

ITEM 4. DEVELOPMENT APPLICATION: 50 BRIDGE STREET SYDNEY - AMP CIRCULAR QUAY SYDNEY**FILE NO: D/2013/1942****DEVELOPMENT APPLICATION NO: D/2013/1942****SUMMARY**

Date of Submission: 12 December 2013, amended plans received 25 February 2014 and full set of amended plans received 16 April 2014

Applicant: AMP Capital Office and Industrial Pty Ltd

Architect: BVN Donovan Hill

Developer: AMP Capital

Owner: AMP Capital Investors Limited, ACP Office Pty Ltd, Kent Street Pty Ltd, Gallipoli Memorial Club Limited

Cost of Works: \$660,000,000

Proposal Summary: Stage 1 development application for the mixed use redevelopment of the Bridge and Alfred Streets block and Young and Loftus Streets block known as AMP Circular Quay Sydney or Quay Quarter Sydney.

The Stage 1 application proposes building envelopes and design parameters for the future development of the site including the provision of car parking, vehicle access and pedestrian access locations across the site. The proposal also includes the redistribution of floorspace across the Young and Loftus Streets block and the Bridge and Alfred Streets block and indicative staging of future development of the site.

The application as originally submitted proposed a floor space ratio (FSR) of 13.87:1 and gross floor area of 154,280sqm (across both blocks combined) which included the maximum 10% design excellence bonus floorspace. The applicant was advised that the design excellence floorspace cannot be calculated until a competitive process has been undertaken.

Several changes have been made to the subject application since it was first lodged, namely that the amended plans propose a maximum FSR of 12.62:1 and gross floor area of 140,378sqm of floor space (across both blocks combined), deletion of residential uses from the first floor level of the Young and Loftus Streets block, increased size of the Loftus laneway expansion zone plaza area and reduction in the width of the Phillip Street vehicular crossover.

**Proposal Summary:
(continued)**

The development site comprises both state and locally listed heritage items and is located within a 'Special Character Area'.

The application has been considered by the Central Sydney Traffic and Transport Committee (CSTTC) who advised that the proposal is generally supported in principle subject to a number of recommendations that will form part of the recommended conditions.

A site specific LEP for the precinct is published and in effect enabling the transfer and utilisation of floor space across the Young and Loftus Streets block to the Bridge and Alfred Streets block. The LEP Amendment addresses the protection of sun access to the Royal Botanic Gardens, Macquarie Place and Loftus Lane, provides for publicly accessible lanes and through site links, addresses permissible uses and details provisions for achieving design excellence. A site specific DCP has also been approved for the site.

The proposed building envelopes, including AMP tower extension, have been designed to be generally consistent with the AMP LEP and DCP Amendments. A detailed design of the development will be undertaken at Stage 2 following an international competitive design process.

Eight (8) submissions have been received during the public exhibition period raising issues in relation to view loss, solar access, built form, competitive design process and bus layovers. It is considered that the issues raised have been addressed throughout the report or resolved through appropriate conditions being imposed.

Due to the height of the proposed 50 Bridge Street tower extension, Clause 7.16 of the Sydney LEP requires the proposal to be referred to Sydney Airport Corporation to assess its impact on the effective and ongoing operation of the airport. Concurrence from Sydney Airport Corporation was issued 5 May 2014.

Summary Recommendation:

The development application is recommended for approval, subject to conditions.

Development Controls:

- (i) Sydney Local Environmental Plan 2012 (Gazetted 14 December 2012, as amended)
- (ii) Sydney Development Control Plan 2012 (in force on 14 December 2012, as amended)

Attachments:

- A - Selected Drawings
- B - Sydney Local Environmental Plan 2012
Amendment No. 6 – (AMP Circular Quay
Precinct Amendment)
- C - Sydney Development Control Plan 2012
Amendment – AMP Circular Quay Precinct
Amendment

RECOMMENDATION

It is resolved that consent be granted to Development Application No. D/2013/1942, subject to the following conditions:

SCHEDULE 1A**Approved Development/Design Modifications/Covenants and Contributions/Use and Operation**

Note: Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2013/1942 dated 12 December 2013 and the following drawings:

Drawing Number	Revision	Title	Date
BVN-ARC-02	A	Site Plan	12/12/2013
BVN-ARC-03	C	Control Drawing	28/03/2014
BVN-ARC-04	C	Ground Floor Activation Plan	27/02/2014
13065-S1DA-01		Young Street Precinct Master Plan	12/12/2013
BVN-ARC-06	A	General Arrangement Plan Basement 03	12/12/2013
BVN-ARC-07	A	General Arrangement Plan Basement 02	12/12/2013
BVN-ARC-08	A	General Arrangement Plan Basement 01	12/12/2013
BVN-ARC-09	C	General Arrangement Plan Level 00	24/02/2014
BVN-ARC-10	B	General Arrangement Plan Level 01	24/02/2014
BVN-ARC-11	A	General Arrangement Plan Level 02	12/12/2013
BVN-ARC-12	A	General Arrangement Plan Level 03	12/12/2013
BVN-ARC-13	A	General Arrangement Plan Level 04	12/12/2013
BVN-ARC-14	A	General Arrangement Plan Level 05	12/12/2013
BVN-ARC-15	A	General Arrangement Plan Level 06	12/12/2013
BVN-ARC-16	A	General Arrangement Plan Level 07	12/12/2013
BVN-ARC-17	A	General Arrangement Plan Level 08	12/12/2013

Drawing Number	Revision	Title	Date
BVN-ARC-18	A	General Arrangement Plan Level 09	12/12/2013
BVN-ARC-19	A	General Arrangement Plan Level 10	12/12/2013
BVN-ARC-20	A	General Arrangement Plan Level 11	12/12/2013
BVN-ARC-21	A	General Arrangement Plan Level 12	12/12/2013
BVN-ARC-22	A	General Arrangement Plan Levels 13 – 19	12/12/2013
BVN-ARC-23	A	General Arrangement Plan Levels 20	12/12/2013
BVN-ARC-24	A	General Arrangement Plan Levels 21 – 28	12/12/2013
BVN-ARC-25	A	General Arrangement Plan Level 29 – 30	12/12/2013
BVN-ARC-26	A	General Arrangement Plan Level 31	12/12/2013
BVN-ARC-27	A	General Arrangement Plan Levels 32 – 33	12/12/2013
BVN-ARC-28	A	General Arrangement Plan Levels 34 – 43	12/12/2013
BVN-ARC-29	A	General Arrangement Plan Levels 44 – 45	12/12/2013
BVN-ARC-30	A	General Arrangement Plan Level 46	12/12/2013
BVN-ARC-31	A	General Arrangement Plan Levels 47	12/12/2013
BVN-ARC-32	A	General Arrangement Plan Level 48 – 49	12/12/2013
BVN-ARC-33	A	General Arrangement Plan Level 50 – 51	12/12/2013
BVN-ARC-34	A	East Elevation – Building 50B & 33A – Phillip St	12/12/2013
BVN-ARC-35	A	West Elevation – Building 50B & 33A – Young St	12/12/2013
BVN-ARC-36	A	North Elevation – Building 50B & A	12/12/2013
BVN-ARC-37	A	South Elevation – Building 50B & B&C – Young St	12/12/2013
BVN-ARC-38	A	Building A&B West Elevation Loftus Ln & East Elevation/Loftus St	12/12/2013
BVN-ARC-39	A	Building C East Elevation/Young St & West Elevation/Loftus Ln	12/12/2013
BVN-ARC-40	A	Section A East/West Through Site	12/12/2013
BVN-ARC-41	C	Section B – East/West Through Site	25/02/2014

Drawing Number	Revision	Title	Date
BVN-ARC-42	A	Section C – Young and Loftus long Section – Building A&B	12/12/2013
BVN-ARC-43	A	Section D – Young and Loftus Long Section – Building C	12/12/2013
BVN-ARC-44	B	Section E – 50 Bridge St & 33 Alfred St Long Section	25/02/2014
BVN-ARC-SKC-11	A	50B – GFA Plans – Minus 10% - B	21/02/2014
BVN-ARC-49	A	Young & Loftus – GFA Plans	24/02/2014

and as amended by the conditions of this consent.

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

(2) DESIGN MODIFICATIONS

The design of the building must be modified as follows:

- (a) the 16-20 Loftus Street building envelope is to comply with the AMP Circular Quay Precinct Amendment 2012 - Built Form controls.
- (b) for the proposed museum space to be eligible for 'Entertainment and club floor space' the entrance to the museum must be a shared entry from within the Gallipoli Memorial Club.

The modifications are to be submitted with the future relevant Stage 2 Development Application.

(3) MATTERS NOT APPROVED

The following items are not approved and do not form part of this Stage 1 development consent:

- (a) Public Domain works along Young Street including the 'indicative shared zone' and associated works;
- (b) 40km/h speed limits along Young Street and Phillip Street;
- (c) a 10% design excellence uplift in floor space ratio;
- (d) the precise quantum of floorspace;
- (e) any demolition, construction, refurbishment and/or excavation;
- (f) the location of residential uses in the Young and Loftus Streets block, layout and number of residential apartments, car parking spaces, and basement levels; and

- (g) location of mechanical plant equipment on the roof of the Young and Loftus Streets block.

(4) SUN ACCESS MODELLING

- (a) Detailed design drawings are to be submitted to Council providing precise sun access modelling confirming the following:
 - (i) the development does not reduce existing sun access to the Royal Botanic Gardens at 2pm on 21 June in any year; and
 - (ii) the development improves solar access to Macquarie Place between 10.00am and 2.00pm between 14 April and 21 August in any year.
- (b) Details to be submitted with the relevant future Stage 2 Development Application.

(5) BUILDING ENVELOPES

- (a) Subject to the other conditions of this consent, the building envelope is only approved on the basis that the ultimate building design, including services, balconies, shading devices and the like will be entirely within the approved envelopes and provide an appropriate relationship with neighbouring and approved buildings.
- (b) Any projection beyond the building envelope must be fully justified through the competitive design and Stage 2 Development Application process.

(6) DESIGN EXCELLENCE AND COMPETITIVE DESIGN PROCESS

- (a) A competitive design process in accordance with the provisions of Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 (as amended) shall be conducted prior to the lodgement of a Stage 2 Development Application (DA).
- (b) The detailed design of the development must exhibit design excellence.

(7) BUILDING HEIGHT

The maximum height of the buildings as defined in the Sydney Local Environmental Plan 2012 (as amended) may not exceed the building envelope control contained within the provisions of Sydney DCP 2012 – AMP Circular Quay Amendment.

(8) FLOOR SPACE RATIO - CENTRAL SYDNEY

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio of the proposal must not exceed 12.5:1 calculated in accordance with the Sydney Local Environmental Plan 2012 (as amended).

- (b) Notwithstanding clause (a) above, the proposal is eligible for 'Lanes development floor space' and 'Entertainment and club floor space' calculated in accordance with Clause 6.8 of the Sydney LEP 2012 (as amended).
 - (i) The additional amount of Gross Floor Area shown on drawings BVN-ARC-06 Issue A (Museum floor space), BVN-ARC-07 (Museum floor space) Issue A, BVN-ARC-08 Issue A (Museum floor space) and BVN-ARC-09 Issue B (Lanes development floor space), is a maximum of 611sqm of Lanes development floor space and 755sqm of Entertainment and Club floor space and will only be allocated at the determination of each Precinct Development Application and accompanied by a Restrictive Covenant.
- (c) Notwithstanding clause (a) above, the proposal may be eligible for a 10% design excellence uplift in floor space ratio.
- (d) Precise details of the distribution of floor space shall be provided with the future Stage 2 development applications.
- (e) Any floor space ratio in excess of 8:1 shall be subject to a requirement to purchase heritage floor space (HFS) in accordance with the requirements of Clause 6.10 of the Sydney Local Environmental Plan 2012.

(9) RESIDENTIAL USES (YOUNG AND LOFTUS STREET BLOCK)

- (a) Residential uses are not to be located at street and first floor levels and will not be supported.
- (b) Any future residential development applications are to comply with the objectives of the Residential Flat Design Code (RFDC) and other conditions of this consent.

(10) THROUGH SITE LINK

Details of the proposed through site link(s) are to be submitted at the relevant Stage 2 Development Application. These details are to include:

- (a) For the Young to Phillip Street link, view analysis of the following:
 - (i) view from the proposed link between the AMP tower and the new podium to the Justice and Police Museum, 4-8 Phillip Street Sydney;
- (b) For the Young Street and Loftus Street links, view analysis of the following:
 - (i) view north and south along Young Street showing the impact on the heritage items including the Former Hinchcliff Stores and Former 'Booth House' at 44 Bridge Street, Sydney;
 - (ii) views north and south along Loftus Street, Sydney;

- (iii) views north and south along Loftus Lane, Sydney;
- (iv) views east and west along Customs House Lane, Sydney;
- (c) levels;
- (d) easements and future restrictions;
- (e) design of the space; and
- (f) lighting.

(11) THE FORMER 'HINCHCLIFF WOOL STORES' AT 5-7 YOUNG STREET AND THE FORMER 'BARKER'S WOOL AND THE PRODUCE STORES' AT 12-14 LOFTUS STREET, SYDNEY

- (a) The Conservation Management Plans (CMP) for the former 'Hinchcliff Wool Stores' and for the former 'Barker's Wool and the Produce Stores' are to be endorsed by the City of Sydney prior to any Stage 2 development application for sites within the Young and Loftus Streets block and the CMP for the Hinchcliff Wool Stores is to be concurrently endorsed by the Heritage Division, NSW Department of the Environment and Heritage.
- (b) The sympathetic adaptive reuse of the two heritage items is to be based upon the following:
 - (i) The conservation of all fabric, components and spaces which reflect the historically significant uses of the buildings, based on rigorous documentary and on-site analysis, assessment and documentation of the current condition, informed by the relevant engineering analysis. The process is to inform the intended conservation approach to all components, whether preservation, restoration, reconstruction, adaptation, or interpretation, guided by the policies of the endorsed Conservation Management Plans.
 - (ii) Concept designs for the upgrade of the buildings to comply with the NCC Building Code of Australia, including structural, building services, acoustic and fire and Access provisions, are to be developed in close consultation with the heritage consultant from an early stage. The proposed solutions to achieve compliance are to maximise the historic spatial qualities of the interiors and exposure of original structure, fabric and finishes, utilising alternate solutions where required to ensure the most sympathetic outcome.
 - (iii) Further to clause (b), as otherwise agreed to by the Director City Planning, Development and Transport where practicable building services and plant, vertical transportation, fire escapes and accessible entries are to be located external to the former Hinchcliff Wool Stores to limit the intervention within the heritage items. Floor levels in the new buildings immediately adjacent to the heritage items are to facilitate the external location of these elements.

- (c) The following is to be prepared and submitted as part of the Stage 2 development application for the Young and Loftus Street block:
- (i) A comprehensive Schedule of Exterior and Interior Conservation Works for the two heritage items supported by architectural drawings that define the extent and location of the works, by larger scale architectural details, and by technical specifications, defining the intended conservation and adaptive approach to the interior and exterior components (preservation, restoration, reconstruction, adaptation, interpretation etc). Alongside the preservation and restoration of fabric, the works are to address the removal of all intrusive elements where practicable and reconfiguration and reinstatement of elements to respect the original configuration of the facades and of the interiors. The estimated cost of conservation works is to be included in the Cost Plan.
 - (ii) A concept structural design prepared by a structural engineer with suitable experience in work on heritage buildings and heritage materials. The report is to include an assessment of the critical structural issues relating to the adaptive reuse of the building and the proposed excavation in the vicinity of the heritage items.
 - (iii) A concept fire safety strategy explaining the proposed solutions for the interiors, which is to utilise fire engineered solutions where necessary to maximise the exposure of original structure, fabric and finishes and minimise compartmentalisation of spaces and levels.
 - (iv) A concept building services strategy explaining the intended design approach to servicing the buildings. The proposed solutions to building services are to maximise the exposure of original structure, fabric and finishes and minimise interventions within the heritage items in reference to clause (b) above.
 - (v) A concept acoustic strategy explaining how the interiors to maximise the exposure of original structure, fabric and finishes.

(12) AMP BUILDING, 33 ALFRED STREET, SYDNEY

- (a) The Conservation Management Plan is to be endorsed by the City of Sydney prior the Stage 2 development application for the Bridge and Alfred Street block.
- (b) A comprehensive Schedule of Conservation Works supported by architectural drawings that define the extent and location of the works, by larger scale architectural details, and by technical specifications, is to be prepared and submitted as part of the Stage 2 development application. The estimated cost of conservation works foreseen by the Stage 2 DA is to be identified in the Cost Plan submitted as part of Stage 2 DA for the Bridge and Alfred Streets block.

- (c) To reflect the original configuration of the Ground Floor level, the extent of the proposed western retail area on the Ground Floor level should be reduced by one column bay.
- (d) The listing of the 25 storey AMP Building, at 33 Alfred Street, on the State Heritage Register as a significant 20th Century Modernist building is to be progressed. As part of the Stage 2 Development Application for the Bridge and Alfred Street block, the applicant is to submit a report to the City of Sydney outlining progress towards the listing of the AMP Building at 33 Alfred Street on the State Heritage Register. This report is to include an outline of discussions and actions held to date with the Heritage Council State Register Committee and the intended future steps towards its listing.

(13) YOUNG AND LOFTUS STREETS, SYDNEY - INFILL BUILDINGS A, B AND C

- (a) The design of the proposed infill buildings **A and C** is to facilitate the sympathetic adaptive reuse of the adjacent two heritage items, the former 'Hinchcliff Wool Stores' and the former 'Barker's Wool and the Produce Stores' as follows:
 - (i) As otherwise agreed to by the Director City Planning, Development and Transport, building services and plant, vertical transportation, fire escape stairs and passages and accessible entries are to be located external to the heritage items. Floor levels in buildings A and C immediately adjacent to the heritage items are to facilitate the external location of these elements.
 - (ii) Proposed uses within buildings A and C, lot stratum and easements are to facilitate the location of these elements external to the heritage items.
 - (iii) The design of the side boundary walls adjacent to the heritage items is to:
 - a. Assist to rectify rising damp issues within the heritage items through the provision of aerated and drained cavities.
 - b. Ensure the structural integrity of the heritage items.
- (b) The design of the proposed infill buildings **A, B and C** is to provide a positive response to the surrounding historic development and have regard to the following characteristics: low scale; repetitive stepping of simple forms; narrow frontages of which reflect the historic subdivision pattern, structural timber spans and topographical changes, and; the use of finely crafted materials particularly locally quarried Sydney sandstone and joinery. Balconies are to be recessed within the line of the facade and are not to be cantilevered.

(14) EXTENSION TO THE AMP TOWER, BRIDGE STREET SYDNEY

The design of the proposed extension to the tower is to provide a high degree of architectural modelling and articulation so as to reduce the perceived visual bulk.

(15) PROPOSED PODIUM TO THE AMP TOWER

The design of the proposed podium to the AMP tower building is to enhance the setting of the surrounding heritage items and have regard to its subdivision pattern, topographical response, and materiality, including the potential use of locally quarried Sydney sandstone.

(16) HERITAGE INTERPRETATION STRATEGY

The relevant Stage 2 development application is to incorporate an interpretation strategy that details how information on the history and significance of the AMP precinct will be provided for the public. Interpretation by design should form an integral aspect of the strategy, in addition to other devices such as display and public art. The strategy is to provide preliminary recommendations as to the type, location and spatial requirements of the interpretation, including for archaeological display.

(17) NON INDIGENOUS AND INDIGENOUS CULTURAL AND ARCHAEOLOGICAL PROCESSES AND CONSULTATION

- (a) The Indigenous and Non Indigenous Archaeological Assessment by Artefact Heritage dated November 2013 is to inform the Design Excellence Competition, and is to be appended to the Design Competition Brief.
- (b) As archaeological findings have the potential to be of national heritage significance, suitable publically accessible location(s) for display should be resolved at an early stage and be submitted as part of a Stage 2 Development Application.
- (c) A report on the following on going consultation is to be submitted as part of the relevant Stage 2 development application:
 - (i) Consultation with the NSW Office of Environment and Heritage as to the requirements for management processes and applications under both the NSW Heritage Act (1977) and the NSW National Parks and Wildlife Act (1974).
 - (ii) Consultation with the Metropolitan Local Aboriginal Land Council.

(18) WASTE COLLECTION

- (a) The future Stage 2 Development Applications for land within the Young and Loftus Street block shall demonstrate compliance with Council's requirements for waste collection for residential development and Policy for Waste Minimisation in New Development 2005 (as may be amended).
- (b) In particular the following design requirements should be included in any Stage 2 Development Application:

Storage:

- (i) No kerbside collections for commercial or residential waste will be accepted.

- (ii) A storage area for discarded bulky items (i.e. furniture, tv, appliances, whitegoods) must be provided per block of residential units or in a consolidated location in the case of an integrated basement.
- (iii) Waste and recycling receptacles to be stored on property at all times with Council access key for servicing if required.
- (iv) Residential and commercial waste rooms to be separated (commercial tenants must not have access to residential waste and recycling bins).

Waste and Recycling Collection

- (v) Clearance height for access by collection vehicle must be no less than 3.8m at any point if vehicle is required to enter site to service bins.
- (vi) Waste vehicles must be capable of entering and exiting in a forward direction.
- (vii) The maximum travel distance between the storage point and collection point for all waste and recycling receptacles shall be no more than 10 meters.
- (viii) Unimpeded access shall be provided for collection vehicles between 6am and 6pm on collection days.
- (ix) Waste and recycling containers will not be supplied until construction in developments is completed unless otherwise organised with waste services.

(19) LOCATION OF ACCESSIBLE CAR PARKING SPACES

Where a car park is serviced by lifts, accessible spaces for people with mobility impairment are to be located to be close to lifts. Where a car park is not serviced by lifts, accessible spaces for people with mobility impairment are to be located at ground level, or accessible to ground level by a continually accessible path of travel, preferably under cover.

(20) PHILLIP STREET VEHICLE CROSSOVER

The applicant is to investigate opportunities for a further reduced crossover width to Phillip Street so as to minimise disruption to bus layover activity and prioritise pedestrian amenity.

Opportunities to combine the entry to the car park and loading dock should be investigated as part of the detailed design process to create a singular vehicular driveway crossover.

(21) REMOVAL OF BUS LAYOVER SPACE ON PHILLIP STREET

- (a) The applicant is to work with TfNSW to confirm the potential to remove up to 3 bus layover spaces from the western side of Phillip Street and/or investigate suitable alternative locations for bus layover. The applicant is to undertake an assessment of operational impacts, cognisant of the implementation of the Sydney City Centre Bus Plan.
- (b) This work is to be undertaken prior to the submission of the Stage 2 Development Application. A suitable agreement between the applicant and TfNSW is to be reached prior to the submission of the Stage 2 development application.

(22) TRANSPORT FOR NSW CONDITION

- (a) The owners of the site of the approved Stage 1 development must consult with Transport for NSW (TfNSW) in preparation of any Stage 2 development and other subsequent development applications in relation to the future CBD Metro/Rail Link identified in State Environmental Planning Policy (Infrastructure) 2007.
- (b) Design of the Stage 2 development must consider the proposed development's potential impact on the CBD Metro/Rail Link, as well as demonstrate that the following have been considered in designing the proposed development as a result of the future CBD Metro/Rail Link, including:
 - (i) Potential noise and vibration;
 - (ii) Electromagnetic and stray current effects;
 - (iii) Potential ground movement;
 - (iv) Building use and possible sensitive receivers;
 - (v) Water tightness and ground-water control (this includes for the Stage 2 development design);
 - (vi) Movement of significant structures and facilities including third party facilities; and
 - (vii) Potential contamination.

(23) SERVICING OF CUSTOMS HOUSE

- (a) The applicant is required to re-engage in discussions with Customs House to explore appropriate loading/servicing arrangements for Customs House.
- (b) If an underground solution cannot be accommodated, as confirmed by Council's Engineers, suitable mitigation and management measures are to be detailed to prevent any adverse impacts on the pedestrianisation of Loftus Lane.

Such measures would only be considered when all other options have been exhausted.

- (c) Details of suitable mitigation and management measures to address potential adverse impacts on the pedestrianisation of Loftus Lane are to be provided with the relevant Stage 2 development application.

(24) LOFTUS LANE SOUTH

- (a) The access arrangements via Loftus Lane South are generally supported.
- (b) The Stage 2 application is to provide detail regarding the following:
 - (i) Arrangements / treatments to Loftus Lane South designed to promote a slow speed environment and prioritise pedestrian safety,
 - (ii) Avoidance of potential conflicts between service vehicles accessing the loading dock and vehicles accessing the car park,
 - (iii) Control of vehicle movements accessing the car park to restrict left turn movements exiting from the car park driveway,
 - (iv) Service vehicles and associated loading activities are to be accommodated wholly within the loading dock.

(25) CONSULTATION WITH CBD AND SOUTH EAST LIGHT RAIL PROJECT TEAM

The applicant's design and planning team is to consult any relevant project teams in the vicinity of the development to ensure traffic / transport interface issues are addressed prior to the commencement of construction. This will need to consider the CBD and South East Light Rail project, Sydney City Centre Bus Plan, and other committed major redevelopments in the vicinity of the subject site.

Details of the consultation undertaken are to be provided with the relevant Stage 2 development application.

(26) BICYCLE PARKING

- (a) Details of the location, number and class of bicycle parking must be included in the Stage 2 Development Application.
- (b) All visitor bicycle parking is to be provided at ground floor level in an easily accessible and visible location. Staff bicycle parking is to be provided at ground floor level or basement level 1 and is to be in close proximity to end-of-trip facilities.

Note: Council supports the provision of innovative bicycle parking solutions in new development. Should the applicant wish to discuss bicycle parking options, please contact the City Access and Transport Unit.

(27) CAR PARKING SPACES AND DIMENSIONS

- (a) The permissible number of car parking spaces is to be established at Stage 2.

- (b) The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking and Council's Development Control Plan. The details must be submitted to and approved by the Principal Certifying Authority prior to a Construction Certificate being issued.

(28) LOADING WITHIN SITE

All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.

(29) SECURITY GATES

Where a car park is accessed by a security gate, that gate must be located at least 6 metres within the site from the street front property boundary.

(30) SERVICE VEHICLE SIZE LIMIT

Each Stage 2 application must include swept paths for the largest vehicles to access the proposed loading areas. These will be used to determine a condition for the largest vehicle permitted to service the site.

(31) SERVICE VEHICLES

- (a) Courier spaces and loading docks must be located close to the service entrance and away from other parking areas.
- (b) Adequate space must be provided to allow manoeuvring and turning of different sized vehicles within the designated loading area. The design, layout, signage, line marking, lighting and physical controls for all service vehicles must comply with the minimum requirements of Australian Standard AS 2890.2 – 2002 Off-Street Parking Part 2: Commercial vehicle facilities.

(32) VEHICLES ACCESS

The site must be configured to allow all vehicles to be driven onto and off the site in a forward direction.

(33) ACCESSIBLE PARKING SPACE

The design, layout, signage, line marking, lighting and physical controls of all off-street accessible parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.6 - 2009 Parking facilities Part 6: Off-street parking for people with disabilities.

(34) ELECTRICITY SUBSTATION

The owner must dedicate to the applicable energy supplier, free of cost, an area of land within the development site, but not in any landscaped area or in any area visible from the public domain, to enable an electricity substation to be installed. The size and location of the substation is to be submitted for approval of Council and Ausgrid with any future Stage 2 Development Application.

(35) AUSGRID

- (a) Consultation is required with Ausgrid to ensure that technical and statutory requirements in regards to the safe and reliable operation and maintenance of Ausgrid's network are maintained.
- (b) Details of the consultation undertaken are to be provided with the Stage 2 development application.

(36) ACID SULFATE SOILS

An Acid Sulfate Soils Management Plan for the development must be prepared by an appropriate qualified consultant and submitted with the relevant Stage 2 Development Application. This plan shall be prepared in accordance with the Acid Sulfate Soils Manual.

(37) CONTAMINATION

A Detailed Environmental Site Assessment will be required to be carried out in accordance with the NSW EPA Contaminated Sites guidelines, certifying that the site is suitable (or will be suitable, after remediation) for the proposed use and submitted with the relevant Stage 2 Development Application.

Note: Where the Detailed Environmental Site Assessment states the site is suitable for the proposed use it is to be peer reviewed by a NSW EPA accredited site auditor and a Site Audit Statement submitted to Council prior to granting any consent, certifying that the site is suitable for the proposed use.

(38) WIND

The relevant Stage 2 Development Application shall be subject to wind tunnel testing to ascertain the impacts of the development on the wind environment and conditions within the publicly accessible pedestrian space (centrally located between the podium blocks), pedestrian laneways, the surrounding streets and neighbouring buildings, and the podium apartment uses, which may rely upon natural cross ventilation from the central void.

(39) PUBLIC DOMAIN PLAN

A Public Domain Plan must be prepared by an architect, urban designer or landscape architect and must be lodged with the relevant Stage 2 development application. The Public Domain Plan must be prepared in accordance with the City of Sydney's Public Domain Manual.

(40) SUBDIVISION

This approval does not include any subdivision. Any proposal to subdivide the site at a later date will need to be the subject of a separate future application.

(41) PUBLIC ART

The Public Art Strategy prepared by Barbara Flynn is to be implemented as part of the redevelopment of the site. Future DAs that include works to be delivered by the applicant are to address the Strategy and incorporate public art as required. Where additional procedural guidance is required the Applicant is to refer to the City's Public Art Policy.

SCHEDULE 2**NSW HERITAGE OFFICE - ADVISORY NOTES**

1. The Heritage Council notes the applicant's presentation and advises that, in principle, it considers that this could be a suitable scheme for the Loftus, Young and Bridge Streets precinct.
2. The Heritage Council notes that the information contained in the Precinct Master Plan document submitted for consideration by the Heritage Council is conceptual and in some cases inadequate to provide comment. The applicant is advised that the Heritage Council's following comments are provided without prejudice, are preliminary and may change upon receipt of further information and public comments. It is also noted that the proposal is likely to be subject to approvals from other authorities. Consultation with these authorities could also provide additional information for consideration of the works proposed as part of this Precinct Master Plan.
3. The proposed transfer of floor space from heritage items to other non-heritage buildings within the proposed precinct has the potential to benefit the heritage items as it will remove development pressure from these items on a permanent basis. The Heritage Council notes its in-principle support for the proposed transfer of floor space.
4. It is understood that the proposed development will include conservation works to all the heritage items within the precinct. These works will provide an opportunity to remove unsympathetic alteration/additions. It is expected that it will be possible to remove internal partitions from the interior of the two rare wool stores within the proposed precinct that will improve their legibility as industrial buildings.
5. A nexus must be created between the proposed overall redevelopment and ongoing funding for conservation and maintenance of the subject heritage items. It is possible that once the development is completed various parts of the precinct may be sold individually and in that situation the revenues of individual heritage buildings may not be able to support any major repairs (if required in future) or regular maintenance of the stone façade. It is important that development for the overall precinct carries responsibility for future conservation and maintenance requirements in perpetuity.

6. It is understood that a draft Conservation Management Plan exists for the Hinchcliff's Wool store (SHR item). It is considered important that this Conservation Management Plan be submitted to the Heritage Council for review and endorsement to allow its use for future conservation/adaptive reuse decisions about this item.
7. It is noted that the proposal may have some adverse impact on archaeological resource within the proposed precinct. The applicant is advised that support for the Precinct Master Plan is subject to any archaeological issues being resolved.
8. Raises concerns as to the potential impact of an additional tall building within the AMP precinct in relationship with nearby heritage items including Transport House and the Justice and Police Museum. The Heritage Council would seek visual studies to explore this potential conflict and relationship with the Heritage items.
9. The Heritage Council notes that the AMP precinct is sited on a major portion of the former Tank Stream valley and as such there is archaeological potential for remains of the valley stratigraphy to be present/ found.
10. In view of the scale and significance of the heritage items within the precinct and in the vicinity (Customs House, Macquarie Place, First Government House site etc), the Heritage Council is happy to assist AMP Capital in refining the proposed Precinct Master Plan to an acceptable level. The applicant is requested to liaise with the Heritage Branch in this regard.
11. The Heritage Council Approvals Committee requests the Heritage Council State Heritage Register Committee to give priority to the consideration of the listing of the 25 storey AMP Building, at 33 Alfred Street, on the State Heritage Register as a significant 20th Century Modernist building.

BACKGROUND

The Site and Surrounding Development

1. A site visit was carried out on 10 January 2014.
2. The subject precinct comprises two street blocks - being the 'Bridge and Alfred Streets' block and the 'Young and Loftus Streets' block. Figure 1 below highlights the two blocks within the precinct that are subject of the Stage 1 Development Application (Note: laneways and roads within the precinct are excluded from site area calculations).
3. The Bridge and Alfred Streets block comprises 33 Alfred Street and 50 Bridge Street. The block has a site area of 8,197sqm and contains two multi-storey commercial office towers. The two towers are connected by a food-court located below ground. Vehicle access to 50 Bridge Street is via a basement entry ramp off Young Street and vehicle access to 33 Alfred Street is also located off Young Street further to the north.
4. The Young and Loftus Streets block comprises 5-7 Young Street (Hinchcliff House), 9-13 Young Street, 15-17 Young Street, 2-10 Loftus Street, 12 Loftus Street (Gallipoli Memorial Club) and 16-20 Loftus Street. The block has a site area of 2,923.9sqm and contains five commercial buildings, two of which are heritage listed.



Figure 1: Aerial image of 'precinct blocks'

5. The site is an irregular shaped allotment and is bisected by Young Street. The site is bound by Alfred Street to the north, Phillip Street to the east, Bridge Street to the south and Loftus Street to the west. The site excludes land to the north of Customs House Lane and south of the east-west stretch of Loftus Lane. The site has a combined area of approximately 11,121sqm.

6. The north-south section of Loftus Lane also forms part of the subject site to the extent of the subterranean area proposed to be developed.
7. AMP Capital controls all of the land within the subject site excluding Loftus Lane which is in the ownership of the City of Sydney Council and 12 Loftus Street (Gallipoli Memorial Club) which is currently owned by the Gallipoli Memorial Club.
8. The combined site development site comprises the following lots:
 - (a) 33 Alfred Street (known as AMP Tower);
 - (b) 50 Bridge Street (known as AMP Centre);
 - (c) 5-7 Young Street (known as Hinchcliff House);
 - (d) 9-13 Young Street (11 storey commercial building);
 - (e) 15-17 Young Street (12 storey commercial building);
 - (f) 2-10 Loftus Street (12 storey commercial building);
 - (g) 12 Loftus Street (known as the Gallipoli Memorial Club); and
 - (h) 16-20 Loftus Street (9 storey commercial building).
9. Directly south of the Young and Loftus Streets block stands the Bridgeport Apartments and 44 Bridge Street (locally listed heritage item – formerly known as Booth House) fronting Bridge Street.
10. To the south of the site across Bridge Street is the site of the First Government House, located in the forecourt of the Museum of Sydney that forms part of the Governor Phillip Tower complex. Further to the west is the Department of Education building and to the south-east is the Chief Secretary's Building (occupied by the Department of Planning and Environment).
11. To the east of the site are the Justice and Police Museum and the former Transport House and Intercontinental Hotel.
12. To the immediate north of the site are Customs House and the Circular Quay terminal.
13. The development site contains both local and state listed heritage items. The following heritage items are contained within the site:
 - (a) 33 Alfred Street – known as the AMP Tower – locally listed heritage item;
 - (b) 12-14 Loftus Street – former FL Barkers Wool Store (now known as the Gallipoli Memorial Club) – locally listed heritage item; and
 - (c) 5-7 Young Street – former Hinchcliff Wool Store – listed in the State Heritage Register.
14. Photos of the site and surrounds are provided below:



Figure 2: Site – 33 Alfred Street AMP Tower



Figure 3: Site – 50 Bridge Street Tower (AMP Centre)



Figure 4: Site – Young Street view



Figure 5: Site – Loftus Street

PROPOSAL

15. The Stage 1 application seeks consent for the following:

- (a) Building envelopes, design parameters and uses for the future development of the site and the provision of car parking on site;
- (b) Vehicle and pedestrian access locations across the site;

- (c) Redistribution of floor space across the Young and Loftus Streets block and the Bridge and Alfred Streets block; and
 - (d) The indicative staging of future development of the site.
16. The key aspects of the Stage 1 application as relating to the Young and Loftus Streets block are:
- (a) Demolition of the existing commercial and retail buildings sited within the block:
 - (i) 9-13 Young Street;
 - (ii) 15-17 Young Street;
 - (iii) 16-20 Loftus Street;
 - (iv) 2-10 Loftus Street;
 - (v) Retention of Hinchcliff House and The Gallipoli Memorial Club, along with the endorsement of the respective Conservation Management Plans;
 - (vi) Construction of mixed use buildings comprising residential, retail, commercial, information and education facilities and ancillary uses;
 - (vii) 18,581sqm gross floor area (GFA) including 611sqm of Lanes Development floor space and 755sqm of Entertainment and Club floor space;
 - (viii) Building envelopes, including:
 - a. 9-17 Young Street: maximum height ranging from RL53.5 to RL50.7;
 - b. 16-20 Loftus Street: maximum height RL48.7; and
 - c. 2-10 Loftus Street: maximum height RL30.45;
 - (ix) Expansion of Loftus Lane to the north to better relate the laneway to the historic Hinchcliff House and provide opportunity for outdoor dining;
 - (x) Construction of a series of publicly accessible interconnected arcades and a designated 'plaza' area within the block that will create opportunities for retailing and outdoor dining at grade;
 - (xi) Construction of an interconnecting three level basement car park beneath the block, which will require excavation (in part) of Loftus Lane;
 - (xii) Construction of a museum space of 755sqm in part of the basement beneath 2-10 Loftus Street for the Gallipoli Memorial Club;
 - (xiii) New basement vehicular entry and exit point off Loftus Lane (south-east) in order to allow for the pedestrianisation of Loftus Lane (north); and

- (xiv) New designated loading area off Loftus Lane (west) to allow for a more efficient basement parking configuration to be achieved in response to the topographical constraints.
- (b) Bridge and Alfred Street block:
 - (i) Partial demolition of the existing 50 Bridge Street commercial office tower, including:
 - a. Removal of the existing building cladding and structure from the facades;
 - b. Removal of part of the structure including floor plates north of the existing core; and
 - c. Enhancement of the building core where required including improvements to current technologies for building services and vertical transport.
 - (ii) Works to 33 Alfred Street commercial office tower include:
 - a. Introduction of retail and food and beverage uses at the lower levels adjacent to the lobby and through-site links to activate the base of the tower; and
 - b. Creation of a glazed link between the 50 Bridge Street podium and 33 Alfred Street to create a continuous corporate lobby from south to north across the site.
 - (iii) Additional works to 33 Alfred Street under consideration including:
 - a. Investigation of facade options to improve the opportunity for retail exposure, increased daylight and ventilation through lobby areas, and key visual links into and through the tower to the activated areas behind;
 - b. Increasing the through-site permeability from north to south, by opening up the lobby both horizontally and potentially vertically;
 - c. Consideration of a multiple level lobby providing a volumetric entry environment, with potential for upper level or 'sky' lobby;
 - d. Consideration of multiple entry points – maintained on Alfred Street, with additional entries considered on Phillip and Young Streets in addition to the through-site link at the South;
 - e. Retention of the 33 Alfred Street commercial office tower as existing for all levels from Level 5 and above, along with works identified in the endorsed Conservation Management Plans (CMP); and
 - f. Potential for interior escalators or shuttle lifts to connect the various entry points to other levels of the tower to enable vertical activation and fluid transition through the base of the tower.

- (iv) Partial demolition of the existing podium area between 50 Bridge Street and the southern facade of 33 Alfred Street;
- (v) Retention of the majority of the floor slabs, columns and basement levels of the existing 50 Bridge Street commercial office tower;
- (vi) Construction of a mixed use commercial development comprising commercial, retail and ancillary uses with a GFA of 100,018sqm for the Bridge Street tower extension and noting that the current quantum of GFA relating to the 33 Alfred Street commercial (i.e. 35,681) will remain unchanged.
- (vii) Building envelope for the 50 Bridge Street tower extension, including:
 - a. Maximum height of RL237.5; and
 - b. Building dimensions including a tower envelope dictated by the Sydney DCP – AMP Circular Quay Precinct Amendment (SDCP2012);
- (viii) Internal replanning of basement arrangements beneath 50 Bridge Street and 33 Alfred Street;
- (ix) Potential construction of a third basement car parking level beneath the 50 Bridge Street tower to accommodate additional facilities, plant or general loading facilities subject to design development;
- (x) Creation of a new vehicular entry and exit point to access both the 50 Bridge Street and 33 Alfred Street basements via Phillip Street to allow for the creation of a potential 'high priority pedestrian zone' along Young Street;
- (xi) Creation of a new service vehicle entry and exit point to service 33 Alfred Street. This will be located adjacent to the general basement access point on Phillip Street; and
- (xii) Retention of the existing basement entry and exit for the 50 Bridge Street tower extension.

17. Voluntary Planning Agreements (VPAs) between the City, AMP and the Gallipoli Club have been executed and registered on the title of relevant properties. The contributions provided under the Planning Agreements are generally summarised as follows:

(a) Monetary Contribution

A Monetary Contribution, equal to one per cent of the capital investment value of the development, is to be paid to Council in addition to any contributions that are required to be paid to Council under the Act or the City of Sydney Act 1988. The money is to be used for urban design upgrades within the area comprising of:

- (i) Land bordered by Loftus, Alfred, Bridge and Phillip Streets, including civic spaces in front of Customs House and 33 Alfred Street;

- (ii) Publicly owned land within the section of Alfred Street, between George and Loftus Streets; and
 - (iii) Macquarie Place Park and Jessie Street Gardens.
- (b) Airspace Lot Contribution
- The dedication of Airspace Lots to the benefit of Council over the Young and Loftus Street Block restricting the use of the land while ensuring that rights of access be provided for the relevant building owners.
- (c) Publicly Accessible Civic Space Contribution
- Construction of a civic space consisting of an area of 60 square metres at the junction of Loftus Lane and the Young Street arcade with easements to the benefit of Council to ensure public access to the space.
- (d) Through-Site Link Contribution
- The construction of through-site links with easements to the benefit of Council to ensure public access.
- (e) Preservation of Fine Grain Contribution
- The creation and registration of covenants on the title of the relevant Lots ensuring that small fine grain laneway retail premises are not consolidated with other premises.
- (f) Public Art Contribution
- The provision of Public Art up to the value of \$2 million with the balance of those monies not expended on public art to be used to improve the public domain.
- (g) Heritage Conservation Contribution
- The finalisation of Conservation Management Plans and heritage conservation works to heritage items within the Precinct (i.e. 5-7 Young Street, Sydney (Hinchcliff House) and 33 Alfred Street, Sydney) in accordance with the approved Conservation Management Plans.
- (h) Minimum Non-Residential Floor Space Contribution
- The creation of a restriction as to use to ensure that a minimum of 40% of the total Gross Floor Area of all buildings within the Young and Loftus Street block be provided as non-residential uses to ensure a lively mixed-use AMP Precinct.
18. Overall, the redevelopment of the site will deliver a total FSR of 12.62:1 and this represents a total 140,378sqm of floor space across the development site and includes 611sqm of Lanes Development floor space and 755sqm of Entertainment and Club floor space.

19. The Stage 1 plans originally included a 10% design excellence bonus to the maximum FSR an building envelope drawings. The applicant was advised that this request was premature and that any design excellence bonus is subject to a competitive design process and can only be applied for at Stage 2 in accordance with the requirements of the Clause 6.21(7) of the Sydney Local Environmental Plan 2012 (SLEP2012).

AMENDED PLANS

20. On 25 February 2014 and 27 February 2014, the applicant submitted amended plans.
21. The proposed amendments are summaries as follows:
- (a) Stage 1 building envelope plans amended to show the 10% bonus FSR for reference only.
 - (b) Increase in the area of the laneway expansion zone/plaza in Young and Loftus Street block.
 - (c) Deletion of residential uses from first floor in Young and Loftus Street block.
 - (d) Vehicular crossover on Phillip Street reduced from approximately 21m to 13m.

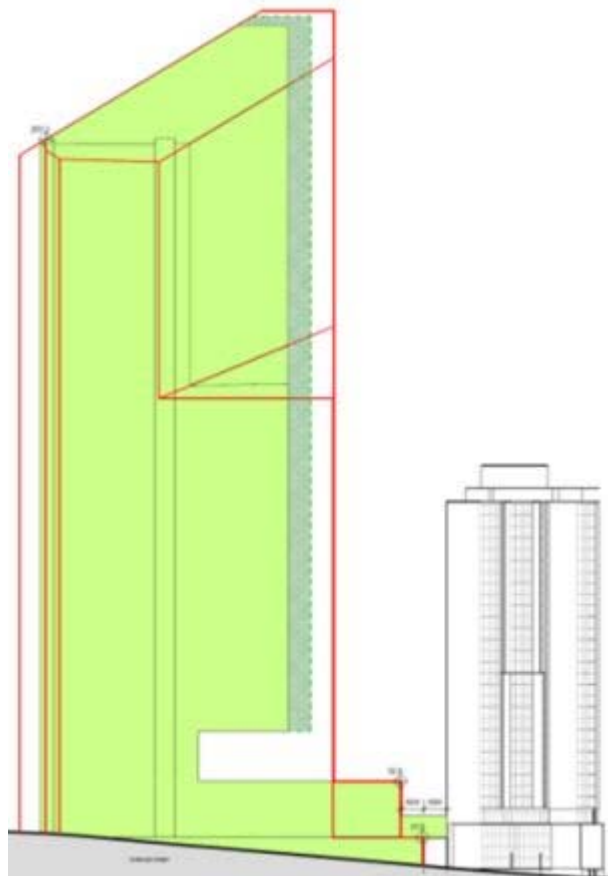


Figure 6: Stage 1 building massing – east elevation – shaded area = 10% additional design excellence bonus floor space

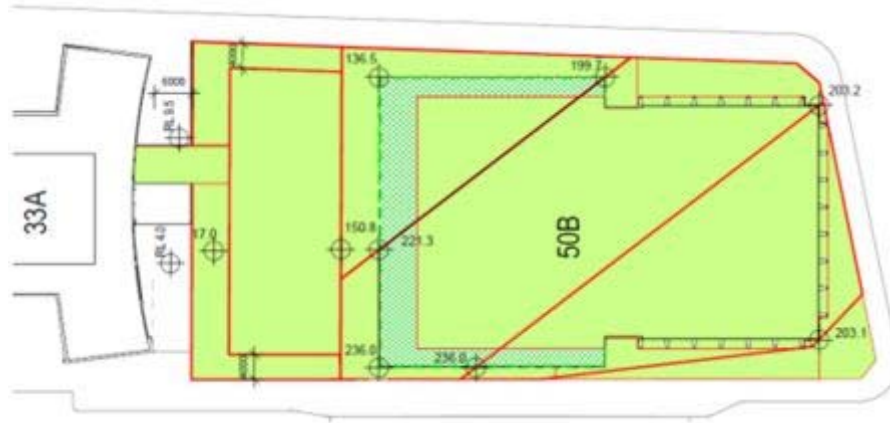


Figure 7: Stage 1 building massing plan (50 Bridge Street) – shaded area = 10% additional design excellence bonus floor space



Figure 8: Existing buildings with DCP envelope outlined

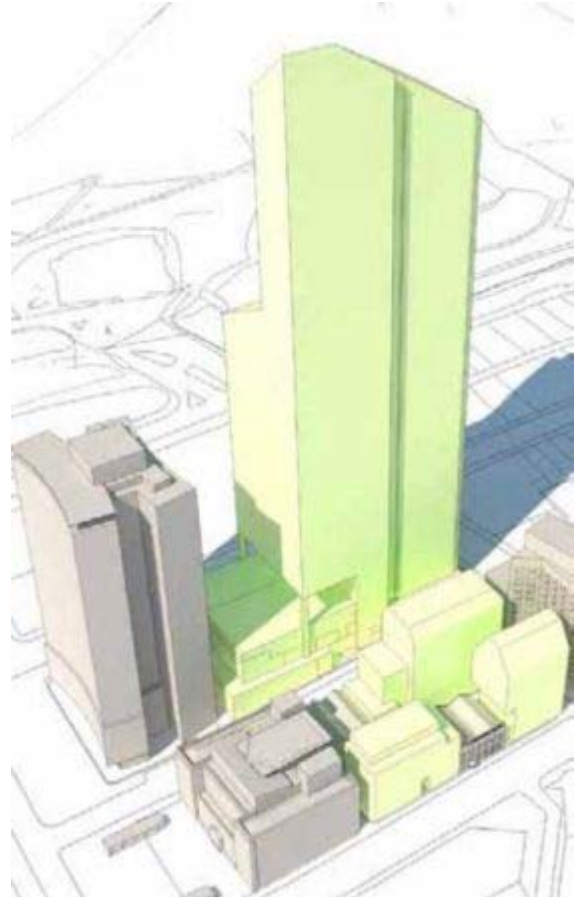


Figure 9: Proposed Stage 1 building envelope



Figure 10: Photomontage – view from north



Figure 11: Photomontage (Bridge and Alfred Street block) - Aerial view from east

HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

22. In December 2012 AMP Capital Office & Industrial Pty Limited (AMP) submitted a planning justification report to the City of Sydney requesting that the City of Sydney prepares site-specific amendments to *Sydney Local Environmental Plan 2012* (SLEP2012) to enable significant redevelopment of the AMP Circular Quay Precinct (the precinct). The owner of land within the precinct is AMP, with the exception of the land comprising of the Gallipoli Club, which is owned by the Gallipoli Memorial Club Ltd.
23. In order to enable this vision for the precinct, it was necessary to amend SLEP2012. The precinct vision relies on transferring floor space potential from a constrained city block to an adjacent city block across a public road. The SLEP2012 Amendment allowed a mechanism for floor space to be transferred in this manner within the precinct.
24. The Central Sydney Planning Committee and Council resolved to approve the Planning Proposal on 20 June 2013 and 24 June 2013 respectively.

25. The City submitted the Planning Proposal to the Planning and Infrastructure seeking a Gateway determination on 27 June 2013. The Gateway determination was issued by the Planning and Infrastructure on 10 July 2013.
26. The Planning Proposal, accompanied by the Draft DCP 2012 Amendment and Voluntary Planning Agreements were placed on public exhibition from 10 September 2013 – 9 October 2013.
27. On 9 December 2013, the City of Sydney Council resolved to endorse a series of 'alternative' site specific provisions to be included in the SLEP2012 and to adopt the AMP Circular Quay Precinct Amendment to the Sydney DCP 2012.
28. The following amendments to the SLEP2012 have been made:
 - (a) The inclusion of new clauses to allow:
 - (i) each land parcel within the precinct to be taken as the 'site area' for the purposes of calculating permissible floor space;
 - (ii) floor space awarded by way of competitive design process for sites within the Young and Loftus Street block will be used for development within the 50 Bridge Street site;
 - (iii) an exception to the sun access plan provisions governing height across the 50 Bridge Street site;
 - (b) Amendments to:
 - (i) the dictionary to enable proposed changes to the City of Sydney Competitive Design Policy relating specifically to the precinct;
 - (ii) the Laneways Development Floor Space controls so that the cause may apply to the new buildings in the Young and Loftus block.
29. The Planning Proposal was prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning Guidelines including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.
30. The VPAs have been executed by all relevant parties and registered on title. Following registration of the VPAs on title the LEP was made and published.

CITY OF SYDNEY ACT 1988

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

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

- (1) *The Planning Committee must consult the CSTTC before it exercises a function under Part 4 that will result in the making of a decision that will require, or that might reasonably be expected to require, the carrying out of road works or traffic control works that are likely to have a significant impact on traffic and transport in the Sydney CBD.*
 - (2) *The Planning Committee must take into consideration any representations made by the CSTTC within the period of 21 days (or such other period as is agreed to by the CSTTC and the Planning Committee in a particular case) after consultation takes place.*
 - (3) *The Planning Committee may delegate to a subcommittee of the Planning Committee, or the general manager or another member of the staff of the City Council, any of its functions under this section other than this power of delegation. A delegation can be given subject conditions. A delegation does not (despite section 38) require the approval of the Minister administering that section.*
 - (4) *The failure of the Planning Committee to comply with this section does not invalidate or otherwise affect any decision made by the Planning Committee."*
32. The application was referred to CSTTC for consideration of a number of transport related issues, in particular:
- (a) new vehicle access (car parking and loading) proposed on Phillip Street and impacts on bus layover arrangements;
 - (b) rearrangement / changes to function of Customs House Lane and Loftus Lane;
 - (c) introduction of a 40km/h speed limit along Young Street and Phillip Street; and
 - (d) changes to the character and function of Young Street.
33. The Central Sydney Planning Committee agreed to consult with the CSTTC with respect to the Stage 1 proposal for the AMP Quay Quarter Sydney in accordance with section 51N of the *City of Sydney Act 1988*. The submission to CSTTC is outlined below under 51H(2).
34. As per 51H(2) the CSTTC must consider the potential impact of traffic and transport management decisions on the following:
- (a) Impact on the Road Network
 - (i) The proposed development is not expected to have a detrimental impact on the road network.

- (ii) Car parking rates are to be determined at Stage 2 but are unlikely to increase substantially from what is currently available on site given that compliance with current LEP parking controls will be required. Nevertheless, an initial assessment has been undertaken by the applicant and indicates that an additional 8 vehicle movements in the commuter peak hour may be experienced – this would have a negligible impact. The location of the site and its close proximity to a variety of modes of public transport and a major public transport hub (both now and in the future) cater for minimising the traffic impact of the development.
 - (iii) Consolidation of access arrangements to the site is likely to provide significant improvements for traffic movements to/from the site, particularly along Young Street.
 - (iv) It should be noted that the application was referred to RMS for comment as standard procedure and no significant issues were raised.
 - (v) It is noted that the road network will change in the vicinity of the development due to the CBD and South East Light Rail project. This includes the closure of Alfred Street between George and Loftus Streets to accommodate a new light rail terminus and stop.
 - (vi) Consideration needs to be given to the likely timing of delivery of the AMP redevelopment comparative to the changes to bus operations and construction of light rail and other committed major redevelopments in the vicinity.
- (b) Future economic welfare and development of Sydney and the State
- (i) It is considered that the proposed development will have a positive impact in terms of the future economic welfare and development of Sydney and the State by increasing and revitalising the building stock capable of supporting the predicted growth in both population and jobs in the CBD as well as supporting the revitalisation of the Circular Quay Precinct.
- (c) Efficient functioning of businesses in the whole or any part of the Sydney CBD
- (i) Overall, it is considered that the development is unlikely to have any long term impacts on the efficient functioning of businesses in the CBD. There may be some short term impacts during construction however these will be assessed in line with the Stage 2 development application and can be managed via conditions of consent. It is envisaged that the development will result in improved loading capabilities for the site.
 - (ii) The Phillip Street access replaces two existing vehicle access points on Young Street, providing access to basement parking under 50 Bridge Street and 33 Alfred Street. The loading dock is to be dedicated for larger service vehicles accessing 33 Alfred Street, with smaller service vehicles catered for in the basement. The loading dock has a turntable to enable vehicles to enter and exit in a forward direction.

- (iii) One of three existing accesses on Young Street is to be retained for servicing of 50 Bridge Street. The introduction of a turntable will enable vehicles to enter and exit in a forward direction.
- (iv) The existing loading docks on Loftus Lane are to be removed and a new consolidated loading area provided from Loftus Lane South. The City is working with the applicant to ensure that operation of the new loading area maintains satisfactory pedestrian amenity and does not increase potential conflict with pedestrians given the adjacent pedestrianised zone proposed along Loftus Lane. Its functionality also needs to consider the location of the proposed basement car park entry. Loftus Lane will be configured as a slow speed environment to encourage a sharing of the road space. Low traffic volumes are expected to be generated by each of the developments sharing access from Loftus Lane (approximately 90 car spaces are proposed in the basement – although this may change with the Stage 2 application).
- (v) Servicing for Customs House (outside of the subject site) currently occurs via Customs House Lane, whereby vehicles enter via Loftus Lane and exit via Young Street in a forward direction. It was initially envisaged by the City that an internal below ground connection could be provided to enable servicing of Customs House to occur from the basement area, avoiding potential conflicts with the proposed pedestrianised zone along Loftus Lane. The applicant has advised that the location of the Bennelong Drain which has high historical and technical significance below the Young and Loftus Street block presents a significant barrier for the potential construction of a service/loading basement for Customs House.

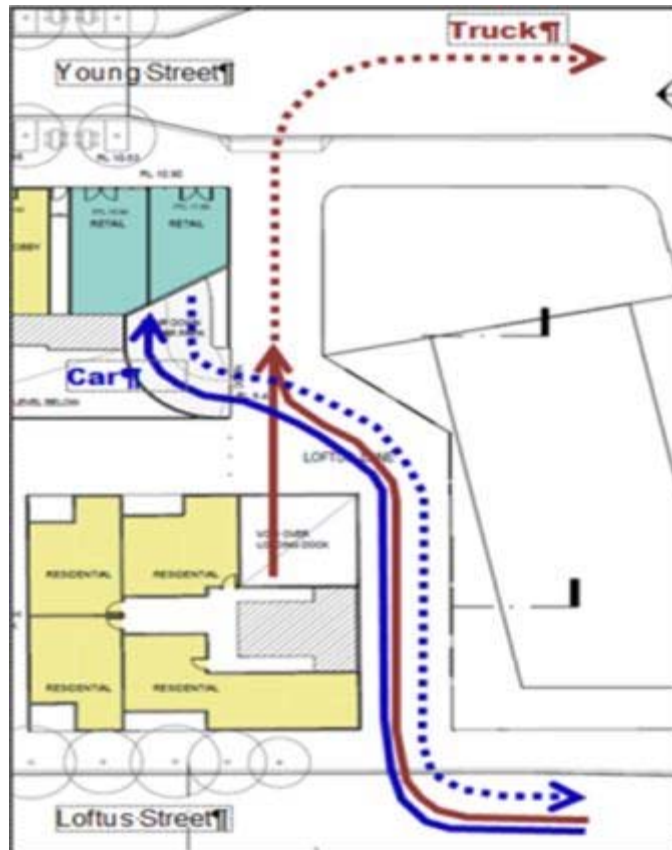


Figure 12: Servicing arrangements envisaged for the site

- (d) Maintenance of access for freight within the whole or any part of the Sydney CBD
- (i) It is considered that there will be no significant impact on freight within the whole or any part of the Sydney CBD as a result of the development. Freight access for existing businesses will be maintained.
- (e) Efficiency and traffic safety of the public transport network in the Sydney CBD
- (i) There are significant changes occurring in the area to accommodate future light rail – this includes changes to bus operations which will impact layover requirements. The role of Circular Quay bus terminus will change in the future with the new light rail system replacing most of the current South East bus services that currently terminate at Circular Quay. However, it is not yet known to what extent functions will be reduced. The introduction of Light Rail reduces bus layover capacity at Circular Quay with the closure of Alfred Street meaning Loftus Street is no longer used for buses. However, there will still be a need for layover capacity at Circular Quay, particularly during the light rail construction period when south east buses will continue to operate. Young and Phillip Streets will continue to play important role in bus operations.
- (ii) It is understood that future kerbside uses are currently being determined throughout the area - the most recent version of these plans does not reflect any of the changes proposed by AMP.
- (iii) The applicant's transport assessment suggests relocating bus layovers to Gresham Street or Macquarie Street. These alternative locations are already used for layover during peak periods. Alternative layover locations are currently being developed by TfNSW in consultation with the City and the applicant.
- (iv) The cumulative impact on bus layover reduction needs to be considered.
- (v) The applicant desires to relocate a total of seven (7) bus bays to accommodate the new vehicle crossing on Phillip Street (3 spaces) and pedestrian priority area on Young Street (4 spaces). The existing and future bus operations envisaged by the applicant along Phillip Street and Young Street are shown below.

Phillip Street

- a. The Phillip Street combined car park / loading access is provided in a location that is generally consistent with that shown in the AMP Circular Quay Precinct Amendment DCP. The applicant has suggested that three (3) bus layover spaces may need to be removed to allow for the vehicle entry and some short term parking / taxi, as well as maintaining adequate sight lines for vehicles entering / exiting the site.

- b. The loss of three (3) bus layover spaces is considered excessive. It is recommended that the applicant investigate alternative options to reduce impacts on bus layover spaces. There is also some concern surrounding the management of the Phillip Street frontage if bus functions are divided by a short term parking function.

Young Street

- c. As mentioned previously, the proposed treatment of Young Street sits outside the scope of the Stage 1 development application and will be a matter for further consideration. It is understood that a Condition will be recommended which specifically states that works to the public domain along Young Street will not form part of the Stage 1 determination.
- d. The proposed treatment for Young Street, including the removal of four (4) bus layover spaces is not currently supported by TfNSW due to the potential impacts on bus operations. The City is supportive of the concept and recognises the need to improve pedestrian priority through this area, but understands that this would need to be balanced with future transport needs arising from the transformation of the precinct following implementation of the CBD and South East Light Rail project.

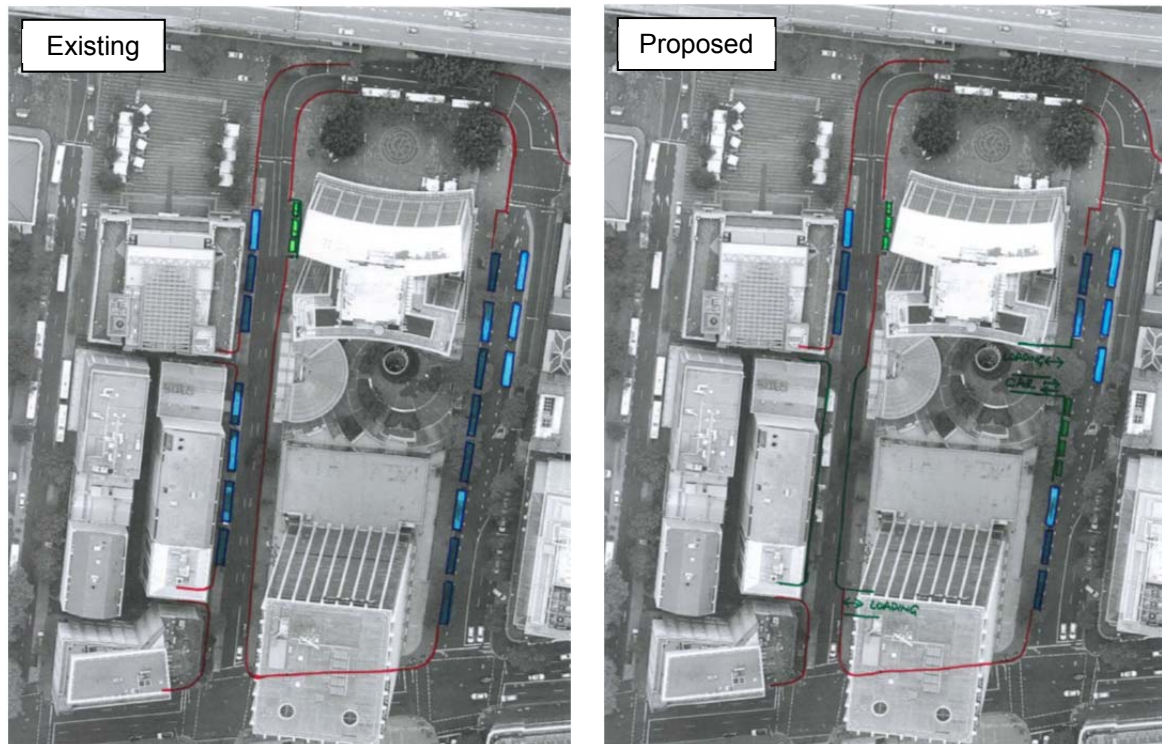


Figure 13: Bus layover plan – existing situation and proposed

- (f) Needs of commuters, residents, pedestrians and visitors in the whole or any part of the Sydney CBD
- (i) The development is very well served by existing and future public transport, walking and cycling routes which will satisfy the transport needs of future residents, commuters and visitors.
 - (ii) A number of pedestrian improvements are proposed within the precinct as indicated in the below figure.
 - (iii) It is proposed to implement shared zones on Customs House Lane and Loftus Lane South. It is noted that shared zones are exempt from CSTTC when they have RMS conditional approval and have been approved by the Local Pedestrian, Cycling and Traffic Calming Committee - these approvals are separate to the Stage 1 determination process.
 - (iv) As detailed previously, Customs House Lane provides servicing access to Customs House whilst a new consolidated loading area is proposed on Loftus Lane south to service sites along Loftus Lane. Customs House Lane and Loftus Lane south connect to the northern and southern ends of Loftus Lane respectively which is identified as an activated laneway and a pedestrianised zone. Removable bollards are proposed at either end of the laneway to maintain emergency vehicle access. It is understood that both laneways will be configured as slow speed environments to encourage the sharing of the road space.
 - (v) The City has advised that it will continue to work with the applicant to ensure pedestrian safety is not compromised along these laneways. It should also be noted that whilst these laneways currently provide the primary through-site-link for pedestrians (between Young and Loftus Streets), two additional east-west through-site-linkages off Loftus Street are proposed as part of the Quay Quarter Sydney redevelopment. These alternative routes will be activated to encourage pedestrian movement via these linkages rather than the existing laneways, minimising the potential for conflict between pedestrians and loading/servicing vehicles along the lanes.
 - (vi) The Precinct Masterplan identifies a future vision for the precinct including a new 'High Priority Pedestrian Area' along Young Street and a 40km/h speed limit along Young Street and Phillip Street. The narrowing of the roadway in Young Street to support footway restaurants and remove traffic lanes and bus layover is also identified in the vision, although identified in the Masterplan these works fall outside the scope of the development application and will not form part of this current approval. These will be assessed at a later stage.
 - (vii) Changes to the public domain will need to be progressed by the City and will be subject to a separate application and approval process.



Figure 14: Proposed access / links through the site

(g) Community Consultation

- (i) Consultation was carried out as part of the Gateway Determination process for the Planning Proposal. The public exhibition period commenced on 10 September 2013 and continued to 9 October 2013. Exhibition materials were made available for viewing at the One Stop Shop, Customs House and on the Council's website. Approximately 450 public exhibition notification letters were sent to owners and occupants of properties within a 100 metre radius of the Precinct.
- (ii) Six submissions were received from residents/owners of nearby properties. Four submissions were received from residents/owners in the Bridgeport Apartments, which is immediately to the south of the Young and Loftus Street block at 38-42 Bridge Street. The submissions from Bridgeport Apartments were generally supportive. However, some raised issues regarding the pedestrianisation of Loftus Lane, and vehicle access to the Young and Loftus Street block.
- (iii) The majority of resident concerns raised in submissions were from the owners and occupants of 'The Astor', an apartment building located at 123 Macquarie Street, approximately 70 metres south-east from the Precinct.
- (iv) Public agency consultation was undertaken in accordance with the Gateway Determination, with responses received from three of the nominated agencies. Roads and Maritime Services (RMS) raised no objections. Transport for NSW (TfNSW) raised issues relating to future consultation regarding connectivity to Circular Quay transport interchange, impact of proposed reduction of bus layover spaces, and construction traffic interface issues with light rail. The Office of Environment and Heritage supported the proposal, but identified concerns about possible impacts on pedestrian safety and circulation.

- (v) The Stage 1 development application was notified as part of the assessment process.
 - (vi) Community consultation will again occur when the Stage 2 development application is lodged. Additional consultation will be required for those parts of the development that require approval through Council's Traffic Committee.
35. The CSTTC working group met on 31 January 2014. The CSTTC resolved on 26 February 2014 to make the following representation to the Central Sydney Planning Committee pursuant to section 51N of the *City of Sydney Act 1988*:
- (a) That the applicant works with Transport for NSW to confirm the potential to remove up to 3 bus layover spaces from the western side of Phillip Street and/or investigate suitable alternative locations for bus layover and undertake an assessment of operational impact, cognisant of the implementation of the Sydney City Centre Bus Plan.
 - (b) That the applicant investigates opportunities for a reduced crossover width to Phillip Street so as to minimise disruption to bus layover activity and prioritise pedestrian amenity.
 - (c) That the applicant's design and planning team consult any relevant project teams in the vicinity of the development to ensure traffic or transport interface issues are addressed prior to commencement of construction. This will need to consider the CBD and South East Light Rail project, Sydney City Centre Bus Plan, and other committed major redevelopments in the vicinity.

ECONOMIC/SOCIAL/ENVIRONMENTAL IMPACTS

36. The application has been assessed under Section 79C of the Environmental Planning and Assessment Act 1979, including consideration of the following matters:
- (a) Environmental Planning Instruments and DCPs.

SEPP 32 - Urban Consolidation (Redevelopment of Urban Land)

37. The proposed development is consistent with the aims and objectives of SEPP 32 and the State Government's urban consolidation initiatives. The site is strategically located in proximity to the Sydney CBD and is serviced by existing public infrastructure, public transport and community facilities. The proposed development will increase the availability of housing within the inner city and will assist in meeting the demand for residential flats which are close to employment, leisure and retail opportunities.

State Environmental Planning Policy No 55—Remediation of Land

38. The aim of SEPP 55 is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.
39. A Phase 1 Preliminary Site Investigation Report was submitted with the development application. The study indicates the following findings and recommendations:

- (a) *Fill material may contain heavy metals and organic contaminants that are typically present in Sydney Harbour sediments.*
 - (b) *Acid Sulphate Soil (ASS) may be present in existing soils and infill used at the site. If ASS is identified, it should be managed in accordance with an ASS Management Plan during construction to minimise the risk of acid generation.*
 - (c) *It is not uncommon to find that excavated soil from harbour foreshore and reclaimed sites in and around the City contain low level contamination that precludes these soils from being reused as fill elsewhere. However, portions of the site, subject to testing may have the potential for excavated natural soils to be classified as Excavated Natural Material and be beneficially reused (e.g. as bulk fill) if validated correctly.*
 - (d) *The contamination of groundwater on the site is to be determined. Testing of groundwater quality in basement areas should also be undertaken due to the potential for contaminated groundwater and infiltration of this water into any future excavations and demolitions.*
 - (e) *In the event that contamination is limited to hotspot contamination across the site and contamination is remediated as required by the Office of Environment and Heritage then it is expected that there are minimal constraints to development.*
 - (f) *Prior to redevelopment it is likely that a Detailed Site Investigation will need to be undertaken in accordance with NSW Office of Environment and Heritage Guidelines for Consultants Reporting on Contaminated Sites (2009) and the Sydney Contaminated Land DCP 2004 as part of the Stage 2 development application for the site. Following this, a Site Remedial Action Plan may also be required to be produced and approved before construction can commence.*
40. The applicant's submission is reasonable and has merit. It is also noted that the proposal is a Stage 1 DA of a conceptual nature and that detailed matters in respect of contamination and the remediation of the site will be further addressed as part of the future Stage 2 DA.
41. The City's Health Unit is satisfied that subject to conditions, the site can be made suitable for the proposed use.

State Environmental Planning Policy No 65—Design Quality of Residential Flat Development

42. The residential component relates to the following sites within the Young and Loftus Street block which have been identified to accommodate residential uses:
- (a) 2-10 Loftus Street;
 - (b) 20 Loftus Street; and
 - (c) 9-17 Young Street.

43. Clause 70B of the Environmental Planning and Assessment Regulation 2000 provides that design verification required under clause 50(1A) is not required for Stage 1 development applications unless the DA contains detailed proposals for a residential flat development or part of that development.
44. Due to the conceptual nature of a Stage 1 application a detailed assessment against SEPP 65 and the Residential Flat Design Code can only be made when the future Stage 2 DA is submitted. Notwithstanding this, the Stage 1 development application building envelopes has been considered against the design quality principles.
45. The proposed building envelopes are considered to be contextually appropriate, being consistent with adjoining street alignments. Concern is raised regarding the likely non-compliance with minimum building separation requirements, privacy and solar access for the future residential apartments. The applicant has been advised that any application for residential apartments is to comply with the Residential Flat Design Code guidelines. This will require careful attention through the detailed design development stage and submission of the Stage 2 application.

Residential Flat Design Code

46. Clause 30 of SEPP 65 requires consideration of the *Residential Flat Design Code* (RFDC), which provides additional detail and guidance for applying the design quality principles outlined in SEPP 65 to a specific locality.
47. A preliminary assessment against the *Residential Flat Design Code* is included in the 'Issues' section.

State Environmental Planning Policy (Infrastructure) 2007

48. The provisions of SEPP (Infrastructure) 2007 have been considered in the assessment of the development application.

Clause 45

49. The application is subject to Clause 45 (Subdivision 2 Development likely to affect an electricity transmission or distribution network) of the SEPP.
50. In accordance with the Clause, the application was referred to Energy Australia for a period of 21 days.
51. Ausgrid responded and raise no objection to the Stage 1 Development Application, however requires ongoing consultation with the applicant to understand the potential requirement for new substations, upgrading of existing substations, the decommissioning of existing substations and the augmentation of existing infrastructure as part of the re-development of the precinct.

Clause 88

52. The application is subject to Clause 88 as the development in or above or adjacent to an interim rail corridor.
53. The application was referred to RailCorp 18 December 2013. RailCorp granted their concurrence 7 May 2014, subject to conditions which have been imposed on the consent.

Clause 104

54. The application is subject to Clause 104 of the SEPP as the proposed development is development specified in Column 1 of the Table to Schedule 3 that involves:
- (a) new premises of the relevant size or capacity, or
 - (b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.
55. RMS has reviewed the application and raises no objection as the proposed development is not considered to have a significant traffic impact on the road network.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)

56. The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SREP.
57. The Sydney Harbour Catchment Planning Principles must be considered in the carrying out of development within the catchment. The key relevant principles include:
- (a) protect and improve hydrological, ecological and geomorphologic processes;
 - (b) consider cumulative impacts of development within the catchment;
 - (c) improve water quality of urban runoff and reduce quantity and frequency of urban run-off;
 - (d) protect and rehabilitate riparian corridors and remnant vegetation.
58. The site is within the Sydney Harbour Catchment and eventually drains into the Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposed development.
59. The development is consistent with the controls contained with the deemed SEPP.

VOLUNTARY PLANNING AGREEMENTS (VPAs)

60. A Voluntary Planning Agreement (VPA) between the applicant (AMP) and Council has been executed and secures public benefits associated with the redevelopment of the site. The requirements of the VPA are summarised in the table below.

Item	VPA Requirements Summary	Proposal as assessed
Airspace lot Contribution	Dedication of the Airspace Lot above each Relevant Building to the Council.	Appropriate conditions will be recommended as part of the Stage 2 DA.
Monetary Contribution	Cash contribution to be paid in accordance with clause 3 of Schedule 4 of the VPA.	Appropriate conditions will be imposed on the relevant Stage 2 DAs.
Public Art Contribution	Public Art contribution to be paid in accordance with clause 4 of Schedule 4 of the VPA.	Appropriate conditions will be imposed on the relevant Stage 2 DAs.
Publicly Accessible Civic Space Contribution	Construction of the Publicly Accessible Civic Space with relevant Works and create and register an Easement in favour of the Council over the part of Young and Loftus Street Land on which the Publicly Accessible Civic Space is located.	Appropriate conditions will be imposed on the relevant Stage 2 DAs.
Through-Site Link Contribution – Young and Loftus Street Link	Construction of the Young Street and Loftus Street Link and Registration of the Through-Site Link Easement.	Appropriate conditions will be imposed on the relevant Stage 2 DAs.
Through-Site Link Contribution – Young and Phillip Street Link	Construction of the Young Street and Phillip Street Link and Registration of the Through-Site Link Easement	Appropriate conditions will be imposed on the relevant Stage 2 DAs.
Heritage Conservation Contribution – finalisation of Draft Conservation Management Plan	Finalisation and endorsement of the Draft Conservation Management Plans	Appropriate conditions will be imposed on the relevant Stage 2 DAs.
Heritage Conservation Contribution – completion of Heritage Conservation Works – Hinchcliff House Land	Completion of the Heritage Conservation Works	Appropriate conditions will be imposed on the relevant Stage 2 DAs.

Item	VPA Requirements Summary	Proposal as assessed
Heritage Conservation Contribution – Completion of Heritage Conservation Works – 33 Alfred Street Land	Completion of the Heritage Conservation Works	Appropriate conditions will be imposed on the relevant Stage 2 DAs.
Lanes Development Contribution	Registration of the Lanes Development Restriction	Appropriate conditions will be imposed on the relevant Stage 2 DAs.
Minimum Non-Residential Floor Space Contribution	Registration of the Minimum Non-Residential Floor Space Contribution Restriction	Appropriate conditions will be imposed on the relevant Stage 2 DAs.

61. A Voluntary Planning Agreement (VPA) between the Gallipoli Club and Council has been executed and secures public benefits associated with the redevelopment of the site. The requirements of the VPA are generally the same as the above in relation to the Airspace Lot Contribution, Heritage Conservation Contribution and Minimum Non-Residential Floor Space Contribution.

Sydney LEP 2012

62. The amendments to SLEP2012 included the following:
- (a) New inclusions:
 - (i) each land parcel within the precinct to be taken as the 'site area' for the purposes of calculating permissible floor space;
 - (ii) floor space awarded by way of competitive design process for sites within the Young and Loftus Street block will be used for development within the 50 Bridge Street site;
 - (iii) an exception to the sun access plan provisions governing height across the 50 Bridge Street site;
 - (b) Amendments to:
 - (i) the dictionary to enable proposed changes to the City of Sydney Competitive Design Policy relating specifically to the precinct;
 - (ii) the Laneways Development Floor Space controls so that the cause may apply to the new buildings in the Young and Loftus block.
63. The site is located within the B8 – Metropolitan Centre zone. The proposed Stage 1 application is permissible with consent.
64. The relevant matters to be considered under Sydney Local Environmental Plan 2012 as amended outlined below.

Compliance Table		
Development Control	Compliance	Comment
4.3 Height of Buildings	Yes	<p>A complex array of height controls affects the height of development including two sun access plane restrictions:</p> <p><u>Bridge and Alfred Street block:</u> Royal Botanic Gardens Sun Access Plane height restriction.</p> <p><u>Young and Loftus Street block:</u> Macquarie Place Sun Access Plane height restriction.</p> <p>See discussion under the heading Issues.</p>
4.4 Floor Space Ratio	Able to comply	<p>A maximum FSR of 12.5:1 is permitted (8:1 FSR + 4.5:1 for accommodation floor space).</p> <p>See discussion under the heading Issues.</p>
5.10 Heritage conservation	Yes	<p>The subject development site contains two locally listed heritage items (AMP Tower and Gallipoli Memorial Club) and one State listed heritage item (Hinchcliff House).</p> <p>See discussion under the heading Issues.</p>
Part 6 Local provisions - height and floor space		
Division 1 Additional floor space in Central Sydney (and AMP LEP amendment clause 6.8(4))	Yes	<p>The Stage 1 application is proposing 611sqm of Lanes Development floor space and 755sqm of Entertainment and Club floor space.</p> <p>See discussion under the heading Issues.</p>
Division 3 Height of buildings and overshadowing	Yes	See discussion under the heading Issues.

Compliance Table		
Development Control	Compliance	Comment
Division 4 Design excellence (and LEP amendment – clause 6.26(7)(b))	Able to comply	In accordance with Clause 6.21 and 6.26(7)(b), Council may grant an additional 10% FSR if a competitive design process has been undertaken and design excellence is demonstrated. No architectural design details have been provided at Stage 1 however it is considered that the proposed building envelopes are capable of accommodating a future building that will exhibit design excellence. A competitive design process will need to be undertaken prior to any Stage 2 application.
Part 7 Local provisions—general		
Division 1 Car parking ancillary to other development	Able to comply	Car parking numbers for residential and commercial uses can only be assessed as part of a Stage 2 DA. Parking numbers are determined having regard to the residential unit mix proposed which is only conceptual at this stage. See discussion under the heading Issues.
7.14 Acid Sulphate Soils	Yes	The site is identified as containing class 2 Acid Sulphate Soil (ASS). Any potential impact from ASS is likely to be manageable with the implementation of an ASS Management Plan. Details will need to be submitted with the future Stage 2 DA to demonstrate compliance.
7.15 Flood planning	Yes	The site is not identified as being on flood prone land. A Preliminary Flooding Review was provided by the applicant confirming the land is not below the flood planning level.

Compliance Table		
Development Control	Compliance	Comment
7.16 Airspace operations	Able to comply	<p>The proposed development will penetrate the Obstacle Limitation Surface as shown on the Obstacle Limitation Surface Map for the Sydney Airport.</p> <p>The referral was sent to Sydney Airport Corporation 18 December 2012 for concurrence. Sydney Airport Corporation requested MGA94 co-ordinates on 28 March 2014. The applicant provided the MGA94 co-ordinates defining the footprint of the building envelopes as requested by Sydney Airport Corporation for determination on 28 March 2013 and this information was referred back for approval.</p> <p>Concurrence from Sydney Airport Corporation was issued 5 May 2014.</p>
7.20 Development requiring preparation of a development control plan	Yes	<p>A site specific DCP amendment has been prepared to provide guidance to the SLEP 2012 amendments and provides site specific principles and planning provisions.</p> <p>See discussion under the heading Issues.</p>

Sydney DCP 2012 and AMP Circular Quay Precinct Amendment DCP (AMP DCP)

65. A site specific DCP (AMP Circular Quay Precinct Amendment) has been approved for the site and came into force the same day the AMP LEP Amendment was gazetted. The AMP DCP Amendment covers key design considerations such as:

- (a) Design principles;
- (b) Lanes, arcades and through-site links;
- (c) Public spaces;
- (d) Vehicle circulation;
- (e) Active frontages;
- (f) Awnings;

- (g) Built form envelopes;
 - (h) Land use mix; and
 - (i) Heritage.
66. The relevant matters to be considered under Sydney Development Control Plan 2012 and AMP Circular Quay Precinct Amendment DCP for the proposed development are outlined below.

2. Locality Statements – Bridge Street/Macquarie Place/Bulletin Place and Circular Quay Special Character Area

Sites facing Loftus Lane and Bridge Street are part of the Bridge Street, Macquarie Place and Bulletin Place Character Area. The northern part of the Bridge and Alfred Street block is part of the Circular Quay Special Character Area. The proposed Stage 1 application is considered to be in keeping with the unique character of the area and design principles in that it the heritage listed AMP Tower (33 Alfred Street) will retain its landmark status in views from Circular Quay and the proposed extension of 50 Bridge Street will form part of the backdrop consistent with the array of commercial towers south of Circular Quay. The proposal also aims to protect and enhance sun access to Macquarie Place and First Government House Place.

3. General Provisions

Development Control	Compliance	Comment
3.1 Public Domain Elements	Yes	<p>The proposed development will make a positive contribution to the public domain.</p> <p>The DCP Amendment identifies a number of lanes and through-site links including active frontages to revitalise and activate the two precincts. The pedestrianisation of Loftus Lane is supported and the Stage 1 application provides a number of through-site links consistent with the DCP Amendment Lanes Map. The proposal provides better connectivity in and between the two precincts to encourage a pedestrian movement in around the site as well as considering vehicle access. Details will need to be fully considered as part of the future Stage 2 DA.</p>
3.2 Defining the Public Domain	Yes	<p>The proposed development will enhance the public domain by ensuring adequate sun access to publicly accessible spaces and considering public views.</p> <p>See discussion under the heading Issues.</p>

3. General Provisions		
Development Control	Compliance	Comment
3.3 Design Excellence and Competitive Design Processes	Able to comply	The proposed development has not been subject to a design competition. Prior to a future Stage 2 DA, a competitive design process will need to be undertaken.
3.6 Ecologically Sustainable Development	Able to comply	Compliance with the requirements of BASIX will be assessed at Stage 2. Details will need to be submitted with the future Stage 2 DA to demonstrate compliance.
3.7 Water and Flood Management	Complies	<p>The site is not identified as being on flood prone land, however due to the scale of development a Preliminary Flooding Review was provided by the applicant confirming the flood planning levels would not impact the height of the proposed building envelopes.</p> <p>The applicant engaged Arup to undertake a preliminary Flooding Review and the following findings have been provided:</p> <ul style="list-style-type: none"> - flooding is contained within the roadway by existing kerbs. - the flood levels reported in the vicinity of the site (i.e. by BMT WBM – Council’s Flood Study Consultants) are the result of local overland flow conveyance only. - given the 100 year flood levels provided by BMT WBM are generally below the top of the existing kerbs, it is considered that the required flood planning levels can be achieved for the redevelopment, without resulting in significant change to the proposed Stage 1 DA development form.
3.9 Heritage	Generally complies	<p>The subject development site contains two locally listed heritage items (AMP Tower and Gallipoli Memorial Club) and one State listed heritage item (Hinchcliff House).</p> <p>See discussion under the heading Issues.</p>

3. General Provisions		
Development Control	Compliance	Comment
3.11 Transport and Parking	Generally complies	<p>Phillip Street is identified in the DCP 2012 Maps as a high pedestrian activity street where 'new vehicle entry points are not preferred'. It is acknowledged that the Phillip Street vehicular access will replace two existing vehicle entry points along Young Street and this is considered positive. The original plans submitted proposed a new vehicle access point on Phillip Street to be approximately 21 meters wide and included the removal of three (3) bus bays from the western side of Phillip Street.</p> <p>The applicant has since amended the width of the access driveway and vehicle crossover from 21 metres to 13 metres. This is considered a significant improvement from that originally proposed and is considered acceptable in principle.</p> <p>Details regarding general parking provisions including bicycle parking (end of journey facilities) will be submitted with the future Stage 2 DA to demonstrate compliance.</p>
3.12 Accessible Design	Able to comply	A condition has been recommended for the proposed development to provide appropriate access and facilities for persons with disabilities in accordance with the DCP and the BCA. Details will need to be submitted with the future Stage 2 DA to demonstrate compliance.
3.13 Social and Environmental Responsibilities	Able to comply	Details will need to be submitted with the future Stage 2 DA to demonstrate compliance.

3. General Provisions		
Development Control	Compliance	Comment
3.14 Waste	Able to comply	<p>A preliminary Waste Management Plan (WMP) has been submitted with the proposal. The preliminary WMP is not approved as part of this Stage 1 application. The WMP identifies a number of non-compliances with the Waste Policy re: residential waste chutes not provided in all blocks, distances travelled to waste areas exceeds required distance and garbage trucks not being able to enter/exit the site in a forward direction etc. However, due to the conceptual nature of the Stage 1 DA and lack of detail provided on the plans with regard to number of residential apartments etc. a detailed assessment of the proposal relating to waste management is not possible.</p> <p>A specific condition has been recommended for the proposed development to comply with the relevant provisions of the City of Sydney Code for Waste Minimisation in New Developments 2005. Details will need to be submitted with the future Stage 2 DA to demonstrate compliance.</p>

5. Specific Areas		
5.1 Central Sydney		
Development Control	Compliance	Comment
5.1.1 Street frontage heights	NA	Refer to AMP Circular Quay site specific DCP.
5.1.4 Building bulk	Yes	50 Bridge Street tower: The maximum size of the commercial floor plate permitted above a height of 120m based on the site area of the Bridge and Alfred Street block (site area of Bridge and Loftus Street block – 8,197sqm) is 2049sqm which is 25% of the site area.

5. Specific Areas		
5.1 Central Sydney		
Development Control	Compliance	Comment
5.1.4 Building bulk (continued)		<p>The plans as originally submitted proposed a maximum commercial floor plate of 2240sqm above a height of 120m and this included the 10% design excellence bonus floorspace.</p> <p>Amended plans were submitted which show the 50 Bridge Street AMP tower extension minus the 10% design excellence bonus floorspace proposing a maximum floor plate of 1949sqm and therefore complies.</p> <p>See discussion under the heading Issues.</p>
5.1.5 Building exteriors	Able to comply	The detailed design of the building exterior will be considered as part of the future competitive design process and Stage 2 DA.
5.1.8 Award and allocation of heritage floor space	Able to comply	HFS will be considered as part of the future Stage 2 DA.

6. Specific sites – AMP Circular Quay Precinct		
Development Control	Compliance	Comment
6.1.13.1 Streets, lanes, arcades and through-site links	Generally complies	The proposed laneways, through-site links and plaza area proposed are generally consistent with the DCP maps.
6.1.13.2 Active frontages	Able to comply	While active frontages are proposed, the detailed design will be the subject of a future DA.
6.1.13.3 Awnings	Able to comply	Detailed design will be the subject of a future DA.

6. Specific sites – AMP Circular Quay Precinct		
Development Control	Compliance	Comment
6.1.13.4 Building envelope (Built form)	Able to comply	<p><u>Young and Loftus Street block:</u> The proposed building envelopes in the Young and Loftus Street block are consistent with the DCP except for the building envelope of 16-20 Loftus Street. The applicant provided justification to breach the building envelope control however this request is not supported. Any variation to the building envelope is premature given the AMP site specific DCP was written for the site's redevelopment and provides detailed building envelope control restrictions. The AMP DCP states that building envelopes within the Young and Loftus Street block may be subject to a minor variation but only if design excellence is demonstrated through a competitive design process and this process is yet to take place.</p> <p>A condition is recommended requiring full compliance with the building envelope control.</p>
	Yes	<p><u>Alfred and Bridge Street block:</u> 33 Alfred Street is an existing building and no change is proposed to the building envelope.</p> <p>The proposed changes to the 50 Bridge Street tower extensions are consistent with the controls set out in the 'Envelope setbacks and alignments map'.</p>
6.1.13.5 Street frontage height and setbacks	Yes	<p><u>Young and Loftus Street block:</u> The building envelopes are proposed to the street alignment in the Young and Loftus Street block and are consistent with the control.</p> <p><u>Alfred and Bridge Street block:</u> 33 Alfred Street is an existing building and no change is proposed to the building envelope.</p> <p>The upper level setbacks to the 50 Bridge Street tower extension are consistent with the 'Envelopes height map' in the DCP.</p>

6. Specific sites – AMP Circular Quay Precinct		
Development Control	Compliance	Comment
6.1.13.6 Uses	Yes	The Stage 1 application originally proposed residential uses at first floor which was not considered acceptable. The applicant has since amended the application and deleted residential uses from the first floor, consistent with the DCP control.
6.1.13.7 Parking and vehicular access	Generally complies	The proposed locations of the vehicular entry and exit points are generally consistent with the 'Vehicular access map'. However, the width of the proposed new vehicle access point on Phillip Street is approximately 21 metres wide and includes the removal of three (3) bus bays from the western side of Phillip Street. The applicant has since amended the width of the access driveway and vehicle crossover from 21 metres to 13 metres. This is considered an improvement from that originally proposed and is considered acceptable.
6.1.13.8 Sustainability	Able to comply	Details will need to be submitted with the future Stage 2 DA to demonstrate compliance.
6.1.13.9 Heritage	Able to comply	See discussion under the heading Issues.

ISSUES

Floor space ratio and additional floor space in Central Sydney

67. The site is identified in the SLEP2012 Floor Space Ratio Maps as 'AC' which permits a base FSR of 8:1. Clause 6.4 of the SLEP 2012 states that a building may exceed the maximum permitted floor space ratio shown for the land on the Floor Space Ratio Map where a building is eligible for an amount of additional floor such as 'accommodation floor space'.
68. The proposed development includes office premises, retail premises and residential accommodation and therefore is eligible for additional accommodation floor space in accordance with Clause 6.4 of the Sydney LEP 2012. The amount of additional accommodation floor space is +4.5:1. This results in an FSR of 12.5:1.

69. Further to this, the subject development site is also eligible for additional floor space identified as 'Entertainment and club floor space' (755sqm) and 'Lanes development floor space' (611sqm) subject to satisfying a number of tests resulting in a total FSR of 12.62:1. This represents a total 140,378sqm of floor space across the development site.

Entertainment and club floor space

70. Clause 6.7 of the SLEP2012 allows an amount of additional floor space (Entertainment and club floor space) equal to the floor space of any parts of the basement of the building to be used for the purposes of entertainment facilities or registered clubs. Rather than excluding entertainment and club floor space from GFA, they qualify as a floor space bonus on the site.
71. The proposal seeks 755sqm of 'Entertainment and club floor space' located in part of the basement beneath 2-10 Loftus Street as a museum space is to be managed and operated by The Gallipoli Memorial Club. The plans are considered acceptable in principle however a condition will be recommended requesting a design amendment with regards to the separate entrance currently proposed into the museum from Loftus Street. For the museum space to be eligible for 'Entertainment and club floor space' the sole entrance to the museum must be from within the Gallipoli Memorial Club.
72. A positive covenant will be recommended as part of a future Stage 2 determination restricting the use of the Museum to always be operated as part of the Gallipoli Club.

Lanes development floor space

73. Clause 6.8 of the SLEP2012 applies to development consisting of alterations and additions to a building that:
- (a) is in existence on the making of this Plan (SLEP2012), and
 - (b) is on land in Central Sydney, and
 - (c) adjoins a public road with a width less than 6 metres (lane).
74. The 'Lanes development floor space' clause allows additional floor space that provides small laneway premises given each of these premises adjoins a public road with a width less than 6m (laneway), has a gross floor area of less than 100sqm, does not have access to any other premises in the building and has a floor level no more than 5 metres above the ground level of the lane.
75. The characteristics of the Young and Loftus block include active frontages onto existing lanes. To encourage lanes development in the Young and Loftus block Clause 6.8 of the SLEP2012 was amended as part of the AMP LEP amendment to allow new fine grain tenancies fronting Loftus Lane in the Young and Loftus Street block to apply to *new buildings*.
76. The proposal seeks 611sqm of 'Lanes development floor space' is consistent with the AMP LEP Amendment with single access to Loftus Lane which is a public road with a width of 6m or less.

77. The proposed retail spaces identified as 'Lanes development floor space' are consistent with the SLEP2012. In accordance with the Stage 1 plans submitted the development is eligible for an amount of 'Lanes development floor space' equal to the amount of 611sqm. Final design details will form part of the Stage 2 development application (i.e. each tenancy having a gross floor area of no more than 100sqm). A positive covenant will also be imposed as part of a condition of the Stage 2 determination.

Height of buildings and sun access plane

78. A complex array of height restrictions apply to the subject site in accordance with Clause 6.17 – Sun access planes, Clause 6.19 – Overshadowing of certain public places and Clause 6.26(8) – AMP Circular Quay Precinct of the SLEP2012 (AMP LEP amendment) respectively.
79. The SLEP2012 requires buildings to maximise sunlight access during specified times for the following public places adjacent to the subject site:
- (a) The Royal Botanic Gardens;
 - (b) Macquarie Place; and
 - (c) First Government House Place.
80. The Bridge and Alfred Street block is affected by the Royal Botanic Gardens Sun Access Plane and the Young and Loftus Street block is affected by the Macquarie Place Sun Access Plane. In addition to the sun access plane restrictions, the development must not create any additional overshadowing to First Government House Place.

The Royal Botanic Gardens

81. In accordance with Clause 6.26(8) of the AMP LEP amendment the consent authority may grant development consent to an addition to a building on Block A that causes a building to project higher than any part of the Royal Botanic Gardens sun access plane under this clause only if the overshadowing of the Royal Botanic Gardens will be no greater after the development is carried out than it would be if the development were not carried out during the control time of 2pm on 21 June.
82. The existing 50 Bridge Street tower projects through the sun access plane and there is currently a shadow cast at 2pm on 21 June on the Royal Botanic Gardens as a result.
83. Detailed overshadowing analysis has been provided confirming that no additional overshadowing will result from the proposed built form exceeding the sun access plane on the Royal Botanic Gardens at the control time.
84. The proposed AMP Tower building envelope extension complies as the additional built form added to the tower does not create any additional shadows on the Royal Botanic Gardens at 2pm on the 21 June to that, which currently exists.

Macquarie Place

85. In accordance with Clause 6.19(1)(e) of the SLEP2012 consent must not be granted to development that results in any part of a building causing additional overshadowing, at any time between 14 April and 31 August in any year during the specified times in relation to:
- (a) Macquarie Place (beyond the shadow that would be cast by a wall with a 35 metre street frontage height on the eastern alignment of Loftus Street) between 10.00-14.00.
86. The Stage 1 DA proposes a reduction in the existing built form of buildings within the Young and Loftus Street block. The reduction in scale of the 2-10 Loftus Street building form will provide an increase in morning sunlight access to Macquarie Place in mid-winter and therefore complies.
87. In addition to the sun light access control set out in the SLEP2012, Clause 6.1.13.4 – Building envelopes and alignment setbacks of the AMP Circular Precinct Amendment DCP (AMP DCP) states that development must not exceed the building envelope setbacks described within the AMP DCP Map.
88. The proposal results in a non-compliance with the AMP DCP building envelope control for the Young and Loftus Street block by increasing the height of the through-site link adjacent to the Gallipoli Memorial Club and relocating the building mass from this space to the levels above. The justification provided for the non-compliance is not supported at Stage 1 and full compliance with the DCP envelope is required. The AMP DCP states that building envelopes within the Young and Loftus Street block may be subject to a minor variation but only if design excellence is demonstrated through a competitive design process. An appropriate condition is recommended requiring full compliance with the Young and Loftus Street building envelope control.

First Government House Place

89. Clause 6.19(1)(c) of the SLEP2012 states that the consent must not be granted to development that results in any part of a building causing additional overshadowing, at any time between 14 April and 31 August in any year during the specified times in relation to:
- (a) First Government House Place between 12.00-14.00.
90. Clause 6.19(2) of the SLEP2012 also states that despite clause 6.19(1) if a development results in a building causing additional overshadowing, the total overshadowing must not cause any additional 'net' overshadowing between the control time of 12.00-14.00.
91. The shadow diagrams submitted with the proposal show that the proposed 50 Bridge Street building envelope (i.e. the eastern facade of the proposed tower extension to the north, beyond the line of the existing 50 Bridge Street tower) will cast a shadow on the eastern edge of First Government House Place between 12.00 and 12.04. However, the extent of the additional overshadowing is not greater than the overshadowing of that location during the control time caused by the existing buildings. The shadow diagrams show that there is a reduced amount of shadow between 1.30pm and 2.00pm on the eastern edge of First Government House Place as a result a reduction in scale of the built form of 9-17 Young Street.

92. It is therefore considered that the total amount of overshadowing will not exceed the existing quantum and results in a net gain of approximately 22sqm of additional sunlight access to First Government House Place during the control time and therefore complies with the SLEP2012 control.
93. Notwithstanding the assessment undertaken above, a specific condition is recommended to be imposed which states that at Stage 2 detailed design drawings are to be submitted providing precise sun access modelling confirming the following:
 - (a) the development does not reduce existing sun access to the Royal Botanic Gardens at 2pm in midwinter, and
 - (b) the development improves solar access to Macquarie Place and Loftus Lane in midwinter.

Building bulk – 50 Bridge Street (commercial floor plates)

94. In accordance with Clause 6.1.13.4 – building envelopes of the AMP DCP, the proposed 50 Bridge Street tower extension is contained within the building envelope controls set out in the 'Envelope setbacks and alignments map'.
95. Notwithstanding the above, to reduce the impact of tall and bulky buildings in Central Sydney Clause 5.1.4.1 of the SDCP 2012 requires commercial buildings above a height of 120m as measured from the ground level of the footpath, that the size of the floor plate of commercial offices must not exceed 1400sqm GFA, or 25% of the site areas, whichever is the greater.
96. The objective of DCP control is to reduce adverse visual and daylight impact on the public domain by controlling the size of the horizontal dimensions of the upper level floor plates of a building.
97. For the purposes of calculating site area in accordance with the definition of 'site area' in the SLEP2012, *site area* is the area of any land on which development is or is to be carried out. The land may include the whole or part of one lot, or more than one lot if they are contiguous of each other. The site area has been taken to be the Bridge and Loftus Street block (i.e. 50 Bridge Street and 33 Alfred Street) in accordance with the definition which has a total site area of 8,197sqm.
98. The control applies to the 50 Bridge Street AMP tower extension. The maximum size of the commercial floor plate permitted above a height of 120m based on the Bridge and Alfred Street block is 2049sqm which is 25% of the site area (site area being 8,197sqm).
99. On 25 February 2014, amended plans were submitted which show the 50 Bridge Street AMP tower extension minus the 10% design excellence bonus floorspace.
100. The 50 Bridge Street AMP tower extension (as amended 25 February 2014) proposes a maximum commercial floor plate of 1940sqm above a height of 120m (i.e. levels 31-51) and this is below the maximum floor plate control of 2049sqm as detailed above and therefore complies.

101. The Stage 1 building envelope identifies key opportunities and constraints for the future development of the site and the three dimensional space limits the extent of a building on the allotment. Refinement of the envelope is necessary to 'mould' the development to best meet the planning objectives and design principles of the DCP. The total area defined by the building envelope is generally greater than the resultant building form.
102. The building envelope will be further refined as a result of the Design Competition process and any departure to the control must be fully justified as part of the Stage 2 development application.

Heritage

Young and Loftus Street block

103. The transfer of floorspace from the three heritage items should be contingent upon the approval and completion of the conservation of the three heritage items and their sympathetic adaptive reuse. The three heritage items (the AMP building- 33 Alfred St, the former Hinchcliff Stores and the former Barker's Wool and Produce Stores (Gallipoli Club) should be conserved in accordance with endorsed Conservation Management Plans, the ICOMOS Burra Charter and best conservation practise.
104. The proposed infill buildings (Buildings A, B and C) within the Young/Loftus Street block should reflect the fine grain subdivision pattern and masonry character of heritage items within the vicinity including the former Hinchcliff Stores, the former Barker's Wool and Produce Stores and the former 'Booth House' at 44 Bridge Street, incorporating a high degree of architectural modelling and articulation, fine architectural detailing and high quality materials. To reflect the solid masonry character of historic buildings of the area and to avoid a sense of overlooking of parkland (Macquarie Place and Jesse Street Gardens), balconies should be avoided but where necessary should be recessed within the line of the façade through punctured openings. Glazing should maintain a high level of clarity and be neutral in colour.
105. A heritage consultancy team, with proven relevant expertise, should be engaged throughout the design, design development, contract documentation and construction stages of the project. The team are to be involved in the resolution of all matters pertaining the conservation and adaptation of the buildings, be provided with full access to relevant professional advice including geotechnical, structural, building services and fire engineering advice necessary to inform all decision making processes.

106. The conservation of the buildings will need to be based on rigorous on-site analysis, assessment and documentation of the condition of all building components, informed by the relevant engineering analysis. The analysis will inform the intended conservation approach to all components, whether preservation, restoration, reconstruction, adaptation, or interpretation, guided by the policies of the finalised Conservation Management Plans (CMP). A comprehensive schedule of conservation works based on this approach should be compiled, supported by architectural drawings that define the extent and location of the works, by larger scale architectural details, and by technical specifications. Concept designs for the sympathetic adaptive re-use and upgrade of the buildings to comply with the Building Code of Australia, including structural, building services and fire engineering and Access provisions, will be developed in close consultation with the heritage consultant team from an early stage.

Bridge and Alfred Street block

107. 33 Alfred Street (AMP tower) is significant as Australia's first high rise commercial office building. The CMP by Urbis states that the "commercial use" of this building is the preferred use. Any proposed adaptive reuse must enhance the appreciation of its values and significance, and not compromise significant fabric or require an unacceptable degree of intervention. Any use other than commercial is likely to reduce the appreciation of its values and significance, through subdivision of space and through alterations of the external facade to comply with current standards.
108. The proposed use of the lower levels of the AMP tower at 33 Alfred Street and resultant subdivision of space should reflect the original configuration of public and tenanted spaces of the Ground Floor level. Uses are to ensure that the original character of these spaces can be retrieved, and fabric conserved. The Stage 1 proposal does not reflect the original configuration of space on the Ground Floor level. To reflect the original configuration of the Ground Floor level, the extent of the proposed western retail area on the Ground Floor level should be reduced by one column bay.
109. The proposed extension to the 50 Bridge Street tower will result in a floor plate area that is far greater in area than any of the surrounding towers. The future architectural design of the building should provide for a carefully articulated tower form, modeled to reduce the perceived bulk.
110. Similarly, the proposed podium of the 50 Bridge Street tower should respond in a positive way to the adjacent heritage items in Phillip, Loftus and Alfred Streets, reflecting the rhythm of earlier subdivision patterns and incorporating masonry facades with a high degree of architectural modelling and articulation, and high quality materials.

Residential Flat Design Code (RFDC)

111. Concern has been raised regarding the non-compliance with the minimum building separation distances recommended in the RFDC for residential development in the Young and Loftus Street block facing Loftus Lane (i.e. from Levels 6 –11).
112. The RFDC states that buildings which are too close together can create amenity problems inside the building and these problems include lack of visual and acoustic privacy, loss of daylight access to apartments and to private and shared open spaces.

113. The RFDC requires the following minimum building separation distances for buildings over 5 storeys:
- (a) 18 metres between habitable rooms/balconies,
 - (b) 13 metres between habitable rooms/balconies and non-habitable rooms,
 - (c) 9 metres between non-habitable rooms.
114. Loftus Lane is a 6m wide laneway. The residential uses proposed from Level 6 and above facing the laneway are unable to comply with the minimum building separation distances and this in turn raises questions regarding appropriate and acceptable levels of residential amenity that can be achieved in this location for future occupants such as privacy impacts, solar access and cross flow ventilation etc.
115. It is noted that any residential development proposed in Loftus Lane is highly constrained due to the orientation of the site and characteristic of surrounding high-rise buildings and that any residential uses facing this laneway will struggle to comply with the minimum RFDC controls.
116. The applicant was asked to demonstrate that as a result of the non-compliance with the minimum building separation distances that the proposal would still be able to achieve the minimum requirements for solar access. In response to Council's concerns the applicant has undertaken a Solar Access Study. The Study states that the levels of solar access required at the times prescribed in the RFDC cannot be completely achieved.
117. The quantum of residential floorspace and/or apartment numbers may need to be altered prior to lodgement of the Stage 2 application to ensure that the relevant standards of the RFDC are met in respect of minimum building separation distances, cross flow ventilation and solar access.
118. The number of residential apartments, layout and unit mix is not being approved at Stage 1. A condition is recommended requiring any future DAs to comply with SEPP 65 and the RFDC and this may result in a reduced amount of residential floorspace within the Young and Loftus Street block.

Car parking numbers

119. The Stage 1 application seeks consent for 413 on-site parking spaces to form part of the future Stage 2 DA. The applicant advises that the proposed parking number would indicatively result in an additional basement level of parking.
120. The information submitted states that there will be no change in the overall parking provision of 366 car parking spaces across the combined sites and proposes an additional 47 car parking spaces to be allocated to the future residential apartment mix.
121. Clause 7.3 of the SLEP 2012 states that *consent must not* be granted to development that includes car parking spaces in connection with a proposed use of land if the total number of car parking spaces (including existing car parking spaces) provided on the site would be greater than the maximum permitted. Based on the above preliminary car parking calculations, the existing numbers exceed those permitted.

122. The applicant has been advised that the request to prescribe car parking numbers at Stage 1 is premature and cannot be supported for the following reasons:
- (a) the proposed gross floor area of commercial and retail development is conceptual and subject to change following design refinement.
 - (b) the residential apartment mix proposed is conceptual in nature and not an appropriate mechanism to 'lock in' car parking rates given the number of residential parking spaces will be dependent on the apartment mix proposed and confirmed in the future Stage 2 DA; and
 - (c) the proposed car parking rates exceed the maximum parking numbers permitted in accordance with the SLEP 2012.
123. As a result of the above, the Stage 1 determination will not include any prescribed parking numbers. Vehicle parking numbers/rates will be assessed as part of a future Stage 2 application.

Other Impacts of the Development

124. The proposed development is capable of complying with the BCA.
125. It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

Suitability of the site for the Development

126. The proposal is of a nature in keeping with the overall function of the site. The premises are in a commercial/residential surrounding and amongst similar uses to that proposed.

INTERNAL REFERRALS

127. The conditions of other sections of Council have been included in the proposed conditions.
128. The application was discussed with the Heritage and Urban Design Specialists; Building Services Unit; Environmental Health; Public Domain; Surveyors; Transport and Access; Waste Management; who advised that the proposal is acceptable subject to the recommended conditions.

EXTERNAL REFERRALS

Notification, Advertising and Delegation (Submission(s) Received)

129. In accordance with Schedule 1 the Sydney DCP 2012, the proposed development is required to be notified and advertised. As such the application was notified and advertised for a period of 36 days between 19 December 2013 and 24 January 2014. As a result of this notification there were 8 submission(s) received.

- (a) *Noise impacts to Bridgeport Apartments from retail uses in Loftus Lane.*

Response – The proposed retail uses will be subject to a future DA and assessment of the uses will take into consideration the proximity of the subject site to adjoining residential land uses. Appropriate late night trading hours are dependent on the extent and proximity of residential premises to any proposal and decisions on appropriate late night trading hours will be based on the impact considered that the use will have on the amenity of residential and other land uses. Matters relating to the ‘use’ and ‘operational aspects’ of that use will be assessed at Stage 2.

- (b) *No specific consideration of traffic and service vehicle noise impacts along Loftus Lane on Bridgeport was included in the assessment. The proposed location of the car park access will concentrate vehicle movements into the southern end of the lane adjacent to Bridgeport.*

Response – Loftus Lane south currently accommodates vehicle loading/unloading used to service the existing commercial buildings and the proposal intends to maintain this lane as a service lane. The loading and servicing dock will have time restrictions in place and a majority of the car parking spaces access off Loftus Lane south will be allocated to the future residential apartments. A draft Waste Management Plan has been submitted with the proposal which states waste collection will be undertaken from the loading dock with doors closed to as to minimise noise impacts to the proposed residential apartments within the development and to the adjoining Bridgeport Apartments.

- (c) *The additional increase in vehicle spaces is likely to result in a concentration of noise impacts at the southern end (east-west alignment section) of Loftus Lane.*

Response – Specific parking numbers will only be known at the Stage 2 DA. It is considered that the traffic generated by the Young and Loftus Street block will be able to be accommodated within the capacity of the existing laneway.

- (d) *The Stage 1 DA provides detail and comment on the solar access impacts on surrounding public spaces resulting from the proposed building envelopes. However, no specific comment has been provided regarding the solar access impacts upon individual non-heritage buildings such as Bridgeport.*

Response – The applicant’s design team have undertaken an overshadowing study of Bridgeport Apartments (dated March 2014). Bridgeport Apartments is currently overshadowed by 33 Alfred Street, 50 Bridge Street, Gateway Tower and the existing buildings within the Young and Loftus Street block. As the proposed new buildings in the Young and Loftus Street block will either match the roof profile of the existing building or have been reduced in height, they do not add additional shadows.

The proposed additions to the 50 Bridge Street tower cause some additional shadows to the northern facade of Bridgeport Apartments from sunrise to 9.00am. From 9.00am until 9.45am some of the eastern facade and south-east corner of the roof is overshadowed. From 10.00am onwards there is no additional overshadowing caused by the development to Bridgeport Apartments.

- (e) *Bridgeport object to any future expansion or re-configuration of the built form to sit outside of the building envelopes nominated in the Stage 1 DA as a result of the competitive design process or subsequent development applications.*

Response – The non-compliance with the building 16-20 Loftus Street envelope is not supported. A condition is recommended requesting full compliance with the building envelope control as detailed in the AMP DCP. Any matters relating to design will be assessed at Stage 2 and any non-compliance with the building envelope control would need to be fully justified.

- (f) *The Architectural Design Statement shows that additional plant is proposed to be located on the highest floors of 16-20 Loftus Street and 5-19 Young Street, adjacent to the Bridgeport building. Bridgeport request that detailed design for the future development approval phases should prioritise the location of building plant into the basement level wherever technically viable. That is, only items of plant which are absolutely required for engineering purposes to be located on the upper levels of the buildings should be housed there.*

Response – A specific condition has been recommended stating that the location of external mechanical plant is not approved as part of the Stage 1 DA as it is premature and will be addressed at Stage 2.

- (g) *The Stage 1 proposal is reducing the commercial floor space in the Loftus/Young block from around 20,000sqm to 3,275sqm. This will be highly destructive to the numerous small businesses that are currently there, contrary to Council's economic development strategy, and contrary to the vibrancy objective. Residential floor space in the Loftus/Young block should not be increased at the expense of commercial floor space.*

Response – The proposed redevelopment includes a reduction in the overall existing floorspace of the Young and Loftus Street block. This floorspace will be redistributed to the Bridge and Alfred Street block which will provide for greater commercial floorspace. In addition to this, the Young and Loftus Street block is proposing retail floorspace and boutique style retail areas that will encourage new small business opportunities into the precinct which is considered to be a positive component of revitalising the area.

- (h) *The Stage 1 proposal discusses various options for bus layovers. The proposal to use Macquarie Street and Gresham Street merely transfer the problem from one place to another, and both are unacceptable in terms of impact on heritage items and street ambience.*

Response – Transport for NSW (TfNSW) have advised Council that these alternative locations (i.e. Macquarie Street and Gresham Street) are already used for bus layovers during peak periods. Alternative layover locations are currently being investigated by TfNSW in consultation with the applicant.

- (i) *The proposed additions for 50 Bridge Street are excessively bulky and will unreasonably obstruct eastern views from the top 11 levels of Gateway.*

Response – There will be some view loss looking east from the Gateway apartments from level 11 as a result of the proposed 50 Bridge Street tower extension; however, not all views to the east will be lost. The building envelopes still maintain unobstructed views above the podium level to the east between 33 Alfred Street and 50 Bridge Street.

- (j) *The Statement of Environmental Effects by Urbis suggests that a floorplate of 2,049sqm is permitted on the Bridge and Alfred Street block (being 25% of the total site area). Urbis state that with a floorplate of 904sqm to 2,224sqm, the floorplate above 120m varies from the control by up to 175m². The applicant's reliance on the total site area of the block to calculate the permitted floorplate is questionable given the existence/retention of the existing building at 33 Bridge Street. It also enables a permitted floorplate that is excessively large and out of character with other high rise office buildings in the northern CBD.*

Response – The Stage 1 development application “Control Drawing Plans” originally submitted to Council included the 10% maximum design excellence bonus floorspace. The applicant was requested to delete the 10% bonus floorspace from the Stage 1 drawings. The applicant has since amended the plans and as a result there is a reduction in the floorplate area proposed to the 50 Bridge Street AMP tower.

Refer to discussion under the issues section heading: Building bulk – 50 Bridge Street (*Commercial floor plates*).

- (k) *The east-west dimension of the proposed additions to 50 Bridge Street is also exceptionally long. With a horizontal dimension of 71 metres, the building envelope exceeds the Sydney DCP 2012 horizontal dimension control of 65 metres.*

Response – The Stage 1 development application “Control Drawing Plans” plans originally submitted to Council included the 10% maximum design excellence bonus floorspace. The applicant has since deleted the 10% bonus floorspace from the Stage 1 drawings and this has resulted in a reduction in the horizontal dimension of the east-west commercial building facade from 70m to 60m. Notwithstanding this, the conceptual architectural drawings provided as part of the Stage 1 development application do not propose a horizontal facade. The ‘Control Drawings’ set the building envelope parameters and the future architectural design of the building will provide for a carefully articulated tower form that is to exhibit design excellence.

PUBLIC INTEREST

130. It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

FINANCIAL IMPLICATIONS/S61 CONTRIBUTION

Section 61 Contributions

131. Contributions will form part of the Stage 2 development application.

Application Fees

132. Application fees for the Stage 1 Development Application have been charged at 60% of the required fee based on a cost of works (\$660,000,000) detailed in the Quantity Surveyor's Detailed Cost Report, dated 11 December 2013.
133. Future Stage 2 Development Applications will be required to submit separate Quantity Surveyor's Detailed Cost Reports for each individual application. Applications fees for Stage 2 Development Applications will then be charged at 40% of the required fee, as per the Environmental Planning and Assessment Regulations 2000, and Council's relevant list of fees and charges.

RELEVANT LEGISLATION

134. The Environmental Planning and Assessment Act 1979.

CONCLUSION

135. The proposal generally complies with the Sydney LEP 2012, AMP LEP Amendment and AMP Circular Quay DCP Amendment. Proposed variations have been discussed throughout the report and conditions are recommended to require design modifications, where required.
136. The building envelopes will be further refined through an international design competition.
137. The Stage 1 proposal presents a unique opportunity for a major city regeneration project in which will act as a catalyst for the renewal of Circular Quay and enable the following public benefits:
 - (a) improved solar access and reduced overshadowing to Macquarie Place;
 - (b) create active lanes, arcades and through-site links; and
 - (c) conservation and upgrade of heritage items - Hinchcliff House, The Gallipoli Memorial Club and AMP Tower.
138. It is recommended that consent be granted to Development Application No. D/2013/1942, subject to conditions.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

(Vanessa Aziz, Senior Planner and Tim Wise, Senior Planner)