

Sydney Local Environmental Plan 2012 - Amendment - AMP circular Quay Precinct

Proposal Title : **Sydney Local Environmental Plan 2012 - Amendment - AMP circular Quay Precinct**

Proposal Summary : **This proposal applies to land known as the AMP Circular Quay Precinct which is located on the blocks bounded by Loftus Street, Loftus Lane and Young Street (Young and Loftus Street block) and the block bounded by Alfred, Young, Bridge and Phillip Streets (Bridge and Alfred Street block) in Circular Quay, Sydney.**

The proposed amendments will facilitate a scheme to re-distribute latent floor space from the Young and Loftus Street block to the Bridge and Alfred Street block to allow for an increase to the gross floor area of the AMP centre (50 Bridge Street) in the Bridge and Alfred Street block.

PP Number : **PP_2013_SYDNE_007_00** Dop File No : **13/10760-1**

Proposal Details

Date Planning Proposal Received :	28-Jun-2013	LGA covered :	Sydney
Region :	Sydney Region East	RPA :	Council of the City of Sydney
State Electorate :	SYDNEY	Section of the Act :	55 - Planning Proposal
LEP Type :	Policy		

Location Details

Street :	Block bounded by Loftus Street, Loftus Lane and Young Street		
Suburb :	Sydney	City :	Sydney
		Postcode :	2000
Land Parcel :			
Street :	Block bounded by Alfred, Young, Bridge and George Streets		
Suburb :	Sydney	City :	Sydney
		Postcode :	2000
Land Parcel :			

DoP Planning Officer Contact Details

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DoP Project Manager Contact Details

Contact Name :
 Contact Number :
 Contact Email :

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro Sydney City subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha)	0.00	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	90
Gross Floor Area :	1,520.00	No of Jobs Created :	800

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**
 If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**
 If Yes, comment :

Supporting notes

Internal Supporting Notes : **Council has included a time line which has the proposal completed in February 2014, about 7 months from the time a gateway determination would be issued. This is ambitious and a 12 month timeframe is considered more appropriate.**

Council has requested the Minister's plan making functions be delegated. This is supported.

External Supporting Notes : **Council advises it has been working with representatives of AMP Capital Investors for over 18 months on a scheme to redevelop AMP land holdings on 2 blocks in Circular Quay, identified as the Young and Loftus Street block and Bridge and Alfred Street block as shown on the map on page 3 of the planning proposal.**

The proposed amendments will facilitate a scheme to re-distribute latent floor space from the Young and Loftus Street block to the Bridge and Alfred Street block to allow for an increase to the gross floor area of the AMP centre (50 Bridge Street) in the Bridge and Alfred Street block, delivering about 20,000 square metres of additional premium grade office space. The potential floor space available under current controls on the Young and Loftus Street block cannot be realised because of heritage and sun access constraints.

Council advises that the proposed amendments will be in the form of alternative controls which will only operate if the developer enters into an agreement with Council to provide significant public benefits. The existing controls will remain in place and the developer can choose to use these instead.

The proposed amendment to Sydney LEP 2012 will facilitate AMP's Master Plan Concept which proposes the Young and Loftus Street block will be a lower scale, fine grain and active mixed-use precinct which will support a variety of uses, such as retail, commercial, hotel, serviced apartments, educational, residential, bars and restaurants. It proposes retail opportunities along Loftus Lane, which is to be pedestrianised and supported by active frontages and through-site pedestrian links.

AMP and Council's concept for the Bridge and Alfred Street block will provide opportunities for the development of a premium grade commercial tower with an atrium lobby and plaza, along with expanded active retail and restaurant activity, new arcades and through-site pedestrian links.

AMP proposes to expand the floor plate of the existing tower at 50 Bridge Street, effectively 'recycling' core structural elements of the building. The 1962 heritage listed AMP Tower at 33 Alfred Street is proposed to be refurbished and enhanced in accordance with a new conservation management plan.

Development on the two AMP blocks has potential to overshadow important public spaces including the Botanical Gardens, Macquarie Place and First Government House Place. Sydney LEP 2012 contains sun access plane provisions to protect these places.

Council advises that the proposed new tower at 50 Bridge Street will penetrate the sun access plane protecting the Botanical Gardens but no more than the existing tower on the site. The new tower will be built within the shadow cast on the Botanic Gardens by the existing tower.

Council advises that the redevelopment of the Young and Loftus Street block under the proposed scheme will increase sun access to Macquarie Place by 420 sqm at the control time of 10am in mid winter. The scheme will not create any shadow impact to First Government House Place.

Council advises that key benefits that will arise from AMP's proposal include:

- the release of unrealised commercial floor space to meet demand for high end global office space in central Sydney equating to about 800 jobs (1 job per 25 sqm of floor space);
- protection and improvement of solar access to key public open spaces, particularly Macquarie Place;
- a new, late night trading precinct which will enhance the City's night-time economy;
- preservation of an important view corridor to the City and improved connections between Circular Quay and the City's commercial core;
- revitalisation of the Young and Loftus Street block;
- creation of a fine grain network of lanes, arcades and through-site links that promote vibrancy and street level activity;
- a new retail destination with maximised active frontages;
- conservation of heritage buildings and a reduction in the number of vehicle access locations.

Three heritage items are located within the AMP Circular Quay Precinct:

- The 1962 AMP tower at 33 Alfred Street in the Bridge and Alfred Streets block (local

significance),

- Hinchcliffe House in the Young and Loftus Streets block (State Significance), and
- The Gallipoli Club in the Young and Loftus Streets block (local significance).

AMP proposes to preserve and enhance the three heritage items in accordance with conservation management plans and has met with the Heritage Council to discuss the proposal.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment :

The planning proposal's objectives are to:

>> revitalise the two city blocks which comprise the AMP Circular Quay Precinct

>> refine the Young & Loftus Street block as a diverse, fine grain, smaller scale mixed use development project within an active laneway precinct, comprising of low to mid-rise buildings;

>> to transform the Bridge and Alfred Street block to an exemplar global commercial address that will reinforce Sydney's profile as a global city;

>> ensure that new development responds sympathetically to heritage items within the Precinct;

>> provide a mechanism for the consolidation of floor space within the Precinct; and

>> enable public benefits including:

- improved solar access and reduced overshadowing to Macquarie Place and Loftus Lane;
- active lanes, arcades and through-site links;
- conservation of heritage items; and
- maintenance of an important view corridor into the City.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment :

Council proposes to amend Sydney Local Environmental Plan 2012 (Sydney LEP 2012) to provide alternate planning controls for the AMP Circular Quay Precinct by:

- Inserting a clause permitting each lot within the AMP Precinct to be considered as the site area for the purpose of calculating floor space (currently Sydney LEP 2012 provides that only land with a common boundary can be added together to form a site for the purposes of calculating floor area - the AMP Precinct is separated by roads);
- Inserting a new clause to allow the bonus floor space generated by way of a competitive design process that relates to a different area within the Precinct, to be utilised on the 50 Bridge Street site;
- Inserting a new clause to permit an exception to the sun access plane provisions governing height across the 50 Bridge Street parcel of land;
- Amending the dictionary definition of the City of Sydney Competitive Design Policy to allow for the policy to be changed; and
- Amending the Laneways Development Floor Space controls so they can apply to the new buildings in the Young and Loftus streets Block.

Council proposes no amendment to the existing height and floor space ratio control applying to the AMP Precinct and the developer may choose to use the existing controls rather than the optional provisions proposed here.

If the developer chooses to use the proposed alternative controls, restrictions to development on the Young and Loftus Street block will be implemented by way of covenants in a voluntary planning agreement. The planning agreement will also set out

the public benefits to be delivered by AMP and Council intends to exhibit both at the same time.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

2.3 Heritage Conservation

3.5 Development Near Licensed Aerodromes

4.1 Acid Sulfate Soils

5.1 Implementation of Regional Strategies

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development

SEPP No 6—Number of Storeys in a Building

SEPP No 22—Shops and Commercial Premises

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 55—Remediation of Land

SEPP No 60—Exempt and Complying Development

SEPP No 64—Advertising and Signage

SEPP No 65—Design Quality of Residential Flat Development

SEPP No 70—Affordable Housing (Revised Schemes)

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (Infrastructure) 2007

SEPP (Major Projects) 2005

SEPP (Temporary Structures and Places of Public Entertainment) 2007

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

117 Directions 1.1 and 3.1

The proposed amendment to Sydney LEP 2012 will not reduce permissible residential or commercial floor space. However, it is Council and AMP's intention to enter into a planning agreement to limit the height of development on the Young and Loftus streets block. The VPA will effectively reduce permissible employment and residential floor space on the Young and Loftus streets block.

This is not considered to be an issue as the latent floor space (that is currently unrealised due to heritage and sun access constraints) on the Young and Loftus streets block will be transferred to the Bridge and Alfred streets block meaning there is no net loss of potential floor space. Infact, the proposal will actually result in an increase of about 20,000 sqm of usable floor space in the AMP Precinct.

State Environmental Planning Policy (Infrastructure) 2007

A small portion of the Young and Loftus streets block is identified as being within the interim metro rail corridor. A transport study undertaken by ARUP for Council found that it was unlikely that the proposed redevelopment would have a significant impact on the rail corridor. Any future development on the site would require a concurrence from

RailCorp.

The proposal is consistent with all other SEPPs and section 117 Directions.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : There are no mapping changes required under the proposed LEP amendment.

Council has provided site identification maps.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council proposes to undertake public consultation in accordance with Sections 56 and 57 of the EP&A Act and exhibit the proposal for at least 28 days.

Council proposes to notify 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; and
- in writing to the owners; the adjoining and nearby landowners; relevant community groups; and the surrounding community in the immediate vicinity of the site.

The planning proposal will be exhibited in conjunction with an accompanying development control plan amendment and a voluntary planning agreement.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **December 2012**

Comments in relation to Principal LEP : **Sydney LEP 2012 was made in December 2012.**

This proposal is to amend Sydney LEP 2012.

Assessment Criteria

Need for planning proposal :

The concept for the redevelopment of the AMP Circular Quay Precinct is the result of a detailed study undertaken by Hassell Architects on behalf of AMP. To facilitate this scheme several amendments to Sydney LEP 2012 are required. Council's justification for these amendments are as follows.

Floor space calculation provision

Clause 4.5(3)(b) of Sydney LEP2012 provides that in the determination of site area, where more than one site is proposed to be developed, only land which has a common boundary with other land can be added together to form a site. The Precinct is unable to meet this requirement because it is bisected by Young Street and no development is proposed to be undertaken on, over or under Young Street. A site-specific clause is therefore necessary to

allow for the floor space area potential of the Young and Loftus Street block to be transferred to the Bridge and Alfred Street block.

Additional floor space resulting from a competitive design process

Clause 6.21(7) of Sydney LEP 2012 allows the consent authority to award an additional amount of floor space up to a maximum of 10% where the design of a development is the result of a competitive design process. If the full amount of potential floor space available to the Young and Loftus Street block is to be transferred to the Bridge and Alfred Street block this bonus must also be transferrable.

Council proposes if competitive design processes are undertaken for development within the Young and Loftus Street block, and the resulting development proposal exhibits design excellence, the additional 10% floor space capable of being awarded under Clause 6.21(7) can be transferred to the Bridge and Alfred Street block.

The scheme also requires Council's competitive design policy to be updated which requires an amendment to the dictionary definition of the policy in Sydney LEP 2012.

Exception to sun access plane provisions

The scheme's proposed tower at 50 Bridge Street will penetrate the Sydney LEP 2012 sun access plane protecting the Royal Botanic Gardens. This effectively prohibits the proposed tower. The new tower will not create a greater shadow impact than the existing building and an exception to the sun access plane provision is justified in this case.

Council and AMP have advised the Department that the Royal Botanic Gardens has been consulted and has no objection to the proposed scheme.

Laneways development provisions

Sydney LEP 2012 contains provisions allowing additional floor space for existing buildings that provide small laneway premises.

The current provisions would not apply to the redevelopment of the Young and Loftus Street block as they apply only to alterations and additions to existing buildings.

To encourage laneway development, Council proposes to amend these provisions so they apply to new development in the Young and Loftus Street block.

Consistency with
strategic planning
framework :

The Planning Proposal is consistent with the Metropolitan Plan and the draft Sydney City Subregional Strategy in that it will:

- reinforce the global competitiveness of Sydney through the provision of high quality office accommodation;
- increase commercial floor space in the Sydney CBD; and
- improve the quality of the built environment.

The proposal is consistent with the following draft Metropolitan Strategy actions to:

- enhance the role of the subregion as Sydney's global economic driver, including strengthening connections within the Global Sydney and Global Economic Corridor city shapers;
- recognise the importance of Sydney Harbour as an icon of Sydney that will continue to drive investment in and around the subregion;
- provide capacity for employment growth; and
- protect the CBD as Sydney's most significant concentration of global economic activities, including international business and financial head offices and legal companies.

Council's local strategy - Sustainable Sydney 2030 - outlines its vision for a 'green', 'global' and 'connected' City of Sydney and sets targets, objectives and actions to achieve that vision. This proposal is consistent with Council's strategy.

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Environmental social
economic impacts :

The subject site is located in an existing business precinct in a built up area of Central Sydney. The proposal does not apply to land that has been identified as containing critical habitat or threatened species, populations or ecological communities, or their habitats.

The proposal will not have a significant adverse impact on the amenity of surrounding development and will actually improve sun access and public open space in the AMP Precinct.

The proposal will maintain and enhance existing public view corridors in and around the AMP Precinct.

The proposal is anticipated to create a positive economic impact as it will facilitate the development of approximately 20,000 sqm of premium grade commercial floor space and improve public amenity in the AMP Precinct to drive investment.

Assessment Process

Proposal type :	Consistent	Community Consultation Period :	28 Days
Timeframe to make LEP :	12 Month	Delegation :	RPA
Public Authority Consultation - 56(2)(d) :	Office of Environment and Heritage Transport for NSW Transport for NSW - RailCorp Transport for NSW - Roads and Maritime Services Department of Planning and Infrastructure - Sydney Harbour Foreshore Authority Sydney Opera House Trust Other		
Is Public Hearing by the PAC required?	No		
(2)(a) Should the matter proceed ?	Yes		
If no, provide reasons :			
Resubmission - s56(2)(b) :	No		
If Yes, reasons :			
Identify any additional studies, if required. :			
If Other, provide reasons :			
Identify any internal consultations, if required :			
	No internal consultation required		
Is the provision and funding of state infrastructure relevant to this plan?	No		
If Yes, reasons :			

Documents

Document File Name	DocumentType Name	Is Public
PLANNING PROPOSAL - AMP Circular Quay Precinct - June 2013.pdf	Proposal	Yes

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Planning Proposal - Appendix A pt1 - AMP Master Plan Urban Design Report.pdf	Study	Yes
Planning Proposal - Appendix A pt2 - AMP Master Plan Urban Design Report.pdf	Study	Yes
Planning Proposal - Appendix A pt3 - AMP Master Plan Urban Design Report.pdf	Study	Yes
Planning Proposal - Appendix A pt4 - AMP Master Plan Urban Design Report.pdf	Study	Yes
Planning Proposal - Appendix B pt1 - Shadow & Sun Access Report.pdf	Study	Yes
Planning Proposal - Appendix B pt2 - First Govt House Place - Shadow & Sun Access.pdf	Study	Yes
Planning Proposal - Appendix C pt1 - AMP Revised View Analysis Report.pdf	Study	Yes
Planning Proposal - Appendix C pt2 - AMP Additional View Analysis Report.pdf	Study	Yes
Planning Proposal - Appendix D - SEPP 65 Statement.pdf	Study	Yes
Planning Proposal - Appendix E pt1 - Draft Conservation Management Plan - 33 Alfred St.pdf	Study	Yes
Planning Proposal - Appendix E pt2 - Draft Conservation Management Plan - Hinchcliff House.pdf	Study	Yes
Planning Proposal - Appendix E pt3 - Draft Conservation Management Plan - Gallipoli House.pdf	Study	Yes
Planning Proposal - Appendix F - Heritage Impact Statement.pdf	Study	Yes
Planning Proposal - Appendix G - Floor Space Area Preliminary Analysis.pdf	Study	Yes
Planning Proposal - Appendix H - Multi Disciplinary Engineering Services.pdf	Study	Yes
Planning Proposal - Appendix I - Wind Impact Assessment.pdf	Study	Yes
Planning Proposal - Appendix J - Aboriginal and Archaeological Assessment.pdf	Study	Yes
Planning Proposal - Appendix K - Transport Assessment.pdf	Study	Yes
Planning Proposal - Appendix L - Preliminary BCA Statement.pdf	Study	Yes
Planning Proposal - Appendix M - AMP Draft DCP.pdf	Study	Yes
Planning Proposal - Appendix N - Compliance with Sustainable Sydney 2030.pdf	Study	Yes
Planning Proposal - Appendix O - Acid Sulfate Soil planning.pdf	Study	Yes
Planning Proposal - Appendix P - Competitive Design Policy - Draft Amendment.pdf	Proposal	Yes
Cover letter.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones
- 2.3 Heritage Conservation
- 3.5 Development Near Licensed Aerodromes
- 4.1 Acid Sulfate Soils
- 5.1 Implementation of Regional Strategies
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **It is recommended that the planning proposal proceeds with the following conditions.**

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1. The proposal be exhibited for at least 28 days,
2. Council consults with the following agencies:
 - Office of Environment and Heritage,
 - Transport for NSW ,
 - Transport for NSW - RailCorp,
 - Transport for NSW - Roads and Maritime Services,
 - Department of Planning and Infrastructure - Sydney Harbour Foreshore Authority,
 - Sydney Opera House Trust, and
 - The Royal Botanic Gardens and Domain Trust.

Supporting Reasons : The proposal should proceed because it:

- will release latent floor space and improve the amenity and connectivity of the AMP Precinct. This is consistent with the objectives of the draft Metropolitan Strategy in that it provides capacity for employment growth and improves the public domain to drive investment,

- responds to recent research undertaken by BIS Shrapnel -- as part of Council's Central Sydney Planning Review -- that a major constraint to office development is the irregular and small lot configuration in the CBD and mechanisms to promote lot consolidation are needed,

- is consistent with the Circular Quay Strategic Framework being coordinated by the Sydney Harbour Foreshore Authority.

Signature:



Printed Name:

Tim Archer

Date:

1/7/13