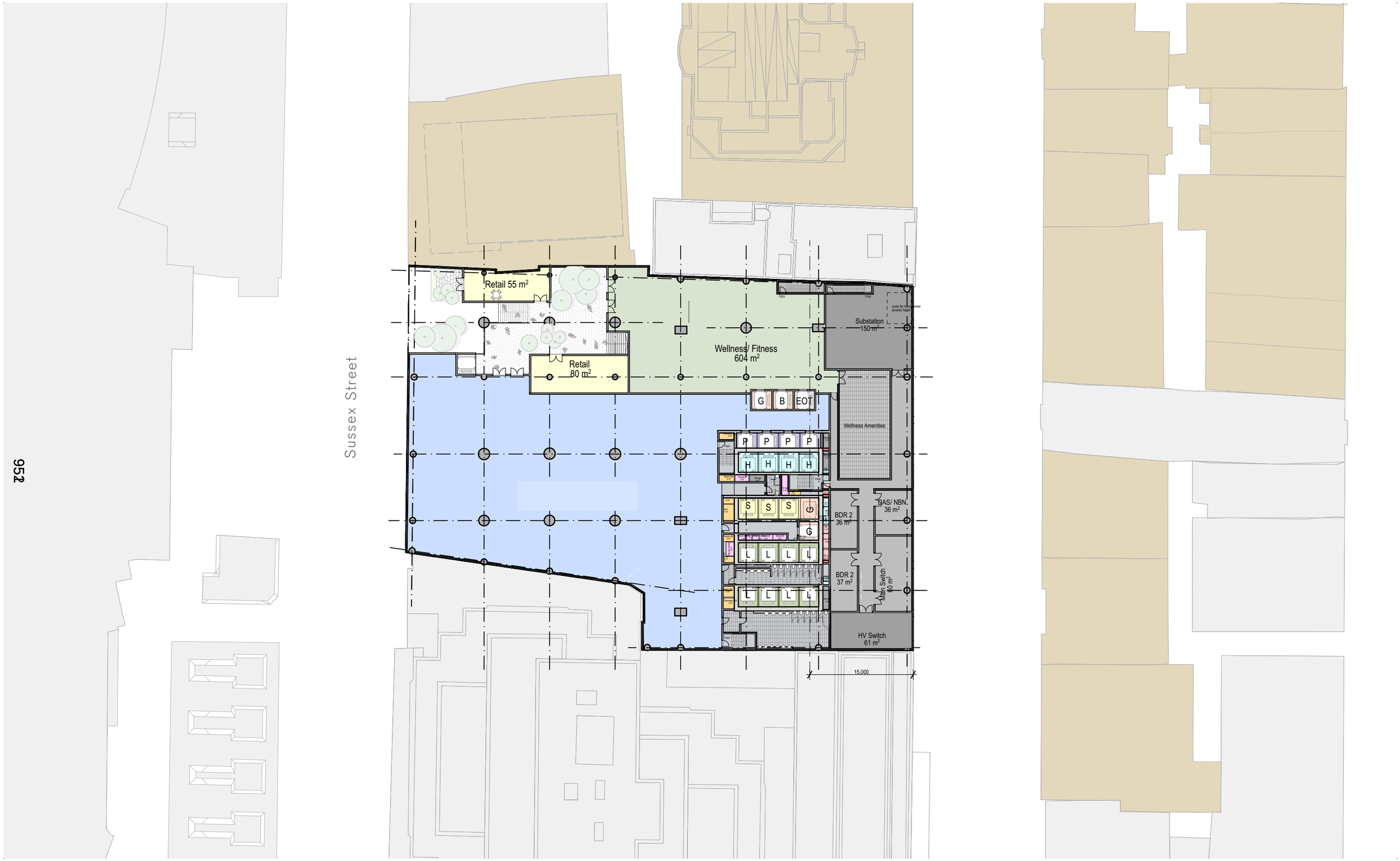

fjmt

Lower GL - Commercial/ EOT/ Plant

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

1/12/23

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fjmt

Kent St GL - Lobby/ Retail/ Commercial

Charter Hall - 383 Kent Street

0 5 10 20m

1:500 @ A3

1/12/23

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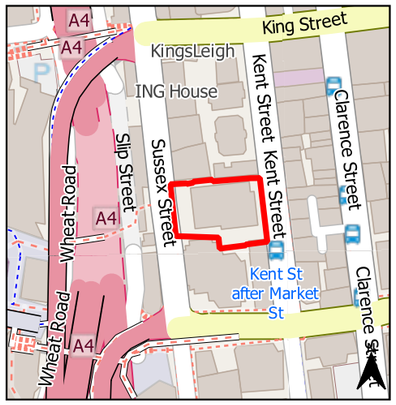
Appendix B

Drawing





Site Location

Legend

- Site Boundary
- Proposed Test Locations

NOTE:
1. Drawing adapted from aerial imagery from MetroMap dated 01.02.2020
2. Test locations are indicative only

0 10 20 30 40 50 m

Douglas Partners *Geotechnics / Environment / Groundwater*	CLIENT: Chater Hall Holdings Pty Ltd	TITLE: **Proposed Test Location Plan**	Project: 217267.02
	OFFICE: Sydney / DRAWN BY: AN	**Acid Sulfate Soil Investigation**	DRAWING No: 1
	SCALE: 1:500 @A3 / DATE: 12.October.2023	**383 Kent Street, Sydney, NSW, 2000**	REVISION: 0

Appendix C

Acid Sulfate Soils Treatment

Appendix C
Acid Sulfate Soils Treatment
383 Kent Street, Sydney

C1.0 Introduction

This appendix outlines:

- Acid sulfate soil treatment verification criteria;
- Equations for net acidity;
- Liming rate calculations; and
- Water and groundwater management.

C2.0 Verification of Treatment

The following section provides the equations and methods of verifying that the neutralisation treatment has been successful / completed.

Net Acidity

Net Acidity is the quantitative measure of the acidity hazard of ASS. It is determined from an Acid Base Accounting (ABA) approach using one of the equations below. Equations C1 and C2 are used to determine the net acidity prior to treatment of ASS / PASS and therefore if acid sulfate soil treatment and / or a management plan is required. Equation C3 is used to establish that the neutralisation treatment has been successful:

Equation C1 - when the effectiveness of a soil's measured Acid Neutralising Capacity has been corroborated by other data demonstrating the soil does not experience acidification during complete oxidation under field conditions, or

Equation C2 - when the effectiveness of a soil's measured Acid Neutralising Capacity has not been corroborated by other data, or

Equation C3 - when the effectiveness of a management approach involving the addition of liming materials is being verified post treatment via calculation of the Verification Net Acidity.

Equation C1 Net Acidity whereby acid neutralising capacity (ANC) has been corroborated by other data

Net Acidity = potential sulfidic acidity + actual acidity + retained acidity - Acid Neutralising Capacity.

Net Acidity = Scr + S-TAA at pH 6.5 + SNAS - s-ANCBT.

Equation C2 Net Acidity whereby ANC has not been corroborated by other data

Net Acidity = potential sulfidic acidity + actual acidity + retained acidity.

Net Acidity = Scr + S-TAA at pH 6.5 + SNAS.

Equation C3 Verification Net Acidity

Verification Net Acidity = potential sulfidic acidity + actual acidity + retained acidity – (post neutralised Acid Neutralising Capacity - pre neutralised Acid Neutralising Capacity).

Verification Net Acidity = Scr + S-TAA at pH 6.5 + SNAS - (ANCBT of treated material - ANCBT of untreated material).

C3.0 Liming Rates

The required liming rate can be calculated from one of the following formulas.

Equation C4:

Neutralising Material Required (kg $CaCO_3$/tonne soil) = (Net acidity (mol H+/t) / 19.98) x FOS x 100/ENV.

Equation C5:

Neutralising Material Required (kg $CaCO_3/m^3$ soil) = D (tonne/m^3) x (Net acidity (mol H+/t) / 19.98) x FOS x 100/ENV.

Where:

- Net acidity (mol H+/t) is derived using the 95% UCL of the Net Acidity (%S). This can be determined pending laboratory results after an intrusive investigation is conducted; 19.98 converts to kg $CaCO_3$/tonne.
- FOS (factor of safety) = a minimum value of 1.5 needs to be adopted, although values of up to 2 can be suitable;
- ENV = Effective Neutralising Value (e.g., Approx. 98% for fine (0.3 mm grain size) ag lime with an NV of 98%).
- D = bulk density, site specific results can be used, or the bulk densities can be determined from laboratory results after an intrusive investigation is undertaken.

Notes:

- The ENV is calculated based on the molecular weight, particle size and purity of the neutralising agent and should be assessed for proposed materials in accordance with National Acid Sulfate Soils Guidance (2018).
- Natural net acidity must not be used.

An initial liming rate based on the laboratory result calculation (excluding ANC) is considered appropriate based on it including a safety factor of 1.5 and the use of ag lime with an NV of at least 98% and a grain size of less than 0.5 mm.

The liming rate to be calculated from the analytical results should therefore be considered as a "starting point", and pH monitoring should be conducted during treatment to assess the progress of the neutralisation and need for additional mixing and / or addition of ag lime. Soil will only be considered to have been successfully treated when all soil has been verified in accordance with Section 7.5.

C4.0 Disposal as PASS

Further guidance for the disposal of untreated soil as PASS (as a contingency strategy) is provided in Appendix D.

C5.0 Water and Groundwater Management

Water is the main mechanism by which acid and metals from oxidised ASS are mobilised and transported. Careful management of water is therefore paramount to effective management of potential adverse impacts from ASS. Management is required to provide control of treated waters for discharge and provide some margin for unattended weekend or holiday periods as well as heavy rain periods.

The below sections provide potential strategies for management, assessment and disposal of water leaching from ASS.

In general, risks associated with dewatering in areas underlain by ASS include:

- Acidification of in-situ soils drained within the dewatering cone of depression and difficulties associated with neutralising these in situ soils (this can also impact the possible PASS classification of some soils);
- Acidification of groundwater remaining within the dewatering cone of depression after the system has re-flooded;
- Iron, aluminium and heavy metal contamination of groundwater arising from mobilisation of these compounds under low pH conditions; and
- Acidification and contamination of surface water bodies which receive groundwater.

C5.1 Water Assessment for Disposal

All water which has potentially come into contact with ASS requires assessment (and if necessary, treatment). The minimum recommended monitoring is provided in Table C1, below.

Table C1: Suggested Water Monitoring Frequencies and Target Levels for Disposal to Stormwater

Test	Frequency	Target Level for Disposal to Stormwater
pH	Water detention basin / tank: • During storage / treatment as required to allow timely treatment; • Less than 24 hours prior to any planned discharge; • Daily during discharge period. • For unplanned discharges (i.e., due to rain), within five days of the cessation of the rainfall event • Treatment Plant: • During storage / treatment as required to allow timely treatment; and • Daily during discharge period.	• pH 6.5 to 8.5
Total Suspended Solids (TSS)		• ≤50 mg/L or equivalent turbidity measure (in NTU) where a statistical correlation between the TSS and turbidity has been determined
Oil and Grease		• None observable
Iron (total and soluble)	• Weekly checks during discharge period; and • Laboratory analysis immediately prior to disposal; and • As required based on visual observations; and • Visual assessment of discolouration: • Daily during discharge	• No obvious sign of iron staining/ settlement • ≤0.3 mg/L filterable iron • ≤0.8 µg/L filterable Aluminium @ < pH 6.5 • ≤55 µg/L filterable Aluminium @ > pH 6.5
Potential contaminants PAH, TRH, BTEX and metals (aluminium, arsenic, cadmium, chromium, cobalt, copper, lead, manganese, mercury, nickel, zinc)]	Laboratory analysis: • One round of testing before first disposal of ASS impacted water; • If first round of testing exceeds target levels then further testing prior to disposal is required	ANZG (2018) Trigger Levels for 95% Level of Protection for marine ecosystems if no licence conditions are available

Notes: PAH Polycyclic aromatic hydrocarbons
BTEX Benzene, toluene, ethylbenzene, xylenes
TRH Total recoverable hydrocarbons

C5.2 Treatment

It is noted that ag lime is generally not suitable for the treatment of leachate due to its low solubility in water. As stated in the report, slaked lime is the most suitable neutralising agent for leachate.

The amount of neutralising agent required to be added to the leachate can be calculated from the equation below:

Equation C6:

$$\textit{Alkali Material Required (kg)} = \frac{M_{Alkali} \times 10^{-pH initial}}{2 \times 10^{3}} \times V$$

Where: M_{Alkali} = *molecular weight of alkali material (g/mole) (molecular weight of slaked lime ($Ca(OH)_2$) = 74 g/mole.)*
pH initial = initial pH of leachate
V = volume of leachate (litres)

As a guide, the approximate quantities of slaked lime required to neutralise acidic water are provided in Table C2.

Table C2: Approximate Liming Rates for Water (based on slaked lime (kg of $Ca(OH)_2$))

Water pH	Volume		
	10 m^3	50 m^3	100 m^3
2	3.7	18.5	37
3	0.37	1.85	3.7
4	0.037	0.185	0.37
5	0.0037	0.0185	0.037
6	0.00037	0.00185	0.0037

C6.0 References

ANZECC (2000) Australian and New Zealand Guidelines for Fresh and Marine Water Quality;

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NEPC (2013) National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013);

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Douglas Partners Pty Ltd

Appendix D

Contingency Options to On-Site Treatment and Off-Site Disposal

Appendix D
Contingency Options to On-Site Treatment and Off-Site Disposal
383 Kent Street, Sydney

D1.0 Introduction

This Appendix provides the contingency options to the selected ASS management option of on-site treatment and off-site disposal. The contingency options discussed in this appendix are off-site treatment and disposal and off-site disposal as PASS.

D2.0 Off-Site Treatment and Disposal

Where on site treatment of PASS is not possible and / or practical then off-site treatment at a facility appropriately licenced to accept and treat such soil can be considered. The below general procedure and works should be followed for off-site treatment:

- Loading the soil onto trucks. Note if the soils are wet, they will be heavier than soils as normally transported at field moisture. This should be taken into consideration when loading trucks to ensure that trucks are not overloaded;
- Transport must be conducted in a sealed truck which prevents water leaking from the truck during transport;
- Completion of site records of the above and all information required by the treatment facility, and provision of copies of these records to the treatment facility;
- Transporting of soil to the treatment facility;
- Once the ASS have been accepted by the treatment facility, the facility will treat and manage it in accordance with the National Acid Sulfate Soil Guidance (2018) and their site specific Environment Protection License (EPL) conditions, subject to the verification procedures documented herein. The liming rate will be based on the liming rate presented in this report or based on results that supersede those presented herein;
- Verification of the treatment of the ASS and classification of the soil by an Environmental Consultant; and
- Transport of the treated, classified ASS to the final receiving site / disposal facility.

D3.0 Off-Site Disposal as PASS

D3.1 PASS Criteria

For the purposes of this ASSMP, potential acid sulfate soils (PASS) are defined in accordance with the NSW Environment Protection Authority (EPA) Waste Classification Guidelines (2014) (EPA, 2014) Part 4 (Acid Sulfate Soils). which states that "*Potential ASS may be disposed of in water below the permanent water table, provided:*

- *The soils meet the definition of VENM in all aspects other than the presence of sulfidic soils or ores;*
- *The pH of soils in their undisturbed state is pH 5.5 or more;*
- *The soil has not dried out or undergone any oxidation of its sulfidic minerals;*
- *Soil is received at the disposal point within 16 hours of excavation, and kept wet at all times between excavation and reburial at the disposal point;*
- *Appropriate records are provided to the receiving site with every truck load confirming that it meets the above criteria; and*
- *The receiving site meets its obligations under EPA (2014) and its Licence conditions."*

D3.2 Disposal as PASS

The following works will be conducted by appropriately trained staff:

- Agreement with the receiving site on acceptance times for trucks, and allowable time lapse between excavation and acceptance by receiving site;
- Soils will be kept wet at all times, and should be sprayed with water if required to keep them wet;
- Recording of the excavation date, time and source chainage of the excavated soil;
- Inspection of the excavated soil for moisture content, material texture/ signs of contamination concern, such as anthropogenic odours, staining or inclusions by all personnel involved in the management / handling of the spoil;
- If signs of anthropogenic impact or fill are observed, the soil will not be pre-classified as PASS, and the soil will need to be segregated for further assessment;
- Measuring the pH in at least one sample per 50 m^3, or a minimum of 10 per shift, using a calibrated pH meter in accordance with Department of Agriculture and Water Resources' National Acid Sulfate Soils Guidance – National acid sulfate soils sampling and identification methods manual, June 2018:
  - NOTE: If the pH is less than or equal to 6.5, the soil will not be classified as PASS, and the soil will be segregated for further assessment and treatment.
- Loading the soil into trucks and ensuring the soil is moist enough to prevent it drying out during transport. Note: due to the soils being wet, they will be heavier than soils as normally transported at field moisture. This should be taken into consideration when loading trucks to ensure that the trucks are not overloaded;
- Soil should be loaded and transported as soon as possible to minimise the risk of oxidisation, which prevents it from being classified as PASS;

- Transport must be conducted in a sealed truck which prevents water leaking from the truck during transport;
- Completion of site records of the above;
- Completion of records of all information required by the receiving site, and provision of copies of these records to the receiving site, including copies sent with the truck driver for the load being carried;
- Transporting of soil meeting the PASS requirements to the receiving site within 16 hours of excavation (or earlier if required by the receiving site);
- Once the PASS have been accepted by the receiving site they are required to manage it in accordance with the their EPL conditions. It is not the role of this document to discuss management of soil once they have been accepted by the receiving site; and
- Any soil which is rejected by receiving will be transported back to the site and managed in accordance with the formalised ASSMP.

D4.0 References

ANZG (2018) Australian and New Zealand Guidelines for Fresh and Marine Water Quality;

Acid Sulfate Soils Management Advisory Committee (ASSMAC) Acid Sulfate Soils Management Guidelines (1998) (ASSMAC, 1998);

NSW Environment Protection Authority (EPA) Waste Classification Guidelines (2014) (EPA, 2014); and

Sullivan, L, Ward, N, Toppler, N and Lancaster, G 2018, National Acid Sulfate Soils Guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT. CC BY 4.0 (Sullivan *et al* 2018a).

Douglas Partners Pty Ltd

Appendix E

About this Report

About this Report

Douglas Partners

Introduction

These notes have been provided to amplify DP's report in regard to classification methods, field procedures and the comments section. Not all are necessarily relevant to all reports.

DP's reports are based on information gained from limited subsurface excavations and sampling, supplemented by knowledge of local geology and experience. For this reason, they must be regarded as interpretive rather than factual documents, limited to some extent by the scope of information on which they rely.

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This report is the property of Douglas Partners Pty Ltd. The report may only be used for the purpose for which it was commissioned and in accordance with the Conditions of Engagement for the commission supplied at the time of proposal. Unauthorised use of this report in any form whatsoever is prohibited.

Borehole and Test Pit Logs

The borehole and test pit logs presented in this report are an engineering and/or geological interpretation of the subsurface conditions, and their reliability will depend to some extent on frequency of sampling and the method of drilling or excavation. Ideally, continuous undisturbed sampling or core drilling will provide the most reliable assessment, but this is not always practicable or possible to justify on economic grounds. In any case the boreholes and test pits represent only a very small sample of the total subsurface profile.

Interpretation of the information and its application to design and construction should therefore take into account the spacing of boreholes or pits, the frequency of sampling, and the possibility of other than 'straight line' variations between the test locations.

Groundwater

Where groundwater levels are measured in boreholes there are several potential problems, namely:

- In low permeability soils groundwater may enter the hole very slowly or perhaps not at all during the time the hole is left open;
- A localised, perched water table may lead to an erroneous indication of the true water table;
- Water table levels will vary from time to time with seasons or recent weather changes. They may not be the same at the time of construction as are indicated in the report; and
- The use of water or mud as a drilling fluid will mask any groundwater inflow. Water has to be blown out of the hole and drilling mud must first be washed out of the hole if water measurements are to be made.

More reliable measurements can be made by installing standpipes which are read at intervals over several days, or perhaps weeks for low permeability soils. Piezometers, sealed in a particular stratum, may be advisable in low permeability soils or where there may be interference from a perched water table.

Reports

The report has been prepared by qualified personnel, is based on the information obtained from field and laboratory testing, and has been undertaken to current engineering standards of interpretation and analysis. Where the report has been prepared for a specific design proposal, the information and interpretation may not be relevant if the design proposal is changed. If this happens, DP will be pleased to review the report and the sufficiency of the investigation work.

Every care is taken with the report as it relates to interpretation of subsurface conditions, discussion of geotechnical and environmental aspects, and recommendations or suggestions for design and construction. However, DP cannot always anticipate or assume responsibility for:

- Unexpected variations in ground conditions. The potential for this will depend partly on borehole or pit spacing and sampling frequency;
- Changes in policy or interpretations of policy by statutory authorities; or
- The actions of contractors responding to commercial pressures.

If these occur, DP will be pleased to assist with investigations or advice to resolve the matter.

About this Report

Site Anomalies

In the event that conditions encountered on site during construction appear to vary from those which were expected from the information contained in the report, DP requests that it be immediately notified. Most problems are much more readily resolved when conditions are exposed rather than at some later stage, well after the event.

Information for Contractual Purposes

Where information obtained from this report is provided for tendering purposes, it is recommended that all information, including the written report and discussion, be made available. In circumstances where the discussion or comments section is not relevant to the contractual situation, it may be appropriate to prepare a specially edited document. DP would be pleased to assist in this regard and/or to make additional report copies available for contract purposes at a nominal charge.

Site Inspection

The company will always be pleased to provide engineering inspection services for geotechnical and environmental aspects of work to which this report is related. This could range from a site visit to confirm that conditions exposed are as expected, to full time engineering presence on site.

Attachment A19

Operational Waste Management Plan

383 Kent Street, Sydney

Operational Waste Management Plan

Prepared by Foresight Environmental

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This report is based on information provided by **Charter Hall Holdings Pty Ltd** coupled with Foresight Environmental's knowledge of waste generated within the commercial sector. To that extent this report relies on the accuracy of the information provided to the consultant. It has been compiled by Foresight Environmental on behalf of **Charter Hall Holdings Pty Ltd.**

This report is not a substitute for legal advice on the relevant environmental related legislation, which applies to businesses, contractors, or other bodies. Accordingly, Foresight Environmental will not be liable for any loss or damage that may arise out of this project, other than loss or damage caused as a direct result of Foresight Environmental's negligence.

The contents of this report should be always treated as confidential, unless permission from **Charter Hall Holdings Pty Ltd** is received.

The contents of this document may not be referenced or used in any way by parties other than **Charter Hall Holdings Pty Ltd** without the written permission of Foresight Environmental.

Document Information		
Client	Charter Hall Holdings Pty Ltd	
Prepared by	Foresight Environmental	
Document name	383 Kent Street Operational Waste Management Plan	
Author	Sophie Rutherford	
Reviewed	Scott Ebsary	
Revision	**Revision Date**	**Details/comments**
1	24 November 2022	Preliminary feedback provided
2	24 February 2023	Draft report capturing Touchstone comments from December
3	21 March 2023	Updates added from word doc sent by Touchstone on 20/03/23
4	23 May 2023	Updates added from word doc sent by Tracey Hoven (Touchstone) on 17/05/2023
5	29 June 2023	Updates added from email sent by Sharan Saini on 23/06/2023
6	11 July 2023	Updated GFAs as per email from Sharan Saini 11/07/2023
7	8 December 2023	Updated general description, updated plans (1/12/23) added, updated GFAs

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1. Executive Summary

This Operational Waste Management Plan (OWMP) has been prepared by Foresight Environmental in support of a Planning Proposal to amend the *Sydney Local Environment Plan 2012* (Sydney LEP). This report has been prepared on behalf of Charter Hall Holdings Pty Ltd (Charter Hall) (the Proponent) and it relates to a single development lot identified as Lot 1 in DP 778342 or 383 Kent Street, Sydney (the site), in accordance with the following guidelines:

- City of Sydney Guidelines for Waste Management in New Developments 2018
- City of Sydney Development Control Plan 2012
- Better Buildings Partnership Operational Waste Guidelines
- Greenstar Design and As Built v1.3

The plan details how 383 Kent Street, Sydney, will manage the waste and recycling generated during the ongoing operation of the development.

2. Overview of Development

The purpose of this Planning Proposal is to amend the site's maximum Height of Building development standard and maximum Floor Space Ratio (FSR) development standard to unlock additional floor space to be used exclusively for employment generating land uses, consistent with the vision and intent of the *Central Sydney Planning Strategy* (CSPS) for tower cluster sites. This Planning Proposal will also seek to facilitate significant public benefits through additional site activation by way of a new pedestrian through-site link, shared loading dock facility and delivering on sustainable initiatives to contribute to the City of Sydney's vision to achieve net zero energy buildings.

The proposed Sydney LEP amendment is part of the broader redevelopment plan for the site to demolish the existing structure on the site (including the existing 10 storey car park) and construct a new 42 storey commercial office tower with a total maximum FSR of 20:1 (circa 73,000m^2 GFA).

The reference scheme supporting the Planning Proposal and site specific DCP can be described as follows:

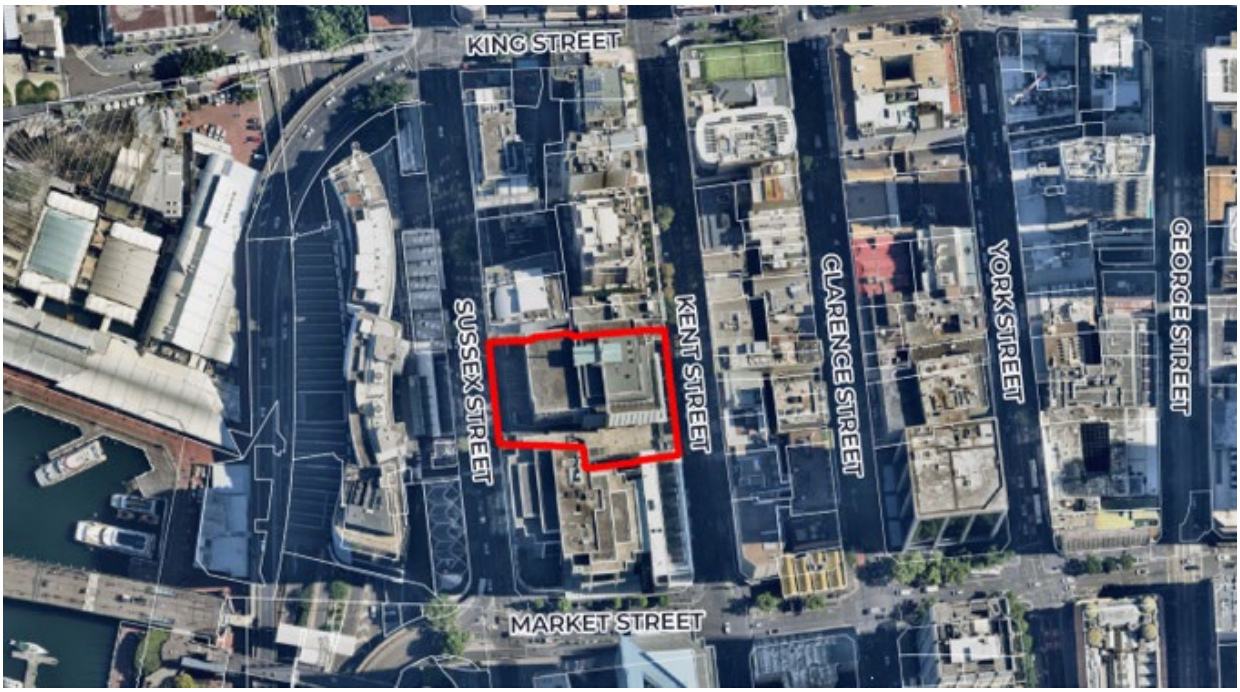
Demolition of the existing building, including removal of the over 800 capacity public car park.

Construction of the following:

- New 42-storey office tower comprising a total FSR of 20:1, up to a height of RL 189.80 (approximately 170m above Kent Street and 180m above Sussex Street).
- New premium-grade commercial floorspace with an approximate GFA of circa 73,000 m^2.
- New through-site link connecting Kent and Sussex Streets, including public art activation.
- New ground floor activation opportunities, including approximate retail GFA of circa 640 m^2.
- 2 levels of basement, comprising:
  - Basement Level 1 facilitating 72 car parking spaces; and
  - Sussex Street ground level shared loading dock facility including SRV and MRV short term stay bays to service retail tenancies within buildings along Kent Street (located between Market Street and King Street).
- New end of trip facilities below the Kent Street ground level.

2.1 Site Description

Figure 1: Site location in context



3. Operational Usage

The following tables show the development area profile Gross Floor Area (GLA), and the Net Lettable Area (NLA) breakdown that has been used to estimate a waste profile for both the commercial and retail areas. Note: these areas are based on approximate information provided at the time of writing and are subject to change through the respective future DA processes for each.

For the purposes of estimating a waste profile for the development, the NLA of the waste generating components is used in conjunction with Foresight Environmental's extensive database of actual operational data from similar developments/assets.

The usage breakdown by area is as follows:

Table 1 – Proposed development area profile: GFA

Area	GFA	Usage/Assumptions
Commercial	72,300m^2	Standard high-end office
Retail	700m^2	All food & beverage
Total GFA	**73,000 m^2**	**Combined Asset**

Table 2 – Area breakdown by waste generating areas: NLA

Area	NLA (m^2)	Usage/Assumptions
Commercial	65,000	Standard high-end office
Retail	680	All food & beverage
Total NLA	**65,680**	**Combined Asset**

4. Waste Generation Estimate

Based on the information provided regarding the proposed development and the intended uses of all workspaces and food service areas, a waste estimate has been derived using Foresight Environmental's extensive database of ongoing operational waste data from similar developments.[1] Based on the estimated waste profile and in line with industry-leading best practice, the following streams are recommended to be implemented throughout the facility for everyday operational waste:

- Dry waste
- Food Organics
- Cardboard/paper
- Bottles & Cans (CDS) / Mixed recycling (plastics, glass, aluminium, steel)
- Landfill

In addition to the above "common" streams, the following streams are likely to be generated in a more ad-hoc manner during the ongoing operation of the facility:

- E-waste
- Battery recycling
- Toner cartridge recycling
- Polystyrene
- Equipment and lamps/globes that may contain mercury

[1] Foresight Environmental currently reports the ongoing operational waste data for over 7million m² of Australian A and B grade commercial/retail/industrial/mixed use property. This extensive database provides the most current and detailed information on real-world waste generation performance and trends available and enables very accurate modelling for prospective property developments

4.1 Commercial Waste

The following table shows the estimated waste profile for all commercial areas based on the assumptions in Table 2.

Table 3 - Waste Generation Estimate: Commercial

Waste Stream	Kg/day	L/day	Kg/week	L/week
Dry	316	4,513	1,580	22,564
Landfill	140	1,337	702	6,686
Paper	293	3,250	1,463	16,250
Food Organics	211	752	1,053	3,761
Mixed Recycling	82	1,365	410	6,825
Cardboard	129	3,677	644	18,386
Total	**1,170**	**14,894**	**5,850**	**74,471**

4.2 Retail Waste

The following table shows the estimated waste profile for all retail areas based on the assumptions in Table 2.

Table 4 – Waste Generation Estimate: Retail

Waste Stream	Kg/day	L/day	Kg/week	L/week
Dry	27	387	190	2,710
Landfill	31	300	220	2,098
Food Organics	70	250	490	1,749
Mixed Recycling	23	376	158	2,632
Cardboard	25	709	174	4,966
Total	**176**	**2,022**	**1,231**	**14,155**

5. Waste Management Systems

The following table shows the recommended bin systems and required spatial provisions for the management of waste within 383 Kent Street, for both commercial and retail areas (combined), and the systems and collection frequency demonstrate capable capacity for the projected waste generation. Facilities management will monitor the systems and increase/adapt accordingly as occupancy increases in consultation with the appointed cleaning and waste contractors.

Table 5 – Recommended equipment and collection frequency

Waste Stream	Bin Type	Size in L	No. of bins	Weekly Clearance Frequency	Weekly capacity (L)	Estimated volume/ Week (L)	Footprint per bin m^2	Total footprint m^2
Dry	MGB	1100	5	5	27,500	25,275	1.3	6.6
Landfill	MGB	1100	2	4	8,800	8,784	1.3	2.6
***Paper**	MGB	240	14	5	16,800	16,250	0.4	6.0
Food Organics	MGB	120	10	5	6,000	5,509	0.3	2.7
Mixed Recycling	MGB	660	3	5	9,900	9,457	1.0	2.9
Cardboard	MGB	1100	5	5	27,500	23,352	1.3	6.6
E-waste	MGB	240	2	1	480	Ad Hoc	0.4	0.9
Bulky storage							16.0**	16
Weigh scales							4.0	4.0
Bin wash							4.0	4.0
Total					**96,980**	**88,626**		**52.3**
							Waste Room Total Area on Plans	**76.0**
							Including 50% additional space for manoeuvring	**78.5**

*Note – paper bins typically stored on tenancy floors throughout building and only brought to waste room for collection by cleaners when full i.e., bins not stored in waste room all the time, only for collection.

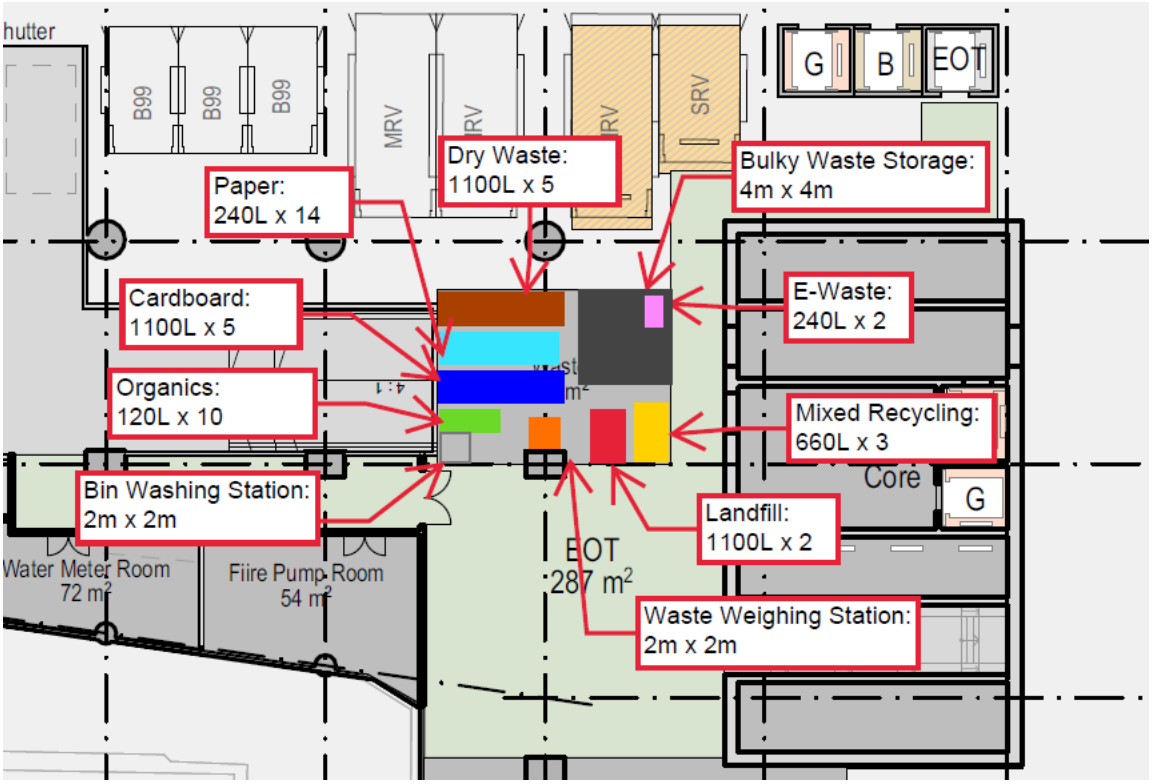
**Complies with CoS Guidelines –Waste Management Areas

6. Waste Management Areas

The areas detailed in Section 5 indicate the total footprint and spatial requirements for the central waste storage area on Sussex Street Ground Level. The central waste storage area has a total area of 76m^2. The design delivers adequate space to house the recommended systems as shown in the figure below. As the designs are still high level, the suggested layouts and travel paths below are subject to change.

6.1 Central Waste Storage Area – B1

Figure 2: Indicative waste area layout on Sussex Street Ground Level



*Due to its ad hoc nature and to create space, E-waste will be housed within the Bulky Storage area.

6.2 Waste Room Amenity

The central waste and recycling storage room will have the following features:

- Ventilation: The bin storage rooms will be mechanically exhausted in accordance with AS 1668.2-2002
- Vermin and Odour Prevention:
    - Opening will be vermin proof.
    - Cleaners are to ensure that bin lids are closed when unattended.
- Doors: The room will be fitted with a close fitting self-closing door that is openable from inside the room without the use of a key. The doors will be finished with a smooth faced impervious material that is capable of being easily cleaned.
- Noise: Noise will not be an issue due to the location of the waste storage room away from public lower ground floor
- Floor: Structural concrete slab with smooth epoxy topping finish with coved wall and floor junctions. Graded drains to approved sewer connections – fitted with an in-floor dry basket arrestor approved by Sydney Water Corporation
- Walls: Brick work/concrete block or similar finished in a light coloured, washable paint
- Ceiling: Structural concrete slab over
- Lighting: Base building lighting with switches inside and outside waste room (sensors may also be used)
- Water Supply: a tap with a hose connection servicing graded bin wash areas.
- Signage: clear signage identifying the various streams and appropriate use will be prominently displayed (see section on signage below)

A full-time resource will be allocated to oversee and manage all operations within the central waste management area. The ongoing maintenance and up-keep of the waste management area will be their responsibility along with ensuring bins are stored neatly and are cleaned as required. Additionally, all waste delivered to the waste management area will be weighed/recorded over the scales and then deposited into the appropriate bin.

6.3 Signage

All waste and recycling streams should be differentiated with clear signage on all bins and on walls within the waste storage area. Below are examples of best practice appropriate signage incorporating textual information, pictures and colour-coding to communicate the message.

Figure 3: Best Practice Stream appropriate signage



7. Onsite Management Protocols

7.1 Commercial Floors

It is expected that all tenants will implement centralised bin hubs throughout their fit-out in appropriate areas. Establishing centralised bin-hubs for the management of all relevant waste streams will typically drive better staff practices – by requiring staff to interact with the centralised systems, they are forced to make a choice as to which bin they dispose their materials into, within a common area that is shared by co-workers. Additionally, the common contamination issues associated with individual desk bins or multiple bins throughout a workspace are significantly reduced through a centralised bin-hub approach.

The four primary waste streams to be implemented in each tenancy are:

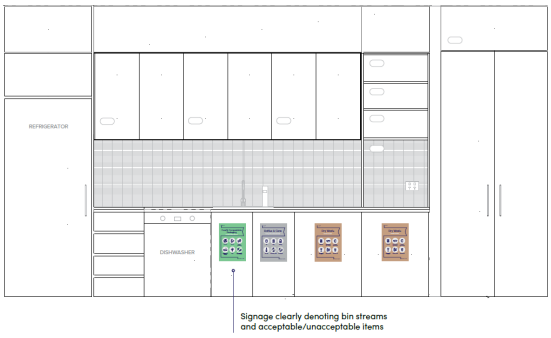
1. Food Waste
2. Dry Waste
3. Bottles & Cans
4. Paper & Cardboard

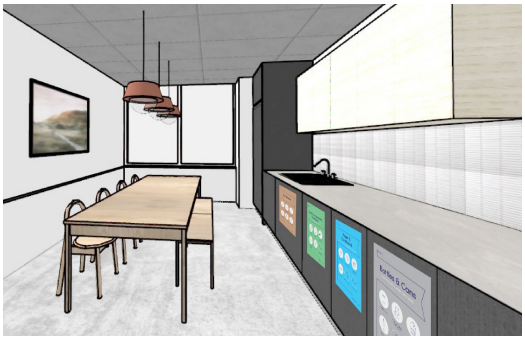


Tenants can choose to implement freestanding bin hubs or conceal bins within cabinetry throughout their fit-out. Regardless of the approach, it is recommended that the 383 Kent Street tenant signage is clearly displayed throughout on bins or on cabinetry doors to ensure clear, consistent messaging is achieved throughout. The images below provide references for effective signage implementation on cabinetry.

The following figures provide examples of freestanding bin hubs with appropriate signage.

Figure 4: Recommended best practice signage displayed on cabinetry fronts





The following figures provide best practice examples of freestanding bin hubs with appropriate signage.

Figure 5: Freestanding bin hub – best practice example



Staff will be responsible for depositing their waste and recyclables into the appropriate bin throughout the day. Cleaning staff will then be responsible for emptying all materials from the bins hubs as required throughout the day into a segregated cleaner's trolley to maintain the separation of the streams before finally emptying the waste and recycling into the larger bins in the central waste storage area (or respective building interim waste storage area).

Table 6 – Primary tenant streams and management protocol

Stream	Acceptable items	Not Acceptable items	Collection Procedure
Dry Waste	All residual waste items that are not accepted in the other recycling streams. **MUST be DRY – contaminated material disposed into Landfill bins**	Food waste, liquid, e-waste/batteries, glass	Onsite cleaning staff to collect colour-coded bin liners from all bins as required throughout day and transfer materials to the waste management area in loading dock for weighing/recording and then disposal into the appropriate bin. See following section for detailed cleaner responsibilities.
Bottles & Cans	Empty glass, aluminium, plastic, steel bottles/cans/containers	All other items	
Paper & Cardboard	Office Paper, Envelopes, Manilla Folders, Newspapers, Magazines, Cardboard	Plastic bags, food, waxed cardboard, polystyrene, food-soiled cardboard	
Food Organics	Food Scraps, Coffee Grounds, tea bags, flowers, herbs & garden trimmings.	Plastic including straws, butter sachets, cling wrap, meat packaging. Biodegradable bags, polystyrene cups, grease trap waste, aluminium foil, coated cardboard, metal, tin, glass, paper hand towel. Australian certified compostable packaging (AS 4736) incidental to the collection of food waste, wooden or bamboo chopsticks and cutlery.	

7.2 Additional Material Streams

The following protocols would be put in place to manage additional streams.

Table 7 – Management Protocol for additional streams

Waste Stream	Management Protocol
Paper hand towel recycling	In an effort to reduce waste generation volumes, a paper hand towel free system in bathrooms should be considered. Replacing hand towels with a system such as the 'Airblade' produced by Dyson[2] or the "Jet Towel" produced by Mitsubishi Electric[3] may prove to be more environmentally (and economically) efficient than a paper hand towel system. If a paper hand towel system is chosen, then it should be confirmed with the appointed waste contractor which recycling stream is most appropriate for this material.

[2] Information gathered from http://www.dysonairblade.com.au/
[3] Information gathered from http://www.mitsubishielectric.com/bu/handdryer/products/index.html

Toner cartridge recycling	Where cartridges are generated recycling systems should be implemented. Typically, a free service provided by Planet Ark for example is sufficient – this system will consist of a large cardboard box located within the print rooms which will be collected by Planet Ark upon request by the facilities manager.
E-Waste	An E-waste collection service should be set up either quarterly or biannually depending on volumes generated. E-waste will be collected and managed by facilities management – all items will be transferred to the dedicated bins within the waste storage room where it will be collected directly by a specialist contractor upon request. Measures should be taken to avoid generating E-waste and take-back programs with the supplier or reuse programs with charities or schools are encouraged.

It is requested that all tenant managed streams that are implemented and managed by tenants are reported to 383 Kent Street facilities management in order to capture all relevant recycling. This will provide a complete picture of the diversion from landfill performance of each tenant and the whole asset.

7.3 Cleaner's Process

The cleaning contractor plays an integral role in the implementation and maintenance of the best practice waste management protocols throughout all areas of 383 Kent Street – but their role is particularly important in the interface between the commercial tenant floors and the broader waste management program. The cleaners' primary responsibilities are:

- Collection of all materials from tenant bin hubs and transfer to central waste management area
- Accurate identification and management of contamination, particularly for the Dry Waste stream – any materials deemed to be too contaminated would be disposed into Landfill bins in the waste room by cleaners.
- Weighing and recording location of all materials
- Disposal into appropriate bins for collection

7.4 Retail Back of House

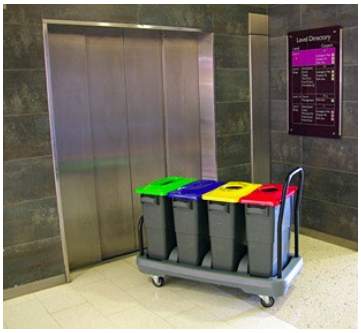
Retailers are responsible for separating and managing their waste and recycling streams within their retail tenancy. The same primary waste streams used in the commercial areas are applicable to all retailers and there is an expectation that retail operators will make spatial provisions for the implementation of appropriate bin systems in their BOH areas to maximise diversion from landfill through the recommended streams.

Retail operators will be responsible for transferring their waste and recyclables to the main waste management area in the loading dock as required throughout the day. The preferred bins to be implemented in all retail tenancies are 60 or 90L multi-sort bins (retailer preference) – these bins can then be transferred to the central waste management area on a bin trolley designed for these bins. The following figure provides examples of multi-sort bins and the trolley – additional details are provided in the appendix.

Figure 6: Multi-sort bins for retail BOH areas



Figure 7: Multi-sort bin trolley example for retailer movement to waste area (reference only, not a requirement)





7.5 Internal Movement of Waste

The images below show the suggested waste travel pathways for retail and commercial tenants and on-site cleaners from the areas on Kent Street Ground Level, Lower Ground level, and Sussex Street Ground Level to the goods lifts that lead to the central waste storage area.

Figure 8: Suggested travel path from Goods Lifts to central waste storage room

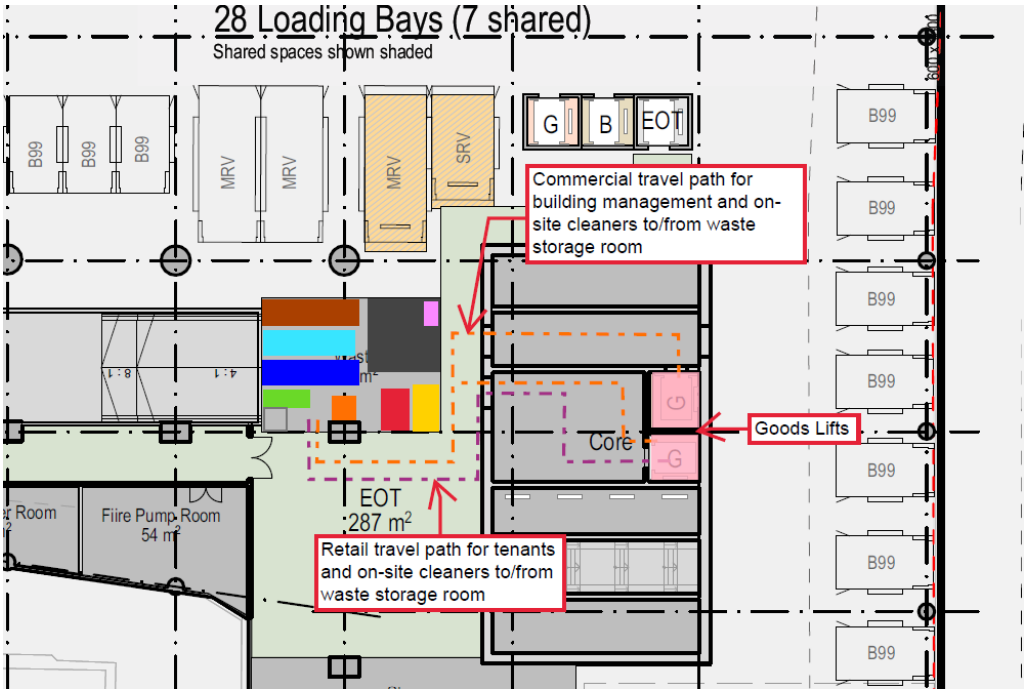


Figure 9: Kent Street Ground Level Retail waste travel path

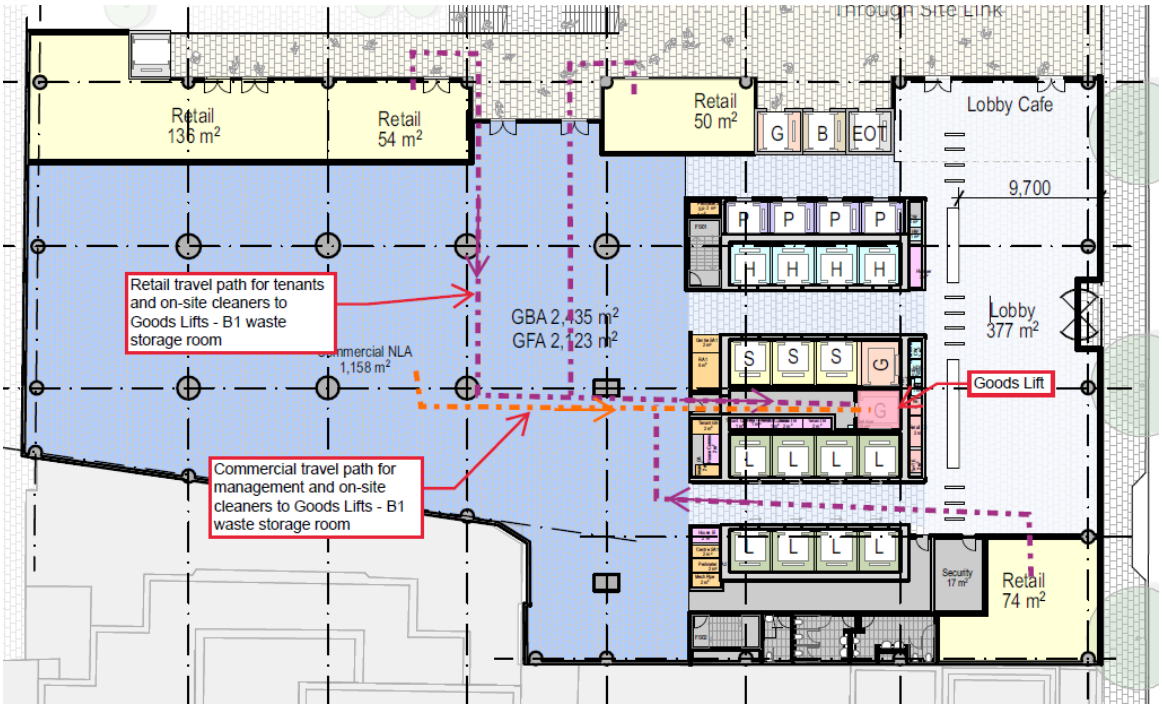


Figure 10: Lower Ground Level Retail waste travel path

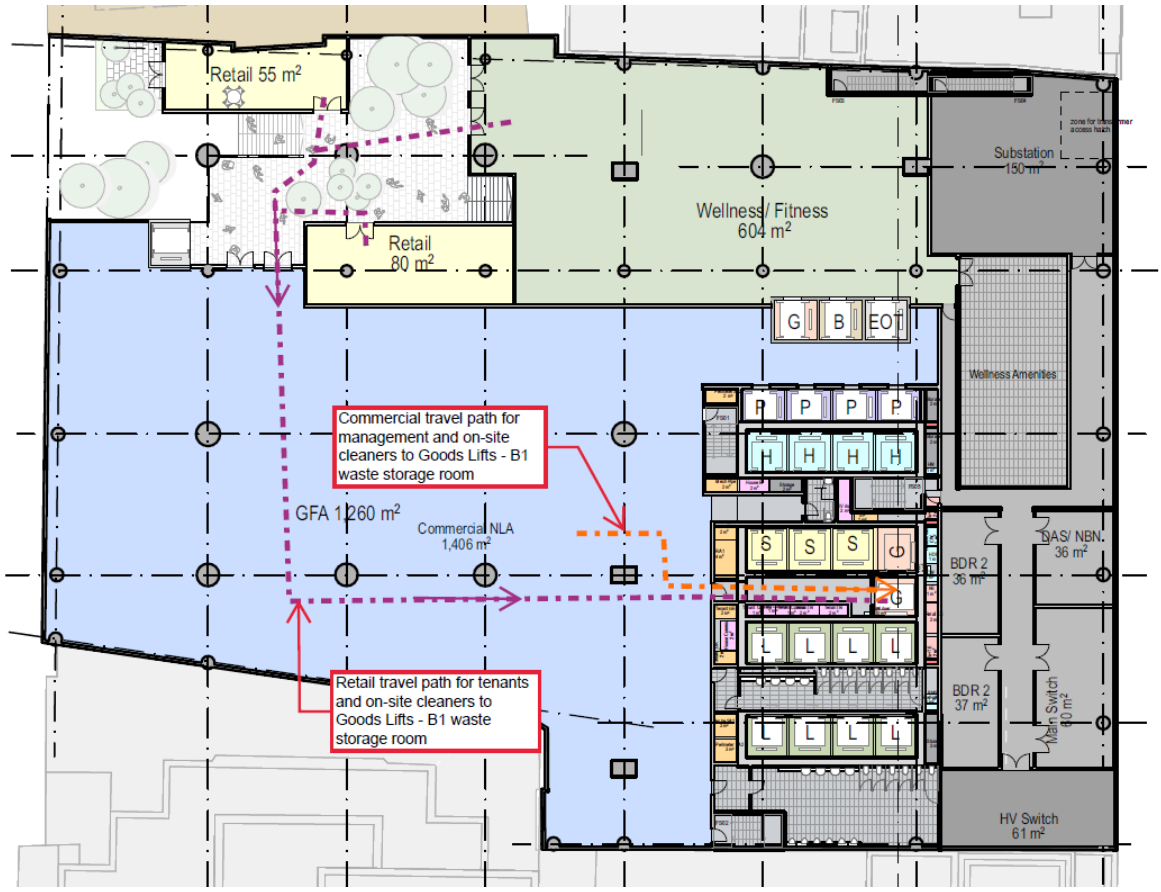
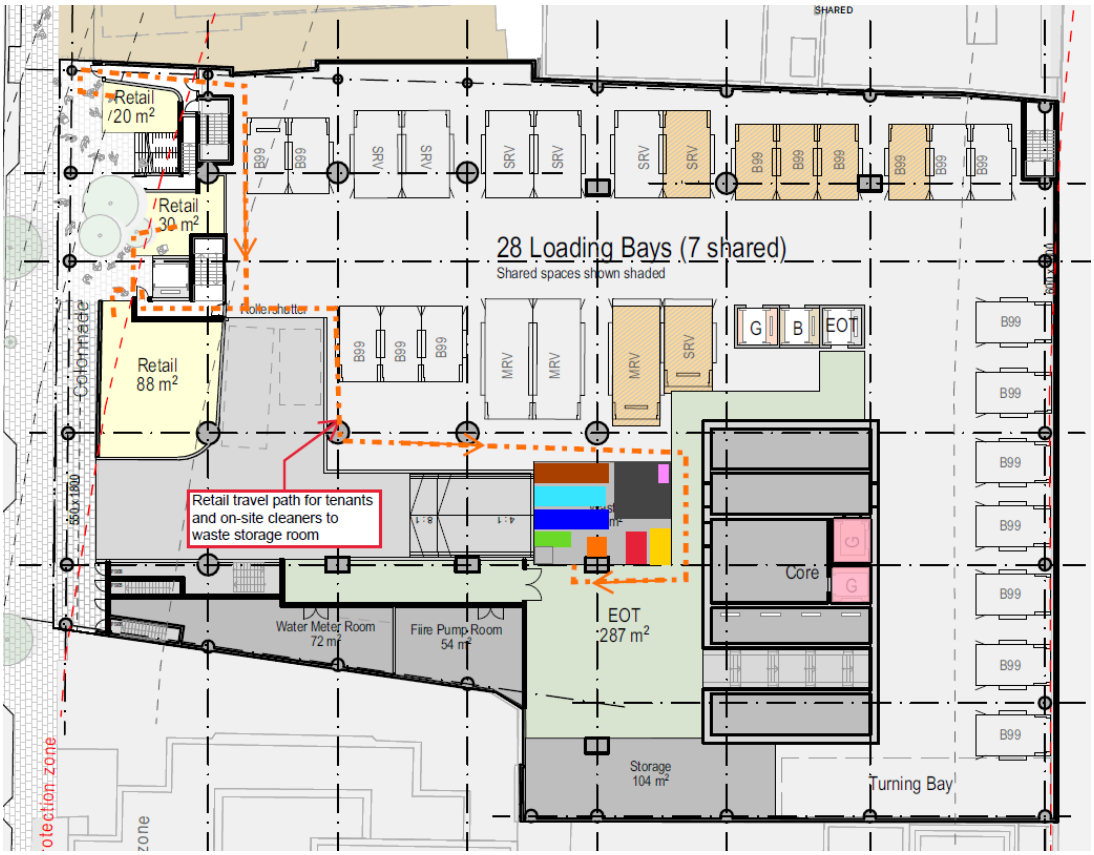


Figure 11: Sussex Street Ground Level Retail waste travel path

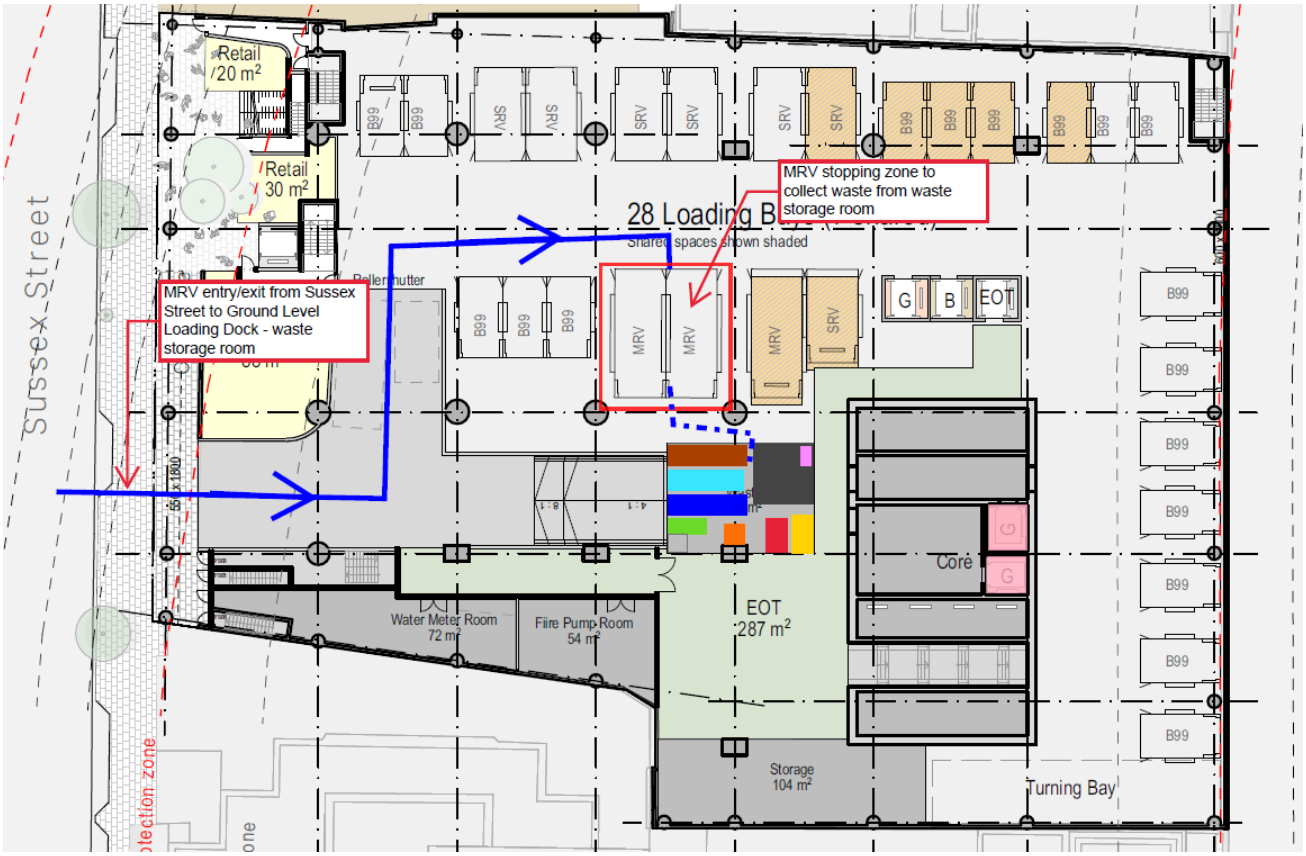


8. Collection

8.1 Collection Points

The appointed waste contractor will be able to access the site from the truck entry/exit point off Sussex Street shown in the figure below. All bins and/or systems for each respective stream will be collected from the MRV loading zone on the Sussex Street Level.

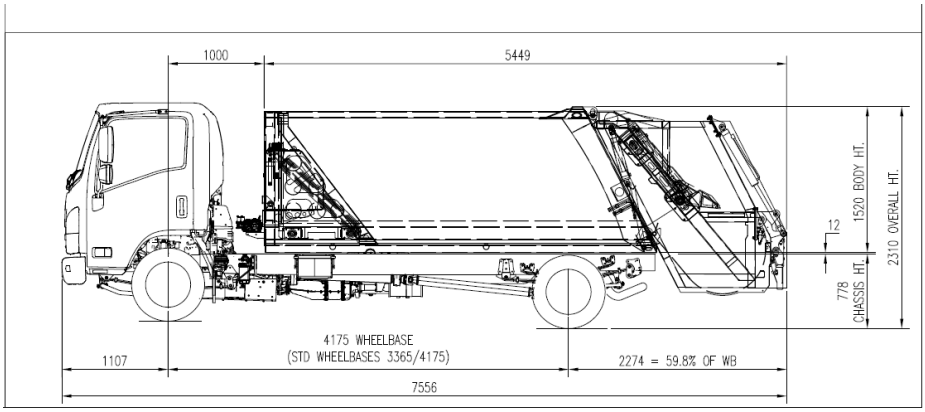
Figure 12: Waste contractor vehicle entry/exit and collection path



8.2 Collection Vehicles

The following figure show the indicative specifications of the collection vehicles which will be used by the appointed waste contractor to collect waste and recycling from the site.

Figure 13 Medium rigid rear-lift truck dimensions



9. Reporting

383 Kent Street will implement an industry-leading reporting program, using transparent and reliable data to continually refine operational processes, inform tenant behaviours and endeavours, and monitor and report waste management performance.

Ideally, three sources of data will be used to achieve the various outcomes required at 383 Kent Street. The following table outlines the sources and their uses.

Table 8 – Data sources and reporting purposes

Data Source	Reporting purpose
Onsite scales (OSAT system)	Used to weigh all waste that enters the central waste management area. Waste is weighed according to stream, contamination, and location. This provides separation of waste performance across the different components of the development i.e. separation between buildings, commercial/retail etc. Additionally, further granularity is achieved by reporting by tenant – enabling tenant engagement and feedback to improve behaviours as well as providing tenant-specific data directly to tenants that wish to report their own performance for internal sustainability objectives.
Waste Contractor collection data	All bin collections will be reported by the waste contractor on a monthly basis. Where possible, waste contractors will weigh bins using on-truck scales – in this instance the waste contractor will report the actual weight of all materials collected. In lieu of actual weights, bin numbers will be reported, and volumes will be converted to weights using site-specific density conversions. This data provides whole-asset performance and will be used to cross reference the data from the onsite scales – although it is understood that these two sources won't necessarily match for various operational reasons – a reasonable variance is +/- 10%
Bin tally	A bin tally will be implemented and maintained by cleaners as a simple tool to count the number of bins collected by the waste contractor each night. This data source should match the collected bin numbers reported by the waste contractor. This tool provides a second source of data to cross reference against waste contractor reports and invoices and is used as an account management tool to ensure accountability in waste contractor reports/invoices.

Through the implementation of this reporting regime, 383 Kent Street will be equipped to ensure effective and transparent waste/cleaning contract account management, provide accurate feedback, education and reporting to tenants, and ensure the highest data integrity in a NABERS rating.

9.1 OSAT onsite scales

The Foresight Environmental OSAT system can be implemented within the central waste management area. The scales will be used by the onsite waste manager to weigh and record waste and recycling generation in order to satisfy the reporting requirements of 383 Kent Street. The system will be used in the following way to ensure the desired accuracy and granularity is achieved in the dataset for monitoring and performance reporting purposes:

- Onsite waste manager receives waste from different buildings and areas i.e., commercial/retail
- Bins/bags will be checked for contamination
- Bins/bags weighed, and contamination recorded and attributed to location i.e., commercial floor, or retailer etc
- Bags then disposed into appropriate bin/system

The OSAT system connects to the Foresight Environmental reporting dashboard and can also report concurrently to the 383 Kent Street BMS for real-time reporting. This system will be used by 383 Kent Street facilities management and other stakeholders including tenants for ongoing monitoring and performance reporting. Details of the Foresight Environmental OSAT system are provided in the appendix.

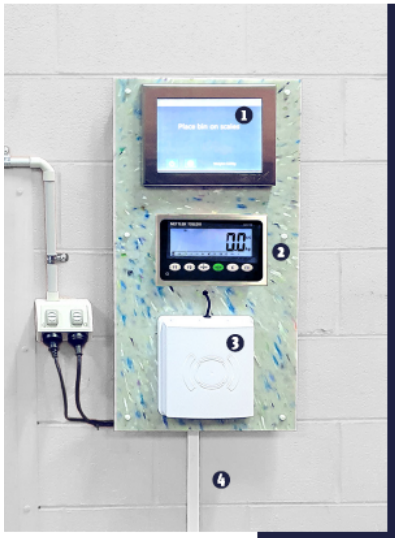


10. Conclusion

The details of this waste management plan confirm that the waste facilities provided in the proposed design adequately cater for the projected waste generation rates and waste management requirements of the development.

Appendix 2 – OSAT onsite scales

https://www.osat.info/



The weighing indicator, RFID scanner and the touchscreen PC are housed with the mounting plate which is mounted to the wall with 6 screw points (hardware dependent on wall - installation specifics to be confirmed at preliminary site visit)



Fe.

OSAT Features

1. INDUSTRIAL TOUCHSCREEN PC

Connectivity	3G / LTE Modem
User Interface	10" LCD touch screen panel
Storage	Capacity for over 1 million transactions
Transaction time	5 sec of user interaction time per bin
Power	230V 80W Maximum

2. WEIGHING INDICATOR

Model	IND236 Digital Indicator
Capability	Four 350Ω load cells
Trade Approval	Can be calibrated for NMI approval
Power	230V 80W maximum

3. RFID SCANNER

Power	Adjustable 1-30dB
Antenna	6dBi directional panel antenna
Frequency	860-960MHz
Tags	UHF Gen2+

4. SITE POWER REQUIREMENTS

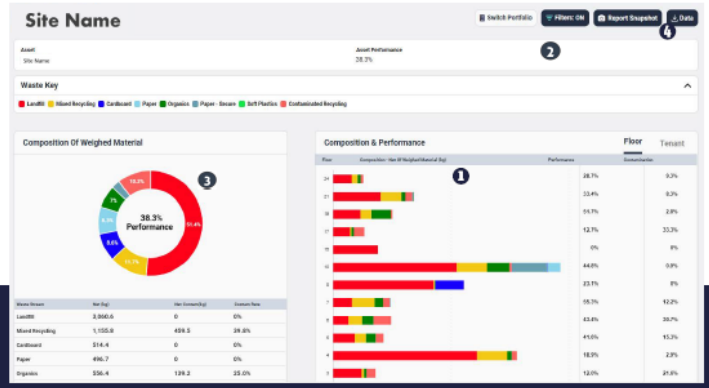
1x Double weather proof IP53 250V - 10amp outlet - location to be determined after preliminary site visit

5. INDUSTRIAL PLATFORM SCALES

Dimensions (mm)	1386 (w) x 1500 (d) inc.300 mm ramp (can be configured with two ramps)
Platform height	35-45mm
Load Capacity	1500Kg
Precision	0.01Kg
Load Cells	4x500Kg IP-68 rated, hermetically sealed stainless steel

Fe.

Reporting Dashboard



The reporting dashboard displays live visualisations of all transactional data weighed over the scale. Multiple logins can be provided for all relevant stakeholders - giving direct operational/performance insight to those that need it. The features shown above and below are only a selection of the dashboard functionality.

1. LEVEL-BY-LEVEL REPORTING

Dynamic Visuals - Composition breakdown, recycling performance and contamiantion.

2. FILTER BY AREA

Isolate areas, drill down for more detail.

3. PERFORMANCE SNAPSHOT

Performance at a glance, total kilograms and contamination by stream - dynamic visuals based on filter selection i.e. area/level/whole building.

4. EXPORT

Detailed data file - excel file export of raw transactional dataset.

PDF Snapshot Report - mirrors what is shown on screen, good for emailing/reporting to stakeholders.

Attachment A20

Civil Engineering Report

Structural
Civil
Traffic
Façade

Civil Engineering Report

383 Kent Street

Prepared for Charter Hall Holdings Pty Ltd / 05 December 2023

221517

Taylor Thomson Whitting (NSW) Pty Ltd (ACN 113 578 377)
as trustee for the Taylor Thomson Whitting NSW Trust
(ABN 59 514 956 558) I Consulting Engineers
Level 6, 73 Miller Street, North Sydney NSW 2060

Your Partner in Engineering

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1.3 Proposed Development 4
1.4 Design and Planning Guidelines 6
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1.0 Introduction

1.1 Planning Context

This Civil Report has been prepared by TTW in support of a Planning Proposal to amend the *Sydney Local Environmental Plan 2012* (Sydney LEP). This report has been prepared on behalf of Charter Hall Holdings (the Proponent) and it relates to a single development lot identified as Lot 1 in DP 778342 or 383 Kent Street, Sydney (the site).

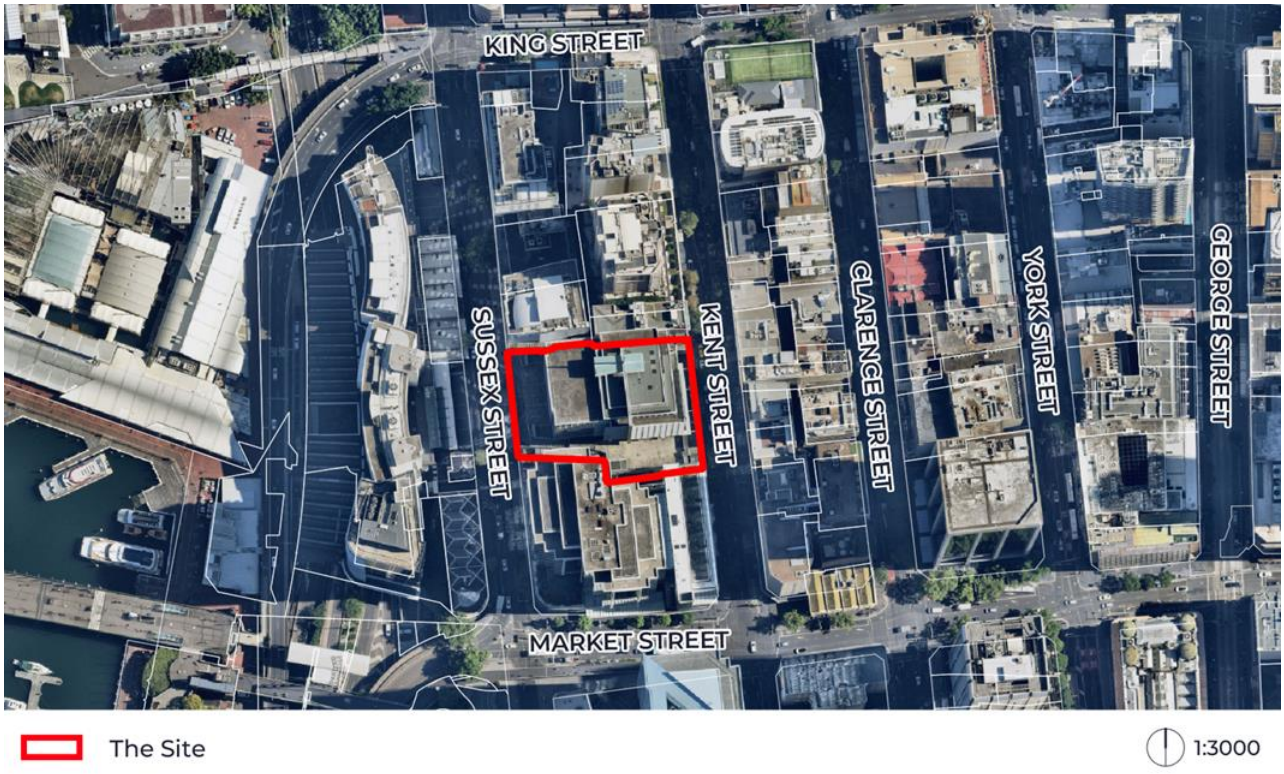

Figure 1Aerial Map
Source: Nearmap, edits by Ethos Urban

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1.2 Civil Engineering

This report outlines the flooding and stormwater requirements to meet the City of Sydney (CoS) Development Control Plan (DCP). The details of this report are based on current available information and correspondence at the time of writing.

1.3 Proposed Development

Architectural concept plans are shown in the figures below, including an east-west section showing podium levels.



Figure 2 – Architectural Ground Floor Plan

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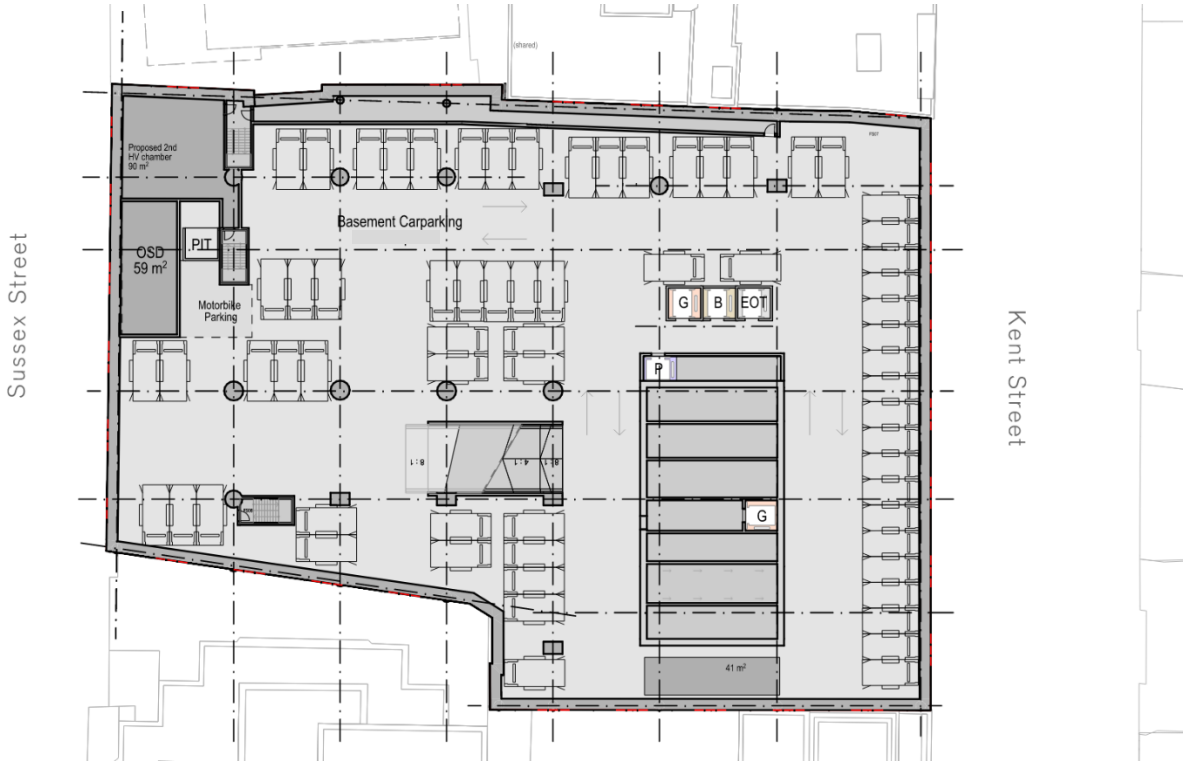

Figure 3 - Architectural Basement 1 Plan



Figure 4 - Architectural East-West section

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1.4 Design and Planning Guidelines

Below is a list of relevant design and planning guidelines used to prepare this report:

- City of Sydney Development Control Plan (DCP) 2012
- City of Sydney Local Environment Plan (LEP) 2012
- City Area Catchment Floodplain Risk Management Plan Final Report, September 2016
- Darling Harbour Catchment Floodplain Risk Management Plan Final Report, September 2016
- City of Sydney Interim Floodplain Management Policy 2014
- City of Sydney WSUD Technical Guidelines 2014
- Australian Rainfall and Runoff (ARR) 2019

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2.0 Flooding

2.1 Existing Council Flood Maps

The site is located at a crest of Kent Street and Sussex Street. As a result it is split between the City Area Catchment to the west and Darling Harbour Catchment to east. The CoS flood studies and mapping for the City Area Catchment and Darling Harbour Catchment show the following in relation to the site:

1% AEP flood event:
Peak flood depths in the 1% AEP flood event do not exceed 50mm adjacent to the site and will be contained within the kerb and gutter.

PMF flood event:
Peak flood depths in the PMF flood event do not exceed 100mm in Kent Street and 50mm in Sussex Street adjacent to the site and will be contained within the kerb and gutter.

As a result of the above the site is not considered to be impacted by mainstream flooding with only minor gutter flow present in the vicinity of the site.

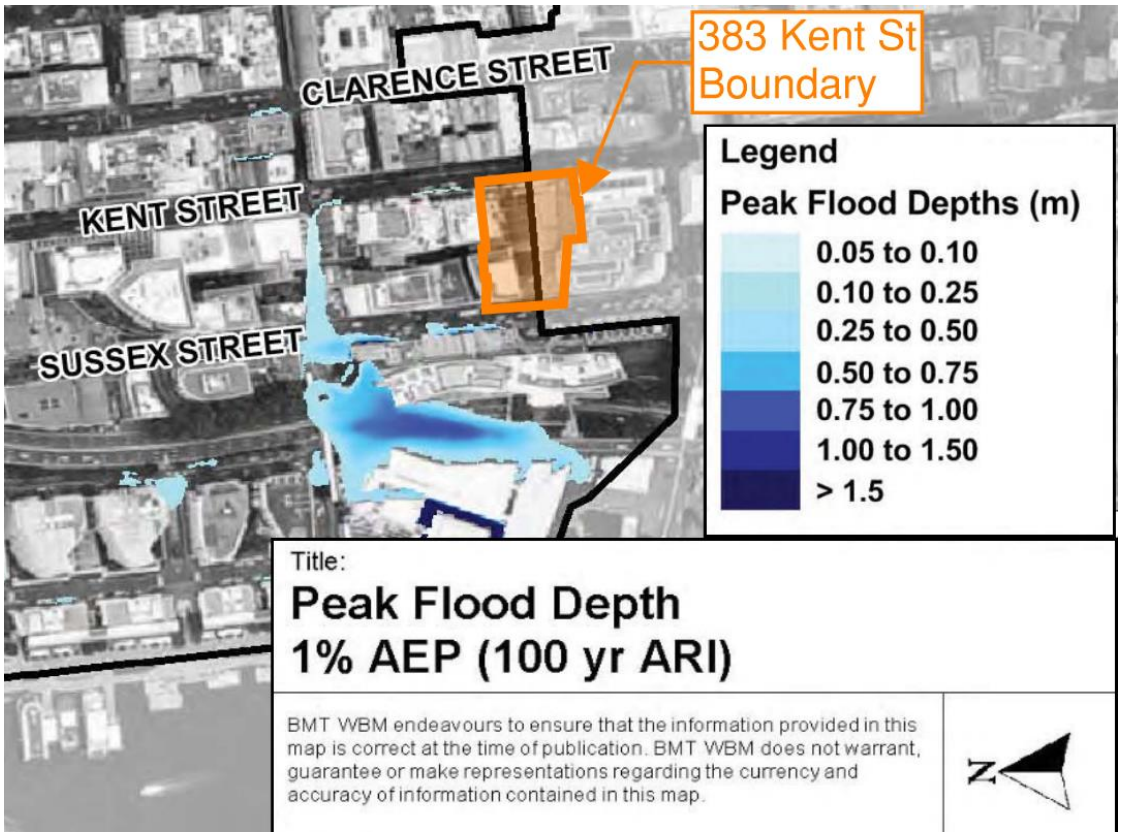

Figure 5 - Peak Flood Depth 1% AEP Appendix A, page 19 City Area Catchment Flood Study Part 2

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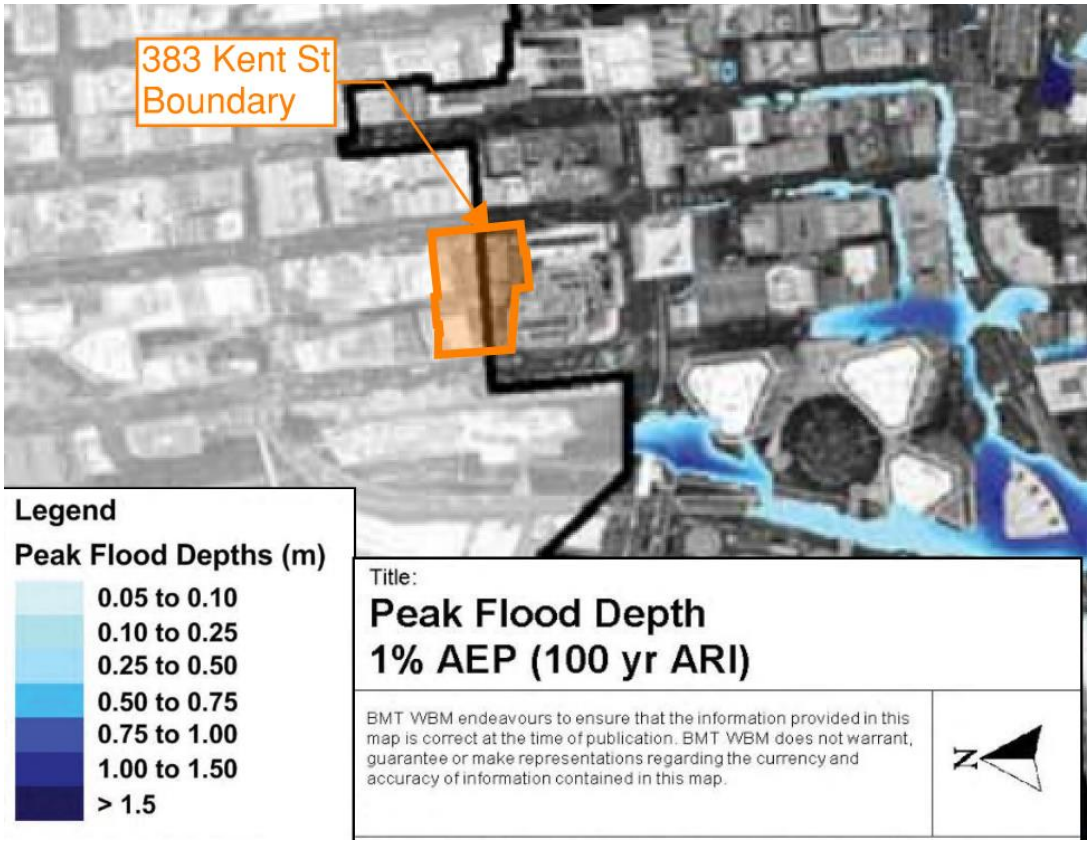

Figure 6 - Peak Flood Depth 1% Appendix A, page 48, Darling Harbour Catchment Flood Study Part 2

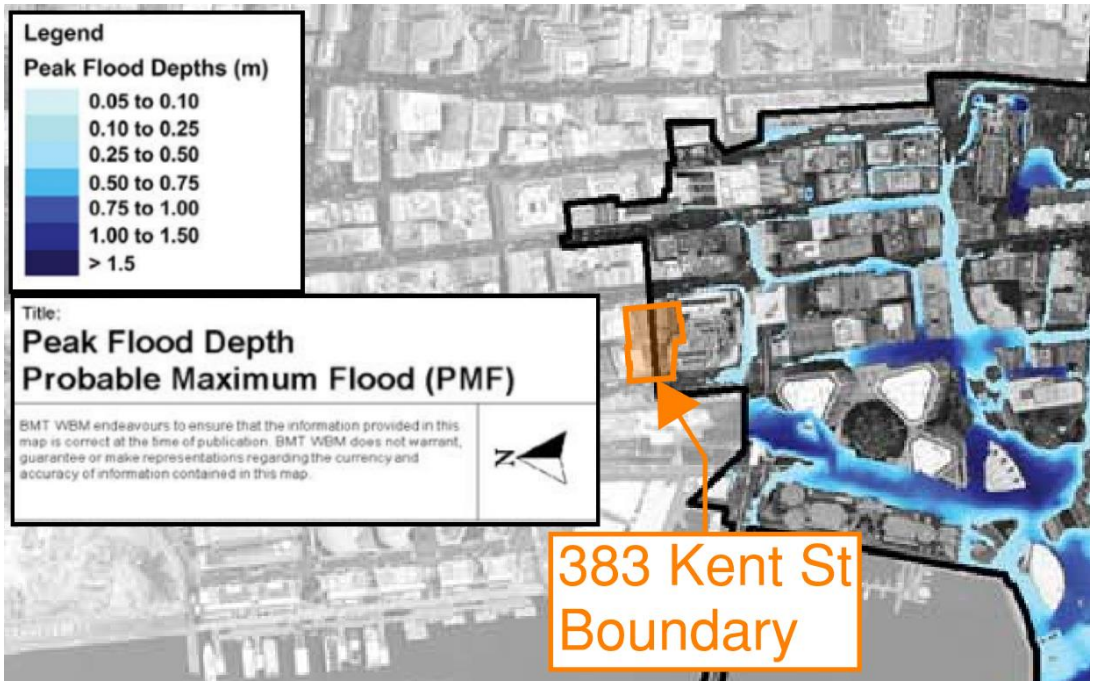

Figure 7 - Peak Flood Depth PMF Appendix A, page 50, Darling Harbour Catchment Flood Study Part 2

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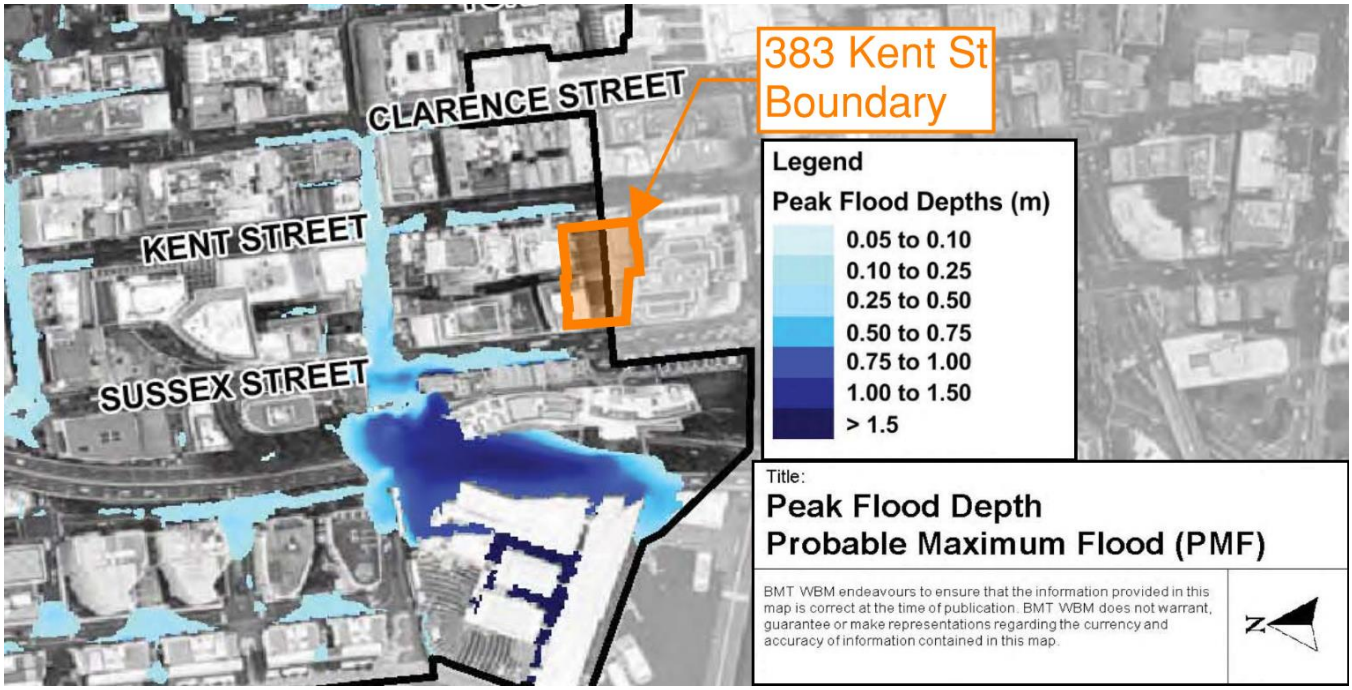

Figure 8 - Peak Flood Depth PMF Appendix A, page 21 City Area Catchment Flood Study Part 2

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2.2 Flood Planning Levels

The development must comply with the City of Sydney Interim Floodplain Management policy. As highlighted in Table 1, commercial business developments can adopt a flood planning level of the 1% AEP flood level on a merits-based approach. Given the site is at a crest between two catchments the 1% AEP flood level is considered appropriate in this scenario. Falls need to be provided away from building threshold levels to the existing top of kerb in Kent and Sussex Street. These falls need to achieve min. 1 in 100 and max. 1 in 40 falls for drainage and accessibility compliance respectively. Given the 1% AEP flow is contained with the kerb and gutter the finished floor level (FFL) will meet the flood planning if compliant footpath cross-falls are provided.

Flood planning levels for a below ground car park are more onerous due to the inherent risks of water ingress. These are either the greater of the 1% AEP flood level + 0.5m or the PMF if impacted by flooding, or 300mm above the surrounding surface if outside the floodplain. It is recommended to adopt a crest level of 10.05m to the basement ramp which will satisfy the worst-case flood planning level. Based on the current floor plans this can be achieved by adopting about a 1 in 70 rise from the site boundary to the crest of the basement ramp.

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Table 1 - City of Sydney Interim Floodplain Management Policy p.g. 13-14

5 Flood Planning Levels

A Flood Planning Level refers to the permissible minimum building floor levels. For below-ground parking or other forms of below-ground development, the Flood Planning Level refers to the minimum level at each access point. Where more than one flood planning level is applicable the higher of the applicable Flood Planning Levels shall prevail.

Development		Type of flooding	Flood Planning Level
Residential	Habitable rooms	Mainstream flooding	1% AEP flood level + 0.5 m
		Local drainage flooding (Refer to Note 2)	1% AEP flood level + 0.5 m or Two times the depth of flow with a minimum of 0.3 m above the surrounding surface if the depth of flow in the 1% AEP flood is less than 0.25 m
		Outside floodplain	0.3 m above surrounding ground
	Non-habitable rooms such as a laundry or garage (excluding below-ground car parks)	Mainstream or local drainage flooding	1% AEP flood level
Industrial or Commercial	Business	Mainstream or local drainage flooding	Merits approach presented by the applicant with a minimum of the 1% AEP flood level
	Schools and child care facilities	Mainstream or local drainage flooding	Merits approach presented by the applicant with a minimum of the 1% AEP flood level + 0.5m
	Residential floors within tourist establishments	Mainstream or local drainage flooding	1% AEP flood level + 0.5 m
	Housing for older people or people with disabilities	Mainstream or local drainage flooding	1% AEP flood level + 0.5 m or a the PMF, whichever is the higher
	On-site sewer management (sewer mining)	Mainstream or local drainage flooding	1% AEP flood level
	Retail Floor Levels	Mainstream or local drainage flooding	Merits approach presented by the applicant with a minimum of the 1% AEP flood. The proposal must demonstrate a reasonable balance between flood protection and urban design outcomes for street level activation.
Below-ground garage/ car park	Single property owner with not more than 2 car spaces.	Mainstream or local drainage flooding	1% AEP flood level + 0.5 m
	All other below-ground car parks	Mainstream or local drainage flooding	1% AEP flood level + 0.5 m or the PMF (whichever is the higher) See Note 1
	Below-ground car park outside floodplain	Outside floodplain	0.3 m above the surrounding surface
Above ground car park	Enclosed car parks	Mainstream or local drainage flooding	1% AEP flood level
	Open car parks	Mainstream or local drainage	5% AEP flood level
Critical Facilities	Floor level	Mainstream or local drainage flooding	1% AEP flood level + 0.5m or the PMF (whichever is higher)
	Access to and from critical facility within development site	Mainstream or local drainage flooding	1% AEP flood level

Notes

1) The below ground garage/car park level applies to all possible ingress points to the car park such as vehicle entrances and exits, ventilation ducts, windows, light wells, lift shaft openings, risers and stairwells.

2) Local drainage flooding occurs where:

- The maximum cross sectional depth of flooding in the local overland flow path through and upstream of the site is less than 0.25m for the 1% AEP flood; and
- The development is at least 0.5m above the 1% AEP flood level at the nearest downstream trapped low point; and
- The development does not adjoin the nearest upstream trapped low point; and
- Blockage of an upstream trapped low point is unlikely to increase the depth of flow past the property to greater than 0.25m in the 1% AEP flood.

3) Mainstream flooding occurs where the local drainage flooding criteria cannot be satisfied.

4) A property is considered to be outside the floodplain where it is above the mainstream and local drainage flood planning levels including freeboard.

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3.0 Stormwater

3.1 Existing stormwater

The Dial Before You Dig (DBYD) plans show an existing 300mm diameter stormwater pipe in Sussex Street. This appears to have a manhole and lateral connection adjacent to the site. Further investigation is required to determine if there is an existing connection from the site and if the proposed stormwater could utilise this.

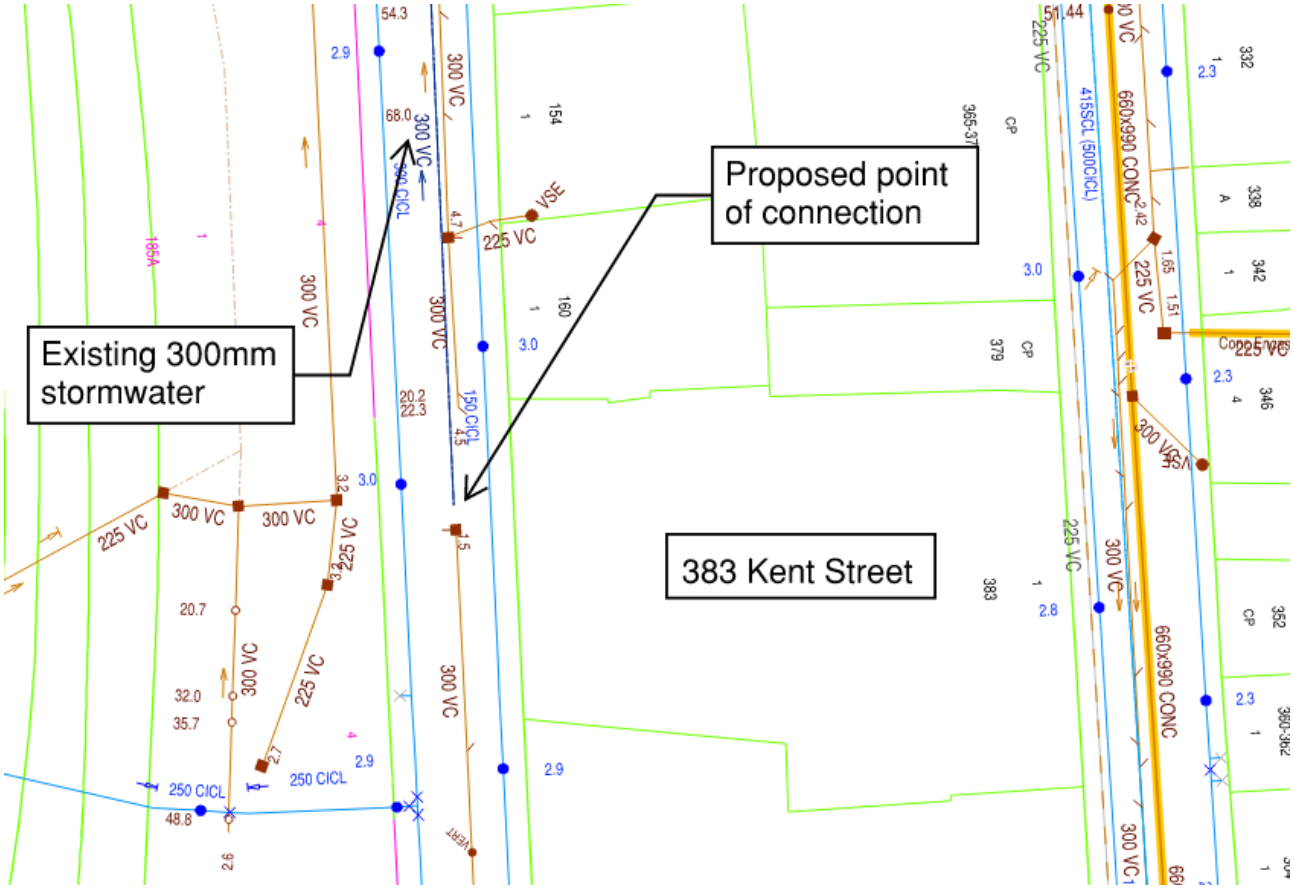

Figure 9 - Sydney Water DBYD

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Figure 10 – City of Sydney DBYD

3.2 Water Quantity

3.2.1 On-Site Detention Tank

City of Sydney Council requires developers to meet the OSD requirements set out by Sydney Water. For this development Sydney Water has confirmed the following OSD requirements. A copy of this correspondence is included in Appendix A.

Table 2 - Proposed Development OSD requirements by Sydney Water

Permissible Site Discharge (PSD)	134 L/s
Site Storage Requirement (SSR)	57 m^3

3.2.2 Stormwater modelling

The stormwater modelling is based on connecting to the existing 300mm diameter stormwater in Sussex Street. This will need to be verified through a below ground utilities survey including clearances to other services located in the footpath. Minimum cover of 600mm has been adopted prior to survey information being available. A downstream boundary condition of the pipe obvert tailwater level has been adopted in line with City of Sydney A4 Stormwater Drainage Design Technical Specification. Based on this an OSD volume of 115m^3 will achieve a PSD of 107 L/s as shown in Figure 11. Depending on the verification of the existing stormwater point of connection and IL it may be possible to increase the PSD closer to the maximum permitted and decrease the OSD volume.

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Results for median storm in critical 1% AEP ensembles using Lite hydraulic model.

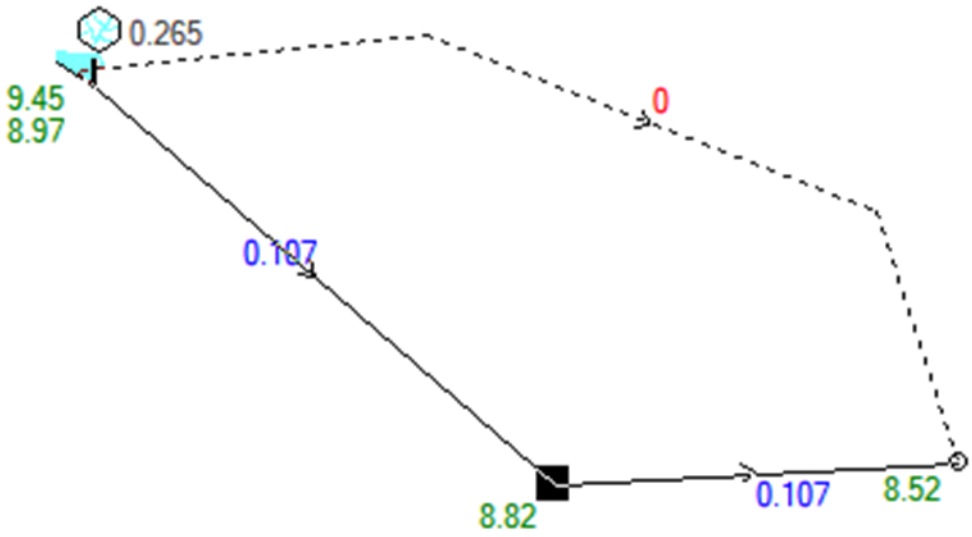

Figure 11 - DRAINS model of OSD to downstream network

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An OSD plan and section has been provided below. This is subject to detailed design coordination with the ground floor and basement layouts including headroom clearances.

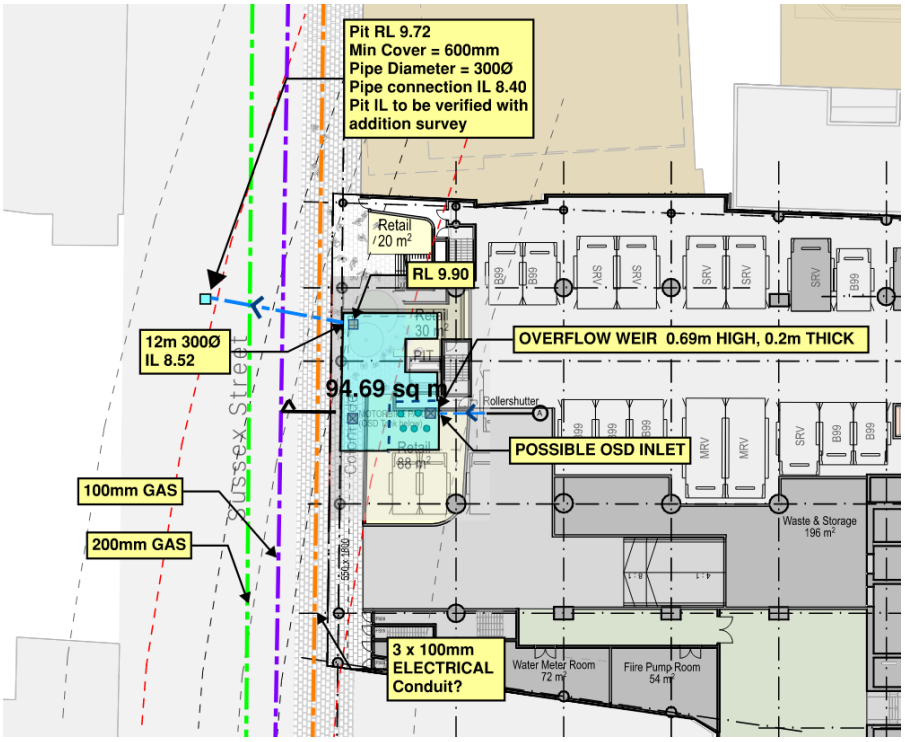

Figure 12 Indicative OSD plan subject to design coordination

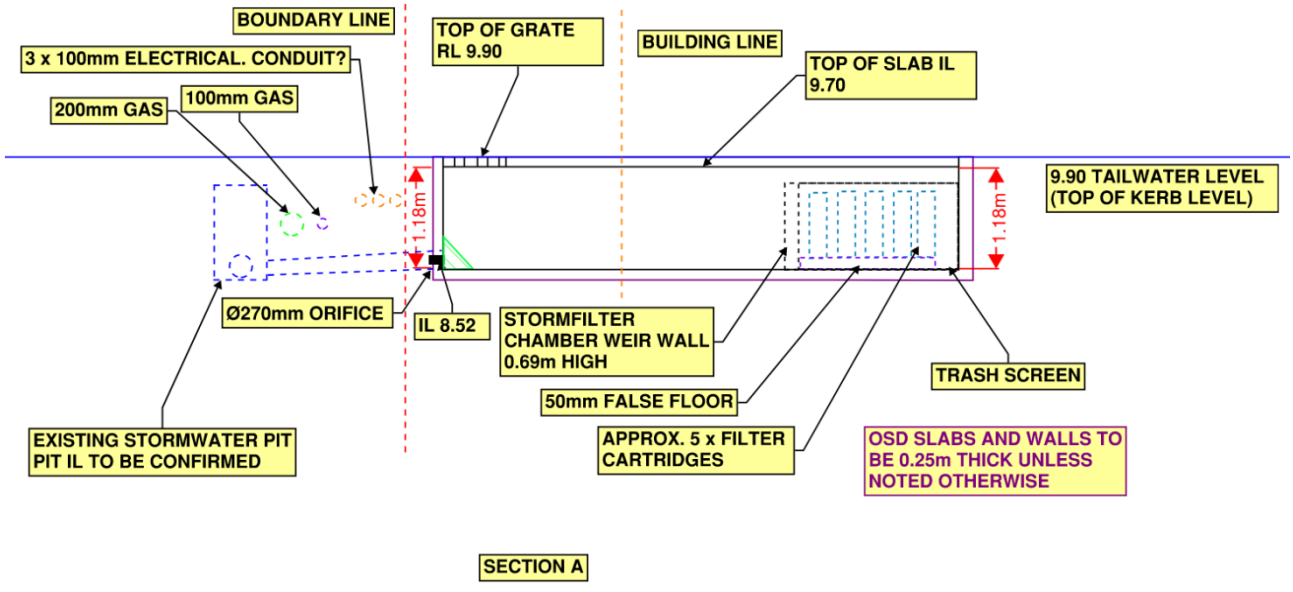

Figure 13 OSD Section A

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3.3 Water Quality

City of Sydney Council's Development Control Plan requires all new developments to install permanent stormwater pollution controls. City of Sydney Council DCP provides specific pollutant reduction targets for new developments. The targets are listed in Table 3.

Table 3 - Required pollutant reduction targets

Pollutant	% post development average annual load reduction
Gross pollutants	90
Total suspended solids	85
Total phosphorous	65
Total nitrogen	45

The site has been modelled in the Model for Urban Stormwater Improvement Conceptualisation (MUSIC) water quality modelling software using City of Sydney Council's MUSIC-Link. Treatment nodes have been designed in line with parameters outlined in the City of Sydney WSUD Technical Guidelines 2014. The following treatments have been included to meet Council water quality targets at the downstream point of connection with Council systems.

- 2 x Oceanguard basket inserts by OceanProtect or equivalent product.
- 5 x 690mm PSorb (MCC) Stormfilter cartridges by OceanProtect or equivalent product.

Refer to Figure 14 and Figure 15 for the relevant MUSIC results and model schematic.

	Sources	Residual Load	% Reduction
Flow (ML/yr)	4.51	4.51	0
Total Suspended Solids (kg/yr)	117	17.1	85.3
Total Phosphorus (kg/yr)	0.682	0.204	70.1
Total Nitrogen (kg/yr)	9.79	4.83	50.6
Gross Pollutants (kg/yr)	112	0	100

Figure 14 - MUSIC results

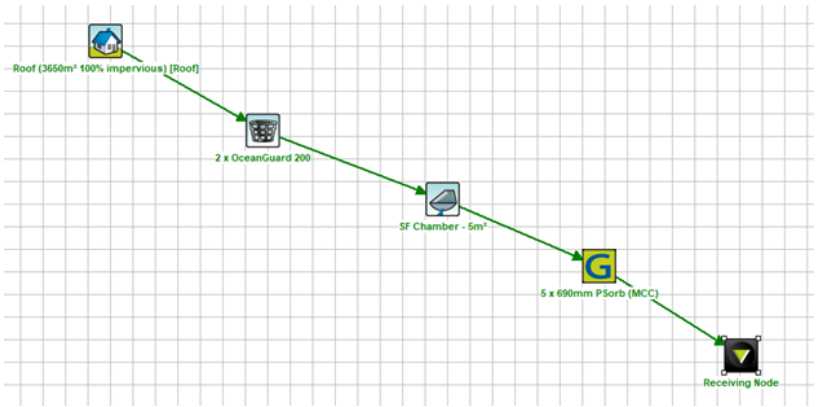

Figure 15 - MUSIC model

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4.0 Summary and Next Steps

The following are the key Civil design elements outlined in this report:

- Peak flood depths in the PMF flood event do not exceed 100mm in Kent Street and 50mm in Sussex Street adjacent to the site and will be contained within the kerb and gutter.
- Flood planning levels for the ground floor commercial space must be above the 1% AEP flood level. This will be achieved by default if compliant falls are provided away from the building to the top of kerb
- It is recommended to adopt a crest level of 10.05m to satisfy the flood planning levels for the basement car park.
- OSD is required as confirmed by Sydney Water with a maximum Permissible Site Discharge (PSD) of 134 L/s and a minimum Site Storage Volume (SSV) of 57m^3.
- An existing 300mm diameter stormwater pipe is located in Sussex Street which is the proposed point of connection for the site. Based on minimum cover of 600mm a SSV of 115m^3 is required as the PSD is restricted by the downstream conditions at the point of connection.
- Water quality treatment is required to meet Council's pollution reduction targets. The following is proposed that will be included within the OSD chamber.
    - 2 x Oceanguard basket inserts by OceanProtect or equivalent product.
    - 5 x 690mm PSorb (MCC) Stormfilter cartridges by OceanProtect or equivalent product.

Next steps required to develop the Civil design are outlined below:

- Undertake below ground utilities survey to verify the existing 300mm diameter stormwater pipe location and invert level.
- Undertake below ground utilities survey of the existing utilities in the Sussex Street footpath to verify clearances for the proposed stormwater connection.
- Detailed coordination of OSD with ground floor and basement layouts based on below ground utilities survey results.

Prepared by
TAYLOR THOMSON WHITTING (NSW) PTY LTD
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TIM MOORE
NSW Civil Manager

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Appendix A

Sydney Water OSD correspondence

© 2023 Taylor Thomson Whitting

From: Stormwater <Stormwater@sydneywater.com.au>
Sent: Thursday, 12 January 2023 10:31 AM
To: Amir Tara
Subject: RE: [External] 383 Kent Street OSD requirements Letter

Follow Up Flag: Follow up
Flag Status: Flagged

[External Email]: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Amir,

The On Site Detention requirements for the 3,650 square meters site at 383 Kent St, Sydney, are as follows:

- On Site Detention 57 cubic meters
- Permissible Site Discharge 134 L/s

The approval for the On Site Detention would only be given as part of the Section 73 application for this development. The On Site Detention is to be designed according to the above values and submitted to Sydney Water for approval with the Section 73 application. The following details are to be included in your submission for On Site Detention approval:

- Location of the On Site Detention in relation to the development
- Location of the On Site Detention in relation to overall stormwater network of the property
- Plan and Elevation of the On Site Detention tank with all dimensions
- Orifice plate calculation

Best Regards

Planning and Technical
Business Development
Sydney Water, Level 13, 1 Smith Street, Parramatta NSW 2150

Sydney WATER



Sydney Water acknowledges the traditional custodians of the waters and land on which we work, live and learn.

From: Amir Tara <amir.tara@ttw.com.au>
Sent: Wednesday, 11 January 2023 10:51 AM
To: Stormwater <Stormwater@sydneywater.com.au>
Subject: [External] 383 Kent Street OSD requirements Letter

CAUTION: This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Sydney Water,

We are working on behalf of our client for a proposed redevelopment at 383 Kent Street, Sydney. As per Sydney Water's requirements can you please confirm if on-site detention is warranted and if so please provide the Permissible Site Discharge and Site Storage Requirements based on the below project details;

- Site Address 383 Kent St, Sydney 2000 NSW
- Total Site Area 3,650 sqm
- Pre-development impervious area 3,650 sqm
- Post-development impervious area 3,650 sqm

Please do not hesitate to contact me if you require any further information.

I've attached a photo of the site for reference below.



Amir Tara | Graduate Civil Engineer
+61 2 9439 7288 | | amir.tara@ttw.com.au
TTW Engineers | Sydney
Read our latest news here



NOTICE: This email is confidential. If you are not the nominated recipient, please immediately delete this email, destroy all copies and inform the sender. Sydney Water Corporation (Sydney Water) prohibits the unauthorised copying or distribution of this email. This email does not necessarily express the views of Sydney Water. Sydney Water does not warrant nor guarantee that this email communication is free from errors, virus, interception or interference.

Attachment A21

Vision and Values Statement

A NEW PLACE FOR SYDNEY'S WESTERN EDGE

PLACE VISION DOCUMENT

383

KENT STREET, SYDNEY

Charter Hall

1020



ARTIST'S IMPRESSION



“We have a once-in-a-century opportunity to turn our business districts and our cities into something better, less divided, and more inclusive. Shame on us if we fail to grasp it.”

Richard Florida, The Death and Life of the Central Business District, 2021

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1022

01

EXECUTIVE SUMMARY

The following document describes Charter Hall's vision for a new commercial tower, retail offer and public realm at 383 Kent Street in Sydney's CBD.

- PROJECT CONTEXT
- KEY FACTS
- PROJECT VISION
- BENEFITS TO THE CITY

PROJECT CONTEXT

383 Kent Street will be designed and delivered at a unique time for Sydney's CBD, as it continues to rebound from the Covid-19 pandemic and seeks to assert its role not only as Australia's #1 place to do business but also as a liveable, sustainable and diverse metropolis (City of Sydney 2050 Vision).

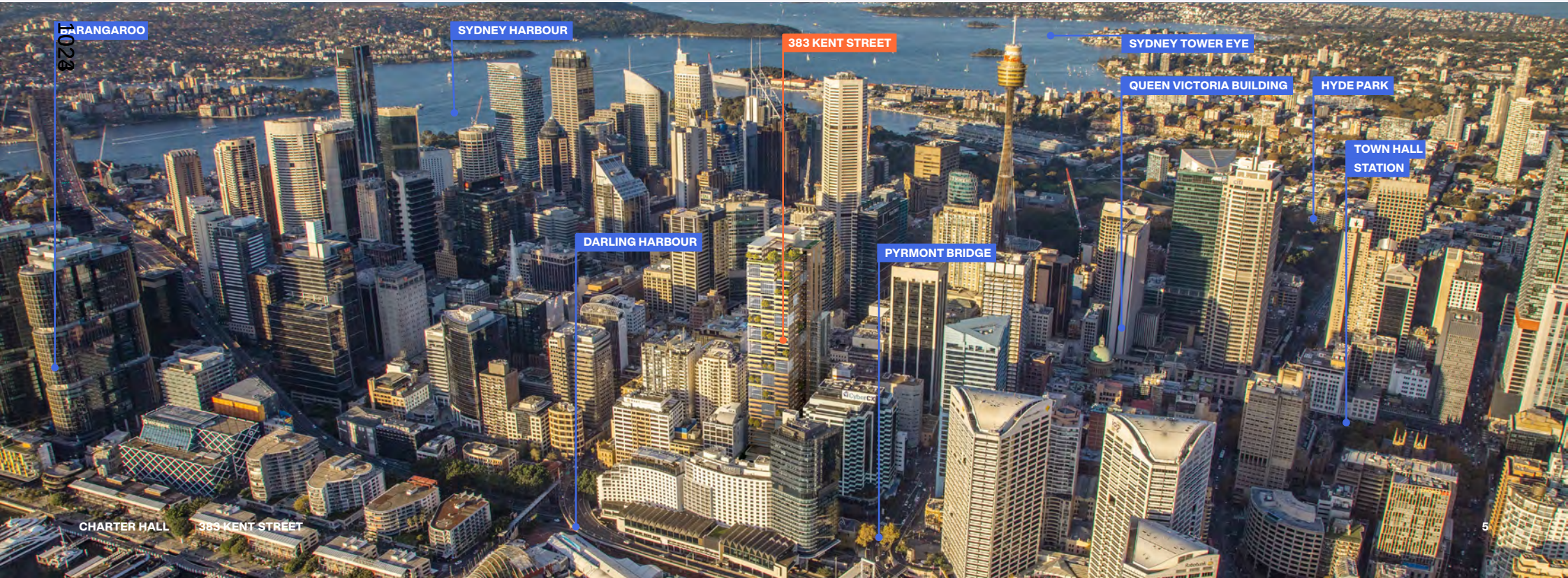
The existing building at 383 Kent Street provides 11 storeys of office space and a 799-car parking bay. It is unremarkable and unscalable as workers continue to demand more from their office environments.

Charter Hall sees the opportunity for an alternative sustainable and generous response to the site delivered through the City's Design Excellence process.

This approach will ensure that 383 Kent Street becomes an architectural exemplar, proving the potential for great development along the Western Edge and firmly aligning with the City's Central Sydney Planning Strategy. The project will also be active in defining the city's western skyline – viewable from Parramatta on a clear day – for generations to come.

KEY FACTS

- Additional 60,000 sqm of commercial NLA in the CBD
- 42-storey commercial tower with ground-floor retail
- Pedestrian through-site link connecting Kent and Sussex streets
- **Kent Street Logistics Hub to support surrounding development**
- Removal of 799 bay commercially-operated car park
- Greened terraces and winter gardens that soften the tower's exterior
- An ESG exemplar, exceeding the 2026 provisions in the City's Planning for Net Zero Energy Buildings



PROJECT VISION

The new 383 Kent Street will provide a focal point for commerce and a benchmark for city life on the CBD's Western Edge.

The scale and location of the project creates an opportunity to significantly reshape people's experience of a forgotten part of the city, continuing strategic efforts to shift the perception of the Western Edge into a desirable and lively slice of the CBD.

By embracing the eclecticism of the city in a blended precinct of public amenity, fine-grain retail and sustainable office space, 383 Kent Street will help establish a publicly-activated and charismatic building that exemplifies Sydney's west-side story of renewal, rejuvenation and reinstated relevance.

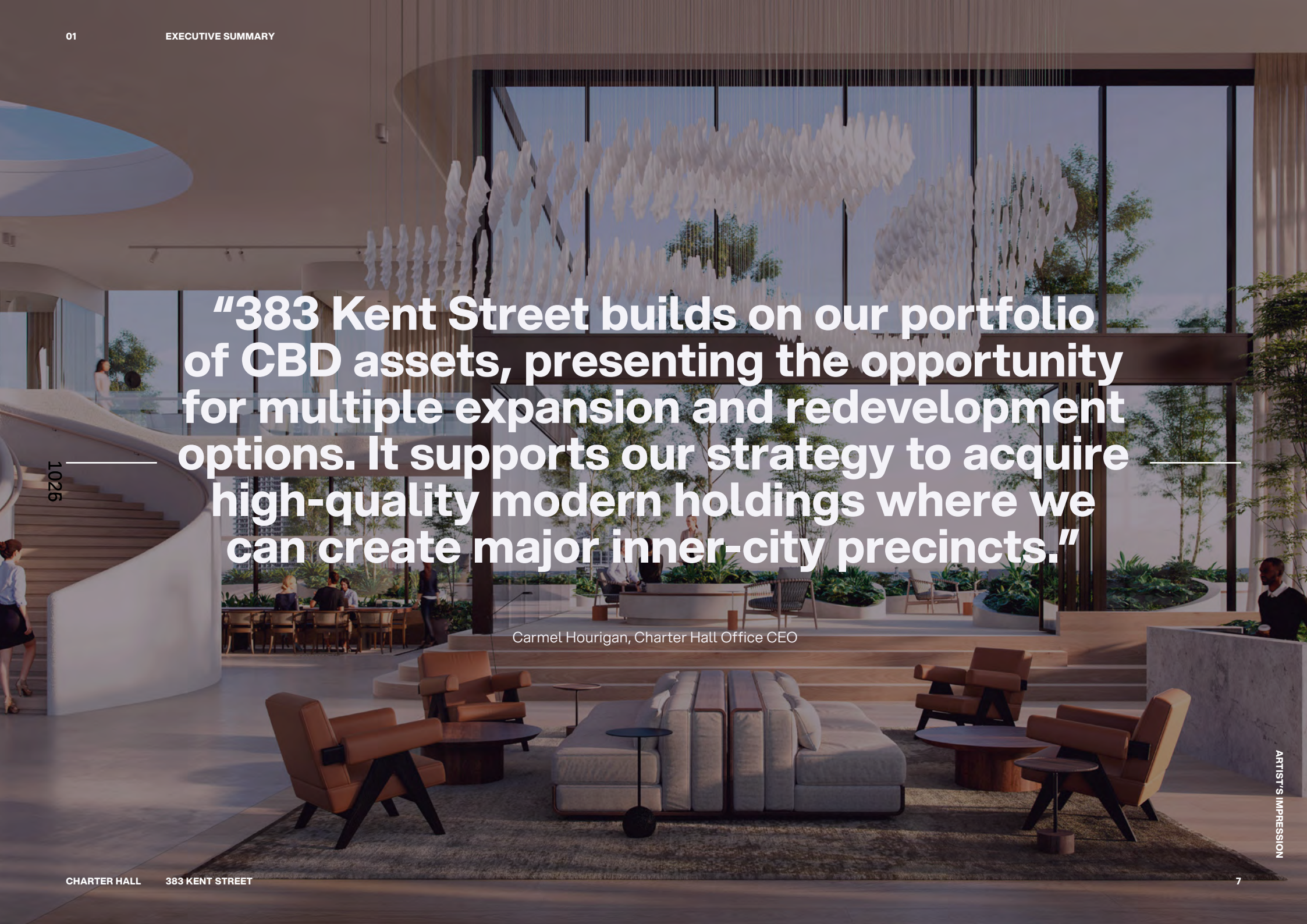
102

BENEFITS TO THE CITY

- Greater connectivity between the CBD core and harbour edge, facilitated by a new pedestrian through-site link
- Creation of fine-grain retail opportunities in the pedestrian through-site link and along the primary street frontages, adding to the local character and economy
- **The provision of a pioneering Logistics Hub to support surrounding development constrained by heritage, expanding the realm of possibilities within the immediate area**
- The addition of in-demand commercial workspace, defined by its large scale and sub-city core price point with a city address
- Provides an exemplary development response and precedent in the context of the City's Central Sydney Planning Strategy and Design Excellence process



ARTIST'S IMPRESSION



"383 Kent Street builds on our portfolio of CBD assets, presenting the opportunity for multiple expansion and redevelopment options. It supports our strategy to acquire high-quality modern holdings where we can create major inner-city precincts."

Carmel Hourigan, Charter Hall Office CEO

1026

ARTIST'S IMPRESSION

02

CONTEXT

Great urban development always stems from a sound contextual understanding. The 383 Kent Street Place Vision responds to the four most significant forces shaping local property outcomes.

- PLACE
  Responding to the unique history and character of the local area
- POLICY
  Ensuring a response to government objectives for the Western Edge
- PRODUCT
  Meeting the needs of a defined commercial workplace market
- PEOPLE
  Providing for future audiences in the city

PLACE
PAST

Darling Harbour is known as Tumbalong, a place where the seafood is found, by the Gadigal of the Eora nation. In pre-colonial times, the area acted as a natural border between Gadigal and Wangal clans and was used for food and transportation. We continue to learn from and connect to these Living Cultures today in protecting the area's natural beauty that encourages people to dwell.

2



1. Map of Sydney in 1802 depicting established roads between Cockle Bay and Sydney Cove
2. "View of the Heads, at the entrance into Port Jackson," Joseph Lycett, circa 1822
3. A city bus at the corner of Market and Kent streets in 1970
4. The much-maligned Sydney Monorail in operation in 1990

After World War II, the shipping trade declined and many of the heritage warehouses were demolished. The area was renamed Darling Harbour and officially opened by Queen Elizabeth II in 1988. It has since become a key tourist destination, with mixed success in attracting locals.

1028

1



As outlined in Connecting with Country Strategy: 383 Kent Street, produced by Yerrabingin, the Sydney Harbour coastline and landscape has been irrevocably altered since colonisation, obscuring much of the natural landscape. The history of this Country can still be experienced by appreciating the weathering of the sandstone rock that lines much of the harbour waters.

3



The area became particularly important during the early colonial period, with Kent Street being known as Back Row, connecting the wharves at Tumbalong (then known as Cockle Bay due to its abundant oyster shells) to those at Sydney Cove (Circular Quay).

4



PLACE
PRESENT

Despite its proximity to the quickly evolving precincts of Barangaroo and Wynyard, the historic grandeur of Town Hall and the retail buzz of Pitt Street, QVB and The Galeries, developments in Sydney CBD's Western Edge have been functional instead of remarkable. A long-term focus on commercial towers left the area without a clear identity and limited reasons to dwell there outside of time spent working in the offices above.

2



1. The award-winning Cantina OK! is changing the perception of the Western Edge
2. A newly pedestrianised George Street and QVB light rail
3. Kent Street's heritage architecture consists of tall ceilings, masonry and brickwork
4. The Wynyard Walk connects to Barangaroo from 207 Kent Street

3



1



In recent years, a number of specialist bars (whisky, mezcal, rum) have cropped up in the basements and laneways surrounding Kent and Clarence Streets, servicing the white-collar crowds for knock-off drinks, especially on Friday nights. There are hints of change and potential appearing for the Western Edge.

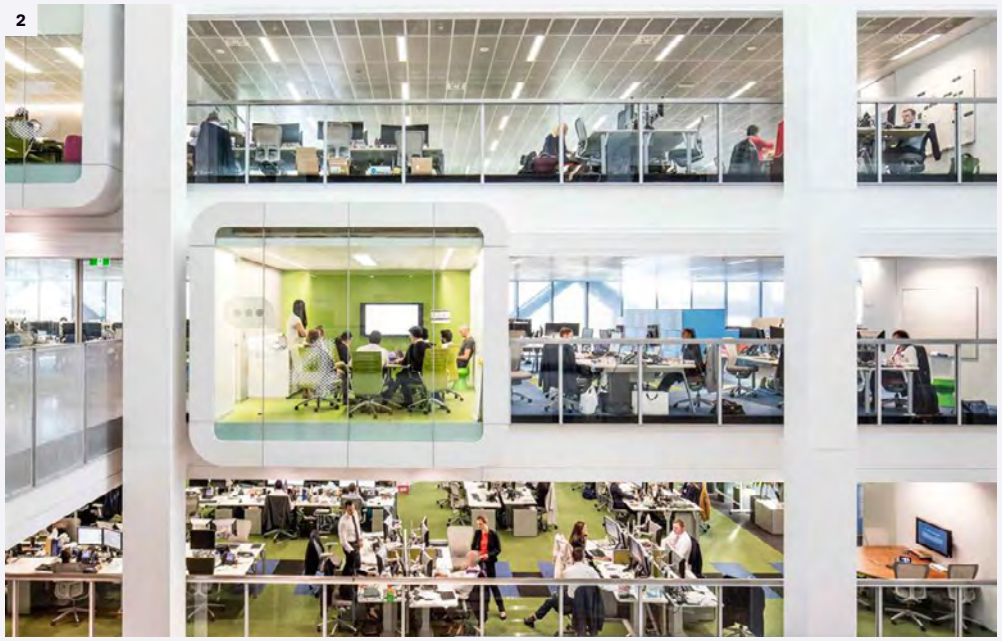
4



1028

PLACE
FUTURE





1020

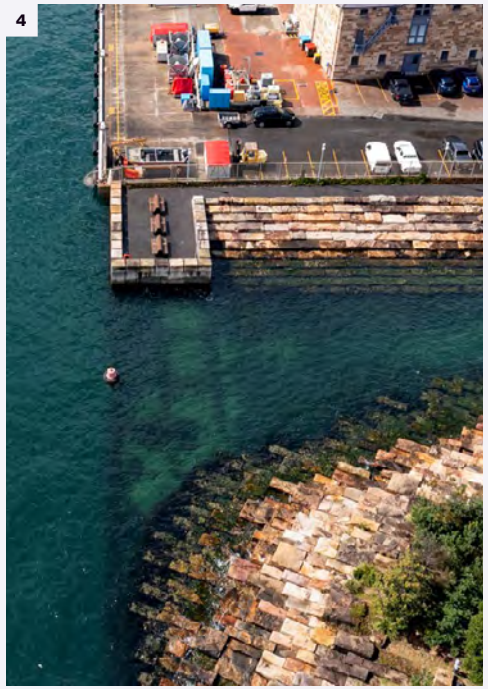
The Western Edge of Sydney's CBD is a somewhat forgotten part of the city, and a development priority for the City of Sydney.

Recognising the need for dense, centrally-located neighbourhoods to house the people and ideas intrinsic to innovation and growth, there has been significant public and private investment in this precinct. With the arrival of the Barangaroo and Pitt Street Metro Stations scheduled for 2024, the area surrounding Kent and Sussex streets will need to become a connective, mixed-use precinct that people will want to spend time in.

The City of Sydney recognises the need to encourage a variety of commercial workspaces in order to increase capacity and boost significant employment growth in the neighbourhood. The Western Edge of Sydney CBD is a key area for growth in the knowledge economy and therefore commercial workplaces, capable of accommodating the full gamut of businesses that any highly-competitive international city should attract.

Noting the impact of Covid-19 in accelerating the shift away from the CBD's extreme separation of work and life, the City of Sydney are lifting height limits and implementing new mixed-used controls. These will extend the area's bodyclock and increase the diversity of uses, triggering a new dawn for Sydney's Western Edge: one with the wellbeing of workers and visitors at its core.





1. Arc by Crown Group's retail-led ground plane activation
2. 1 Shelley Street represents the future of office spaces
3. The Baxter Inn is fine-grain, laneway F&B at its finest
4. Barangaroo's inner-city public baths at Marrinawi Cove

POLICY

The development of 383 Kent Street responds to the City of Sydney's vision for the future of the CBD and its Western Edge. This vision for the building is an opportunity to deliver broader physical, economic, environmental and social outcomes for the CBD and the city as a whole.

1030

ENVIRONMENTAL

To meet the City of Sydney's future-facing sustainability goals, all new office developments are required to achieve at least a 5.5-star NABERS rating and growth sites are required to drive zero-net energy precinct outcomes. The City encourages targets to reduce embodied energy and will look to reward the retention, refurbishment and upgrade of older office buildings.

- Central Sydney Planning Strategy: 2016–2036, City of Sydney
- Development Control Plans: Locality Statements, City of Sydney
- Sustainable Sydney 2030

SOCIAL

People-focused design is at the core of the City of Sydney's Planning Strategies, seeking at all points to ensure that necessary growth and development in Central Sydney has a positive impact on the lives of all the people who live, work and visit, making the CBD more energetic and inclusive by creating more cultural, social, community and service infrastructure.

- Central Sydney Planning Strategy: 2016–2036, City of Sydney

SYDNEY'S REVITALISED CBD

ECONOMIC

To protect the future income of Sydney, the City of Sydney has identified the potential to unlock 2.9 million sqm of new floor space in the CBD through its planning strategy. The strategy not only ensures space for future economic growth to occur, but also that Central Sydney will have an increasingly resilient and diverse economy.

- Development Control Plans: Locality Statements, City of Sydney

PHYSICAL

The City of Sydney's planning strategy protects the unique character and assets of Central Sydney by concentrating development in zones of latent capacity so that the necessary additional floor space can be created with minimal impact on surroundings. These developments also offer opportunities for more east-west connections and precinct solutions to loading, waste, site servicing and more.

- Central Sydney Planning Strategy: 2016–2036, City of Sydney
- Development Control Plans: Locality Statements, City of Sydney
- Guideline for Site Specific Planning Proposals in Central Sydney

PRODUCT
COMMERCIAL WORKPLACES

White-collar workforces are reappraising their relationships with employment. Personalised employee experiences and flexibility in where, when and how they work is now a prerequisite.

The Covid-19 pandemic has altered the demand for and dynamic of CBD office space. Before it, the City of Sydney forecasted a shortfall of CBD commercial space by 2027 (Central Sydney Planning Strategy 2016–2036, City of Sydney).

The pandemic has altered both the demand and dynamic of Sydney's CBD office market. As occupancy rates peaked at just 61% in February 2023, both landlords and employers are struggling to draw workers back into the city five days per week (Property Council of Australia).

It's critical that new commercial developments are responsive to changes in office demands and experiences. New buildings must suit the scaling-up and down of staff numbers on any given day, while also doing a better job of fostering the one thing WFH will never provide: a social life around the workplace.

Sydney CBD's Western Edge provides an opportunity to create workspaces for stable, sizeable and enduring corporations who want to be in the city but don't want to pay premium harbourside rent. Large, flexible floorplates and affordability make the Western Edge attractive to a wide variety of knowledge work including legal, finance, technology and marketing.

This professional diversity will help drive the renaissance of the Sydney CBD, making it a place that is more inclusive of businesses and their people, who will in turn support the local retail and hospitality market of the CBD.



1 SHELLEY STREET, SYDNEY
Charter Hall's CBD tower features breakout meeting spaces that let in natural light and city views

PEOPLE
OVERVIEW

Through its location between CBD Core and Darling Harbour, 383 Kent Street will provide for both working and visiting audiences.

The differing needs of these groups has informed the project's design and mix of amenity. This will also create opportunities for retail and F&B that support an extended bodyclock outside of the current Western Edge 9–5, especially with the addition of a shared loading dock to the precinct.

As Baby Boomers retire en masse and the dynamic of the Sydney CBD becomes more casual, culturally diverse and youthful, commercial buildings will become increasingly mixed-use in order to attract a broader range of audiences throughout the week.

1033

AUDIENCES

VISITORS

- ■ LOCAL-AREA PROFESSIONALS
- △ INTRACITY VISITORS
- △ INTERCITY VISITORS

WORKERS

- ■ WHITE-COLLAR GEN X
- △ TECH & DIGITAL GEN Y & GEN Z
- △ RETAIL, TRADE & SERVICES

KEY:
■ CURRENT
△ GROWING AUDIENCES

SOURCES:
GENERATIONS DEFINED, MCCRINDLE, 2023 (EDITED)
AGE AND OCCUPATION, FLOWINGDATA, 2021

PEOPLE PROFILES



WHITE-COLLAR GEN X

As Baby Boomers begin to retire, Gen X white-collar professionals are increasingly becoming leaders and CEOs.

- Strive towards a work/life balance
- Want casual, friendly and fun work environments



RETAIL, TRADE & SERVICES

Growth in amenity and retail led by commercial workspaces' efforts to make returning to the office attractive for remote and hybrid workers.

- Require convenient and affordable F&B options
- Desirable convenience retail that makes the day-to-day easier



TECH & DIGITAL GEN Y & GEN Z

Gen Y are purpose-driven, hardworking and believe that workplace flexibility is non-negotiable. Gen Z balance anti-establishment ideals and their desire for green spaces alongside fiscal responsibility.

- Want workplaces that are highly social and collaborative with experiences that benefit them



LOCAL-AREA PROFESSIONALS

White-collar professionals working in the surrounding buildings are short on time and heavy on responsibilities.

- Need quick and convenient lunch options
- Want places to meet and mingle with clients and celebrate the wins



INTERCITY VISITORS

Visitors from Melbourne, Brisbane and around the world looking for a taste of Sydney off the beaten track.

- Want fine-grain retail and F&B that offers the best of Sydney
- Seek both casual dining and splurge options to enjoy on holiday



INTRACITY VISITORS

The Sydney Metro will increase intracity visitors to the CBD, ready to explore the under-utilised Western Edge.

- Want fine-grain retail and F&B that caters to locals
- Need experiences to extend into evenings and weekends

03 PROJECT VISION

- PLACE PROPOSITION
- PLACE PILLARS



The new 383 Kent Street will provide a focal point for commerce and a benchmark for productive, social and sustainable activity on the CBD's Western Edge.

LOT 36

ARTIST'S IMPRESSION

PLACE PROPOSITION

OPPOSITES ATTRACT

Central business districts are defined by productive tensions: old and new, business and leisure, active and passive. Great inner-city precincts don't shy away from this, they leverage the fact that opposites attract.

1039

The new 383 Kent Street will exemplify urban symbiosis. This benchmark for city life on Sydney's Western Edge represents a bringing together of heritage and the contemporary, of restorative calm and dynamic vibrancy, of commercial and retail and of private and public.

The scale and location of this project create an opportunity to reshape people's relationship with this unremarkable part of the city.

As a blended precinct of public amenity, fine-grain retail and sustainable office space, 383 Kent Street will establish a publicly activated and charismatic building. With its shared loading dock and greened tower exterior, this project exemplifies Sydney's west-side story of renewal and reinstated relevance.

SUSSEX — KENT

WATER — CITY

CONTEMPORARY — HERITAGE

CALM — VIBRANT

COMMERCIAL — RETAIL

PLACE PILLARS

383 Kent Street will actively and beneficially contribute to the everyday experiences of workers and visitors to the CBD.

2



1. CHOPHOUSE ROW, SEATTLE
2. THE COMMONS, BANGKOK
3. NANBO BAY RECEPTION CENTER, YINCHUAN
4. THE GROVESNOR BUSINESS LOUNGE, SYDNEY

04 A PLACE FOR PRODUCTIVITY

Across the precinct, both formal and informal zones for connecting and creating lead to a highly productive workplace. This sense of energy is defined by 383 Kent Street's flexibility, scale and affordability.

1



01 ENLIVEN THE CITY

With a pedestrian through-site link, 383 Kent Street connects the CBD core to the harbour edge. The precinct supports not only the retail but also the adjacent retail communities, driving the positive renewal of Kent and Sussex Streets.

02 FOSTER PRECINCT LIFE

This precinct purposefully provides for both public and private audiences through an activated ground plane and an amenity offer that extends up into the podium. This enigmatic new public realm offers views to the sky and a design that encourages people to dwell.

3



03 LEAD BY EXAMPLE

Celebrating a 6-star Green Star v1 rating with 20% embodied carbon reduction, 383 Kent Street will exemplify positive urban change in this part of the CBD. The project's sustainability commitments will set a new ESG precedent that includes outdoor green spaces for every season.

4



04

FEATURES & BENEFITS

- SHARED RETAIL PRECINCT LOADING DOCK
- GROUNDED ARCHITECTURE
- PEDESTRIAN THROUGH-SITE LINK
- RETAIL & AMENITY
- FUTURE-FIT WORKPLACE
- SUSTAINABILITY EMBODIED

SHARED PRECINCT LOGISTICS HUB

OVERVIEW

A precinct loading dock that services the needs of adjacent buildings has consequential benefits for the broader precinct, opening the door to new opportunities for tenants in older buildings.

Many of the surrounding heritage buildings are constrained, attracting limited use due to inadequate facilities. Access to a shared loading dock expands what's possible within these buildings – including the potential to add retail and F&B elements that are constrained in their use by inefficient loading facilities.

This will directly contribute to a greater diversity of precinct experiences while simultaneously removing vehicular loading activity from street level, mitigating pedestrian and cyclist conflict and effectively returning these areas to public use.

FEATURES

- Efficient and dedicated loading bays to accommodate multi-user deliveries and pick-ups
- Electric vehicle charging
- Sufficient space to allow vehicles to manoeuvre and enter and exit in a forward motion, ensuring access at full occupancy

LOCATION

- Basement level, with access from Sussex Street
- Goods lift access via pedestrian through-site link

KEY:

- KENT STREET BIKE XPATH
- ON STREET LOADING
- 1P TICKET PARKING
- MOTORBIKE PARKING
- BUS ZONE
- EXISTING ACTIVE VEHICLE CROSSOVER
- EXISTING INACTIVE VEHICLE CROSSOVER
- RETAIL
- LOADING CONNECTIONS
- LOADING DOCK ACCESS (ENTRY)
- LOADING DOCK DISTRIBUTION (EXIT)



ARIEL VIEW OF 383 KENT STREET
Indicative retail precinct loading dock visual only. Refer to detailed Loading Dock Strategy for detail.



GROUNDED ARCHITECTURE

OVERVIEW

While 383 Kent Street's tower presents expansive floor plates and a terraced façade that leverages wide views across the city, its podium will feel at home amongst the heritage streetscapes of Kent and Sussex Streets. The design excellence process will provide an opportunity for acclaimed architects to respond directly to the building's beautiful heritage context.

To achieve this, the podium maintains proportions that feel comfortable around its neighbours, features traditional detailing that contrast with the modern superstructure above and provides human-scale experiences within its pedestrian through-site link.

This important pedestrian route in itself is a nod to the laneway-filled streets of early colonial Sydney and will foster moments of pause and community building within it. This is more than a thoroughfare: it is an opportunity to address culture through a Designing with Country framework and public art.

FEATURES

- Heritage detailing and scale
- Neighbourhood experiences throughout the pedestrian through-site link
- Experiences that draw visitation up through the tower and onto the podium
- Integration of highly-visible public art at street level

LOCATION

- Podium to street level
- Pedestrian through-site link

383 KENT STREET
Project render by FJMT demonstrating the development's scale

GROUNDED ARCHITECTURE

MOODBOARD

YOUNG STREET BUILDING, QUAY QUARTER LANES, SYDNEY →

Mimicking portions between podium and towers to add visual connections despite the building's material contrast







EAST 57TH ST RESIDENTIAL TOWER LANEWAY ENTRANCE, NEW YORK CITY ↓

Streetscape proportions invite pedestrians into the contemporary development and connect the building to surrounding streets

RMIT NEW ACADEMIC STREET, MELBOURNE ↑

Industrial elements and raw finishes create a sense of craftsmanship to the artisan-feel of the retailers

FISH LANE, BRISBANE ↑

Tactile materials and a human-scale ground plane blend the contemporary architecture to its heritage surroundings. Industrial elements and raw finishes give a sense of astisanship to the retailers







200 GEORGE ST, SYDNEY ←

Lobby artwork, visible from the street, that tells Aboriginal stories in a way that meaningfully connects to Country

ARC BY CROWN GROUP, SYDNEY ↑

Ceiling lights and stairs are used to welcome pedestrians into triple-height covered laneway



PEDESTRIAN THROUGH-SITE LINK

OVERVIEW

The site creates an opportunity to further enhance connection between the western water's edge and the Sydney CBD, helping people more safely get from the retail core to the recreational fringe.

A new cross-CBD link at 383 Kent Street will immediately become an essential piece of public infrastructure, helping to nurture the growing precinct. With traffic from both directions of Kent and Sussex Streets, the regular footfall will support on-site retail as well as the surrounding community of commerce.

The stairs of 383 Kent Street's pedestrian through-site link will be punctuated by expansive landings that generate multiple dwell points. This ensures that the atrium serves as more than just a transitional space, but as a public domain that's landscaped, greened and a sun-dappled place of respite for local workers and the community.

383 KENT ST
Artist impression of the pedestrian through-site link's retail laneway

FEATURES

- New point of footfall convergence for this part of the CBD
- Retail activated
- The atrium is open to the sky, flooding the pedestrian through-site link with sunlight

LOCATION

- Connecting Kent and Sussex streets

RETAIL & AMENITY

OVERVIEW

383 Kent Street's greatest asset is its connection to public life through generous site boundaries, dual street frontages and an east-west pedestrian through-site link. This laneway and lobby cafe will allow for a critical mass of small-scale retail tenancies and amenity that services both the commercial workers above and the broader precinct.

383 Kent Street will contribute to a growing cohort of local F&B venues located within the precinct, creating a focal point for social life and an early-to-late bodyclock for the building. Beyond the immediate impacts this will have for workers, this is also an opportunity to cement the Western Edge as a genuine after-hours destination for the city.

FEATURES

- A retail mix that blends everyday convenience with elevated offers
- A 59% enclosed roof over the pedestrian through-site link allows a mix of indoor and outdoor dining, regardless of the weather
- Provides critical mass across a growing F&B precinct

LOCATION

- Pedestrian through-site link
- Kent Street
- Sussex Street colonnade



383 KENT ST
Artist impression of the façade leading into the retail laneway

RETAIL & AMENITY
MOODBOARD



BROOKFIELD PLACE, PERTH

Double-height retail provides visual interest across tiers while covered seating maximises all-weather possibilities



QUAY QUARTER LANES, SYDNEY

Mimicking portions between podium and towers to add visual connections despite the building's material contrast

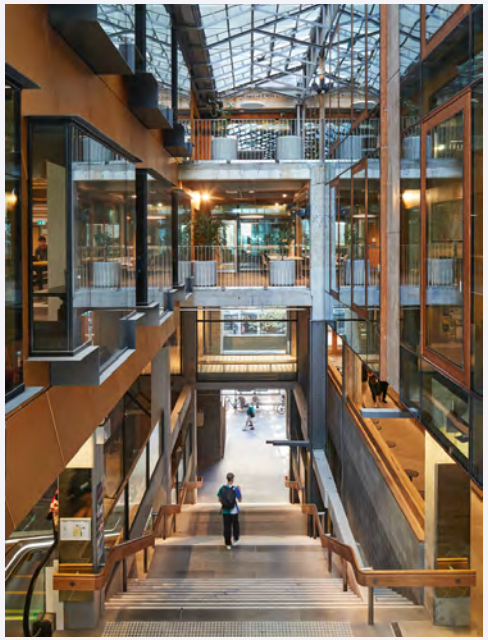
RMIT NEW ACADEMIC STREET, MELBOURNE

Multiple levels of activation throughout pedestrian through-site link

DAIRY BLOCK, DENVER

Customisable and programmable elements create visual interest and increase dwell time





PLATFORM, LOS ANGELES

Retail, dining and service elements combine to create a dynamic and welcoming ground plane





FISH LANE, BRISBANE

Walkways lined with greenery where people can meet, connect and unwind



FUTURE-FIT WORKPLACE

OVERVIEW

Globally-minded companies of all sizes and scales are embracing the emerging ways that people work best. To compete in any industry, it's clear that great workforces need the physical and psychological spaces to be both productive and healthy. 383 Kent Street is designed with this at the front of mind.

Throughout the precinct's tower and podium, as well as its greened balconies and winter gardens, the audience of workers is encouraged to move throughout 383 Kent Street for both work and respite. Beyond improving the lived working experience of those on site, this will extend the bodyclock of the precinct and wider retail community.

For commercial tenants, adaptable and expandable floor plates are available. With a healthy mix of medium to large-scale enterprises occupying the tower, a critical mass of productivity and energy will feed into a sense that the CBD's Western Edge has become a desirable place worth commuting to.

FEATURES

- Hybrid and collaborative working-enabled floor plates
- Blurring the lines between public and private spaces
- Embracing the conveniences and connections that attract workers back into the office

LOCATION

- Precinct-wide

550 MADISON AVENUE, NEW YORK CITY

This Manhattan skyscraper features a Snohetta-designed atrium space for the workers above and public alike

SUSTAINABILITY EMBODIED

OVERVIEW

As a landmark commercial tower within the Western Edge, 383 Kent Street has a responsibility to establish guidance for ESG within the precinct. A number of important technical and landscaped features will ensure it matches City of Sydney's provisions for net-zero energy use in buildings from 2026, waste management in new developments and targets to reduce embodied energy.

Sustainability is most impactful when it's easily understood, which is why the building will create points for social interaction that are adorned with natural planting, offering a set back from the street that reduces access to noise and vehicular pollution.

Access to natural light and fresh air is an important feature across the tower, while the mental, physical and social health of occupants is addressed through an on-site wellness centre and a commitment to public generosity.

FEATURES

- 6-star Green Star v1, with 20% reduction in embodied carbon
- Generous provision of outdoor space throughout the tower
- Percievable façade greening to benefit the western skyline of the CBD
- Public furniture to invite moments of pause and respite
- Increased quality of air and natural light throughout the precinct

LOCATION

- Ground plane
- Podium wellness centre
- Tower

BOSCO VERTICALE, MILAN

Greened tower façade to uplift an entire city skyline



SUSTAINABILITY EMBODIED

MOODBOARD

SPRING FEAST AT BANTANG HOT SPRINGS, CHAOHU →

Planters used to enhance wayfinding throughout communal spaces and pedestrian passageways



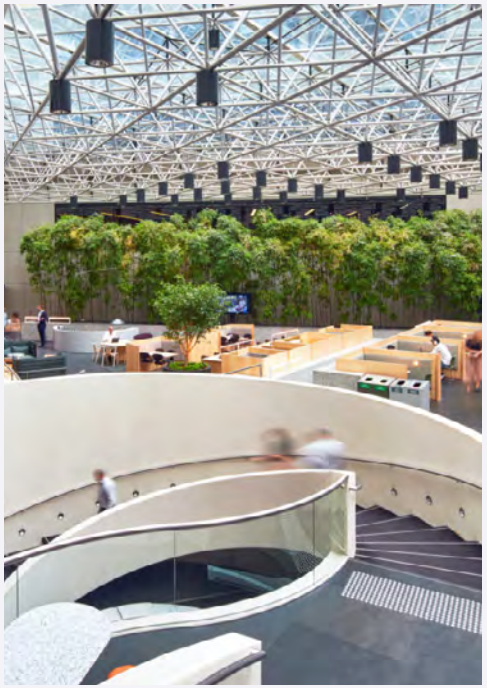
FACEBOOK HQ ROOFTOP PARK, MENLO PARK ↓

Expansive outdoor areas enhancing the day-to-day wellness of tenants



550 MADISON AVENUE, NEW YORK CITY ↑

Tranquil green space with distinct garden rooms for tenants to relax and unwind



GROSVENOR PLACE, SYDNEY ↑

A lobby and activated ground plane created a third space offering for tenants and the public to enjoy



FRESHWATER PLACE, MELBOURNE ↑

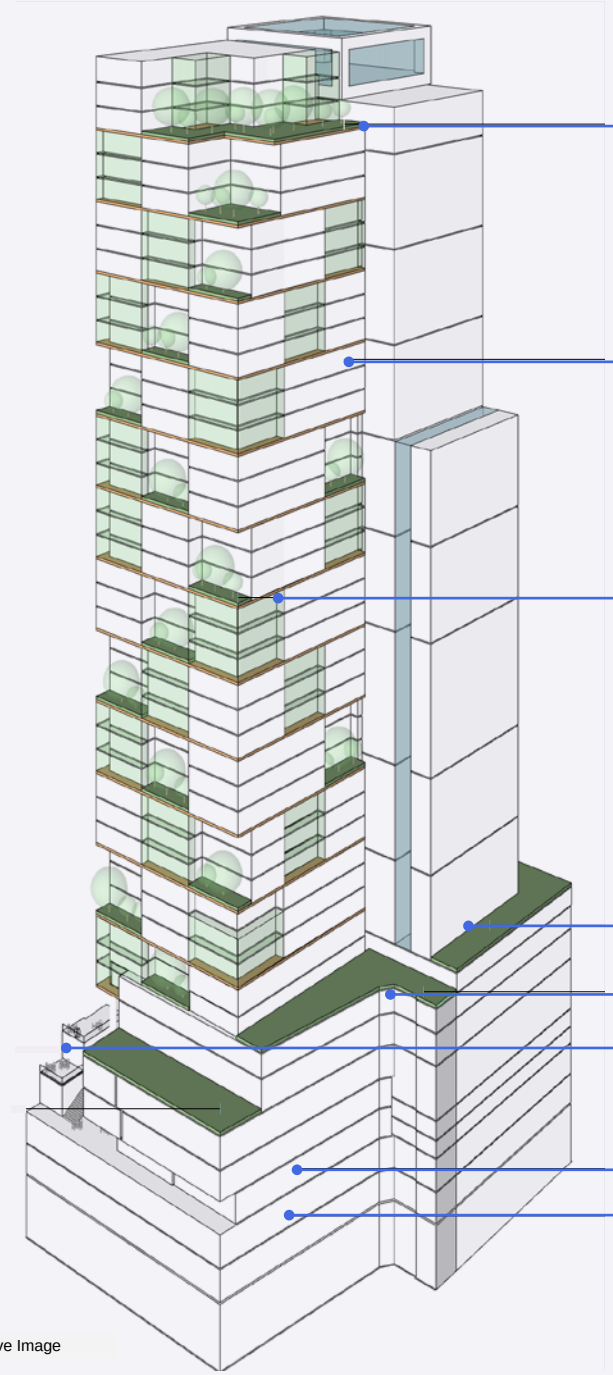
Social interaction in communal spaces with tenants gathering and networking



1049

05 PRECINCT DYNAMICS

- EXPERIENTIAL AXONOMETRIC
- A DAY IN THE LIFE



Indicative Image

ROOF TERRACE

OVER 40 FLOORS OF COMMERCIAL NLA

BALCONY + WINTER GARDEN ACCESS ON EACH TENANT FLOOR

PODIUM TERRACES

PUBLIC THROUGH-SITE LINK + PODIUM TERRACES

SHARED LOADING DOCK + 70 CAR BASEMENT

A DAY IN THE LIFE

USER JOURNEYS

8AM

ARRIVE AT 383 KENT ST

Cycle down Sussex Street and park your bike in the shared basement. Use the end-of-trip facilities and head to your office nearby.

11AM

LATE-MORNING COFFEE

You're visiting Sydney for the first time in years. After a morning wandering around the CBD and Kent Street retail precinct, rest at the pedestrian through-site link cafe.

3PM

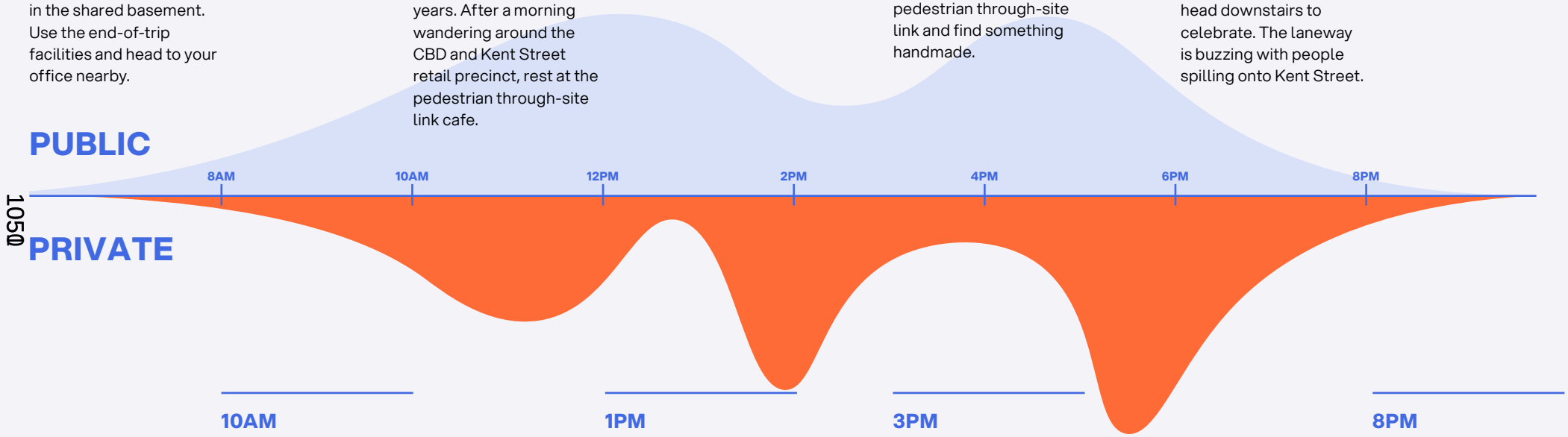
QUICK ERRANDS

It's your friend's birthday on the weekend. Head to the urban ateliers in the pedestrian through-site link and find something handmade.

6PM

KNOCK-OFF DRINKS

It's been a week of big wins. You and the team head downstairs to celebrate. The laneway is buzzing with people spilling onto Kent Street.



10AM

CLIENT MEETING

Meet your client on Kent Street, take them into one of the lobby's bookable breakout spaces to talk through your next big project.

1PM

LUNCH DELIVERED

Time's gotten away from you today. You open the 383 Kent Street app and order lunch from the podium's F&B. It's delivered to your desk.

3PM

AFTERNOON BREATHER

You head to the roof terrace to enjoy a moment's break and views of the skyline amongst the lush greenery.

8PM

TRAIN BACK HOME

Work is done for the day. You've had a knock-off on Sussex Street. It's time to cut through 383 Kent Street and head to Town Hall Station.

06

OUTCOMES

- PROJECT SUCCESS CRITERIA
- STAKEHOLDER BENEFITS

PROJECT SUCCESS CRITERIA

1052

CONNECTIVE

The building must naturally connect to the surrounding landscape, connect the public realm to the private interior and foster moments of connection to build an engaged inner-city community.

PRODUCTIVE

The building must contain a productive lobby and commercial offices as well as workshop-style spaces which support emerging creatives.

ENDURING

The building must connect to the surrounding area's enduring historical warehouses, guaranteeing 383 Kent Street is grounded, adaptable and set up for long-term success.

DIFFERENTIATED

The building must act as a wellbeing-focused counterpoint to the buzz of Barangaroo and Town Hall, while its activated ground plane differentiates itself from the quiet surrounds of Kent Street.

SUSTAINABLE

The building must meet government sustainability targets and be underpinned by an ethos that is socially, culturally and environmentally sustainable.

STAKEHOLDER BENEFITS

	CHARTER HALL	CITY OF SYDNEY	WORKPLACE TENANTS	OFFICE WORKERS	PRECINT RETAILERS	COMMUNITY VISITORS
I AM	A progressive, values-led developer and catalyst for long-lasting change	A progressive local council committed to the continued success of the CBD and city beyond it	Medium to large–scale organisations who think globally and value their workforce greatly	A varied set of retail and hospitality workers and white and black-collar creative professionals	A diverse mix of operators who want to see the CBD's Western Edge activated to its full potential	Intracity visitors and business visitors from further afield
I GET	A cutting-edge, influential building nestled within an emerging area of Sydney's CBD	A leading development that prioritises the city's increasing liveability	Commercial office space that's purpose-built for working and being well	A place for productivity, relaxation and connection	A shared retail precinct loading dock for our businesses to thrive and expand	A new area of the CBD to enjoy and explore
I FEEL	Innovative	Invigorated	Confident	Impressed	Supported	Excited


105@
Hall&Wilcox
SKYE
Charter Hall
ARTIST'S IMPRESSION

Attachment B

Draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney

CITY OF SYDNEY

Sydney Development Control Plan – 383-395A Kent Street, Sydney



The City of Sydney acknowledges the Gadigal of the Eora Nation as the Traditional Custodians of our local area.

The purpose of this Development Control Plan

The purpose of this Development Control Plan (DCP) is to amend *Sydney Development Control Plan 2012*, which was adopted by Council on 14 May 2012 and came into effect on 14 December 2012.

The amendment provides objectives and provisions to inform future development at 383-395A Kent Street, Sydney.

This plan is to be read in conjunction with Planning Proposal – 383-395A Kent Street, Sydney.

Citation

This amendment may be referred to as *Sydney Development Control Plan 2012 – 383-395A Kent Street, Sydney*.

Land covered by this plan

This plan applies to the land identified as 383-395A Kent Street, Sydney – which is Lot 1 in DP 778342.

Relationship of this plan to Sydney Development Control Plan 2012

This plan amends the Sydney Development Control Plan 2012 in the manner set out below.

Amendments to Sydney Development Control Plan 2012

This plan amends Sydney Development Control Plan 2012 by:

1. Amending Figure 6.1 Specific sites map to include 383-395A Kent Street, Sydney.
2. Inserting a new section 6.3.X 383-395A Kent Street, Sydney, as shown at Schedule 1.
3. Updating figure numbers as required.

This Development Control Plan has been amended, new text is shown in bold italics and deleted text is shown as ~~bold strikethrough~~.

Schedule 1 – Amendment to Sydney Development Control Plan 2012

6.3.X 383-395A Kent Street, Sydney

The following objectives and provisions apply to 383-395A Kent Street, Sydney, as shown in 'Figure 6.1 Specific sites map', where relevant site specific provisions of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) are implemented.

Clause 6.XX of the Sydney LEP 2012 enables development to exceed the height and floor space ratio shown in the height of buildings and floor space ratio maps up to a prescribed amount, providing the entire site is developed for commercial use.

If a development at 383-395A Kent Street, Sydney, seeks to utilise additional height and/or floor space permitted by clause 6.XX, then the provisions in this section also apply to the assessment of the proposed development and override other provisions in this DCP where there is an inconsistency.

6.3.X.1 Maximum building envelope

Objectives

a. To facilitate the development of the site consisting of new commercial uses to achieve a high-quality built form that:

   i. is of appropriate bulk and scale for its location, responsive to existing streetscapes including nearby heritage buildings;

   ii. provides for setbacks that protect daylight access, allow ventilation, provide visual privacy to nearby residential buildings, and visually separate the subject tower from existing and future towers on adjoining sites; and;

   iii. reduces adverse wind impacts to the public domain through built form modulations in the north west and southern elevations.

b. To determine a maximum building envelope in which all future development is to be comfortably contained.

c. To deliver sufficient architectural articulation to ensure development is capable of responding to amenity issues.

Provisions

1. Development is not to exceed the building envelope shown in 'Figure 6.X Kent Street envelope massing', 'Figure 6.X Sussex Street envelope massing', 'Figure 6.X Sussex Street setbacks above street wall height', and 'Figure 6.X side setbacks and tower roof plan'.
2. The maximum building height is to be RL 189.80m to the highest point on the building including any plant and rooftop architectural features.
3. The maximum street wall height to Kent Street is not to exceed RL 46.2m.

4. The maximum street wall height to Sussex Street is not to exceed RL 34.8m.
5. A minimum of 12% of the total tower component envelope area above the podium (the sum of the areas measured in plan at each level) is to be for the purposes of architectural articulation (open areas), sun shading and external walls.
6. The distance between the glazing line of the tower at 383-395A Kent Street, Sydney and 365 Kent Street, Sydney should be no less than 24 metres.
7. Development is not to worsen existing exceedances on Sussex Street of the Wind Safety Standard and the Wind Comfort Standard for Walking, as illustrated in 'Figure 6.X Existing wind conditions', by increasing the spatial extent, frequency or speed of the wind.

Figure 6.X Kent Street envelope massing

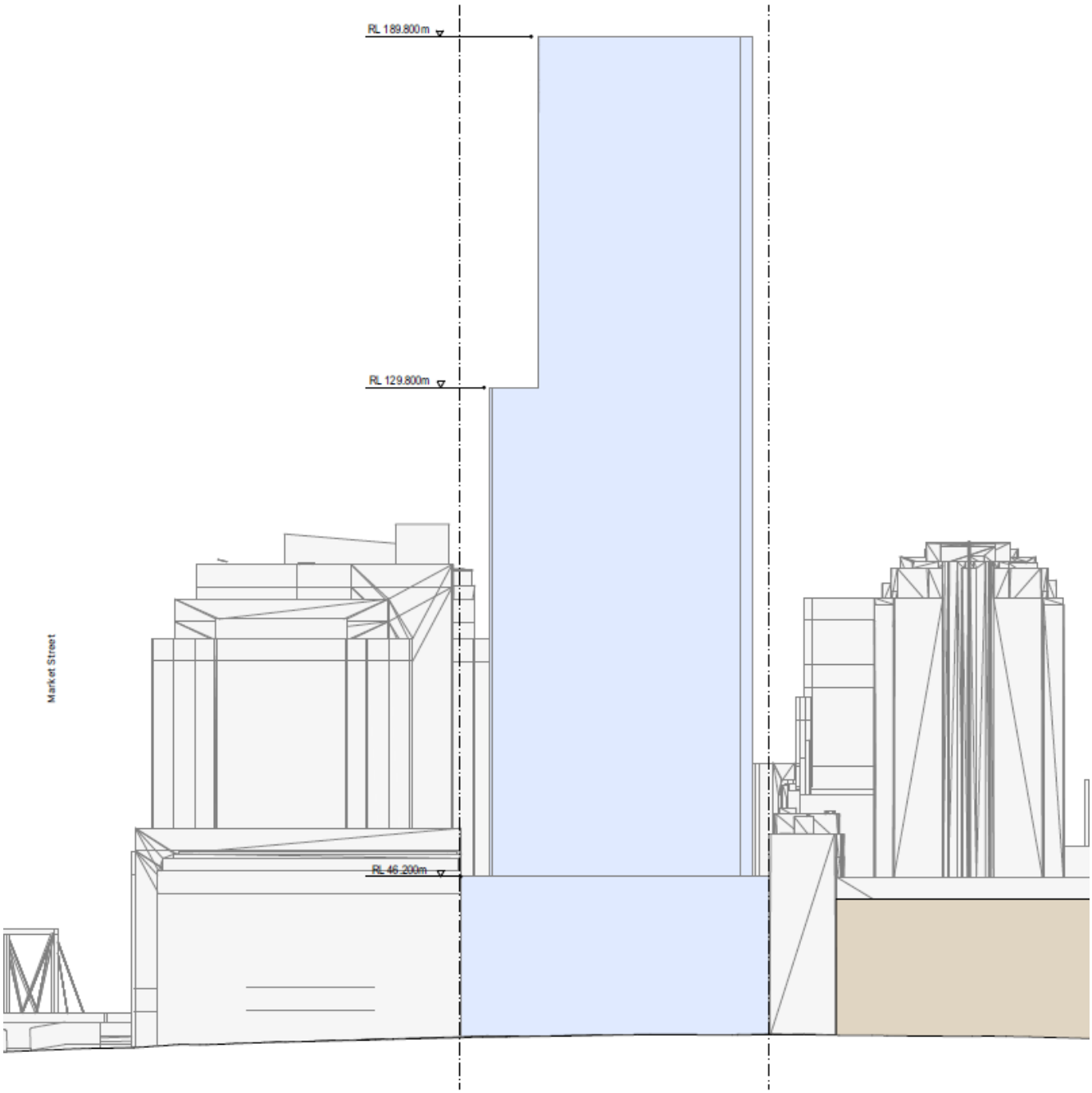


Figure 6.X Sussex Street envelope massing

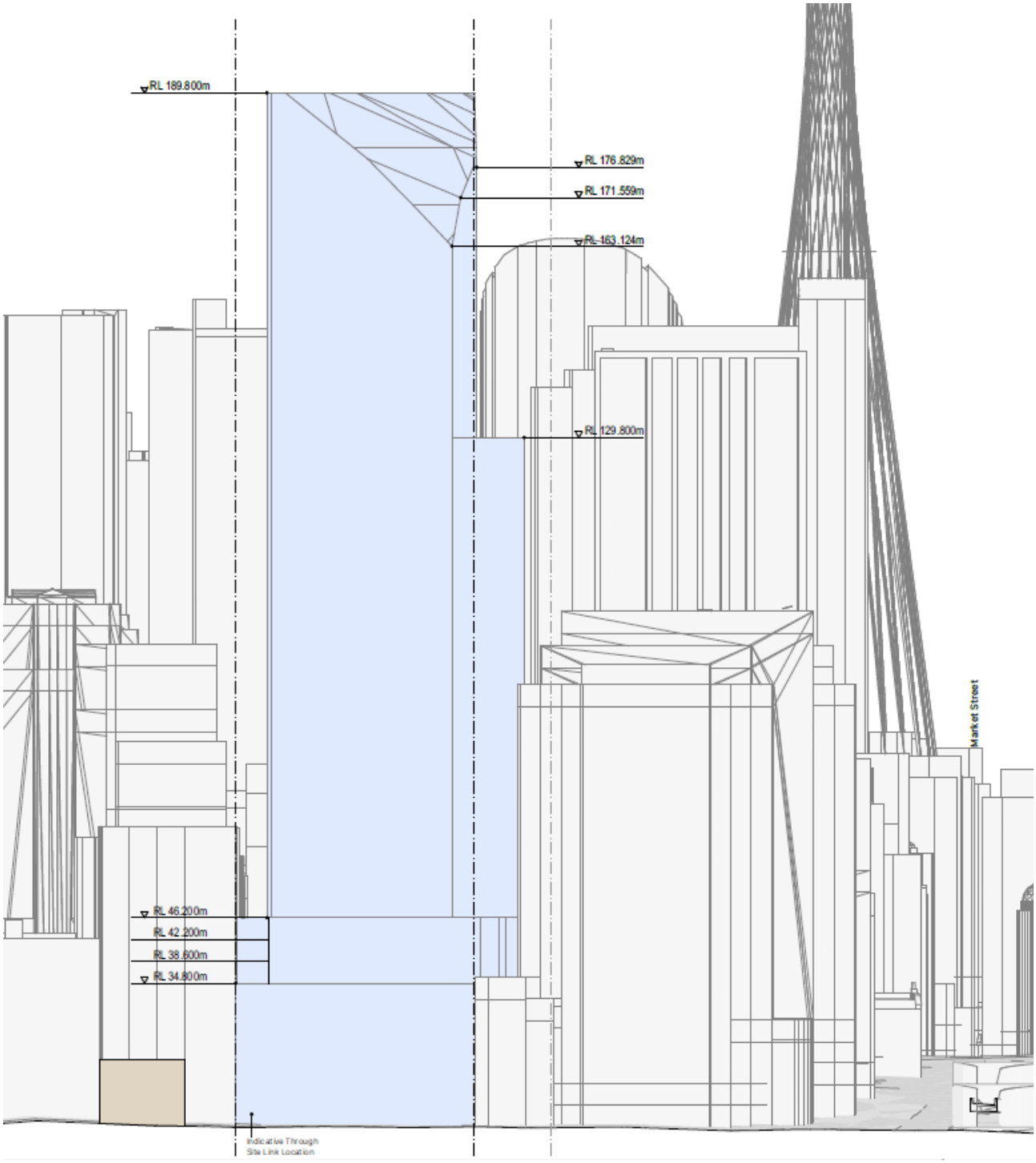


Figure 6.X Sussex Street setbacks above street wall height



Figure 6.X Side setbacks and tower roof plan



Figure 6.X Existing wind conditions (with red lines indicating direction of wind speeds exceeding standards)



6.3.X.2 Through-site link and ground floor activation

Objectives

a. To provide a publicly accessible pedestrian through-site link connecting Kent Street and Sussex Street which supports ground floor activation, public amenity and pedestrian permeability.

b. To provide a pedestrian through-site link, partially open to the sky, with a comfortable wind environment.

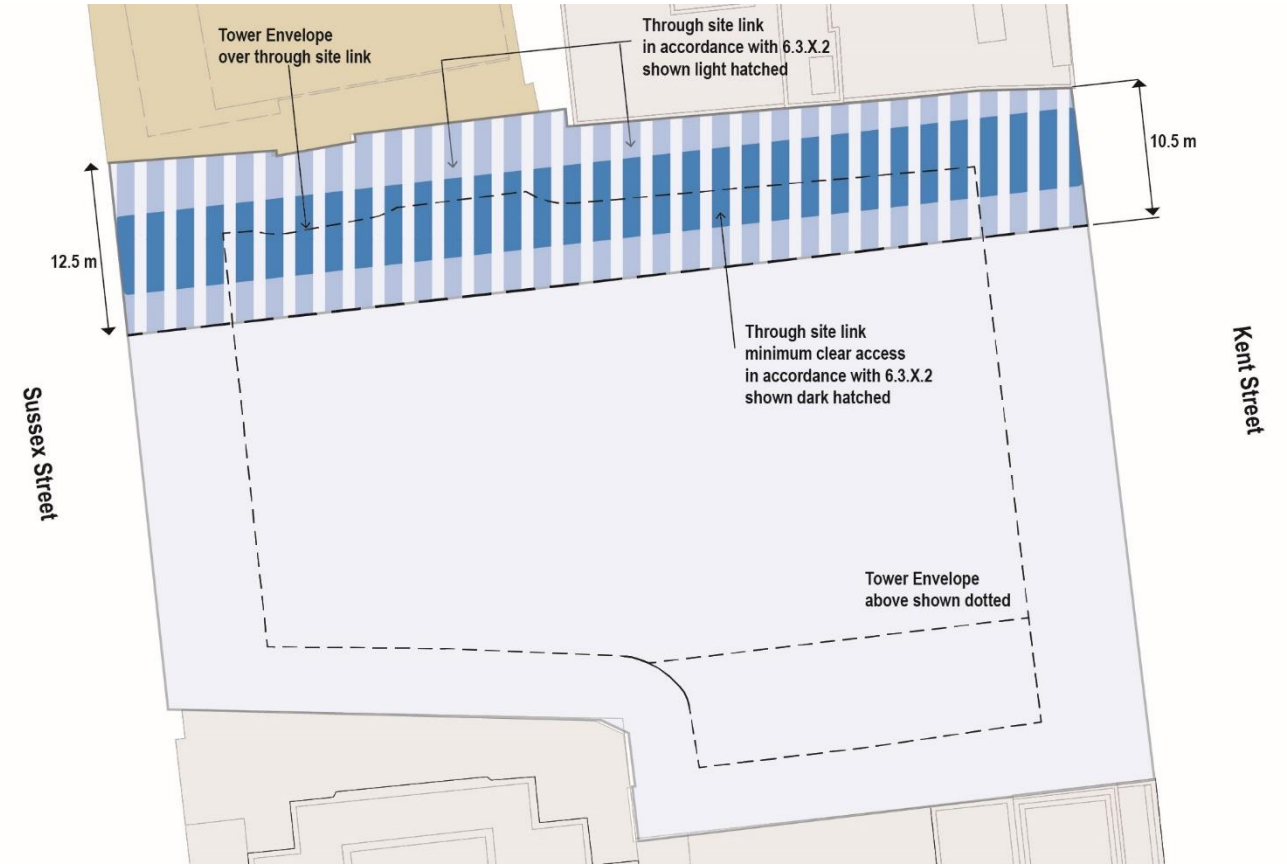
c. To maximise active frontages with retail and business premises uses at ground level and minimise service and vehicle access impacts.

Provisions

1. The through-site link is to have dimensions in accordance with ‘Figure 6.X Through-site link’ including:
   a. a minimum clear access width of 6m, as indicated by dark hatching in ‘Figure 6.X Through-site link’;
   b. a minimum height of 10m and minimum width of 10.5m at the Kent Street entry; and
   c. a minimum height of 20m and minimum width of 12.5m at the Sussex Street entry.
2. Approximately 50 per cent of the through-site link must be open to the sky with no built form above, subject to meeting appropriate wind comfort standards for standing within the through-site link.
3. Active frontages are to be provided on both sides of the through-site link.

4. The through-site link is to be publicly accessible at all times.
5. The through-site link must ensure a clear line of sight is visible between Kent Street and Sussex Street, while providing opportunities for multiple landings to break up its length and steepness.
6. Kent Street and Sussex Street ground level frontages are to maximise activation, with retail or food and drink premises or both, while minimising building services, vehicle entries and lobbies.
7. The main part of the commercial lobby is to be located at ground level, accessed from the Kent Street frontage or via the through-site link.

Figure 6.X Through-site link



6.3.X.3 Shared loading dock

Objectives

a. To ensure development provides shared loading opportunities for neighbouring retail and commercial premises on Kent Street and Sussex Street, ***in addition to the loading and servicing requirements of the building***.

b. To minimise on-street loading activities and reduce driveway crossovers.

Provisions

1. The development is to provide a shared loading dock facility which is available for the use of nearby commercial and retail premises.
2. The shared loading dock facility is to provide spaces for at least 7 loading dock bays of adequate size for 1 Medium Rigid Vehicle (MRV), 2 Small Rigid Vehicles (SRV) and 4 vans.

The supply of these bays must be provided in addition to the required loading provided for the development of the site.

3. As a minimum, the hours of operation for the shared loading dock facility will be consistent with on-street advertised loading provisions.
4. Access must be provided between the shared loading dock facility and Kent Street via a goods lift during all hours of operation. The goods lift should be located adjoining the publicly accessible through site link.
5. Vehicle access to the shared loading dock facility must be from Sussex Street, as close to the southern boundary of the site as possible, with no vehicular access from Kent Street.
6. The shared loading dock facility is to operate in accordance with a prepared Loading Dock ~~**Management Plan**~~ ***Plan of Management*** that outlines the systems and processes in place for managing booking vehicle bays, access provisions (including after hours procedures) and details any security protocols and maintenance practices.
7. A vertical clearance of 4.5m must be provided within the loading dock to adequately service MRV movement.

6.3.X.4 Design Excellence Strategy

1. An invited architectural design competition for the entire site is to be undertaken in accordance with clause 6.21D of the Sydney Local Environmental Plan 2012 and the City of Sydney Competitive Design Policy.
2. The competition is to include:
   a. no less than six competitors;
   b. a minimum of 50% of competitors to be Australian based architects;
   c. at least one emerging architect or all competitors to be in partnership with emerging architects;
   d. competitors meeting a gender representation ratio of 40% male, 40% female, 20% any gender in their design team and leadership;
   e. competitors with demonstrated capabilities in design excellence by being the recipient of an Australian Institute of Architects (AIA) commendation or award in the past 5 years or, in the case of overseas competitors the same with their equivalent professional association; and
   f. competitors with demonstrated experience on projects that have either received an environmental sustainability award or achieved high Green Star Design & As Built or NABERS Energy/Water ratings.
3. The jury is to comprise a total of six (6) members, comprised of:
   a. three (3) jurors with architecture and urban design expertise nominated by the proponent including one independent member (a person who has no pecuniary interest, nor is a pending or contracted employee or consultant to the proponent),
   b. three (3) jurors nominated by the City of Sydney, who have no pecuniary interests in the development proposal or involvement in approval processes, and
   c. at least one juror with sustainability expertise.
4. Any additional floor space pursued for a building demonstrating design excellence under clause 6.21D(3)(b) of the Sydney Local Environmental Plan 2012 is to be accommodated within the building envelope shown in ‘Figure 6.X Kent Street envelope massing’, ‘Figure 6.X Sussex Street envelope massing’, ‘Figure 6.X Sussex Street setbacks above street wall height’, and ‘Figure 6.X side setbacks and tower roof plan’.
5. No additional building height under clause 6.21D(3)(a) of the Sydney Local Environmental Plan 2012 is to be awarded as a result of the competition.

6.3.X.5 Sustainability

Objectives

a. To ensure development is consistent with Australian best practice performance benchmarks for ecologically sustainable development.

Provisions

1. For the purposes of clause 7.33 'Sustainability requirements for certain large commercial development' in Sydney LEP 2012, development must be designed to meet the following performance standards in order to optimise energy efficiency and the use of renewable energy generated on-site:
   a. a maximum 45 kWh/yr/m^2 of GFA, or
   b. 5.5-Star NABERS Energy CA + 25%, or
   c. certified Green Star Buildings rating with a "credit achievement" in Credit 22: Energy Use, or
   d. equivalent

   and

   e. renewable energy procurement equivalent to "net zero emissions from energy used on-site" or a maximum of 45 kWh/yr/m^2 of GFA.
2. An operational and embodied carbon emissions integrated design options report must be prepared which demonstrates how operational and embodied carbon emissions have been minimised over the lifecycle of development through options analysis, including but not limited to, structural optimisation to reduce material volumes, optimisation of use of low embodied carbon materials (including concrete that achieves at least 30% lower embodied carbon than Conventional Ordinary Portland Cement [OPC] concrete), and optimisation of external shading and window to wall ratios (benchmarked against a 50% ratio with high levels of shading, high R value and low embodied carbon wall construction).

6.3.X.6 Public art

Objective

a. Incorporate high quality public art in publicly accessible locations to contribute to the identity and amenity of the place.

Provisions

1. A coordinated public art and landscaping plan should guide the creation of a significant public artwork in the through-site link.

CITY OF SYDNEY

Attachment C

Voluntary Planning Agreement

CITY OF SYDNEY

Planning agreement

The Council of the City of Sydney ABN 22 636 550 790 and

The Trust Company (Australia) Limited ACN 000 000 993 as custodian of Bieson Pty Ltd ACN 110 465 168 as trustee of the 383 Kent Street Landowning Trust

For 383 Kent Street, Sydney NSW 2000

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THIS PLANNING AGREEMENT is made on 2024.

BETWEEN:

(1) **The Council of the City of Sydney** ABN 22 636 550 790 of Town Hall House, 456 Kent Street, SYDNEY NSW 2000 (the **City**); and

(2) **The Trust Company (Australia) Limited** ACN 000 000 993 as custodian of **Bieson Pty Ltd** ACN 110 465 168 as trustee of 383 Kent Street Landowning Trust of Level 20, 1 Martin Place, Sydney NSW 2000 (the **Developer**).

BACKGROUND

(A) The Developer is the owner of the Land and intends to undertake the Development on the Land.

(B) The Developer has offered to enter into this document with the City to provide the Public Benefits on the terms of this document.

THE PARTIES AGREE AS FOLLOWS:

1. **INTERPRETATION**

1.1 **Definitions**

The following definitions apply in this document.

Act means the *Environmental Planning and Assessment Act 1979* (NSW).

Attributed Value means the value the City and the Developer agree is to be attributed to each element of the Public Benefits as at the date of this document, as set out in the table in clause 1 of Schedule 3 of this document.

Authorisation means:

(a) an approval, authorisation, consent, declaration, exemption, permit, licence, notarisation or waiver, however it is described, and including any condition attached to it; and

(b) in relation to anything that could be prohibited or restricted by law if a Government Agency acts in any way within a specified period, the expiry of that period without that action being taken,

including any renewal or amendment.

Building Contract means the building contract pursuant to which the Logistics Hub is constructed.

Business Day means a day (other than a Saturday, Sunday or public holiday) on which banks are open for general banking business in Sydney, Australia.

City's Policies means all policies and procedures relevant to the provision of the Public Benefits, as notified by the City in writing to the Developer.

City's Representative means the person named in Item 3 of Schedule 1 or his/her delegate.

Commercial Premises means any of the following:

(a) business premises;

(b) office premises; and

(c) retail premises.

Completion means the point at which:

(a) practical completion of the Logistics Hub is achieved under the Building Contract; and

(b) the Developer has obtained and submitted all Occupation Certificate(s) for the Logistics Hub to the City.

Completion Notice means a notice issued by the Developer in accordance with clause 6.2.

Confidential Information means:

(a) information of a party (**disclosing party**) that is:

(i) made available by or on behalf of the disclosing party to the other party (**receiving party**), or is otherwise obtained by or on behalf of the receiving party; and

(ii) by its nature confidential or the receiving party knows, or ought reasonably to know, is confidential.

Confidential Information may be made available or obtained directly or indirectly, and before, on or after the date of this document.

Confidential Information does not include information that:

(a) is in or enters the public domain through no fault of the receiving party or any of its officers, employees or agents;

(b) is or was made available to the receiving party by a person (other than the disclosing party) who is not or was not then under an obligation of confidence to the disclosing party in relation to that information; or

(c) is or was developed by the receiving party independently of the disclosing party and any of its officers, employees or agents.

Construction Certificate has the same meaning as in the Act.

Corporations Act means the *Corporations Act 2001* (Cth).

Dealing means selling, transferring, assigning, novating, mortgaging, charging, or encumbering and, where appearing, **Deal** has the same meaning.

Defect means any error, omission, defect, non-conformity, discrepancy or other fault in the Public Benefits which prevents the Public Benefits from complying with the terms of this document.

Defects Liability Period means in relation to the Public Benefits, the period of 12 months from the date that Completion is achieved.

Developer's Representative means the person named in Item 4 of Schedule 1 or his/her delegate.

Development means the development of the Land by the Developer described at Item 2 of Schedule 1.

Development Application means the development application identified in Item 5 of Schedule 1 for the Development and includes all plans, reports models, photomontages, material boards (as amended supplemented) submitted to the consent authority before the determination of that Development Application.

Development Consent means the consent granted to the Development Application for the Development and includes all modifications made under section 4.55 of the Act.

Dispute means any dispute or difference between the parties arising out of, relating to or in connection with this document, including any dispute or difference as to the formation, validity, existence or termination of this document.

Easement for Public Access and Positive Covenant means an easement for public access and positive covenant burdening the Land and benefiting the City on the terms specified in Annexure B.

Environmental Commitments means those parts of the Public Benefit described as "Environmental Commitments" in clause 6 of Schedule 3, to be delivered by the Developer in accordance with this document.

Environmental Laws means all laws and legislation relating to environmental protection, building, planning, health, safety or work health and safety matters and includes the following:

(a) the *Work Health and Safety Act 2011* (NSW);

(b) the *Protection of the Environment Operations Act 1997* (NSW); and

(c) the *Contaminated Land Management Act 1997* (NSW).

Government Agency means:

(a) a government or government department or other body;

(b) a governmental, semi-governmental or judicial person; or

(c) a person (whether autonomous or not) who is charged with the administration of a law.

Green Star Buildings means the sustainability rating tool for new buildings that is managed by the Green Building Council of Australia.

Gross Floor Area has the meaning given to that term in the *Sydney Local Environment Plan* in effect at the date of this document.

GST means the same as in the GST Act.

GST Act means *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

Guarantee means a bank guarantee (or bank guarantees) or documentary performance bond for the Guarantee Amount which must:

(a) be denominated in Australian dollars;

(b) be an unconditional undertaking;

(c) be signed and issued by a bank licensed to carry on business in Australia, an Australian Prudential Regulation Authority (**APRA**) regulated authorised deposit taking institution or an insurer authorised by APRA to conduct new or renewal insurance business in Australia having at all times an investment grade security rating from an industry recognised rating agency of at least:

(i) BBB + (Standard & Poors and Fitch);

(ii) Baa 1 (Moodys); or

(iii) Bbb (Bests);

(d) be issued on behalf of the Developer;

(e) have no expiry or end date;

(f) state the beneficiary as the City;

(g) be irrevocable;

(h) state the Guarantee Amount as the minimum amount required by this document to be lodged as security;

(i) state the purpose of the security as required in accordance with this document; and

(j) be on such other terms approved by the City.

Guarantee Amount means the total amount listed in Item 6 of Schedule 1 of this document.

Guarantee Amount Due Date means the date or milestone by which the Developer must provide the Guarantee Amount to the City, set out at Item 7 of Schedule 1 of this document.

Index Number means the Consumer Price Index (Sydney all groups) published by the Australian Bureau of Statistics from time to time.

Insolvency Event means:

(a) having a controller, receiver, manager, administrator, provisional liquidator, liquidator or analogous person appointed;

(b) an application being made to a court for an order to appoint a controller, provisional liquidator, trustee for creditors or in bankruptcy or analogous person to the person or any of the person's property;

(c) the person being taken under section 459F(1) of the Corporations Act to have failed to comply with a statutory demand;

(d) an application being made to a court for an order for its winding up;

(e) an order being made, or the person passing a resolution, for its winding up;

(f) the person:

(i) suspending payment of its debts, ceasing (or threatening to cease) to carry on all or a material part of its business, stating that it is unable to pay its debts or being or becoming otherwise insolvent; or

(ii) being unable to pay its debts or otherwise insolvent;

(g) the person taking any step toward entering into a compromise or arrangement with, or assignment for the benefit of, any of its members or creditors;

(h) a court or other authority enforcing any judgment or order against the person for the payment of money or the recovery of any property; or

(i) any analogous event under the laws of any applicable jurisdiction,

unless this takes place as part of a solvent reconstruction, amalgamation, merger or consolidation that has been approved by the other party.

Instrument Change means an amendment to the *Sydney Local Environment Plan 2012* in accordance with the Planning Proposal.

Instruments means the instruments required to create:

(a) the Easement for Public Access and Positive Covenant; and

(b) the Logistics Hub Affectations.

Land means the land described in Item 1 of Schedule 1 of this document.

Laws means all applicable laws, regulations, industry codes and standards, including all Environmental Laws.

Logistics Hub means those parts of the Public Benefit described as "Logistics Hub" in the table in clause 1 of Schedule 3, to be delivered by the Developer in accordance with this document.

Logistics Hub Affectations means:

(a) a public positive covenant under section 88E of the Conveyancing Act burdening the Land and benefiting the City imposing obligations on the owner of the Land from time to time in relation to the operation and maintenance of the Logistics Hub consistent with the Plan of Management

and otherwise on terms and conditions acceptable to the Developer and the City both acting reasonably; and

(b) a right of carriageway or rights of carriageway benefiting the City and enabling the public to access and use the Logistics Hub on terms required by the City acting reasonably.

NABERS mean the National Australian Built Environment Rating System that measures the environmental performance of Australian buildings and tenancies and is managed nationally by the NSW Department of Planning, Housing and Infrastructure.

Occupation Certificate has the same meaning as in the Act.

Operational means that:

(a) any (and all) Defects affecting the Logistics Hub as at the date that Completion was reached have been rectified; and

(b) the Logistics Hub is capable of immediate and convenient use for its intended purpose,

as determined under clause 6.5(a) or clause 11 (as relevant).

Operational Notice means a notice issued by the Developer in accordance with clause 6.4.

Personal Information means:

(a) personal information within the meaning of the *Privacy and Personal Information Protection Act 1998* (NSW);

(b) health information within the meaning of the *Health Records and Information Privacy Act 2002* (NSW); and

(c) any information which does not fall within the scope of paragraphs (a) and (b) above, but is personal information within the meaning of the *Privacy Act 1988* (Cth).

Personnel means the Developer's officers, employees, agents, contractors or subcontractors.

Plan of Management means a plan of management for the establishment, ongoing use, management and maintenance of the Logistics Hub as referred to in Annexure A.

Planning Proposal means the planning proposal for the Land which for the Land which received Gateway Determination from the Department of Planning, Housing and Infrastructure on 30 August 2024 (PP-2024-408).

Privacy Laws means the *Privacy Act 1988* (Cth), the *Privacy and Personal Information Protection Act 1998* (NSW), the *Health Records and Information Privacy Act 2002* (NSW); the *Spam Act 2003* (Cth), the *Do Not Call Register Act 2006* (Cth) and any other applicable legislation, regulations, guidelines, codes and the City's Policies relating to the handling of Personal Information.

Public Benefits means the provision of benefits to the community by the Developer in the form and at the times specified in Schedule 3.

Regulation means the *Environmental Planning and Assessment Regulation 2021* (NSW).

Standards means the policies, procedures and standards for carrying out the Logistics Hub, listed at clause 5 of Schedule 3.

Tax means a tax, levy, duty, rate, charge, deduction or withholding, however it is described, that is imposed by law or by a Government Agency, together with any related interest, penalty, fine or other charge.

WELL means the building standard for creating and certifying spaces that advance human health and well-being and is managed by the International WELL Building Institute.

1.2 **Rules for interpreting this document**

Headings are for convenience only, and do not affect interpretation. The following rules also apply in interpreting this document, except where the context makes it clear that a rule is not intended to apply.

(a) A reference to:

(i) a legislative provision or legislation (including subordinate legislation) is to that provision or legislation as amended, re-enacted or replaced, and includes any subordinate legislation issued under it;

(ii) a document (including this document) or agreement, or a provision of a document (including this document) or agreement, is to that document, agreement or provision as amended, supplemented, replaced or novated;

(iii) a party to this document or to any other document or agreement includes a permitted substitute or a permitted assign of that party;

(iv) a person includes any type of entity or body of persons, whether or not it is incorporated or has a separate legal identity, and any executor, administrator or successor in law of the person; and

(v) anything (including a right, obligation or concept) includes each part of it.

(b) A singular word includes the plural, and vice versa.

(c) A word which suggests one gender includes the other genders.

(d) If a word or phrase is defined, any other grammatical form of that word or phrase has a corresponding meaning.

(e) If an example is given of anything (including a right, obligation or concept), such as by saying it includes something else, the example does not limit the scope of that thing.

(f) A reference to **including** means "including, without limitation" and a reference to **include** means "include, without limitation".

(g) A reference to **dollars** or **$** is to an amount in Australian currency.

(h) A reference to **this document** includes the agreement recorded by this document.

(i) Words defined in the GST Act have the same meaning in clauses about GST.

(j) This document is not to be interpreted against the interests of a party merely because that party proposed this document or some provision in it or because that party relies on a provision of this document to protect itself.

2. APPLICATION OF THE ACT AND THE REGULATION

2.1 Application of this document

This document is a planning agreement within the meaning of section 7.4 of the Act and applies to:

(a) the Land; and

(b) the Instrument Change.

2.2 Public Benefits to be made by Developer

Clause 5 and Schedule 3 set out the details of the:

(a) Public Benefits to be delivered by the Developer;

(b) time or times by which the Developer must deliver the Public Benefits; and

(c) manner in which the Developer must deliver the Public Benefits.

2.3 Application of sections 7.11, 7.12 and 7.24 of the Act

The application of sections 7.11, 7.12 and 7.24 of the Act are excluded to the extent set out in Items 5 and 6 of Schedule 2 to this document.

2.4 City rights

This document does not impose an obligation on the City to:

(a) grant Development Consent for the Development; or

(b) exercise any function under the Act in relation to a change to an environmental planning instrument, including the making or revocation of an environmental planning instrument.

2.5 Explanatory note

The explanatory note prepared in accordance with clause 205 of the Regulation must not be used to assist in construing this document.

3. OPERATION OF THIS PLANNING AGREEMENT

This document will commence on the date of execution of this document by all parties to this document.

4. WARRANTIES

4.1 Mutual warranties

Each party represents and warrants that:

(a) (**power**) it has full legal capacity and power to enter into this document and to carry out the transactions that it contemplates;

(b) (**corporate authority**) it has taken all corporate action that is necessary or desirable to authorise its entry into this document and to carry out the transactions contemplated;

(c) (**Authorisations**) it holds each Authorisation that is necessary or desirable to:

(i) enable it to properly execute this document and to carry out the transactions that it contemplates;

(ii) ensure that this document is legal, valid, binding and admissible in evidence; or

(iii) enable it to properly carry on its business as it is now being conducted,

and it is complying with any conditions to which any of these Authorisations is subject;

(d) (**documents effective**) this document constitutes its legal, valid and binding obligations, enforceable against it in accordance with its terms (except to the extent limited by equitable principles and laws affecting creditors' rights generally), subject to any necessary stamping or registration;

(e) (**solvency**) there are no reasonable grounds to suspect that it will not be able to pay its debts as and when they become due and payable; and

(f) (**no controller**) no controller is currently appointed in relation to any of its property, or any property of any of its subsidiaries.

4.2 Developer warranties

(a) The Developer warrants to the City that, at the date of this document:

(i) it is the registered proprietor of the Land;

(ii) it is legally entitled to obtain all consents and approvals that are required by this document and do all things necessary to give effect to this document;

(iii) all work performed by the Developer and the Personnel under this document will be performed with due care and skill and to a standard which is equal to or better than that which a well experienced person in the industry would expect to be provided by an organisation of the Developer's size and experience; and

(iv) it is not aware of any matter which may materially affect the Developer's ability to perform its obligations under this document.

(b) The Developer warrants to the City that, prior to commencing delivery of the Public Benefits it will have obtained all Authorisations and insurances required under any Law to carry out its obligations under this document.

5. PUBLIC BENEFITS

The Developer must, at its cost and risk, provide the Public Benefits to the City in accordance with this document, all Laws and Standards, and the Development Consent.

6. COMPLETION

6.1 Date of Completion

The Developer must ensure that the Logistics Hub reaches Completion on or before the date or milestone referred to in paragraph 1(a) of the table in clause 1 of Schedule 3 of this document.

6.2 Developer Completion Notice

(a) When, in the reasonable opinion of the Developer, construction of the Logistics Hub is about to reach Completion, the Developer must notify the City's Representative in writing, with such notice to include a statement from the superintendent under the Building Contract that in their opinion the Logistics Hub is about to reach Completion (**Completion Notice**).

(b) The City must procure that the City's Representative inspects the Logistics Hub within 5 Business Days of the date that the Completion Notice is received by the City. Within 5 Business Days of the date of the inspection by the City's Representative, the City may (acting reasonably) notify the Developer in writing if any of the requirements in the following clauses of Annexure A have not been met:

(i) clause 1(a);

(ii) clause 1(c); and

(iii) clause 1(h).

(c) If a notice is issued by the City pursuant to clause 6.2(b), the Developer must promptly take all action required to meet the relevant requirements.

(d) If the Developer disputes a notice served by the City pursuant to clause 6.2(b), such dispute will be resolved pursuant to clause 11.

6.3 **Logistics Hub becomes Operational**

The Developer must ensure that the Logistics Hub is Operational on or before the date or milestone referred to in paragraph 1(c) of the table in clause 1 of Schedule 3 of this document.

6.4 **Operational Notice**

When, in the reasonable opinion of the Developer, the Logistics Hub is about to become Operational, the Developer must notify the City's Representative in writing, with such notice to include:

(a) a statement from the Developer that in the Developer's opinion the Logistics Hub is about to become Operational;

(b) copies of any warranties, guarantees, maintenance information or other material reasonably required for the City to confirm that the Logistics Hub is Operational; and

(c) one set of the "as built" drawings of the Logistics Hub in electronic format,

(**Operational Notice**).

6.5 **Inspection by the City**

(a) The City must procure that the City's Representative inspects the Logistics Hub within 5 Business Days of the date that the Operational Notice is received by the City. Within 5 Business Days of the date of the inspection by the City's Representative, the City must (acting reasonably) by written notice to the Developer:

(i) state that the Logistics Hub is Operational;

(ii) state that the Logistics Hub is not Operational and, if so, identify the Defects, errors or omissions which, in the reasonable opinion of the City's Representative, prevent the Logistics Hub from becoming Operational; or

(iii) issue a notice under clause 6.7(a).

(b) If the Developer disputes a notice issued by the City pursuant to clause 6.5(a), such dispute will be resolved pursuant to clause 11.

(c) Nothing in this clause 6.5, or any notice issued under this clause 6.5, will:

(i) reduce or waive in any manner the Developer's responsibility to:

(A) deliver the Logistics Hub in accordance with this document; or

(B) the Developer's responsibility to correct Defects, errors or omissions, whether or not these are identified by the City; or

(ii) create any liability for the City in relation to any defective aspect of the Logistics Hub.

6.6 **Environmental Commitment Notice**

When, in the reasonable opinion of the Developer, the Environmental Commitments have been achieved, the Developer must notify the City's Representative in writing and must include in that notice evidence that the NABERS rating for energy and water has been achieved.

6.7 **Non-completion of Public Benefits**

(a) If the Developer makes a request by notice in writing not to complete the Public Benefits (or any part of the Public Benefits):

(i) the City may permit the Developer not to complete the Public Benefits (or any part of the Public Benefits) by issuing a notice in writing to the Developer stating that completion of the items identified in that notice is not required to fulfil the Developer's obligations under this document; and

(ii) the City may make a claim on the Guarantee in such amount as the City considers necessary to complete the portion of Public Benefit not being delivered by the Developer.

(b) If the Developer fails to complete the whole of the Public Benefits in the form and to the standards required under the Development Consent or this document then the City may:

(i) modify the Public Benefits to reasonably achieve the objectives identified in the Development Consent and this document; and/or

(ii) by written notice, require the Developer to pay to the City within 20 Business Days after the date of service of the notice, the costs expended by the City to provide alternative facilities in the vicinity of the Land equivalent to the Logistics Hub.

7. **INDEMNITY**

The Developer indemnifies the City against all damage, expense, loss or liability of any nature suffered or incurred by the City arising from any act or omission by the Developer (or any Personnel) in connection with the performance of the Developer's obligations under this document, except to the extent the damage, expense, loss or liability suffered or incurred is caused by, or contributed to by, any wilful or negligent act or omission of the City (or any person engaged by the City).

8. **DEFECTS LIABILITY**

8.1 **Security for Defects Liability Period**

Until the expiry of the relevant Defects Liability Period, the City may retain from the Guarantee an amount equal to 10% of the Guarantee Amount as security for the Developer's performance of its obligations under this clause 8. The Developer must make any necessary arrangements to allow the provision of the Guarantee for the Defects Liability Period in accordance with this clause.

8.2 **Defect in the Public Benefits**

(a) If:

(i) the Developer is in breach of clause 4.2 of this document; or

(ii) the City notifies the Developer of a Defect in the Public Benefits within the Defects Liability Period,

following written notice from the City, the Developer must promptly correct or replace (at the Developer's expense) the defective elements of the Public Benefits.

(b) If the Developer is unable or unwilling to comply with clause 8.2(a), or fails to rectify the Defect within three months of receiving notice from the City under clause 8.2(a), the City may:

(i) rectify the Defect itself;

(ii) make a claim on the Guarantee in accordance with clause 10 for the reasonable costs of the City in rectifying the Defect; and

(iii) to the extent the costs incurred to rectify the Defect exceeds the Guarantee, recover the reasonable costs from the Developer as a debt due and owing to the City.

(c) If the City requires access to the Land to rectify any Defect, the Developer grants the City and its contractors a licence for such period as is necessary for the City and its contractors to access the Land to carry out, or procure the carrying out, of the rectification works.

9. **REGISTRATION**

9.1 **Registration of this document**

(a) The Developer:

(i) consents to the registration of this document at the NSW Land Registry Services on the title to the Land;

(ii) warrants that it has obtained all consents to the registration of this document on the title to the Land; and

(iii) must within 10 Business Days of a written request from the City do all things necessary to allow the City to register this document on the certificate of title to the Land, including:

(A) producing any documents or letters of consent required by the Registrar-General of the NSW Land Registry Services; and

(B) providing the City with payment for registration, electronic lodgement and requisition fees (where applicable) required for registration of this document at NSW Land Registry Services.

(b) The Developer must act promptly in complying with and assisting to respond to any requisitions raised by the NSW Land Registry Services that relate to registration of this document.

9.2 **Release of this document**

(a) If the City is satisfied that the Developer has provided all Public Benefits and otherwise complied with this document then the City must promptly do all things reasonably required to remove this document from the certificate of title to the Land.

(b) The Developer must, within 10 Business Days of a written request from the City, do all things necessary to allow the City to comply with clause 9.2(a), including:

(i) producing any documents or letters of consent required by the Registrar-General of the NSW Land Registry Services; and

(ii) providing the City with payment for registration, lodgement and requisition fees (where applicable) required for removal of this document from title to the Land by NSW Land Registry Services.

10. **ENFORCEMENT**

10.1 **Developer to provide Guarantee**

The Developer must deliver the Guarantee for the Guarantee Amount to the City by the Guarantee Amount Due Date.

10.2 **Right of City to claim on Guarantee**

(a) The Developer agrees that the City may make an appropriation from the Guarantee in such amount as the City, acting reasonably, thinks appropriate if:

(i) the Developer fails to comply with clause 3.2 of Schedule 3 of this document;

(ii) the City allows the Developer not to complete the Public Benefits, or any part of them, in accordance with clause 6.7(a)(ii);

(iii) an Insolvency Event occurs in respect of the Developer;

(iv) the Developer fails to deliver the Public Benefits in accordance with clause 6.7(b);

(v) the Developer fails to rectify a Defect in accordance with clause 8.2 of this document;

(vi) the detailed designs for the Developer's Works are not finalised between the parties within 12 months of the date of issue of a Construction Certificate that approves the construction of any structures above the ground floor of the Development;

(vii) the Developer's Works do not reach Completion within 36 months of the date of issue of the first Construction Certificate in respect of the Development (or such later time as agreed by the City in writing);

(viii) the Developer fails to maintain the Developer's Works in accordance with clause 5.2 and Annexure A; or

(ix) the City incurs any other expense or liability in exercising its rights and powers under this document.

(b) Any amount of the Guarantee appropriated by the City in accordance with clause 10.2 must be applied only towards the costs and expenses incurred by the City rectifying any default by the Developer under this document.

10.3 **Top-up and return of Guarantee**

(a) If the City calls upon the Guarantee in accordance with this clause 10 then the Developer must immediately provide to the City a replacement Guarantee to ensure that, at all times until the Guarantee is released in accordance with clause 10.3(b), the City is in possession of a Guarantee for a face value equivalent to the Guarantee Amount.

(b) If:

(i) the monies secured by the Guarantee have not been expended;

(ii) the City has agreed in accordance with clause 6.5(a)(i) of this document that the Logistics Hub has become Operational, taking into account any approved non-completion of Public Benefits approved by clause 6.7(a) of this document;

(iii) the City has been provided with the security for the Defects Liability Period in accordance with clause 8.1,

the City will promptly return the Guarantee to the Developer following the issue of a notice pursuant to clause 6.5(a)(i) of this document.

(c) If, following expiry of the Defects Liability Period, the City is satisfied that all defects have been rectified in accordance with clause 8, The City must promptly return to the Developer the portion of the Guarantee retained by the City as security for the Defects Liability Period.

11. **DISPUTE RESOLUTION**

11.1 **Application**

Any Dispute must be determined in accordance with the procedure in this clause 11.

11.2 **Negotiation**

(a) If any Dispute arises, a party to the Dispute (**Referring Party**) may by giving notice to the other party or parties to the Dispute (**Dispute Notice**) refer the Dispute to the Developer's Representative and the City's Representative for resolution. The Dispute Notice must:

(i) be in writing;

(ii) state that it is given pursuant to this clause 11; and

(iii) include or be accompanied by reasonable particulars of the Dispute including:

(A) a brief description of the circumstances in which the Dispute arose;

(B) references to any:

(aa) provisions of this document; and

(bb) acts or omissions of any person,

relevant to the Dispute; and

(C) where applicable, the amount in dispute (whether monetary or any other commodity) and if not precisely known, the best estimate available.

(b) Within 10 Business Days of the Referring Party issuing the Dispute Notice (**Resolution Period**), the Developer's Representative and the City's Representative must meet at least once to attempt to resolve the Dispute.

(c) The Developer's Representative and the City's Representative may meet more than once to resolve a Dispute. The Developer's Representative and the City's Representative may meet in person, via telephone, videoconference, internet-based instant messaging or any other agreed means of instantaneous communication to effect the meeting.

11.3 **Not use information**

The purpose of any exchange of information or documents or the making of any offer of settlement under this clause 11 is to attempt to settle the Dispute. Neither party may use any information or documents obtained through any dispute resolution process undertaken under this clause 11 for any purpose other than in an attempt to settle the Dispute.

11.4 **Condition precedent to litigation**

Subject to clause 11.5, a party must not commence legal proceedings in respect of a Dispute unless:

(a) a Dispute Notice has been given; and

(b) the Resolution Period has expired.

11.5 **Summary or urgent relief**

Nothing in this clause 11 will prevent a party from instituting proceedings to seek urgent injunctive, interlocutory or declaratory relief in respect of a Dispute.

12. TAXES AND GST

12.1 Responsibility for Taxes

(a) The Developer is responsible for any and all Taxes and other like liabilities which may arise under any Commonwealth, State or Territory legislation (as amended from time to time) as a result of or in connection with this document or the Public Benefits.

(b) The Developer must indemnify the City in relation to any claims, liabilities and costs (including penalties and interest) arising as a result of any Tax or other like liability for which the Developer is responsible under clause 12.1(a).

12.2 GST free supply

To the extent that Divisions 81 and 82 of the GST Act apply to a supply made under this document:

(a) no additional amount will be payable by a party on account of GST; and

(b) no tax invoices will be exchanged between the parties.

12.3 Supply subject to GST

To the extent that clause 12.2 does not apply to a supply made under this document, this clause 12.3 will apply.

(a) If one party (**Supplying Party**) makes a taxable supply and the consideration for that supply does not expressly include GST, the party that is liable to provide the consideration (**Receiving Party**) must also pay an amount (**GST Amount**) equal to the GST payable in respect of that supply.

(b) Subject to first receiving a tax invoice or adjustment note as appropriate, the receiving party must pay the GST amount when it is liable to provide the consideration.

(c) If one party must indemnify or reimburse another party (**Payee**) for any loss or expense incurred by the Payee, the required payment does not include any amount which the Payee (or an entity that is in the same GST group as the Payee) is entitled to claim as an input tax credit, but will be increased under clause 12.3(a) if the payment is consideration for a taxable supply.

(d) If an adjustment event arises in respect of a taxable supply made by a Supplying Party, the GST Amount payable by the Receiving Party under clause 12.3(a) will be recalculated to reflect the adjustment event and a payment will be made by the Receiving Party to the Supplying Party, or by the Supplying Party to the Receiving Party, as the case requires.

(e) The Developer will assume the City is not entitled to any input tax credit when calculating any amounts payable under this clause 12.3.

(f) In this document:

(i) consideration includes non-monetary consideration, in respect of which the parties must agree on a market value, acting reasonably; and

(ii) in addition to the meaning given in the GST Act, the term "GST" includes a notional liability for GST.

13. DEALINGS

13.1 Dealing by the City

(a) The City may Deal with its interest in this document without the consent of the Developer if the Dealing is with a Government Agency. The City must give the Developer notice of the Dealing within five Business Days of the date of the Dealing.

(b) The City may not otherwise Deal with its interest in this document without the consent of the Developer, such consent not to be unreasonably withheld or delayed.

13.2 Dealing by the Developer

(a) Prior to registration of this document in accordance with clause 9, the Developer must not Deal with this document or the Land without the City, the Developer and the third party the subject of the Dealing first entering into a deed of consent to the Dealing on terms acceptable to the City (acting reasonably), pursuant to which the third party the subject of the Dealing agrees to comply with this document.

(b) On and from registration of this document in accordance with clause 9:

(i) the Developer may Deal with this document without the consent of the City only as a result of the sale of the whole of the Land (without subdivision) to a purchaser of the Land;

(ii) the Developer may register a plan of strata subdivision, and the City consents to this document remaining registered only on the certificate of title to the common property of the strata plan upon registration of the strata plan; and

(iii) the Developer must not otherwise Deal with this document to a third party that is not a purchaser of the whole or any part of the Land without:

(A) the prior written consent of the City (not to be unreasonably withheld); and

(B) the City, the Developer and the third party the subject of the Dealing entering into a deed of consent to the Dealing on terms acceptable to the City (acting reasonably) whereby the incoming owner agrees to comply with this document.

(c) On provision of an itemised invoice by the City, the Developer must pay the City's reasonable costs and expenses relating to any consent or documentation required due to the operation of this clause 13.2.

14. TERMINATION

(a) Either party may terminate this document by notice in writing to the other party if:

(i) the Instrument Change does not come into force within 36 months after the date of this document; or

(ii) the Sydney LEP is subsequently amended by an environmental planning instrument made after the Instrument Change, in a way that prevents the Development from proceeding; or

(iii) the Instrument Change is declared to be invalid by a Court of competent jurisdiction.

(b) If this document is terminated in accordance with clause 14(a):

(i) the rights of each party that arose before the termination or which may arise at any future time for any breach or non-observance of obligations occurring prior to the termination are not affected;

(ii) the Developer must take all steps reasonably necessary to minimise any loss each party may suffer as a result of the termination of this document; and

(iii) the City will, at the Developer's cost, do all things reasonably required to remove this document from the title to the Land in accordance with clause 9.2.

15. CONFIDENTIALITY, DISCLOSURES AND PRIVACY

15.1 Use and disclosure of Confidential Information

A party (**receiving party**) which acquires Confidential Information of another party (**disclosing party**) must not:

(a) use any of the Confidential Information except to the extent necessary to exercise its rights and perform its obligations under this document; or

(b) disclose any of the Confidential Information except in accordance with clauses 15.2 or 15.3.

15.2 Disclosures to personnel and advisers

(a) The receiving party may disclose Confidential Information to an officer, employee, agent, contractor, investor, financier or legal, financial or other professional adviser if:

(i) the disclosure is necessary to enable the receiving party to perform its obligations or to exercise its rights under this document; and

(ii) prior to disclosure, the receiving party informs the person of the receiving party's obligations in relation to the Confidential Information under this document.

(b) The receiving party:

(i) must ensure that any person to whom Confidential Information is disclosed under clause 15.2(a) keeps the Confidential Information confidential and does not use it for any purpose other than as permitted under clause 15.2(a); and

(ii) is liable for the actions of any officer, employee, agent, contractor or legal, financial or other professional adviser that causes a breach of the obligations set out in clause 15.2(b)(i).

15.3 **Disclosures required by law**

(a) Subject to clause 15.3(b), the receiving party may disclose Confidential Information that the receiving party is required to disclose:

(i) by law or by order of any court or tribunal of competent jurisdiction; or

(ii) by any Government Agency, stock exchange or other regulatory body.

(b) If the receiving party is required to make a disclosure under clause 15.3(a), the receiving party must:

(i) to the extent possible, notify the disclosing party immediately it anticipates that it may be required to disclose any of the Confidential Information;

(ii) consult with and follow any reasonable directions from the disclosing party to minimise disclosure; and

(iii) if disclosure cannot be avoided:

(A) only disclose Confidential Information to the extent necessary to comply; and

(B) use reasonable efforts to ensure that any Confidential Information disclosed is kept confidential.

15.4 **Receiving party's return or destruction of documents**

On termination of this document the receiving party must immediately:

(a) deliver to the disclosing party all documents and other materials containing, recording or referring to Confidential Information; and

(b) erase or destroy in another way all electronic and other intangible records containing, recording or referring to Confidential Information,

which are in the possession, power or control of the receiving party or of any person to whom the receiving party has given access except in relation to material in board papers or otherwise required to be maintained under Laws.

15.5 **Security and control**

The receiving party must:

(a) keep effective control of the Confidential Information; and

(b) ensure that the Confidential Information is kept secure from theft, loss, damage or unauthorised access or alteration.

15.6 **Media releases**

The Developer must not issue any information, publication, document or article for publication in any media concerning this document or the Public Benefits without the City's prior written consent.

15.7 **Privacy**

Without limiting its obligations at law with respect to privacy and the protection of Personal Information, the Developer:

(a) must not, directly or indirectly collect, use or disclose any Personal Information under or in connection with this document except to the extent necessary to perform its obligations under this document; and

(b) must in the delivery of the Public Benefits and the performance of all its other obligations under this document comply with the Privacy Laws and must not do any act or engage in any practice that would breach the Privacy Laws or which if done or engaged in by the City would be a breach of any Privacy Laws.

16. **NOTICES**

(a) A notice, consent or other communication under this document is only effective if it is in writing, signed and either left at the addressee's address or sent to the addressee by mail or email. If it is sent by mail, it is taken to have been received 5 Business Days after it is posted. If it is sent by email, it is taken to have been received the same day the email was sent, provided that the sender has not received a delivery failure notice (or similar), unless the time of receipt is after 5:00pm in which case it is taken to be received on the next Business Day.

(b) A person's address and email address are those set out in Schedule 1 for the City’s Representative and the Developer’s Representative, or as the person notifies the sender in writing from time to time.

17. **MODERN SLAVERY**

(a) In this clause:

(i) **Engaged Entities** means any first tier (direct) suppliers, subcontractors, consultants and contractors engaged by a party in connection with this document;

(ii) **Grievance Mechanism** means a process for handling a complaint or grievance about Modern Slavery that is consistent with the criteria set out in Principle 31 of the 2011 United Nations Guiding Principles on Business and Human Rights;

(iii) **Modern Slavery** has the meaning given to it in section 4 of the Modern Slavery Act;

(iv) **Modern Slavery Act** means the *Modern Slavery Act 2018* (Cth);

(v) **Modern Slavery Laws** means all applicable modern slavery laws, statutes, regulations and codes from time to time in force which prohibit the exploitation of workers, human trafficking, slavery, servitude, forced labour, debt bondage or deceptive recruiting for labour or services or similar, including but not limited to the Modern Slavery Act and the *Modern Slavery Act 2018* (NSW);

(vi) **Reasonable Steps** includes:

(A) obtaining awareness of what constitutes and the Modern Slavery and the Modern Slavery Laws in Australia;

(B) undertaking activities to identify and address Modern Slavery risks in the Developer's operations and supply chain (including adherence to Australian labour laws, conducting a Modern Slavery risk assessment and implementing a Modern Slavery policy);

(C) consulting with the Developer's Engaged Entities to identify and mitigate Modern Slavery risks in its supply chain and labour force, including by implementing policies and procedures that reject the exploitation of migrant workers;

(D) providing training necessary to identify Modern Slavery risks, risk management and remediation procedures to Personnel; and

(E) having regard to any policy, direction or document released by the New South Wales Office of the Anti-Slavery Commissioner from time to time.

(b) The Developer must:

(i) not cause or contribute to Modern Slavery or engage in any activity, practice or conduct that constitutes an offence under Modern Slavery Laws or that would constitute an offence if such activity, practice or conduct were carried out in Australia;

(ii) take Reasonable Steps (having regard to the size, nature and industry of the Developer's business) to identify, assess and address Modern Slavery risks within its operations and supply chains;

(iii) comply with any request from the City to provide any information necessary to enable the City to comply with its obligations under the Modern Slavery Laws and undertake any due diligence on the Developer's supply chains as required;

(iv) ensure that it and its Engaged Entities pay its Personnel at least the minimum wage and other entitlements as required by Law;

(v) cooperate in good faith with the City in investigating the circumstances relevant to any potential, suspected or actual breach of any Modern Slavery Laws;

(vi) ensure access to an effective Grievance Mechanism for any Personnel within its operations (including Personnel of its Engaged Entities);

(vii) provide access to documentation and information as reasonably required by the City to verify the Developer's compliance with this clause 17(b); and

(viii) include in its contracts with any subcontractors or suppliers, Modern Slavery provisions that are at least as onerous as those set out in this clause 17.

(c) Both parties agree:

(i) to provide reasonable assistance to the other party to comply with this clause 17; and

(ii) to implement systems, procedures and policies as required to meet its obligations under this clause 17.

(d) In the event of any potential, suspected or actual instances of Modern Slavery within its operations or supply chain, the Developer must:

(i) notify the City in writing as soon as practicable with adequate particulars to enable the City to understand the potential, suspected or actual instances of Modern Slavery;

(ii) within 10 Business Days (or such other timeframe as agreed by the parties), prepare a suitable remediation plan that:

(A) outlines the steps that the Developer intends to take to remedy the issue along with an explanation as to how the proposed steps will resolve the issue;

(B) provides a timeframe for implementation and completion of these steps; and

(C) explains the quantitative/qualitative indicators that will determine when the issue has been resolved,

(**Remediation Plan**) for the City to review;

(iii) amend the Remediation Plan to reflect reasonable additional direction provided by the City in relation to any feedback it gives on the Remediation Plan following its review; and

(iv) take all reasonable steps to ensure that the Remediation Plan is completed within the period determined by clause 17(d)(ii).

(c) The City may give reasonable assistance to the Developer to prepare and/or implement a Remediation Plan where deemed appropriate.

(d) The Developer must provide the City with evidence of the ongoing implementation of the Remediation Plan promptly upon request.

(e) The parties agree that a breach of clause 17(b) or 17(b)(viii), or failing to use best endeavours to implement a Remediation Plan will be a material breach of this document (**Modern Slavery Material Breach**).

(f) Where a Modern Slavery Material Breach is not capable of being remedied, or is otherwise not remedied within a reasonable timeframe as agreed by the parties, the Developer indemnifies the City against all damage, expense, loss or liability of any nature suffered or incurred by the City arising from any act or omission by the Developer (or any Personnel) in connection with the performance of the Developer's obligations under this clause 17.

(g) The Developer represents and warrants that:

(i) it has not, as of the date of this document, engaged in Modern Slavery or breached any Modern Slavery Laws;

(ii) it has disclosed to the extent that it is aware, any actual or reasonably suspected Modern Slavery within its own operations or the supply chain of any of its Engaged Entities and any actions taken to remedy the disclosed event;

(iii) any information provided to the City with respect to Modern Slavery as part of the City's procurement process is accurate, complete and not misleading and/or deceptive in any way; and

(iv) it has taken reasonable steps to ensure that any Engaged Entities engaged in connection with this document have complied and continue to comply with the obligations contained in this clause 17.

This clause 17 only applies to the delivery of the Public Benefit under this document.

18. GENERAL

18.1 Governing law

(a) This document is governed by the laws of New South Wales.

(b) Each party submits to the exclusive jurisdiction of the courts exercising jurisdiction in New South Wales, and any court that may hear appeals from

any of those courts, for any proceedings in connection with this document, and waives any right it might have to claim that those courts are an inconvenient forum.

18.2 **Access to information**

In accordance with section 121 of the *Government Information (Public Access) Act 2009 (NSW)*, the Developer agrees to allow the City immediate access to the following information contained in records held by the Developer:

(a) information that relates directly to the delivery of the Public Benefits by the Developer;

(b) information collected by the Developer from members of the public to whom the Developer provides, or offers to provide, services on behalf of the City; and

(c) information received by the Developer from the City to enable the Developer to deliver the Public Benefits.

18.3 **Liability for expenses**

(a) The Developer must pay its own and the City's expenses incurred in negotiating, executing, registering, releasing, administering and enforcing this document as prescribed by regulation.

(b) The Developer must pay for all reasonable costs and expenses associated with the preparation and giving of public notice of this document and the explanatory note prepared in accordance with the Regulations and for any consent the City is required to provide under this document.

18.4 **Relationship of parties**

(a) Nothing in this document creates a joint venture, partnership, or the relationship of principal and agent, or employee and employer between the parties; and

(b) No party has the authority to bind any other party by any representation, declaration or admission, or to make any contract or commitment on behalf of any other party or to pledge any other party's credit.

18.5 **Giving effect to this document**

Each party must do anything (including execute any document), and must ensure that its employees and agents do anything (including execute any document), that the other party may reasonably require to give full effect to this document.

18.6 **Time for doing acts**

(a) If:

(i) the time for doing any act or thing required to be done; or

(ii) a notice period specified in this document,

expires on a day other than a Business Day, the time for doing that act or thing or the expiration of that notice period is extended until the following Business Day.

(b) If any act or thing required to be done is done after 5pm on the specified day, it is taken to have been done on the following Business Day.

18.7 **Severance**

If any clause or part of any clause is in any way unenforceable, invalid or illegal, it is to be read down so as to be enforceable, valid and legal. If this is not possible, the clause (or where possible, the offending part) is to be severed from this document without affecting the enforceability, validity or legality of the remaining clauses (or parts of those clauses) which will continue in full force and effect.

18.8 **Preservation of existing rights**

The expiration or termination of this document does not affect any right that has accrued to a party before the expiration or termination date.

18.9 **No merger**

Any right or obligation of any party that is expressed to operate or have effect on or after the completion, expiration or termination of this document for any reason, will not merge on the occurrence of that event but will remain in full force and effect.

18.10 **Waiver of rights**

A right may only be waived in writing, signed by the party giving the waiver, and:

(a) no other conduct of a party (including a failure to exercise, or delay in exercising, the right) operates as a waiver of the right or otherwise prevents the exercise of the right;

(b) a waiver of a right on one or more occasions does not operate as a waiver of that right if it arises again; and

(c) the exercise of a right does not prevent any further exercise of that right or of any other right.

18.11 **Operation of this document**

(a) This document contains the entire agreement between the parties about its subject matter. Any previous understanding, agreement, representation or warranty relating to that subject matter is replaced by this document and has no further effect.

(b) Any right that a person may have under this document is in addition to, and does not replace or limit, any other right that the person may have.

(c) Any provision of this document which is unenforceable or partly unenforceable is, where possible, to be severed to the extent necessary to make this document enforceable, unless this would materially change the intended effect of this document.

18.12 **Operation of indemnities**

(a) Each indemnity in this document survives the expiry or termination of this document.

(b) A party may recover a payment under an indemnity in this document before it makes the payment in respect of which the indemnity is given.

18.13 **Inconsistency with other documents**

Unless the contrary intention is expressed, if there is an inconsistency between any of one or more of:

(a) this document;

(b) any Schedule to this document; and

(c) the provisions of any other document of the Developer,

the order of precedence between them will be the order listed above, this document having the highest level of precedence.

18.14 **No fetter**

Nothing in this document in any way restricts or otherwise affects the City's unfettered discretion to exercise its statutory powers as a public authority.

18.15 **Counterparts**

This document may be executed in counterparts.

19. **DEVELOPER LIMITATION OF LIABILITY**

[Note: Insert standard Limitation of Liability Provisions]

SCHEDULE 1

Agreement Details

ITEM	TERM	DESCRIPTION
1.	**Land**	Lot 1 in DP778342 known as 383 Kent Street, Sydney NSW 2000.
2.	**Development**	The redevelopment of the Land for a Commercial Premises that is permitted by the controls proposed in the Planning Proposal and subject to the resultant Instrument Change. The total Gross Floor Area for the Land is 73,202 square metres.
3.	**City's Representative**	Name: Director, Planning, Development and Transport Address: Level 1, 456 Kent Street, Sydney NSW 2000 Email: council@cityofsydney.nsw.gov.au Or such alternative representative nominated by the City from time to time and notified in writing to the Developer's Representative
4.	**Developer's Representative**	Name: Michael West Address: Level 20, 1 Martin Place, Sydney NSW 2000 Email: michael.west@charterhall.com.au Or such alternative representative nominated by the Developer from time to time and notified in writing to the City's Representative
5.	**Development Application**	Any and all development application(s) submitted to the City in connection with the Development.
6.	**Guarantee Amount**	$375,000
7.	**Guarantee Amount Due Date**	Prior to the issue of a Construction Certificate permitting construction under the Building Contract.

SCHEDULE 2

Requirements under the Act and Regulation (clause 2)

The below table summarises how this document complies with the Act and Regulation.

ITEM	SECTION OF ACT OR REGULATION	PROVISION/CLAUSE OF THIS DOCUMENT
1.	**Planning instrument and/or development application** (section 7.4(1) of the Act) The Developer has: (a) sought a change to an environmental planning instrument; (b) made, or proposes to make, a Development Application; or (c) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies.	(a) Yes (b) Yes (c) No
2.	**Description of land to which this document applies** (section 7.4(3)(a) of the Act)	Item 1 of Schedule 1.
3.	**Description of change to the environmental planning instrument to which this document applies and/or the development to which this document applies** (section 7.4(3)(b) of the Act)	The Development and/or the environmental planning instrument as described in clause 2.1.
4.	**The nature and extent of the provision to be made by the developer under this document, the time or times by which the provision is to be made and the manner in which the provision is to be made** (section 7.4(3)(c) of the Act)	Schedule 3 and Annexure A.
5.	**Whether this document excludes (wholly or in part) of does not exclude the application of section 7.11, 7.12 or 7.24 to the development** (section 7.4(3)(d) of the Act)	Section 7.11 not excluded Section 7.12 not excluded Section 7.24 not excluded

ITEM	SECTION OF ACT OR REGULATION	PROVISION/CLAUSE OF THIS DOCUMENT
6.	**Applicability of section 7.11 of the Act** (section 7.4(3)(e) of the Act)	The application of section 7.11 of the Act is not excluded in respect of the Development and contributions (if any) under section 7.11 will be required to be paid.
7.	**Consideration of benefits under this document if section 7.11 applies** (section 7.4(3)(e) of the Act)	Benefits to the value of the aggregate of the Attributed Value for each element of the Public Benefits are not to be taken into consideration in determining a development contribution under section 7.11 of the Act.
8.	**Mechanism for Dispute Resolution** (section 7.4(3)(f) of the Act)	Clause 11
9.	**Enforcement of this document** (section 7.4(3)(g) of the Act)	Clause 10
10.	**No obligation to grant consent or exercise functions** (section 7.4(9) of the Act)	Clause 2.4
11.	**Registration of this document** (section 7.6 of the Act)	Clause 9
12.	**Whether certain requirements of this document must be complied with before a construction certificate is issued** (section 205(2) of the Regulation)	Provision of the Guarantee
13.	**Whether certain requirements of this document must be complied with before a subdivision certificate is issued** (section 205(2) of the Regulation)	Not applicable
14.	**Whether certain requirements of this document must be complied with before an occupation certificate is issued** (section 205(2) of the Regulation)	Completion of the Logistics Hub, registration of the Instruments and preparation of the Plan of Management (in a form approved by the City).
15.	**Whether the explanatory note that accompanied exhibition of this document may be used to assist in construing this document** (section 205(5) of the Regulation)	Clause 2.5

SCHEDULE 3

Public Benefits (clause 5)

1. **PUBLIC BENEFITS - OVERVIEW**

The Developer must provide the Public Benefits in accordance with Schedule 3 and this document. The Attributed Value, timing of delivery and additional specifications relating to the Public Benefits is set out in the table below

	Public Benefit	Attributed Value	Relevant Due dates	Additional specifications
1.	Logistics Hub to be secured via a Development Consent as part of a future Development Application	Nil	(a) Completion of the Logistics Hub and Instruments registered within 30 days after the first Occupation Certificate for the Development. (b) Plan of Management approved prior to the issue of the first Occupation Certificate for the Development. (c) The Logistics Hub is to be Operational within 12 months of Completion.	Construction of a public loading dock and preparation of a Plan of Management (Refer to Annexure A). Registration of the Logistics Hub Affectations.
2.	Pedestrian Through-Site Link	Nil	On or before the date of issue of the last Occupation Certificate for the Development applicable to the part of the Land on which	Registration of the Easement for Public Access and Positive Covenant to allow access for the public at all times of the day and all days of the week generally to the dimensions and

	Public Benefit	Attributed Value	Relevant Due dates	Additional specifications
			the through-site link is constructed.	location as defined in the Sydney Development Control Plan 2012.
3.	Environmental Commitments - NABERS and WELL	Nil	To be issued within 6 months after 75% of the NLA of the commercial office building being occupied by tenants for continuous period of 12 months.	4 star NABERS water rating. 5 star NABERS waste rating. WELL Core Gold (Commitment Agreement). WELL Core Platinum 100% renewable energy in operation.
4.	Environmental Commitments – Green Star Buildings	Nil	To be issued within 24 months of completion of the Development.	6 star Green Star v1.0 certified rating including 20% embodied carbon reduction.

2. **INSTRUMENTS**

(a) The Developer consents to the registration of the Instruments on the title of the Land, and must execute the Instruments and then deliver the Instruments to the City for execution.

(b) The City must execute and deliver the Instruments to the Developer as soon as reasonably practicable following receipt of the Instruments under clause 2(a).

(c) The Developer must register the Instruments after completion of the works comprising Items 1 and 2 of clause 1 of Schedule 3 but before the issue of the relevant Occupation Certificate for the Development.

(d) If requested by the Developer, the City must do all things necessary to enable registration of the Instruments including:

(i) lodging the Instruments via an electronic conveyancing system such as PEXA; and

(ii) responding to any requisitions raised by the NSW Land Registry Services in respect of the Instruments.

3. FINAL DESIGN OF THE LOGISTICS HUB

3.1 Scope of Logistics Hub

As at the date of this document, the nature and extent of the required Logistics Hub is set out in Annexure A to this document. The parties agree that further design refinement of the Logistics Hub may be necessary, having regard to:

(a) the final design of the Logistics Hub as approved by the City pursuant to clause 3.2;

(b) conditions affecting the Logistics Hub that were not reasonably capable of identification prior to the date of this document;

(c) the extent of any refinement of the design of the Logistics Hub permitted by this clause 3.1 of Schedule 3;

(d) any modification to the Development Consent made and approved under section 4.55 of the Act or any other development consent granted that relates to the Logistics Hub; and

(e) the reasonable requirements of the City, including in regard to the Standards.

3.2 Final design of Logistics Hub

(a) The Developer must submit the final design of the Logistics Hub to the City as part of the Development Application.

(b) The parties agree that the review and approval of the final design of the Logistics Hub, including ensuring its compliance with this document, will occur as part of the Development Application and Development Consent process under the Act. The final design will therefore be a design which is reflected in the Development Consent, the approved plans and Construction Certificates issued pursuant to the Development Consent.

(c) The City does not assume or owe any duty of care to the Developer in reviewing any design drawings submitted to it under clause 3.2(a) of Schedule 3 or for any errors, omissions or non-compliance with this document.

(d) No participation by the City in the development of, the review of, or comments on any design drawings submitted by the Developer will lessen or otherwise affect the Developer's obligations under this document or constitute an acknowledgement by the City that the Developer has complied with their obligations under this document.

4. CONSTRUCTION OF LOGISTICS HUB

4.1 Insurance

(a) From commencement of the construction of the Logistics Hub, the Developer must effect and maintain (or cause to be effected and maintained under one or more policies of insurance and without requiring any risk to be double

insured) the following insurances held with an insurer licensed by the Australian Prudential Regulation Authority or holding an investment grade rating from Standard & Poors, Moody's or Fitch:

(i) worker's compensation insurance or registrations as required by Laws;

(ii) public liability insurance written on an occurrence basis with a limit of indemnity of not less than $20,000,000 covering all aspects of the Logistics Hub until the end of the Defects Liability Period; and

(iii) construction works insurance in relation to the Logistics Hub until Completion.

(b) The Developer must submit a copy of all certificates of insurance to the City promptly after receiving a request from the City for those certificates.

4.2 **Approvals and consents**

The Developer must, at its cost, obtain all relevant approvals and consents for the Logistics Hub, whether from the City or from any other relevant Government Agency, including any necessary road opening permits. When requested by the City, the Developer must give to the City copies of all approvals and consents for the Logistics Hub, other than the Development Consent.

4.3 **Construction work**

The Developer must, at its cost:

(a) carry out and complete the Logistics Hub in accordance with all approvals and consents relating to the Logistics Hub, including any approval given by the City under this document;

(b) ensure that all Logistics Hub is constructed in a good and workmanlike manner, in accordance with the plans approved under this document so that the Logistics Hub is structurally sound and suitable for its intended use; and

(c) ensure that:

(i) the Logistics Hub is Complete by the due date specified in paragraph 1(a) of the table in clause 1 of Schedule 3;

(ii) Operational by the date specified in paragraph 1(c) of the table in clause 1 of Schedule 3; and

(iii) promptly after becoming aware advise the City's Representative of any significant delays in completing the Logistics Hub or delays that may impact the delivery of the Public Benefits by the due dates specified in the table in clause 1 of Schedule 3.

4.4 **Inspections by the City**

The City, as a party to this document and not in its role as a Government Agency, may:

(a) inspect the Logistics Hub at reasonable times and on reasonable notice while accompanied by a representative of the Developer and who must comply with the reasonable directions of the Developer (including the builder) while on the Land; and

(b) notify the Developer's Representative of any material or significant defect, error or omission relating to the construction or installation of the Logistics Hub identified during or as the result of an inspection.

Any failure by the City to identify a Defect, error or omission will not be construed as amounting to an acceptance by the City of the Defect, error or omission.

5. STANDARDS

The following list of Standards are included for information purposes only, and as a guide to the relevant standards for the general nature of the work identified as Logistics Hub in this document. The City makes no representation or warranty as to the currency of the standards identified, or their application on the final design of the Logistics Hub. The Developer must make its own enquiries regarding whether any standard has been replaced or supplemented. In the event that an Australian Standard prescribed a different level of material, finish, work or workmanship than those contained in a City standard, then the higher of the two standards will apply. If there is a conflict between City standards then the Developer must request the City nominate the correct and applicable City standard. The City's decision as to the applicable standard is final.

Relevant Australian Standards – Verge Works, Through site links

(a) AS 1725 Geotechnical Site investigations

(b) AS 4455 Masonry Units and segmental pavers

(c) AS 4678 Earth Retaining Structures

(d) AS 3600 Concrete Structures

(e) AS 2876 Concrete kerbs and channels

(f) AS 1158 Road Lighting

(g) AS 1743 Road signs

(h) AS 4282 Control of the Obtrusive Effects of Outdoor lighting

(i) AS 3500 Plumbing and Drainage

(j) AS 3700 Masonry Structures

(k) AS 2890 Parking Facilities

(l) AS 1428 Design for Access and Mobility

(m) AS 4454 Composts, soil conditioners and mulches

Relevant Australian Standards – Roads (including pedestrian areas)

(a) AS 1725 Geotechnical Site investigations

(b) AS 4455 Masonry Units and segmental pavers

(c) AS 4678 Earth Retaining Structures

(d) AS 3600 Concrete Structures

(e) AS 2876 Concrete kerbs and channels

(f) AS 1158 Road Lighting

(g) AS 4282 Control of the Obtrusive Effects of Outdoor lighting

(h) AS 1428 Design for Access and Mobility

(i) AS 3500 Plumbing and Drainage

(j) AS 3700 Masonry Structures

(k) AS 2890 Parking Facilities

(l) AS 1742 Manual of uniform traffic control devices

(m) AS 1743 Road Signs

City Standards (All Works)

(a) City of Sydney Contaminated Lands DCP 2004

(b) Sydney Street Code 2013

(c) Sydney Lights Code 2013

(d) City of Sydney Access Policy

(e) Sydney Street Technical Specification and Drawings

(f) City of Sydney Street Tree Master Plan 2011

(g) City of Sydney Public Domain Manual

6. GUIDELINES FOR ENVIRONMENTAL COMMITMENTS

The following list of guidelines are included for information purposes only for the general nature of the Environmental Commitments in this document. The City makes no representation or warranty as to the currency and completeness of the guidelines identified, or their application on the final design of the Environmental Commitments. The Developer must make its own enquiries regarding whether any guideline has been replaced or supplemented.

(a) Factsheet 4: Preparing for NABERS office rating applications prepared by NSW Office of Environment and Heritage, published August 2011

(b) Factsheet 5: Preparing for NABERS hotel rating prepared by NSW Office of Environment and Heritage, published September 2014

(c) Factsheet 7: The NABERS Energy Commitment Agreement prepared by NSW Office of Environment and Heritage, published July 2014

(d) Guidelines for the use of simulation in Commitment Agreements prepared by NSW Office of Environment and Heritage, version 2011-June

(e) NABERS Guide to Building Energy Estimation, prepared by NSW Office of Environment and Heritage, published June 2011

(f) NABERS Guide to Tenancy Energy Estimation, prepared by NSW Office of Environment and Heritage, published June 2011

(g) Rules for collecting and using data (formerly titled Validation Protocol) version 3.0, February 2013, prepared by NSW Office of Environment and Heritage

(h) City of Sydney Sustainable Design Technical Guideline dated 2020

EXECUTION

EXECUTED as a deed.

Signed, sealed and delivered for **THE COUNCIL OF THE CITY OF SYDNEY** (ABN 22 636 550 790) by its duly authorised officer, in the presence of:

Signature of officer

Signature of witness

Name of officer

Name of witness

456 Kent Street, Sydney NSW 2000

Address of witness

Position of officer
Authorised delegate pursuant to section 377 of the Local Government Act 1993

Signed for **The Trust Company (Australia) Limited** ACN 000 000 993 by its attorney pursuant to Power of Attorney BK 4676 No 134
(who states that by executing this document that the attorney has received no notice of revocation of the power of attorney):

Witness Signature	Attorney Signature
Print Name	Print Name

This document was signed in counterpart and was witnessed over audio visual link in accordance with section 14G of the *Electronic Transactions Act 2000* (NSW).

EXECUTED by **Bieson Pty Ltd** ACN 110 465 168 in accordance with s127(1) of the Corporations Act 2001 (Cth):

Signature of director	Signature of director/secretary
Name	Name

ANNEXURE A

1. **LOGISTICS HUB**

(a) The provision of a public loading dock facility comprising 7 loading dock bays consisting of 1 MRV, 2 SRVS and 4 B99 size bays, or such alternate loading dock arrangements that provide for a similar capacity based on new loading arrangements at the time, as are agreed with the City (acting reasonably) in writing. The spatial requirements of the Logistics Hub including vertical clearance of the bays must meet the requirements of Section 3.11.13 of the Sydney Development Control Plan 2012.

(b) The Logistics Hub will be fully owned, managed and maintained by the owner of the Land from time to time and must be made available for use by the public particularly for those situated in the immediate precinct. The owner of the Land may appoint a manager of the Logistics Hub to manage the Logistics Hub in accordance with the requirements of this document and the Plan of Management.

(c) Vehicle access to and from the Logistics Hub will be via Sussex Street.

(d) Users of the Logistics Hub must be able to transport goods from Sussex Street or Kent Street via a goods lift and using a safe and level path of travel without stairs.

(e) The minimum hours of operation for loading must be, as a minimum, the same as the City's on-street parking restrictions on Kent Street from time to time, currently being 6am to 6pm on weekdays, 7am to 10am on Saturdays.

(f) Users of the Logistics Hub must be charged no more than the City's charges for on street loading in Kent Street as updated from time to time. In the event that on street loading for Kent Street is no longer provided by the City, users of the Logistics Hub must be charged no more than the City's charges for on street loading for an equivalent street in Central Sydney.

(g) The owner of the Land from time to time will provide and maintain a system to accommodate online bookings and access to the Logistics Hub to accommodate bookings and access, including a process to manage after-hours access if required.

(h) Sufficient space will be provided in each MRV, SRV and B99 bay for the purpose of providing set down areas for the duration of use, in accordance with all relevant Australian Standards.

(i) Users must adhere to the requirements of the Plan of Management, including completing any required security details to manage access.

2. **PRE-DEVELOPMENT APPLICATION REQUIREMENTS**

Prior to lodgement of the Development Application that includes the Logistics Hub, the Developer must provide the plans of the Logistics Hub that it intends to submit as part of the Development Application for review by the City to confirm the Logistics Hub is capable of achieving the requirements of this document.

3. DEVELOPMENT APPLICATION REQUIREMENTS

The Developer must identify the Logistics Hub in the Development Application and demonstrate how the requirements in this document have been met.

The Developer must prepare and submit a draft Plan of Management for Logistics Hub with the Development Application.

4. PLAN OF MANAGEMENT

(a) The Developer must prepare a Plan of Management that provides for the establishment, ongoing use, management and maintenance of the Logistics Hub.

(b) The Plan of Management must include in line with this document:

(i) The objectives of the Plan of Management including compliance with this document.

(ii) Details as to how public access to the Logistics Hub will be provided on an ongoing basis.

(iii) Details as to how the Plan of Management will be implemented, including how the ongoing use, management and maintenance of the Logistics Hub will be achieved.

(iv) Details of any costs or fees to be charged for use of the Logistics Hub including benchmarking against the costs or fees charged for on street loading in Kent Street and how the costs or fees will be reviewed and revised.

(v) Details of the consultation undertaken in preparation of the Plan of Management including with parties that may use or support the use of the Logistics Hub.

(vi) Details of how the Logistics Hub will be actively promoted to potential users.

(vii) Progress reporting as detailed below in the section titled "Progress Reporting Requirements".

(c) The Plan of Management will be developed by the Developer in consultation with the City and must contain terms consistent with this document that are acceptable to the City (acting reasonably).

5. PROGRESS REPORTING REQUIREMENTS

(a) The Developer must deliver to the City a written report each year, to be provided no later than two weeks after the end of each year period (or as otherwise agreed between the parties), providing full details of:

(i) the Developer's progress in operating the Logistics Hub;

(ii) annual maintenance and management costs;

(iii) whether the Logistics Hub is externally managed;

(iv) usage data by bay in the Logistics Hub in csv format with the following fields:

(A) Required: Bay ID, Bay size, Date, Start time, End time, duration

(B) Optional (depending on what can be collected via booking platform): Building serviced, reason for trip, how did you hear about us

Note: The City reserves the right to share or publish this data or request the data to be provided in a different format.

(C) such other information in relation to this document as the City may from time to time reasonably request.

(b) The Developer must ensure that all reports:

(i) contain all required information, and

(ii) are accurate and not misleading in any respect.

ANNEXURE B

Instruments – Through-site link easement for access and positive covenant

INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR PROFITS À PRENDRE INTENDED TO BE CREATED OR RELEASED AND OF RESTRICTIONS ON THE USE OF LAND OR POSITIVE COVENANTS INTENDED TO BE CREATED PURSUANT TO SECTION 88B CONVEYANCING ACT 1919.

Plan:	Plan of easement and positive covenant over Lot [insert] in DP [insert]
Full name and address of the owners of the land:	**The Trust Company (Australia) Limited** Level 20, 1 Martin Place, Sydney NSW 2000

Part 1 (Creation)

Number of item shown in the intention panel on the plan	Identity of easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1	Easement for public access variable width limited in height and depth [***#insert consistent with final plan***]	Lot 1 in DP778342	The Council of the City of Sydney
2	Positive Covenant (Public Access)	Lot 1 in DP778342	The Council of the City of Sydney

Part 2 (Terms)

INTERPRETATION

1. Definitions

These meanings apply unless the contrary intention appears:

Authorised User means every person authorised by the Council for the purposes of the Easement created by this Instrument. Subject to the terms of the Easement, an Authorised User includes the employees, agents, servants, contractors, workers, licensees and invitees of the Council. Where the Easement benefits the Council, an Authorised User includes members of the public.

Council means The Council of the City Sydney, its successors and any other body serving the same or similar function.

Easement means the easements, restrictive covenant or positive covenants in this Instrument and includes the conditions in relation to that Easement.

Easement Site means in relation to an easement, positive covenant and restrictive covenant in this Instrument the site of an easement, positive covenant and restriction on use identified on the Plan.

Emergency Situation means any circumstance involving a need, for reasons of health, safety or security, for evacuation or egress from a building or other place or restriction of access, including fire, earthquake, flooding terrorist activity and any training or test of such evacuation or egress.

Grantor means the owner, or if there is more than one jointly the owners, of an estate in fee simple of a Lot Burdened.

Lot Burdened means a lot referred to in Part 1 of this Instrument as being land burdened by an Easement created by this Instrument.

Plan means the plan registered together with this Instrument.

Required Credit Rating means a long-term credit rating of at least A- by Standard and Poor's (or equivalent rating).

2. Interpretation

In this Instrument:

(a) the singular includes the plural and vice versa;

(b) a reference to any legislation or to any provision of any legislation includes any modification or re-enactment of it, any legislative provision substituted for it and any regulations and statutory instruments issued under it;

(c) a reference to anything (including any amount) is a reference to the whole or each part of it and a reference to a group of persons is a reference to any one or more of them;

(d) specifying anything in this Instrument after the words including, includes or for example or similar expressions does not limit what else might be included unless there is express wording to the contrary;

(e) a reference to a right or obligation of two or more persons confers that right, or imposes that obligation, as the case may be, jointly and severally; and

(f) the expression "Grantor" includes the Grantor, its successors and every person who is entitled to an estate or interest in possession of the Lot Burdened or any part of it with which the right is capable of enjoyment.

3. Headings

Headings do not affect the interpretation of this Instrument.

4. Positive covenants and maintenance requirements

A requirement in an Easement which requires the Grantor to maintain or repair an Easement Site or anything in an Easement Site is a positive covenant according to section 88BA of the Act.

5. Severability

If a provision of an Easement under this Instrument is void, unenforceable or illegal, then that provision is severed from that Easement and the remaining provisions of that Easement have full force and effect.

TERMS OF EASEMENT FOR PUBLIC ACCESS VARIABLE WIDTH LIMITED IN HEIGHT AND DEPTH [#INSERT (IF APPLICABLE)] NUMBERED ONE IN THE PLAN

1. Grant

Subject to the Grantor's rights under clauses 3 to 5, the Grantor grants to the Council and its Authorised Users full and free right to go, pass and repass over the Easement Site at all times:

(a) on foot; and/or

(b) with wheelchairs or other disabled access aids, bicycles, tricycles or similar non-motorised machines (being walked or ridden), but excluding all other vehicles; and/or

(c) with or without animals,

for all lawful purposes.

2. Purpose of the Easement

The Council and the Grantor acknowledge that the Easement is being provided at no cost to the public and is for the purpose of providing reasonable access over the Easement Site to any member of the public in accordance with and subject to the provisions of this Easement.

3. Requirements when exercising rights

When exercising its rights and complying with its obligations under this easement, the Council must (and must ensure its Authorised Users (excluding members of the public)) take all reasonable steps:

(a) to minimise inconvenience, disturbance or damage to the Grantor, the Lot Burdened and any occupier of the Lot Burdened;

(b) to cause as little damage as is practicable to the Lot Burdened and any improvements on it; and

(c) if damage is caused by the Council (or its Authorised Users (excluding members of the public)), restore the Lot Burdened as nearly as practicable to the condition it was in before the damage occurred, as soon as reasonably possible.

4. Grantor may restrict access

Council and its Authorised Users may not exercise their rights under clause 2 of this easement:

(a) during any period in which the Grantor is entitled to restrict access over the Easement Site in accordance with clause 5; and

(b) during reasonable times notified by the grantor of the Positive Covenant (Public Access) numbered (2) in the Plan to Council to enable the grantor of the Positive Covenant (Public Access) numbered (2) in the Plan to comply with its obligations under the Positive Covenant (Public Access) numbered (2) in the Plan.

5. Restrictions on access

Without limiting the Grantor's rights under clauses 4 and 6, the Grantor may temporarily close, or temporarily restrict, public access to the Easement Site under this easement:

(a) for the purposes of, or as a result of the repair, maintenance or refurbishment of any improvement on the Lot Burdened, provided that:

(i) such restriction is for a period not exceeding one month (or such longer period of time as agreed by Council from time to time);

(ii) where the restriction is for a period not exceeding 24 hours, reasonable steps are taken to minimise the disturbance caused in accordance with rights granted under clause 1; and

(iii) where the restriction is likely to be for a period for between 24 hours and up to one month, the Grantor:

(A) obtains the prior written consent of the Council and complies with any conditions imposed on that consent (such consent not to be unreasonably withheld); and

(B) takes reasonable steps to minimise the disturbance caused in accordance with the rights granted under clause 1;

(b) when reasonably necessary to prevent the use of the Easement Site by members of the public in a manner that gives rise to a hazard or nuisance; or

(c) for any other purpose provided the Grantor:

(i) obtains the prior written consent of the Council and complies with any conditions imposed on that consent (such consent not to be unreasonably withheld); and

(ii) takes reasonable steps to minimise the disturbance caused in accordance with the rights granted under clause 1.

6. Emergencies

(a) The Grantor may temporarily restrict access to the Easement Site in an Emergency Situation provided that it gives as much notice as is practicable to the Council and uses

all reasonable endeavours to resolve the Emergency Situation and restore access to the Easement Site as soon as possible.

(b) The Council or the Grantor may erect temporary signage or barriers on the Easement Site to restrict temporarily access to the Easement Site by members of the public under this easement if either of them reasonably forms the view that such access is unsafe.

(c) Despite any other provision of this instrument:

(i) the Grantor must at all times allow the Easement Site to be used for access by all emergency and other essential service organisations in connection with an Emergency Situation; and

(ii) the Grantor must not interfere with such access.

7. Inspection

The Grantor must upon reasonable notice, permit the Council to enter the Easement Site with any equipment or machinery reasonably necessary to inspect the Easement Site for the purposes of ensuring that the grantor under Positive Covenant numbered 2 in the Plan is complying with its obligations under the Positive Covenant numbered 2 in the Plan.

8. Name of the person or Authority empowered to release or vary or modify any or all of the Easement numbered one in the Plan:

The Council of the City of Sydney

TERMS OF POSITIVE COVENANT (PUBLIC ACCESS) NUMBERED TWO IN THE PLAN

1. Maintenance of Easement Site

The Grantor must:

(a) at all times, maintain the Easement Site (including any lighting) in good condition and state of repair; and

(b) not permit the Easement Site to become unsafe; and

(c) keep the Easement Site clean and free from rubbish.

2. Public Liability Insurance

(a) The Grantor must take out and maintain or procure the taking out and maintenance of a public liability insurance policy with respect to any liabilities to Council or to any other person for the death or injury of any person within or about the Easement Site for an amount in respect of any single accident of not less than $20 million, or such higher amount as may be required by Council (acting reasonably).

(b) The policy referred to in clause 2(a) must:

(i) note Council as an interested party; and

(ii) be taken out and maintained with reputable insurers which at all times hold at least the Required Credit Rating.

3. Indemnity

The Grantor indemnifies the Council against any claims or damages arising from the use of the Easement Site by the Council or any of its Authorised Users under Easement for Public Access numbered One on the Plan, except to the extent that the claim or damage is caused by or contributed to by, the wilful or negligent act or omission of the Council or any of its Authorised Users (excluding any member of the public).

4. Person empowered to release, vary or modify the Positive Covenant numbered two in the Plan:

This Positive Covenant may only be released, varied or modified with the consent of the Council of the City of Sydney.

EXECUTION PAGE

Executed by **Council of the City of Sydney**

EXECUTED by **The Council of the City of Sydney ABN 22 636 550 790** by its attorney under power of attorney registered book in the presence of:	)	
……	)	……
Signature of witness	)	Signature of Attorney
……	)	……
Name of witness (block letters)	)	Name of Attorney

Executed by **the Grantor**

Signed for **The Trust Company (Australia) Limited** ACN 000 000 993 by its attorney pursuant to Power of Attorney BK 4676 No 134 (who states that by executing this document that the attorney has received no notice of revocation of the power of attorney):		
Witness Signature		Attorney Signature
Print Name		Print Name

This document was signed in counterpart and was witnessed over audio visual link in accordance with section 14G of the *Electronic Transactions Act 2000* (NSW).

Attachment D

Summary of Submissions

CITY OF SYDNEY

Summary of submissions: 383-395A Kent Street, Sydney



Engagement Report
March 2025

The City of Sydney acknowledges the Gadigal of the Eora Nation as the Traditional Custodians of our local area.

Activities to support the consultation

On 9 and 13 May 2024, the Central Sydney Planning Committee and Council respectively, approved the Planning Proposal – 383-395A Kent Street, Sydney for public authority consultation and public exhibition.

The consultation period ran from 8 November to 6 December 2024. The following activities were undertaken to support the consultation:

- A webpage and survey were created for people to review the planning proposal and supporting documentation and provide their feedback. The webpage can be accessed at https://www.cityofsydney.nsw.gov.au/policy-planning-changes/your-say-proposed-planning-changes-383-395a-kent-street-sydney. There were 231 unique page views and 153 document downloads during this period.
- A notification letter was letterbox dropped to property owners and occupiers within a 75-metre radius of the site boundary, informing them of the planning proposal. 938 letters were sent. An example of the notification letter can be found at Appendix A.
- The project was included in the November editions of the Sydney Your Say eNews sent on 11 and 27 November 2024. This provided a link to the webpage and survey. Images of the posts can be found at Appendix B.
- The Planning Proposal was referred to the following government agencies for consultation and comment:
  - Sydney Airport Corporation
  - Civil Aviation Safety Authority
  - Department of Infrastructure, Transport, Regional Development, Communications and the Arts (Canberra)
  - Transport for NSW
  - Sydney Water
  - Ausgrid

What the community told us

We received a total of 10 responses. Three responses via the online survey, one by email, and six government agency responses via the NSW Planning Portal.

Of the four responses from community members, three were supportive and one provided feedback without a position.

Issues raised in submissions are summarised below.

Table 1 Responses from government agencies

Agency	Submission	City response
Sydney Airport Corporation	Sydney Airport Corporation had no objection to the erection of a development to the maximum height of 189.80m AHD as proposed. They noted that the proposal is taller than the height of prescribed airspace in this location and is therefore subject to the Federal Airports (Protection of Airspace) Regulations 1996.	This position is noted. Compliance with relevant regulations, including approval of any construction equipment and cranes, will be considered as part of any future Development Application.
Civil Aviation Safety Authority (CASA)	CASA had no objections to the Planning Proposal, noting that the proposed development would be shielded in Aviation Airspace terms.	This position is noted.
Department of Infrastructure, Transport, Regional Development, Communications and the Arts	The Department acknowledged the request for comment on the Planning Proposal and stated that CASA and Sydney Airport Corporation were best placed to provide feedback to assist the City in making its determination.	This position is noted.
Transport for NSW (TfNSW)	TfNSW reviewed the Planning Proposal and had no specific requirements as the proposed development would not result in significant impacts to the transport network. It noted the removal of the existing commercial car park, currently providing capacity for approximately 800 cars and a potential traffic generation of 320 vehicles per hour. This would result in a significant reduction in traffic volumes in this part of Central Sydney. The proposal would comply with City of Sydney car parking rates and meet mode share targets for active and public transport, which is supported by TfNSW.	This position is noted.
Sydney Water	Sydney Water's preliminary assessment indicated that water and wastewater servicing should be available for the proposed development. Amplifications, adjustments, deviations and/or minor extensions may be required. It encourages further investigations to determine the servicing requirements for	This position is noted and the information provided by Sydney Water has been forwarded to the proponent. There is potential for the generation of trade wastewater from ground floor retail food outlets.

Agency	Submission	City response
	the site, and recommended the proponent lodge a Feasibility Application via a Water Servicing Coordinator as early as possible. In anticipation of the generation of trade wastewater, the developer will need to submit an application requesting permission to discharge trade wastewater, wait for approval and issue of a permit prior to the commencement of any business activities. Sydney Water provided a Planning Proposal Information Sheet to be provided to the proponent in regard to making further applications to Sydney Water.	
Ausgrid	Ausgrid noted that the subject site contains an Ausgrid Easement. As a result, future Development Applications for this site will require referral to Ausgrid for feedback that may include development consent conditions or proposal modifications to ensure the safety and compatibility of the development and Ausgrid assets. In addition to submitting any plans to Ausgrid for approval, any development will need to comply with both the Reference Levels and the precautionary requirements of the Standard for Limiting Exposure to Radiofrequency Fields – 100kHz to 300GHz. The development will also need to comply with the Tree Safety Management Plan published by Ausgrid in 2023.	The location of the easement on the site triggers the application of section 2.48 of the State Environmental Planning Policy (Transport & Infrastructure). This requires the consent authority to give written notice to Ausgrid before determining a development application or an application for modification of a consent. Any future Development Application will note these requirements, and this information has been forwarded to the proponent.

Table 2 Responses from individual submitters

Issue	Key themes	City response
Building density	3 submissions were received in favour of increasing building density in this location.	This support is noted.
Parking	One submission was received supporting any proposal which reduced reliance on private vehicles.	The removal of a commercial car park on this site is consistent with the objectives of the Greater Sydney Region Plan, Eastern City District Plan, City Plan 2036, Sustainable Sydney 2030-2050: Continuing the vision, and

Issue	Key themes	City response
	One submission was received with concerns about the loss of the current commercial car park located on site and the impact on accessibility to neighbouring buildings as a result, and the lack of on-street parking on Kent Street.	Central Sydney Planning Strategy, all of which seek to reduce private vehicle trips and encourage walking and the use of public transport. The reduction in parking spaces could also result in a potentially significant reduction in traffic in this part of Central Sydney, offering the opportunity to reallocate road space and increase pedestrian safety and comfort.
Public transport	One submission was received with concerns regarding the walking distance of the site to train and metro stations and major bus interchanges.	The site is well-located with regard to public transport, approximately 400 metres from the QVB light rail stop, 500 metres from Town Hall railway station, with Wynyard station and Barangaroo wharf also located within walking distance. In addition to the bus routes already servicing Kent Street, the proposed through-site link will reduce walking distances to buses on Sussex Street to Balmain, Five Dock and Bondi Junction.
Shared loading dock	One submission was received supporting the requirement for a shared loading dock.	This support is noted.
Construction noise	One submission was received raising concerns about the impact of construction on neighbouring buildings.	Construction impacts, including noise and changes to pedestrian movements, will be considered as part of any future Development Application. This will include the implementation of a Construction Management Plan prior to the issuing of a Construction Certificate.

Appendix A

CITY OF SYDNEY

City of Sydney
Gadigal Country
456 Kent Street
Sydney NSW 2000

+61 2 9265 9333
council@cityofsydney.nsw.gov.au
GPO Box 1591 Sydney NSW 2001
cityofsydney.nsw.gov.au

8 November 2024

Our Ref: X091069

Proposed changes to planning controls for 383-395A Kent Street, Sydney

We invite your feedback on proposed changes to the planning controls for 383-395A Kent Street, Sydney.

The proposal is to increase the maximum height from 110m to around 180m and increase the maximum floor space ratio from 15.75:1 to 20.3:1. This is equivalent to an extra 16,400sqm of commercial floor space.

These changes will allow for a new 42-storey commercial development with ground floor retail on the site and a new pedestrian link connecting Kent Street with Sussex Street.

The documents we're inviting feedback on include a planning proposal to amend the Sydney Local Environmental Plan 2012 and a draft development control plan. They will be open for comment from 8 November to 6 December 2024.

We also invite your feedback on a draft planning agreement for the delivery of the pedestrian link and a shared loading dock accessible by surrounding buildings and businesses.

We will consider all feedback and report the results to Council and the Central Sydney Planning Committee.

If Council approves this planning proposal after public consultation, it can amend the Sydney Local Environmental Plan 2012 on behalf of the Minister for Planning and Public Spaces.

You can view the proposal and give your feedback at sydneyyoursay.com.au by **5pm on Friday 6 December 2024**. You can email or post your feedback to Project Officer, City Engagement, City of Sydney, Town Hall House, Level 7, 456 Kent Street, Sydney NSW 2000. Please quote 'Reference X091069 – 383-395A Kent Street, Sydney'.

For more information or any queries about this project, contact James Dirickx-Jones, Planner on 02 9265 9333 or sydneyyoursay@cityofsydney.nsw.gov.au.

Your sincerely

Ben Pechey
Executive Manager, Strategic Planning and Urban Design
City Planning I Development I Transport

The City of Sydney acknowledges
the Gadigal of the Eora Nation as the
Traditional Custodians of our local area.

Appendix B



Image: Virtual Ideas

Planning changes for 383-395A Kent Street, Sydney

We invite your feedback on a proposal to change the building height and floor space rules to support a new commercial development.

View the planning proposal and have your say by Friday 6 December.

Read more

Planning proposals open for feedback

Planning control changes are proposed for 8-24 Kippax Street, Surry Hills and 383-395A Kent Street, Sydney.

View the proposals and give feedback before the consultations close.

Read more

Attachment E

Resolutions of Council and Central Sydney Planning Committee

Resolution of Council

13 May 2024

Item 10.3

Public Exhibition - Planning Proposal - 383-395A Kent Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

(A) Council approve Planning Proposal - 383-395A Kent Street, Sydney, as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Public Spaces with a request for Gateway Determination;

(B) Council approve Planning Proposal - 383-395A Kent Street, Sydney, as shown at Attachment A to the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;

(C) Council seek authority from the Minister for Planning and Public Spaces to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal - 383-395A Kent Street, Sydney;

(D) Council approve the Draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, as shown at Attachment B to the subject report, for public authority consultation and public exhibition concurrent with the Planning Proposal;

(E) authority be delegated to the Chief Executive Officer to make any variations to Planning Proposal - 383-395A Kent Street, Sydney, to correct any drafting errors or to ensure consistency with the Gateway Determination;

(F) authority be delegated to the Chief Executive Officer to make any variations to Draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination; and

(G) Council note the Chief Executive Officer will prepare a draft planning agreement in accordance with the letter of offer dated 22 April 2024 at Attachment C to the subject report, and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited in accordance with the Act.

Carried unanimously.

X091069

Resolution of Central Sydney Planning Committee

9 May 2024

Item 8

Public Exhibition - Planning Proposal - 383-395A Kent Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

Moved by the Chair (the Lord Mayor), seconded by Councillor Chan -

It is resolved that:

(A) the Central Sydney Planning Committee approve Planning Proposal - 383-395A Kent Street, Sydney, as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Public Spaces with a request for Gateway Determination;

(B) the Central Sydney Planning Committee approve Planning Proposal - 383-395A Kent Street, Sydney, as shown at Attachment A to the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;

(C) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 6 May 2024 that Council seek authority from the Minister for Planning and Public Spaces to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal - 383-395A Kent Street, Sydney;

(D) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 6 May 2024 that Council approve the Draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, as shown at Attachment B to the subject report, for public authority consultation and public exhibition concurrent with the Planning Proposal;

(E) authority be delegated to the Chief Executive Officer to make any variations to Planning Proposal - 383-395A Kent Street, Sydney, to correct any drafting errors or to ensure consistency with the Gateway Determination;

(F) authority be delegated to the Chief Executive Officer to make any variations to Draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination; and

(G) the Central Sydney Planning Committee note the Chief Executive Officer will prepare a draft planning agreement in accordance with the letter of offer dated 22 April 2024 at Attachment C to the subject report, and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited in accordance with the Act.

Carried unanimously.

X091069

Attachment F

Gateway Determination

Gateway Determination

***Planning proposal (Department Ref: PP-2024-408)**:* To amend the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) to enable an increased floor space ratio (FSR) and increased maximum building height for development at 383-395A Kent Street that is used wholly for purposes other than residential accommodation, serviced apartments or commercial car parking.

I, the Director, Local Planning (North, East and Central Coast) at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Sydney Local Environmental Plan 2012 to enable an increased floor space ratio (FSR) and increased maximum building height for development used wholly for purposes other than residential accommodation, serviced apartments or commercial car parking.

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

(a) the planning proposal authority has satisfied all the conditions of the gateway determination;

(b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and

(c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 18 April 2025.

Gateway Conditions

1. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:

   (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and

   (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

2. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

   - Transport for NSW
   - Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts
   - Sydney Airport
   - Civil Aviation Safety Authority
   - Utility Providers, including Sydney Water

   Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 30 August 2024



Jazmin van Veen
Director, Local Planning (North, East and Central Coast)
Department of Planning, Housing and Infrastructure

Delegate of the Minister for Planning and Public Spaces

Attachment G

Alteration of Gateway Determination

Department of Planning, Housing and Infrastructure

Alteration of Gateway Determination

Planning proposal (Department Ref: PP-2024-408)

I, A/Manager, Local Planning and Council Support at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 14 June 2024 for the proposed amendment to the *Sydney Local Environmental Plan 2012* as follows:

1. Delete:

   "The LEP should be completed on or before 18 April 2025"

   and replace with

   "The LEP should be completed on or before 20 June 2025"

Dated 31st day of January 2025.

Ellen Shannon
A/Manager Local Planning (North, East and Central Coast)
Department of Planning, Housing and Infrastructure

Delegate of the Minister for Planning and Public Spaces

Item 5.

Public Exhibition - Draft Display of Goods on the Footway Local Approvals Policy

File No: S060627-02.026

Summary

Outdoor goods displays can support strong local business, bring life to our high streets and foster shopping precincts as destinations. Council policies seek to provide a safe and comfortable environment for all users of footways and public spaces, noting a well-managed footway promotes both equitable access and creates places and streets that are amenable and attractive for all visitors.

The Display of Goods on the Footway Local Approvals Policy (the LAP) allows retailers to display goods on the footpath outside their premises without seeking development consent or approval from Council or Transport for NSW (on classified roads).

The LAP aims to:

(a) promote the activation of the footway by permitting the display of goods;

(b) maintain the pedestrian thoroughfare as the primary purpose of the footway;

(c) maintain a consistent and predictable clear path of travel for all users;

(d) manage neighbourhood amenity through minimising additional visual clutter and other impacts; and

(e) ensure access and amenity is maintained by monitoring compliance with the criteria.

The current LAP came into force on 19 December 2022. Under section 165(4) of the Local Government Act 1993, the LAP is automatically revoked 12 months following local government elections. As a result, the current LAP will be automatically revoked on 14 September 2025. For the policy to remain in force it must be re-adopted by Council before that date. This process must include a public exhibition period in accordance with the requirements of the Local Government Act 1993 and Local Government (General) Regulation 2021, and the concurrence of the Office of Local Government.

The draft LAP is largely unchanged from the previous version, with minor amendments to reflect recent and future changes to the Sydney Local Environmental Plan 2012 and to more closely align with the terminology of the Local Government Act 1993.

Recommendation

It is resolved that:

(A) Council approve the draft Display of Goods on the Footway Local Approvals Policy, as shown at Attachment A to the subject report, for public exhibition in accordance with section 160 of the Local Government Act 1993 and section 77 of the Local Government (General) Regulation 2021;

(B) Council approve the draft Display of Goods on the Footway Local Approvals Policy shown at Attachment A to the subject report, for submission to the Office of Local Government with a request for the consent of the Department Chief Executive for the adoption of the Policy in accordance with section 162 of the Local Government Act 1993; and

(C) Council note that the Display of Goods on the Footway Local Approvals Policy, including any recommended changes, will be reported to Council for adoption following the exhibition period; and

(D) authority be delegated to the Chief Executive Officer make any variations to the draft Display of Goods on the Footway Local Approvals Policy for clarity or correction of drafting errors prior to exhibition.

Attachments

Attachment A. Draft Display of Goods on the Footway Local Approvals Policy

Background

1. The Display of Goods on the Footway Local Approvals Policy aims to promote the use of the footway for the display of goods to support local business activity where it is safe. Displaying goods is balanced with ensuring that pedestrian thoroughfare is maintained as the primary purpose of the footway.

2. Prior to the implementation of the LAP, a display of goods often required a development application and, where located on a classified road, the approval of Transport for NSW. In 2020, Council approved a Planning Proposal to make displays of goods exempt development under the Sydney Local Environmental Plan 2012. By enacting a Local Approvals Policy under section 168 of the Local Government Act 1993, and a General Consent under section 138 of the Roads Act, the LAP makes it possible for businesses to have a display of goods on the footway in front of their premises without submitting an application.

3. The LAP sets the criteria for when approval is not required. If the criteria are not met then the display cannot be placed on the footpath. The criteria for placement in the footway include maintaining a predictable and consistent clear path of travel, establishing clearances around common obstacles, requirements for the nature of goods on display, and the size, design and maintenance of the display structure. Displays of goods on the footway are not permitted in Central Sydney. Should non-compliance with the LAP be observed, City Rangers can instruct removal.

The policy is due for review

4. On 27 June 2022, Council adopted a Display of Goods on the Footway Local Approvals Policy that came into force on 19 December 2022. Under section 165(4) of the Local Government Act 1993, the LAP is automatically revoked 12 months after local government elections. Following local elections on 14 September 2024, the existing LAP will be revoked on 14 September 2025. In order to remain in force, the LAP must be re-adopted by Council prior to this date.

5. Internal consultation has been undertaken with various business units in the organisation. This consultation raised no significant issues and indicated the LAP was fit to be re-adopted in its current form.

6. There have been minor amendments made to the draft LAP to maintain consistency with recent proposed amendments to the Sydney Local Environmental Plan 2012 (the Sydney LEP). On 11 December 2023, Council approved a Planning Proposal for public exhibition of a suite of Policy and Housekeeping Amendments to the Sydney LEP. This proposal included the reintegration of a number of areas previously excluded from the Sydney LEP, including the former Carlton United Brewery site on Broadway (Central Park), Harold Park, Glebe Affordable Housing Project, certain Redfern Waterloo Authority Area sites, and sites fronting Gardeners Road, Rosebery. The LAP will apply to these sites upon their reintegration and amendments to the text and maps have been inserted to make this clear.

7. There have also been minor changes to provide greater clarity and to align language and terminology more closely with the Local Government Act 1993. In the draft LAP, found at Attachment A, changes are shown with deletions in red strikethrough and new text in red underline.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

8. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This policy is aligned with the following strategic directions and objectives:

   (a) Direction 3 - Public places for all - The policy promotes the activation of the footway supporting thriving streets. The criteria ensures that the footway remains safe, and amenity is maintained.

   (b) Direction 5 - A city for walking, cycling and public transport - The activation of the footway supports pedestrian thoroughfare and clearance controls ensures footways remain suitable for walking.

   (c) Direction 8 - A thriving cultural and creative life - The display of goods makes streets more lively and attractive destinations while allowing businesses to contribute to the cultural and creative life of the city.

Risks

9. City staff have considered the draft LAP and its continuing operation is within the City's risk tolerance and risk appetite. Where risks associated with activities can be effectively mitigated and there are reasonable benefits to the community, a minimal risk can be considered. The LAP is within the risk appetite as it includes criteria to address safe and equitable pedestrian access on the footway. The LAP also requires business with goods displays on the footway to hold a public liability insurance policy for at least $20 million.

Social / Cultural / Community

10. Footway uses have the potential to impede movement of people with disability and people who are blind or have low vision. The LAP requires a minimum 2 metre clear path of travel which is to be provided in a predictable pattern consistent with footway uses along the length of the street. The LAP requires clearances from tactile ground service indicators, service objects, pedestrian and signalised crossings, and bus zones, public transport access points and taxi stands. The LAP also requires shelving to have a solid base of a contrasting colour for people who are blind or have low vision.

Economic

11. The policy supports businesses displaying goods on the footway, encouraging local business activity and contributing to a lively and attractive streetscape. Footway displays are important for attracting customers and fostering a vibrant retail environment.

Relevant Legislation

12. Local Government Act 1993.

13. Local Government (General) Regulation 2021.

14. Roads Act 1993.

15. Sydney Local Environmental Plan 2012.

Critical Dates / Time Frames

16. The current Display of Goods on the Footway Local Approvals policy came into force on 19 December 2022 and will be automatically revoked on 14 September 2025. The revised LAP must be re-adopted by Council prior to this date.

17. Prior to the LAP being made, it must be publicly exhibited for a period of 49 days, in accordance with the requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2021. The document also requires concurrence of the Office of Local Government. The consent will be sought after exhibition and prior to post-exhibition reporting back to Council. This process can take between two to three months, which will determine when the documents can be reported back to Council for approval.

Public Consultation

18. The Display of Goods on the Footway Local Approvals Policy is subject to specific provisions in the Local Government Act 1993. Under section 160 of the Act, the LAP must go on exhibition for 28 days and submissions accepted for 42 days. In addition, under section 77 of the Local Government (General) Regulation 2021, public notice of the draft LAP must be published on the website at least 7 days before the commencement of the public exhibition and remain there at least until the conclusion of the period during which submissions may be made to the council. As a result, the LAP is required to be placed on public exhibition for at least 49 days.

19. Because the LAP sets out the criteria for when goods displays are exempt from seeking approval of Council, it is subject to section 162 of the Local Government Act 1993. This section requires the Departmental Chief Executive in the Office of Local Government to give consent to the LAP. The original LAP has this consent and any revised LAP will need an updated consent. This report recommends submitting the revised LAP to the Office of Local Government following public exhibition.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

James Dirickx-Jones, Planner

Kristina Argiropoulos, Cadet Planner

Attachment A

Draft Display of Goods on the Footway Local Approvals Policy

CITY OF SYDNEY

Display of Goods on the Footway
Local Approvals Policy

The City of Sydney acknowledges the Gadigal of the Eora Nation as the Traditional Custodians of our local area.

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Figure 4. Display dimensions - simple example 14

Introduction

The purpose and title of this policy

This policy is called the Display of Goods on the Footway Local Approvals Policy. Its purpose is to set out the circumstances ~~and conditions~~ under which Council will allow goods to be displayed on the footpath and other similar public spaces.

The aims of the policy

The aims of the policy are to:

- promote activation of the footway by permitting the display of goods;
- maintain the pedestrian thoroughfare as the primary purpose of the footway;
- maintain a consistent and predictable clear path of travel for all users;
- manage neighbourhood amenity through minimising additional visual clutter and other impacts; and
- ensure access and amenity is maintained by monitoring compliance with the criteria.

Scope of this policy

This policy applies to the City of Sydney local government area ~~except for the areas excluded as identified in Figure 1~~ where the Sydney Local Environmental Plan 2012 applies.

This policy will also immediately apply to the following areas upon each of them being incorporated into the Sydney Local Environmental Plan 2012:

- Harold Park
- Glebe Affordable Housing Project
- former Carlton United Brewery
- Gardeners Road, Rosebery
- former Redfern Waterloo Authority sites

These areas are identified in Figure 1.

This policy was adopted by Council on X and commenced operation on X.

How this policy works

This is a Local Approvals Policy under section 158 of the Local Government Act 1993.

Part 1 – Exempt from approval

Part 1 of this policy sets out the circumstances where a display of goods does not require approval from Council. Where the display of goods meets all the criteria in Part 1 of this policy:

- no approval is required from Council; and
- no fee is payable to Council.

Part 2 – Criteria for approvals

There are no criteria for giving or refusing an approval. If a display does not meet the criteria in Part 1:

- no approvals are available; and
- the display is not permitted.

Part 3 – Other matters for approvals

There are no other matters relating to approvals.

Enforcement of the policy

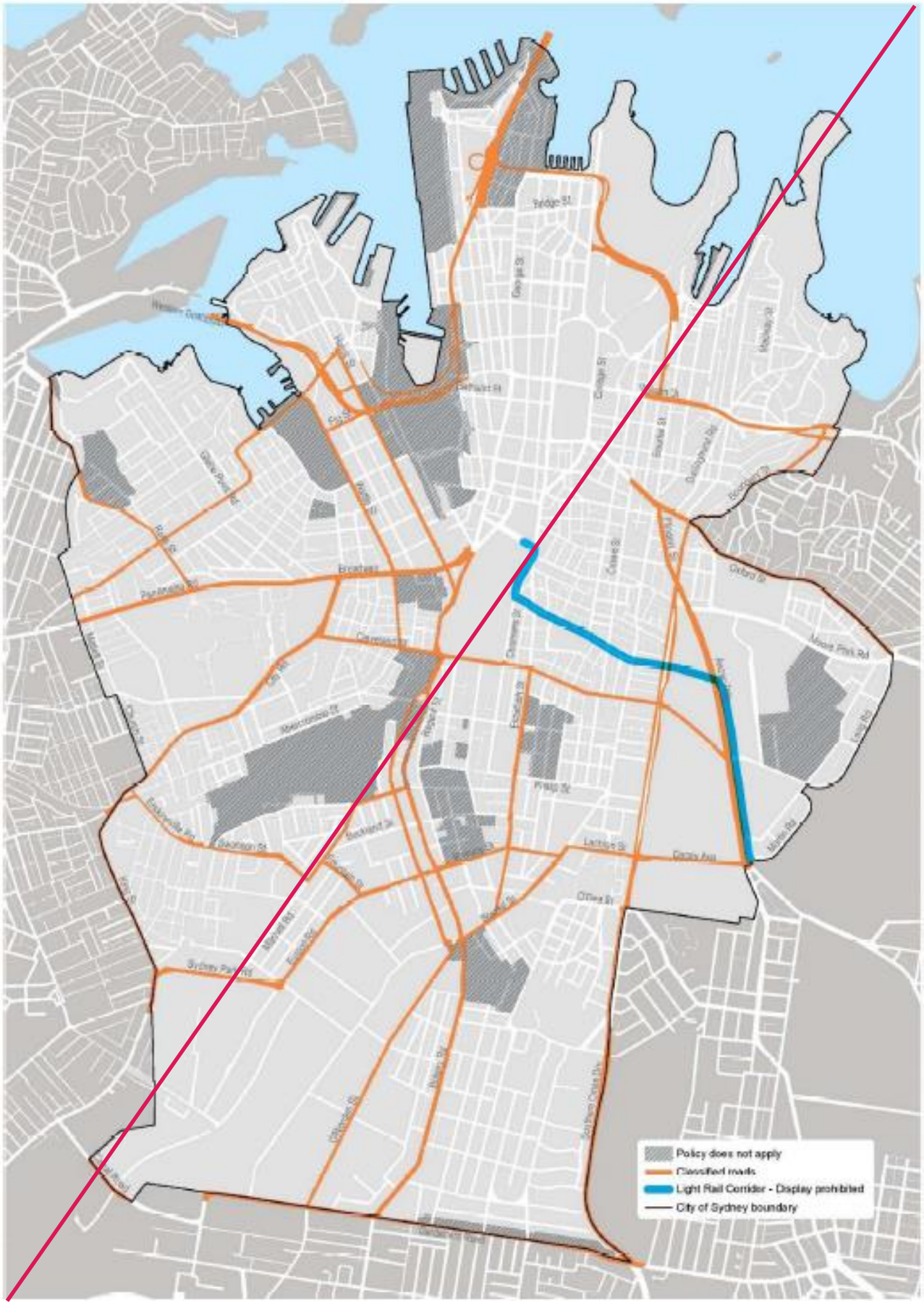
Where a display does not meet the ~~criteria~~ circumstances in Part 1 of this policy, it is not permitted.

An authorised officer of Council may issue penalty notices, give orders or initiate court action for non-compliance with this Policy.

When will the policy be revoked?

Under s165(4) of the Local Government Act 1993, this policy is automatically revoked 12 months after the NSW local government elections, unless Council resolves to do so sooner (s164(3)).

Figure 1. Scope of Policy



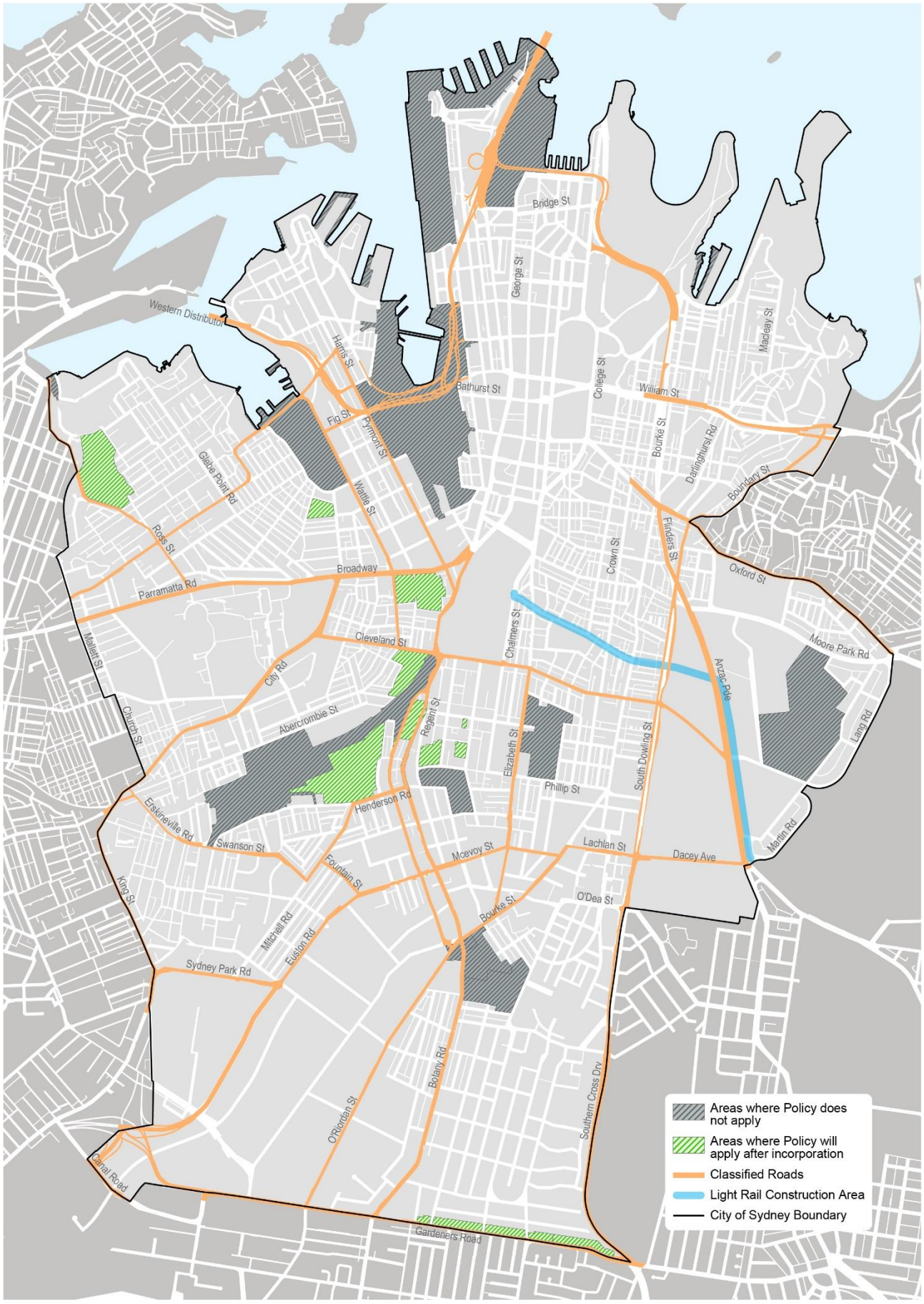
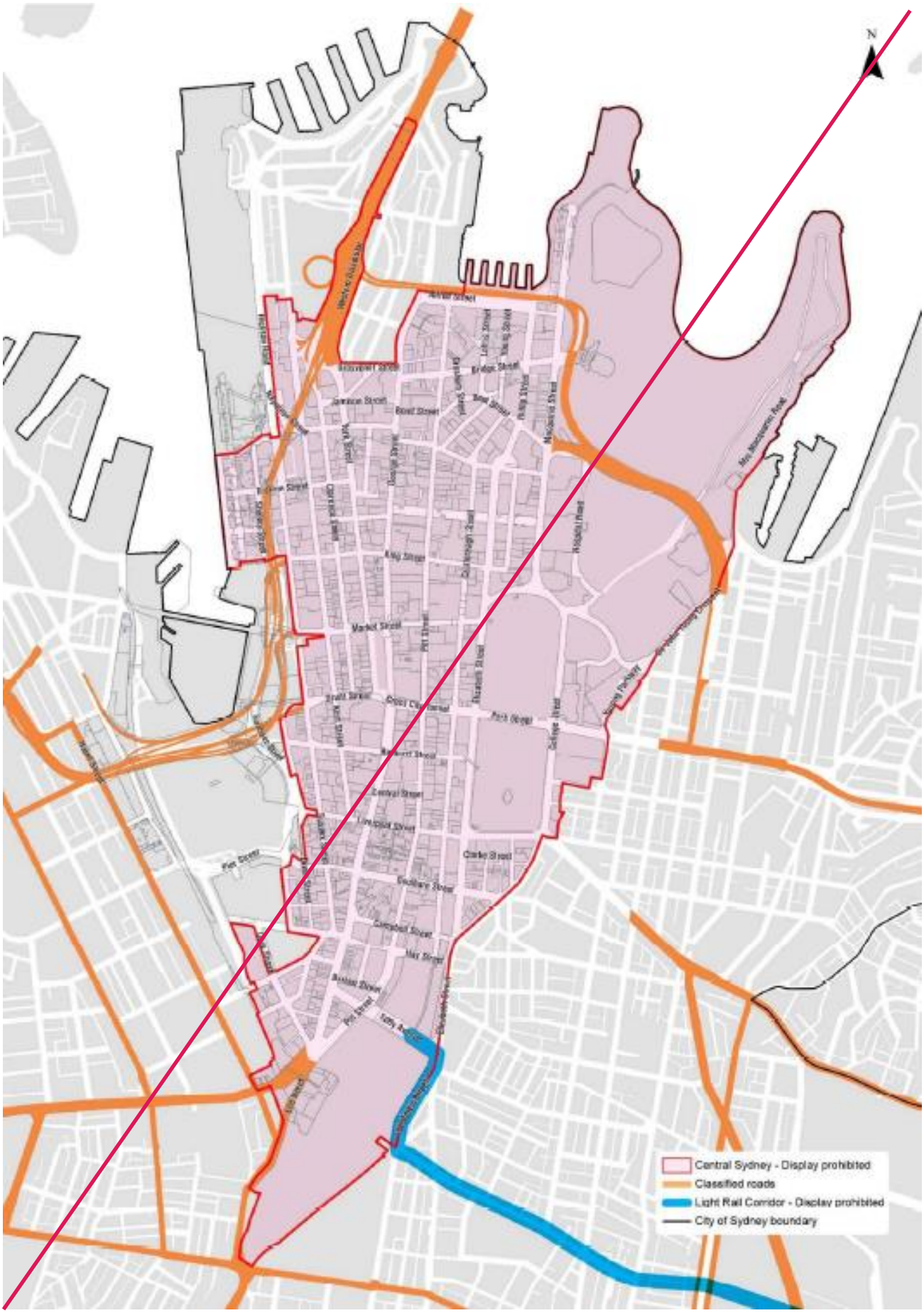

Western Distributor
Bridge St
George St
Macleay St
Harris St
Bathurst St
College St
William St
Fig St
Pyrmont St
Bourke St
Darlinghurst Rd
Boundary St
Glebe Point Rd
Wattle St
Ross St
Broadway
Parramatta Rd
Crown St
Flinders St
Oxford St
Cleveland St
Chalmers St
Moore Park Rd
Anzac Pde
Mallett St
City Rd
Church St
Abercrombie St
Regent St
Elizabeth St
South Dowling St
Lang Rd
Phillip St
Henderson Rd
Erskineville Rd
Swanson St
Lachlan St
Dacey Ave
Martin Rd
Mcevoy St
Fountain St
King St
O'Dea St
Bourke St
Mitchell Rd
Euston Rd
Sydney Park Rd
Botany Rd
O'Riordan St
Southern Cross Drv
Canal Road
Gardeners Road
Areas where Policy does not apply
Areas where Policy will apply after incorporation
Classified Roads
Light Rail Construction Area
City of Sydney Boundary

Figure 2. Central Sydney




N
Western Distributor
Alfred Street
Hickson Road
Grosvenor Street
Loftus Street
Young Street
Bridge Street
Gresham Street
Phillip Street
Macquarie Street
Mrs Macquaries Road
Jamison Street
Bond Street
Bent Street
Napoleon Street
York Street
George Street
Erskine Street
Shelley Street
Clarence Street
King Street
Castlereagh Street
Hospital Road
Market Street
Pitt Street
Elizabeth Street
Sir John Young Crescent
Druitt Street
Park Street
Yurong Parkway
College Street
Harbour Street
Kent Street
Bathurst Street
Harris Street
Central Street
Liverpool Street
Sussex Street
Clarke Street
Pier Street
Dixon Street
Goulburn Street
Campbell Street
Quay Street
Hay Street
Barlow Street
Pitt Street
Eddy Avenue
Elizabeth Street
Lee Street
Chalmers Street
Central Sydney - Display prohibited
Classified roads
Light Rail Corridor
City of Sydney boundary

Key terms

Term	Meaning
Clear path of travel	The area of the footway maintained for safe and equitable pedestrian circulation which is free from obstructions and assists in wayfinding and navigation. Also referred to as the continuous accessible path of travel, which is defined by the Australian Human Rights Commission as: *An uninterrupted route to and within ~~an area~~ premises providing access to all features, services and facilities. It should not incorporate any step, stairway, turnstile, revolving door, escalator, hazard or other ~~obstacle or~~ impediment which would prevent it from being safely negotiated by people with disability. (Advisory note on streetscape, public outdoor areas, fixtures, fittings and furniture, 2013)*
Display of goods	The display of goods for sale, associated with a lawfully operating adjacent retail outlet which does not involve spruiking or sales activity from the footway.
Exempt development	Development which does not need development consent under the Environmental Planning and Assessment Act 1979, but which may still need some other approval.
Footway	That part of a road that is set aside or formed as a path or way for pedestrian traffic.~~, whether or not it may also be used by bicycle traffic.~~

Part 1 – Exempt from approval

This part (Part 1) sets out the circumstances under which operators using the footway to display goods from an adjacent shop are exempt from approval~~s~~ under section 68, Part E (2) of the Local Government Act 1993.

The following criteria meet or exceed standards set under AUSTROADS Guide to Road Design Part 6A: Paths for Walking and Cycling, Section 5 Design Criteria.

A display is exempt from approval only if it meets the following criteria.

1.1 Areas where displays are prohibited

Displays are prohibited in:

– The Light Rail Corridor as shown in Figure 1; and

– Central Sydney as shown ~~on~~ in Figure 2.

Kerbside displays are prohibited on Classified Roads, however building side displays are permitted. See section 1.4 and Appendix A for more information.

1.2 Clear path of travel for pedestrians

The display should be located to allow for a consistent and predictable clear path of travel along the whole of the street block.

The clear path of travel should be at least 2 metres wide, except in a signposted 'shared zone' where the clear path of travel should be at least 4 metres wide.

An example of a clear path of travel is shown in Figure 3.

1.3 Location of the display

The display should generally be located against the building line of the shop.

The display cannot be located outside adjacent premises.

When located on the building side, the display must leave:

– ~~An~~ unobstructed access~~way~~ into the shop; and

– unobstructed access to any fire exit, fire door, or pathway to a fire exit or fire door.

1.4 Kerbside displays

The display can only be located on the kerbside:

– if the road is not a classified road as defined under the Roads Act 1993 (a list of these roads is at Appendix A);

– if existing business uses on the street block, such as outdoor dining, are already located towards the kerb; and

– if it is set back 0.6 metres from the kerb or gutter to enable unobstructed access for car passengers.

When located on the kerbside, the display must:

– occupy no more than 60% of the total street frontage of the shop; and

– have regular breaks of 1.2 metres.

This is to allow unobstructed access to and from the kerb.

1.5 Clearances around the display

In addition to the clear path of travel for pedestrian traffic, the display should maintain clearances in all directions around the following items:

- 0.5 metres from any tactile ground service indicators
- 1 metre from any service object including fire hydrant, utility pit, vents, drains, public seat, bike rack or ring, pay phones, parking meters, rubbish bins and the like;
- 1 metre from pedestrian and signalised crossings, kerb ramps, any landscaped area, street tree pit or grate;
- 2 metres from the corner alignment of the building at street intersections (as shown in Figure 3). This is to allow for a clear line of sight from the intersection; and
- 3 metres from bus zones, public transport access points and taxi stands.

1.6 Display structure – dimensions

The goods ~~should~~ must be displayed on a structure or stand:

- no more than 0.6 metres deep, when measured perpendicular to the shopfront or building line;
- with the lowest 60 millimetres being solid to be detectable with a cane, and with colour and luminance contrast of at least 30%, to allow them to be identified by pedestrians with low vision; and
- no less than 0.5 metres high to avoid being a tripping hazard, and
- no more than 1.2 metres high (including the goods) to allow views between the road, the footway and the building (as shown in Figure 4).

1.7 Display structure – design

The display structure must ~~is to~~ be designed:

- to keep the street tidy and free of clutter, with no objects hanging or protruding from the structure into the footway;
- to be durable and weather resistant;
- to prevent goods being blown about by wind;
- so as not to compromise trolleys, shopping baskets, crates or packing boxes;
- without electrical power, lighting, heating or refrigeration; and
- without mirrored or reflective surfaces.

Sandwich boards and advertising A-frames are not permitted.

1.8 Goods on display

The goods on display:

- are to be normally found for sale in the adjacent shop;
- ~~do~~ must not emit noise or vibration that could cause annoyance, for example operating radios or electronic toys; and
- are to comply with any regulations ensuring the display of items is free from contamination, for example the Food Act 2003 for displays containing food.

The display must not contain the following goods for sale:

- furniture or white goods;
- sharp, dangerous, or protruding items (for example uncovered hardware items);
- goods that may damage or stain the pavement (for example oils or dyes);
- perishable foods (including meat, fish, shellfish, poultry, dairy or cooked rice) other than fresh fruit and vegetables;
- restricted literature or goods, where restricted means publications classified Category 1 restricted, Category 2 restricted, or RC under the Classification (Publications, Films and Computer Games) Act 1995 (Cth).

1.9 Permitted hours for the display

The display must be removed from the footway outside the approved operating hours of the adjacent shop, or between 10pm and 7am the next day, if the shop is approved to trade between 10pm and 7am the next day.

1.10 Use of the display

The display is not to be used for:

- conducting sales transactions;
- spruiking or broadcasting or amplified sales messages on the footway, or from within the shop so they can be heard on the footway; or
- for advertising, except where it relates to the items on display.

1.11 Maintenance of the display

The display structure:

- must not be attached to the footway, street poles, or any other street furniture or infrastructure with metal bolts, padlocks, chains or the like;
- must not damage the surface of the footway, including when it is being moved at the start and end of trading;
- is to be kept clean and tidy; and
- is to be kept in good repair and free of broken elements.

1.12 Insurance

The operator of the display must have a current public liability policy covering the display, with a minimum value of $20 million. For displays on a classified road, the insurance policy must note the interests of Transport for NSW.

1.13 Removal of display

The road authority (Council or Transport for NSW) can request the goods display be removed, and the person or business who owns the display shall agree to and carry out removal, if:

- ~~the conditions of this policy~~ the circumstances and criteria set out in this policy are breached and/or exceeded;
- the display is compromising public safety or public access;
- the footway area is needed for public works;
- the footway area is needed for a special event;
- the footway area is needed to manage an increase in pedestrians;
- the footway is needed for the installation of construction hoardings and scaffoldings; or
- the footway is needed to support pedestrian flow.

Figure 3. Example of a clear path of travel and required clearances

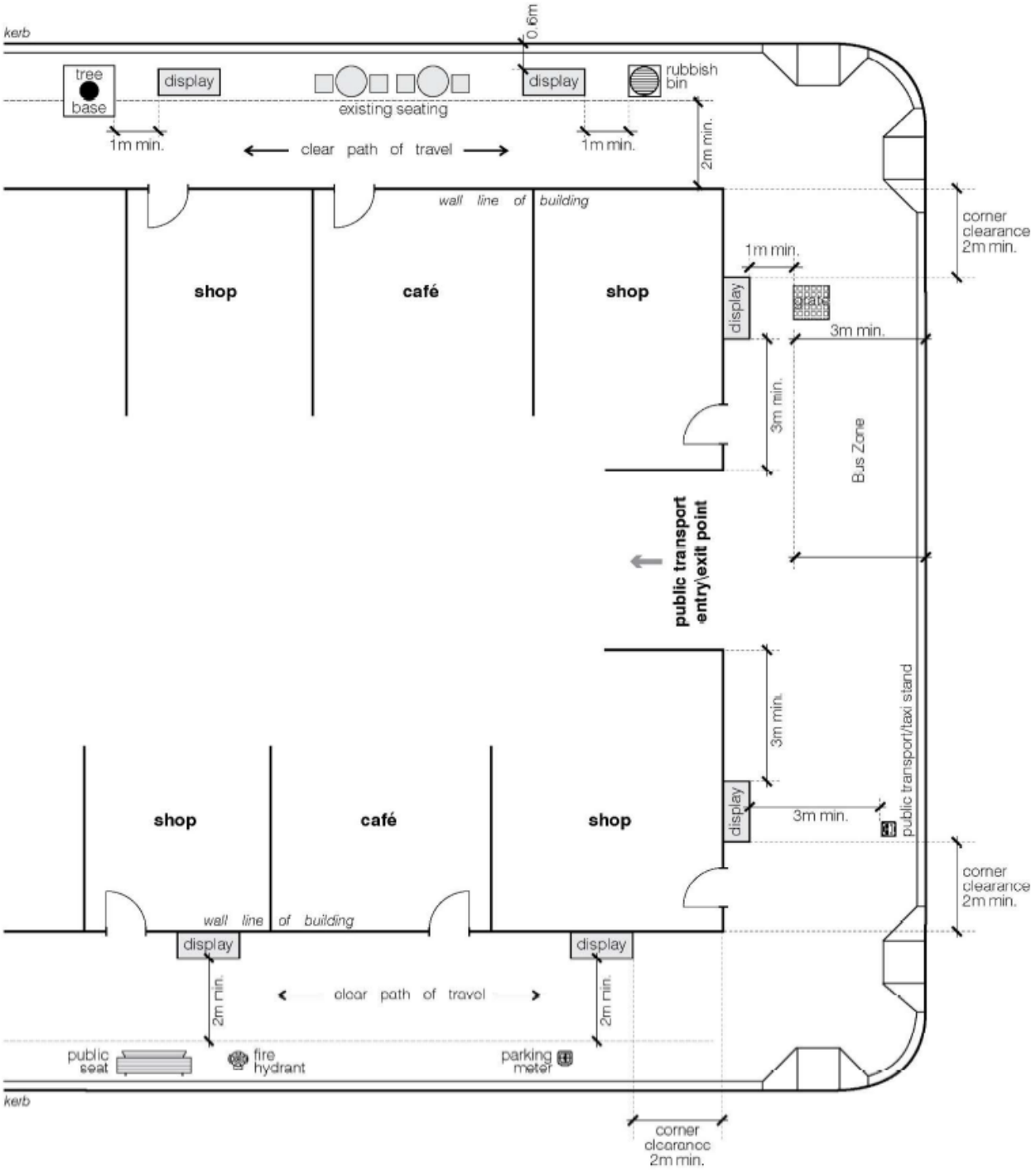
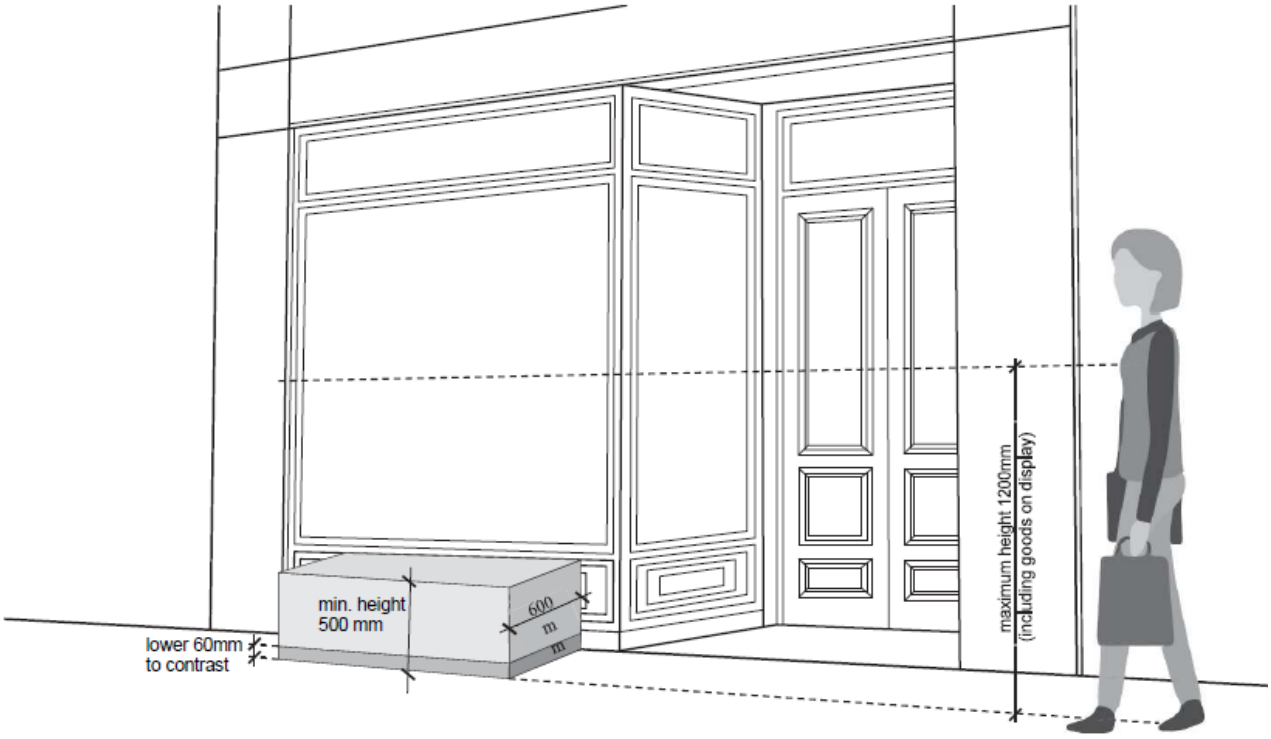


Figure 4. Display dimensions - simple example



Part 2 – Criteria for approvals

There are no criteria for giving or refusing of an approval.

If the display does not meet the circumstances and criteria under Part 1, it is not permissible, and no approval will be granted.

Part 3 – Other matters for approvals

There are no other matters relating to approvals.

Appendix A

Classified Roads – Kerbside displays (see section 1.4) are not permitted.

An up-to-date list of classified roads is available on the Transport for NSW website at rms.nsw.gov.au

Abercrombie Street (section)	Fig Street	O'Riordan Street
Anzac Parade	Fountain Street	Oxford Street (section)
Botany Road	Gardeners Road	Parramatta Road
Boundary Street	Gibbons Street	Pyrmont Bridge Road (section)
Bourke Street (section)	Harris Street (section)	Regent Street
Bridge Road	Henderson Road (section)	Ross Street (section)
Broadway	King Street	South Dowling Street
City Road	Lachlan Street	Swanson Street
Cleveland Street	Lee Street	Sydney Park Road
Copeland Street	McEvoy Street	The Crescent
Dacey Avenue	McLachlan Avenue	Wattle Street
Elizabeth Street, Waterloo	Minogue Crescent	Wyndham Street
Erskineville Road	Mitchell Road (section)	
Euston Road	Neild Avenue	

Attachment A: Conditions of Consent under Roads Act s 138

Display of Goods on the Footway Policy

The following comprise the Council of the City of Sydney's (**Council's**) conditions of consent as roads authority, to erect a Display of Goods on a road for which Council is the roads authority pursuant to section 138(1) of the Roads Act (**Consent**).

The Transport for NSW Conditions of General Concurrence Roads Act 1993, s 138(1) (**TfNSW Conditions of General Concurrence**) apply to any Display of Goods for sites on Classified Roads.

The following conditions (**Council Conditions**) apply to any Display of Goods for sites on all other Public Roads.

1. Definitions

Approval means any certificate, licence, consent, permit, approval or other requirement of any Authority having jurisdiction in connection with the activities contemplated by this Consent.

Authority means any government, semi-governmental, administrative, fiscal or judicial body, department, commission, authority, tribunal, agency or entity.

Classified Road has the same meaning as defined in the Roads Act 1993, and means any of the following: a main road, a highway, a freeway, a controlled access road, a secondary road, a tourist road, a tollway, a transitway and a State work.

Display of Goods means the display of goods on the footway, the subject of these conditions.

Operator means the operator in charge of the Display of Goods, to which the Consent is issued.

Premises means the area of road on which the Display of Goods is situated and includes the City's fixtures, fittings, plant and equipment.

Public Road has the same meaning as defined in the Roads Act 1993 and means:

(a) any road that is opened or dedicated as a public road, whether under this or any other Act or law, and

(b) any road that is declared to be a public road for the purposes of this Act.

TfNSW General Conditions means the general conditions contained in the Transport for NSW Conditions of General Concurrence.

Unclassified Road means a public road that is not a classified road.

2. Council Conditions

1. The Display of Goods must comply with the conditions of the Councils' Display of Goods on the Footway Approvals Policy (**Approvals Policy**) and the Operator acknowledges and agrees that a breach of the Approvals Policy will constitute a breach of the Consent.
2. The Operator must comply with the TfNSW General Conditions contained in the TfNSW Conditions of General Concurrence and the Operator acknowledges and agrees that a breach of the TfNSW General Conditions will constitute a breach of the Consent.

3. The Consent is subject to the provisions under Schedule 2 of Sydney Local Environmental Plan 2012 (LEP) and the Operator must ensure that the provisions of the LEP are complied with at all times, and acknowledges and agrees that a breach of the LEP will constitute a breach of the Consent.
4. The Operator must comply with the requirements of all governmental, consent and other like authorities in its use of the Premises, including obtaining any other applicable consents from adjoining land owners or any other applicable Approvals.
5. The Operator must permit the Council and any relevant Authority to enter upon the Premises with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time without notice in the case of an emergency) to:
    a) Inspect the state of repair and condition of any services or utilities located with or passing through, under and above the Premises; and
    b) Carry out works (including repairs, additions, replacements or renovation) to any services or utilities located within or passing through, under or above the Premises.
6. Council may suspend the Operators use of the Premises for the Display of Goods at any time if Council considers it necessary to enable the Council or any relevant Authority to carry out works in or around the Premises.
7. The Operator must not make any claim for compensation or abatement or any other demand in relation to the entry on to the Premises or the carrying out of works by the City or any relevant Authority or the suspension of use under the above clauses.
8. The Operator acknowledges and agrees that this Consent and the Operator's rights to occupy and use the Premises for the Display of Goods under this Consent are subject to the rights of passage and access along public roads granted to members of the public under the Roads Act, including under sections 5, 6 and 143 of that Act.
9. The Operator acknowledges and agrees that the City may enter into any arrangement or agreement with any occupier or other person interested in any land adjacent to or near the Premises, or any government agency, for the purpose of providing:

    (i) public or private access to and egress from the Road;

    (ii) support of existing or future structures erected on or from adjoining land; or

    (iii) services including water, drainage, gas and electricity supply and telephone and electronic communication services.

    For the purposes of this clause 9 the City may dedicate land or transfer, grant or create any privilege or other right, in favour of any other party, any adjoining or neighbouring land or any government agency over or affecting the Public Road. The Consent is subject to any agreement, dedication, arrangement, right, easement or privilege granted under this clause 9 or existing in respect of the Public Road at the Commencement Date.

    When exercising its rights under this clause 9, the City must not dedicate any land or create any easement, privilege or other right which substantially or permanently affects the enjoyment of any rights conferred on the Operator by the granting of the Consent other than in the case of resumption by a government agency, in which case the Consent will be revoked. The City will not be liable to the Operator in respect of that revocation.

10. The Operator acknowledges and agrees that nothing in the Consent relating to the Display of Goods will be construed as authorising the permanent obstruction of the Public Road, or prevent the City from altering the levels of or reconstruction the Public Road.
11. If at any time the City or TfNSW request the removal of the Display of Goods the Operator must at its own cost:
    a) Remove the Display of Goods from the Premises;
    b) Remove any alterations or additions made to the Premises by the Operator; and
    c) Make good the Premises to the condition at the commencement of the Consent.
12. If the Operator is in breach of any of the Council Conditions and fails to perform any required act to rectify the breach within 10 business days of notice by the City to the Operator of that breach, then the City may request the Operator to remove the Display of Goods, and the provisions of clause 12 of the Council Conditions will apply.

Attachment B: Conditions of General concurrence Roads Act 1993, section 138 Display of Goods on the Footway Policy

The following comprise of Transport for NSW general terms of concurrence for any consent issued by City of Sydney Council as the roads authority, to erect a display of goods on a classified road pursuant to Section 138 of the *Roads Act 1993*.

General terms of concurrence

1. This general concurrence only applies with respect to a section 138 consent to erect *a Display of goods* on the footway of a classified road. Separate concurrence from Transport for NSW must be obtained in relation to any application under section 138 of the *Roads Act* in connection with any other works and substantial structures.

2. It should be noted that Transport for NSW General Concurrence does not apply to *kerbside* displays of goods on the footway of classified roads. Separate concurrence from Transport for NSW must be obtained in relation to any application under section 138 of the *Roads Act* for a kerbside display of goods on a classified road.

3. For the purposes of this concurrence, the term *Display of goods* has the same meaning as defined in the policy, generally as follows: the temporary placement and display of goods for sale, associated with a lawfully operating retail outlet which does not involve spruiking or sales activity from the footway.

4. The section 138 Consent is to be revoked or suspended at any time if Transport for NSW or their contractors:

(a) undertake or propose to undertake works in the approved display of goods area

or

(b) undertake or propose to undertake works or an event that otherwise impacts access to adjoining footways, roadways, transport infrastructure, parks or public places.

General Conditions

1. The display of goods must comply with any relevant council policy that applies to these types of structures, works and activities.

2. Clearance widths for pedestrians should be maintained in accordance with AUSTROADS Guide to Road Design Part 6A: Paths for Walking and Cycling (Section 5 Design Criteria) with additional allowance made for transverse movements by staff and customers.

   The clearance widths must consider any existing or proposed landscaping, vegetation, garden beds and street furniture, which may impact on the clearance. The display of goods should not impact pedestrian movements on footways, with consideration given to all users.

3. Pedestrians should not be forced on to the road carriageway by displays or other non-permanent items on the footpath.

4. All improvements are not to be fixed structures and are to be stored away at the close of business.

5. The display of goods shall not obstruct motorist's line of sight to regulatory signage, driveways, traffic control signals or other critical road infrastructure.

6. The display of goods shall not cover or impede access to public utilities and drainage pits. Access is to be made available at any time and at no cost to Transport for NSW, if required.

7. The owner/operator of the display of goods on public footways of classified roads must obtain Public Liability insurance for an amount not less than $20 million which notes the interests of Transport for NSW, prior to placing any displays on the public footway that are the subject of the section 138 Consent. The Public Liability insurance must be held for the full duration that the displays are in place on the public footway.

8. All costs and works associated with the display of goods are to be at no cost to Transport for NSW.

Item 6.

Fire Safety Reports

File No: S105001.002

Summary

The City of Sydney regularly receives building reports from Fire and Rescue NSW in relation to inspections carried out by Fire and Rescue NSW Authorised Officers. These inspection reports are to be reported to Council and Council is required to determine whether to exercise its power to issue fire safety orders under Division 9.3 and Schedule 5 of the Environmental Planning and Assessment Act 1979 (the Act).

In response to Fire and Rescue NSW reports City staff undertake inspections to ensure fire safety measures are in full operation and that building exits are clear and unimpeded. Fire and Rescue NSW inspections revealed fire safety concerns that require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

Fire and Rescue NSW has powers under the Act to carry out inspections of buildings and it is required to forward its findings to the City.

Fire and Rescue NSW reports received by the City are required to be tabled before Council.

Attached are details of 4 reports received by the City from Fire and Rescue NSW. The attachments deal with 4 properties and include the Fire and Rescue NSW report and the findings (preliminary or final) by City's staff, along with other documentation relevant to that property.

Recommendation

It is resolved that Council:

(A) note the contents of the Fire Safety Reports Summary Sheet, as shown at Attachment A to the subject report;

(B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to E of the subject report;

(C) note the contents of Attachment B and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 2-4 Sterling Circuit, Camperdown at this time;

(D) note the contents of Attachment C and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 20 Pyrmont Bridge Road, Camperdown at this time;

(E) note the contents of Attachment D and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 26 Point Street, Pyrmont at this time; and

(F) note the contents of Attachment E and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 22 Point Street, Pyrmont at this time.

Attachments

Attachment A. Fire Safety Reports Summary Sheet

Attachment B. Inspection Report - 2-4 Sterling Circuit, Camperdown

Attachment C. Inspection Report - 20 Pyrmont Bridge Road, Camperdown

Attachment D. Inspection Report - 26 Point Street, Pyrmont

Attachment E. Inspection Report - 22 Point Street, Pyrmont

Background

1. The City receives inspection reports and recommendations from Fire and Rescue NSW in relation to inspections carried out on buildings located within the City's local government area.

2. Under the Environmental Planning and Assessment Act 1979, (the Act), Fire and Rescue NSW has the power to carry out inspections of buildings to determine if the building has adequate provision for fire safety and/or is compliant with legislation.

3. On average, the City receives approximately 50 such reports each year. They can arise from any Fire and Rescue NSW inspection of a property, including reactive inspections where a third party has reported a concern relating to fire safety in a building.

4. When Fire and Rescue NSW carries out such an inspection, a report and any recommendations must be provided to the City.

5. Under the Act, Council is then required to table the report and make a determination as to whether it will exercise its power to issue a Fire Safety Order 1 or 2 in Schedule 5, Part 2 of the Act. Fire Safety Order 1 requires a person to do or stop doing certain specified things to improve fire safety; Fire Safety Order 2 requires a person to cease conducting an activity on premises where that activity constitutes, or is likely to constitute, a life-threatening hazard or a threat to public health or public safety.

6. Attached are the details of 4 reports received from Fire and Rescue NSW, including recommendations for further action, relating to three properties. The properties have also been reviewed by City staff.

Risks

7. This approach is within the City’s risk appetite, which states:

    - We are committed to conducting our activities in full compliance with applicable laws, regulations and relevant industry standards.

Relevant Legislation

8. Environmental Planning and Assessment Act 1979.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

Andrew Thomas, Executive Manager Planning and Development

Attachment A

Fire Safety Reports Summary Sheet

Fire Safety Reports Summary Sheet
Cl.17, Schedule 5 of the Environmental Planning and Assessment Act 1979, reports to Council, S105001.002

Total number of properties tabled: 4

Report – March 2025

Summary table

Att. (A-E)	Premises Specifics	Actions/ Recommendation
A	Not applicable – Summary Sheet	Summary of clause 17, Schedule 5 matters tabled at Council meeting.
B	2-4 Sterling Circuit, Camperdown	Premises inspected; owners have previously been issued with a Fire Safety Order; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
C	20 Pyrmont Bridge Road, Camperdown	Premises inspected; matters raised have been rectified, no further action required.
D	26 Point Street, Pyrmont	Premises inspected; owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.
E	22 Point Street, Pyrmont	Premises inspected; owners have been issued with corrective action correspondence; follow up compliance site inspections are to be undertaken to ensure fire safety works are satisfactorily completed.

Attachment B

Inspection Report
2-4 Sterling Circuit, Camperdown

2 - 4 Sterling Circuit, Camperdown

CITY OF SYDNEY



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Notes 8/12/2022

The City Investigation Officer Inspection and Recommendation Report
Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the Act)

File: CSM 3276560 **Officer:** Bill Badyari **Date:** 22 January 2025

Premises: 2-4 Sterling Circuit, Camperdown

Executive Summary:

The City of Sydney received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 8 January 2025, with respect to matters of fire safety.

The premises consists of three blocks building namely Vie 1, Vie 2 & Vie 3 comprising a mix of both commercial and residential tenancies.

1. Building Vie 1 comprise six (6) storeys with ground floor commercial and five (5) storeys of residential apartments
2. Building Vie 2 comprise seven (7) storeys of residential apartments
3. Building Vie 3 comprise six (6) storeys above street level containing residential tenancies only with two (2) floors underground carpark shared by all three buildings.

An inspection of the premises undertaken by a City investigation officer in the presence of the building manager, revealed that the premises are deficient in fire safety and egress provisions in the following areas:

1. Inadequate facilities for firefighting;
2. Poor fire safety management systems in place

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2021.

Observation of the external features of the building identified there is combustible composite cladding on the façade of the building. A fire safety order was issued on the owners of the building on 5 December 2022 requiring the owners to remove the combustible cladding and replace with non-combustible cladding. The compliance period of the modified order expires on 12 May 2025, the works under the order are on track. Cladding removal and replacement works were approved by the City on 15 April 2024. The works are to be carried out by the NSW Government's Project Remediate Scheme. Compliance documentation and certification is being prepared by the managing contractor Hansen Yuncken for submission to Council.

Whilst the City's investigation has identified several minor fire safety "maintenance and management" issues, the fire safety systems provided within the subject premises are considered adequate in the circumstances.

The errors in documentation and maintenance of the fire safety systems are being addressed through the current fire safety order.

Chronology:

Date	Event
08/01/2025	FRNSW correspondence received regarding 2-4 Sterling Circuit Camperdown referred to as 'VIE 1,2 and 3'
08/01/2025	A review of City records show: - Fire safety schedule contains 15 fire safety measures, including an automatic fire detection system, emergency lighting, fire hydrant system and a hose reel system - A fire safety statement dated 19 April 2021 was provided. - The building owners are not required to submit Annual Fire Safety Statements during the compliance period of the order, but are required to maintain the existing functional measures, checked by the Investigation Officer through the stages of the works.
13/01/2025	A copy of issues raised by FRNSW provided to the owner in relation to required maintenance of fire safety measures
17/01/2025	An inspection found certain fire safety measures are maintained accordingly and there is evidence of non-compliance with some fire safety measures. The building manager advised that the maintenance of the fire safety measures are being rectified through the current fire safety order.

FIRE AND RESCUE NSW REPORT:

Fire and Rescue NSW conducted an inspection of the subject premises in response to the project remediate programme being undertaken by the NSW Department of Customer Service to address high risk combustible cladding on residential apartment buildings in NSW.

Fire and Rescue NSW reported several fire safety deficiencies noted in the table below:

Ref.	Issue	City response
Essential Fire Safety Measures		
1. Essential Fire Safety Measures		
1A	**Automatic fire detection and alarm system:**	
A	**The fire indicator panel (FIP) was displaying:**	
i.	Eight (x8) 'Isolations' identified as: - Zone 1 Front Panel Manual Call Point - Zone 1 Carpark 2 South - Zone 2 Carpark 2 Centre - Zone 3 Carpark 2 East - Zone 4 Carpark 1 South - Zone 5 Carpark 1 North - Vie 2 Zone 12 - Vie 3 Zone 13	FIP clear from all the faults at the time of inspections.
B.	**Maintenance Records –** The last entry in the 'Service Record Logbook' dated 17 December 2024, noted the following defects/corrective Actions:	
i.	'Zone Block Plan incorrect'.	Issue to be resolved via terms of fire safety Order that was issued in 2022.
ii.	Detection in Vie 2 doesn't call brigade on activation of alarms.	Issue to be resolved via terms of fire safety Order that was issued in 2022.

Ref.	Issue	City response
1B.	**Fire Hydrant System:**	
A.	**Maintenance Records –** The last entry in the 'Service Record Logbook' for the diesel pumpset, dated 17 December 2024, noted the following Defects/Corrective Actions:	
i.	'Stop button not working, pump company to fix'.	Issue to be resolved via terms of fire safety Order that was issued in 2022.
ii.	'Annual Service Overdue'. Similar comments are identified in the maintenance records dating back to at least September 2024.	Issue to be resolved via terms of fire safety Order that was issued in 2022.
B.	**The hydrant booster assembly:**	
i.	The block plan at the booster assembly was a schematic plan only and did not include a floor plan layout of the buildings and the hydrant system, contrary to the requirements of Clause 7.11 of AS 2419.1-2005.	Issue to be resolved via terms of fire safety Order that was issued in 2022.
1C.	**Annual Fire Safety Statement (AFSS):**	
A.	A copy of the current AFSS was not prominently displayed within the building in accordance with Clause 89 of the EPAR 2021. In this regard, the AFSS on display was dated 2022 and is no longer current.	The building is subject of a Fire Safety Order however most recent AFSS is displayed next to FIP.

FRNSW is therefore of the opinion that the fire safety provisions prescribed for the purposes of 9.32(1)(b) of the EP&A Act, have not been complied with.

FRNSW recommended that City officers inspect and address any other deficiencies identified on 'the premises' and require item no.1 of their report to be appropriately addressed.

OFFICER RECOMMENDATIONS:

~~Issue Order~~	~~Issue emergency Order~~	~~Issue a compliance letter of instruction~~	~~Cited Matters rectified~~	~~Continue to undertake compliance action in response to issued The City correspondence~~	Continue with compliance actions under the current Order	~~Other (to specify)~~

As a result of the above site inspection undertaken by the City's investigation officer it is recommended that the owners of the building continue to comply with the fire safety order.

Follow-up compliance inspections are currently being undertaken and will continue to be undertaken by the City officer to ensure all identified fire safety matters are suitably addressed and that compliance with the terms of the City's order and the recommendations of FRNSW occur.

It is recommended that the City not exercise its powers to give a fire safety order at this time, and that the Commissioner of FRNSW be advised of the City's actions and determination.

File Ref. No: FRN22/1307 - BFS22/1907 - 8000020964
TRIM Ref. No: D24/149371
Contact: Mark Knowles

19 December 2024

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance / Fire Safety

Dear Sir / Madam

Re: INSPECTION REPORT
'VIE 1, 2 and 3'
2-4 STERLING CIRCUIT, CAMPERDOWN
[AKA: 1 ALEXANDRA DRIVE] ("the premises")

In response to the Project Remediate programme being undertaken by the NSW Department of Customer Service, to remove high-risk combustible cladding on residential apartment buildings in NSW, an inspection of 'the premises' on 19 December 2024 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as reference.

- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act and Clause 112 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021).

The following was observed at the time of the inspection:

1. Essential Fire Safety Measures

1A. The Automatic Fire Detection and Alarm System:

A. The Fire Indicator Panel (FIP) was displaying:

i. Eight (x8) 'Isolations' identified as:

- Zone 1 Front Panel Manual Call Point
- Zone 1 Carpark 2 South
- Zone 2 Carpark 2 Centre
- Zone 3 Carpark 2 East
- Zone 4 Carpark 1 South
- Zone 5 Carpark 1 North
- Vie 2 Zone 12
- Vie 3 Zone 13

Discussions with the Building Manager at the time of the inspection revealed that the isolations were associated with cleaning works being undertaken in the carpark levels.

FRNSW received email correspondence from the Building Manager on the afternoon of 18 December 2024, advising the following:

The cleaning is now complete and the FIP is back online with no errors or isolations (see attached photo).

A photograph of the FIP display was provided with the correspondence to demonstrate such.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

B. Maintenance Records – The last entry in the 'Service Record Logbook' dated 17 December 2024, noted the following Defects/Corrective Actions:

i. 'Zone Block Plan incorrect'.

ii. 'Detection in Vie 2 doesn't call brigade on activation of alarms'.

Similar comments are identified in the maintenance records dating back to at least August 2024.

1B. Fire Hydrant System:

A. Maintenance Records – The last entry in the 'Service Record Logbook' for the diesel pumpset, dated 17 December 2024, noted the following Defects/Corrective Actions:

i. 'Stop button not working, pump company to fix'.

ii. 'Annual Service Overdue'.

Similar comments are identified in the maintenance records dating back to at least September 2024.

B. The hydrant booster assembly:

i. The block plan at the booster assembly was a schematic plan only and did not include a floor plan layout of the buildings and the hydrant system, contrary to the requirements of Clause 7.11 of AS 2419.1-2005.

1C. Annual Fire Safety Statement (AFSS):

A. A copy of the current AFSS was not prominently displayed within the building in accordance with Clause 89 of the EPAR 2021. In this regard, the AFSS on display was dated 2022 and is no longer current.

FRNSW is therefore of the opinion that the fire safety provisions prescribed for the purposes of 9.32(1)(b) of the EP&A Act, have not been complied with.

RECOMMENDATIONS

FRNSW recommends that Council:

a. Inspect and address item no. 1 of this report.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference FRN22/1307 - BFS22/1907 - 8000020964 for any future correspondence in relation to this matter.

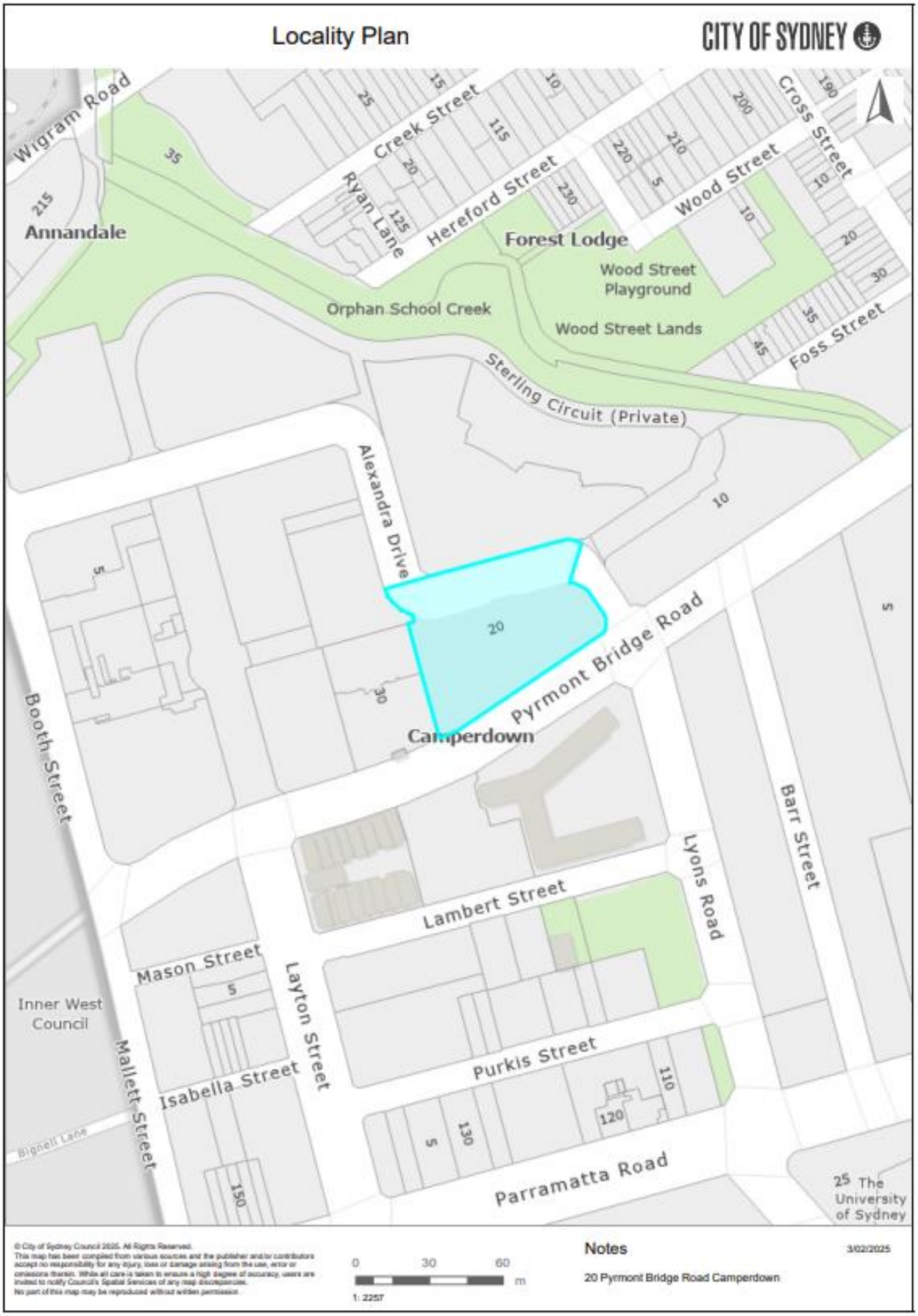
Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

Attachment C

Inspection Report
20 Pyrmont Bridge Road, Camperdown


Locality Plan
CITY OF SYDNEY
Wigram Road
Annandale
Creek Street
Ryan Lane
Hereford Street
Forest Lodge
Wood Street
Cross Street
Wood Street Playground
Orphan School Creek
Wood Street Lands
Foss Street
Sterling Circuit (Private)
Alexandra Drive
Pyrmont Bridge Road
Camperdown
Booth Street
Barr Street
Lyons Road
Lambert Street
Mason Street
Layton Street
Inner West Council
Mallett Street
Isabella Street
Purkis Street
Bignell Lane
Parramatta Road
The University of Sydney
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Notes
3/02/2025
20 Pyrmont Bridge Road Camperdown

City of Sydney Investigation Officer Inspection and Recommendation Report Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the Act)

File: CSM 3276527 **Officer:** Bill Badyari **Date:** 5 February 2025

Premises: 20 Pyrmont Bridge Road, Camperdown

Executive Summary:

The City received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 8 January 2025, with respect to matters of fire safety.

The premises consists of five storeys residential flat building containing 38 separate units.

An inspection of the premises undertaken by a City investigation officer in the presence of the building manager, revealed that the premises have adequate fire safety and egress provisions in place and all the fire safety measures within the building are maintained accordingly.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2021.

Observation of the external features of the building identified there is combustible composite cladding on the façade of the building. A fire safety order was issued on the owners of the building on 13 May 2021 requiring the owners to remove the combustible cladding and to replace with non-combustible cladding. The City is working with NSW Project Remediate and it is expected all works would be completed by May 2025.

Chronology:

Date	Event
08/01/2025	FRNSW correspondence received regarding 20 Pyrmont Bridge Road Camperdown referred to as 'Venables'
13/01/2025	A review of City records showed: - The annual fire safety statement is current. - The fire safety schedule for the premises contains 13 fire safety measures, including an automatic fire detection system, emergency lighting, fire hydrant systems and a hose reel system - A fire safety statement dated 26 February 2024 has been provided for the premises.
30/01/2025	An inspection undertaken by the City officer noted that: - Building is equipped with several fire safety measures, including hydrant system, emergency lighting/automatic fire suppression system and alarm and smoke detection system. - Mechanical air handling systems. - Clear signage displayed on the cupboard reading Fire indicator panel - No faults in the panel at the time. - An Annual Fire Safety Statement dated 26 February 2024, was displayed in prominent area.
6/02/2025	Telephone call with the contractors undertaking the cladding removal and replacement revealed that cladding works are expected to be finished by May 2025.

FIRE AND RESCUE NSW REPORT:

Fire and Rescue NSW conducted an inspection of the subject premises in response to the project remediate programme being undertaken by the NSW Department of Customer Service to address high risk combustible cladding on residential apartment buildings in NSW.

Fire and Rescue NSW reported several fire safety deficiencies noted in the table below:

Ref.	Issue	City response
Essential Fire Safety Measures		
1. Essential Fire Safety Measures		
1A	**Automatic fire detection and alarm system:**	
A	The main fire indicator panel (FIP) in the pumproom was displaying one (x1) 'fault' and two (x2) 'disablements' identified as:	
i.	Fault – Buzzer Off-Line	FIP clear from all the faults at the time of inspections.
ii.	Disable – L01M002 - Sub FIP Lower Gnd Front Foyer	FIP clear from all the faults at the time of inspections.
iii.	Disable - Zone 2 - Sub FIP Lower Ground	FIP clear from all the faults at the time of inspections.
B.	The Sub/Mimic Panel in the front entry lobby was displaying two (x2) 'Faults' identified as:	
i.	'Fault – Buzzer Off-Line	FIP clear from all the faults at the time of inspections.
ii.	Fault – L01M010 Sounder CCT-9	FIP clear from all the faults at the time of inspections.

FRNSW is therefore of the opinion that the fire safety provisions prescribed for the purposes of 9.32(1)(b) of the EP&A Act, have not been complied with.

FRNSW recommended the City inspect and address any other deficiencies identified and require item no.1 of their report to be appropriately addressed.

OFFICER RECOMMENDATIONS:

~~Issue Order~~	~~Issue emergency Order~~	~~Issue a compliance letter of instruction~~	Cited Matters rectified	~~Continue to undertake compliance action in response to issued The City correspondence~~	~~Continue with compliance actions under the current Order~~	~~Other (to specify)~~

Inspections undertaken by the City investigation officer in company with the manager of the premises revealed that the above recommendations of FRNSW have been complied with.

It is recommended that the City not exercise its powers to issue a fire safety order at this time and that the Commissioner of FRNSW be advised of the City's actions and determination.

File Ref. No: FRN20/2912 - BFS22/1908 - 8000020965
TRIM Ref. No: D24/149433
Contact: Mark Knowles

19 December 2024

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance / Fire Safety

Dear Sir / Madam

Re: INSPECTION REPORT
'VENABLES'
20 PYRMONT BRIDGE ROAD, CAMPERDOWN ("the premises")

In response to the Project Remediate programme being undertaken by the NSW Department of Customer Service, to remove high-risk combustible cladding on residential apartment buildings in NSW, an inspection of 'the premises' on 19 December 2024 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4). The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act and Clause 112 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021).

The following was observed at the time of the inspection:

1. Essential Fire Safety Measures

1A. Automatic Fire Detection & Alarm System:

A. The Main Fire Indicator Panel (FIP) in the Pumproom was displaying one (x1) 'Fault' and two (x2) 'Disablements' identified as:

i. Fault – Buzzer Off-Line

ii. Disable – L01M002 - Sub FIP Lower Gnd Front Foyer

iii. Disable - Zone 2 - Sub FIP Lower Ground

B. The Sub/Mimic Panel in the front entry lobby was displaying two (x2) 'Faults' identified as:

i. Fault – Buzzer Off-Line

ii. Fault – L01M010 Sounder CCT-9

Discussions with the Building Manager at the time of the inspection revealed that the faults and isolations were associated with a faulty local alarm buzzer associated with the Sub Panel, that was continually sounding and disrupting the residents. FRNSW requested the Building Manager seek clarification with the fire services contractor as to extent of the disablements with respect to the detection system.

FRNSW received email correspondence from the Building Manager on the afternoon of 18 December 2024, advising the following:

Storm Fire (copied) have confirmed only the sub-FIP buzzer has been isolated.

Due to the holidays coming up and staff taking leave, this issue will be rectified in the new year.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

FRNSW is therefore of the opinion that the fire safety provisions prescribed for the purposes of 9.32(1)(b) of the EP&A Act, have not been complied with.

RECOMMENDATIONS

FRNSW recommends that Council:

a. Inspect and address item no. 1 of this report.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference FRN20/2912 - BFS22/1908 - 8000020965 for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

Attachment D

Inspection Report
26 Point Street, Pyrmont


Locality Map
CITY OF SYDNEY
Herbert Street
Mill Street
Bayview Street
Jones Bay
Pirrama Park
20
Pirrama Road
Unnamed Lane
140
130
120
10
25
Ways Terrace
20
5010
Darling Island Road (Private)
5010
5010
Metcalfe Park
Trouton Place (Private)
Bowman Street
Cross Street
Point Street
Pirrama Road
Unnamed Lane
50
Scott Street
135
Pyrmont
The Star Light Rail
John Street Square Light Rail
55
80
John Street
Harris Street
85
80
Jones Bay Road
The Star
65
Pyrmont Street
15 Mount Street
100
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Notes
23/01/2025
26 Point Street Pyrmont

City of Sydney Investigation Officer Inspection and Recommendation Report Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the Act)

File: CSM 3269531 **Officer:** Bill Badyari **Date:** 30 January 2025

Premises: 26 Point Street, Pyrmont

Executive Summary:

The City received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 19 December 2024, with respect to matters of fire safety.

The premises consists of three residential apartment buildings namely C, D & E.

1. Building C has 9 levels with 6 levels residential apartments and 3 levels of basement parking
2. Building D has 12 levels with 9 levels residential apartment and 3 levels of basement parking
3. Building E has 14 levels with 11 levels of residential apartments and 3 levels of basement parking

An inspection of the premises undertaken by a City investigation officer in the presence of the building manager, revealed that the premises are deficient in fire safety and egress provisions in the following areas:

1. Inadequate fire detection and alarm systems;
2. Inadequate facilities for firefighting;
3. Poor fire safety management systems in place

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2021.

Observation of the external features of the building identified there is combustible composite cladding on the façade of the building. A fire safety order was issued on the owners of the building on 7 May 2024 requiring removal of the combustible cladding and to replace with non-combustible cladding. The compliance period of the order expires on 16 February 2026, works under the order are on track. Cladding removal and replacement works have been approved by the City on 14 January 2025. The works are to be carried out by the NSW Government's Project Remediate Scheme Council has been carrying out progress inspections and monitoring the remediation works.

Whilst the City's investigation has identified several minor fire safety "maintenance and management" issues, the fire safety systems provided within the subject premises are considered adequate in the circumstances. The minor fire safety issues are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor(s) through written instruction from the City.

Chronology:

Date	Event
19/12/2024	FRNSW correspondence received regarding 26 Point Street, Pyrmont referred to as 'Watermark Plaza-Building C, D & E'
02/01/2025	A review of City records showed: - The fire safety schedule for the premises contains 19 fire safety measures, including an automatic fire detection system, emergency lighting, fire hydrants system and a hose reel system - A fire safety statement dated 11 September 2024 has been provided for the premises.Cladding works are carried out by the NSW Government's Project Remediate Scheme, and the City has been carrying out progress inspections and monitoring the remediation works.
23/01/2025	An inspection by the City officer noted: - The buildings are equipped with several fire safety measures, including building occupant warning system, emergency lighting/automatic fire suppression system and automatic alarm and smoke detection system. - Smoke and heat detectors provided. - Clear signage displayed on the cupboard reading fire indicator panel. - One fault on display for power supply. - An Annual Fire Safety Statement dated 11 September 2024, was displayed in prominent area.
29/01/2025	Corrective action letter issued.

FIRE AND RESCUE NSW REPORT:

Fire and Rescue NSW conducted an inspection of the subject premises in response to the project remediate programme being undertaken by the NSW Department of Customer Service to address high risk combustible cladding on residential apartment buildings in NSW.

Fire and Rescue NSW reported several fire safety deficiencies noted in the table below:

Ref.	Issue	City response
Essential Fire Safety Measures		
1. Essential Fire Safety Measures		
1A	**Automatic Fire Detection and Alarm System:**	
i.	Carpark Fire Detection System – The Fire Brigade Panel was displaying one (x1) 'Fault/Disablement', identified as 'Zone 1 MCP - BGA Fire Door Entrance'. Discussions with the Building Manager at the time of the inspection revealed that the fire maintenance contractor was in progress of rectifying the issue.	Fault was cleared at the time of inspection. However another fault displayed for power supply, to be addressed under the corrective action letter.
ii.	Residential smoke alarm system - It could not be determined whether the Building Occupant Warning System (BOWS) would sound through all occupied areas of the building in accordance with Clause S20C7 of Specification 20 of the NCC.	To be addressed under the corrective action letter.
B.	**Fire Hydrant System**	
1B	The fire hydrant system appears to serve multiple buildings including Watermark Plaza - 26 Point Street, Watermark Pavilion – 24 Point Street, Watermark Tower – 2 Jones Bay Road and the shared 'BMC' basement carpark. The following comments are provided having regard to AS 2419.1-2005:	

Ref.	Issue	City response
A.	**The fire brigade booster assembly:**	
i.	Location – The fire brigade booster assembly is not within site of the main entrance of the building (Watermark Plaza and Watermark Pavilion 24-26 Point Street), contrary to the requirements of Clause 7.3 of AS 2419.1-2005. FRNSW would benefit from a visual alarm device (VAD) located on the wall fronting Jones Bay Road (at the entry driveway where the booster assembly is located) and signage which clearing identifies each building (and address) served by the fire hydrant booster assembly / hydrant system. Furthermore, FRNSW would also benefit from a block plan of the hydrant system and booster assembly location signage at each building entry point to assist FRNSW locating the booster assembly.	To be addressed under the corrective action letter.
C.	**Automatic Fire Suppression System**	
1C.	The sprinkler system appears to serve only the basement carpark levels for Watermark Plaza – 26 Point Street and Watermark Pavilion – 24 Point Street. The following comments are provided having regard to AS 2118.1-1999.	To be addressed under the corrective action letter.
A.	**The sprinkler booster assembly:**	
i.	A sign marked with the maximum allowable inlet pressure at the connection was not provided at the booster assembly, contrary to the requirements of Clause 4.4.3 of AS 2118.1–1999.	To be addressed under the corrective action letter.
ii.	A plan of risk (block plan) of the sprinkler system was not provided at the booster assembly, contrary to the requirements of Clause 8.3 of AS 2118.1-1999.	To be addressed under the corrective action letter.
1D.	**Exit signs:**	
A.	Multiple exit signs throughout the carpark levels were not illuminated and had not maintained, contrary to the requirements of Section 81 of the EPAR 2021.	No faults observed at the time of inspections, all signs within the carpark level were illuminated accordingly.
1E.	**Annual Fire Safety Statement (AFSS):**	
A.	A copy of the current AFSS was not prominently displayed within the building in accordance with Clause 89 of the EPAR 2021.	Copy of current AFSS displayed in the prominent area at time of inspection.
2.	**Generally:**	
2A.	Effective Height – Block E (which connects with Blocks C & D), appears to achieve an effective height exceeding 25m as defined by the NCC. In this regard, buildings achieving an effective height exceeding 25m have more onerous requirements than a building with an effective height of 25m or under. In this regard, the following requirements, but not limited to these requirements, may apply to the building, should Council consider the building to achieve an effective height exceeding 25m:	No action required. The relevant Building Code of Australia version at time of original Construction was BCA1996. The Definition of *Effective height* in BCA1996 differed from current BCA2022 and was defined as *the height to the floor of the topmost storey from the floor of the lowest storey providing direct egress to a road or open space.*

Ref.	Issue	City response
i.	Automatic Fire Suppression System - The building would require a sprinkler system throughout all areas, including the residential levels, in accordance with the requirements of Clause E1D4 and Clause E1D5 of the NCC.	No action required. The buildings were built in 1997. The use has not changed, nor has there been an intensification of the use. The as-built form of the buildings complied with the BCA at the time of construction. A sprinkler system was not required at the time in all areas of the building under 25 metres. The buildings have adequate fire safety measures in place to protect the occupants. An upgrade to sprinkler system to all areas is not warranted at this time.
ii.	Air Pressurisation System – The fire-isolated stairway serving the residential levels in Block E, would require an air pressurisation system complying with AS 1668.1, in accordance with the requirements of Clause E2D4 of the NCC.	Air pressurisation system operation is confirmed in the current fire safety measures.
iii.	Automatic Smoke Detection and Alarm System – The building would require an automatic smoke detection and alarm system complying with Specification 20, in accordance with the requirements of Clause E2D5 of the NCC.	Automatic smoke detection and alarm system operation is confirmed in the current fire safety measures.
iv.	Fire Hydrant Ring Main – The fire hydrants would need to be connected to a ring main, in accordance with the requirements of Clause E1D2 of the NCC and Clause 8.6 of AS 2419.1-2021.	The buildings were built in 1997. The use has not changed, nor has there been an intensification of the use. The as-built form of the buildings complied with the BCA at the time of construction, are in good order. A further upgrade is not warranted at this time.
v.	Emergency Warning and Intercom System – The building would require an emergency warning and intercom system, complying with AS 1670.4, in accordance with the requirements of Clause E4D9 of the NCC.	
vi.	Number of exits – Each storey of the building would require access to not less than 2 exits, in accordance with Clause D2D3 of the NCC.	
vii	Re-entry from fire-isolated exits – The doors to the fire-isolated stairways serving the residential levels in Block E, would require re-entry (with appropriate signage) on every fourth floor and fail-safe devices that automatically unlocks the door upon activation of a fire alarm on the other doors throughout the exit, in accordance with the requirements of Clause D3D27 of the NCC.	

FRNSW is therefore of the opinion that the fire safety provisions prescribed for the purposes of 9.32(1)(b) of the EP&A Act, have not been complied with.

FRNSW recommended that the City inspect and address any other deficiencies identified on 'the premises' and require item no.1 of their report to be appropriately addressed and item no. 2 to be considered.

OFFICER RECOMMENDATIONS:

~~Issue Order~~	~~Issue emergency Order~~	Issue a compliance letter of instruction	~~Cited Matters rectified~~	~~Continue to undertake compliance action in response to issued The City correspondence~~	~~Continue with compliance actions under the current Order~~	~~Other (to specify)~~

As a result of site inspections undertaken by the City investigation officer, the building owner has been issued with written instructions to rectify the fire safety deficiencies identified by council's Officer and noted in the table above.

The above written instructions direct the owners of the premises to carry out remedial actions to existing fire systems to cause compliance with required standards of performance.

Follow-up compliance inspections will be undertaken by the City officer to ensure all identified fire safety matters are suitably addressed and that compliance with the terms of the City's correspondence and the recommendations of FRNSW occur.

It is recommended that the City not exercise its powers to give a fire safety order at this time, and that the Commissioner of FRNSW be advised of the City's actions and determination.

File Ref. No: FRN24/1492 - BFS24/7549 - 8000039347
TRIM Ref. No: D24/146252
Contact: Mark Knowles

13 December 2024

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance / Fire Safety

Dear Sir / Madam

Re: INSPECTION REPORT
'WATERMARK PLAZA – BUILDINGS C, D & E'
26 POINT STREET, PYRMONT ("the premises")

In response to the Project Remediate programme being undertaken by the NSW Department of Customer Service, to remove high-risk combustible cladding on residential apartment buildings in NSW, an inspection of 'the premises' on 14 November 2024 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act and Clause 112 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021).

The following was observed at the time of the inspection:

1. Essential Fire Safety Measures

1A. Automatic Fire Detection and Alarm System:

A. The building appears to be provided with a fire detection system, consisting of AS1670 smoke/thermal detectors throughout the carpark levels, with a Fire Brigade Panel (FBP) located in the sprinkler valve room (Jones Bay Road) and a separate smoke alarm system throughout the residential levels (Buildings C, D & E), consisting of AS3786 smoke alarms in the common areas/public corridors, with a local smoke alarm control panel located in the Managers Office on Level 4 (Building E).

The following was observed at the time of the inspection:

i. Carpark Fire Detection System – The Fire Brigade Panel was displaying one (x1) 'Fault/Disablement', identified as 'Zone 1 MCP - BGA Fire Door Entrance'.

Discussions with the Building Manager at the time of the inspection revealed that the fire maintenance contractor was in progress of rectifying the issue.

ii. Residential smoke alarm system - It could not be determined whether the Building Occupant Warning System (BOWS) would sound through all occupied areas of the building in accordance with Clause S20C7 of Specification 20 of the NCC.

1B. The Fire Hydrant System – The fire hydrant system appears to serve multiple buildings including Watermark Plaza - 26 Point Street, Watermark Pavilion – 24 Point Street, Watermark Tower – 2 Jones Bay Road and the shared 'BMC' basement carpark. The following comments are provided having regard to AS 2419.1-2005:

A. The fire brigade booster assembly:

i. Location – The fire brigade booster assembly is not within site of the main entrance of the building (Watermark Plaza and Watermark Pavilion 24-26 Point Street), contrary to the requirements of Clause 7.3 of AS 2419.1-2005.

FRNSW would benefit from a visual alarm device (VAD) located on the wall fronting Jones Bay Road (at the entry driveway where the booster assembly is located) and signage which clearing identifies each building (and address) served by the fire hydrant booster assembly / hydrant system.

Furthermore, FRNSW would also benefit from a block plan of the hydrant system and booster assembly location signage at each building entry point to assist FRNSW locating the booster assembly.

1C. Automatic Fire Suppression System – The sprinkler system appears to serve only the basement carpark levels for Watermark Plaza – 26 Point Street and Watermark Pavilion – 24 Point Street. The following comments are provided having regard to AS 2118.1-1999:

A. The sprinkler booster assembly:

i. A sign marked with the maximum allowable inlet pressure at the connection was not provided at the booster assembly, contrary to the requirements of Clause 4.4.3 of AS 2118.1–1999.

ii. A plan of risk (block plan) of the sprinkler system was not provided at the booster assembly, contrary to the requirements of Clause 8.3 of AS 2118.1-1999.

1D. Exit signs:

A. Multiple exit signs throughout the carpark levels were not illuminated and had not maintained, contrary to the requirements of Section 81 of the EPAR 2021.

1E. Annual Fire Safety Statement (AFSS):

A. A copy of the current AFSS was not prominently displayed within the building in accordance with Clause 89 of the EPAR 2021.

FRNSW is therefore of the opinion that the fire safety provisions prescribed for the purposes of 9.32(1)(b) of the EP&A Act, have not been complied with.

ADDITIONAL COMMENTS

In addition to the items identified above, relating to the Fire Safety Provisions prescribed by Clause 112 of the EPAR 2021, the following items were also identified as concerns at the time of the inspection and it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

2. Generally:

2A. Effective Height – Block E (which connects with Blocks C & D), appears to achieve an effective height exceeding 25m as defined by the NCC. In this regard, buildings achieving an effective height exceeding 25m have more onerous requirements than a building with an effective height of 25m or under. In this regard, the following requirements, but not limited to these requirements, may apply to the building, should Council consider the building to achieve an effective height exceeding 25m:

i. Automatic Fire Suppression System - The building would require a sprinkler system throughout all areas, including the residential levels, in accordance with the requirements of Clause E1D4 and Clause E1D5 of the NCC.

ii. Air Pressurisation System – The fire-isolated stairway serving the residential levels in Block E, would require an air pressurisation system complying with AS 1668.1, in accordance with the requirements of Clause E2D4 of the NCC.

iii. Automatic Smoke Detection and Alarm System – The building would require an automatic smoke detection and alarm system complying with Specification 20, in accordance with the requirements of Clause E2D5 of the NCC.

iv. Fire Hydrant Ring Main – The fire hydrants would need to be connected to a ring main, in accordance with the requirements of Clause E1D2 of the NCC and Clause 8.6 of AS 2419.1-2021.

v. Emergency Warning and Intercom System – The building would require an emergency warning and intercom system, complying with AS 1670.4, in accordance with the requirements of Clause E4D9 of the NCC.

vi. Number of exits – Each storey of the building would require access to not less than 2 exits, in accordance with Clause D2D3 of the NCC.

vii. Re-entry from fire-isolated exits – The doors to the fire-isolated stairways serving the residential levels in Block E, would require re-entry (with appropriate signage) on every fourth floor and fail-safe devices that automatically unlocks the door upon activation of a fire alarm on the other doors throughout the exit, in accordance with the requirements of Clause D3D27 of the NCC.

RECOMMENDATIONS

FRNSW recommends that Council:

a. Inspect and address item no. 1 of this report.

b. Give consideration to the other deficiencies identified on 'the premises' identified in item no. 2 of this report.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference FRN24/1492 - BFS24/7549 - 8000039347 for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

Attachment E

Inspection Report
22 Point Street, Pyrmont


Giba Park
Herbert Street
Pirrama Road
Mill Street
Unnamed Lane
Marina Berth (Private)
Jones Bay
Bayview Street
25
10
20
Pirrama Park
Unnamed Lane
140
130
120
Ways Terrace
20
5010
5010 Darling Island Road (Private)
5010
Metcalfe Park
Pirrama Road
Point Street
Pyrmont
Unnamed Lane
Bowman Street
Cross Street
Harris Street
50
Scott Street
135
Harvey Street
55-80
John Street Square
Light Rail
The Star
Light Rail
Jones Bay Road
John Street
85
80
Pyrmont Street
The Star
Mount Street
65
75
5
15
100

City of Sydney Investigation Officer Inspection and Recommendation Report Clause 17(2), Part 8 of Schedule 5, of the Environmental Planning and Assessment Act 1979 (the Act)

File: CSM 3269523 **Officer:** Bill Badyari **Date:** 28 January 2025

Premises: 22 Point Street, Pyrmont

Executive Summary:

The City of Sydney ('the City') received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises on 13 December 2024, with respect to matters of fire safety.

The premises is a seven (7) storey residential apartment building. The basement, level 1 and level 2 are parking and level 3 to level 7 are apartments.

An inspection of the premises undertaken by a City investigation officer in the presence of the building manager, revealed that the premises are deficient in fire safety and egress provisions in the following areas:

1. Inadequate fire detection and alarm systems;
2. Inadequate facilities for firefighting

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is current and compliant and is on display within the building in accordance with the requirements of the Environmental Planning and Assessment Regulation 2021.

Observation of the external features of the building identified there is combustible composite cladding on the façade of the building. A fire safety order was issued on the owners of the building on 7 May 2024 requiring the owners to remove the combustible cladding and to replace with non-combustible cladding. The compliance period of the order expires on 16 February 2026, works under the order are on track. Cladding removal and replacement works have been approved by the City on 14 January 2025. The works are carried out by the NSW Government's Project Remediate Scheme, and the City has been carrying out progress inspections and monitoring the remediation works.

Whilst the City's investigation has identified several minor fire safety "maintenance and management" issues, the fire safety systems provided within the subject premises are considered adequate in the circumstances.

It is considered that the above fire safety issues are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor(s) through written instruction from The City.

Chronology:

Date	Event
02/01/2025	FRNSW correspondence received regarding 22 Point Street Pyrmont referred to as 'Watermark Terrace'
02/01/2025	A review of City records showed: - The fire safety schedule for the premises contains 14 fire safety measures, including smoke and heat alarms, emergency lighting, fire hydrants systems and a hose reel system - A fire safety statement dated 13 August 2024 has been provided for the premises.Cladding works are being carried out by the NSW Government's Project Remediate Scheme, and the City has been carrying out progress inspections and monitoring the remediation works. -
23/01/2025	An inspection by the City officer noted that: - The building is equipped with several fire safety measures noted, including smoke and heat detectors, emergency lighting/fire hydrants systems and hose reel systems. - Mechanical air handling systems are provided. - No faults in the FIP panel at the time. - An Annual Fire Safety Statement dated 13 August 2024, was displayed in prominent area.
29/01/2025	Corrective action letter issued.

FIRE AND RESCUE NSW REPORT:

Fire and Rescue NSW conducted an inspection on 14 November 2024 of the subject premises in response to the project remediate programme being undertaken by the NSW department of customer service to address high risk combustible cladding on residential apartment buildings in NSW.

The report from FRNSW detailed a number of issues, in particular:

Ref.	Issue	City response
Essential Fire Safety Measures		
1A	**Smoke Alarm System and Building Occupant Warning System (BOWS):**	
A.	The building appears to be provided with a smoke alarm system throughout the residential levels, consisting of AS3786 smoke alarms in the common areas/public corridors, with a local smoke alarm control panel located in the Service Room on Level 2 (entry level), in accordance with the requirements of Clause E2D8 and Specification 20 of the NCC (Clause S20C3). Common area smoke alarms are interconnected between levels to provide a common building alarm to alert all building occupants (i.e. the required BOWS) and it appears that the Decibel (dBA) level from the smoke alarms in the common areas provide adequate occupant warning to the Sole Occupancy Units (SOUs). Notwithstanding this, the following issues were identified: i. Smoke alarms are not provided to 'all other internal public spaces', such as the garbage room on Level 2 (entry level), contrary to the requirements of Clause S20C3(2)(c) of Specification 20 of the NCC.	Addressed under the corrective action letter.

Ref.	Issue	City response
B.	**Fire Hydrant System**	
1B	Fire Hydrant System – The Annual Fire Safety Statement and the hydrant block plan on display listed the standard of performance for the hydrant system as being AS 2419-1-1994. As such, the following comments are provided having regard to AS 2419.1-1994:	
A.	**The hydrant booster assembly:**	
i.	The booster assembly is located in a locked enclosure which did not contain a lock compatible with FRNSW access key (003 key) and is therefore not readily accessible to fire fighters, contrary to the requirements of Clause 5.6.3 of AS 2419.1- 1994.	Addressed under the corrective action letter.
B.	**The pumproom:**	
i.	The door to the pump room was not fitted with a lock compatible with FRNSW access key and is therefore inconsistent with the requirements of FRNSW/NSWFB Section 188 Exemption Reference FSD/RES/103140.	Addressed under the corrective action letter.
1C.	**Fire Doors:**	
A.	The fire door to the exit on Basement level (Level 1), adjacent to the carwash bay, had not been maintained in accordance with the requirements of Clause 81 of the EPAR 2021. In this regard, the fire door failed to return to the fully closed position (and self-latch) after each opening, when tested, contrary to the requirements of Clause C4D9 and Specification 12 of the NCC and AS1905.1	Addressed under the corrective action letter.
D.	**Annual Fire Safety Statement (AFSS):**	
A.	A copy of the current AFSS was not prominently displayed within the building in accordance with Clause 89 of the EPAR 2021. In this regard, the AFSS on display was dated August 2023 and is no longer valid.	Current AFSS displayed at the time
2.	**Generally:**	
2A.	**Access and Egress**	
A.	Operation of latch – The discharge door from the fire isolated stairway serving the residential levels, contained a round tulip style handle in lieu of a single hand downward action lever handle, contrary to the requirements of Clause D3D26 of the NCC.	Addressed under the corrective action letter.

FRNSW is therefore of the opinion that the fire safety provisions prescribed for the purposes of 9.32(1)(b) of the EP&A Act, have not been complied with.

FRNSW recommended that the City inspect and address any other deficiencies identified on ‘the premises’ and require items no.1 and 2 of their report to be appropriately addressed.

OFFICER RECOMMENDATIONS:

~~Issue Order~~	~~Issue emergency Order~~	Issue a compliance letter of instruction	~~Cited Matters rectified~~	~~Continue to undertake compliance action in response to issued The City correspondence~~	~~Continue with compliance actions under the current Order~~	~~Other (to specify)~~

As a result of site inspections undertaken by the City investigation officer, the building owner has been issued with written instructions to rectify the identified fire safety deficiencies noted by FRNSW.

The above written instructions direct the owners of the premises to carry out remedial actions to existing fire systems to cause compliance with required standards of performance.

Follow-up compliance inspections will be undertaken by the City officer to ensure all identified fire safety matters are suitably addressed and that compliance with the terms of the City's correspondence and the recommendations of FRNSW occur.

It is recommended that the City not exercise its powers to give a fire safety order at this time, and that the Commissioner of FRNSW be advised of the City's actions and determination.

File Ref. No: FRN24/1491 - BFS24/7547 - 8000039345
TRIM Ref. No: D24/146602
Contact: Mark Knowles

13 December 2024

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance / Fire Safety

Dear Sir / Madam

Re: INSPECTION REPORT
'WATERMARK TERRACE'
22 POINT STREET, PYRMONT ("the premises")

In response to the Project Remediate programme being undertaken by the NSW Department of Customer Service, to remove high-risk combustible cladding on residential apartment buildings in NSW, an inspection of 'the premises' on 14 November 2024 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act and Clause 112 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021).

The following was observed at the time of the inspection:

1. Essential Fire Safety Measures

1A. Smoke Alarm System and Building Occupant Warning System (BOWS):

A. The building appears to be provided with a smoke alarm system throughout the residential levels, consisting of AS3786 smoke alarms in the common areas/public corridors, with a local smoke alarm control panel located in the Service Room on Level 2 (entry level), in accordance with the requirements of Clause E2D8 and Specification 20 of the NCC (Clause S20C3).

Common area smoke alarms are interconnected between levels to provide a common building alarm to alert all building occupants (i.e. the required BOWS) and it appears that the Decibel (dBA) level from the smoke alarms in the common areas provide adequate occupant warning to the Sole Occupancy Units (SOUs).

Notwithstanding this, the following issues were identified:

i. Smoke alarms are not provided to 'all other internal public spaces', such as the garbage room on Level 2 (entry level), contrary to the requirements of Clause S20C3(2)(c) of Specification 20 of the NCC.

1B. Fire Hydrant System – The Annual Fire Safety Statement and the hydrant block plan on display listed the standard of performance for the hydrant system as being AS 2419-1-1994. As such, the following comments are provided having regard to AS 2419.1-1994:

A. The hydrant booster assembly:

i. The booster assembly is located in a locked enclosure which did not contain a lock compatible with FRNSW access key (003 key) and is therefore not readily accessible to fire fighters, contrary to the requirements of Clause 5.6.3 of AS 2419.1-1994.

B. The pumproom:

i. The door to the pump room was not fitted with a lock compatible with FRNSW access key and is therefore inconsistent with the requirements of FRNSW/NSWFB Section 188 Exemption Reference FSD/RES/103140.

1C. Fire Doors:

A. The fire door to the exit on Basement level (Level 1), adjacent to the carwash bay, had not been maintained in accordance with the requirements of Clause 81 of the EPAR 2021. In this regard, the fire door failed to return to the fully closed position (and self-latch) after each opening, when tested, contrary to the requirements of Clause C4D9 and Specification 12 of the NCC and AS1905.1

1D. Annual Fire Safety Statement (AFSS):

A. A copy of the current AFSS was not prominently displayed within the building in accordance with Clause 89 of the EPAR 2021. In this regard, the AFSS on display was dated August 2023 and is no longer valid.

FRNSW is therefore of the opinion that the fire safety provisions prescribed for the purposes of 9.32(1)(b) of the EP&A Act, have not been complied with.

ADDITIONAL COMMENTS

In addition to the items identified above, relating to the Fire Safety Provisions prescribed by Clause 112 of the EPAR 2021, the following items were also identified as concerns at the time of the inspection and it would be at council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

2. Generally:

2A. Access and Egress

A. Operation of latch – The discharge door from the fire isolated stairway serving the residential levels, contained a round tulip style handle in lieu of a single hand downward action lever handle, contrary to the requirements of Clause D3D26 of the NCC.

RECOMMENDATIONS

FRNSW recommends that Council:

a. Inspect and address item no. 1 of this report.

b. Give consideration to the other deficiencies identified on 'the premises' identified in item no. 2 of this report.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference FRN24/1491 - BFS24/7547 - 8000039345 for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit