



City of Sydney

PLANNING PROPOSAL

Sydney Local Environmental Plan 2005
(Amendment No. 3)

September 2009



Prepared by City of Sydney

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Introduction

In May 2009 the City of Sydney received a submission from Colonial First State (CFS) seeking site-specific amendments to *Sydney Local Environmental Plan 2005* (SLEP2005) to enable additions to the building known as the Commonwealth Bank “Money Box” located at 108-120 Pitt Street, Sydney.

The submission was received following a Central Sydney Planning Committee (CSPC) resolution of June 2008 which did not support a development application for the site, and which invited CFS to consult further in order to reach an appropriate solution for the site. In response CFS appointed JPW Architects who have prepared a revised concept for the site (the JPW scheme).

The JPW scheme is considered to be a desirable outcome for the site and is likely to result in development that is sympathetic to the character of Martin Place and the heritage qualities of the “Money Box” building. The JPW scheme forms the concept design upon which amendments to SLEP2005 are required, as outlined in this Planning Proposal. Details of this scheme are discussed in detail in the *LEP Amendment Request/Approval Process Justification Report: 108-120 Pitt Street, Sydney* prepared by JBA Urban Planning Consultants. The JBA report is at Attachment A to this Planning Proposal.

Following consideration of CFS’ justification report in August 2009, it was considered that there were substantive reasons that justify a site specific amendment to the existing height controls in SLEP2005 and Council and the CSPC resolved to prepare a Planning Proposal to amend SLEP2005 height controls. Council and CSPC Resolutions of August 2009 are at Attachment B to this report, and the Planner’s reports are at Attachment C.

Site Identification

The site is located in Central Sydney on the south east corner of Martin Place and Pitt Street. The site is legally described as Lot 120 in Deposited Plan 882436 and is known as street address 108-120 Pitt Street, Sydney.

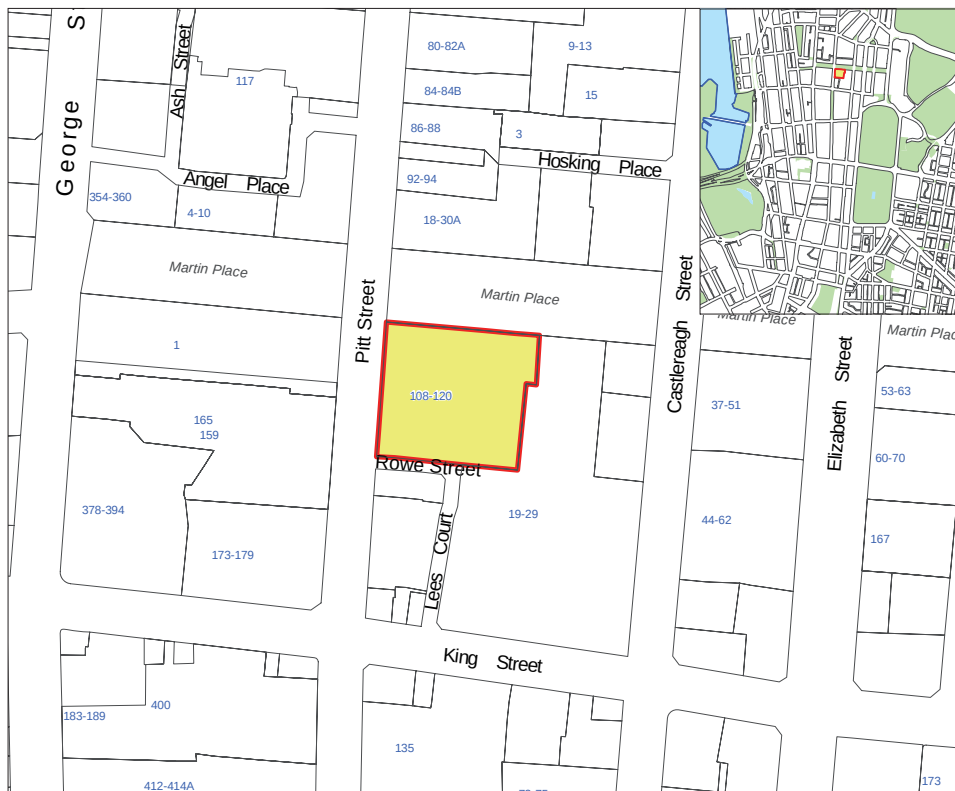


Figure 1: Block plan of land affected by the Planning Proposal (site shaded in yellow)



Figure 2: Aerial photograph of land affected by the Planning Proposal (site outlined in red).

Part 1 - Objectives & Intended Outcomes

Objective

The objective of the Planning Proposal is to enable the development of a scheme consisting of a vertical extension of 81 metres in height (RL 98 metres) on the south east portion of the Commonwealth Bank “Money Box” site at 108 – 120 Pitt Street, Sydney.

Intended Outcomes

The Planning Proposal will enable a building form that enhances the character of the Martin Place Special Area and responds sympathetically to the heritage characteristics of the Commonwealth Bank “Money Box” building. It will allow for the adaptation and upgrade of a key heritage building to contemporary commercial and environmental standards, mitigating building redundancy.

Part 2 - Explanation of Provisions

Current Zoning/Planning Controls in Sydney Local Environmental Plan 2005

The key controls in SLEP2005 that currently affect the site are summarised in Table 1 below.

Table 1 – Key SLEP2005 Controls:

Part 2 - Zoning	City Centre Zone
Part 3 - Height	The maximum height permitted on approximately three quarters of the site (i.e. facing Martin Place and Pitt Street) is 55m, except for the south-east corner of the site which is affected by the Hyde Park West Sun Access Plane. The sun access plane limits the height of buildings within this portion of the site to between approximately 145m and 160m.
Part 4 - Floor Space Ratio	An FSR of 8:1 applies to all uses. The floor space may be increased to 12.5:1 for commercial development and 14:1 for residential development if there is compliance with other provisions of SLEP2005 and <i>Central Sydney DCP 1996</i>.
Part 6 - Heritage	The Commonwealth Bank is listed as a heritage item No. 333 in Schedule 8 of SLEP2005.
Part 7 - Special Area Provisions	Martin Place is identified as <i>Special Area 9 - Martin Place</i> in Schedule 6 of SLEP2005.

Proposed amendments to Sydney Local Environmental Plan 2005

It is proposed to amend *Sydney Local Environmental Plan 2005* as follows:

1. The addition of a subclause to clause 50 (Height of Buildings) that changes the height limit on the south east part of the site to 81 metres (i.e. RL 98 metres).

This will:

- (a) increase the height limit in SLEP2005 from 55 metres to 81 metres (RL 98 metres) over a portion of the site (i.e. approximately 20% of the site area); and
 - (b) reduce the height limit in SLEP2005 to 81 metres (RL 98 metres) over the portion of the site affected by the sun access plane.
2. Amend the Central Sydney Height Map with a notation for a subclause to Clause 50 of SLEP2005, as described above, similar to that shown in Figure 3 below (i.e. the area 'vii' outlined in red).

This approach is consistent with other site specific height controls in SLEP2005 where similar notations are marked on the Central Sydney Height Map.

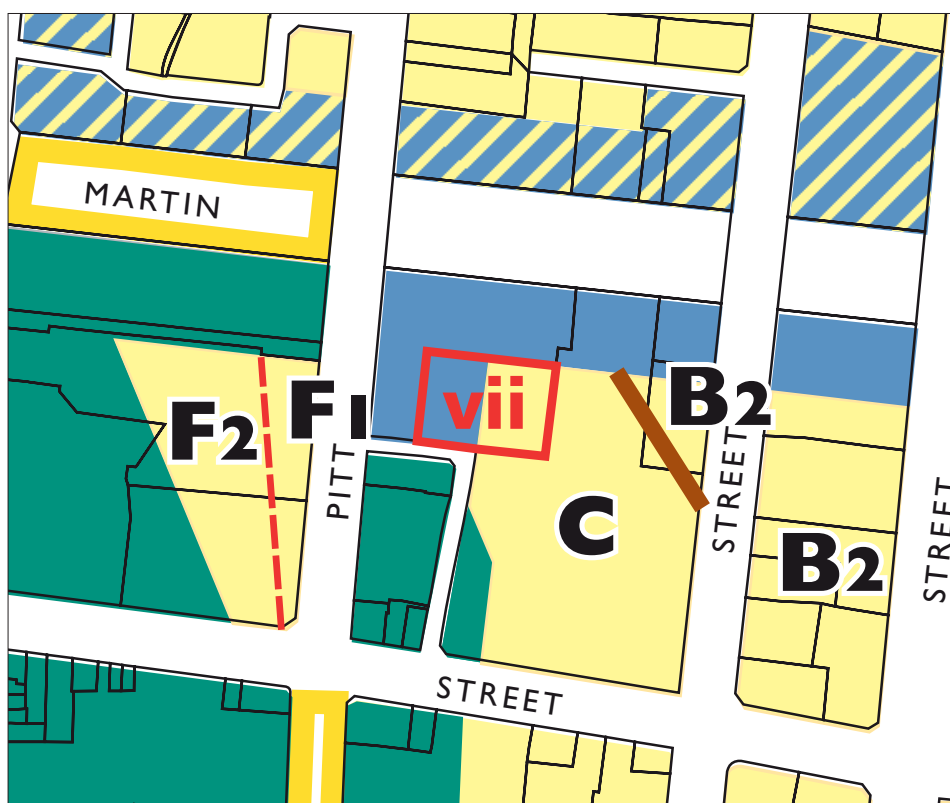


Figure 3 – Proposed Amendment to Central Sydney Height Map (Extract)

Existing height controls in SLEP2005 currently allow for a built form of inappropriate bulk and scale for the location, detracting from the heritage qualities of the “Money Box” building and intended character of the Martin Place Special Area. In 2008 a Stage 1 development application (DA) was submitted that complied with existing height controls in SLEP2005; however the DA was recommended for refusal as this scheme was considered to be unacceptable on both urban design and heritage grounds. This DA was not supported by the CSPC.

Part 3 - Justification

This section sets out the reasons for the proposed outcome and development controls in the Planning Proposal. The following questions are set out in the Department of Planning's *A Guide to Preparing Planning Proposals* and address the need for the Planning Proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth government agencies.

Section A - Need for a planning proposal

Is the planning proposal a result of any strategic study or report?

In response to resolutions from Council and the CSPC in November 2008, a justification report was prepared by JBA Urban Planning Consultants to justify amendments to height controls in SLEP2005 that will enable the JPW scheme. The Council and CSPC resolutions are at Attachment D.

CFS was advised that for Council to consider the need for an LEP amendment that will enable the JPW scheme, the justification report would need to address a range of substantive matters. These are outlined in detail in the planner's reports of November 2008 at Attachment E. Amongst other things, this included a requirement to address matters in the Department of Planning's *Planning Circular PS06-005 – "Local Environmental Plan Review Panel"*.

The Planning Proposal has evolved following a comprehensive process of consultation between CFS and the City of Sydney. It is considered that CFS has comprehensively addressed justification report matters requested by the Council and CSPC in November 2008, therefore warranting the preparation of this Planning Proposal. A copy of the justification report is provided at Attachment A.

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

Under the existing height controls in SLEP2005, the JPW scheme would not be achievable as it exceeds the 55m height control that applies to approximately 20% of the site. Therefore, an LEP amendment is necessary to allow for development of this scheme. It is noted that the existing 55m development standard cannot be varied sufficiently to allow for the JPW scheme, and an amendment to Central Sydney DCP 1996 would not provide sufficient legal basis to enable the scheme.

An amendment to SLEP2005 will promote the intended outcome for the site; that is to enhance the heritage values of the "Money Box" building and to achieve a commercially viable and sustainable long-term building). Although the building form proposed in the stage 1 DA of 2008 was compliant with current SLEP2005 height controls, it was clear from the proposal that these current controls promote a built form that dominates the "Money Box" heritage building and are in fact antipathetic to development on the site that is appropriate to its location and context. A more sympathetic outcome is to redistribute height more evenly across the south east portion of the site, which can only be achieved through an amendment to the existing height control in SLEP2005.



Department of Planning Circular No. PS06-005 - Local Environmental Plan Review Panel

The Department of Planning's current position on LEP amendments, such as the type described in this Planning Proposal, requires that the range of matters in the *Department of Planning Circular No. PS06-005 - Local Environmental Plan Review Panel* are addressed. The Circular requires Council to address "LEP Pro-forma Evaluation Criteria – Category 1: Spot Rezoning LEP" when notifying the Director-General of its decision to prepare an LEP. This is addressed in Table 2 below.

Table 2 - LEP Pro-forma Evaluation Criteria – Category 1: Spot Rezoning LEP:

Department of Planning Criteria	Council Response
<i>Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?</i>	Yes. The Planning Proposal is consistent with key strategic directions including the <i>Metropolitan Strategy</i> and the <i>draft Sydney City Subregional Strategy</i> in that it will support the development of Central Sydney as a Global City. The Planning Proposal will: - reinforce the global competitiveness of Sydney through the provision of high quality office accommodation integrated with an existing heritage building; - allow for the vertical expansion of an existing site in close proximity to public transport; - maintain the ongoing commercial relevance of an important heritage building in a key business precinct in Central Sydney.
<i>Will the LEP implement studies and strategic work consistent with State and regional policies and Ministerial (section 117) directions?</i>	Yes. The Planning Proposal will implement the work of the <i>Urban Design Report: 108-120 Pitt Street Commonwealth Bank Building</i> prepared by JPW Pty. Ltd. Architects & Tanner Architects, and the <i>Conservation Management Plan – 108-120 Pitt Street, Sydney</i> prepared by Tanner Architects as endorsed by the NSW Heritage Council. The Planning Proposal is consistent with State and regional policies and Ministerial (section 117) directions (see Table 6).

Department of Planning Criteria	Council Response
<i>Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?</i>	Yes, the Planning Proposal is located within Central Sydney, as identified as Global Sydney in the Metropolitan Strategy.
<i>Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?</i>	Yes. The Planning Proposal will allow for the development of a substantially improved grade of office building that will contribute to Sydney as in international and national centre of business. This building will contribute to Sydney's ongoing relevance in the global commercial office market. The Planning Proposal will enable a building that can provide office space to contemporary commercial standards and generate permanent employment opportunities. This is unlikely to be realised under current height controls in SLEP2005. There will be no loss in employment lands as defined in the <i>draft Sydney City Subregional Strategy</i> (Categories 1 and 2).
<i>Will the LEP be compatible/ complementary with surrounding land uses?</i>	Yes. The Planning Proposal is both compatible and complementary with surrounding land uses, which are predominantly commercial/office buildings and heritage buildings, some of which have been re-adapted to contemporary standards (e.g. the adjacent GPO building).
<i>Is the LEP likely to create a precedent; or create or change the expectations of the landowner or other landholders?</i>	It is considered that the Planning Proposal is likely to create a positive precedent for heritage buildings, as it will enable an innovative example of the rejuvenation of an existing heritage building to contemporary standards in an important business location. The Planning Proposal is unique in that it aims to enable a scheme relating to a highly significant heritage building that has undergone a necessarily rigorous process of consultation, concept development and "fine tuning". Any future proposal which may make a similar case for height variation relating to a heritage item will also have to demonstrate a similar degree of comprehensive analysis.
<i>Will the LEP deal with a deferred matter in an existing LEP?</i>	No. This is not applicable to the Planning Proposal.

Department of Planning Criteria	Council Response
<i>Have the cumulative effects of other spot rezoning proposals in the locality been considered?</i> <i>What was the outcome of these considerations?</i>	No other spot rezoning is currently proposed in the immediate vicinity. However, following recent authorisation from the Department of Planning, the City of Sydney is in the process of preparing an LEP amendment to change the height limits that apply to the 'Alfred, Pitt, Dalley and George Street' strategic site in Circular Quay. This is considered to be a significantly different LEP amendment to that proposed for the Commonwealth Bank site as it applies a coordinated 'development block' approach to planning controls. The City also recently prepared a Planning Proposal for the Harold Park site in Glebe. This is significantly different as it is an urban renewal area located outside of Central Sydney. The City recently submitted a Planning Proposal to amend the definition of "Affordable Housing Program" in SLEP2005. This relates specifically to the Ultimo Pyrmont Affordable Housing Scheme and is also significantly different. Therefore, there will be no adverse cumulative impacts as a result of these LEP amendments.

Is there a net community benefit?

In accordance with the Department of Planning's "A guide to preparing planning proposals", JBA Urban Planning Consultants have prepared a Net Community Benefit analysis on behalf of CFS to assist in assessing the merits of the Planning Proposal. This analysis is at Attachment F to this Planning Proposal and outlines the pros and cons (i.e. benefits vs. costs) of the Planning Proposal.

In summary, it is considered that the Planning Proposal will provide a net positive community benefit in that:

1. Any negative community impacts that may result from development enabled by the Planning Proposal (e.g. construction and traffic impacts, minor overshadowing of public spaces) are temporary, minor, or will be localised to discrete stakeholder groups. When weighed up against the overall positive heritage, ESD and public domain outcomes that will be made possible by the development of the site in accordance with the Planning Proposal, these impacts are considered to be acceptable or capable of mitigation/management. Therefore, broader public benefits will accrue from the proposal.
2. Whilst a number of the "pros" within the analysis have commercial benefits such as avoiding building redundancy and improving the amenity for building occupants, it is considered the scheme also provides a public interest benefit. The public interest benefits include positive heritage and ESD outcomes for the site that may otherwise not have been possible. The Planning Proposal will enable an optimal outcome of balancing commercial functions with the conservation and enhancement of an important heritage building.

Section B - Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The Planning Proposal is consistent with the aims, objectives and provisions of the Metropolitan Strategy (as supported by the *draft Sydney City Subregional Strategy*). Table 3 below shows its consistency with the key directions of the *draft Sydney City Subregional Strategy*.

Table 3 – Consistency with draft Sydney City Subregional Strategy Key Directions:

Key Direction	Statement of Consistency
<i>Reinforce global competitiveness and strengthen links to the regional economy</i>	The Planning Proposal is consistent with this direction in that it will allow for a scheme that can provide premium grade quality office accommodation that is integrated with an important heritage building. CFS have estimated that an upgraded building built in accordance with the JPW scheme will inject \$150 million into the NSW economy and provide approximately 3000 permanent jobs. The Planning Proposal will ensure the ongoing commercial relevance of a significant heritage building in a key business area in Central Sydney. A future upgrade of the building in accordance with the height control proposed will ensure that it will attract and retain quality tenants commensurate with the reputation of Martin Place as a key location for commercial activity. This will reinforce Sydney's global competitiveness.
<i>Ensure adequate capacity for new office and hotel developments</i>	The Planning Proposal is consistent with this direction in that it will allow for the upgrade of a key commercial building to contemporary standards that will attract long term commercial tenants. This will generate employment opportunities on the site. CFS have estimated that if the JPW scheme is realised there will be an increase in floor space on the site of approximately 44%. No increase in SLEP2005 floor space ratio controls is proposed as part of this Planning Proposal.
<i>Plan for sustainable development of major urban renewal projects</i>	The Planning Proposal is not a major urban renewal project.

Key Direction	Statement of Consistency
<i>Plan for housing choice</i>	The Planning Proposal does not relate to residential development. The existing development does not contain residential dwellings and the Planning Proposal does not propose additional residential dwellings. The Planning Proposal is located within the primary commercial office precinct of global Sydney and it is considered appropriate that the site remains commercial.
<i>Develop an improved and increasingly integrated transport system that meets the City's multiple transport needs</i>	The proposal is not inconsistent with this direction. The site is within close proximity to existing train services at Martin Place, Wynyard and Circular Quay as well as bus services along Pitt, George, Castlereagh, Elizabeth and York Streets. The proposal is considered to be consistent with policies of providing employment in locations accessible by public transport and reducing dependency on motor cars.
<i>Improve the quality of the built environment and aim to decrease the subregion's ecological footprint</i>	The Planning Proposal is consistent with this direction in that it will enable a building envelope that allows opportunities for improved environmental performance of the "Money Box" building, which currently achieves a NABERS Energy Rating of 2.0, which is considered low by contemporary standards. The Planning Proposal presents an opportunity for the adaptation/renewal of a key heritage building in Central Sydney and to demonstrate how existing buildings (particularly those with a heritage component) can contribute to sustainability and reductions to the subregion's ecological footprint.
<i>Enhance the City's prominence as a diverse global & cultural centre</i>	The Planning Proposal is consistent with this direction in that it will enable an opportunity for the revitalisation of a heritage building that can contribute to a vibrant and diverse city centre. Realisation of the JPW scheme will result in an appropriate balance between meeting the needs of global commercial tenants and unlocking opportunities for the public appreciation of a highly significant heritage building. This may include opportunities to incorporate retail spaces, public access to internal heritage spaces, laneway reactivation and provision of a through site link. Development enabled by the Planning Proposal will not conflict with the amenity of the adjoining Martin Place Special Area or MLC forecourt which are currently a focus for cultural activities.

Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Sustainable Sydney 2030 (SS2030) outlines the City's vision for a 'green', 'global' and 'connected' City of Sydney and sets targets, objectives and actions to achieve that vision. As a component of their justification report, it was requested that CFS provide a detailed statement of consistency with the strategic directions of SS2030. CFS' statement of consistency can be found in Appendix D at Attachment A to this report.

In summary the Planning Proposal is consistent with the broad SS2030 vision in that it will enable:

1. development that is 'green' in that it will allow for development that can bring an existing building in line with contemporary ESD requirements through improved environmental performance;
2. development that is 'global' because it will contribute to the expansion of Sydney's important role as a centre of business by providing quality office accommodation within Central Sydney and maintain the commercial relevance of the "Money Box" building; and
3. development that is 'connected' due to its location within Central Sydney; where there is a relatively high level of access to public transport and opportunities to improve pedestrian connectivity and public access.

Is the planning proposal consistent with applicable state environmental planning policies?

Table 4 – State Environmental Planning Policies (SEPPs):

Note: SEPPs which have been repealed, or which were never finalised are not included in this Table

No.	SEPP Title	Consistency of Planning Proposal
1	Development Standards	Consistent The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
4	Development Without Consent and Miscellaneous Exempt and Complying Development	Not applicable
6	Number of Storeys in a Building	Consistent The Planning Proposal does not propose controls for numbers of storeys.
14	Coastal Wetlands	Not applicable
15	Rural Landsharing Communities	Not applicable

No.	SEPP Title	Consistency of Planning Proposal
19	Bushland in Urban Areas	Not applicable
21	Caravan Parks	Not applicable
22	Shops and Commercial Premises	Consistent The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
26	Littoral Rainforests	Not applicable
29	Western Sydney Recreation Area	Not applicable
30	Intensive Agriculture	Not applicable
32	Urban Consolidation (Redevelopment of Urban Land)	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
33	Hazardous and Offensive Development	Not applicable
36	Manufactured Home Estates	Not applicable
39	Spit Island Bird Habitat	Not applicable
41	Casino Entertainment Complex	Not applicable
44	Koala Habitat Protection	Not applicable
47	Moore Park Showground	Not applicable
50	Canal Estate Development	Not applicable
52	Farm Dams, Drought Relief and Other Works	Not applicable
53	Metropolitan Residential Development	Not applicable

No.	SEPP Title	Consistency of Planning Proposal
55	Remediation of Land	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
59	Central Western Sydney Economic and Employment Area	Not applicable
60	Exempt and Complying Development	Not applicable
62	Sustainable Aquaculture	Not applicable
64	Advertising and Signage	Not applicable
65	Design Quality of Residential Flat Development	Not applicable
70	Affordable Housing (Revised Schemes)	Not applicable
71	Coastal Protection	Not applicable
	SEPP (Building Sustainability Index: BASIX) 2004	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.
	SEPP (Housing for Seniors or People with a Disability) 2004	Consistent. The draft LEP does not contain provisions that contradict or would hinder application of this SEPP.
	SEPP (Major Development) 2005	Not applicable
	SEPP (Sydney Region Growth Centres) 2006	Not applicable
	SEPP (Infrastructure) 2007	Consistent The draft LEP does not contain provisions that contradict or would hinder application of this SEPP.

No.	SEPP Title	Consistency of Planning Proposal
	SEPP (Kosciuszko National Park-Alpine Resorts) 2007	Not applicable
	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable
	SEPP (Temporary Structures and Places of Public Entertainment) 2007	Consistent. The draft LEP does not contain provisions that contradict or would hinder application of this SEPP.
	SEPP (Exempt and Complying Development Codes) 2008	Consistent The draft LEP does not contain provisions that contradict or would hinder application of this SEPP.
	SEPP (Rural Lands) 2008	Not applicable
	SEPP (Western Sydney Parklands) 2009	Not applicable
	SEPP (Affordable Rental Housing) 2009	Not applicable
	State Environmental Planning Policy (Western Sydney Employment Area) 2009	Not applicable

Table 5 – Regional Environmental Plans (REPs) – Deemed SEPPs:

Note: Former REPs which have been repealed are not included in this Table

No.	REP Title	Consistency of LEP
5	Chatswood Town Centre	Not applicable
6	Gosford Coastal Areas	Not applicable
7	Multi-Unit Housing: Surplus Government Sites	Not applicable
8	Central Coast Plateau Areas	Not applicable

No.	REP Title	Consistency of LEP
9	Extractive Industry (No 2-1995)	Not applicable
10	Blue Mountains Regional Open Space	Not applicable
11	Penrith Lakes Scheme	Not applicable
13	Mulgoa Valley	Not applicable
14	Eastern Beaches	Not applicable
16	Walsh Bay	Not applicable
17	Kurnell Peninsula (1989)	Not applicable
18	Public Transport Corridors	Not applicable
19	Rouse Hill Development Area	Not applicable
20	Hawkesbury–Nepean River (No. 2-1997)	Not applicable
21	Warringah Urban Release Areas	Not applicable
24	Homebush Bay Area	Not applicable
25	Orchard Hills	Not applicable
26	City West	Not applicable
27	Wollondilly Regional Open Space	Not applicable
28	Parramatta	Not applicable
29	Rhodes Peninsula	Not applicable
30	St Marys	Not applicable
31	Regional Parklands	Not applicable
33	Cooks Cove	Not applicable
	Sydney Regional Environmental Plan (Sydney Harbour Catchment)	Consistent

Is the planning proposal consistent with applicable Ministerial Directions (s. 117 directions)?

Table 6 – Review of consistency of draft Sydney LEP 2005 (Amendment No. 3) with the Ministerial Directions for LEPs under s. 117 of the Environmental Planning & Assessment Act 1979:

1. Employment and Resources

No.	Title	Comment
1.1	Business and Industrial Zones	Consistent The Planning Proposal will protect employment land within an existing business area and will not reduce the total potential floor space area for employment uses and related public services.
1.2	Rural Zones	Not applicable
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural Lands	Not applicable

2. Environment and Heritage

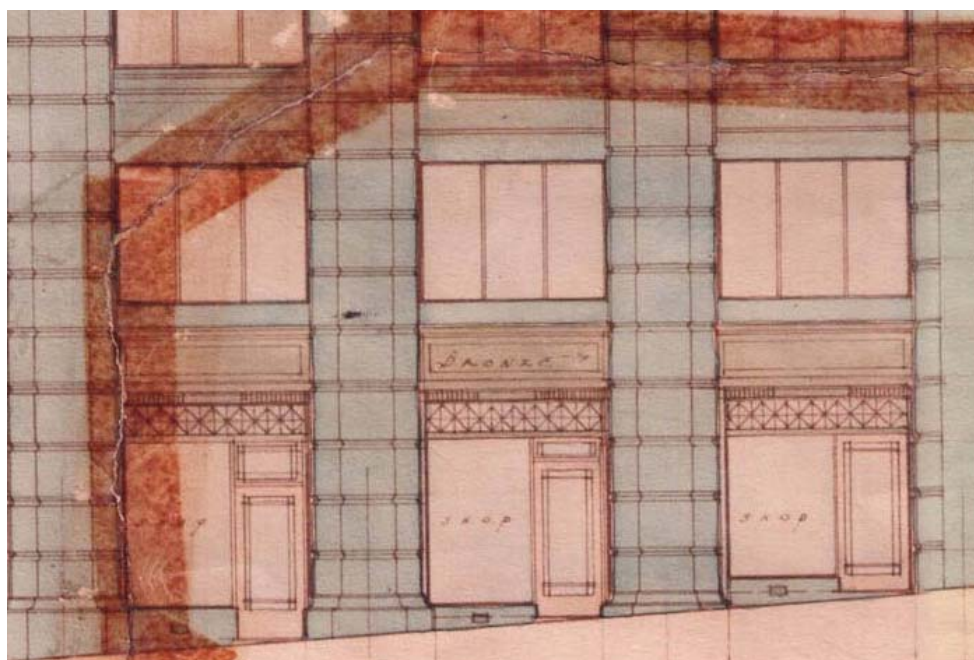
No.	Title	Comment
2.1	Environmental Protection Zones	Not applicable
2.2	Coastal protection	Not applicable
2.3	Heritage Conservation	Consistent The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. Since an intended outcome of the Planning Proposal is to enable a building form that responds sympathetically to the heritage characteristics of the Commonwealth Bank “Money Box” building, it is considered that the Planning Proposal does not contain provisions that contradict or would hinder application of this direction.
2.4	Recreation Vehicle Areas	Not applicable

3. Housing, Infrastructure and Urban Development

No.	Title	Comment
3.1	Residential Zones	Not applicable
3.2	Caravan parks and Manufactured Home Estates	Not applicable
3.3	Home Occupations	Not applicable
3.4	Integrating Land Use and Transport	Consistent The Planning Proposal site is optimally located in terms of access to existing public transport, with major rail and bus services within close walking distance.
3.5	Development Near Licensed Aerodromes	Not applicable

4. Hazard and Risk

No.	Title	Comment
4.1	Acid Sulfate Soils	Not applicable
4.2	Mine Subsidence and Unstable Land	Not applicable
4.3	Flood Prone Land	Not applicable
4.4	Planning for Bushfire Protection	Not applicable



5. Regional Planning

No.	Title	Comment
5.1	Implementation of Regional Strategies	Consistent The Planning Proposal is consistent with key strategic directions including the <i>Metropolitan Strategy</i>, and the draft <i>Sydney Subregional Strategy</i> primarily in that it will support the development of Central Sydney as a Global City. The Planning Proposal is consistent with the aims, objectives and provisions of the <i>Metropolitan Strategy</i> (as supported by the draft <i>Sydney Subregional Strategy</i>) in that it will: - reinforce the global competitiveness of Sydney through the provision of high quality office accommodation; - contribute to ensuring adequate capacity for office developments to meet future demand; - improve the quality of the built environment by promoting vertical expansion on an existing site in close proximity to public transport; - enhance the City's prominence as a diverse global and cultural centre.
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Farmland of State and Regional Significance - NSW Far North Coast	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway	Not applicable
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable
5.8	Second Sydney Airport – Badgerys Creek	Not applicable

6. Local Plan Making

No.	Title	Comment
6.1	Approval and Referral Requirements	Consistent The Planning Proposal does not include concurrence, consultation or referral provisions. The Planning Proposal does not identify any development as designated development.
6.2	Reserving Land for Public Purposes	Not applicable
6.3	Site Specific Provisions	Consistent The Planning Proposal does not introduce any unnecessarily restrictive site specific planning controls as it will enable development that is appropriate for the site.

Section C: Environmental, social and economic impact.

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

No – the Planning Proposal site is located in an existing business precinct in a built up area of Central Sydney. The Planning Proposal does not apply to land that has been identified as containing critical habitat or threatened species, populations or ecological communities, or their habitats.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

No - it is unlikely that the proposed amendments to SLEP2005 will result in development creating any environmental effects that cannot already be controlled. As it is envisaged that future development will be a contemporary commercial building; existing policies, regulations and standards are already in place to ensure environmental impacts are mitigated during the construction phase and eventual use of the building (e.g. Construction Management Plans).

Further to this, the Planning Proposal will enable development that will have negligible impact on solar access to key public spaces such as Pitt Street Mall and Martin Place and will not affect reasonable daylight access to adjoining buildings. The JPW scheme is in fact likely to improve daylight access to the MLC forecourt as it is proposed to remove of intrusive plant rooms fronting Martin Place. Also, the building envelope proposed in the JPW is well below the tower that may be allowable under existing controls in SLEP2005, promoting a built form that is sensitive to the site and its Martin Place location.

Therefore, rather than negative environmental effects, the Planning Proposal presents an opportunity for the development of a scheme that can enhance the sustainability and environmental performance of an existing heritage building through its upgrade and rejuvenation. This scheme is likely to have minimal environmental impacts and promote an outcome that will improve the quality of the built environment.

How has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will provide an opportunity for the redevelopment of an important heritage item in a commercially viable and environmentally sustainable manner.

Economic effects

The economic effects are discussed in detail in the Net Community Benefit Analysis at Attachment F - the key positive economic effects being that the Planning Proposal will enable a scheme that will mitigate the potential for the commercial and environmental redundancy of the "Money Box" building. In turn this will generate employment opportunities on the site and reinforce the role and character of Martin Place as a key business precinct in Central Sydney.

Social effects

The key social benefit that will result from the Planning Proposal is that it will facilitate the conservation of a significant heritage item on the site, which will increase the potential for its public appreciation. In their justification report, CFS state that the overriding principle that has guided the building envelope for the JPW scheme is to enhance and revitalise the heritage values of the site, whilst also supporting a sympathetic modern addition. This will provide a balance between commercial functions and the conservation of heritage fabric.

The existing height controls in SLEP2005 that currently apply to the site contain disparities and promote an unsatisfactory built form outcome that detracts from the heritage building. Therefore, the Planning Proposal allows for a scheme has the potential to deliver significant positive heritage outcomes for the site that may otherwise not be possible under existing height controls in SLEP2005.

Section D: State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The site is well located in relation to existing public transport infrastructure, utility services, roads and essential services.

Martin Place is in close proximity to a range of high frequency and high capacity public transport, including Martin Place, Wynyard and Circular Quay railway stations, bus services along Pitt, George, Elizabeth, Castlereagh and York Streets, and ferry services at Circular Quay. The site is also located in close proximity to proposed underground Metro rail stations proposed to be built at Martin Place and Wynyard.

The full range of utility services including electricity, telecommunications, water supply, sewer and stormwater are all currently available to service future development on the site. Being in a central location, all essential services such as hospitals, police and ambulance are also available.

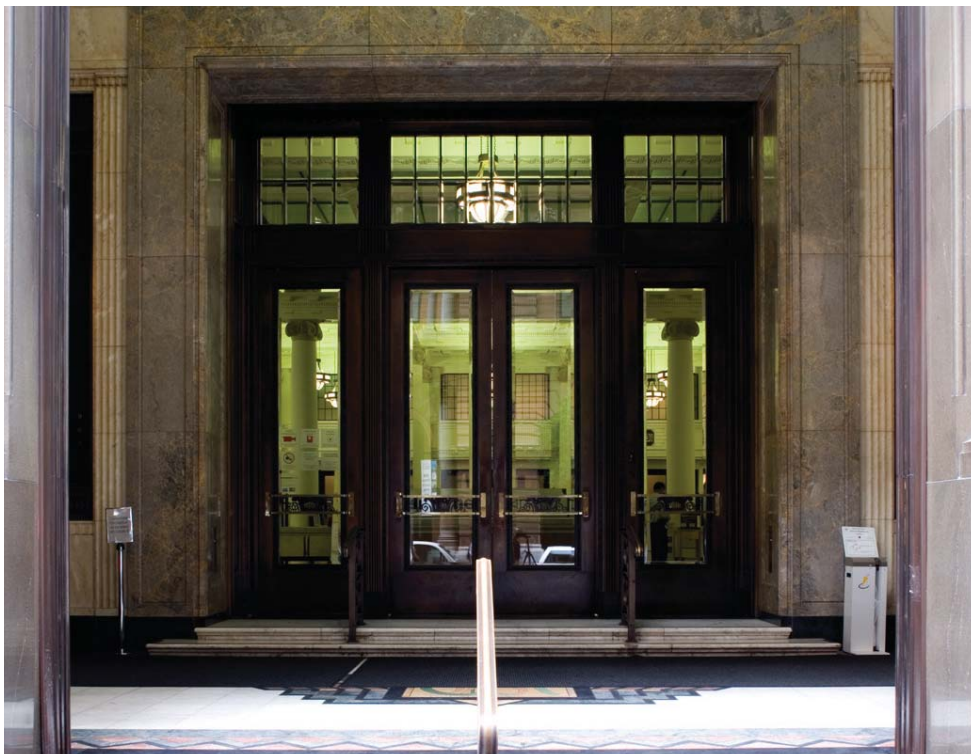
Since the Planning Proposal does not propose to change the existing floor space ratio controls, it is unlikely that there will be any significant increase in infrastructure demands as the potential change in capacity is approximately the same as under current floor space controls in SLEP2005.

What are the views of State and Commonwealth public authorities consulted in the gateway determination?

At this stage of the Planning Proposal State and Commonwealth public authorities have yet to be consulted as the Gateway Determination has yet to be issued by the Minister for Planning. Notwithstanding this, the City of Sydney proposes (at a minimum) consultation with the following State and Commonwealth authorities in regard to this Planning Proposal:

- a. NSW Department of Planning – Sydney Region East Team;
- b. NSW Department of Planning – Heritage Branch;
- c. Sydney Metro Authority;
- d. State Transit Authority of NSW;
- e. Roads and Traffic Authority of NSW;
- f. Rail Corporation of NSW;
- g. NSW Transport and Infrastructure;
- h. Energy Australia; and
- i. TransGrid.

Other agencies will be consulted as advised by the Minister for Planning in the Gateway Determination.



Part 4 - Community Consultation

Details of the Community Consultation that is to be undertaken on the Planning Proposal

Public consultation will take place in accordance with the Gateway Determination made by the Minister for Planning in accordance with Sections 56 & 57 of the *Environmental Planning & Assessment Act 1979*. It is proposed that at a minimum this will involve notification of the public exhibition of the Planning Proposal:

- a. on the City of Sydney website;
- b. in newspapers that circulate widely in the City of Sydney local government area;
- c. in writing to the owners; the adjoining landowners; relevant community groups; and the surrounding community in the immediate vicinity of the site.
- d. It is proposed that the Planning Proposal be exhibited for a minimum period of 28 days.

