
Planning Proposal

505-523 George
Street, Sydney

City of Sydney , December
2014



Introduction

This Planning Proposal is in support of an amendment to the height control in Sydney Local Environmental Plan 2012 (SLEP2012) that applies to 505 - 523 George Street, Sydney (the site).

This Planning Proposal seeks to amend the maximum height control in the LEP to allow a maximum building height of 260 metres. This will enable a slim line residential tower and mixed use podium scheme which has been prepared by Crone Partners on behalf of Coombes Property Group (the proponent) and Mirvac. The landowner is CFT NO.4 Pty Limited.

A 260 metre tall building may only be permitted on the site if public benefits acceptable to Council are provided as part of the development of the site. Therefore the 260 metre height control will be an 'alternative' to the existing SLEP2012 height control of 150 metres. Specifically, the public benefits required to be provided as part of development are: child care centre(s), the provision of public toilets and a meeting room space. If these are not provided then the existing SLEP2012 height control of 150 metres will apply.

The scheme has been prepared following testing of several development options for the site by Crone Partners and was found to be the best outcome in terms of land use, amenity impacts and commercial viability. The current planning controls would most likely see the delivery of two medium sized towers above a podium on the site, primarily as a result of the existing 150 metre height limit in SLEP2012 and building envelope controls in Sydney Development Control Plan 2012 (SDCP2012).

Site specific controls proposed to be inserted into the SDCP2012 will provide Council and residents of surrounding residential buildings assurance of the best built form outcome on the site, particularly in terms of view sharing, privacy and overshadowing.

This Planning Proposal describes the site, proposed changes to development controls and provides an environmental assessment of the new building envelope. The Planning Proposal should be read in conjunction with the appended architectural drawing set prepared by Crone Partners and specialist consultant reports. The report is written in accordance with the Department of Planning and Environment's publication *A guide to preparing planning proposals*.

Site Context and Description

Location

The site's street address is 505-523 George Street within the City of Sydney Local Government Area. The site is located within Central Sydney in a block bordered by Bathurst Street to the north, George Street to the east, Liverpool Street to the south and Kent Street to the west.

The site's locational context within Central Sydney is illustrated in Figure 1 below.

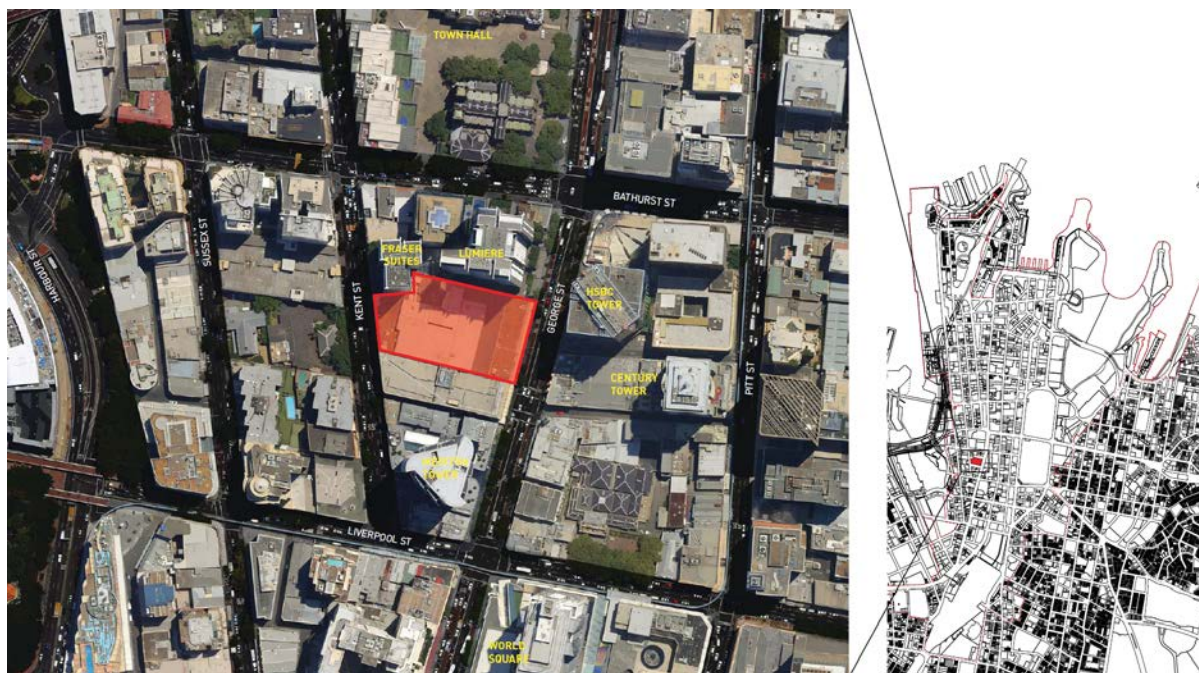


Figure 1 – Site Location

Site Description

The site has an area of approximately 4,308 square metres and is legally described as Lot 1 in Deposited Plan 573250.

Currently the site is occupied by Event Cinemas. The cinema building is of a similar height as a four to five level office building and has one basement level for onsite parking, plant and equipment. The building currently accommodates retail premises on the ground floor.

There are 16 cinema screens across the site and the adjoining site, 525-529 George Street. The cinema is operated as a single complex but straddles two separate land titles that are in separate ownership. 525-529 George Street is owned by Amalgamated Holdings Limited.

The site is surrounded by a mix of development types consisting of commercial offices, retail premises, residential accommodation, serviced apartments and heritage buildings. Figure 2 below shows the location of surrounding developments, including existing high-rise residential towers within the vicinity of the site – Lumiere, Frasers Suites, Century Tower and Meriton Serviced Apartments.

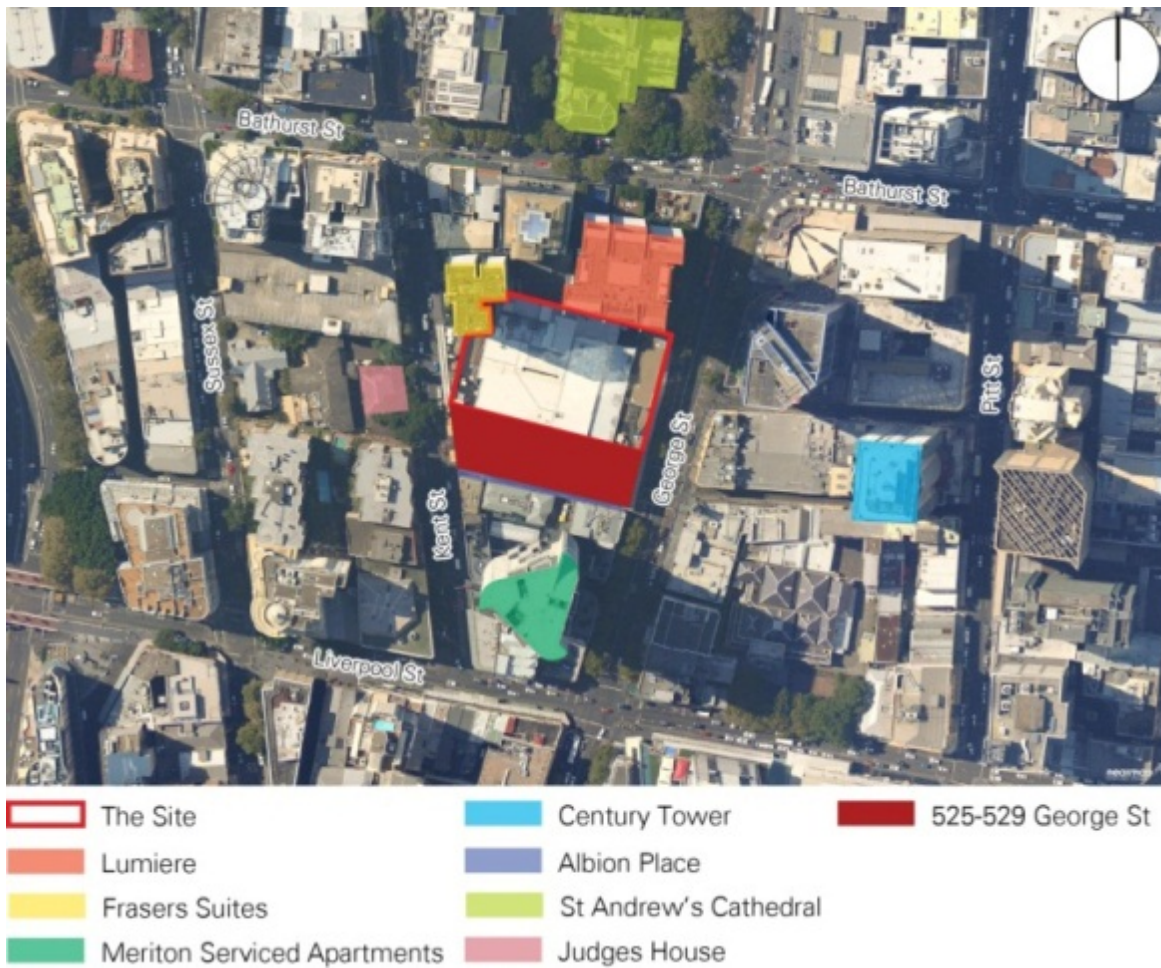


Figure 2 – The site and its context

Primary access to the site is provided via George Street (Figure 3) and secondary access, including vehicular access, is provided via Kent Street (Figure 4) to the west.



Figure 3 – George Street Elevation of the existing Building



Figure 4 – Kent Street Elevation of the Existing Building

Key Planning Controls

Zoning

The site is located on land zoned B8 Metropolitan Centre under SLEP2012. Child care centres, commercial premises, entertainment facilities and residential accommodation are permissible with consent in this zone.

Principle Development Standards

The principle development standards relevant to the site are height and floor space ratio. The permissible height on the site is 150m. The permissible floor space ratio on the site is 8:1. Since the site is located within Area 2 on the FSR map within the Sydney LEP, it is eligible for additional floor space of 4.5:1 for office, business or retail premises and 6:1 for residential accommodation, serviced apartments or hotel or motel accommodation. Further to this, the proposal is eligible for a 10% bonus floor space provision if a competitive design process is undertaken and design excellence is demonstrated.

Table 1 and Figures 5 - 8 below summarise the key development standards in SLEP2012 that affect development of the site.

Clause No.	Control	Comment
2.3 – Zoning and Land Use Table	B8 Metropolitan Centre	Permits a broad range of uses including commercial, residential, entertainment uses, child care etc. Refer to Map SLEP Map Extract
4.3 Height of Buildings	Maximum 150m Building Height	The Planning Proposal seeks to amend this control.
4.4 & 6.4 Floor Space Ratio	8:1 Base FSR + 4.5:1 Commercial FSR + 6:1 Residential for accommodation floor space Pursuant to Clause 6.21(7), council may grant an additional 10% of floor area if a competitive design process has been undertaken.	The proposal seeks to utilise the accommodation and design excellence bonus floor space provisions.
5.10 Heritage Conservation	Heritage assessment required	A heritage impact statement is provided at Appendix E of the Planning Proposal. The site is not heritage listed.
6.11	Allocation of Heritage Floor Space	The development of the site will require the allocation of heritage floor space.
6.16	Erection of tall buildings in Central Sydney	This Planning Proposal seeks to improve the development outcomes of the site by altering the maximum permissible height. The site has an area greater than 800m ² .
6.21	Design Excellence	A competitive design process will be held prior to the lodgement of a Stage 2 DA.
Part 7	Maximum car parking provisions	The proposal will require compliance with parking rates at the development application stage.
7.16	Airspace Operations	An assessment of the proposal has been undertaken and no adverse impacts are expected which would affect the operation of Sydney Airport. It is expected that consultation will be undertaken with Sydney following Gateway determination. Refer to Appendix G of the Planning Proposal.
7.20	Development requiring preparation of a Development Control Plan	A site specific amendment to the Sydney DCP has been prepared concurrent with the Planning Proposal..
7.24	Development near Cross City Tunnel Ventilation stack	An Air Quality Impact Assessment Report has been prepared by AECOM and is at Appendix S of the Planning Proposal.

Table 1 – Key Applicable Planning Controls in Sydney Local Environmental Plan 2012

Extracts: Key Sydney Local Environmental Plan Development Control Maps

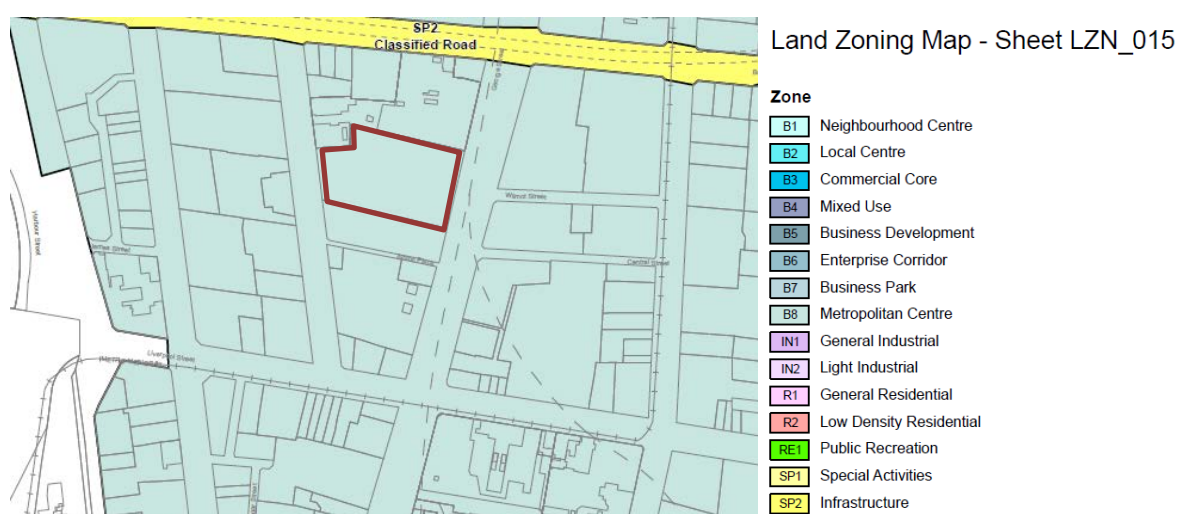


Figure 5 - Land Zoning Map



Figure 6 - Floor Space Ratio Map



Figure 7 - Height of Buildings Map



Figure 8 - Heritage Map

PLANNING PROPOSAL – 505-523 GEORGE STREET, SYDNEY

PART 1 - OBJECTIVES AND INTENDED OUTCOMES

Objectives

The Planning Proposal will amend Sydney Local Environmental Plan 2012 (SLEP2012) so that an alternative set of planning controls apply to the 505-523 George Street site which will:

1. permit a maximum building height of up to 260 metres on the site, but only if certain community facilities are provided as part of the development of the site;
2. ensure that development on the site provides for community facilities needed in central Sydney; such as childcare centres, publicly accessible toilet facilities and community meeting rooms;
3. exclude from floor space ratio calculations the internal gross floor area occupied by any child care centre located in the podium of the building; and
4. limit residential uses to floor space located above the top podium level of development.

Intended Outcomes

The Planning Proposal will enable the development of a slender high-quality & high-amenity residential tower building with a mixed-use podium that will:

1. respond appropriately to its context;
2. minimise overshadowing impacts to nearby development and the public domain;
3. ensure a high level of privacy for occupants of the building and nearby residential buildings;
4. minimise view impacts to nearby residential buildings;
5. minimise tower crowding;
6. improve the appearance of the site within the existing streetscape and tower forms;
7. improve activation and safety at street level;
8. incorporate community facilities such as child care centres within its podium; and
9. have a high level of environmental performance.

PART 2 - EXPLANATION OF PROVISIONS

Amendments to Sydney Local Environmental Plan 2012

In order to effect the objectives and intended outcomes of this Planning Proposal it is proposed to amend SLEP2012 by providing an 'alternative' development control regime for the site that may allow a building height of up to 260 metres, if certain public benefits are provided by development on the site.

Specifically, a 260 metre building height may only be permitted if development incorporates community uses on-site including child care centres, community meeting rooms, and provides for public toilets.

If it is demonstrated that these community uses will be provided by development, the gross floor area of a building on the site may exceed the maximum gross floor area permitted by an amount no greater than the gross floor area used for a child care centre(s), excluding outdoor play space.

If all the aforementioned community uses are not provided by development then the existing height control of 150 metres and floor space ratio controls in SLEP2012 will continue apply to development on the site.

The alternative planning control regime outlined above can be achieved by way of a new site specific clause in Division 3 of SLEP2012 as follows, or wording to this effect:

505-523 George Street, Sydney – Alternative Building Height and Community Facilities

- (1) This clause applies to 505-523 George Street, Sydney being Lot 1 DP 573250.*
- (2) The objective of this clause is to allow development for the purposes of a building with a height greater than that otherwise permitted under this Plan but only if the building includes certain community facilities.*
- (3) Despite clause 4.3 (2) of this Plan, development consent may be granted to the erection of a building with a maximum height of 260 metres on the land to which this clause applies but only if the consent authority is satisfied that the building includes the following community facilities:*
 - i. community meeting room(s),*
 - ii. child care centre(s),*
 - iii. toilets available for use by the general public.*
- (4) For the purposes of calculating the floor space ratio, a building on the land to which this clause applies is eligible for an amount of additional floor space equal to the gross floor area occupied by any child care centre located in the podium of the building, excluding outdoor play space.*
- (5) Floor space for the purpose of residential use may not be located within the building podium.*

Concurrent Controls to be inserted into Sydney Development Control Plan 2012

Site specific draft development control plan (draft DCP) provisions have been prepared to provide further guidance to the proposed amendments to SLEP2012. The draft DCP will be publicly exhibited with the Planning Proposal, and is included as **Appendix T**.

In order to give certainty as to the position of a tower on the site, and ensure the amenity benefits that it will deliver, provisions are included in the draft DCP relating to matters such as:

- Building form and external appearance;
- Tower location;
- Bulk, massing and modulation of buildings;
- Street frontage heights;
- Requirements to minimise impacts on view corridors;
- Vehicular access; and
- Design excellence.

The key provisions in the draft DCP are tower massing diagrams to ensure that a residential tower envelope is achieved on the site that is appropriate to its context and has the least possible impact on nearby residential development. The location of any residential tower on the site will need to comply with the envelope to achieve an acceptable relationship with other towers (existing and proposed) on neighbouring and/or nearby sites, and to ensure that the redevelopment of the adjoining site to the south at 525 George St is not extinguished.

PART 3 – JUSTIFICATION

Section A – Need for the Planning Proposal

Q1. Is the planning proposal a result of any strategic study or report?

The Planning Proposal is a result of number a detailed studies undertaken on behalf of the landowner. The studies are appended to this Planning Proposal. The key findings of these studies are described and discussed in detail in **Section C** of this Planning Proposal. The individual studies appear as the following appendices:

- A. Architectural Drawings - Crone Partners
- B. Survey Plan - Denny Linker & Co Surveyors
- C. Contamination and Hazardous Building Materials Advice - JBS&G (NSW & WA) Pty Ltd
- D. Sustainability Strategy - Crone Partners
- E. Heritage Impact Assessment – Urbis
- F. Traffic and Transport Assessment - GTA
- G. Preliminary Aeronautical Impact Assessment - Strategic Airspace
- H. Wind Impact Assessment - CPP
- I. Sydney CBD Commercial Property Market Appraisal - Hill PDA
- J. Multidisciplinary Engineering Services Report - Integrated Group Services
- K. Geotechnical Desk Study – Coffey
- L. Crime Prevention Through Environmental Design Assessment - JBA Urban Development Services
- M. Outline Waste Management Plan - SLR Consulting Australia Pty Ltd
- N. BCA Capability Statement - McKenzie Group Consulting Pty Ltd
- O. Preliminary Public Art Strategy - Artscape International
- P. Lifting Requirements Letter – ARUP
- Q. Plant Requirements Letter – Arup
- R. BASIX Requirements Letter – Arup
- S. Cross City Tunnel Impacts: Qualitative Air Quality Assessment – AECOM
- T. Draft Development Control Plan – 505-523 George Street, Sydney

The studies provide a sound basis upon which to progress the Planning Proposal. They substantially demonstrate that a taller building will result in a better amenity and built form outcome compared to development that may be achieved by the existing height control in SLEP2012 of 150 metres.

A key study that justifies an alternative height control for the site was undertaken by Crone Partners which reviewed the development potential of the site. The study compares the impacts of a residential scheme that complies with the existing height control (and other relevant development

controls) and then considers whether the scheme could be augmented to deliver a better planning outcome on the site if a revised height is applied. A copy of the analysis by Crone Partners is contained in the architectural drawing package at Appendix A and is summarised in response to Q2 below.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The height control in SLEP2012 currently allows a building height of 150 metres. However, the potential resultant built form outcome can be improved. A taller tower of up to 260 metres in height can better reduce amenity impacts that are likely to result from a residential scheme that complies with the existing height control, particularly in relation to overshadowing, privacy and tower crowding.

Complying scheme (150 metre height) vs. 'Alternative' Planning Proposal Scheme (260 metre height)

Crone Partners was engaged by the proponent to evaluate the development potential of the site. Their scope was to develop a scheme that complies with the existing 150 metre height control and then to investigate whether the scheme could be augmented to deliver a better outcome on the site (i.e. based on a taller building height).

A copy of the analysis prepared by Crone Partners is contained in the architectural drawing package at **Appendix A** and is summarised below. It is noted that a commercial scheme was also initially considered by the proponent but abandoned due to the current market conditions.

Complying Scheme

The complying scheme is shown in Figure 1 and comprises of two residential towers.

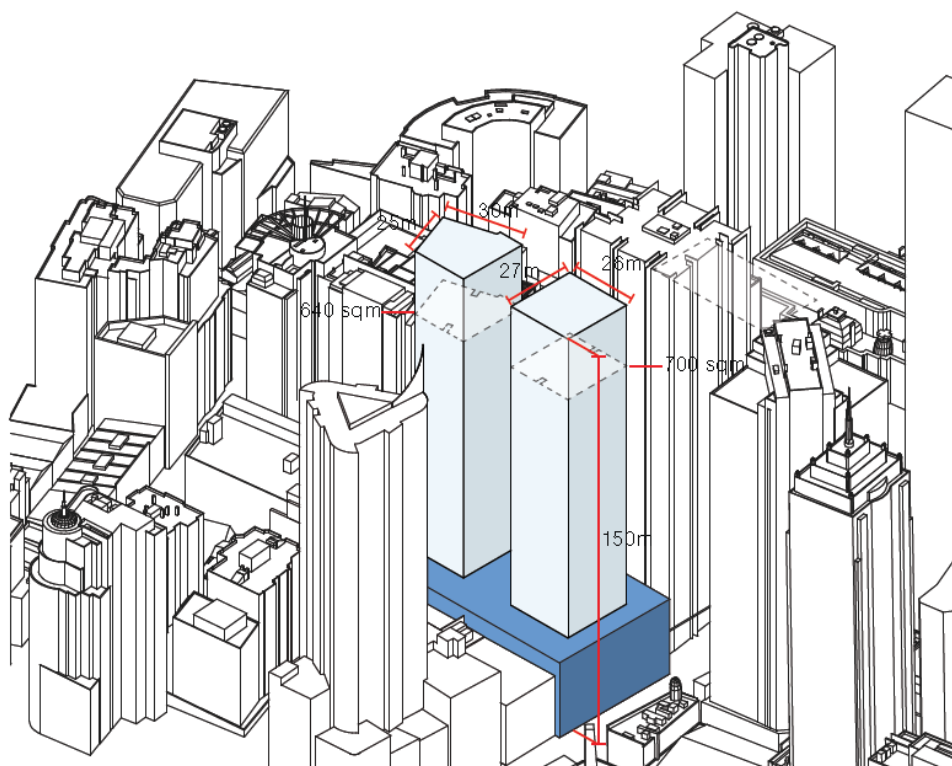
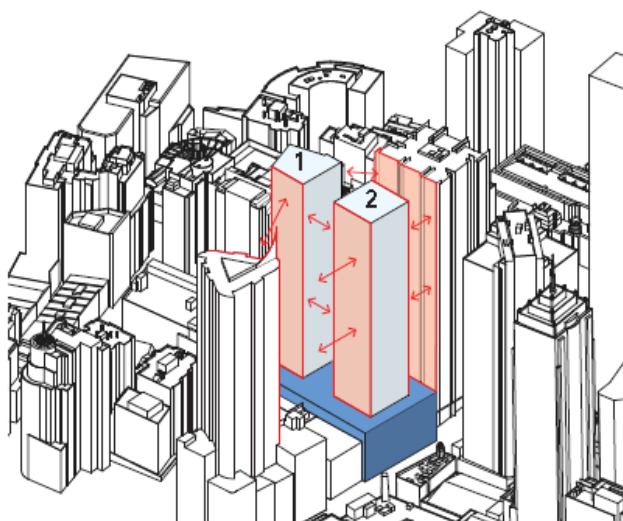


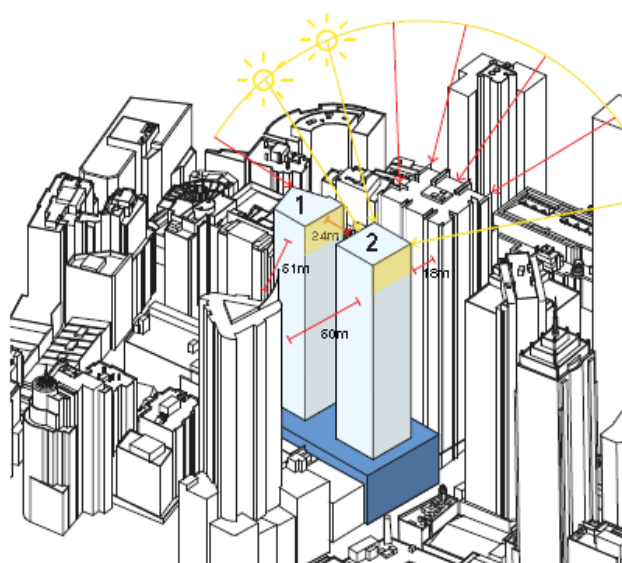
Figure 1 – Complying Residential Tower Scheme (Source: Crone Partners)

As can be seen in the analysis diagrams in Figure 2 below, a complying scheme generates the following adverse amenity impacts for both the future occupants of the building as well as occupants of existing buildings neighbouring the Site:

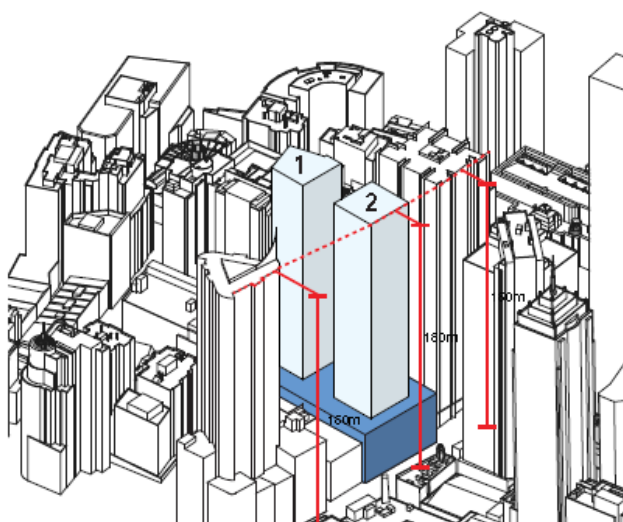
- Loss of privacy between the George St Tower and the south facing Lumiere apartments to the north of the site;
- Low levels of internal privacy between the internal facing units of the George St and Kent St towers;
- Loss of views and outlook across the site of the south facing Lumiere apartments;
- Low levels of solar access to proposed apartments on the site;
- Tower crowding as perceived from George Street; and
- Generation of a large slow moving shadow.



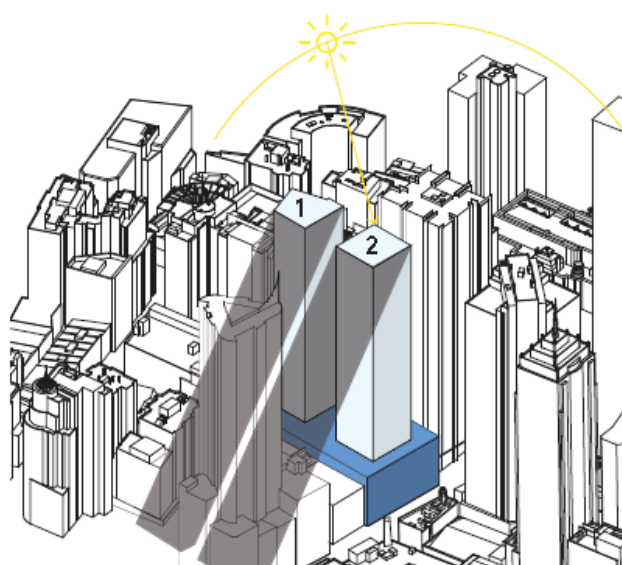
Views and aspect



Daylight exposure



Tower crowding



Overshadowing impact

Figure 2 – Complying Residential Scheme: Key Impacts (Source: Crone Partners)

Alternative Scheme

The alternative scheme effectively consolidates the two towers in the complying scheme into a single tall slender tower of 260 metres in height, which is set back towards the Kent Street portion of the site. An increase in height on part of the site allows for the same floor space to be distributed over one single tower rather than two separate towers. This is shown in Figure 3 below.

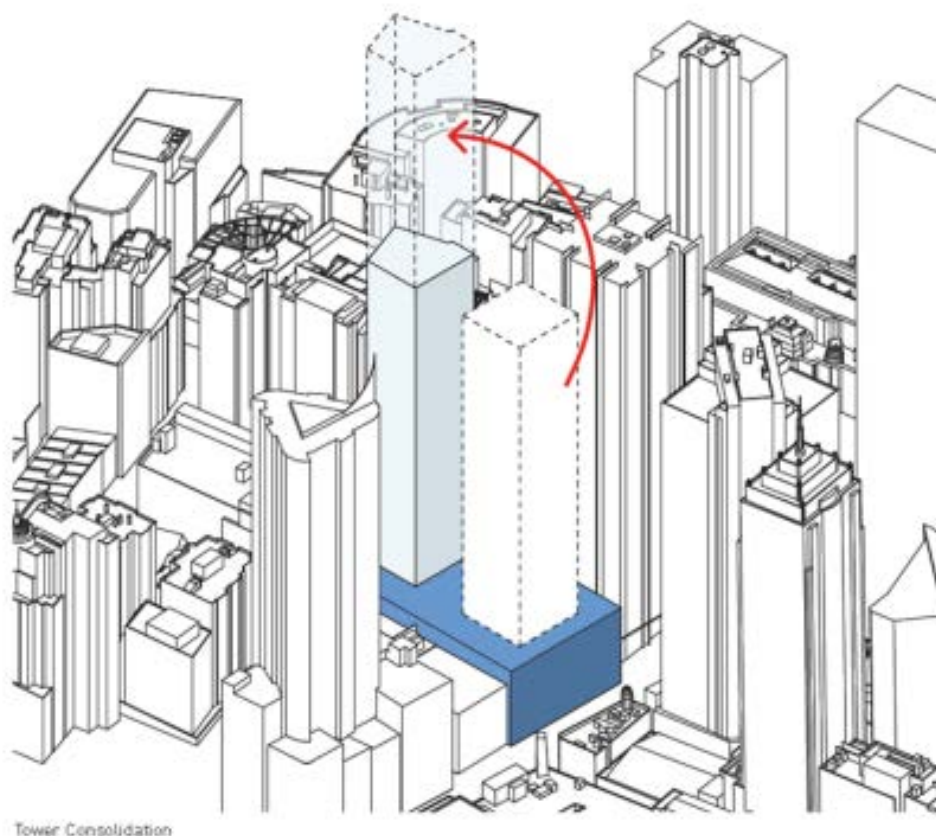


Figure 3 – Alternative Residential Scheme (Source: Crone Partners)

Figure 4 below illustrates some of the benefits of a single taller tower on the site. By permitting the additional height up to 260m the following amenity benefits may be achieved:

- The south facing Lumiere apartments retain their views and outlook across the site;
- The amenity of the proposed units is better in terms of privacy and solar access and achieves improved compliance with the rules of thumb contained in the Residential Flat Design Code;
- The deletion of the second tower removes the internal privacy issue entirely;
- A slender faster moving shadow is generated having a beneficial effect on the amenity of the serviced apartments in the Meriton development;
- Greater building separation is achieved along George Street and a more varied and less cluttered tower form is viewed in the broader cityscape; and

- A superior urban context on George Street is achieved due to the tower setback, resulting in increased percentage of daylight that reaches street level allowing pedestrians to have a visual connection with the sky.

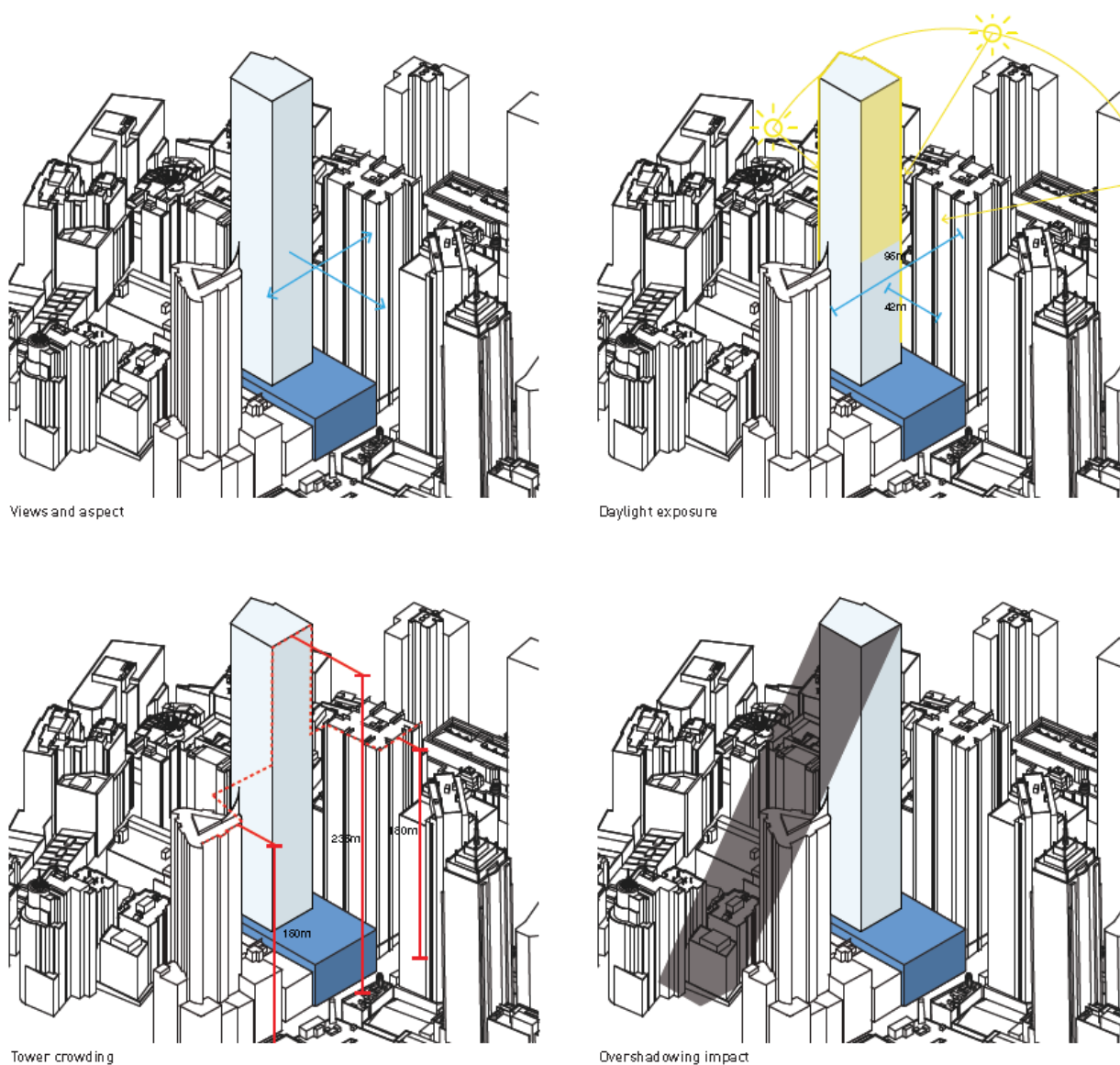


Figure 4 – Analysis of Alternative Residential Scheme (Source: Crone Partners)

Indicative scheme

In order to demonstrate that the proposed building envelope can deliver a feasible mixed use development on the Site Crone Partners have developed an indicative scheme. The indicative scheme proposes construction of a 78 storey mixed use tower comprising of 53,400 square metres of residential floor space, 10,900 square metres of retail floor space, and floor space to be allocated to community facilities including care centres, meeting room and public toilet facilities. A photomontage of this scheme is shown in Figure 5 below.



Figure 5 – Photomontage of an indicative tower form (Source: Crone Partners)

It is stressed that the scheme is indicative only and has been prepared for the sole purpose of demonstrating that a building envelope enabled by this Planning Proposal can deliver a building which can generally meet the key rules of thumb contained within the Residential Flat Design Code (RFDC). In undertaking the competitive design process and then the detailed design of the building; changes to the indicative scheme will inevitably be required and desired. This Planning Proposal does not seek approval for the indicative scheme.

Variation of the height development standard

A variation of the existing height control by way of a clause 4.6 in SLEP2012 will be a significant departure from the existing height standard and is therefore not the best means of achieving the intended outcomes of the Planning Proposal. This approach will set an undesirable precedent that will undermine the SLEP2012 height controls and preclude full consideration of the broader strategic implications of allowing additional height on this site - as is best achieved via the Planning Proposal process.

Height of Buildings Map Amendment

A height variation could also be achieved by way of amending the height of buildings map. However this does not provide certainty regarding the delivery of the community benefits proposed with the scheme and therefore is not the favoured option.

Conclusion

In light of the above, a Planning Proposal is the best means of achieving the objectives and intended outcomes, giving the Council, the community and the landowner certainty as to the development outcomes envisioned for the site.

Section B - Relationship to Strategic and Statutory Framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Metropolitan Plan for Sydney 2036

The Planning Proposal is consistent with the aims, objectives and provisions of the Metropolitan Plan for Sydney 2036 which was released in December 2010 and supersedes the Sydney Metropolitan Strategy 2005 in that:

- residential development on the site will increase in the supply of residential floor space within central Sydney and contribute to housing targets;
- the site is highly accessible to public transport and existing jobs. It will deliver new residential floor space within the walking catchment of employment and a key public transport hub.

Draft Metropolitan Strategy for Sydney 2031

The Planning Proposal is consistent with this strategy by satisfying five key outcomes for Sydney:

Balanced Growth

The Planning Proposal satisfies the relevant priorities for 'Global Sydney' in that it will:

- Create capacity for new jobs through the provision of additional retail floor space and child care facilities on the site;
- Contribute towards the regeneration of the Town Hall to Central corridor, improving the streetscape activation and appearance; and
- Enhance the daytime and night time economy through the provision of a mix of uses on the site and a major retail offering.

A Liveable City

The Planning Proposal is consistent with the objectives of a liveable city outcome in that it will:

- Deliver new floor space for housing to accommodate Sydney's growth;
- Promote social interaction through the provision of new community and entertainment facilities.

Productivity and Prosperity

The proposal will contribute towards the productivity and prosperity of Sydney by way of employment generating uses in the podium of the development, and the creation of construction jobs.

Healthy and Resilient Environment

The proposal will include sustainable design measures to reduce any impacts on the environment. A Sustainability Strategy has been prepared for the site and is included at **Appendix D**. Also, the proponent will be encouraged to exceed minimum BASIX energy and water targets in the design development phase of the project (i.e. development application and design competition).

Accessibility and Connectivity

The proposal is consistent in that it will provide new floor space that may be used for housing and employment in a highly accessible location.

NSW Long Term Transport Plan 2012

The NSW Long Term Transport Plan 2012 has the aim of better integrating land use and transport. The Draft Metropolitan Strategy has been prepared to integrate with the Long Term Transport Plan.

The Planning Proposal will serve the objectives of the Transport Plan by locating both residential and employment generating uses in central Sydney which is well connected to all forms of public transport. This will promote the use of public transport and reduce reliance on the private motor vehicle.

Draft Sydney City Subregional Strategy

The Draft Sydney City Subregional Strategy provides a further level of detail as to how the targets and objectives contained within the NSW State Plan and the Metropolitan Plan for Sydney will be achieved. The Sydney City Region is identified in the Metropolitan Strategy as being part of Global Sydney and the hub of the Australian Economy.

The proposal supports the key directions of the Subregional Strategy in that it will:

- provide for investment into the Sydney economy;
- improve the quality of the built form on the site;
- contribute to the urban improvement of the corridor between Town Hall and Central;
- provide new dwellings in the Sydney city subregion near two major train stations and several high frequency bus routes;

Q4. Is the planning proposal consistent with Council's local strategy or other local strategic plan?

Sustainable Sydney 2030

Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes ten strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. The Planning Proposal's compliance with the ten directions is discussed below:

Direction 1 - A Globally Competitive and Innovative City

The proposal provides an innovative urban design solution that will provide new housing and employment opportunities. The investment into the site will help contribute to make Sydney attractive to global investors.

Direction 2 - Provides a road map for the City to become A Leading Environmental Performer

As described in the Sustainability Strategy for the site at **Appendix D** it is proposed that development on the site will include sustainable environmental features.

Direction 3 - Integrated Transport for a Connected City

The proposal will take advantage of the close proximity of two train stations and a significant number of high frequency bus routes. It will also support the new light rail link to be constructed out the front of the development in George Street. The proposal is also likely to have a reduced trip generation rate compared to a standard residential development due to its central location and access to public transport.

Direction 4 - A City for Walking and Cycling

The development will provide cycle storage/parking for residents and visitors thus encouraging cycling within the City.

The development, being in such close proximity to employment, services, retail and recreation facilities is also likely to encourage a greater level of pedestrian activity as opposed to a normal residential development which would have a greater reliance on a private motor vehicle.

Direction 5 - A Lively and Engaging City Centre

The mix of uses on the site will continue to activate this section of George Street. New retail space and the residential lobby on Kent Street will also provide greater activation to that streetscape.

Direction 6 - Vibrant Local Communities and Economies

The proposal will expand the range of community facilities available in the area through the provision of child care facilities, public toilets and community meeting space.

Direction 7 - A Cultural and Creative City

The proposal will maintain a mix of uses on the site and is expected to enhance this section of George Street. Public art will also be provided within the development thus supporting the local art community and providing new creative and cultural experiences within the development.

Direction 8 - Housing for a Diverse Population

The proposal will increase living opportunities in Central Sydney. A range of unit sizes and types will be provided, including adaptable apartments.

Direction 9 - Sustainable Development, Renewal and Design

The proposal will include a range of sustainable building features as detailed in the Sustainability Strategy at **Appendix D**. The proposal is also consistent with the principle of Transit Orientated Development in that the new housing and employment are provided in a highly accessible location thus reducing reliance on the private motor vehicle.

Direction 10 - Implementation through Effective Governance and Partnerships

The applicant has demonstrated a commitment to working with Council through the design development stage to date. It is expected that this consultation will continue throughout the Gateway process.

City of Sydney Child Care Needs Analysis 2013

The *City of Sydney Child Care Needs Analysis 2013* identifies a gap of 3,104 places within the local government area and identifies a range of strategies that could be used to meet this gap. These strategies include direct provision; facilitating delivery of new centres by the private and not-for-profit sectors through strategic and statutory planning mechanisms; and advocacy with other levels of government.

505-523 George Street falls within the Chinatown & CBD South Village Group in the analysis, which is identified in the study as the second highest locality of need in terms for child care places, with a gap of 400 places at the time of publication.

The provision of child care within development on the site provides an opportunity to narrow the gap between the existing supply and the City's needs. The Sydney Child Care Needs Analysis 2013 can be accessed at http://www.cityofsydney.nsw.gov.au/_data/assets/pdf_file/0007/189835/CCNA-7-Nov-2013.PDF.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Consistency with SEPPs and REPs

The Planning Proposal is consistent with applicable State Environmental Planning Policies (SEPPs) and deemed State Environmental Planning Policies (formerly known as Regional Environmental Plans (REPs)) as listed below. In this section, 'consistent' means that the planning proposal does not contradict or hinder application of the relevant planning instrument.

SEPPs with which the planning proposal is consistent

22—Shops and Commercial Premises; 32—Urban Consolidation (Redevelopment of Urban Land); 55—Remediation of Land; 60—Exempt and Complying Development; 64—Advertising and Signage; 65—Design Quality of Residential Flat Development; 70—Affordable Housing (Revised Schemes); SEPP (Building Sustainability Index: BASIX) 2004; SEPP (Housing for Seniors or People with a Disability) 2004; SEPP (Major Development) 2005; SEPP (Infrastructure) 2007; SEPP (Temporary Structures) 2007; SEPP (Exempt and Complying Development Codes) 2008; SEPP (Affordable Rental Housing) 2009

SEPPs that are not applicable to the planning proposal

4—Development Without Consent and Miscellaneous Exempt and Complying Development; 10—Retention of Low Cost Rental Accommodation; 14—Coastal Wetlands; 15—Rural Landsharing Communities; 19—Bushland in Urban Areas; 21—Caravan Parks; 26—Littoral Rainforests; SEPP No 29—Western Sydney Recreation Area; 30—Intensive Agriculture; 33—Hazardous and Offensive Development; 36—Manufactured Home Estates; 39—Spit Island Bird Habitat; 41—Casino Entertainment Complex; 44—Koala Habitat Protection; 47—Moore Park Showground; 50—Canal Estate Development; 52—Farm Dams and Other Works in Land and Water Management Plan Areas; 59—Central Western Sydney Regional Open Space and Residential; 62—Sustainable Aquaculture; 71—Coastal Protection; SEPP (Kurnell Peninsula) 1989; SEPP (Penrith Lakes Scheme) 1989; SEPP (Sydney Region Growth Centres) 2006; SEPP (Kosciuszko National Park— Alpine Resorts) 2007; SEPP (Mining, Petroleum Production and Extractive Industries) 2007; SEPP (Miscellaneous Consent Provision) 2007; SEPP (Rural Lands) 2008; SEPP (Western Sydney Employment Area) 2009; SEPP (Western Sydney Parklands) 2009; SEPP (Urban Renewal) 2010; SEPP (SEPP 53 Transitional Provisions) 2011; SEPP (State and Regional Development) 2011; SEPP (Sydney Drinking Water Catchment) 2011; SEPP (Three Ports) 2013

REPs with which the planning proposal is consistent

N/A

REPs that are not applicable to the planning proposal

Sydney REP (Sydney Harbour Catchment) 2005; 5—(Chatswood Town Centre); 8—(Central Coast Plateau Areas); 9—Extractive Industry (No 2—1995); 11—Penrith Lakes Scheme; 13—Mulgoa Valley; 16—Walsh Bay; 17—Kurnell Peninsula (1989); 18—Public Transport Corridors; 19—Rouse Hill Development Area; 20—Hawkesbury- Nepean River (No 2—1997); 24—Homebush Bay Area; 25—Orchard Hills; 26—City West; 28—Parramatta; 29—Rhodes Peninsula; 30—St Marys; 33—Cooks Cove; Greater Metropolitan REP No 2— Georges River Catchment; Darling Harbour Development Plan No. 1.

Detailed discussion of key applicable State Environmental Planning Policies

State Environmental Planning Policy No 55 – Remediation of Land

SEPP 55 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. It specifically requires consideration when rezoning land and in determining development applications, and requires that remediation work meets certain standards and notification requirements.

JBS & G has reviewed the site from a contamination perspective and has concluded that the site is suitable for residential use and that no further testing is required (refer to **Appendix C**).

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

State Environmental Planning Policy 65 – Design Quality of Residential Flat Development (SEPP 65) aims to improve the design quality of residential flat development in New South Wales. Under clause 30 of SEPP 65, in assessing a development application, a consent authority must consider the Design

Quality Principles in clause 17 of the SEPP and the provisions of the Residential Flat Design Code (RFDC) (published by the Department of Planning in 2002).

The indicative scheme discussed earlier in this planning proposal has been developed with the design principles in mind. An assessment of the proposal's ability to comply with the Key Rules of Thumb contained in the RFDC is provided at within **Appendix A**.

State Environmental Planning Policy (BASIX) 2004

Crone Partners was engaged by the proponent to prepare a sustainability strategy report. The report outlines a commitment to a range of sustainability initiatives to reduce the overall environmental impact of the development, while also providing a high level of internal environmental quality. This report is at **Appendix D**. A BASIX certificate will be submitted with the Stage 2 DA once the detailed design of the building is determined.

Notwithstanding the commitments made in this sustainability report, the proponent has been advised by the City of Sydney that the residential component of a building on the site should aim to exceed minimum BASIX water and energy targets. **Appendix R** of the Planning Proposal includes a letter from ARUP stating that exceeding the minimum BASIX requirements becomes increasingly difficult to achieve as building height is increased and that for a "super high" residential tower that minimum BASIX compliance is an appropriate benchmark.

The City is currently developing sustainability strategies which will have specific actions to ensure that overall greenhouse gas reduction targets are achieved. The Multi-Dwelling Unit strategy will include actions to drive energy efficiency in this building type. In this context, the City of Sydney is investigating what may be feasible and cost effective BASIX energy targets for new-build multi-dwelling units both today, and in 2030, including high, mid and low-rise building forms.

As the design development process progresses for the tower building, including an architectural design competition and subsequent development application, the proponent will be encouraged to further explore ways that development can contribute to the City's environmental performance objectives and targets, and detail how they can achieve, amongst other things, at least 50% BASIX energy and water targets for the residential components of their development.

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) aims to facilitate the effective delivery of infrastructure across New South Wales and identifies matters to be considered in the assessment of development adjacent to particular types of infrastructure.

The site is affected by the Interim Corridor for the Sydney CBD Link. As such any proposal for redevelopment of the site will be subject to clause 88 of the Infrastructure SEPP which requires notifying to the relevant authority at the development application stage.

The proposal will also be subject to the provisions in Division 17 of the Infrastructure SEPP as the site has a frontage to a classified road and will be considered 'traffic generating development' for the purposes of the SEPP as over 300 apartments are likely to be proposed. In light of this any

application for development will need to be referred to Roads and Maritime Services at the development application stage.

It is also envisaged that following a Gateway determination under clause 56 of The Environmental Planning & Assessment Act 1979 (EP&A Act) that consultation will be undertaken with the abovementioned authorities prior to submission of a development application.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

Ministerial directions under Section 117 of the EP&A Act require Councils to address a range of matters when seeking to rezone land. A summary assessment of the Planning Proposal against the Directions issued by the Minister for Planning under Section 117 of the EP&A Act is provided in **Table 1** below.

	Consistent			Comment
	YES	NO	N/A	
1. Employment and Resources				
1.1 Business and Industrial Zones	✓			Whilst not strictly applicable as the site is located within a mixed use zone, the amount of employment generated on the site is likely to increase due to the deletion of the cinema on the site and the increase in retail floorspace which will have a higher employment generation rate. The proposal will also provide new employment opportunities with the introduction of two child care centres on the site as well as strata management and concierge facilities for the residential component.
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				
2.1 Environment Protection Zones			✓	Not applicable
2.2 Coastal Protection			✓	Not applicable
2.3 Heritage Conservation	✓			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				
3.1 Residential Zones	✓			The proposed amendment would see the delivery of new dwellings that are located in close proximity to public transport, employment opportunities and day to day services. The proposal will therefore make more efficient use of this infrastructure and will reduce the consumption of land for housing and associated urban development on the urban fringe.
3.2 Caravan Parks and Manufactured Home Estates			✓	Not applicable
3.3 Home Occupations			✓	Not applicable
3.4 Integrating Land Use and Transport	✓			The Planning Proposal will take advantage of the site's strategic context within the Sydney CBD providing new housing and employment in a highly accessible transport location.
3.5 Development Near Licensed Aerodromes		✓		Clause 4(d) of this Section 117 direction requires that a council must obtain permission from the Department of the Commonwealth, or their delegate prior to undertaking community consultation in satisfaction of section 57 of the EP&A Act. An inconsistency with this term of the Section 117 direction can be justified in accordance with Clause 7(d) of the Section 117 direction. The provisions of the Planning Proposal that are inconsistent are considered to be of minor significance. The provisions are considered to be of minor significance because current height controls in SLEP2012 and existing height controls in Central Sydney that apply opposite the site set a precedent by already significantly encroaching the OLS and potentially allow a maximum building height of approximately 260 metres above ground (not including a roof feature). It is anticipated that consultation will be required with Sydney Airports following a Gateway determination. Strategic Airspace have prepared a Preliminary Aeronautical Impact Assessment on behalf of the proponent (see Appendix G) that concludes that it is probable that the Civil Aviation Safety Authority will require a safety case that demonstrates that development on the site will not increase risk to aviation safety.

3.6 Shooting Ranges			✓	Not applicable
4. Hazard and Risk				
4.1 Acid Sulphate Soils	✓			The site is located within a Class 5 Acid Sulfate Soils (ASS) zone and is therefore on land with low risk of ASS. Any potential impact from ASS is likely to be manageable with the implementation of an ASS management plan. ASS is a potential construction related issue only and when managed appropriately would not impact upon the operation of the Precinct.
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				
5.1 Implementation of Regional Strategies			✓	Not applicable
5.2 Sydney Drinking Water Catchments			✓	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast			✓	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast			✓	Not applicable
5.8 Second Sydney Airport: Badgerys Creek			✓	Not applicable
6. Local Plan Making				
6.1 Approval and Referral Requirements	✓			No new concurrence provisions are proposed.
6.2 Reserving Land for Public Purposes	✓			No new road reservation is proposed.
6.3 Site Specific Provisions	✓			The Planning Proposal will introduce site specific provisions in SLEP2012 in a manner similar to those already introduced for the land at 87 Bay Street and for, the APDG block and for the AMP Precinct. A site specific clause is deemed necessary in order to give Council comfort that the public benefits proposed will be realised if additional height is to be developed.
7. Metropolitan Planning				
7.1 Implementation of the Metropolitan Plan for Sydney 2036	✓			Refer to Section B of this Planning Proposal.

Table 1 - consistency with applicable Ministerial Directions (s117 directions)

Section C - Environmental, Social and Economic Impact

Q7. 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?

The site is located in an existing precinct with a range of business/retail/entertainment 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.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

It is unlikely that the proposed amendments to SLEP2012 will result in development creating any environmental effects that cannot already be controlled. Existing policies, regulations and standards are already in place to ensure environmental impacts are mitigated during the construction phase and eventual use of the development.

Rather than negative environmental effects, the Planning Proposal presents an opportunity for the development of a scheme that can enhance the existing urban amenity within and around the subject site.

The key environmental considerations arising from the Planning Proposal, particularly in relation to urban amenity are discussed in detail below.

City Skyline Analysis

The Planning Proposal seeks to increase the permissible height to allow for the construction of a tall slimline tower on the site.

A city skyline view analysis prepared by Crone Architects indicates that the proposed height of the tower would sit conformably within the context of existing buildings within the southern portion of the CBD. **Figure 6** below shows that a 260 metre tower and would provide a suitable graduation of height from World Tower up to the recently approved tower at 115 Bathurst Street, and can make a positive contribution to the skyline by potentially acting as a future landmark. This is further demonstrated by the view corridor analysis undertaken by Crone Partners from various vantage points in the city as included in **Appendix A**.

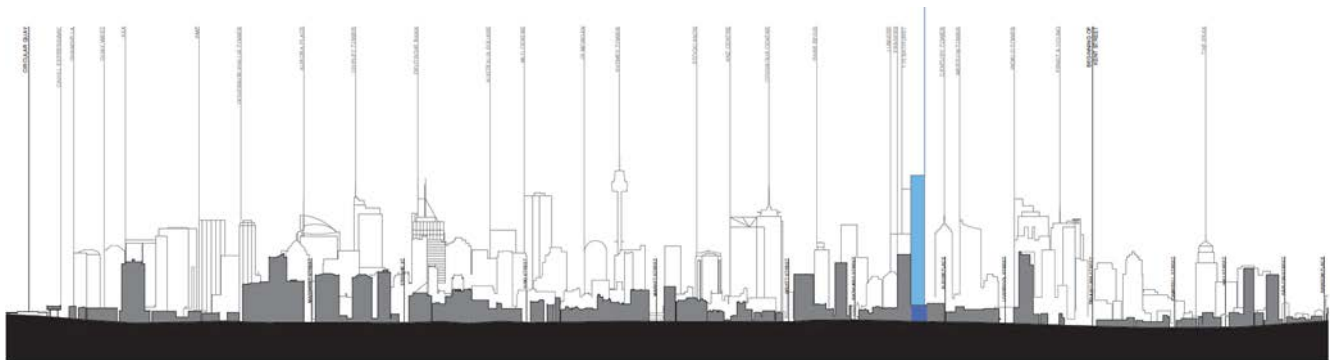


Figure 6 – Sydney CBD skyline view (Source: Crone Partners)

Built Form Envelope and Indicative Building Massing

The proposed alternative height control of 260 metres, combined with detailed site specific building form controls in Sydney Development Control Plan 2012 (SDCP2012), will establish the key physical built form parameters that apply to the site. That is, the alternative controls will enable a massing envelope for the site which provides flexibility and opportunity for design innovation during the development application and competitive design phases.

The massing envelope prescribes the maximum volume within which a tower can be situated as well as the desired location of that tower. That is, any part of a tower will not be allowed to locate outside the physical boundaries of this volume, nor will it be allowed to 'fill' this volume. In **Figure 7** below, the transparent volume outlined in a broken red line is the massing envelope. The solid volume is the indicative building massing, which indicates a potential arrangement of floor space within the massing envelope.

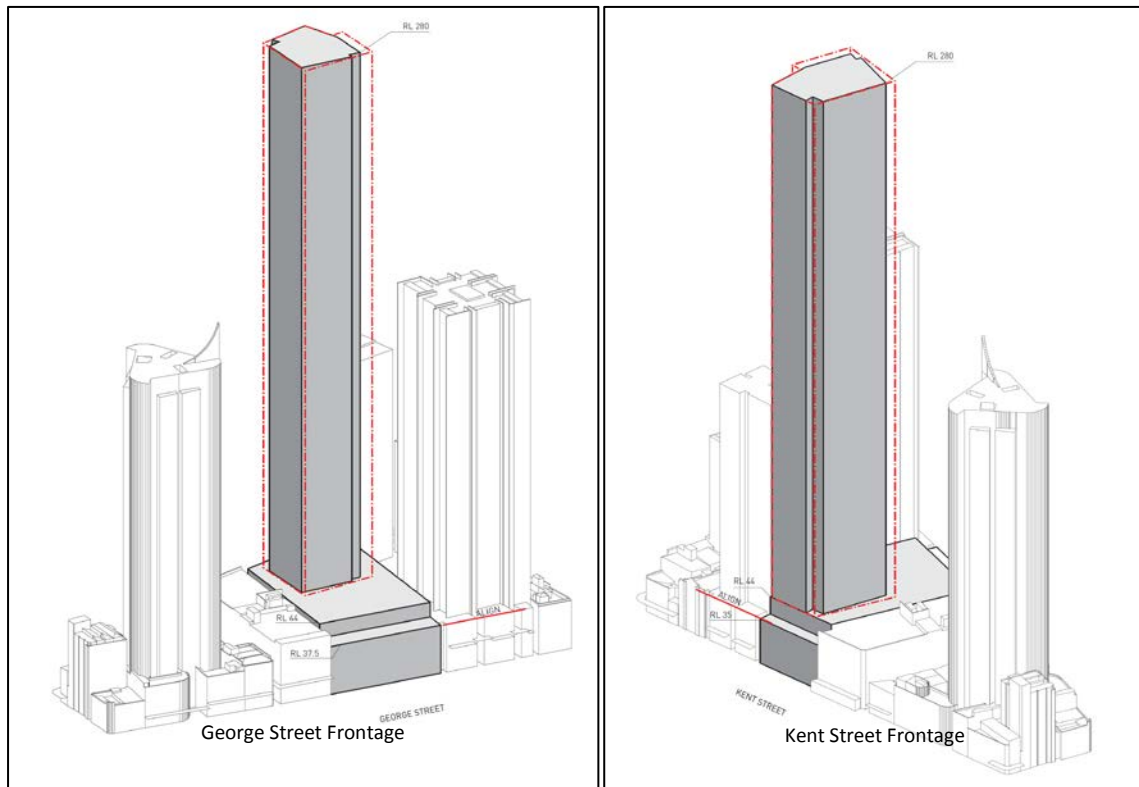


Figure 7 – Massing Envelope (shown transparent) and Indicative Building Massing (shown solid)

Overshadowing

Crone Partners have reviewed the overshadowing impacts of the proposal. The critical areas to be considered in relation to this issue are:

- The impacts on the residential buildings to the south; and
- The new public square in the 'Haymarket' development.

Overshadowing of nearby residential buildings

Crone Partners have identified 14 residential buildings which are located to the south of the site and have undertaken a shadow analysis which identifies 8 buildings which are potentially overshadowed by the massing envelope. These are buildings 01, 02, 03, 04, 05, 06, 11 and 13 shown in **Figure 8** below.

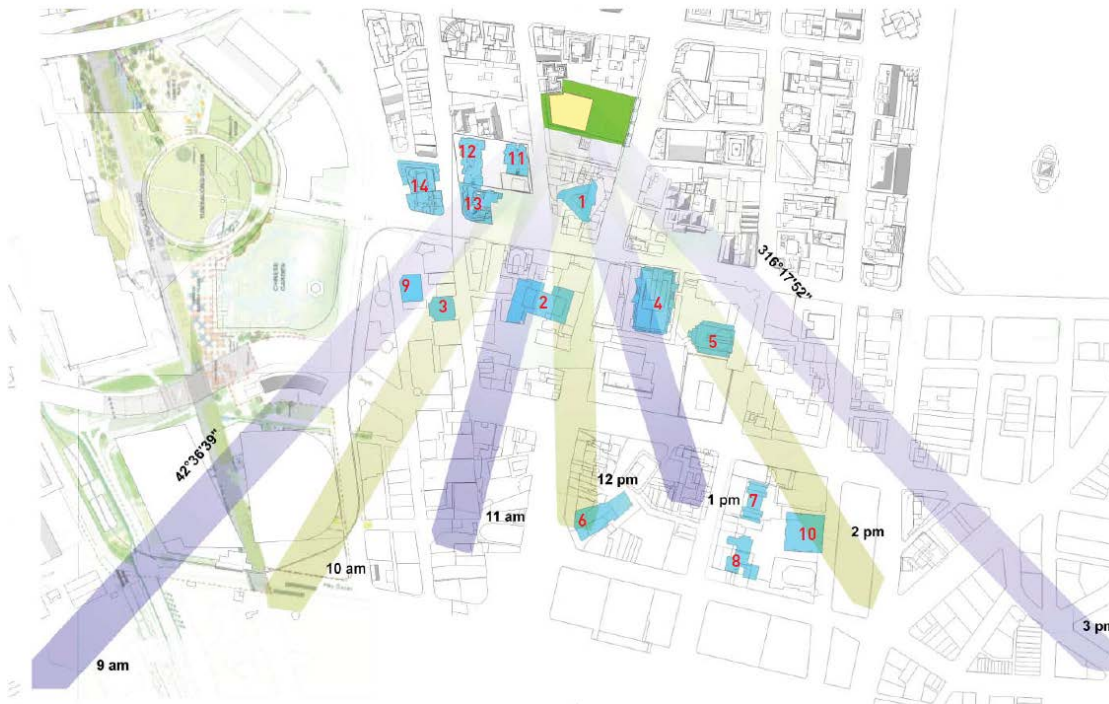


Figure 8 – Shadow projections of proposed envelope (Source: Crone Partners)

The key findings of the shadow analysis are in **Appendix A**. In summary:

- The proposed envelope will partly overshadow existing residential buildings 1, 2, 3, 6, 11 and 13 between the hours of 10am and 12pm. The shadow is fast moving and allows the buildings to receive daylight exposure in the afternoon and hence maintain its current minimum of 2 hours of direct sunlight;
- The envelope partly overshadows existing residential buildings 1, 4 and 5 between the hours of 1pm and 2pm. The shadow is fast moving and allows the buildings to continue daylight exposure in the morning and late afternoon and hence maintain its current minimum of 2 hours of direct sunlight; and
- All of the potentially overshadowed buildings will retain two or more hours of solar access on June 21; in compliance with the solar access requirements of SDCP2012.

Overshadowing of the public domain

The majority of the surrounding streets are already in shadow on June 21, and as such the proposal does not have any significant impact on the public domain to the south of the site. The proposal does create some additional shadowing impacts on the ground plane during the equinox of 21 March to 23 Sept. However the key area affected is the Chinese Gardens in Darling Harbour and only affected for a short period during a low-usage period of the day and receives substantial sunlight throughout the rest of the day.

Due to the setback from the eastern boundary of the site and the move to a single tower, overshadowing and daylight access on George Street, which is noted as a major pedestrian street, is

improved when compared with a complying two tower scheme. It is noted that no public places subject to 'no additional overshadowing' provisions in SLEP2012 will be affected.

The Haymarket

The Haymarket Precinct is to be developed in the location of the former Sydney Entertainment Centre. It will comprise a mixed use development around a network of streets, lanes and open space. A key recommendation of the City of Sydney Design Advisory Panel in December 2013 was ensure there would be no midwinter overshadowing impacts to the new public square which is proposed to be located centrally within the Haymarket Development. **Figure 9** below shows the overshadowing of Haymarket Square between 9am and 10am on June 21. Haymarket Square is outlined in blue.



Figure 9 –Winter Solstice (June 21) shadow at The Haymarket (9am on left, 10am on right)

Haymarket Square is in shadow at 9am on June 21. While the 9am shadow reaches the Haymarket Precinct, it has little impact due to the overshadowing caused by its own or proposed buildings. Consequently the development remains unaffected by the proposal as the shadow cast by the proposed envelope falls within existing shadows and has moved away from the development by 10am. The Haymarket Precinct is unaffected by the proposal during the equinox.

Privacy & Building Separation

The massing envelope provides a 9m setback to the primary northern boundary, which is a minor variation to the minimum 12m setback suggested in the Residential Flat Design Code (RFDC). It is

noted that the Lumiere development is setback only 6.8m from its southern boundary thereby creating a combined separation distance of 15.8m. Whilst this is less than that recommended by the RFDC the proposal is considered acceptable due to the fact that the two towers will be offset from one another, thereby avoiding direct overlooking. It would also be unreasonable to require any increase in this setback given that the deficiency is caused by the non-compliant setback provided by Lumiere.

A 9 metre setback is provided to the southern boundary. Whilst not complying with the minimum separation distance recommended by the RFDC, the proposal can achieve a sufficient level of privacy for the following reasons:

- The layout of a future tower can be designed such that the apartments are primarily orientated to the east, north and west to take advantage of the solar access. No apartments will have a single aspect to the south;
- If 525 George Street were to be redeveloped the tower would most likely be positioned closer towards George Street where it would achieve better solar access and be better positioned within the context of the surrounding towers; and
- A setback of 1m is proposed to the common boundary with Frasers Suites. This is proposed as it is equal to the setback of the Frasers Suites Building. No privacy issues arise from the proposed setback as the building has a blank façade to the side boundary.

View Analysis

View Corridors

Crone Partners have undertaken a detailed view corridor analysis from various vantage points in and around the Sydney CBD (see **Appendix A**). The proposal will be seen in the skyline from some key vantage points across the city. However, the building will sit comfortably within the skyline of the southern CBD and will be read in the context of the existing towers including World Square and soon to be constructed tower at 115 Bathurst Street.

View Impacts to nearby residential buildings

Crone partners have undertaken an assessment of views to be affected by the maximum building envelope achievable on the site. The analysis considers the view impacts 100 metres above ground from three nearby residential towers, and compares the view impacts for the following three development scenarios: the existing view condition; a potential complying envelope (i.e. a twin tower arrangement); and the proposed building envelope. The view impacts to each tower are summarised below and shown in Figures 10 to 12 below.

Lumiere

The view impact of a complying twin tower scheme on Lumiere is moderate to severe. All views of George Street and World Square would be obscured by the George Street Tower. This impact would occur to all of the units in the building with an outlook to the south.

The view impact of the indicative scheme/ building massing envelope is significantly less than that of the complying scheme with only minor view loss to the south west. The features of the view, being George Street and World Tower are retained in the proposed scheme.

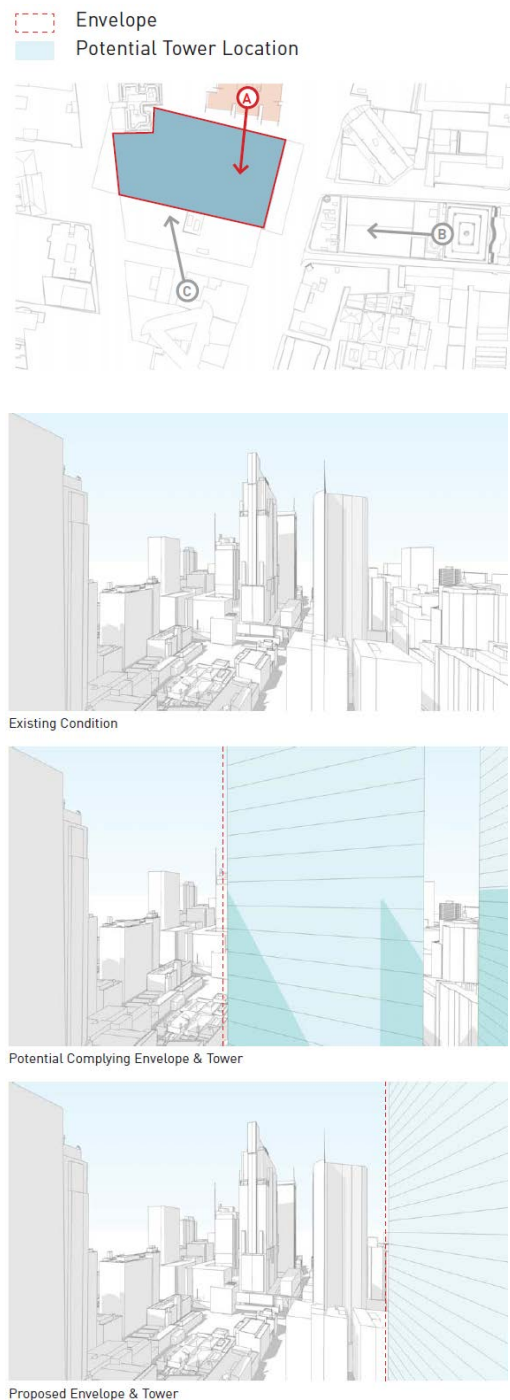


Figure 10 – View impact on Lumiere

Meriton Serviced Apartments

A complying twin tower scheme will obscure the views towards the Frasers Suites building and the cityscape beyond. However the primary view to the west which includes Darling Harbour and Pyrmont will be retained. The view impact is thus considered to be minor.

The key difference between the complying and proposed schemes is that the view between the Lumiere and Frasers Suites developments is obscured and thus some views towards the northern part of the CBD would be lost. However the primary feature of the view towards Darling Harbour would be retained. The loss of view is thus considered to be minor.

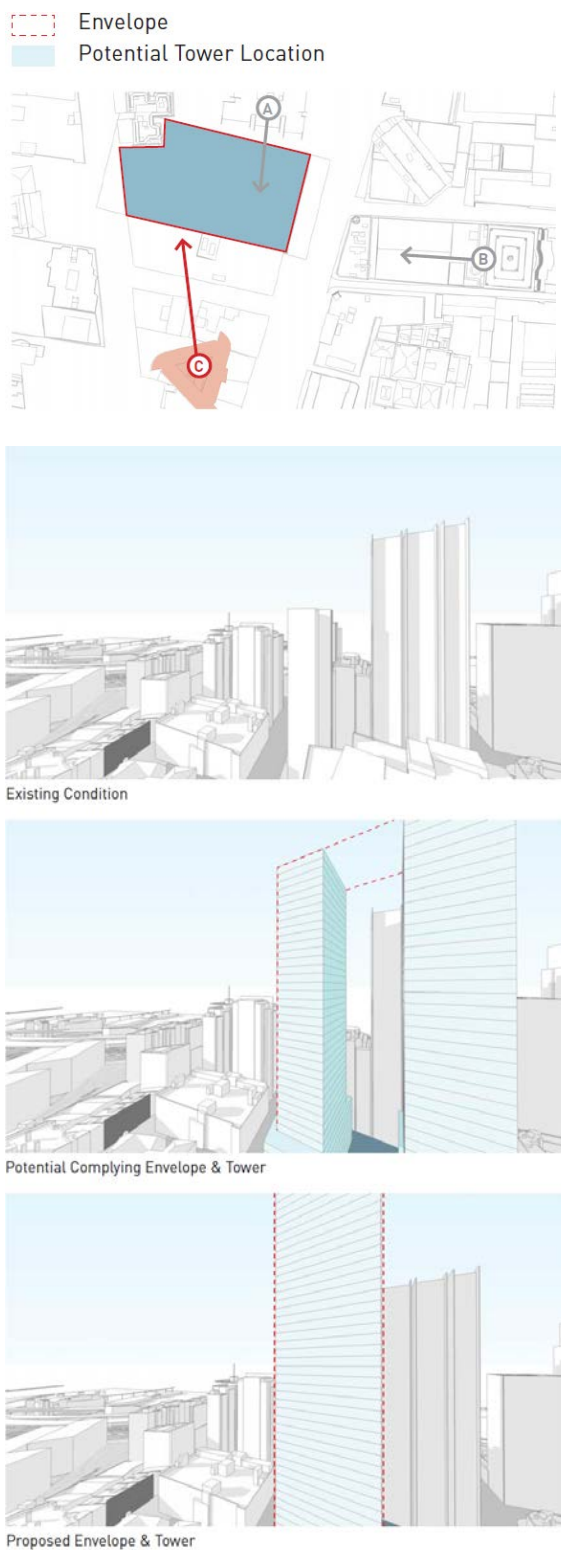


Figure 11 – View impact on Meriton Serviced Apartments

Century Tower

A complying twin tower scheme would result in the loss of views obtained of the northern end of Darling Quarter and the expressway and as such the impact would be considered moderate. The impact would affect all of the units with a westerly aspect.

There is negligible difference in terms of the view impact of the complying scheme and the envelope of the Planning Proposal scheme. Due to the narrower width of the proposal, the view corridor between the proposal and the existing Meriton Serviced Apartments is slightly wider.

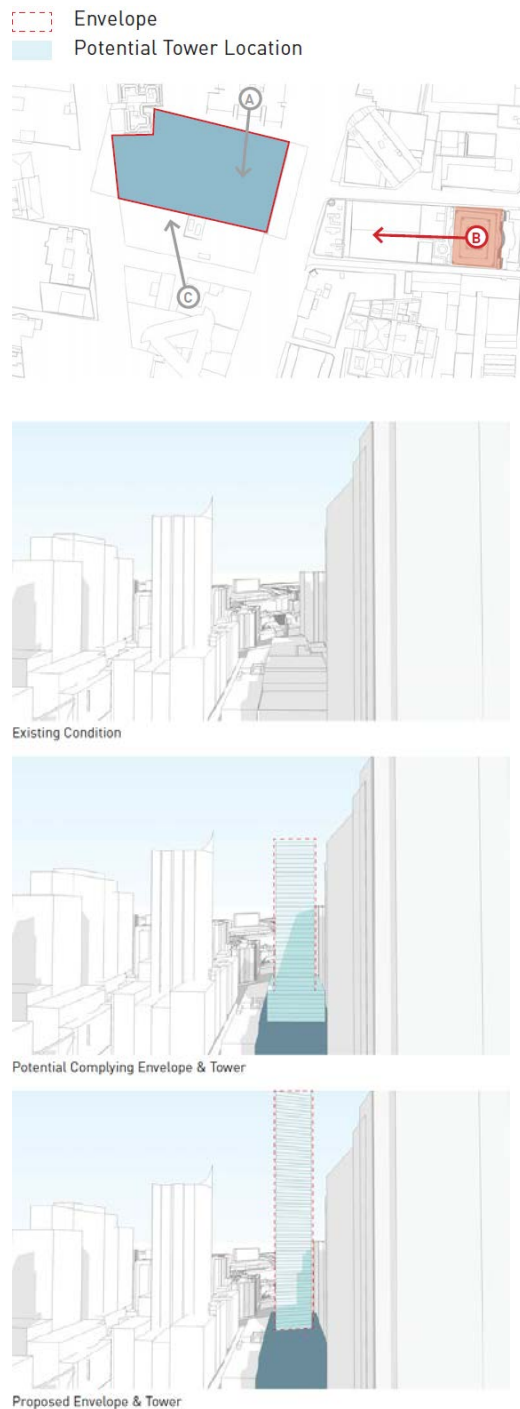


Figure 12 – View impact on Century Tower

View Analysis - Conclusions

The additional height proposed does not result in any additional view loss of significance compared to view loss likely to result from a twin tower scheme compliant with the existing planning controls; nor does it obscure any important views. The analysis shows that the positioning and width of the tower is of more importance. The proposed scheme results in a significantly better outcome in terms of view impacts for the south facing residents of Lumiere and a minor improvement for the occupants of Century Tower.

Future Development of 525-529 George Street (adjoining site to the south)

Both existing buildings on 505 and 525 George Street are currently being utilised as a cinema. 525 George Street is a narrow rectangular block separately owned and titled and will not form part of the redevelopment of 525 George Street. **Appendix A** provides an analysis prepared by Crone Partners to determine if the proposed building envelope on the site will be of any detriment to the redevelopment of 525 George Street. The analysis indicates that a tower development on 505 George Street will not prevent development of a commercial or residential/hotel/ serviced apartment building on 525 George Street in the future.

Wind Assessment

The applicant has commissioned an independent review of the proposed building envelope to assess the potential wind impacts of the development.

The review by Cermak Peterka Petersen Pty. Ltd (CPP) has assessed that the wind conditions at pedestrian level would be similar to those currently experienced in this part of the city, with slightly windier conditions expected along sections of Kent Street for certain wind directions, but calmer for others. CPP's report is provided at **Appendix H**.

The pedestrian environment is expected to be suitable for pedestrian standing or walking from a comfort perspective. The conclusions of the report will be further considered through detailed environmental wind tunnel testing as part of the preparation of a detailed Stage 2 development application.

Roads, Traffic and Access

GTA Consultants has reviewed the traffic and parking impacts of the indicative scheme to determine the likely impacts of a future residential/mixed use scheme on the Site (**Appendix F**). The analysis has been undertaken for the indicative building (and uses) described earlier in this Planning Proposal and also assumes compliance with the parking rates specified in SLEP2012.

The key conclusions of the report are:

- The proposed retail use is not expected to generate any significant volume of development traffic given its location being in the Sydney CBD and its close proximity to good public transport services and other amenities;
- The same situation is expected with the proposed on-site child care. It is expected that this use will attract local patrons;

- The existing office space on the site will reduce significantly and as such the traffic generation of this aspect of the proposal is expected to reduce;
- If the the existing cinema use is removed, the existing traffic arising from its use would be removed from the road network. The removal of the cinema traffic would be more than adequate to offset any additional traffic arising from the retail use (if any at all).
- The reduction in traffic for the cinema use would be greater than any additional traffic that would be generated by the office, retail and child care uses and consequently the net effect would be less traffic arising from the non-residential uses on the site
- The residential component will generate some 53-94 vehicles per hour (VPH) during the weekday period and some 159 VPH during the weekend peak period. GTA has reviewed the traffic survey of the Lumiere development to the immediate north of the site. This survey shows that the actual traffic generation of the development is some 34% less than that originally estimated. This is consistent with the expectation that developments in a major CBD centre within close proximity to public transport services and amenities within walking distance would have significantly lower traffic generation than that predicted using the RMS average generation rates.
- Surrounding intersections would continue to operate satisfactorily with the exception of the Bathurst Street/Kent Street intersection. This intersection currently operates at an E Level of Service in the weekday peak and would reduce to an F level of Service under the proposed development scenario. The Traffic Report notes that if the signal timing at the Bathurst St intersection was to be re-allocated by two seconds from the Bathurst St traffic phase to the Kent St traffic phase the intersection would operate with LOS D. Such maintenance works would be undertaken by TMC/RMS.

This Planning Proposal does not propose amendments to the parking rates in SLEP2012. Consideration of appropriate parking rates will occur at development application stage. The rates should be in line with the City's requirements and should take into consideration the proximity of the site to public transport and existing car parking.

Subject to further analysis to be conducted prior to the submission of a development application, the traffic impacts arising from the proposal are acceptable and can be appropriately managed.

Sustainability

Crone Partners was engaged to prepare a sustainability strategy for the proposal. The report is provided at **Appendix D** and the proposed sustainability initiatives are summarised below:

- Use of water and energy efficient fixtures and fittings;
- Installation of smart metering;
- Collection and reuse of rainwater;
- Installation of energy efficient air conditioning;
- Orientation of apartments and use of extensive glazing to gain maximum solar access, noting that greater solar access can be achieved by way of provision of a single taller tower as opposed to a compliant two tower scheme;
- Design of apartments to maximise natural ventilation;
- Installation of efficient waste management systems and recycling systems; and
- Use of recycled or sustainably sourced materials where possible

It is noted that ARUP states in a letter at **Appendix R** that compliance beyond the minimum BASIX requirements becomes increasingly difficult to achieve as building height is increased. A BASIX certificate will be submitted with the Stage 2 DA once the detailed design of the building is determined.

The City is currently developing strategies which will have specific actions to ensure that overall greenhouse gas reduction targets are achieved. The Multi-Dwelling Unit strategy will include actions to drive energy efficiency in this building type. In this context, the City of Sydney is investigating what may be feasible and cost effective BASIX energy targets for new-build multi-dwelling units both today, and in 2030, including high, mid and low-rise building forms.

Consistent with the above, as the design development process progresses for the tower building, (including a full architectural design competition), the proponent will be encouraged to explore ways that development can contribute to the City's environmental performance objectives and targets, and detail how they can achieve, amongst other things, 50% BASIX energy and water targets for the residential components of their development.

Contamination

A Contamination and Hazardous Building Material Report has been prepared by JBS&G and is provided at **Appendix C**. The report is based on previous contamination and hazardous building material reports prepared for the site as well as a site inspection.

JBS&G confirm in the report that the previous environmental site assessments undertaken by various consultants remain valid in terms of assessing the potential contamination and hazardous materials condition of the site and that no further assessment of contamination is warranted. JBS&G conclude that the site is suitable for the proposed mixed use developed. The removal of any items of hazardous materials identified in the previous reports relating to the site must be undertaken in accordance with the recommendations of the relevant report.

Development near the Cross City Tunnel Ventilation Stack

AECOM has been commissioned by the proponent to undertake a qualitative air quality assessment on the potential air quality impacts on the proposed tower from the cross city tunnel vent located approximately 400m to the west of the site (see **Appendix S**). This assessment addresses clause 7.24 of SLEP2012 which requires assessment of air quality impacts from the CCT ventilation stack on the proposed residential tower.

The report concludes that it is unlikely that elevated receivers would experience an exceedance of the EPA criteria for the pollutants CO, NO₂ and PM₁₀ due to the operation of the ventilation stack and it is unlikely it is a major contributor to ground level pollutant concentrations within the area of the site.

Waste Management

An Outline Waste Management Plan has been prepared by SLR Consulting Australia Pty Ltd and is provided at **Appendix M**. The Plan estimates the expected waste of the indicative mixed use development and provides an outline of how it will be handled, processed and disposed of, or

reused and recycled. As the development moves into the detailed design stage a more comprehensive waste management plan, including the construction and development plan, will be prepared in consultation with the City of Sydney.

Q9 - Has the planning proposal adequately addressed any social and economic effects?

Heritage

The existing building at 505 George Street is not listed as a heritage item. However a number of heritage items listed in SLEP2012 are located in proximity to the site. Urbis has reviewed the impact of the proposal on the surrounding heritage items. Their report is included at **Appendix E** and is its key conclusions are:

- the cinema complex is not considered to meet the threshold for heritage listing;
- the proposal will have no further impact on the heritage items in the vicinity as the streetscape context is already considerably varied and incorporates high-rise development;
- the proposal has no further impact on the extant curtilage of the items in the vicinity and does not impact on any identified significant views;
- the additional height will have no further impact on the heritage items which are located within an area of multistorey development;
- the retention of a consistent streetscape podium further mitigates impacts and presents a more relatable scale for the heritage items; and
- the proposal is indicative only and the final design and outcome will be subject to the stage 2 DA and competitive design processes and should be subject to further heritage impact assessment.

Urbis' conclusions regarding the overall heritage impacts are generally considered to be sound. However, the potential impacts of a tall tower on the view corridors looking south down George Street and York Street will need to be appropriately addressed by a future development proposal.

Looking down George Street, a tall tower on this site is likely to affect views to the Town Hall clock tower and the multi dome roof-scape of the Queen Victoria Building from various points and detract from the vista which terminates at Town Hall. A tower that complies with existing controls is likely to have a lesser impact. Figures 13 and 14 below show the massing envelope viewed looking south towards Town Hall from the corner of Bathurst and George Streets and looking south down York Street.



Figure 13 – view of massing envelope looking south from corner of Bathurst and George Street



Figure 14 – view of massing envelope looking south down York Street

To alleviate concerns regarding the visual on heritage buildings and Town Hall Square provisions have been included in the draft DCP which will require that the north facing façade of a residential tower is treated appropriately.

Child Care Centre facilities

Adequate supply of high quality child care is a critical issue for the City. Current and forecast resident and workforce population growth in the City of Sydney has resulted in increasing demand for child care places, and a growing gap between demand and supply.

According to the *City of Sydney Child Care Needs Analysis 2013*, the City saw an increase in the number of 0-5 year old resident children from 6,040 in 2006 to 7,348 in 2011. This population is forecast to grow to 12,946 by 2031. There has also been significant growth in the population of 0-2 year old resident children, of which there were 3,228 in 2011 – forecast to increase to 5,380 by 2031.

The 2013 analysis identifies a gap of 3,104 places within the local government area and a range of strategies that could be used to meet this gap. These strategies include direct provision; facilitating delivery of new centres by the private and not-for-profit sectors through strategic and statutory planning mechanisms; and advocacy with other levels of government.

505-523 George Street falls within the Chinatown & CBD South Village Group in the analysis, which is identified in the study as the second highest locality of need in terms for child care places, with a gap of 400 places at the time of publication. The planning proposal provides an opportunity to significantly narrow the gap between the existing supply and the City's needs in the City Village Area.

Market Assessment

Hill PDA was commissioned on behalf of the proponent to provide a commercial property market appraisal of the Sydney CBD (see **Appendix I**). The review considers that the Sydney CBD demand for commercial floor space is weak due to uncertain economic conditions in office based sectors of the economy since 2007. This is particularly the case in the southern part of the CBD where the average net face rents for prime stock are lowest.

Their research shows that commercial floor space has predominantly been provided in the City Core (approximately 2.1 million sqm of existing stock), Western Corridor (1.2 million sqm) and Midtown (1.2 million sqm). Recent approvals have also shown that demand for future commercial floor space is likely to remain in these areas and demonstrates that these areas remain the most desirable location for office development in the CBD. Some established precincts of the CBD are likely to continue to experience weak commercial office market conditions from 2015 onwards as significant office supply is added, primarily in Barangaroo.

On the basis of their analysis, residential floor space in the southern precinct is, in the view of Hill PDA, market responsive and appropriate for the area.

Section D - State and Commonwealth Interests

Q.10 Is there adequate public infrastructure for the planning proposal?

The site's infrastructure is capable of accommodating, or can be augmented to accommodate, a residential/mixed use development proposal. This is discussed in detail in a number of appended reports and is summarised under the headings below. It is noted that Section 61 contributions will be payable with this development to contribute to the provision of local infrastructure, the demand for which will be generated by the development.

Engineering Services

Integrated Group Services has undertaken a multidisciplinary review of the engineering services on the Site (see **Appendix J**). The key conclusions of the report are:

- As the site is currently fully developed from boundary to boundary, there should not be an overland flooding issue between George Street and Kent Street.
- The development will necessitate a new onsite substation and the existing substation will need to be decommissioned.
- There are no major gas services within the site but there is capacity via a gas main off Kent Street.
- Telecommunications services identified in the vicinity of the site are expected to have the carrying capacity to suit the needs of the proposed development.
- Existing stormwater in the vicinity of the site should be adequate to accommodate proposed development. Water Sensitive Urban Design (WSUD) will also be necessary
- It is probable that the 250mm and 300mm water mains will be sufficient to cater for cold water and fire services requirements of the proposed new development. This will be confirmed by the Section 73 certificate application that will be lodged with Sydney Water after a Development Consent is obtained.
- There is adequate sewer infrastructure in the vicinity of the site to easily cater for the proposed new development.

Geotechnical Assessment

A Geotechnical Assessment was undertaken by Coffey. This report is provided at **Appendix K**. The assessment is based upon a number of investigations previously prepared for the subject site and surrounding sites. The report confirms that the indicative development is considered feasible from a geotechnical perspective.

Q.11 – What are the views of state and Commonwealth public authorities consulted in accordance with the gateway determination?

The Gateway determination will advise the full list of public authorities that will need to be consulted with as part of the Planning Proposal process. It is requested that public authority consultation be undertaken concurrently with community consultation.

It is proposed that the following authorities be consulted regarding the Proposal:

- Roads and Maritime Services;

- NSW Department of Planning and Environment;
- Rail Corp;
- Infrastructure New South Wales;
- Office of Environment and Heritage;
- Sydney Airport Corporation Limited; and
- Sydney Water.

It is noted that concurrence will also be required from the following agencies at the development application stage:

- Roads and Maritime Services – due to the location of the site on a classified road and for traffic generating purposes (Infrastructure SEPP clauses 101 and 104)
- Rail Corp – Due to the site’s proximity to existing and proposed rail corridors (Infrastructure SEPP clauses 85 & 88)
- Sydney Airport Corporation Limited (SACL) – due to the height of the proposed envelope (Sydney LEP clause 7.16)

PART 4 – MAPPING

Site identification, zoning and details of key development standards are provided in the introduction to this Planning Proposal.

The Planning Proposal does not require any changes to, or new, maps in SLEP2012, as the site area is preferred to be defined by the legal description of the land parcel that comprises the site, being Lot 1 DP 573250.

PART 5 – COMMUNITY CONSULTATION

Public consultation will take place in accordance with the Gateway determination made by the Minister for Planning, in accordance with Sections 56 and 57 of the EP&A Act.

It is proposed that, at a minimum, this involves the notification of the public exhibition of the Planning Proposal:

- on the City of Sydney website;
- in newspapers that circulate widely in the City of Sydney local government area;
- in writing to the owners; the adjoining and nearby landowners; relevant community groups; and the surrounding community in the immediate vicinity of the site; and
- as prescribed by the Gateway determination issued by the Department of Planning & Environment.

It is requested that the Planning Proposal be publicly exhibited for a period of 28 days to coincide with the exhibition of an accompanying draft DCP amendment and draft voluntary Planning Agreement.

PART 6 – PROJECT TIMELINE

MILESTONE	TIMEFRAME and/or DATE
Anticipated Commencement Date	Date of Gateway determination
Anticipated timeframe for the completion of required technical information	Not applicable. Technical analyses have already been commissioned by the proponent to support the Planning Proposal.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	As specified in Gateway determination. Anticipated timeframe is 21 days and to run concurrently with public exhibition period.
Commencement and completion dates for public exhibition period	Dates are dependent on date of Gateway determination. Anticipated timeframe for public exhibition is 28 days
Dates for public hearing (if required)	Not applicable at this stage
Timeframe for consideration of submissions	To be determined
Timeframe for consideration of a proposal post exhibition	To be determined
Date of submission to the Department to finalise the LEP	To be determined
Anticipated date the Council will make the plan if delegated	To be determined
Anticipated date Council will forward to the department for notification	To be determined