

# ETHOS URBAN

## Planning Proposal

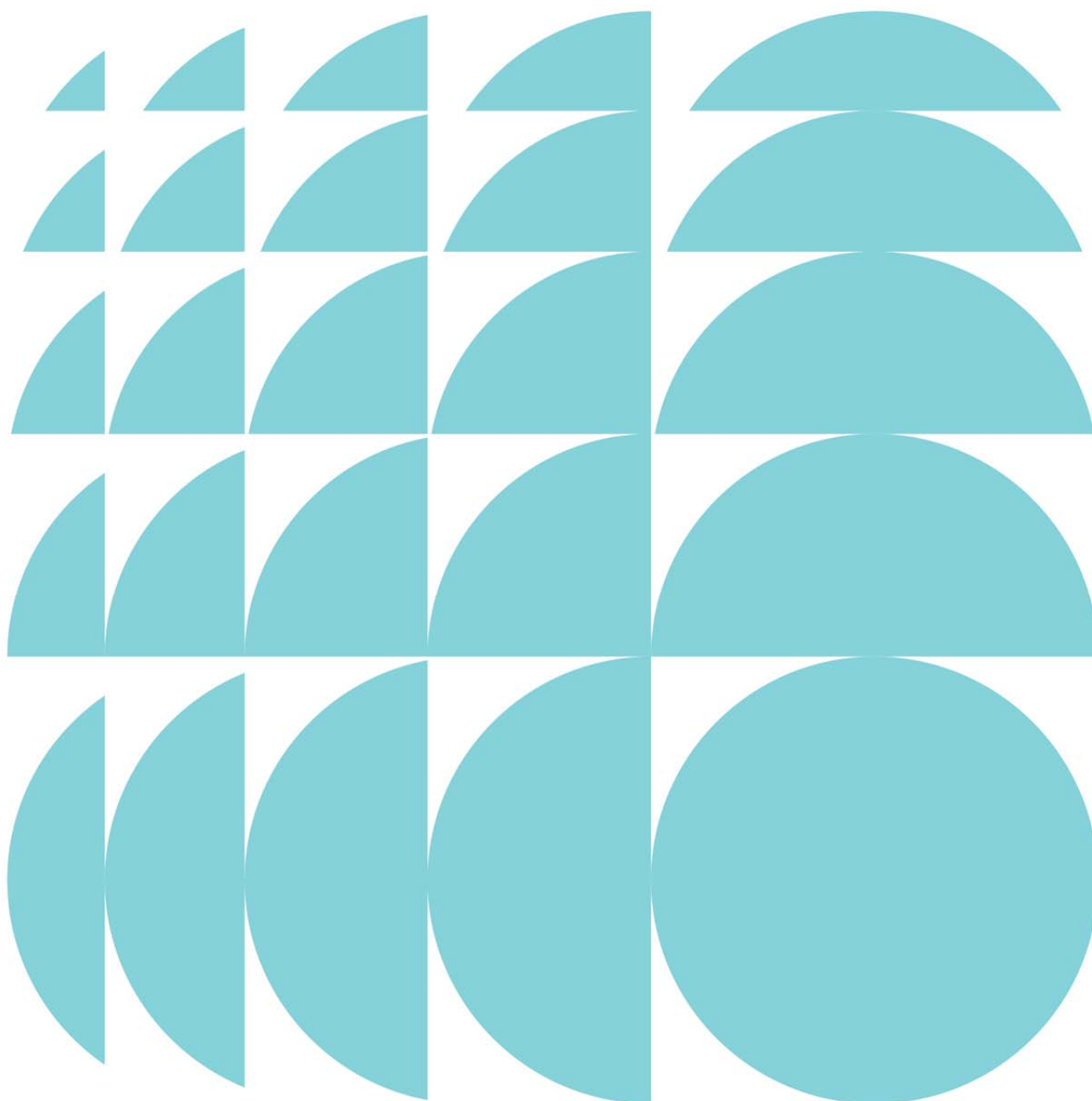
Amendments to the Sydney LEP 2012

Sydney Metro Martin Place Station Precinct

Submitted to Department of Planning and Environment  
On behalf of Macquarie Corporate Holdings Pty Limited

27 October 2017 | 15879

**Community Consultation Version**



## FORMERLY KNOWN AS JBA

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VERSION NO. 4

DATE OF ISSUE: 27.10.17

REVISION BY: CFE

APPROVED BY: JB

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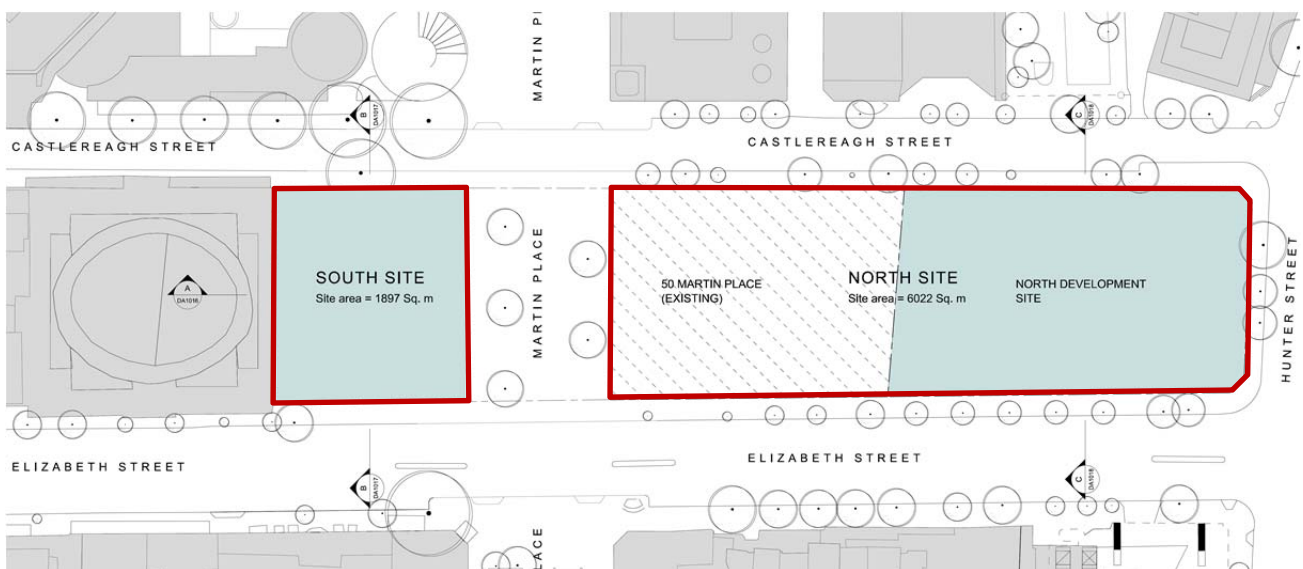
- A** Urban Design Report  
*Tzannes*
- B** Survey Plan  
*Denny Linker*
- C** Statement of Heritage Impact  
*TKD Architects*
- D** View Impact Analysis  
*Tzannes*
- E** Shadow Study and Verification  
*Grimshaw + JPW / PSN Matter*
- F** Wind Tunnel Study and Qualitative Wind Assessment  
*CPP*
- G** Transport, Traffic, Pedestrian and Parking Report  
*Arup*
- H** Assessment of Airspace Approvability  
*Strategic Air Space Consultants*
- I** ESD Strategy  
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- J** Amended LEP Map  
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- K** Urban Design and Planning Context Review Report  
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- L** Skyview Factor (Daylight) Analysis  
*Surface Design*

## 1.0 Introduction

This Planning Proposal is submitted to the Secretary of the Department of Planning and Environment (the Department) as the Relevant Planning Authority (RPA) to request an amendment to the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) relating to the Sydney Metro Martin Place Station Precinct (Precinct). The Precinct, as illustrated in **Figure 1** below, comprises:

- 50 Martin Place, 9 – 19 Elizabeth Street, 8 – 12 Castlereagh Street, 5 Elizabeth Street, 7 Elizabeth Street, and 55 Hunter Street (**North Site**);
- 39 – 49 Martin Place (**South Site**); and
- **Martin Place** (that part bound by Elizabeth Street and Castlereagh Street).

Ethos Urban has prepared this Planning Proposal on behalf of the proponent Macquarie Corporate Holdings Pty Limited (Macquarie) specifically in relation to the North and South Sites.



**Figure 1 – Site Plan**

Source: Grimshaw + JPW + Ethos Urban

The Planning Proposal has been prepared in accordance with Section 54(2)(a) and Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and “*A guide to preparing Planning Proposals*”, August 2016 (the PP Guidelines). In particular, this Planning Proposal addresses the following matters in the PP Guidelines:

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

The Planning Proposal relates to a matter of State environmental planning significance, and is also of regional and district planning significance for the Sydney Metropolitan Region and Eastern City District respectively. More specifically:

- The Planning Proposal includes land acquired by the NSW State Government to construct and deliver the Sydney Metro project. That project is classified as Critical State Significant Infrastructure (CSSI) and in January 2017 received Ministerial consent under the EP&A Act. It has a tight timetable for opening in 2024.
- The over station development (OSD) is functionally integrated with the Sydney Metro Martin Place Station, which is one of seven new stations to be built and operational by 2024 when the new Metro line opens. The OSD is classified as State Significant Development (SSD) under *State Environmental Planning Policy (State and Regional Development) 2011*.
- The integrated station and OSD development are essential components in State planning and transport policies to support the growth and productivity and liveability of Greater Sydney.
- The 'planning gain' resulting from any changes to the planning controls will be directed towards the State for the funding of the Sydney Metro project.

Macquarie intends to deliver a single fully integrated station/over station development solution for the Precinct. This future development will support the advancement of modern workplaces and resilient office accommodation, improve access to jobs, and strengthen "Global Sydney" as a centre for economic and cultural activity. It represents a step-change project in the evolution of Sydney as a business centre.

To facilitate the proposed world class integrated station and commercial development, this Planning Proposal seeks a reasonable increase in building height to the South Site only, and floor space increase across the Precinct (for both the North and South Sites). These amendments to the Sydney LEP 2012 align with State, regional and local strategic planning objectives and initiatives. The Planning Proposal requests that the Sydney LEP 2012 be amended to:

- insert in Part 6, Division 5 a new clause governing development on the identified land, being the North and South Sites;
- amend the Height of Buildings Map, Sheet HOB\_014 for the South Site only, to include a new "area" to which an amended height limit relates; and
- establish (in the new clause) new maximum Floor Space Ratio (FSR) limits for the North Site and the South Site.

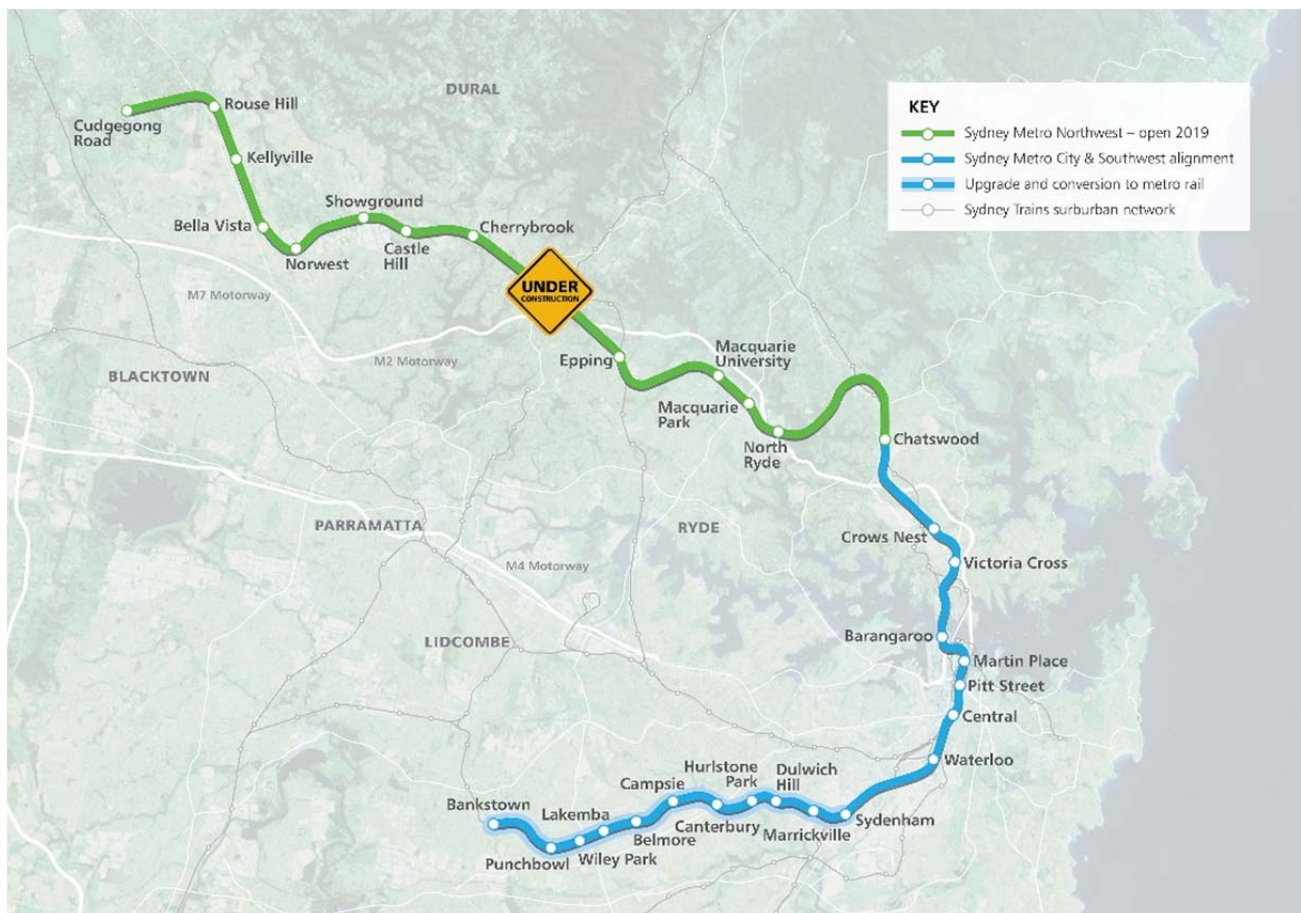
This report describes the Precinct, its environs, the proposed LEP changes and provides an assessment of the Planning Proposal in terms of the matters for consideration established under the PP Guidelines. It should be read in conjunction with the Urban Design Report (**Appendix A**) prepared by Tzannes, and the other appended technical reports (see Table of Contents).

## 1.1 Background

### 1.1.1 Sydney Metro City and Southwest – Chatswood to Sydenham Critical State Significant Infrastructure

The New South Wales (NSW) Government is implementing *Sydney's Rail Future* (Transport for NSW, 2012); a plan to transform and modernise Sydney's rail network so that it can grow with the city's population and meet the needs of customers well into the future.

Sydney Metro is a new standalone rail network identified in *Sydney's Rail Future*. The Sydney Metro network consists of Sydney Metro Northwest (Stage 1) and Sydney Metro City & Southwest (Stage 2) – refer to **Figure 2**.



**Figure 2 – The route of Sydney Metro Stages 1 and 2**

Source: Transport for NSW

Stage 2 of the Metro entails the construction and operation of a new Metro rail line from Chatswood, under Sydney Harbour through Sydney's CBD to Sydenham and eventually onto Bankstown through the conversion of the existing line to Metro standards. The project also involves connections with existing lines and the delivery of seven (7) new Metro stations, including a station at Martin Place. This step-change piece of public transport infrastructure, once complete, will have the capacity for 30 trains per hour (one every two minutes) through the CBD in each direction catering for an extra 100,000 customers per hour across the Sydney CBD rail lines.

On 9 January 2017, the Minister for Planning approved the Stage 2 Metro application lodged by Transport for NSW (TfNSW) as a Critical State Significant Infrastructure (CSSI) project (reference SSI 15\_7400).

TfNSW is also making provision for future Over Station Development (OSD) on the land it has acquired for the Stage 2 Sydney Metro project, including land acquired for the purposes of delivering Martin Place Station. The OSD is subject to separate applications to be lodged under the relevant provisions of the EP&A Act.

### 1.1.2 Macquarie's Unsolicited Proposal

Through the early planning phase for Stage 2 of Sydney Metro, Macquarie identified a unique opportunity given its strategic landholdings above/adjoining the new Sydney Metro Martin Place Station. An Unsolicited Proposal (USP) was accordingly submitted by Macquarie to the NSW Government, for the delivery of a single, fully integrated Martin Place Station/OSD solution.

Macquarie's proposal centres on delivering Martin Place Station in its entirety as part of the Sydney Metro Project through an integrated civic, retail and commercial development, that expands the Martin Place Metro site to include Macquarie's land at 50 Martin Place and 9-19 Elizabeth Street. Macquarie's scheme seeks to achieve a single integrated development outcome, delivering efficiencies gained from combining the land holdings and releasing associated constraints on the otherwise complex site configuration and development approach. Macquarie's proposed scheme optimises the functionality of the development opportunity, the connectivity between Station entrances, public spaces and the OSD, including passenger and civic areas and office lobbies, with leading commercial office design.

Macquarie's proposal passed through Stage 2 of the USP process in March 2017, clearing the way to commence the planning approvals process.

### 1.1.3 Sydney LEP 2012 and Sydney Metro

The current planning framework and controls applying to the Precinct were adopted nearly 5 years ago, before any commitment by the NSW Government to deliver the Sydney Metro project. The key planning controls of zoning, height and floor space ratio (FSR) have, however, remained largely unchanged for decades.

There is therefore a significant disconnect between existing planning controls and the opportunities presented by the Sydney Metro project for the Precinct.

The PP Guidelines clearly identify that the circumstances surrounding Martin Place are justification from a strategic merit perspective for justifying an amendment to the existing planning controls.

*'Does the planning proposal have strategic merit? Is it.....responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.'*

The Planning Proposal therefore aligns with the NSW government's strategic policy direction and this is discussed in more detail in **Section 6.0** of this report. It also is consistent with the objects of the EP&A Act, in particular the object to promote the orderly and economic use of land (Section 5(a)(ii) of the EP&A Act).

### 1.1.4 Central Sydney Planning Strategy

At the local level, the principal strategic planning document relevant to this application is the City of Sydney Council's (the Council) *Central Sydney Planning Strategy 2016-2036* (CSPS) released in late 2016. It is closely aligned with the earlier City of Sydney's *Sustainable Sydney 2030* program, and "... is the result of a detailed review of the planning controls". It has concluded that "*Central Sydney has a limited capacity to grow and adapt because of its natural containment, heritage and the growth of residential development*". The main policy response in the CSPS is to promote the growth of employment floor space, protect it from high residential demand, and promote additional height and density in the 'right locations', subject to essential public infrastructure investment.

Council predicts that under the existing planning controls in the Sydney LEP 2012 that there is going to be a gap of some 40,000 – 85,000 jobs through to 2036. The CSPS responds accordingly, with 10 key "moves" and an overall emphasis on positioning and strengthening Sydney as Australia's leading global city.

One of the key moves is to prioritise employment growth and increase employment capacity. With the Sydney LEP 2012 presenting a significant constraint to reaching Global Sydney's full commercial potential, Council has recognised the need to boost the development capacity on appropriate sites. This Planning Proposal responds directly to this challenge and delivers on Council's strategic direction and objectives for increasing the employment capacity of the City at appropriate locations, and for allocating the 'planning gain' from changes to planning controls to the provision of public infrastructure, in this case the Sydney Metro project.

Further details of the CSPS and how this Planning Proposal is consistent with that Strategy are set out in **Section 6.2.4**.

## 1.2 Macquarie Project Objectives

The Planning Proposal forms part of a broader planning process being pursued by Macquarie in order to realise a shared vision and set of objectives for the Precinct. The overall project objectives for the Precinct, including those of the NSW Government, are to:

- Create a fully functional and compliant railway station for the Sydney Metro that delivers a world class public transport experience for its customers.
- Maximise the opportunity to integrate the new Metro Station with the existing public transport and pedestrian routes in and around Martin Place to further enhance the customer experience and improve City connectivity.
- Build on the Council's 2030 Strategy and other policies to enhance Martin Place as Sydney's premier civic space and create a lively, activated city destination.
- Celebrate 50 Martin Place as one of Sydney's most significant heritage buildings with an ongoing relevance as Macquarie's global headquarters.
- Use the above ground development to create the next generation workplace environment that realises the opportunities that are emerging in future work practice, wellbeing and sustainability, communication and digital technologies, security and mixed-use development.

## 1.3 Related Applications

This Planning Proposal forms part of a comprehensive suite of applications and processes to co-ordinate and deliver the fully integrated station/OSD solution for the new Sydney Metro Martin Place Station Precinct.

As part of this co-ordinated approach, a Concept/Stage 1 State Significant Development (SSD) Development Application (DA) is also being made pursuant to Section 83B of the EP&A Act. The Concept/Stage 1 SSD DA establishes the planning and development framework for the Precinct (and more specifically the OSD), and forms the basis for the consent authority to assess future detailed development applications (Stage 2 DAs).

The concept for the South Site under the Concept DA complies with building height and floor space ratio (FSR) development standards contained within Sydney LEP 2012. The concept for the North Site, however, exceeds the maximum FSR under the LEP, and therefore a request to vary that standard under the provisions of Clause 4.6 of the LEP forms part of the Concept/Stage 1 DA.

To maximise the opportunities afforded by the significant increase in public transport capacity arising from the Martin Place Metro Station, Macquarie is also proposing an alternative tower building on the South Site. The alternative tower has a larger above-podium floor plate, and more floor space, but is no greater in its maximum height. The larger tower is currently precluded by the 55m LEP height limit on the northern portion of the South Site. This Planning Proposal proposes to amend the maximum building height of some of the constrained northern portion of the South Site, and increase the maximum FSR, to permit the South Tower, and to increase the FSR on the North Site consistent with the FSR variation in the clause 4.6 request associated with the Concept/Stage 1 DA.

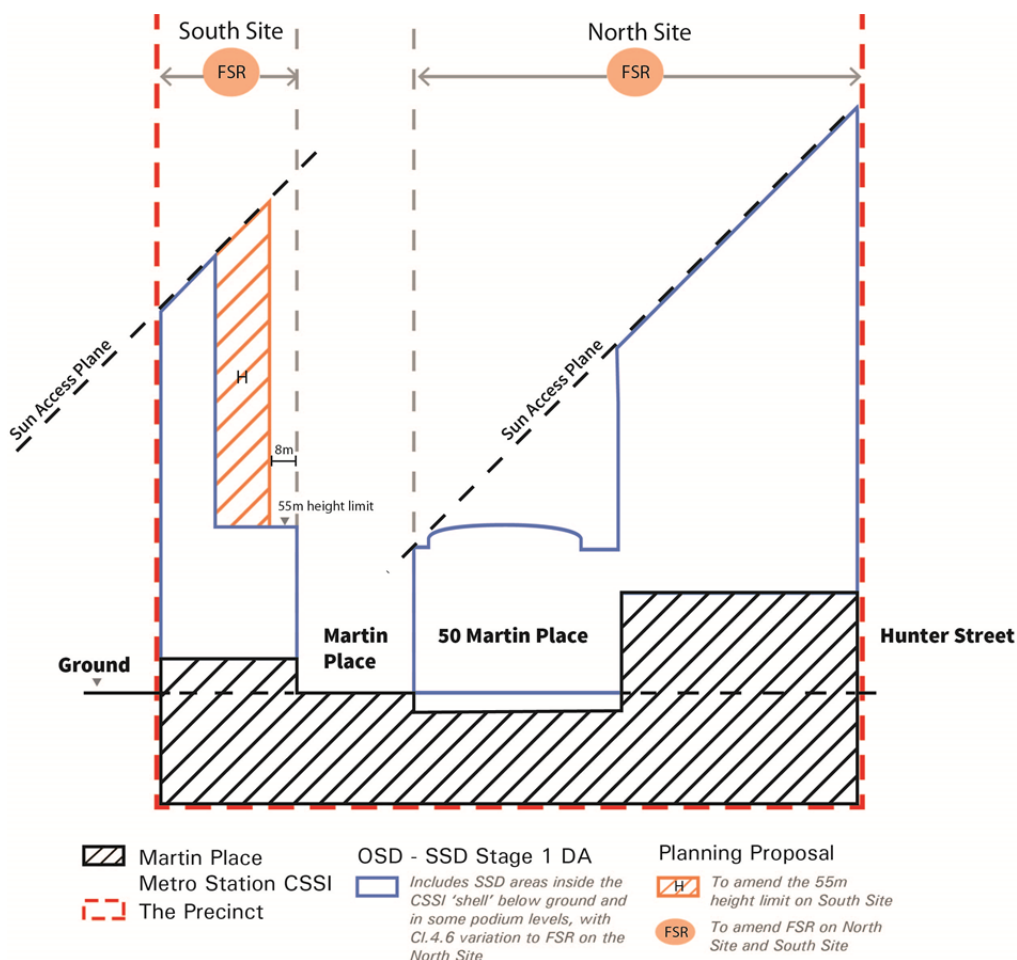
A future application relating to the South Site will therefore be necessary to align with any new planning controls established under the Planning Proposal, should it be approved.

An application to modify the Metro's CSSI approval is also necessary to incorporate the additional land owned by Macquarie in the North Site and to permit some of the proposed changes to the Station works.

The related group of planning applications are summarised below:

- **Application 1:** being the Concept/Stage 1 State Significant Development DA for the OSD (North and South Site). At the time of writing the Concept/Stage 1 SSD DA has concluded public exhibition, the proponent has prepared its formal Response to Submissions, and the application is awaiting determination.
- **Application 2: being this Planning Proposal**, which is seeking an amendment to the Sydney LEP 2012 to enable greater building height (South Site) and floor space (North and South Site).
- **Application 3:** being the Sydney Metro CSSI Modification Application.
- **Application 4:** being the future Stage 2 detailed DA/s for the OSD, including the detailed design of the towers and built elements that integrate with the Station elements.
- **Application 5:** being the future application relating to the South Site necessary to align with the new planning controls proposed under the Planning Proposal (Application 2), should that application be successful.

**Figure 3** below is a diagrammatic representation of the main planning applications, to show the relationship of the subject Planning Proposal with that of the Concept/Stage 1 SSD DA and the Martin Place Metro CSSI.



**Figure 3 – Relationship of key planning applications**

Source: Ethos Urban

## 1.4 Gateway Determination

On 20 July 2017 the Acting Deputy Secretary of the NSW Department of Planning and Environment (DP&E), as delegate of the Greater Sydney Commission, issued a Gateway Determination for the Sydney Metro Martin Place Station Precinct Planning Proposal. Specifically, the Acting Deputy Secretary determined that “under section 56(2) of the Environmental Planning and Assessment Act 1979 (the Act) that an amendment to the Sydney Local Environmental Plan (LEP) 2012 should proceed, subject to the following conditions”.

On 5 September 2017, the proponent provided an updated Planning Proposal to the Secretary of the Department of Planning and Environment, which set out a comprehensive response to each of the Gateway Conditions within the Gateway Determination letter, accompanied by a suite of technical reports including an updated urban design study.



Following a further round of assessment by the Department involving consultation with key stakeholders, the Planning Proposal has been revised. This revised Planning Proposal responds to key concerns surrounding the South Site and its relationship to Martin Place and protection of sky views. Consequently the revised Planning Proposal increases the effective tower setback for the south tower to Martin Place from 6 to 8 metres (an increase of 2m). Accordingly, the proposal has been revised for the purposes of Community Consultation in accordance with the Gateway Determination letter and as required under sections 56(2)(c) and 57 of the EP&A Act.

The conditions of the Gateway Determination letter are set out in **Table 1** below along with a short summary of how the revised proposal responds to these conditions.

**Table 1 – Gateway conditions and response**

No.	Condition	Response
1	<i>Prior to community consultation, the urban design study and Planning Proposal are to be revised to:</i>	See below.
	<i>(a) provide further justification for why the proposal would create a better design outcome than the current planning controls.</i>	Refer to <b>Section 7.3.1</b> of this Planning Proposal.
	<i>(b) how the proposal will protect and enhance Martin Place's civic and ceremonial functions;</i>	Refer to <b>Section 7.1.4</b> of this Planning Proposal.
	<i>(c) how the proposal will protect and enhance pedestrian amenity, heritage, existing sunlight and wind conditions, important vistas including view of the sky and building scale for Martin Place, Elizabeth Street, Hunter Street, Castlereagh St, as well as Richard Johnson and Chifley Squares; and</i>	<p>The matters referred to in Condition 1(c) all relate to future building envelopes and their associated impacts which may result from the amendment to the FSR controls for the North and South Site and the amendment to the permissible building height for a portion of the South Site.</p> <p>Therefore, a number of the studies which accompanied the Planning Proposal have been updated to include more detail and to assist in addressing the Gateway Conditions, as described below.</p> <p><b>Pedestrian amenity</b></p> <p>Pedestrian amenity will not be affected by the Planning Proposal, except possibly the wind, solar access and vistas and sky impacts that are addressed elsewhere in this condition. Other impacts will be dealt with as part of the detailed design, for example the weather protection for pedestrians via the alternative underground link and from any awnings proposed.</p> <p>The pedestrian amenity will be enhanced through increased activation of the public domain due to the introduction of the Metro, the deletion of the Eastern Suburbs Railway station entry from the centre of Martin Place and through the ground plane design and interface of each station and OSD.</p>

No.	Condition	Response
		<p><b>Heritage</b></p> <p>Heritage impacts have already been comprehensively addressed in the Statement of Heritage Impact included with the Planning Proposal prepared by TKD (Refer to <b>Appendix C</b>).</p> <p>The built form outcomes of the proposal (including building scale) will be enhanced by the Design Principles which provide more detailed, site specific guidelines and which operate in addition to the planning controls to enhance the distinctive qualities of the Precinct. These are also addressed in the Concept/Stage 1 SSD application currently being assessed by the Department.</p> <p>Examples can be found in the more detailed definition of the relationship between the podium on the South Site with 50 Martin Place and with the requirement for a setback from Martin Place and recessed articulation between the tower and podium.</p> <p><b>Existing sunlight</b></p> <p>Shadow diagrams of the maximum potential envelope for one hourly intervals between 9:00am and 3:00pm on April 14, June 21, August 31, September 21 and December 21 were submitted with the original Planning Proposal. These consider the impacts of the envelope arising from the proposed increase in height on Castlereagh and Elizabeth Streets south of Martin Place, Pitt Street Mall and Hyde Park, and on Martin Place itself.</p> <p>An updated shadow study and verification has been prepared and is included in <b>Appendix E</b> and is discussed in <b>Section 7.4</b> of this Planning Proposal, which tests additional scenarios, and considers a revised envelope for the South Tower, including an increased tower setback to Martin Place (from 6 to 8 metres). The assessment, however, still identifies that the proposal adequately protects pedestrian amenity derived from sunlight to improve civic spaces such as Martin Place and Hyde Park, with improvement resulting from the increase to the south tower setback to Martin Place. The solar amenity of the major public spaces impacted by the development (Martin Place and Hyde Park) is protected by the City of Sydney's Sun Access Planes as defined in the LEP. These controls are unaffected by the Planning Proposal.</p> <p><b>Existing wind conditions</b></p> <p>Wind tunnel test results and an impact assessment for the maximum potential envelopes as permitted under the Planning Proposal was submitted with the original documentation. Additional wind tunnel testing has been prepared as part of the Concept Proposal/Stage 1 DA Response to Submissions. These confirm the same or improved wind conditions are achievable for the final detailed design (to be demonstrated with the Stage 2 DAs).</p> <p>An updated Wind Tunnel Study has been prepared and is included in <b>Appendix F</b> and is discussed in <b>Section 7.6</b>, which tests additional scenarios. A further qualitative wind assessment has also been prepared which considers the increased 8m tower setback for the south tower to Martin Place (also in <b>Appendix F</b>). The assessments conclude that the existing wind conditions are maintained or enhanced by the built form arising from the Planning Proposal and therefore, the Planning Proposal will protect and in some cases enhance the wind environment for pedestrians in the precinct.</p>

No.	Condition	Response
		<p><b>Important vistas including views of the sky</b></p> <p>A Sky View Factor Assessment has been prepared to investigate the degree of sky that can be seen from key points surrounding the Precinct, when comparing the maximum building envelopes which result from the Planning Proposal compared to complying building envelopes (refer to <b>Section 3.3</b> for a description of the tested complying envelopes). Sky views contribute to a sense of openness in the street, and can affect the attractiveness, thermal comfort and levels of light and amenity at ground level. The Planning Proposal Envelope will not significantly alter the sky view thresholds currently enjoyed from streets surrounding the Precinct.</p> <p>The Sky View Factor Assessment can be found in <b>Appendix L</b> and <b>Section 7.7</b>.</p> <p>In addition, a View Impact Analysis was prepared by Tzannes and submitted with the original Planning Proposal. A revised study has now been prepared, which considers additional scenarios, including the Concept Proposal/Stage 1 DA envelopes and 'LEP and DCP' compliant envelopes, as well as the now revised Planning Proposal envelope for the South Tower. The View Impact Analysis has been prepared by Tzannes and is included in <b>Appendix D</b>, and is discussed in <b>Section 7.5</b> of this Planning Proposal.</p> <p>In summary, important vistas are maintained and protected by the Planning Proposal.</p> <p><b>Building scale for Martin Place, Elizabeth Street, Hunter Street, Richard Johnson Square and Chifley Square</b></p> <p>The Planning Proposal will accommodate an outcome which ensures important vistas in this section of the city will be protected and enhanced, in particular, east and west views along Martin Place, and views along Elizabeth Street, Hunter Street and Castlereagh Street. In order to demonstrate this, detailed computer-generated images (CGIs) have been prepared of the proposal's illustrative scheme from these key vistas, and are provided in <b>Section 7.5.2</b>.</p> <p>The figures clearly demonstrate that the proposal will protect and enhance key vistas and that the proposed building scale is appropriate having regard to these key vistas.</p>
	<p><i>(d) address the recommendations of the Martin Place, area of special significance: proposal for Urban Design Development Controls (1993) prepared by Denton Corker Marshall Pty Ltd for the City of Sydney Council.</i></p>	<p>Refer to <b>Section 7.1.3</b> of this Planning Proposal.</p>

## 2.0 Site Context and Description

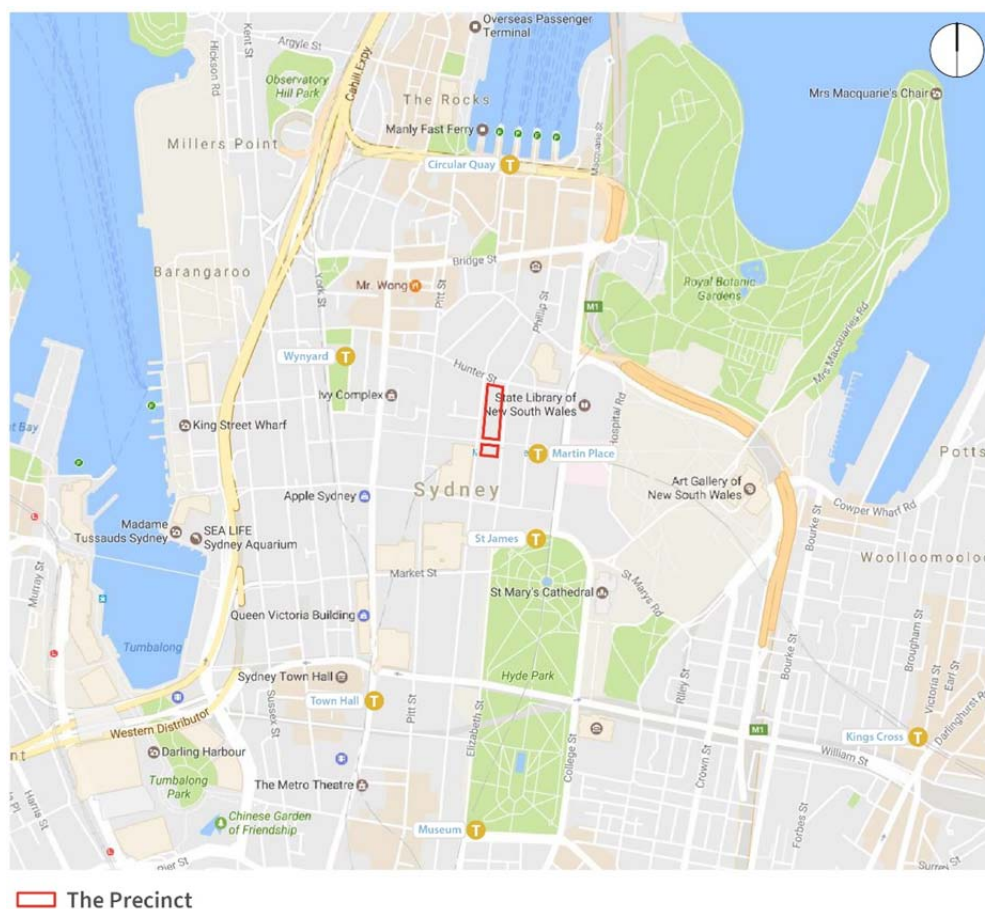
### 2.1 Location

As noted in **Section 1.0**, the Precinct relates to the following properties (refer to **Figure 1**):

- 50 Martin Place, 9 – 19 Elizabeth Street, 8 – 12 Castlereagh Street, 5 Elizabeth Street, 7 Elizabeth Street, and 55 Hunter Street (**North Site**);
- 39 – 49 Martin Place (**South Site**); and
- **Martin Place** (that part bound by Elizabeth Street and Castlereagh Street).

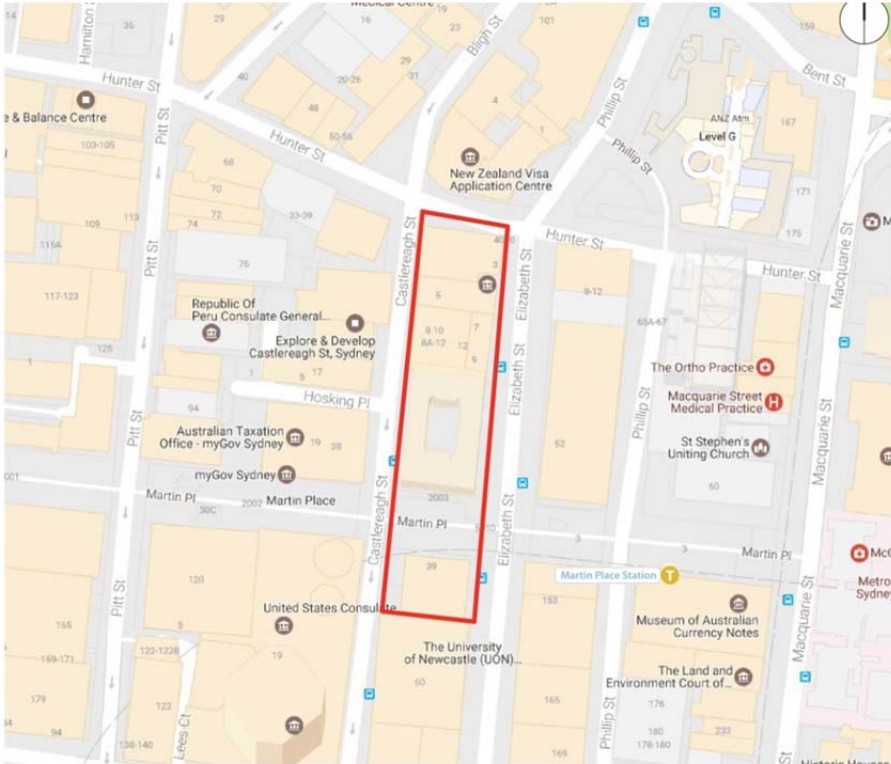
The Planning Proposal relates to the North Site and South Site only. For absolute clarity, no amendments are proposed to Martin Place.

The Precinct is located close to the centre of the Sydney CBD in the City of Sydney Local Government Area, as illustrated in **Figure 4**. It comprises the entire City block bounded by Hunter Street, Elizabeth Street, Martin Place and Castlereagh Street; that portion of Martin Place located between Elizabeth Street and Castlereagh Street; and the northern most property in the block bounded by Martin Place, Elizabeth Street, King Street; and Castlereagh Street. Refer to **Figure 5** and **Figure 6**.



**Figure 4 – Context plan of the Precinct**

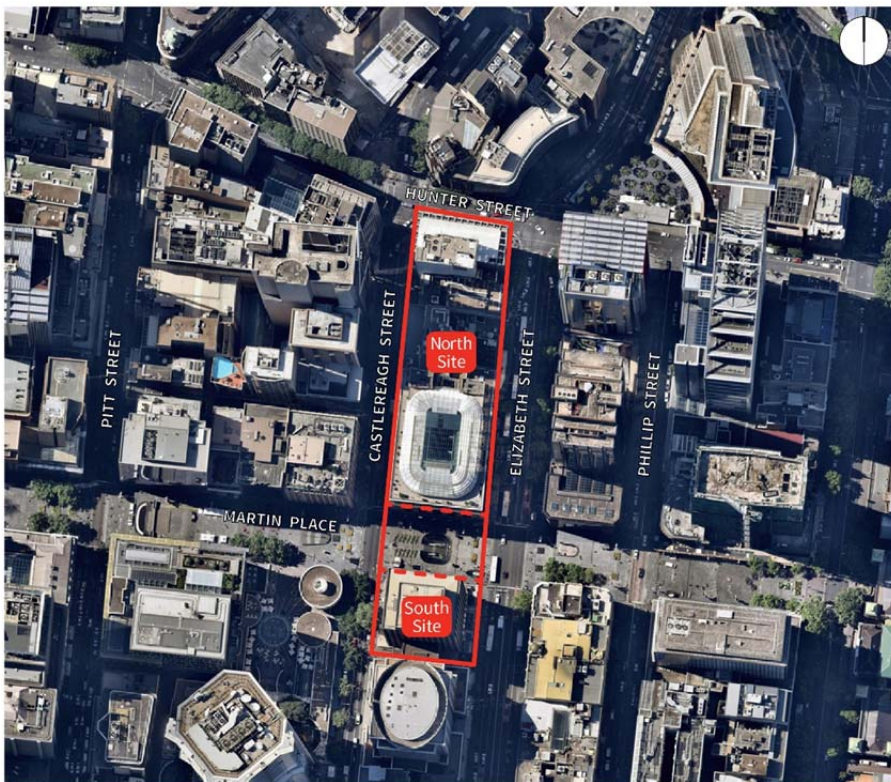
Source: Google Maps + Ethos Urban



 The Precinct

**Figure 5 – Location plan of the Precinct**

Source: Google Maps + Ethos Urban



 The Precinct

**Figure 6 – Aerial plan of the Precinct**

Source: Google Maps + Ethos Urban

Together the Precinct constitutes an area of approximately 9,400 square metres, with a dimension from north to south of approximately 210 metres and from east to west of approximately 45 metres.

The Precinct also incorporates a significant portion of one of Sydney's most revered public spaces; Martin Place. Martin Place is recognised as one of central Sydney's great public, civic and commemorative spaces, as well as being an historically valued commercial and financial location in the CBD. Martin Place and a large number of buildings in close proximity to it are identified as heritage items, either as items of National, State or Local significance. Number 50 Martin Place, which forms part of the North Site, is one of these major heritage items.

There have been a number of redevelopment and refurbishment proposals in recent years along Martin Place to improve existing assets and recapture their premium commercial status (e.g. 5 Martin Place, 50 Martin Place, 20 Martin Place, upgrades of the MLC Centre, and 60 Martin Place). The City of Sydney Council has also identified a need to reinvigorate Martin Place and capitalise on this investment, through proposed urban domain improvements (as detailed within its City North Public Domain Plan).

The surrounding area is characterised by a variety of built forms and architectural styles. Many of the buildings, including those of relatively recent years, do not comply with the current planning controls with respect to building form, setbacks and street wall heights.

In terms of land use, the locality is characterised by a predominance of office uses, with some ground floor retailing, cafés, or restaurants and hotels (most notably the Westin and the Wentworth) to support its primary business centre function.

## 2.2 Site Description

**Table 2** provides the address, legal description, ownership and area of the parcels of land that comprise the land the subject of this Planning Proposal.

**Table 2 – Legal description and ownership**

Address	Lot and DP	Owner	Area
<b>North Site</b>			
50 Martin Place	Lot 1 in DP 182023	Macquarie	6,022m <sup>2</sup>
9-19 Elizabeth Street	Lot 1 in DP 526161	Macquarie	
8-12 Castlereagh Street	Lot 2 in DP 929277	Transport for NSW *	
	Lot 1 in DP 929277	Transport for NSW *	
	Lot 1 in DP 173027	Transport for NSW *	
7 Elizabeth Street	SP 13171	Transport for NSW *	
5 Elizabeth Street	Lot 2 in DP 548142	Transport for NSW *	
55 Hunter Street	Lot 1 in DP 222356	Transport for NSW *	
<b>South Site</b>			
39 – 49 Martin Place	Lot 1 in DP 1103195	Transport for NSW *	1,897m <sup>2</sup>
	Lot 2 in DP 1103195	Transport for NSW *	

\* Acquired for the Sydney Metro project

A Survey Plan is included in **Appendix B**.

Both the North and South Sites are regular in shape and currently contain a variety of predominantly commercial office buildings. All existing buildings on both the North and South Sites, excluding 50 Martin Place and 9-19 Elizabeth Street, are approved to be demolished as part of the Sydney Metro CSSI consent. The proposed Application 4 for modification of the CSSI consent will seek approval for the demolition of 9-19 Elizabeth Street and excavation of that land to expand the proposed Martin Place Station. There will therefore be a “blank canvas” created for major redevelopment, and this Planning Proposal seeks to maximise the unique opportunities this presents.

### 2.2.1 North Site

#### 50 Martin Place

The building is proposed to be retained.

50 Martin Place is the global headquarters of the Macquarie Group and forms the landmark address of the Precinct, with grand architecture and a prominent location on the northern side of Martin Place. It is a ten-storey building constructed for the former Government Savings Bank of NSW in the 1920s. The building façade is characterised by large ionic columns, detailed relief panels, and other neoclassical wall and roof details. It is primarily clad in terracotta and pink coloured granite. A refurbishment of the building and a contemporary glass rooftop extension was completed by Macquarie in 2015. Refer to **Figure 7** and **Figure 8**.



**Figure 7 – 50 Martin Place as viewed from Martin Place and Elizabeth Street**



**Figure 8 – 50 Martin Place as viewed from Martin Place and Castlereagh Street**



### 9-19 Elizabeth Street

The building is proposed to be demolished as part of the proposed Modification to the Sydney Metro Stage 2 CSSI (SSI 15\_7400).

This building adjoins and is physically connected with 50 Martin Place. It is currently used by Macquarie as commercial premises associated with 50 Martin Place. It also includes the end of trip facilities for the Macquarie workforce located in 50 Martin Place. The property does not extend through to Castlereagh Street and as such the building is only accessible from Elizabeth Street (and through the existing connections to the 50 Martin Place building). The building achieves a similar height to that of 50 Martin Place, and comprises 12 storeys (plus rooftop plant). The street façade is characterised by horizontal bands of concrete and glass without a podium. This building is shown in **Figure 9** and **Figure 10**.



**Figure 9 – 9-19 Elizabeth Street, as viewed from Elizabeth Street**



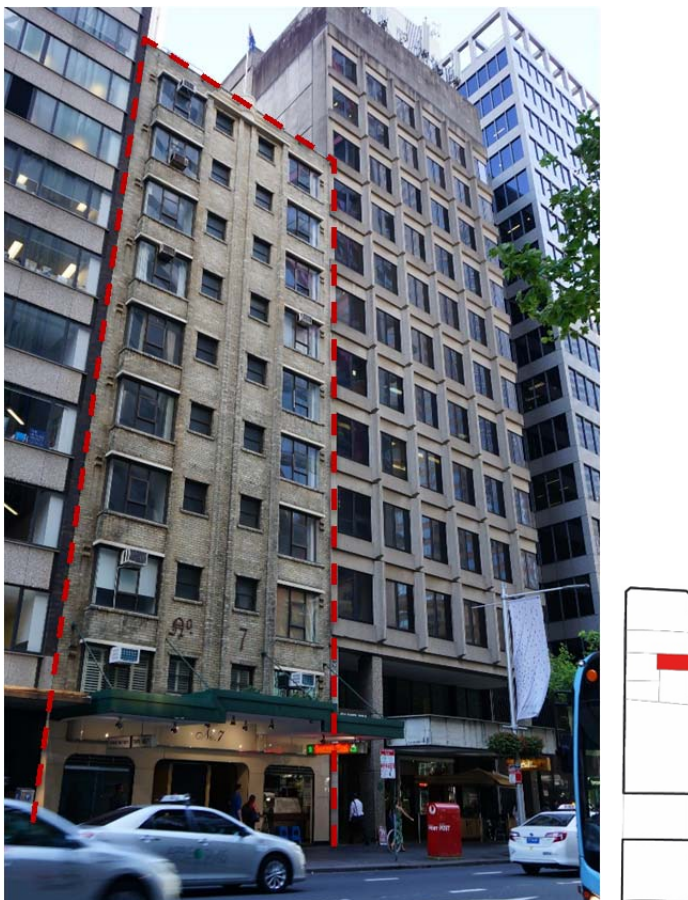
**Figure 10 – 9-19 Elizabeth Street (highlighted in red) with adjoining development**

## 7 Elizabeth Street

The building has been approved for demolition as part of the Sydney Metro Stage 2 CSSI consent (SSI 15\_7400).

This building abuts 9-19 Elizabeth Street and similarly, does not extend through to Castlereagh Street, being only accessible from Elizabeth Street. It is ten storeys in height (plus rooftop plant), creating a small “dip” in the height profile of the city block when viewed from Elizabeth Street, with higher scale development adjoining to the north and south. While the building is of heritage significance (discussed further in **Section 2.3.2** below), it has already been approved for demolition to permit construction of the Sydney Metro.

This building is shown in **Figure 11** below.



**Figure 11 – 7 Elizabeth Street (highlighted in red), as viewed from Elizabeth Street**

## 5 Elizabeth Street

The building has been approved for demolition as part of the Sydney Metro Stage 2 CSSI consent (SSI 15\_7400).

The building at 5 Elizabeth Street is used for commercial purposes, and steps up in height from 7 Elizabeth Street, reaching thirteen storeys (plus rooftop plant). It has frontages to both Elizabeth Street and Castlereagh Street and is characterised by linear vertical and horizontal concrete elements that divide the façade of the building. There is no podium on Elizabeth Street but a small three storey podium and upper level setback leading into Chifley Arcade to the north, when viewed from Castlereagh Street.

The building is shown in **Figure 12** and **Figure 13** below.



**Figure 12 – 5 Elizabeth Street (highlighted in red), as viewed from Elizabeth Street**



**Figure 13 – 5 Elizabeth Street (highlighted in red), as viewed from Castlereagh Street**



## 55 Hunter Street

The building has been approved for demolition as part of the Sydney Metro Stage 2 CSSI consent (SSI 15\_7400).

55 Hunter Street forms the northern extent of the Precinct, with frontages to Elizabeth, Castlereagh and Hunter Street. It is a contemporary office building that is 18 storeys in height (plus rooftop plant), with a double height atrium supported by large columns addressing the street corner. The building does not have a podium, rather its form is articulated through feature curved balconies on the lower six floors of the building.

The building is shown in **Figure 14** and **Figure 15**.



**Figure 14 – 55 Hunter Street, as viewed from the corner of Hunter and Phillip Street, looking south-west**



**Figure 15 – 55 Hunter Street, as viewed from the corner of Hunter and Bligh Street, looking south-east**

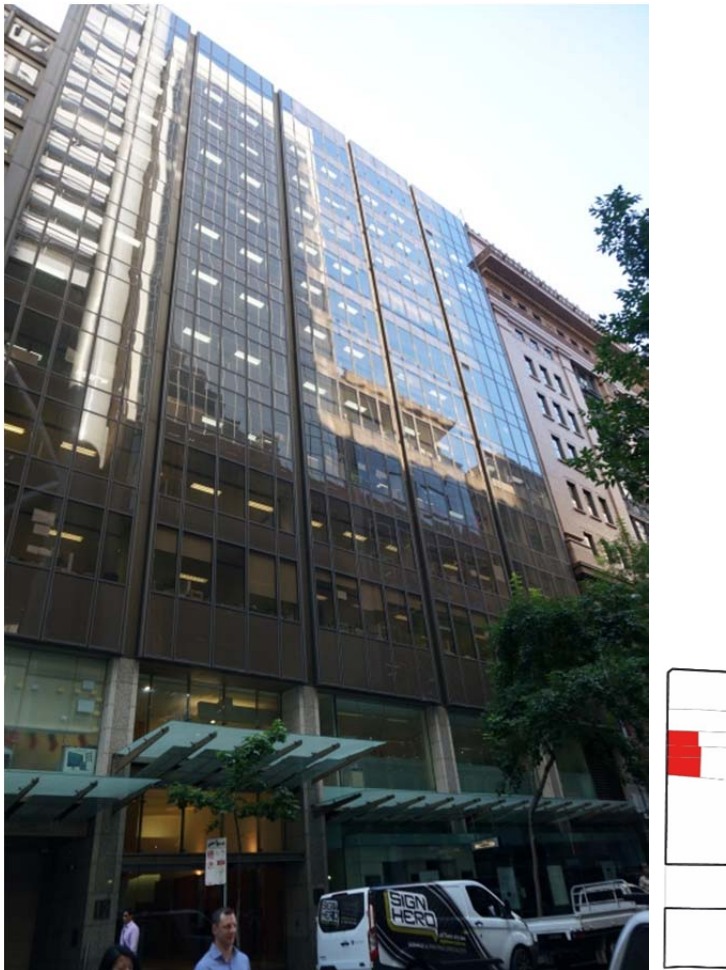


### 8-12 Castlereagh Street

The building has been approved for demolition as part of the Sydney Metro Stage 2 CSSI consent (SSI 15\_7400).

8-12 Castlereagh Street adjoins 5 Elizabeth Street to the north and 50 Martin Place to the south. This building does not extend through to Elizabeth Street and as such is only accessible from Castlereagh Street. It is a contemporary office building that is 14 storeys in height (plus rooftop plant) with no podium.

The building is shown in **Figure 16** below.



**Figure 16 – 8-12 Castlereagh Street, as viewed from Castlereagh Street**

## 2.2.2 South Site

### 39-49 Martin Place

The building has been approved for demolition as part of the Sydney Metro Stage 2 CSSI consent (SSI 15\_7400).

This building occupies the whole of the South Site and has frontages to Martin Place, Elizabeth Street, and Castlereagh Street. It presently comprises B-Grade office space with ground floor retail. The building is set back (by approximately 5 metres) from all street frontages at ground level and for its full height of 22 storeys (plus rooftop plant), with no podium. The first two levels of the building are defined through a variation in materials and finishes, creating an open/false “base” that accentuates the east to west slope of Martin Place, and accommodates retail uses. Within the Martin Place setback, the building transitions across the level change via a series of steps and terraces.

The building is shown in **Figure 17** and **Figure 18** below.



**Figure 17 – 34-49 Martin Place, as viewed from the corner of Martin Place and Elizabeth Street**



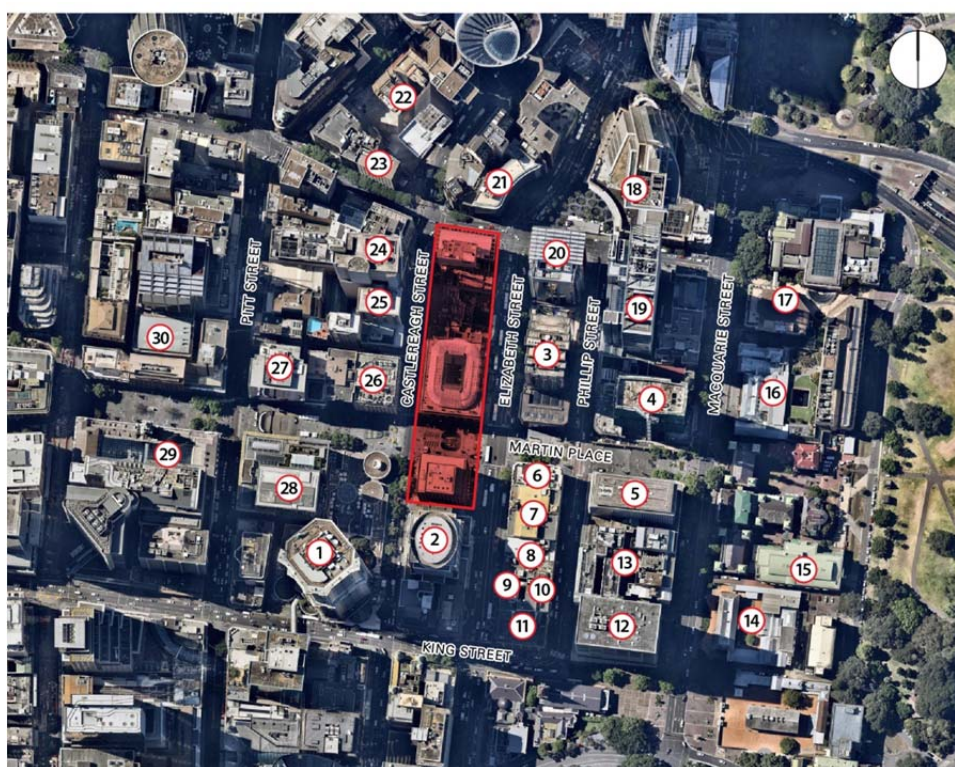
**Figure 18 – 39-49 Martin Place, as viewed from Martin Place**

## 2.3 Surrounding Development

The North and South Sites are identified in relation to surrounding development in **Figure 19** below. This context map highlights the broader adjacent structures and land uses surrounding the Precinct, as discussed further in the following sections.

The surrounding area is characterised by a variety of built forms and architectural styles, with many of the buildings having undergone contemporary refurbishment works or additions. There have been several redevelopment and refurbishment proposals in recent years along Martin Place to improve existing assets and recapture the premium commercial status of various sites (e.g. 5 Martin Place, 50 Martin Place, 20 Martin Place, upgrades of the MLC Centre, and 60 Martin Place). The City of Sydney has also identified a need to more broadly reinvigorate Martin Place and capitalise on this investment and is proposing to upgrade the public domain in Martin Place.

In terms of land use, the locality is generally characterised by a predominance of office uses, with some ground floor retailing, cafés, or restaurants and hotels (most notably the Westin and the Wentworth) to support its primary business centre function.



- |  |   |   |
|--|---|---|
| 1. MLC Centre  | 10. 169-171 Phillip Street                        | 20. 8-12 Chifley Square                     |
| 2. 60 Castlereagh Street   | 11. 148-160 King Street                           | 21. 1 Chifley Square                        |
| 3. 52 Martin Place   | 12. Supreme Court of NSW                          | 22. Ashington House,<br>16 O'Connell Street |
| 4. 58-60 Martin Place<br>(under construction)                                | 13. Land and Environment<br>Court of NSW          | 23. 50-56 Hunter Street                     |
| 5. Reserve Bank of Australia   | 14. Historic Houses Trust,<br>10 Macquarie Street | 24. Capita Centre, 9 Castlereagh St         |
| 6. Former Australian Provincial<br>Assurance Building,<br>53-63 Martin Place | 15. 8 Macquarie Street                            | 25. 15 Castlereagh Street                   |
| 7. Former GIO Building,<br>60-70 Elizabeth Street                            | 16. Parliament of NSW                             | 26. 44 Martin Place                         |
| 8. 165 Phillip Street  | 17. State Library of NSW                          | 27. 20 Martin Place                         |
| 9. 82 Elizabeth Street   | 18. Chifley Tower                                 | 28. 5 Martin Place                          |
|  | 19. Deutsche Bank Place                           | 29. 1 Martin Place                          |
|  |   | 30. 30 Recital Hall, Angel Place            |

**Figure 19 – Surrounding development map**

## Martin Place

Of significance to the proposed development is Martin Place that splits the North Site from the South Site. Martin Place is a pedestrianised east-west plaza that stretches from Macquarie Street in the east to George Street in the west and is Central Sydney's most important east-west pedestrian thoroughfare. It is broken up by the north-south vehicular streets into 5 segments, with the central segment located between Elizabeth and Castlereagh Streets being part of the subject Precinct. This central segment is relatively short at 45 metres, similar to that of the segment to the immediate east between Castlereagh Street and Phillip Street, but much shorter than the longer segments to the west.

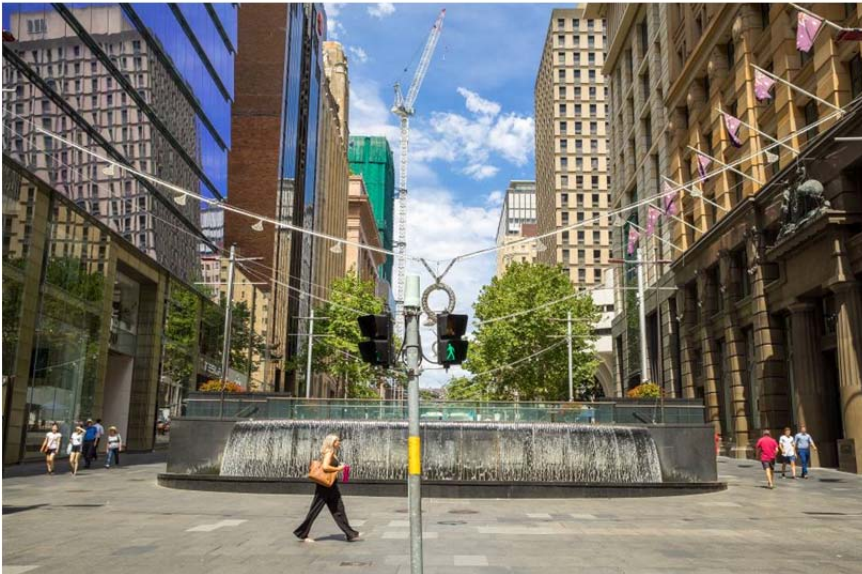
Martin Place is recognised as being one of Sydney's most important public and civic urban spaces, and has evolved as a premier address for public institutions and commercial enterprise. Its granite paving connects George Street (the high street) to Macquarie Street (the ceremonial and governmental axis), and includes the Cenotaph memorial and various sculptures, fountains and seating that complete this valued public space. Refer to **Figure 20** to **Figure 22** below.

The portion of Martin Place between the North and South Sites is occupied by an entry to the underground Martin Place Shopping Circle that leads into the Martin Place Railway Station. Refer to **Figure 22** below.



**Figure 20 – Martin Place looking west**





**Figure 21 – Martin Place looking east**



**Figure 22 – Entry into Martin Place Shopping Circle and Railway Station outside 50 Martin Place**

### **To the North**

The North Site is adjacent to the following developments to the north:

- On the northern side of Hunter Street is 1 Chifley Plaza, formerly known as “Qantas House” that forms the western edge of Chifley Square. It is a multi-storey office building with a semi-circular curved form and a 46 metre high double glazed curtain wall. There is a public plaza on the eastern side of the building, contributing to Chifley Plaza. This building is a heritage item and is shown in **Figure 23** below.
- To the north east of the site is Chifley Square, which is a public urban open space. Adjacent to this square to the east is a contemporary commercial building known as “Chifley Tower”. Chifley Tower comprises a curved podium that complements the curved form of 1 Chifley Plaza, and a 42 storey tower at the north western corner of that site. This building is shown in **Figure 24** below.

- Also directly north of the site is 60-66 Hunter Street, known as the “City Mutual Building”. This commercial building is recognised as a prominent example of Art-Deco architecture and has two major streetscape facades to Hunter and Bligh Streets that are clad in sandstone and polished red granite, with a black granite relief marking the building entry. The building is also a heritage item. It is 11 storeys in height and is shown in **Figure 25** below.
- To the north west of the site is Richard Johnson Square, another heritage item. It is bordered to the west by 37 Bligh Street and a currently vacant construction site. 37 Bligh Street is an office building 15 storeys in height with no podium, whilst the construction site on the former “Kindersley House” site will accommodate a new commercial tower and integrated Energy Australia substation reaching a height of 37 storeys (as approved under MP11\_0092). This vacant site and 37 Bligh Street are shown in **Figure 26** below.

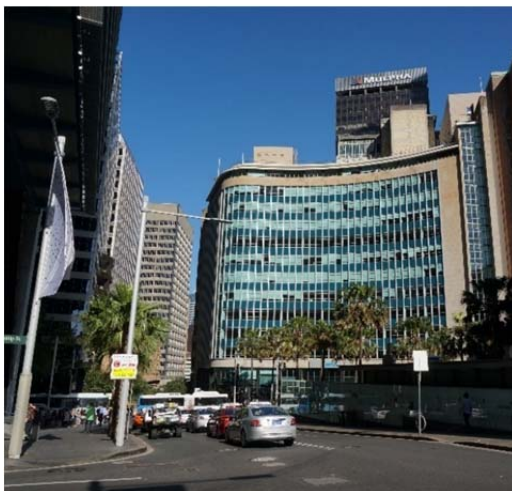


Figure 23 – 1 Chifley Square, as viewed from the corner of Hunter and Phillip Street



Figure 24 – Chifley Tower, as viewed from the corner of Hunter and Elizabeth Streets

Source: Colliers International



**Figure 25 – 60-66 Hunter Street**



**Figure 26 – Richard Johnson Square and 37 Bligh Street, as viewed from Bligh Street**

### **To the East**

The Precinct is adjacent to the following developments to the east:

- Opposite 50 Martin Place on the eastern side of Elizabeth Street is 52 Martin Place, also known as the Colonial Centre. This is a contemporary podium and tower style building that reaches a height of 46 storeys. It includes the city studios of Channel 7. This building is shown in **Figure 27**.
- Abutting this building to the north is 8-12 Chifley Square, which is a contemporary office building and includes a five-storey void that provides for urban open space and limited food and beverage tenancies at the ground floor. The building above is 34 storeys in height and is characterised by coloured steel support beams along the eastern and western facades, exposed stairwells, and a secondary void space and terrace in the mid-section of the building providing for further open space for tenants. This building is shown in **Figure 28**.
- To the east of the South Site, on the eastern side of Elizabeth Street, is the heritage building at 53-63 Martin Place, as known as the 'former Provincial Australian Assurance Association Building' or "APA Building". This commercial building is 14 storeys in height with no podium and is clad in granite and terracotta. Refer to **Figure 29** below.



**Figure 27 – 52 Martin Place, as viewed from Martin Place**



**Figure 28 – 8-12 Chifley Square, as viewed from the corner of Hunter and Chifley Square**



**Figure 29 – 53-63 Martin Place, as viewed from Martin Place**

## To the South

The South Site is adjacent to the following developments to the south:

- Directly to the south is 60 Castlereagh Street, which is a contemporary office building comprising of a five storey podium and 17 storey (plus rooftop plant) tower. This building adjoins the existing building on the South Site for the first 11 storeys. This building is shown in **Figure 30** and **Figure 31**.
- To the south east, on the eastern side of Elizabeth Street is 60-70 Elizabeth Street, also known as the former “GIO” building. This 11 storey gothic building has facades to both Elizabeth and Phillip Streets and includes feature double-storey pointed arched windows, a gothic inspired lantern and rooftop metal globe, with no building podium. This building is shown in **Figure 32**.
- To the south west and directly west of the South Site, on the opposite side of Castlereagh Street, is the MLC Centre and forecourt (19 Martin Place). The MLC Centre building itself is significantly set back from Martin Place, addressing King Street, and reaches up to 250 metres (67 storeys) in height. The tower has a relatively small octagonal floor plate, is constructed from reinforced concrete, and houses a shopping centre within the podium. It is also currently subject to façade refurbishments. This building is shown in **Figure 33**.



**Figure 30 – 60 Castlereagh Street, as viewed from Elizabeth Street**



**Figure 31 – the South Site building adjoining to 60 Castlereagh Street**



**Figure 32 – 60-70 Elizabeth Street, as viewed from Elizabeth Street**



**Figure 33 – MLC Centre building, as viewed from Martin Place**

### To the West

The Precinct is adjacent to the following developments to the west:

- To the west of 50 Martin Place, on the western side of Castlereagh Street, is 38-46 Martin Place also known as the “former MLC Building”. This building has frontages to Martin Place, Castlereagh Street, and Hosking Place and is constructed from honed granite at the ground floor and sandstone cladding on the upper floors, reaching 11 storeys in height with no podium. This building is shown in **Figure 34**.
- On the northern side of Hosking Place is 17 Castlereagh Street, which is a contemporary office block that is 12 storeys (plus rooftop plant) in height without a podium, features a pop-up roof space, and houses retail uses at the ground floor. This building is shown at **Figure 35** below.
- Adjoining this building to the north is 15 Castlereagh Street, also known as “City Freeholds House”. This building features a 12 metre void space that steps back the lower levels of the building from Castlereagh Street to create a feature entryway, with 18 storeys of commercial uses above. This building is shown at **Figure 36** below.
- The contemporary commercial tower at 9 Castlereagh Street incorporates an 8 storey void space or atrium, which extends vertically from the ground floor forecourt. Above this atrium is a 33 storey commercial tower that reaches approximately 144 metres in height, with tubular bracing structures installed at angles across the east and west facades. This building is shown at **Figure 37** below.
- Adjoining this building to the north at the corner of Castlereagh and Hunter Street, is 1-7 Castlereagh Street. This 22 storey commercial building has been constructed without a podium and features a two storey colonnade with retail uses at the ground level and a balcony to Hunter Street for alfresco dining. This building is shown at **Figure 38** below.



**Figure 34 – 38-46 Martin Place, as viewed from Martin Place**



**Figure 35 – 17 Castlereagh Street, as viewed from Castlereagh Street**



**Figure 36 – 15 Castlereagh Street, as viewed from Castlereagh Street**

*Source: Jagonal*



**Figure 37 – 9 Castlereagh Street, as viewed from Castlereagh Street**



**Figure 38 – 1-7 Castlereagh Street, as viewed from Hunter Street**

## 2.4 Topography

### North Site

The slope of the North Site generally reflects the slope of this portion of the Sydney CBD, being an east to west slope from the high point of Macquarie Street in the east down to George Street in the west. The site falls westwards from Elizabeth Street (RL 25.12 – RL 23.79) to Castlereagh Street (RL 21.42 – RL 19.60), resulting in a change of approximately one commercial floor level between Elizabeth and Castlereagh Streets.

The ground level at Elizabeth Street is RL 25.12 at the corner of Martin Place and Elizabeth Street and RL 23.79 at the corner of Hunter Street, representing a minor south to north cross fall.

### South Site

The South Site also constitutes an east to west slope. The site falls westwards from Elizabeth Street (RL 27.02 to RL 25.48) to Castlereagh Street (RL 22.45 to RL 21.95), resulting in a change of approximately one commercial floor level between Elizabeth and Castlereagh Streets.

A detail survey has been prepared by Linker Surveying and is included in **Appendix B**.



## 2.5 Heritage Context

A Statement of Heritage Impact (SHI) has been prepared by TKD Architects (**Appendix C**). This report identifies those heritage items that are present in the Precinct and within the vicinity, as illustrated in **Table 3** and on the heritage context map in **Figure 39** below. It is evident that the Precinct is largely defined by the numerous heritage items, including Martin Place, which are identified as items of National, State or Local heritage significance.

Parts of the site are also captured under Special Character Areas (Martin Place and Chifley Square), as identified and mapped within the Sydney LEP 2012. Martin Place itself is also classified as an Urban Conservation Area under the Register of the National Estate.

**Table 3 – Heritage items on and within the Precinct**

Heritage Item	Commonwealth Listing	State Heritage Register	Sydney LEP 2012 Listing
<b>Reserve Bank</b>   65 Martin Place	105456		I1897
<b>APA Building</b>   53-63 Martin Place		00682	I1896
<b>Former Government Savings Bank of NSW</b>   48-50 Martin Place		01427	I1895
<b>MLC Building</b>   38-46 Martin Place		00597	I1894
<b>Martin Place Station</b>		01187	I1891
<b>Martin Place</b>			I1889
<b>GIO Building</b>   60-70 Elizabeth Street		00683	I1738
<b>7 Elizabeth Street</b>			I1737
<b>City Mutual Building</b>   60-66 Hunter Street		00585	I1675
<b>Qantas House</b>   68-96 Hunter Street		01512	I1811
<b>Richard Johnson Square</b>			I1673
<b>Chifley Square</b>			I1708
<b>Challis House</b>   4-10 Martin Place		00666	I1892
<b>ANZ Bank (former)</b>   354-360 George Street		00085	I1772
<b>Former General Post Office Building</b>   1 Martin Place		00763	I1890
<b>Former "Millions Club"</b>   122-122B Pitt Street		00583	I1920
<b>St James Church</b>   173 King Street		01703	I1847
<b>Former "Bank of NSW"</b>   155-159 King Street			I1846
<b>Parliament House</b>   6 Macquarie Street		01615	I1864
<b>Former Colonial Mutual Life Building</b>   10A-16 Martin Place			I1893
<b>Sydney Hospital group</b>   8 Macquarie Street			I1865
<b>Rowe Street</b>			I1948
<b>Former Metropolitan "Usher's" Hotel</b>   64-68 Castlereagh Street			I1693
<b>Former "Culwulla Chambers"</b>   65-71 Castlereagh Street			I1694
<b>"Beanbah Chambers"</b>   235 Macquarie Street			I1881
<b>Queens Square</b>			I1882
<b>Former Surry Hotel</b>   153 King Street			I1845



**Legend**

- The Precinct
- Schedule 5 2012 LEP Listing
- Special Character Area 2012 LEP Boundary
- SHR Listing
- Commonwealth Heritage Listing

- 1 Reserve Bank Building, 65 Martin Place (Item I1897)
- 2 City Mutual Life Assurance Building, 60-66 Hunter Street (SHR listing no. 00585)
- 3 Qantas House (1 Chifley Square), 68-96 Hunter Street (SHR listing no. 01512)
- 4 Former Australian Provincial Assurance Building, 53-63 Martin Place (SHR listing no. 00682)
- 5 Former Government Savings Bank of NSW, 48-50 Martin Place (SHR listing no. 01427)
- 6 Martin Place Railway Station (SHR listing no. 01187) & Martin Place generally (Item I1889)
- 7 Former MLC Building, 38-46 Martin Place (SHR listing no. 00597)
- 8 Former GIO Building, 60-70 Elizabeth Street (SHR listing no. 00683)
- 9 Richard Johnson Square including Monument and Plinth, Hunter and Bligh Streets (Item I1673)
- 10 7 Elizabeth Street (Item I1737)
- 11 Chifley Square (Item I1708)
- 12 Commonwealth Bank Building (Item I1919)
- 13 General Post Office (SHR listing no. 00763)
- 14 Challis House (SHR listing no. 00666)
- 15 Former Bank of Australasia (Item I1772)
- 16 Former Equitable Life Assurance (Item I1771)
- 17 Former Colonial Mutual Life Building (Item I1893)

**Figure 39 – Key heritage items surrounding the site**

Source: Sydney LEP 2012 adapted by Ethos Urban

## 3.0 Key Current Planning Controls

### 3.1 Sydney Local Environment Plan 2012

The Sydney LEP 2012 is the principal planning instrument applying to the Precinct.

#### 3.1.1 Zoning

The land the subject of the Planning Proposal is currently zoned B8 Metropolitan Centre under the Sydney LEP 2012. Potential future uses of this land including commercial premises are permissible with consent in this zone. The Planning Proposal does not seek to change this land use zone. The current zoning is shown in **Figure 40**.



**Figure 40 – Zoning map**

Source: Sydney LEP 2012 + Ethos Urban

#### 3.1.2 Development Standards

The principal development standards relevant to the Precinct are height and floor space ratio.

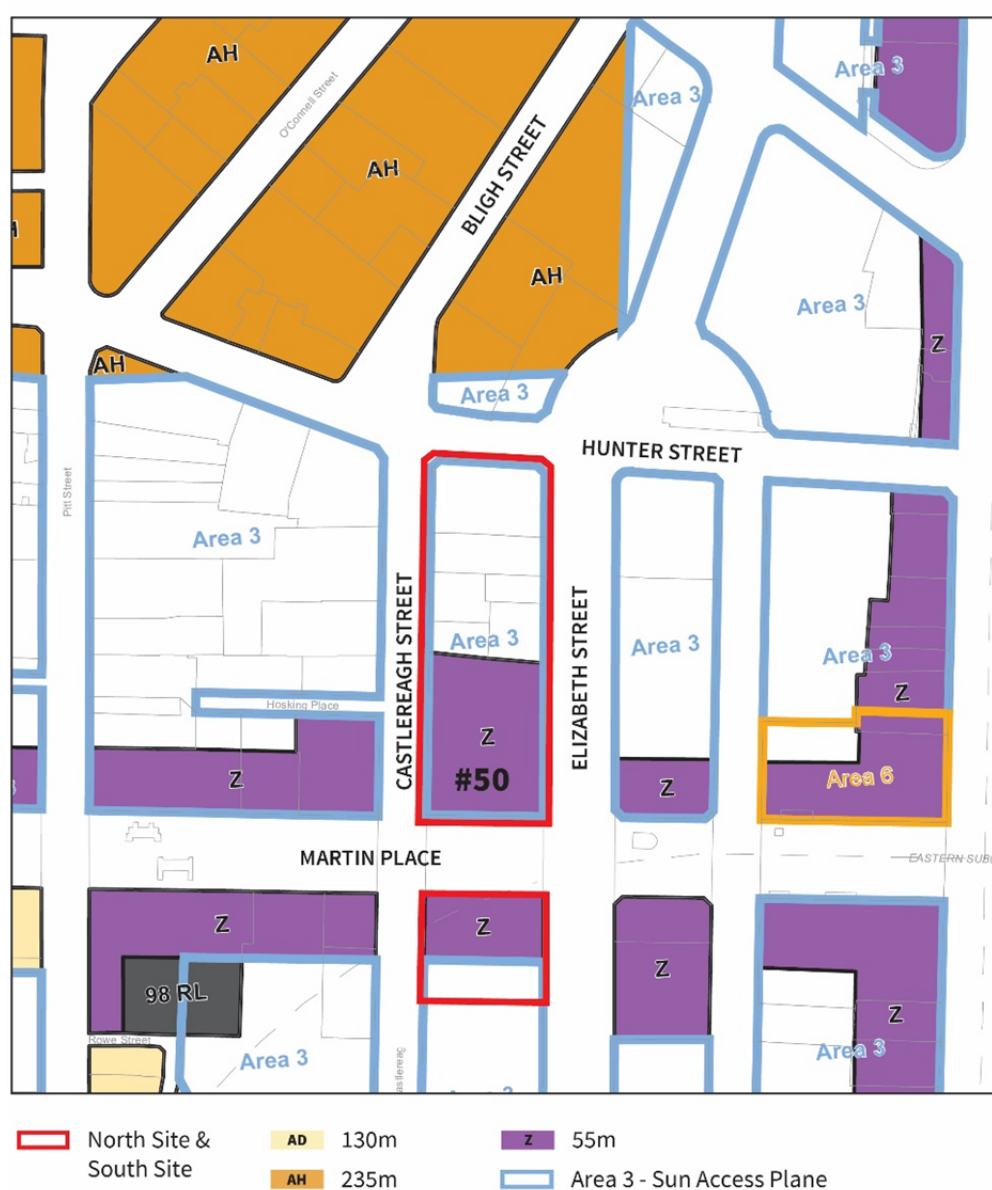
##### Height

Two (2) height controls apply to both the North Site and South Site.

For the **North Site** (southern half), a 55m height limit is established for that part of the site immediately fronting Martin Place and correlates with the boundary of 50 Martin Place. The height for the remainder of the North Site (northern portion) is controlled by the Martin Place Sun Access Plane (Clause 6.17 of the Sydney LEP 2012).

For the **South Site**, there is a 55m height limit on the northern part of the site fronting Martin Place (for a distance of 25 metres). The remaining (southern) portion of the South Site is controlled by a different Sun Access Plane, this time relating to Hyde Park North.

**Figure 41** below is an extract from the Height of Buildings Map showing the height controls in the vicinity of the North and South Sites. As can be seen from this extract, the predominant height control is 55 metres, generally for a 25m wide band from the street edges, or the relevant Sun Access Plane.



**Figure 41 – Sydney LEP 2012 Height of Building Map Extract**

Source: Sydney LEP 2012 + Ethos Urban

The objectives of the height of buildings development standard are set out in Clause 4.3 of Sydney LEP 2012 and are as follows (our emphasis in bold):

(1) *The objectives of this clause are as follows:*

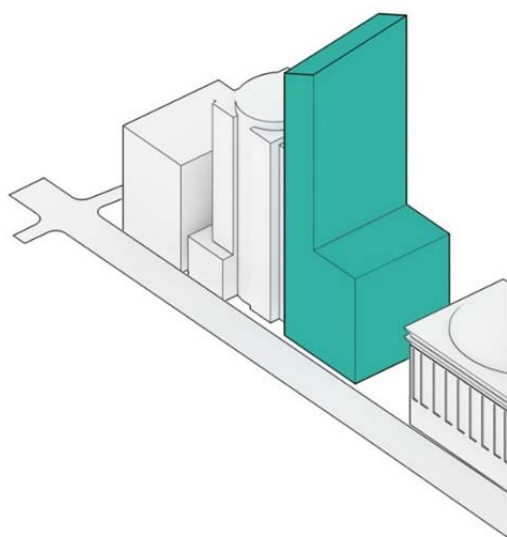
- a) to ensure the height of development is appropriate to the condition of the Site and its context,**
- b) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas,*
- c) to promote the sharing of views,*
- d) to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas,*
- e) in respect of Green Square:*
  - (i) to ensure the amenity of the public domain by restricting taller buildings to only part of a Site, and*
  - (ii) to ensure the built form contributes to the physical definition of the street network and public spaces.*

Given the transformative context of the new Sydney Metro line and Martin Place Station, the overly restrictive height standard for the South Site no longer aligns with the objectives of the control, and warrants revision, particularly as the proposed height amendment is still able to satisfy the other two relevant objectives (b) and (c) of the clause. The existing tower on the site significantly breaches this height limit (refer photos at **Figure 17** and **Figure 18**). The South Site (unlike the North Site) does not contain a heritage item, and key views up and down Martin Place remain unaffected.

If the 55 metre height limit is retained, a small, awkward floor plate of approximately 450m<sup>2</sup> above the podium would be permitted. This floor plate has been analysed for its marketability as part of the Concept Proposal / Stage 1 DA, which confirms that the size and configuration of the South Tower would offer small efficient tenancies for single and part floor prospects that are seeking to be located close to the major corporates, banks, IT and legal firms along Martin Place and near the precinct. However, the assessment confirms that once a future tenant requires more than a single floor or perhaps a maximum of two floors, it is likely they will seek an alternative building with a bigger floor plate which provides them with operational and cost efficiency benefits.

In this context, reducing the portion of the South Site the subject of the 55 metre height limit to 8 metres from the boundary to Martin Place, and thereby permitting an 8m tower setback to Martin Place, would provide a tower floor plate of approximately 1,200m<sup>2</sup>, which is of a minimum size suitable to attract and retain tenants seeking larger tenancies across multiple floors and those seeking options for expansion over a long-term lease.

On this basis, the currently permissible tower envelope (refer to **Figure 42**) is not desirable from an urban design, transit-oriented development, sustainability, or employment generating perspective, nor from a commercial feasibility perspective having regard to the potential difficulty of retaining tenants with the desire to grow their businesses. Whilst such a narrow tower floor plate may work for residential uses, such uses would also undermine the original intent of Council to extend Martin Place through to Macquarie Street with a precinct of high-status commercial buildings, nor encouraged by Council's recent *Central Sydney Planning Strategy 2016-2036*.



**Figure 42 – Illustration of the South Site potential tower form if planning controls retained**

Source: Grimshaw

### **Floor Space Ratio**

The permissible “base” Floor Space Ratio (FSR) on both the North and South Sites is 8:1. Since the land is located within Area 1 on the Sydney LEP 2012 FSR Map (refer to the extract in **Figure 43** below), it is eligible for additional floor space of 4.5:1 for various uses including office, business or retail premises, or residential apartments. Development is also eligible for a further 10% bonus floor space if a competitive design process is undertaken and design excellence is demonstrated, bringing the theoretical maximum FSR for a commercial and transport development as proposed on both the North and South Sites to 13.75:1. An additional FSR of up to 0.3:1 for end of journey floor space is also available under Clause 6.6 of Sydney LEP 2012 for commercial office development.



**Figure 43 – Sydney LEP 2012 Floor Space Ratio Map Extract**

Source: Sydney LEP 2012 + Ethos Urban

The objectives of the FSR development standard, as set out in clause 4.4 of the Sydney LEP 2012, are as follows (our emphasis in bold):

- (1) *The objectives of this clause are as follows:*
- a) to **provide** sufficient floor space to **meet anticipated development needs for the foreseeable future**,
  - b) to regulate the density of development, built form and land use intensity and to control the generation of vehicle and pedestrian traffic,
  - c) to **provide for an intensity of development that is commensurate with the capacity of** existing and **planned infrastructure**,
  - d) to ensure that **new development reflects the desired character of the locality** in which it is located and minimises adverse impacts on the amenity of that locality.

With the construction of the Sydney Metro (a step-change piece of transport infrastructure) there is a responsibility and reasonable planning expectation for the development capacity of the Precinct to increase. Therefore, to ensure consistency with the objectives of the FSR standard, there is a demonstrable need to review and increase the current permissible FSR limit applying to the Precinct as a result of the Sydney Metro project.

Under the Sydney LEP 2012 the calculation of FSR must, by virtue of the definition of Gross Floor Area (GFA), include all of the GFA located within the “site area”. That includes the GFA used for the approved CSSI Metro Station. The Metro Station-related GFA for the North Site is approximately 6,500 square metres (or 1.08:1 FSR) and for the South Site is approximately 2,500 square metres, or 1.31:1 FSR.

### 3.1.3 Site Specific Development Control Plan

Under Clause 7.20(2) of Sydney LEP 2012 a site-specific development control plan (DCP) must be prepared for development over 55 metres in height or on a site greater than 1,500m<sup>2</sup> in Central Sydney. A Concept Development Application (Concept/Stage 1 DA) may be undertaken in lieu of a site-specific DCP in accordance with Section 83C of the EP&A Act.

As detailed in **Section 1.2**, the planning strategy developed to realise Macquarie's vision for the Precinct includes securing a Concept/Stage 1 SSD DA (being a concept proposal for building envelopes, GFA, and land use). The Concept/Stage 1 DA and associated Urban Design and Heritage Principles (refer to **Appendix A** and **Appendix C**) serve a similar purpose to that of a site-specific DCP in guiding future detailed development proposals.

The proposal thereby generally follows the design and staged approvals process adopted for Central Sydney, involving a Concept/Stage 1 DA (in lieu of a DCP) followed by a Stage 2 DA for the detailed design of the OSD.

With this approach, and given DCPs do not apply to SSD under Clause 11 of *State Environmental Planning Policy (State and Regional Development) 2011*, no concurrent amendments are required to the Sydney Development Control Plan 2012.

## 3.2 Sydney Development Control Plan 2012

The Sydney Development Control Plan 2012 (Sydney DCP 2012) builds upon and provides more detailed provisions than the Sydney LEP 2012.

As noted previously, however, Development Control Plans, including Sydney DCP 2012 do not apply to State Significant Development. The assumed basis of such a deliberate legislated exclusion is the potential otherwise for local provisions in DCPs to unduly restrict and possibly undermine the delivery of higher order State Significant Development.

Whilst, the Sydney DCP 2012 is not a formal, or legal matter, for consideration by a consent authority, the objectives of the DCP guidelines are informative in developing proposals.

Like the Sydney LEP 2012, when the Sydney DCP 2012 was prepared, the Council could not have anticipated such a once in a lifetime transport infrastructure project would be delivered within Central Sydney, and more specifically within the Martin Place Precinct. Accordingly, the controls do not respond to the unique circumstances the Sydney Metro project presents.



The Urban Design Principles contained within **Appendix A** are a special and site-specific response developed to establish a more detailed layer of guidance for future development on the North and South Sites. Compared to the City's DCP, these are more design-based and targeted to the Precinct, but also acknowledge and respond to their wider urban context. They are therefore considered better suited to guide the future redevelopment of this particular part of the city, especially as they support the objectives and underlying principles of the DCP. Macquarie has embraced these principles have included them for endorsement in its Concept/Stage 1 SSD application.

### 3.2.1 Chifley Square Special Character Area

Part of the North Site is located within the "*Chifley Square Special Character Area*".

The importance of Chifley Square not only relates to the semi-circular shape of the Square itself and its origins as a traffic calming measure, but also due to its amenity as an opening in the built form to create an 'outdoor room', and the low scale and curved shape of the buildings that enclose the northern edge of the space.

A number of principles apply to new development within this special character area including:

- (a) *Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles;*
- (b) *Recognise and enhance Chifley Square as one of the important public open spaces in the heart of the financial centre of the city;*
- (c) *Promote and encourage the use of the space as a destination and meeting place for people.*
- (d) *Interpret the history of the place and its evolution in the design of both public and private domain and create a distinct sense of place inherent in the character of Chifley Square;*
- (e) *Reinforce the urban character and distinct sense of enclosure of Chifley Square by:*
  - i. emphasising and reinforcing the semi-circular geometry of the space;*
  - ii. requiring new buildings to be integrated with the form of existing buildings; and*
  - iii. limiting the height of new buildings.*
- (f) *Protect and extend sun access to Chifley Square during lunchtime hours from mid-April to the end of August.*

A number of these principles have informed the Precinct-specific Urban Design and Heritage Guidelines (**Appendix A** and **Appendix C**).

### 3.2.2 Martin Place Special Character Area

Under the Sydney DCP 2012 the South Site falls partly within the "*Martin Place Special Character Area*". Martin Place is classified as a special character area due to its social, cultural and historic significance, featuring a number of important heritage buildings and being the place of historical and ceremonial events, especially associated with war memorial occasions at the Cenotaph outside the GPO.

A number of principles apply to new development within this special character area including:

- (a) *Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.*
- (b) *Conserve and enhance the significance of Martin Place as one of Central Sydney's grand civic and ceremonial spaces, and as a valued business location.*
- (c) *Retain and enhance the urban character, scale and strong linear enclosure of Martin Place by requiring new buildings to:*
  - i. *be built to the street alignment;*
  - ii. *have street frontage heights consistent with the prevailing form of buildings in the area; and*
  - iii. *to have building setbacks above those street frontage heights.*
- (d) *Protect and extend sun access and reflected sunlight to Martin Place during lunchtime hours from mid-April to the end of August.*
- (e) *Provide sun access to significant sandstone buildings in Martin Place to improve the ground level quality of the public space.*
- (f) *Protect existing significant vistas to the east and west and ensure new development will not detrimentally affect the silhouette of the GPO clock tower.*
- (g) *Retain human scale at street level, while respecting and positively responding to the monumental nature of the place.*
- (h) *Conserve and enhance the heritage significance of the nineteenth and twentieth century institutional and commercial buildings and their settings.*

These principles have helped inform the Precinct-specific Urban Design and Heritage Guidelines (**Appendix A** and **Appendix C**).

### 3.3 LEP and DCP Compliant Scheme

Some of the Sydney LEP 2012 and Sydney DCP 2012 development controls unduly constrain the North and South Sites from fully realising the Precinct's potential, or respond to the Precinct specific urban design opportunities, or recognise its strategic value at the heart of the Sydney CBD and atop the future Martin Place transport hub.

The key envelope controls that restrict development of the Precinct are:

- The Sydney LEP 2012 55m height limit (covering the 50 Martin Place heritage item) for some 40% of the North Site;
- the Sydney LEP 2012 maximum height of 55m for the majority of the South Site fronting Martin Place;
- the Sydney LEP 2012 Martin Place and Hyde Park North sun access plane;
- the Sydney LEP 2012 maximum permitted FSR; and
- the Sydney DCP 2012 setbacks above the street frontage height.

The Planning Proposal recognises (refer also to the Urban Design and Heritage Guidelines at **Appendix A** and **C**), however, that the sun access planes and the prevention of further development on the heritage site at 50 Martin Place are essential to the city, its history and the amenity of significant public spaces. Furthermore, these provisions of the LEP do not unduly constrain development of the North Site as there is considerable potential for floor space growth within a building envelope up to the sun access plane and excluding 50 Martin Place. The primary constraint to the North Site is therefore the FSR limit.

For the South Site the main constraint is the 55 metre height limit that applies to the majority of the site, although there is considerable floor space growth potential within an envelope that extends up to the Hyde Park sun access plane. The FSR limit also unduly restricts additional floor space on the South Site even if the 55m height limit is removed.

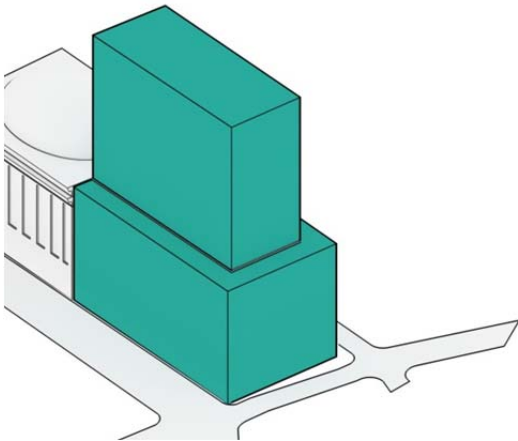
**Figure 44** to **Figure 46** below illustrate a compliant envelope under the current Sydney LEP 2012 height and FSR limits, and applying the Sydney DCP 2012 tower setback provisions (noting again that the DCP will not apply). For the North Site, two compliant options were prepared, the first which tests an envelope which includes the site area of the North Site without the site area of 50 Martin Place ('A'), the other which includes the site area of 50 Martin Place ('B').

These studies illustrate that a "compliant" redevelopment of both the North and South Sites would result in:

- a poorer urban design outcome;
- a poor relationship with surrounding buildings;
- a significant underdevelopment of the sites;
- a failure to realise the substantial increase in capacity that will be delivered below these sites as part of the Sydney Metro project;
- a failure to create a threshold condition that reinforces the Precinct as the public transport gateway for the Sydney CBD, and the greater environmental performance and sustainability of genuinely transit oriented development;
- a lost opportunity to reinforce and reinvigorate the historic financial heart of the Sydney CBD;
- a lost opportunity to maximise employment opportunities on the sites; and
- a very small floor plate for the South Site that would not be feasible for commercial uses.

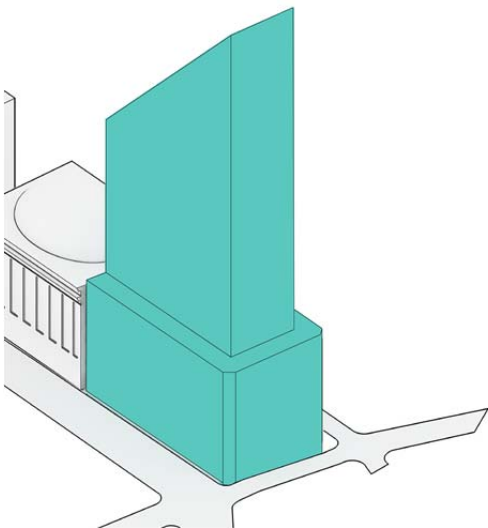
A "compliant" redevelopment would also be a potential barrier to achieving design excellence. These mediocre building envelopes would unduly restrict excellent design resulting in a sub-optimal urban outcome. Not only do they respond poorly to their urban context, they will hinder the delivery of best practice architecture, which is expected in such a prominent location. They are likely to produce mediocre, sub-prime office buildings with floor plates that do not meet the needs of contemporary business and future workplaces. These unduly constrained envelopes, if imposed on the OSD, would represent a significant lost opportunity and lead to a manifestly suboptimal use of extremely valuable land resource.

In light of the significant constraints of some of the existing planning controls, an amendment to the Sydney LEP 2012, insofar as it limits the future development of this particular Precinct, is requested by way of this Planning Proposal.



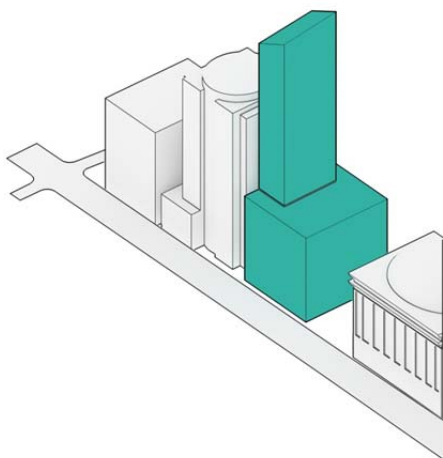
**Figure 44 – North Site LEP and DCP compliant envelope 'A'\***

Note: Compliant LEP FSR (13.75:1), Height and DCP Setbacks, excluding CSSI GFA, *excluding* 50 Martin Place site area



**Figure 45 – North Site + 50 Martin Place LEP and DCP compliant envelope 'B'\*\*\***

Note: Compliant LEP FSR (13.75:1), Height and DCP setbacks, excluding CSSI GFA, *including* 50 Martin Place site area



**Figure 46 – South Site LEP and DCP compliant envelope**

Note: Compliant LEP FSR, Height and DCP setbacks, excluding CSSI GFA

## 4.0 Part 1 – Objectives and Intended Outcomes of the Planning Proposal

This section of the report describes the proposed amendments to the Sydney LEP 2012, and the urban design principles that set the foundation for those changes. Further detail is provided throughout the environmental assessment in the following sections.

### 4.1 Strategic Context

The NSW Government has identified Sydney as containing half of Australia's globally competitive service sector jobs, accounting for approximately 70 per cent of total NSW economic output and 20 per cent of Australia's gross domestic product (SGS Economics, 2014)<sup>1</sup>. The Government has also identified that Sydney's suburban rail network plays a key role in connecting the city's skilled workforce with residential locations and high value employment land located throughout the Metropolitan area and in particular, the growing "Global Economic Corridor".

Sydney Metro was proposed to address the current and future demand for rail services within Sydney and connect Sydney's citizens with not only the high value employment land within the Global Economic Corridor, but also with the major education and health precincts, retail and commercial centre's cultural facilities and open spaces. One of the preferred locations for a Metro Station was Martin Place, to service the core of Sydney's commercial district, the Macquarie Street ceremonial and governmental axis, the George / Pitt / Castlereagh Street retail precinct, and allow direct transfers between the Metro line and the existing heavy rail network at an existing train station.

This Planning Proposal seeks to capitalise on the significant infrastructure investment and the strategic positioning of the Martin Place Metro Station in the CBD, with its unique access to such an incredible range of employment, shopping, cultural, recreational and other opportunities for workers and visitors alike.

### 4.2 Objectives

The Planning Proposal is a site-specific amendment to the Sydney LEP 2012, with the objective of increasing the maximum building height (South Site only) and maximum FSR (North and South Sites) to support a world class transport and employment precinct at Martin Place.

The requested amendments to the Sydney LEP 2012 are outlined in **Section 5.0**.

### 4.3 Intended Outcomes

The key intended outcome of the Planning Proposal is to facilitate the delivery of two (2) predominantly commercial office OSD towers at the northern and southern ends of the Precinct that are interconnected with each other and with the Metro and Train Stations below ground. The whole-of-Precinct redevelopment that the Planning Proposal will enable will contribute significantly towards the success and public benefits of the Sydney Metro project.

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<sup>1</sup> Reference from Sydney Metro CSSI Project Application Report, pg. 21

The proposed amendments will have the effect of amending some of the unduly restrictive and out of date planning controls to unlock the Precinct's potential, but retaining other key controls that remain highly relevant to protecting the amenity of the locality, including Martin Place and Hyde Park.

A summary of the key development outcomes/statistics resulting from the Planning Proposal is provided in **Table 4**.

**Table 4 – Proposed concept built form statistics**

Key indicator	Development outcome
<b>North Site</b>	
Height	No change to LEP controls FSR amendment will support a potential tower of up to 40+ storeys
FSR	18.5:1
GFA	111,407m <sup>2</sup>
Land use	Predominantly commercial premises, and Metro Station entries and associated facilities
<b>South Site</b>	
Height	Potential 28+ storey tower, setback 8m (from Martin Place) above a 55m street wall
FSR	22:1
GFA	41,734m <sup>2</sup>
Land use	Predominantly commercial premises, and Metro Station entries and associated facilities.

## 5.0 Part 2 – Explanation of Amending LEP Provisions

The objectives and intended outcomes described in **Section 4** are to be achieved by amending the Sydney LEP 2012 more specifically as set out in this Section.

### 5.1 Outline of LEP Changes

The Planning Proposal requests that the Sydney LEP 2012 be amended to:

- insert in Part 6, Division 5 a new clause governing development on the identified land, being the North and South Sites;
- amend the Height of Buildings Map, Sheet HOB\_014 for the South Site only, to include a new “area” to which an amended height limit relates; and
- establish (in the new clause) new maximum FSR limits for the North Site and the South Site.

### 5.2 Height (Mapping Amendment)

To align with current plan drafting protocols for the Sydney LEP 2012, it is proposed to amend the Height of Buildings Map (sheet 14) by inserting a line around the South Site delineating a new “area” (Area 7). This approach is consistent with that adopted for 60 Martin Place (Area 6), and avoids amending the actual mapped building height controls. This amendment will work concurrently with the new-site specific provision proposed.

**Figure 47** illustrates the proposed mapping amendment.



Figure 47 – Proposed amended height of buildings map (sheet 14)

Source: Sydney LEP 2012 + Ethos Urban

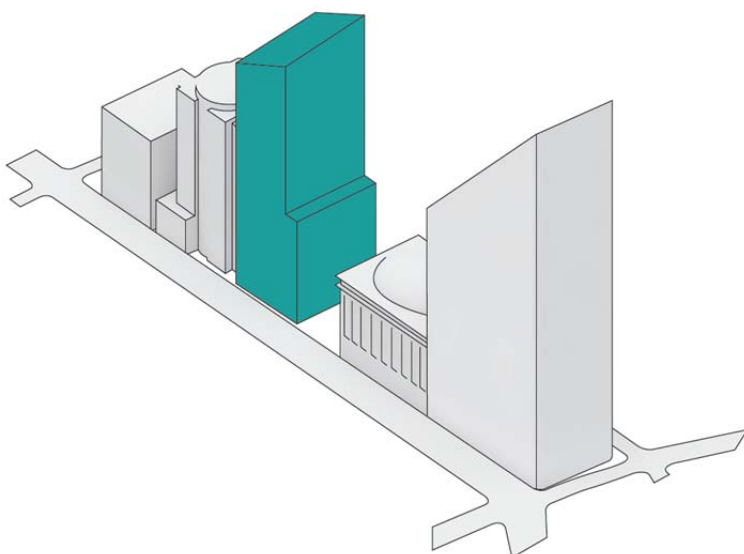


## 5.3 Height and Floor Space – Site Specific Provision

### 5.3.1 Height

It is proposed to allow development to occur above the 55m height limit for the South Site up to the Hyde Park North sun access plane. It is proposed, however, to preserve the 55m height limit in the northern most portion of this site (defined as 0m), 8m from the northern alignment to Martin Place.

Refer to **Figure 48** for an illustration of the resulting built form outcome achieved through this amendment.



**Figure 48 – Outcome of the proposed maximum building height control**

Source: Grimshaw

This amendment thereby reimagines the existing building height controls in acknowledgement of the strategic value of the South Site and the circumstances for its otherwise constrained redevelopment. It will continue to safeguard the amenity of significant public places and the desired streetscape, as discussed further in **Section 6** below. It will also facilitate an improved built form outcome and relationship with the eastern end of Martin Place.

The proposed amendment is achieved through the provisions in the newly inserted Clause, as detailed below. No change to the existing North Site height controls is proposed under this Planning Proposal.

The existing and proposed alternative height controls are described in **Table 5** below.

**Table 5 – Existing and proposed site-specific height LEP controls**

Provision	Existing Sydney LEP 2012 Controls	Proposed Sydney LEP 2012 Controls
<b>North Site</b>		
Height of Buildings	<ul style="list-style-type: none"> <li>55 metres</li> <li>Sun Access Plane</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
<b>South Site</b>		
Height of Buildings	<ul style="list-style-type: none"> <li>55 metres (for northern 25m of the Site)</li> <li>Sun Access Plane (for the remaining area of the Site)</li> </ul>	<ul style="list-style-type: none"> <li>55 metres (for northern 8m of the Site)</li> <li>Sun Access Plane (for the remaining area of the Site)</li> </ul>

### 5.3.2 Floor Space

The new maximum FSRs for the North and South Sites will apply, under the terms of the specific provisions, notwithstanding any other FSR provisions in the Sydney LEP 2012 or as noted on the Floor Space Ratio Map, which remains unchanged.

This will be achieved through the new clause to be inserted into the Sydney LEP 2012 that will clearly prevail over the FSR map.

Importantly, this site-specific clause provides for the additional floor space only where it is to be used for employment purposes, in-keeping with the strategic value of the Precinct and the Council's most recent (2016) CSPA strategic planning initiatives.

The existing and proposed site-specific FSR LEP controls are outlined in **Table 6**.

**Table 6 – Existing and proposed site specific FSR controls**

Provision	Existing Sydney LEP 2012 Controls	Proposed Controls
<b>North Site</b>		
FSR	<ul style="list-style-type: none"> <li>8:1 (mapped)</li> <li>12.8:1<sup>2</sup> when including accommodation floor space (office premises, business premises, retail premises)</li> <li>13.75:1 when including accommodation floor space and design excellence bonus</li> </ul>	<ul style="list-style-type: none"> <li>18.5:1 (accommodation floor space - office premises, business premises, retail premises, and transport infrastructure)</li> </ul>
<b>South Site</b>		
FSR	<ul style="list-style-type: none"> <li>8:1 (mapped)</li> <li>12.8:1<sup>3</sup> when including accommodation floor space (office premises, business premises, retail premises)</li> <li>13.75:1 when including accommodation floor space and design excellence bonus</li> </ul>	<ul style="list-style-type: none"> <li>22:1 (accommodation floor space - office premises, business premises, retail premises, and transport infrastructure)</li> </ul>

<sup>2</sup> 'Base' 8.0:1 + 4.5:1 for accommodation floor space in Area 1 + 0.3:1 for 'end of journey' facilities (Clause 6.6 of Sydney LEP 2012).

<sup>3</sup> Ibid.

In accordance with the relevant definitions in the Sydney LEP 2012 the above FSR figures must include all of the GFA used for the Metro Station and related facilities, most of which is located below ground level. This accounts for approximately 1.08:1 of the proposed FSR on the North Site and 1.31:1 of the proposed FSR on the South Site. Therefore, if these predominantly below ground areas were to be excluded from the FSR calculations, the proposed FSRs would reduce to approximately 17.42:1 on the North Site and 20.7:1 on the South Site.

### 5.3.3 Proposed Site-Specific Provisions

A new clause is proposed to be included in 'Division 5 Site specific provisions' under Part 6 of the Sydney LEP 2012, reflective of other recent LEP amendments. One suggested wording of that clause, to illustrate the proponent's intent, is set out below, although the final wording will be drafted by the Relevant Planning Authority's legal counsel in accordance with standard plan making procedures. The recommended clause is:

#### 6.37 Sydney Metro Martin Place Station Precinct

(1) *This clause applies to the following land:*

(a) **block 1**, being Lot 1 in DP 182023, Lot 1, DP 526161; SP 13171; Lot 2, DP 548142; Lot 1, DP 222356; Lot 1, DP 173027, Lot 1, DP 929277, Lot 2, DP 929277.

*Note. Block 1 comprises 50 Martin Place, 9-19 Elizabeth Street, 8-12 Castlereagh Street, 7 Elizabeth Street, 5 Elizabeth Street, and 55 Hunter Street, Sydney.*

(b) **block 2**, being Lot 1, DP 1103195, and Lot 2, DP 1103195.

*Note. Block 2 comprises 39-49 Martin Place, Sydney and is identified as "Area 7" on the Height of Buildings Map.*

(2) *The objective of this clause is to provide for additional floor space on block 1 and block 2, and additional height on block 2 but only if the development of the land to which this clause applies:*

(a) *Is within a rail corridor or associated with railway infrastructure, and*

(b) *Is not used for the purpose of residential accommodation.*

(3) *Despite clause 4.4 and clause 6.3, the maximum floor space ratio for all buildings on block 1 is 18.5:1 and block 2 is 22:1.*

(4) *Despite clause 4.3, the consent authority may grant development consent to the erection of a building on block 2 (Area 7) if the building:*

(a) *Does not exceed the Hyde Park North 2B sun access plane, and*

(b) *No building above 55 metres in height is located within 8 metres of the boundary of block 2 to Martin Place.*

## 5.4 Amendments to SDCP 2012

Clause 74C (5) of the Environmental Planning and Assessment Act provides:

*74C (5) A provision of a development control plan (whenever made) has no effect to the extent that:*

- (a) it is the same or substantially the same as a provision of an environmental planning instrument applying to the same land, or*
- (b) it is inconsistent or incompatible with a provision of any such instrument.*

Whilst the amendments to the LEP present some potential for non-compliances with the DCP, the LEP will prevail in the event of any inconsistencies and the DCP will have no effect. Furthermore, as DCPs do not apply to SSD DAs, no amendments to Sydney DCP 2012 are necessary to permit the integrated Station and OSD proposal.

## 6.0 Part 3 – Justification

### 6.1 Section A- Need for a Planning Proposal

#### 6.1.1 Q1 – Is the planning proposal a result of any strategic study or report?

This Planning Proposal has been developed within the framework of a large number of State and local government transport and planning strategies, the most recent of which take into account the Sydney Metro City and Southwest line, and other government policies for accommodating the substantial forecast population growth of Sydney.

The need for this Planning Proposal thereby stems from, and is consistent with, a range of government strategic studies that support accommodating additional jobs in Sydney and the coordinated delivery of increased commercial/office/employment capacity with infrastructure investment. At their highest level, these planning documents are necessarily about enabling the evolution of a growing metropolitan area with sufficient flexibility to transcend generational change.

A detailed response of how this Planning Proposal responds to, and is consistent with, the following strategic studies and reports is included in the sections below:

- *NSW State Plan 2021 – Premier's Priorities;*
- *A Plan for Growing Sydney;*
- *Draft Greater Sydney Region Plan;*
- *Draft Central District Plan;*
- *Draft Eastern City District Plan;*
- *NSW Long Term Transport Master Plan;*
- *Sydney's Rail Future: Modernising Sydney Trains;*
- *Sydney City Centre Access Strategy;*
- *Sustainable Sydney 2030;*
- *Central Sydney Planning Strategy;*
- *City North Public Domain Plan;*
- *Draft Future Transport Strategy 2056; and*
- *Greater Sydney Draft Services and Infrastructure Plan.*

Macquarie has also engaged Tzannes to undertake a thorough analytical urban design study of the Precinct (included at **Appendix A**). The study is a first principles analysis of the Precinct in its broader urban context, and the opportunities presented through the Sydney Metro project and Macquarie's vision to create (and deliver together) a world class and integrated public transport and employment precinct. The outcome from the study is a set of urban design and heritage principles that will guide the architectural and engineering members of the design team throughout the design process. These principles have also helped inform the recommended height and FSR changes requested in this Planning Proposal.

Tzannes have also undertaken a review of current planning and design controls relevant to the Martin Place Metro Station Precinct (**Appendix K**). The review has had regard to the major historic urban design studies which underpin the current controls and the interpretation of existing controls by the City of Sydney in the determination of recent development applications, to establish the appropriateness of their application. The review assesses the current planning controls and objectives specific to the amendments sought to the Sydney LEP 2012 for the Martin Place Station Precinct design and in doing so, provides further context for the Urban Design Study dated October 2017 in support of the Planning Proposal.

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

This Planning Proposal is the best means of achieving the stated objectives and intended outcomes for the integrated development of the Precinct as proposed by Macquarie. Ultimately, the Precinct's capacity to enhance employment generation in alignment with substantial infrastructure investment is contingent on the proposed amendments to the Sydney LEP 2012 discussed in **Section 4** above.

Since the optimum social, economic and environmentally sustainable outcome for the Precinct cannot be realised under the existing planning controls, an amendment to some of those controls is imperative. This is considered the best and most transparent means of enabling the project to proceed as currently conceived.

## **6.2 Section B – Relationship to Strategic Planning Framework**

### **6.2.1 Q3 – is the Planning Proposal consistent with the objectives and actions contained within the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

#### **NSW State Plan 2021 – Premier's Priorities**

The NSW Premier's Priorities represent 12 of the 30 key policy priorities for the NSW Government, replacing the former NSW 2021 plan. The priorities outline the NSW Government's vision and objectives for the State's near-term future and are intended to guide all government action. The priorities set a series of targets designed to rebuild the economy, deliver quality government services, improve infrastructure, strengthen our local environment and communities and improve governance structures. The key priorities as they relate to the Precinct and employment strategy are discussed below.

#### **Creating Jobs**

The NSW Government identifies NSW as leading the nation on key economic indicators, whilst also acknowledging that more can be done to attract new jobs and businesses to the State. The State Government has targeted the creation of 150,000 new jobs in NSW by 2019, a key pillar of which is 'Jobs for NSW', a private sector-led and NSW Government-backed initiative which aims to make the NSW economy as competitive as possible and therefore help create new jobs across the State. Whilst this jobs target was achieved in May 2016, the NSW Government is continuing to develop key initiatives that assist in the creation of jobs, such as attracting large and international companies to base their headquarters in NSW.

The Planning Proposal seeks to increase the capacity of the City and this Precinct in particular, in providing additional office accommodation in arguably Sydney's most pre-eminent location, and in doing so increase the attractiveness of the City and the competitiveness of businesses operating in NSW. This Planning Proposal enables the future growth of Macquarie's global headquarters at the one consolidated office Precinct in-keeping with key government initiatives.

The proposed development will result in thousands of employees working from the Precinct post-construction and will directly support a substantial number of jobs during the construction phase, either on-site or indirectly at project-related off-site locations along with jobs associated with the supply chain. The delivery of a major construction project also relies on the input of a range of industries, with the economic contribution and benefits extending well beyond the direct capital expenditure and employment associated with project goods and services, and jobs on-site.

**Building Infrastructure**

Under this priority, the NSW Government has committed to deliver 10 of the largest and most high-profile infrastructure projects on time and on budget (refer to **Figure 49**). One of these “step-change projects” is the Sydney Metro, planned to open in 2024. This Planning Proposal directly responds to this strategic direction through building on the opportunity presented by the Metro and the creation of a new station and associated OSD at Martin Place.

The proposed amendments to the Sydney LEP 2012 will increase the capacity of employment land uses on the North and South Sites that will support, and benefit from, the delivery of an integrated world class transport hub at Martin Place. This Planning Proposal will facilitate employment growth that is co-ordinated with and will be delivered at the same time as the new Metro Station to improve access to jobs and public transport, and to establish a next generation commercial and talent hub

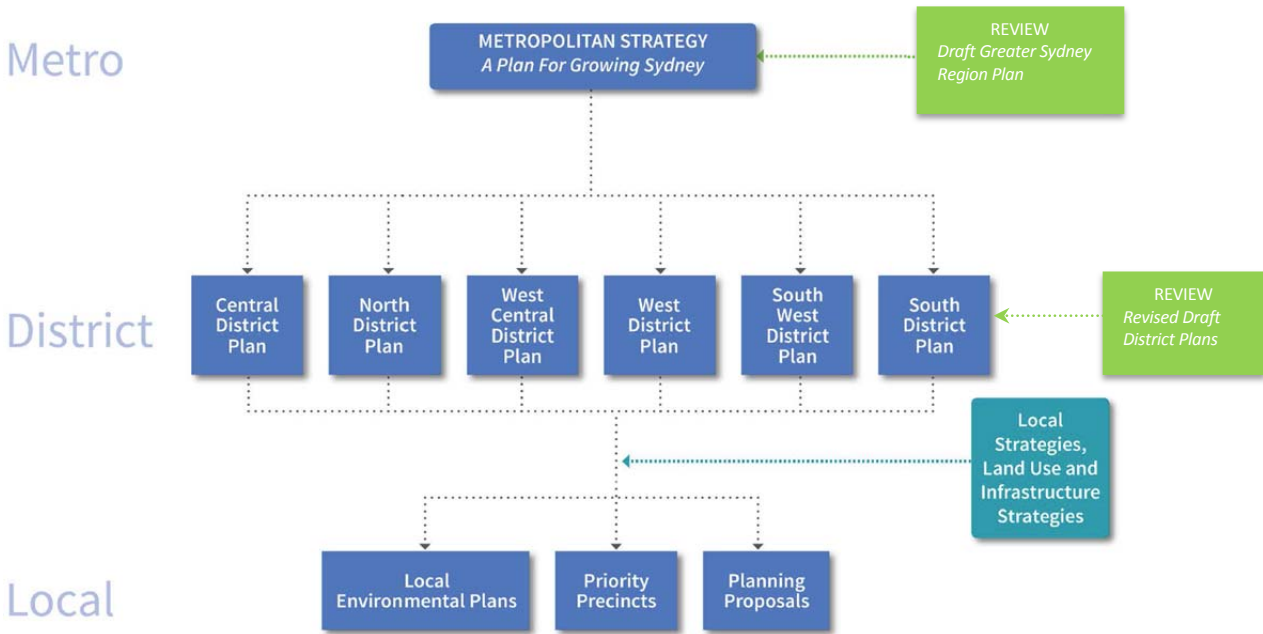


**Figure 49 – Key infrastructure projects and their committed delivery timeframe, as identified in the Premier’s Priorities**

Source: Infrastructure NSW

### A Plan for Growing Sydney

A *Plan for Growing Sydney* (the Plan) is the NSW Government’s Metropolitan Strategy that was released in December 2014. The *Greater Sydney Commission Act 2015* gave the Plan statutory effect as the primary strategic planning document for the Sydney Metropolitan area. The strategy is the overarching document in a hierarchy of planning documents, and is informed by and provides direction to the next tier of district plans and then local strategies. It is the penultimate strategic planning document that all subsidiary plans, including local environmental plans, such as the Sydney LEP 2012 (as amended) must have regard to and must implement at the detailed level. This hierarchy is illustrated in **Figure 50**.



**Figure 50 – A Hierarchy of Plans**

Source: Ethos Urban

The Plan establishes key objectives and actions to guide the development of the Sydney Metropolitan area over the next 20 years. It establishes the following key goals to create:

1. A competitive economy with world-class services and transport;
2. A city of housing choice with homes that meet our needs and lifestyles;
3. A great place to live with communities that are strong, healthy and well connected; and
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

Goal 1 is the most relevant to the proposed amendments to the Sydney LEP 2012, although the redevelopment of the Precinct will also contribute to the third goal of enhancing Sydney as a great place to live, work and play. It will improve transport connections with the city and help foster communities of interest being workplaces, cultural and other institutions.

It is also consistent with the fourth goal of creating a resilient and sustainable city, by being adaptable to growth and change. The proposal achieves a reasonable and appropriate balance between maximising the growth potential of the Precinct with protection of its heritage and environmental amenity. This creates an *optimum* and not merely *maximum* solution.



With respect to the first goal, the Planning Proposal directly supports, and is consistent with, a number of the specific actions identified in the Plan for that goal, including:

**Direction 1.1: Grow a more internationally competitive Sydney CBD**

- **Action 1.1.1:** *Create new and innovative opportunities to grow Sydney CBD office space by identifying redevelopment opportunities and increasing building heights in the right locations.*

This Planning Proposal represents an ideal “new and innovative opportunity to grow Sydney’s CBD office space”.

It has fully identified the opportunities for redevelopment that will come with the demolition of existing buildings to construct the Sydney Metro, and the opportunities for increasing building heights and office space, in a location perfectly suited to those opportunities. It will increase the capacity of the Precinct to house best practice office accommodation. It will align the expanded public transport capacity with improved civic amenity and the long-term sustainability of Sydney as a global business centre. The proposed increase in building height and density (with no significant adverse environmental impacts) also recognises the potential to increase economic activity, driven by the catalytic effect of the enhanced rapid transit network, at this economically strategic location.

The location is clearly a “right location”, being in the heart of the Sydney CBD and above two rail stations with immediate access to both the Sydney metropolitan population and the enormous range of other businesses in all sectors that together create the “ecosystem” of economic activity.

**Direction 1.6: Expand the Global Economic Corridor**

- **Action 1.6.1:** *Grow high-skilled jobs in the global economic corridor by expanding employment opportunities and mixed-use activities*

This direction seeks to grow high-skilled jobs in the Global Economic Corridor (**Figure 51**) by expanding employment opportunities and mixed-use activities. The strategy notes that planning controls should remove barriers to growth and promote more efficient land use outcomes, particularly within the corridor’s key economic centres.

The Precinct is ideally located at the centre of the Global Economic Corridor of Sydney to help grow high skilled jobs, and support the continued growth and development of both the Corridor and this key centre.

**Direction 1.9: Support Priority Economic Sectors**

- **Action 1.9.1:** *Support the growth of priority industries with appropriate planning controls*

This direction emphasises the benefits of industry clusters or agglomeration and identifies a number of priority industries, including financial services located within the Sydney CBD (**Figure 51**). The direction aims to ensure that appropriate planning controls are in place to enable the growth of priority industries, highlighting again the Plan’s commitment to facilitating flexibility in planning controls in order to promote economic growth:

*“identify where improved and innovative planning controls will allow for the ongoing evolution of industrial activities to more intensive commercial activities”*

This Planning Proposal directly responds to this action in seeking the flexibility to grow the City's commercial activities, and not just the financial services industry. Macquarie's aim is to create flexible and resilient buildings that are truly adaptable to the evolving needs of business now and well into the future. This requires a futuristic approach to the provision of office space that accounts for the unknown and fosters cross-sector, cross-industry and cross-generational forces essential to innovation. The intensification of office space, and with it the increased interactivity of people with different skills, is considered extremely important to the health and wellbeing of the complex and constantly evolving ecosystem of commerce. The redevelopment enabled by this Planning Proposal will therefore deliver Macquarie's vision for a major new business Precinct that will be world's best practice in resilient office design.

#### **Direction 1.11: Deliver Infrastructure**

- **Action 1.11.1:** *Preserve future transport and road corridors to support future growth*

The Planning Proposal supports and benefits from the major transport infrastructure investment being made by the NSW Government (in the form of the new Metro network). Together these will deliver considerable employment and economic growth to the city, state and national economies.

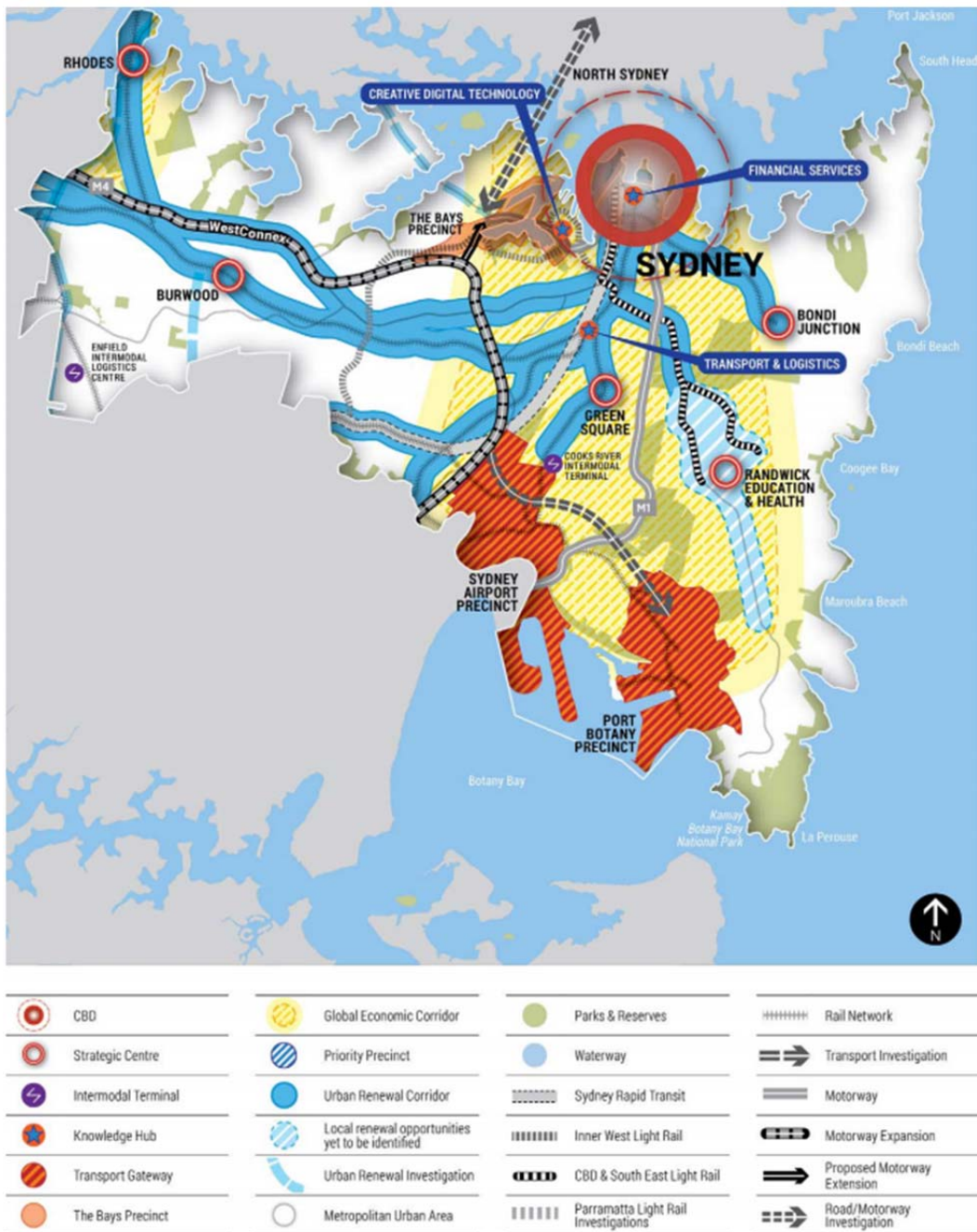
Together the construction of the Sydney Metro and the enhanced Station and OSD at Martin Place proposed by Macquarie is a truly transformative proposition that is consistent with, and integral to, the realisation of A Plan for Growing Sydney's core objectives of a competitive Sydney economy with world-class services and transport.

#### **Central Subregion**

*A Plan for Growing Sydney* also identifies six subregions within Greater Sydney that have guided the further study of the area in the Draft District Plans released in November 2016. The Precinct is located in the Central Subregion and has been identified as being within Sydney CBD, and more specifically a financial services knowledge hub as discussed previously (**Figure 51**). Key priorities for the Central Subregion include supporting long-term employment growth and supporting the land use requirements of the financial services knowledge hub. This Planning Proposal seeks to increase the capacity of the North and South Sites and in doing so meet existing and projected demand for additional office space and accommodate further jobs growth within the Sydney CBD.

At a broader level, the Planning Proposal also supports the:

- continued use of the land for employment purposes;
- Sydney's continuing transition to a service-based economy that supports higher-order activities; and
- the economic prospects and quality of life of Sydney's residents through increased access to jobs.



**Figure 51 – Central Subregion map**

Source: A Plan for Growing Sydney

**Draft Greater Sydney Region Plan**

On 22 October 2017, the Greater Sydney Commission (GSC) released the *Draft Greater Sydney Region Plan* for public exhibition. This Plan is a revision of the *A Plan for Growing Sydney* and, once adopted, will become the overarching strategy for growing and shaping the Greater Sydney Area. It accommodates changes in policy, trends, directions, and actions that will inform development until 2056. The proposed amendments to the Sydney LEP 2012 are consistent with a number of objectives for the Harbour CBD, as well as the overarching directions to improve infrastructure and collaboration, liveability, productivity, and sustainability in Sydney generally.

Namely, the proposal directly seeks to support and grow financial and professional services within the Eastern Harbour City that are identified as being a key economic sector targeted for success. These services are fundamental to the overall economy and have a significant presence in the CBD, which accommodates the headquarters of 15 of the top 20 global investment banks and contributes to the highest concentration of jobs of any sector within the CBD. The Plan notes:

*“The implications of a strong financial services sector include high demand for premium-grade office space and high demand for associated knowledge intensive industries such as legal, accounting, real estate and insurance. Therefore it is critical that planning controls enable the growth needs of the financial and professional sector.”*

Accordingly, the significance and flow-on effects of the financial sector within the CBD are recognised, highlighting that it is essential that the needs to grow this sector are met.

The proposal also aligns with the following objectives:

- *Objective 2 – Infrastructure aligns with forecast growth*

The proposal realises the need to “increase collaboration with the private sector to finance infrastructure”, and in doing so will align the delivery of additional high-quality commercial floor space with a Metro Station so that growth and infrastructure are being provided at the right time. The planning gain resulting from the proposed changes to the planning controls will also financially contribute to the cost of providing the Sydney Metro project through the Unsolicited Proposal bid.

- *Objective 7 – Communities are healthy, resilient and socially connected*

Development facilitated through the Planning Proposal will contribute to the activation and accessibility of the CBD and will become a lively destination in itself. It will deliver a range of improvements including new safe and activated paths of travel through the concourse and other revitalised pedestrian linkages, active street frontages through retail opportunities and engaging facades, and a revitalised access network to encourage walking and public transport use. These improvements will be designed in consultation with the relevant stakeholders, agencies, councils, and service providers as the various applications applying to the Precinct are refined and progressed.

- *Objective 9 – Greater Sydney celebrates the arts and supports creative industries and innovation*

The revitalisation of the Precinct will also create opportunities for creative and artistic expression and participation through integrated public art and potential design competitions on elements of the development that are not time-critical. This encourages public engagement in design and will foster innovative design solutions, and support emerging design industries, organisations and talented individuals.

- *Objective 12 – Great places that bring people together*

The Proposal will assist in the delivery of a new destination with Sydney that is designed to be inclusive, walkable, safe, enjoyable and attractive. It will allow for significant public domain renewal and enhancement opportunities, below ground and at ground level, particularly in Martin Place and the surrounding streets.

- *Objective 13 – Environmental heritage is conserved and enhanced*

The proposed amendments will not give rise to any significant environmental impacts. The Urban Design principles set out in the Urban Design Report will guide future built form to enhance the spatial qualities of Martin Place, ensure that the architectural expression of the new buildings relate to the surrounding historic buildings (through façade materials, composition and character), and retain the civic and ceremonial role of Martin Place.

- *Objective 14 – Integrated land use and transport creates walkable and 30-minute cities*

The proposal will create jobs with superior connections to public transport, being integrated with the Metro Station in addition to the surrounding transport network, to support the realisation of a '30 minute city'. It will also in-turn enhance the proponents access to a greater number of skilled workers and support the growth of the financial sector.

- *Objective 15 – The Eastern, GPOP and Western Economic Corridors are better connected and more competitive*

The proposal is within the nationally significant Eastern Economic Corridor (**Figure 52**) that contributed to two-thirds of the State's economic growth over the 2015–16 financial year. The Plan recognises the need to further strengthen the economic opportunities within this corridor through supporting well-established economic agglomerations along the corridor, such as the financial services sector. The growth of this sector is facilitated through the proposed amendments, which will directly contribute to the competitiveness of the Corridor and the State generally.

The Sydney Metro City & Southwest line is also identified as being a key project that will increase the size of the labour market that can access the corridor by public transport, boosting productivity. The Precinct is ideally located to capture and support this new labour market and support the achievement of a significant proportion of the 1 million jobs predicted to exist along the Metro Line between Rouse Hill and Sydney Airport by 2036.

- *Objective 18 – Harbour CBD is stronger and more competitive*

Greater Sydney's economic strength globally and nationally is due to its role as a regional hub within global financial markets. As discussed above, the proposal will directly support the growth of financial and professional services within the heart of banking in Australia, which is identified as being a key economic sector targeted for success.

In addition to this, the Planning Proposal will directly contribute to the supply of office space that is forecast to only accommodate businesses in the Harbour CBD for the next 10 years. It aligns with the need to create more office space to meet demands, identified as being "critical to maintaining Greater Sydney's global economic role". As is demonstrated in **Section 7**, the proposed amendments will deliver office space for approximately 15,000 jobs without adversely impacting the amenity of the surrounding area or the safe operation of Sydney Airport.

- *Objective 22 – Investment and business activity in centres*

The Precinct is identified as being within a Metropolitan City Centre that is identified to deliver 'very high levels of development with high levels of amenity'. The proposal will provide additional commercial floor space within the CBD, being the most appropriate location for growth, within two high-quality buildings that will not adversely or unexpectedly impact on the amenity of surrounding areas. This is discussed further in **Section 7**.

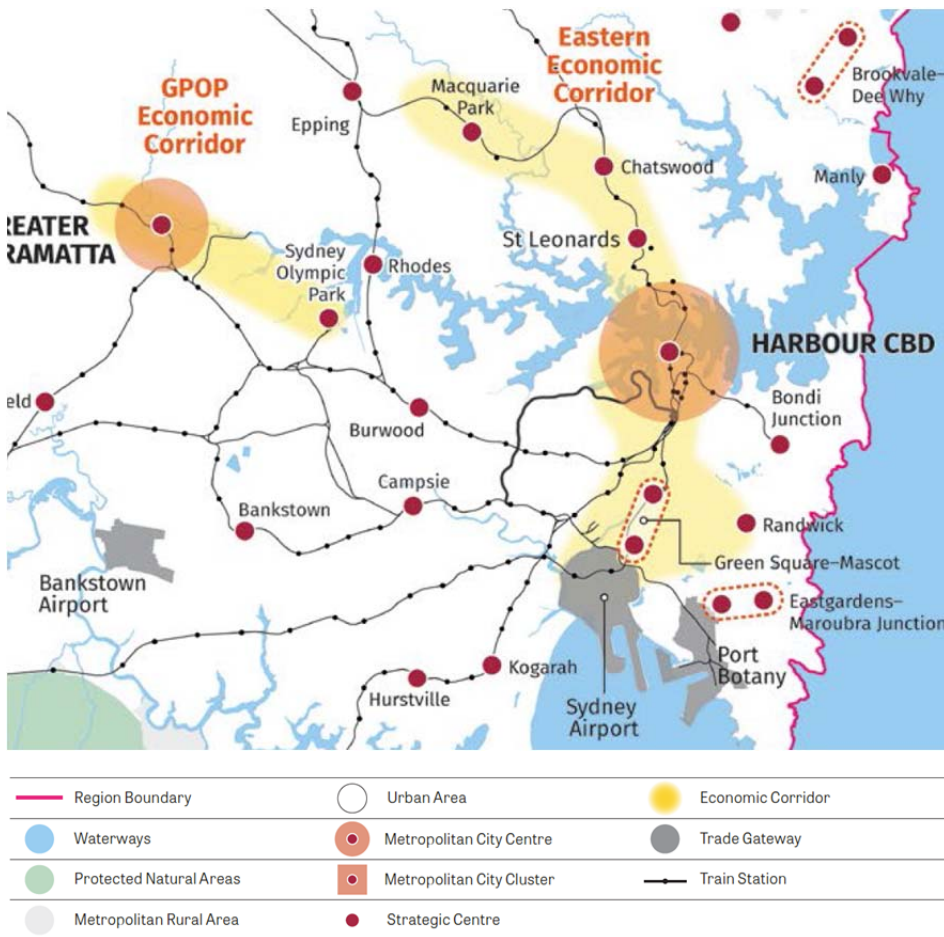
- *Objective 24 – Economic Sectors are Targeted for Success*

The Planning Proposal embodies this aim by seeking to increase the density of the North and South Sites and in-turn increase the quantity of employment floor space. This will enhance and support the viability of Sydney's financial services that are identified as being a key economic sector, on a site that within an existing financial knowledge hub.

- *Objective 34 – Energy and waterflows are captured, used and re-used*

& *Objective 35 – More waste is re-used and recycled to support the development of a circular economy*

The Planning Proposal will deliver significantly improved environmental performance and sustainability outcomes. The revitalisation of the Precinct will replace ageing stock with a high-quality development that pursues best practice ESD targets, including energy, waste and water targets, and relates to a highly sustainable location where high-density employment will be located above a transport node.



**Figure 52 – Extract of the metropolitan and strategic centres map**

Source: Draft Greater Sydney Region Plan

### **Draft Central District Plan (2016)**

In November 2016, the Greater Sydney Commission (GSC) released the draft District Plans for the Greater Sydney Metropolitan Region for public exhibition. The draft District Plans will fill the gap between the metropolitan plan and Council's Local Environmental Plans giving effect to the metropolitan goals and planning priorities from *A Plan for Growing Sydney* by setting out priorities and actions for each District. The Draft Central District Plan has identified this region of Sydney as a "powerhouse" and focal point for establishing a competitive and liveable city.

The plan establishes key priorities for achieving its vision for the centre of Sydney, including:

- leveraging investment in transport infrastructure to increase connections between where people work, live, and play to create a "30-minute city";
- recognising that if Sydney is to maximise productivity, then we as a community need to increase the capacity for productive businesses;
- enhancing the role of the Eastern City as a global leader by creating opportunities for the growth of commercial floor space;
- enriching unique places and connections through facilitating a network of attractive, liveable centres and community hubs connected by convenient transport links;
- accommodating an additional 732,000 jobs in Sydney City over the next two decades; and
- helping to stimulate economic activity and innovation through the co-location of industries such as finance services.

The amendments to the Sydney LEP 2012 contained in this Planning Proposal will facilitate the growth of commercial floor space within the CBD and associated jobs in support of Sydney's financial, knowledge and IT services hub. This additional capacity is ideally located to take advantage of substantial investment in public transport infrastructure, and support the achievement of a "30-minute city".

### **Draft Eastern City District Plan (2017)**

The revised draft District Plans were released on 26 October 2017 for public exhibition, and aim to set a 20 year plan to manage growth and achieve the 40 year vision set under the *Draft Greater Sydney Region Plan* discussed previously.

The Draft Eastern City District Plan continues to acknowledge the role of the Sydney CBD as the nation's financial business capital, and the Eastern City as contributing to over half of the State's economic activity and a third of the jobs. The CBD is also recognised as having Australia's largest concentration of high-value knowledge intensive jobs. However, it will be essential to the success of Sydney that these commercial uses continue to grow and be accommodated within the CBD, to support jobs and investment. The Plan recognises that the success of the CBD is underpinned by premium-grade and A-Grade office space, and that there is an existing and forecast need to make more of such office floor space available:

*"Sydney CBD planning controls need to support commercial developments, as there will be insufficient floor space to accommodate the 45,000-80,000 future jobs forecast"*

The proposal directly responds to this need by providing for additional commercial floor space that also supports the finance industry, which is recognised as being one of Australia's most significant industry clusters for attracting global talent and investment. This growth is ideally located within a Metropolitan Centre and the Eastern Economic Corridor.

The proposal also embodies one of the key constraints facing commercial growth within the Sydney CBD, being the existing capacity and size of sites:

*"The more difficult it is to merge sites, the higher the likelihood that existing buildings will be converted to other uses, thus limiting Sydney CBD's capacity to accommodate future demand for office space"*

The proposal seeks to develop high-quality commercial floor space on an otherwise constrained South Site, which if developed under the current controls would produce very small tower floor plates (of approximately 450m<sup>2</sup>) that are not preferred for office uses and would limit the viability of the Site.

The revitalisation of the Precinct also delivers a number of positive outcomes consistent with the planning priorities, being:

- The desire to provide for a '30-minute city' through developing new jobs and homes within existing centres and with access to a transport network. The proposal will provide a significant boost to the existing precinct's job capacity with unprecedented access to two train stations, the future light rail, bus and ferry services.
- The development will replace ageing building stock with a new high-quality development that pursues best practice ESD targets, including energy, waste and water targets, and relates to a highly sustainable location where high-density employment will be located above a transport node.
- The provision of additional office space will directly grow the finance and services sector, identified as a 'targeted industry sector' for growth.
- The provision of additional office space will assist in alleviating the existing and forecast demand for additional office floor space.

### **NSW Long Term Transport Plan 2012**

The NSW Long Term Transport Plan 2012 is a 20-year vision for public transport, roads and freight networks. It aims to better integrate land use and transport in recognition of the fundamental importance that access to employment, education and other services has on quality of life.

The Planning Proposal will best serve the objectives of this Plan through:

- supporting the expansion of the rail system, by providing significant employment opportunities in direct proximity to an existing heavy rail station (Martin Place) and the future Martin Place Metro Station;
- assisting in unclogging the Sydney CBD transport system by connecting more people to existing heavy rail and future Metro rail infrastructure and relieving pressure on the road system;
- encouraging public transport use by providing employment opportunities at access rich locations where multiple public transport options intersect – in this case the extra-ordinary proximity of the future Metro, the existing heavy rail, the future light rail, bus and ferry services; and



- contributing towards an improved pedestrian network, and encouraging cycling through substantial “end of trip” cyclist facilities and bike parking.

### **Sydney’s Rail Future: Modernising Sydney Trains**

*Sydney’s Rail Future: Modernising Sydney’s Trains* is the NSW Government’s long-term plan to increase the capacity of Sydney’s rail network by investing in new services and upgrading existing infrastructure. The Sydney Metro City and Southwest project was announced as Stage 2 of the first tier of planned improvements for transforming Sydney’s rail network.

Accordingly, the proposed increase in building height and density recognises and responds in an appropriate and anticipated manner to the catalytic effect of the improved rail network.

### **Draft Future Transport Strategy 2056**

The *Draft Future Transport Strategy 2056* is the 2017 update of the NSW Long Term Transport Master Plan. It is a 40 year vision for mobility in NSW being developed with the Greater Sydney Commission, the Department of Planning and Environment, and Infrastructure NSW. The Strategy is supported by the Greater Sydney Draft Services and Infrastructure Plan discussed further below.

The Strategy sets out six state-wide outcomes to guide investment, policy and reform and the provision of services. Whilst a number of these outcomes relate to integrating technological advancements with services and providing regional connections, the proposal does support the need to connect centres that drive economic growth and the development of a transport system that supports the country’s first ‘trillion-dollar state economy’. The proposed amendments to the Sydney LEP 2012 will support the operation of, and financially contribute to, the Sydney Metro City and Southwest project that will connect new jobs with a high-capacity transport network. This connection will support the growth of commercial floor space that benefits the wider NSW economy; as “economic productivity will grow as the network moves people more efficiently to jobs centres and provides firms with access to the right workers, skills and customers.”

The future redevelopment of the Precinct will also support public transport patronage, active modes of transport, and will pursue best practice ESD targets.

### **Greater Sydney Draft Services and Infrastructure Plan**

The Draft Services and Infrastructure Plan sits under the *Draft Future Transport Strategy 2056*, and sets the objectives and customer outcomes for transport in Greater Sydney, focussing on delivering the ‘30 minute city’ model. The Plan recognises the Sydney Metro City and Southwest project as a committed initiative that will improve access to and within the Eastern Harbour City. It is also identified as being a ‘trunk centre-centre corridor’ that provides important connections between centres and the three cities planned for Sydney, and is recognised as being a ‘backbone’ of Sydney’s transport system.

The Planning Proposal seeks to capitalise on this significant infrastructure investment, to contribute to the viability of the Metro line and directly connect jobs growth with public transport infrastructure. This will benefit access to jobs, public transport patronage, and support the growth of the finance sector that is a global industry within the Eastern Harbour City. The future redevelopment of the Precinct will also balance movement and place needs by creating a transport node that is also a destination in its own right. The vision for the Precinct incorporates new public domain areas, food and beverage outlets overlooking and activating the public spaces, and retail uses to create a new vibrant working and visitor destination.

Corridor type	Corridors		
	Within the Western Parkland City	Within the Central River City	Within the Eastern Harbour City
Trunk city-city	1. WSA-Badgerys Creek Aerotropolis – Greater Parramatta		2. Greater Parramatta – Harbour CBD
Trunk centre-centre	1. Mount Victoria – Richmond-Windsor – Blacktown	7. Rouse Hill – Norwest – Greater Parramatta	12. Mona Vale – Northern Beaches Hospital Precinct / Brookvale-Dee Why – Harbour CBD
	2. Mount Victoria – Greater Penrith – St Marys – Mount Druitt – Blacktown – Greater Parramatta		13. Brooklyn – Hornsby – Chatswood – St Leonards –
	3. WSA-Badgerys Creek Aerotropolis – St Marys / Greater Penrith – Marsden Park – Richmond-Windsor / Rouse Hill		8. Rouse Hill – Norwest – Castle Hill – Epping – Macquarie Park – Chatswood / Harbour CBD
			9. Greater Parramatta – Epping – Hornsby
	4. WSA-Badgerys Creek Aerotropolis – Leppington – Liverpool – Bankstown		10. Bankstown – Campsie – Sydney Kingsford Smith Airport
	5. Picton – Campbelltown-Macarthur – Liverpool – Fairfield – Greater Parramatta		14. Harbour CBD – Green Square-Mascot / Randwick Education & Health Precinct – Eastgardens-Maroubra Junction – Sydney Kingsford Smith Airport /Port Botany
	6. Campbelltown-Macarthur – Narellan – Camden WSA-Badgerys Creek Aerotropolis		11. Greater Parramatta – Bankstown – Kogarah / Hurstville
		15. Harbour CBD – Kogarah – Hurstville – Sutherland / Miranda – Waterfall	
CBD mass transit	Transit corridors connecting WSA-Badgerys Creek Aerotropolis with areas within ~10km	Transit corridors connecting Greater Parramatta with areas within ~10km	Transit corridors connecting the Harbour CBD with areas within ~10km
Local connectivity	Local corridors connecting to centres and trunk corridors across Western Parkland City	Local corridors connecting to centres and trunk corridors across Central River City	Local corridors connecting to centres and trunk corridors across Eastern Harbour City

**Figure 53 – Greater Sydney transport corridors across each of the three cities**

Source: Draft Services and Infrastructure Plan

### 6.2.2 Q3a – Does the proposal have strategic merit?

Part 3 of *A Guide to Preparing Planning Proposals* establishes assessment criteria for determining if a Planning Proposal has strategic merit. Whilst Point 3 is the most relevant to the subject proposal, the following sections will demonstrate how the proposal can achieve each of the criteria (emphasis bold):

- a) *Does the proposal have strategic merit? Is it:*
- *Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the Site, including any draft regional, district or corridor/precinct plans released for public comment; or*
  - *Consistent with a relevant local council strategy that has been endorsed by the Department; or*
  - **Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.**

The Guide also notes that there is a presumption against requests to amend LEP controls less than 5 years old, unless the Planning Proposal can clearly justify that it meets the strategic merit test. The Sydney LEP 2012 commenced in December 2012 and as such will be 5 years old at the end of 2017. Many of the controls in the current (2012) LEP, including the key height controls and the FSR limits in particular, have been in place for a considerably longer period. The following sections demonstrate how the Planning Proposal clearly meets the relevant criteria and as such has strategic merit.

**Point 1**

As demonstrated in **Section 6.2.1** above, the Planning Proposal is consistent with, and responds to, a number of strategic plans shaping the ongoing development and vision of Sydney. Namely, the Planning Proposal will meet the directions for the Eastern City Subregion and District, and will directly assist in achieving the targets and implementing the priorities under the *NSW State Plan 2021 – Premier's Priorities; A Plan for Growing Sydney; Draft Greater Sydney Region Plan; Draft Eastern City District Plan; NSW Long Term Transport Master Plan; Sydney's Rail Future: Modernising Sydney Trains; Draft Future Transport Strategy 2056; and Greater Sydney Draft Services and Infrastructure Plan*.

**Point 2**

The status/endorsement by the Department of local strategies released by the City of Sydney Council is unknown. There is however expected to be alignment with the broad objectives/outcomes sought within these documents by the Department.

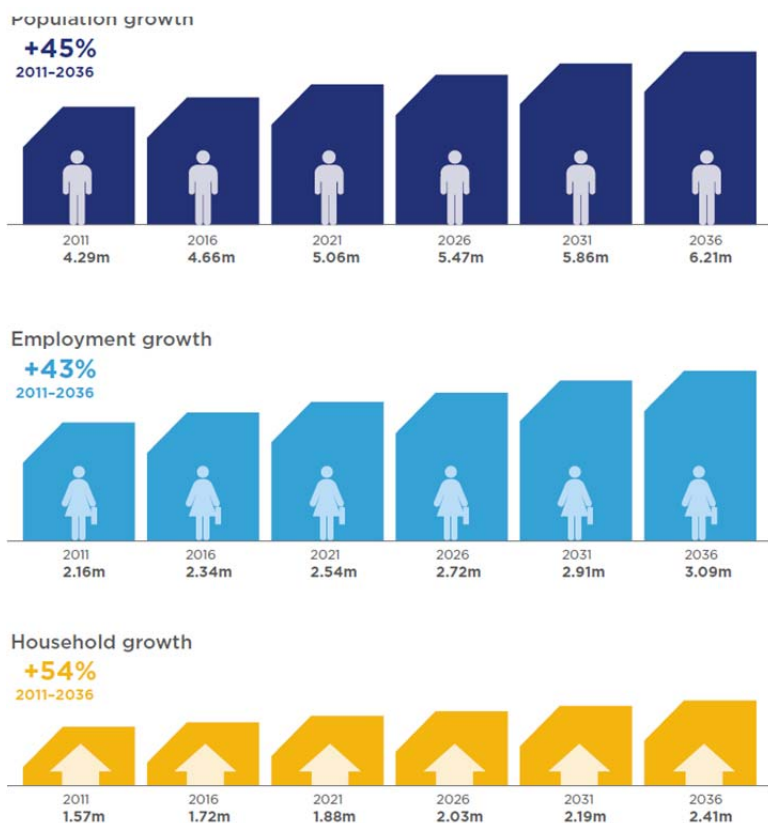
As demonstrated in **Section 6.2.3** below, the Planning Proposal is consistent with, and responds to, local council strategies shaping the public domain, access arrangements, sustainability initiatives, and future growth of the Sydney CBD. The Planning Proposal is thereby consistent with the *Sydney City Centre Access Strategy; Sustainable Sydney 2030; Central Sydney Planning Strategy; and City North Public Domain Plan*.

**Point 3**

This Planning Proposal responds to a change in circumstances pertaining to the new Martin Place Metro Station within the Precinct and beneath the North and South Sites. This new station constitutes a significant investment in infrastructure and is recognised appropriately as a “step-change project” for the revitalisation of public transport and employment centres in Sydney. The project will help alleviate existing barriers to achieving Sydney’s economic potential, and will assist in strengthening connections and access to other high capacity stations within the Global Economic Corridor.

The Sydney Metro City & Southwest project documentation recognises that Sydney is undergoing strong demographic changes due to an elevated forecast population growth. Sydney’s population is currently growing much faster than has been the case over the past 20 years. This places additional pressure on the need to create new jobs and homes, and invest in a wide range of population-related infrastructure to meet this demand and maintain the quality of life for Sydney residents (refer to **Figure 54**). The subject Planning Proposal is consistent with and integral to addressing this growth and the consequent infrastructure needs.

The subject Planning Proposal fulfils the need to provide greater employment opportunities in the centre of Sydney, in what is clearly considered to be the “right location”. The Precinct is in the financial district of the Sydney CBD and is located above two intersecting rail lines/stations with immediate access to both the Metro and heavy rail networks, thereby aligning aspirations for public transport, civic amenity and the long-term sustainability of Sydney as a financial centre.



**Figure 54 – Population, employment, and dwellings growth**

Source: Department of Planning and Environment

### 6.2.3 Q3b – Does the proposal have site-specific merit?

The Planning Proposal’s strategic merit and site-specific merit is intrinsically linked. The Precinct will accommodate the future Metro Station, including platforms, paid concourse, ticketing and rail passenger amenities, as well as the Station entries on the North and South Sites and the unpaid concourse and associated commercial / retail / food outlets that link the north and south Station entries below ground and under 50 Martin Place.

The Precinct presents a unique opportunity for a fully integrated development that seamlessly connects the new Metro Station, the existing rail station and the over station commercial development. The Precinct’s location at the centre of a global city reinforces the merit of a planning proposal that would enable greater building height and employment capacity/density, where future buildings sit comfortably with the existing and likely future character of the locality without adversely affecting the local environmental amenity.

### 6.2.4 Q4 – Is the Planning Proposal consistent with the Council’s local strategy or other local strategic plans?

The relevant local strategies and strategic plans applying to the Planning Proposal comprise:

- *Sustainable Sydney 2030;*
- *Central Sydney Planning Strategy 2016 - 2036; and*
- *Martin Place Urban Design Study (2015).*

The Planning Proposal's consistency with the relevant local strategies is discussed below.

### **Sustainable Sydney 2030**

Sustainable Sydney 2030 is the City of Sydney Council's vision for the sustainable development of the City to 2030 and beyond. It includes ten specific targets to achieve a sustainable Sydney, as well as 10 strategic directions to guide the future of the City. The Planning Proposal supports a number of relevant targets and strategic directions, including:

- **Target 1** – *The city will reduce greenhouse gas emissions by 70 per cent.*
- **Target 2** – *The city will have the capacity to meet 100 per cent of electricity demand by local electricity generation, 30 per cent of water supply by local water capture and increased canopy cover of 50 per cent by 2030.*
- **Strategic Direction 2** – *A Leading Environmental Performer*
  - The Planning Proposal will support a more ecologically sustainable development on the sites, targeting a minimum 6 Star Green Star Office Design and As Built 2015 V1.1, NABERS Energy 5 Star and NABERS Water 3.5 Star.
- **Target 5** – *97,000 additional jobs with an increased share in finance, advanced business services, education, creative industries and tourism sectors.*
- **Strategic Direction 1** – *A globally competitive and innovative city*

The Planning Proposal supports a significant boost in the employment capacity of the Precinct, directly contributing to the jobs target. The Planning Proposal will also be a catalyst for creating and sustaining Sydney's role as a global business centre. This is due to the convergence of the Metro, the enhanced public areas (such as grander, more civic-scaled station entrances) and the office development that will be possible under this Planning Proposal. This encapsulates the broader urban planning and strategic direction of the City but also Macquarie's vision for world's best practice workplaces, where a higher density of workers "bump" and interact in a variety of flexible spaces in a manner which contributes to innovation and therefore sustainability. At the macro and micro scale, this all helps draw to Sydney the world's best talent, which is key to Sydney's future success as a competitive and innovative city.

- **Target 6** – *Trips to work using public transport will increase*
- **Strategic Direction 3** – *Integrated transport for a connected city*

The Metro represents a monumental uplift in sustainable public transport for the Sydney Metropolitan Region. The Planning Proposal builds on this by offering integrated office and related land uses to create an inspiring and transformative transport hub that welcomes workers and visitors alike. The Planning Proposal will support the delivery of additional capacity in a Precinct that is strategically located in the heart of the Sydney CBD and above two rail stations with immediate access to both the Metro and heavy rail networks.

- **Target 7** – *At least 10 per cent of city trips will be made by bicycle and 50 per cent by pedestrian movement.*
- **Strategic Direction 4** – *A city for pedestrians and cyclists*

- The future development resulting from the Planning Proposal will support the creation of a network of new and activated through-site links that support unimpeded pedestrian connections and a more people oriented City.
- The future development will also provide for major bicycle storage and end of trip facilities for cyclists, encouraging this mode of transport by workers and visitors. Further encouraging a more pedestrian and cyclist friendly city, and there will be minimal car parking in the Precinct removing from the streets those private vehicles that are presently accommodated in the basements of the existing buildings that will be demolished as part of the redevelopment.

- **Strategic Direction 5** – *A lively, engaging city centre*

- The re-emergence of Martin Place as a premier place for transport, business, social and cultural life is essential to the achievement of this strategic goal. The Planning Proposal supports the delivery of OSD that appropriately integrates with the proposed Metro station, reinforces a world-class financial services district, and coordinates with improvements to civic spaces. This will contribute to the activation and accessibility of the CBD. Revitalising this part of the city will assist in attracting a diverse range of supporting services and uses, and the enhanced transport infrastructure will deliver direct to the Precinct a large number of additional visitors. The Precinct will itself become a lively destination, seven days a week and over an extended period of the day.

The Planning Proposal together with Macquarie's vision has the potential to deliver:

- o a more vital hub of activity;
- o an improved public transport experience with expanded and better integrated Station connections, entries and customer facilities;
- o new, safe and activated north - south pedestrian concourse and other revitalised pedestrian linkages;
- o active street frontages through retail opportunities and engaging facades; and
- o an enhanced Martin Place as the CBD's premier public space.

- **Strategic Direction 7** – *A Cultural and Creative City*

Public art will be provided within the future development of the Precinct thus supporting the local art community and providing new creative and cultural experiences within this part of the City.

- **Strategic Direction 9** – *Sustainable development renewal and design*

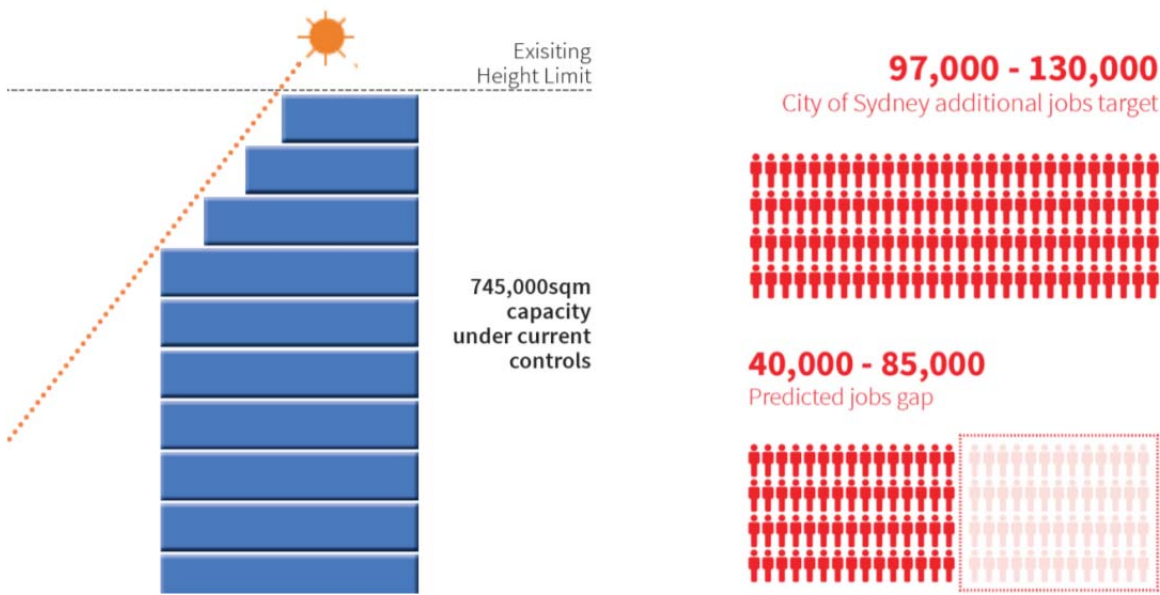
The Planning Proposal will support and facilitate the delivery of buildings designed to achieve best practice ESD targets. The Planning Proposal also supports exemplar Transit Oriented Development, embracing this principle and significantly raising the bar in this respect for Sydney, NSW and Australia.

It is also emphasised that Macquarie is a world leader in the design of workplaces, having received numerous awards over the years for its projects. The detailed design of the future buildings will be the subject of a design excellence process, with the intent that the Precinct will set a new international benchmark for design, innovation, enterprise, wellbeing and sustainability. The capacity to do so is significantly increased as a result of the Planning Proposal being able to deliver more density and greater flexibility in the built form.

### Central Sydney Planning Strategy 2016–2036

In July 2016, the Council released the *Central Sydney Planning Strategy* (the CSPS), which is Council’s adopted strategic document to guide the planning and development of Central Sydney over the next 20 years. Along with this Strategy, Council has prepared a Planning Proposal to amend the Sydney LEP 2012, and amendments to the Sydney Development Control Plan 2012. Council predicts that under existing planning controls there is going to be a jobs gap of some 40,000 – 85,000 jobs, equating to some 800,000m<sup>2</sup> to 1.7million m<sup>2</sup> of floor space (refer to **Figure 55**).

*“Without intervention to stabilise employment floor space losses and increase the amount of employment floor space, there will be significant constraints on the number of jobs that can be accommodated”. – p.37*



**Figure 55 – Central Sydney Planning Strategy Context**

Source: Ethos Urban

The CSPS responds to this considerable challenge with 10 key “moves” and an overall emphasis on positioning and strengthening Sydney as Australia’s leading global city. The timing for the release of the Strategy and the commitment of the NSW Government to construction of the Sydney Metro is not coincidental. Council has undertaken extensive studies to understand the transformative changes that will occur across Central Sydney as a result of this step change public transport infrastructure. The Sydney Metro project lifts the lid to a large extent on transport capacity constraints within Central Sydney and will see in a new era of city-shaping projects that will reinforce and strengthen Sydney’s position as a global leader in all the key liveability indexes (economic performance, new talent attractor, infrastructure, innovation).

### CSPS Capacity Studies

Part of the CSPS examines where in Central Sydney it may be possible to accommodate greater heights and FSRs than the planning controls currently permit. This is one of the key moves identified within the Strategy to combat the identified jobs gap and ensure Sydney retains its place on the world stage as a global economic leader.

These areas are broadly defined (refer to **Figure 56**), but are not exclusively limited to these “zones”. The Strategy provides that land within these zones will be eligible to “unlock” additional height and floor space by submitting a site-specific Planning Proposal. The additional floor space achieved through a Planning Proposal must be used for employment-generating uses and not residential accommodation or serviced apartments. This Planning Proposal is fully consistent with this approach and will represent one of the first Planning Proposals under the CSPA to support Council’s vision for additional employment capacity at appropriate locations.



**Figure 56 – Strategic Density Areas / Tower Clusters**

Source: Central Sydney Planning Strategy



Council conducted a rigorous opportunities and constraints exercise to understand which areas of Central Sydney had the capacity to accommodate additional building height (and floor space), without compromising:

- Solar Access Planes;
- 'No additional overshadowing' areas;
- Public view corridors;
- Special character areas;
- Heritage/conservation precincts;
- PANS-OPS restrictions; and
- Historic skyline city form/profile.

The output from this exercise is represented graphically by the blue coloured envelopes in **Figure 57**.



**Figure 57 – 3D representation of additional height capacity of Central Sydney**

Source: City of Sydney Council (3D fly-through released with the Strategy)

In understanding these constraints/opportunities, a *Built Form Capacity Study* was undertaken by Council as part of developing the Strategy, and is attached to the CSPA as Appendix B. It involved firstly identifying potential sites that could be amalgamated to create additional capacity and then calculating the high and moderate floor space growth scenarios (for most but not all of the potential amalgamated sites). This capacity was then compared with the sites' yields under existing controls.

The purpose of the capacity study was to understand and quantify the potential floor space that could be unlocked if the less constrained sites reached their full theoretical development potential.

The North and South Sites are specifically identified in the Council's Built Form Capacity Study as sites that could potentially be amalgamated to create additional capacity. **Figure 58** is an extract from Figure B-12 of Appendix B of the Strategy that identifies these "Strategic Sites" in the 'City Core' of the CBD.



**Figure 58 – Extract from B\_12, Site Identification, Appendix B of the CSPS**

Source: City of Sydney

This is addressed more fully in **Section 7.2** of this Planning Proposal. The Council’s detailed Floor Space Capacity Study therefore specifically supports the subject Planning Proposal for this particular Precinct. The Council’s Capacity Study also demonstrates that the proposed FSR limits for the North and South Sites are in keeping with the FSRs identified on other potential “Strategic Sites” in the City’s Core Precinct that were tested.

**10 Key Moves**

More generally, the Planning Proposal supports a number of the CSPS 10 key moves, as follows:

1. Prioritise employment growth and increase capacity

This Planning Proposal directly responds to this move in seeking to increase the capacity of a strategically located Precinct to deliver a significant quantum of predominantly commercial floor space and associated jobs. This additional capacity specifically excludes residential purposes, supporting Council’s move to prioritise and stem a loss in employment floor space and accommodate projected jobs growth within the CBD.

2. Ensure development responds to its context

The driver of this Planning Proposal is to facilitate a scheme that appropriately responds to the sites’ context and the Precinct’s unique strategic value.

3. Consolidate and simplify planning controls

Not applicable.

4. Provide for employment growth in new tower clusters

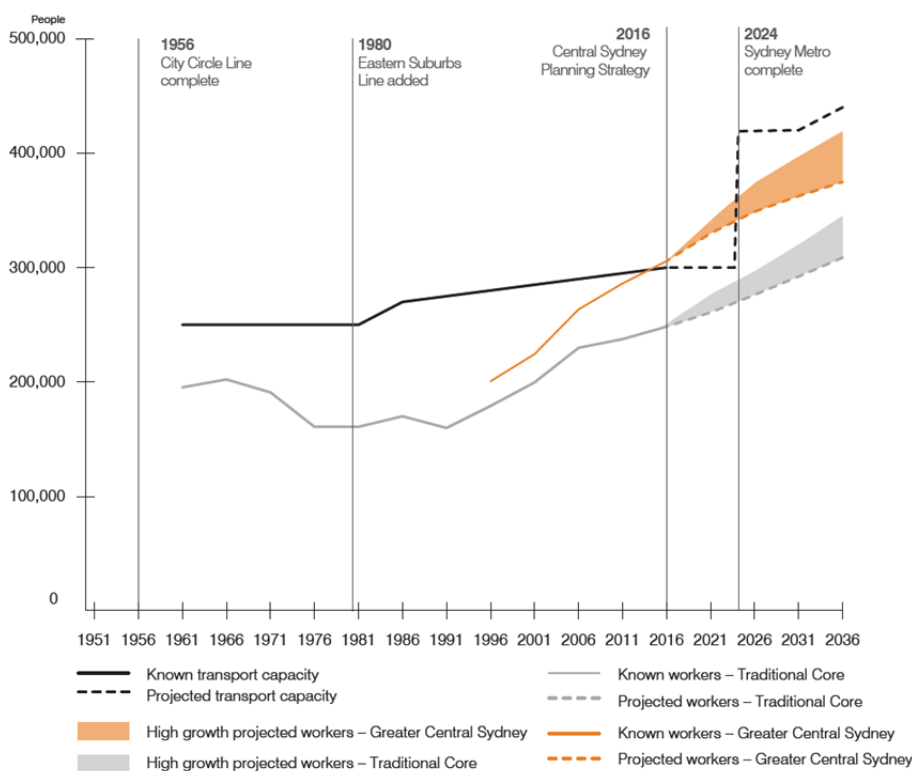
The Planning Proposal enables increased opportunities for employment growth in new towers. The proposed taller and larger of the two towers is located on the North Site where it forms part of an existing cluster around Chifley Square and with potential for further towers in the vicinity, as identified in the City Council's Floor Space Capacity Study. In doing so, it unlocks opportunities for the delivery of commercial infrastructure and improved public spaces without impacting the City's sun access planes. Accordingly, the Planning Proposal and resulting future development will appropriately protect Martin Place and Hyde Park in accordance with Sydney LEP 2012 requirements, whilst still supporting the provision of additional employment floor space in a highly desirable strategic location.

5. Ensure infrastructure keeps pace with growth

A key driver of longer-term economic and employment growth in Central Sydney is major step-change infrastructure projects occurring in the LGA, such as the Metro project. This major infrastructure project, along with the CBD and South East Light Rail, represents:

*“The largest commitment to new public transport infrastructure since the 1980s set to boost public transport capacity in 2024, which will likely lead to an increase in demand for employment floor space. Central Sydney must be positioned to accommodate this growth.” – p. 33*

This increase in transport capacity will outpace forecast jobs growth in 2024 (**Figure 59**), providing a unique opportunity to grow employment uses that are drawn to the productivity that comes from locations well serviced by public transport. The delivery of increased commercial floor space can thereby capitalise on significant infrastructure investment and the opportunities created by forecast transport capacity, whilst also responding to the immediate growth pressures and identified shortage of office space in Sydney now and in the short to medium term, including by 2024 when this development is scheduled for completion.



**Figure 59 – Employment and transport capacity growth**

Source: Central Sydney Planning Strategy

The Planning Proposal therefore directly responds to this initiative in seeking to deliver increased and superior commercial floor space that capitalises on the significant infrastructure investment made by the NSW Government to provide a new Metro station beneath the Precinct. The Metro project will cut travel times, reduce congestion and deliver substantial and long-lasting economic and social benefits. Accordingly, this infrastructure project paired with an expansion in employment floor space will respond to historic growth pressures across Sydney and strengthen Sydney as a truly global city.

#### 6. Move towards a more sustainable city

Macquarie is committed to a major improvement in the environmental sustainability of the new development, compared to that currently achieved by most of the buildings in the Precinct. It has set a minimum target of 6 Star Green Star Office Design and As Built 2015 V1.1, NABERS Energy 5 Star and NABERS Water 3.5 Star, consistent with that achieved for Macquarie's 50 Martin Place building.

In addition, Macquarie is committed to the design of resilient buildings and workplaces that support engaged and innovative workforces. This has important environmental and cultural dimensions. The future office accommodation will be designed to allow for minimum fixed infrastructure in large floor plates. This is to allow spatial adaptability with minimum intervention to the building fabric. It encourages customising of the physical working environment to changing business and workforce needs over time. Importantly it is also about building a supportive, empowering and innovative business culture that is reflected in its environment.

This is consistent with Council's objectives to encourage building design that minimises consumption. It is also consistent with the core social sustainability principles for workplaces.

#### 7. Protect, enhance and expand Central Sydney's heritage, public places and spaces

The Planning Proposal will ensure future development is carefully designed to respond to its location on Martin Place and to the proximity of National, State and Local heritage items. No changes are proposed to the existing carefully crafted Sydney LEP sun access planes that protect solar access to Martin Place and Hyde Park. The Planning Proposal and resulting built form has been thoroughly tested to identify potential impacts on amenity, heritage significance, and views. Refer to **Section 7** for further discussion.

#### 8. Move people more easily

The Planning Proposal truly supports transit oriented development, in delivering additional predominantly commercial floor space with exceptional access to high-capacity public transport. The proposed redevelopment facilitated by the Planning Proposal will move people more easily to the Precinct by public transport and within the Precinct and to adjoining areas on foot once they arrive at the Station.

#### 9. Reaffirm commitment to design excellence

Macquarie has a strong commitment to achieving design excellence as evidenced by its award-winning redevelopment of the Company's flagship heritage building at 50 Martin Place. This will be achieved by a robust design excellence process.

#### 10. Monitor Outcomes and Respond

Not applicable.

### **Strategic Floor Space**

In addition to the above “key moves”, the City of Sydney in the CSPA identify a future mechanism for additional floor space (termed “Strategic Floor Space”), which may be achieved through the following uses: office premises, business premises, retail premises, hotel accommodation and community and cultural facilities on strategic sites. A number of objectives accompany this Strategic Floor Space, which have been addressed where relevant by the proposed development as facilitated by the Planning Proposal:

- *To provide opportunities for Strategic Floor Space on appropriate sites that serve the workforce, visitors and wider community*

The Precinct is deemed to be an appropriate location to serve the workforce, visitors and wider community, being strategically located in the heart of the Sydney CBD with immediate access to both the future Metro and existing heavy rail networks. It will support jobs with superior connections to public transport.

- *To limit Strategic Floor Space to identified strategic uses*

The Planning Proposal aligns with this objective of limiting additional floor space to strategic uses, through the provision of office, business, and retail premises, as well as the public infrastructure and by excluding residential uses.

- *To provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure, particularly public transport, open space and pedestrian infrastructure*

The Planning Proposal responds to the unique strategic value of the Precinct and the integrated development proposed and the additional capacity this creates. The public transport and pedestrian infrastructure and the upgrade to the public open space of Martin Place provides for the increased intensity of commercial uses, which are to be delivered hand-in-hand with the infrastructure.

- *To require sharing of planning gain resulting from changes to planning controls to fund public infrastructure delivery with consideration given to development feasibility*

The planning gain resulting from the changes to the planning controls will be directed towards funding of the Sydney Metro project. These gains and their sharing are the subject of the commercial arrangements of the Unsolicited Proposal currently under consideration by the NSW Government.

- *To ensure no overshadowing of protected places at key times*

The Planning Proposal does not involve any changes to the current sun access planes in the Sydney LEP 2012, ensuring overshadowing is restricted to protect Martin Place and Hyde Park (the relevant protected places) for the nominated dates and times of day.

## City North Public Domain Plan

Martin Place over recent years has been the subject of particular focus by surrounding landowners and the City of Sydney Council, with alignment being reached on a need to improve this important public space. Adjoining private and public developments have also triggered the need for a clear response. The City of Sydney Council has prepared and adopted (in December 2015) the City North Public Domain Plan (Public Domain Plan), which includes Martin Place. It identifies the scope, location and extent of public domain improvements over the short, medium and long term.

The Public Domain Plan has been informed by the Urban Design Study prepared by Gehl Architects for Martin Place (August 2015). The Plan establishes five key directions, with directions 1, 3 and 5 being relevant to the Planning Proposal:

1. *Strengthen north-south streets and encourage east-west pedestrian permeability*
3. *Reinforce Martin Place as the City's premier civic and public space*
5. *Support and encourage active building edges and high quality activation of the public domain.*

The Planning Proposal through its reimagined built form outcomes (particularly for the South Site) aligns with key principles enshrined within the Gehl Urban Design Study, including supporting a clear sense of arrival (a new threshold condition) to Martin Place, and more specifically its evolution into Sydney's most highly accessible east-west pedestrian spine.

### 6.2.5 Q5 – Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Proposal's consistency with applicable State and Regional Planning Policies is summarised in **Table 7** below.

**Table 7 – Applicable State Environmental Planning Policies**

State Environmental Planning Policies (SEPPs)	Consistent			Comment
	YES	NO	N/A	
SEPP No 1 Development Standards			✓	SEPP 1 does not apply to the Sydney LEP 2012.
SEPP 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.  The construction methodology for the approved Sydney Metro (Martin Place Station) involves the demolition and excavation of the land (North and South Sites). SEPP 55 and any potential contamination issues have or will accordingly be addressed. In any event, given the central CBD context and the age of the building stock there is considered to be a low likelihood of contamination.
SEPP No 64 Advertising and signage			✓	Not relevant to proposed amendment.
SEPP (Exempt and Complying Codes) 2008	✓			May apply to future fit-out within buildings.

State Environmental Planning Policies (SEPPs)	Consistent			Comment
	YES	NO	N/A	
SEPP (Infrastructure) 2007	✓			<p>State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure) aims to facilitate the effective delivery of infrastructure across the State and identifies matters to be considered in the assessment of development adjacent to particular types of infrastructure.</p> <p>The relevant matters for consideration within SEPP Infrastructure are the referral requirements for development within, above or adjacent to a rail corridor, within/adjacent to the Interim Metro Corridor (Division 15 Railways) and traffic generating development (Schedule 3). The Precinct is located above and in proximity to the Eastern Suburbs Rail Corridor, and within Interim Rail Corridors. The future redevelopment of the Precinct will also likely trigger consultation with NSW Roads and Maritime Services (RMS) under the provisions of Schedule 3 of the SEPP. Development proposals would thereby be referred for comment to Transport for NSW, and RMS.</p> <p>The Planning Proposal relates to future development that will be intricately linked to rail infrastructure. This is an opportunity and not a constraint.</p>
SEPP (State and Regional Development) 2011	✓			<p>Under Item 19(2) of Schedule 1 of this SEPP, development within a railway corridor or associated with railway infrastructure that has a capital investment value of more than \$30 million and involves commercial premises is declared to be State Significant Development (SSD) for the purposes of the EP&amp;A Act. The future redevelopment of the North and South Site having a CIV over \$30 million will thereby be identified as SSD, with the Planning Minister (or his delegate) as the consent authority.</p>
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	✓			<p>The Precinct is located within the boundaries of the Sydney Harbour Catchment REP. The North and South Site are not “zoned” under this plan nor is it located within the “Foreshores and Waterways Area”, where the majority of the plans provisions apply. The key matter for consideration is therefore the visibility from Sydney Harbour. Views are discussed further at <b>Section 7.5</b>. In summary, the Planning Proposal will not result in any adverse impacts on views from Sydney Harbour.</p>

## 6.2.6 Q6 – Is the Planning Proposal consistent with the applicable Section 117 Directions?

An assessment of the Planning Proposal against applicable Section 117 Directions is set out in **Table 8** below.

**Table 8 – Assessment against Section 117 Ministerial Directions**

Ministerial Directions	Consistent			Comment
	YES	NO	N/A	
<b>1 Employment and Resources</b>				
1.1 Business and Industrial Zones	✓			Whilst not strictly applicable as the Precinct is located within a mixed-use zone, the amount of employment generated on the site will significantly increase as a result of the Planning Proposal, facilitating redevelopment for new commercial towers. Preliminary analysis reveals that the Planning Proposal has the potential to support a significant increase in employment numbers on the site (from around 4,505 at present to some 15,018). This equates to a 233% increase.
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
<b>2 Environment and Heritage</b>				
2.1 Environment Protection Zones			✓	Not applicable
2.2 Coastal Protection			✓	Not applicable
2.3 Heritage Conservation	✓			The objective of Section 117 direction 2.3 is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. With the exception of 50 Martin Place, and a component of the Martin Place Train Station, there are no <sup>4</sup> listed heritage items on the land the subject of this Planning Proposal. The construction methodology for the approved Sydney Metro (Martin Place Station) involves the demolition and excavation of the land (North and South Sites). Archaeological impacts have or will be addressed as part of the Sydney Metro project. The Planning Proposal does not contain provisions that contradict or would hinder application of this direction. See <b>Section 7.7</b> for further details.
2.4 Recreation Vehicle Areas			✓	Not applicable
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North			✓	Not applicable

<sup>4</sup> 7 Elizabeth Street, whilst listed as a heritage item has been approved for demolition as part of the Sydney Metro CSSI.



Ministerial Directions	Consistent			Comment
	YES	NO	N/A	
Coast LEPs				
<b>3 Housing, Infrastructure and Urban Development</b>				
3.1 Residential zones			✓	Whilst residential accommodation is a permissible use, the Precinct is located within the City's commercial core, and accordingly the highest and best use of the land is commercial, consistent with local and state planning strategies. The Planning Proposal includes a restriction on the use of the site for residential purposes.
3.2 Caravan Parks and Manufactured Home Estates			✓	Not applicable
3.3 Home Occupations			✓	Not applicable
3.4 Integrating Land Use and Transport	✓			<p>The objectives of s117 direction 3.4 are to improve accessibility, increase transport options, reduce travel demand and dependence on cars, support public transport, and provide for efficient movement of freight.</p> <p>Facilitating the redevelopment of the North and South Sites in accordance with the Planning Proposal will significantly increase the number of workers and visitors in this location. This is consistent with s117 direction 3.4 as the North and South Site have unparalleled access to existing and planned future public transport (Martin Place heavy and Metro stations) bus, ferry services and Light Rail.</p> <p>See the discussion below.</p>
3.5 Development Near Licensed Aerodromes	✓	✓		<p>The Planning Proposal supports the development of towers that will encroach into the Obstacle Limitation Surface (OLS), therefore direction 3.5 applies.</p> <p>Clause 4(d) of this direction requires permission from the relevant Department of the Commonwealth, or their delegate, prior to undertaking community consultation in satisfaction of Section 57 of the EP&amp;A Act.</p> <p>Whilst not technically consistent with this direction, the Planning Proposal is considered to be supportable/justified. This is on the basis that the maximum allowable building height (PANS-OPS) is 335m and the resulting built form is substantially below this upper limit. There are also a significant number of towers surrounding the site that already protrude into the OLS. Refer to <b>Appendix H</b>.</p>
3.6 Shooting Ranges			✓	Not applicable

Ministerial Directions	Consistent			Comment
	YES	NO	N/A	
<b>4 Hazard and Risk</b>				
4.1 Acid Sulphate Soils	✓			In accordance with the Sydney LEP 2012, the Precinct is classified as Class 5 Acid Sulfate Soils.  The construction methodology for the approved Sydney Metro (Martin Place Station) involves the demolition and excavation of the land (North and South Sites). The management of Acid Sulphate Soils have or will be addressed as part of the Sydney Metro project.
4.2 Mine Subsidence and Unstable Land			✓	Not applicable
4.3 Flood Prone Land			✓	Not applicable
4.4 Planning for Bushfire Protection			✓	Not applicable
<b>5 Regional Planning</b>				
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
5.9 North West Rail Link Corridor Strategy			✓	Not applicable
5.10 Implementation of Regional Plans			✓	Not applicable
<b>6 Local Plan Making</b>				
6.1 Approval and Referral requirements			✓	No new concurrence provisions are required.
6.2 Reserving Land for Public Purposes			✓	No new reservations are proposed.
6.3 Site Specific Provisions	✓			The Planning Proposal will not result in any unnecessarily restrictive site-specific planning controls.
<b>7 Metropolitan Planning</b>				
7.1 Implementation of the Metropolitan Plan for Sydney 2036	✓			The Planning Proposal will assist in the implementation of <i>A Plan for Growing Sydney</i> and is consistent with the objectives of the Plan. Refer to <b>Section 6.2.1</b> above.
7.2 Implementation of Greater Macarthur Land Release Investigation			✓	Not applicable

Ministerial Directions	Consistent			Comment
	YES	NO	N/A	
7.3 Parramatta Road Corridor Urban Transformation Strategy			✓	Not applicable

The key Section 117 Direction relevant to the Planning Proposal is addressed in further detail below.

### Direction 3.4 – Integrating Land Use and Transport

This direction applies to Planning Proposals that will create, alter or remove a zone or a provision relating to urban land, including land zoned for business purposes.

The objectives of this S117 Ministerial direction are to:

- *improve access to housing, jobs and services by walking, cycling and public transport;*
- *increase the choice of available transport and reducing dependence on cars;*
- *reduce travel demand including the number of trips generated by development and the distances travelled, especially by car;*
- *support the efficient and viable operation of public transport services;*
- *providing for the efficient movement of freight.*

If this direction applies, the Planning Proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:

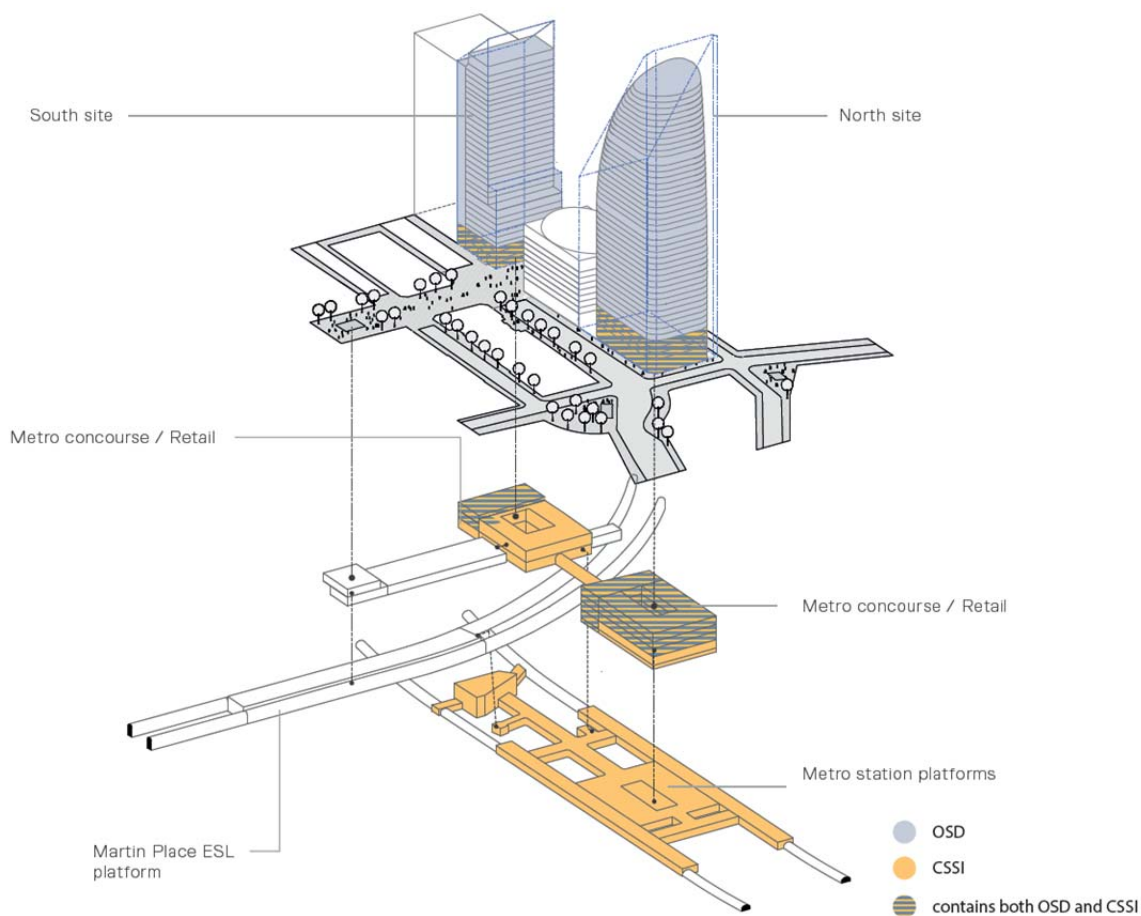
- *Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and*
- *The Right Place for Business and Services – Planning Policy (DUAP 2001).*

As set out above, this Planning Proposal is consistent with the principles for accessible development under *Improving Transport Choice – Guidelines for planning and development*, as:

- the Planning Proposal increases the capacity of a site located within the Sydney CBD and above two railway lines, to increase density in an existing centre and in conjunction with a major transport node;
- it supports the viability of the financial services hub as an industry cluster, and provides for supporting retail uses to create a new vibrant working and visitor destination;
- it aligns the capability of the Precinct with its strategic importance, being in an accessible centre and within a new major public transport corridor, to ensure major transport infrastructure investment is supported by new urban development that maximises the effectiveness and productivity of the infrastructure;
- the Planning Proposal forms a land use strategy seeking to maximise access to the future Metro station, thereby linking public transport with appropriate land use intensities (refer to **Figure 60**);
- the Planning Proposal will be the catalyst to revitalise this part of the CBD and deliver improvements in accessibility in the locality, including to the public domain;
- there future redevelopment will incorporate extensive end-of-trip facilities for cyclists and minimal private vehicle parking in the Precinct. This will reduce car dependency and encourage walking and cycling; and

- the detailed design of future development will undergo a design excellence process, to ensure an excellence design outcome in terms of urban, architectural and environmental design and the careful integration of the Metro Station and the over station development.

The Planning Proposal is also consistent with the directions of *Right Place for Business and Services – Planning Policy*. Namely, the Precinct is deemed to be the “right location” being in the heart of the Sydney CBD and above two rail stations with immediate access to both the Metro and heavy rail networks. It benefits from proximity to services, public transport, and compatible surrounding uses, consistent with the directions for locating office and retail uses. The Planning Proposal and the Precinct is also within the “right centre”, supporting Sydney’s role as a global business centre and jobs growth to support the viability and competitiveness of the Global Economic Corridor. It also seeks to build on Australia’s largest existing cluster of financial services.



Indicative only

**Figure 60 – Integrated land use and transport Precinct**

Source: Grimshaw

### 6.2.7 Local Statutory Framework

This section assesses the consistency of the Planning Proposal with the aims and objectives of the Sydney LEP 2012 and relevant development standards.

## Consistency with the Overall Aims

The Planning Proposal's consistency with the overall aims of the LEP is demonstrated in **Table 9** below.

**Table 9 – Consistency with the aims of the Sydney LEP 2012**

Aim	Proposal	Consistency
a) to reinforce the role of the City of Sydney as the primary centre for Metropolitan Sydney	The Planning Proposal seeks to accommodate increased capacity in a precinct located within the core of the Sydney CBD, and will be a catalyst for creating and sustaining Sydney's role as a global business centre.	✓
b) to support the City of Sydney as an important location for business, educational and cultural activities and tourism,	The Planning Proposal ensures additional commercial floor space can be accommodated in the precinct to address demand for business premises within Central Sydney.	✓
c) to promote ecologically sustainable development	The Planning Proposal relates to a highly sustainable location, where high density employment located above a transport node increases sustainability. The future detailed design will also incorporate necessary sustainability measures, achieving best practice ESD targets.	✓
d) to encourage the economic growth of the City of Sydney by: <ul style="list-style-type: none"> <li>– providing for development at densities that permit employment to increase, and</li> <li>– retaining and enhancing land used for employment purposes that are significant for the Sydney region</li> </ul>	The Planning Proposal embodies this aim by seeking to increase the density of the North and South Sites and in-turn increase the quantity of employment floor space. This will also enhance and support the viability of Sydney's financial services knowledge hub, which generates up to 30% of Greater Sydney's Gross Domestic Product.	✓
e) to encourage the growth and diversity of the residential population of the City of Sydney by providing for a range of appropriately located housing, including affordable housing	N/A – the redevelopment of the Precinct is focussed on supporting the employment uses at this commercial core location that is not suitable for or characterised by residential uses.	N/A
f) to enable a range of services and infrastructure that meets the needs of residents, workers and visitors	The Precinct is in a desirable location to serve the workforce, visitors and wider community, being strategically located in the heart of the Sydney CBD with immediate access to both the future Metro and the heavy rail networks. It will support jobs with superior connections to public transport.	✓
g) to ensure that the pattern of land use and density in the City of Sydney reflects the existing and future capacity of the transport network and facilitates walking, cycling and the use of public transport	The Planning Proposal directly responds to this aim in seeking to deliver increased density in-hand with increased transport capacity. The development facilitated through the Planning Proposal will assist in revamping the surrounding pedestrian, cycle, and vehicle access network to encourage walking and public transport use.	✓
h) to enhance the amenity and quality of life of local communities	The Planning Proposal will be subject to the relevant sun access planes to safeguard the amenity of surrounding public places. It will revitalise a tired and ageing commercial block and create a new landmark destination in the Sydney CBD in a world class transport and employment hub.	✓

Aim	Proposal	Consistency
i) to provide for a range of existing and future mixed-use centres and to promote the economic strength of those centres,	The Planning Proposal supports the viability of the financial services hub as an industry cluster, and provides for supporting retail uses to create a new vibrant visitor destination.	✓
j) to achieve a high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities	The detailed design of the future redevelopment will be shaped and informed by a robust design excellence process.	✓
k) to conserve the environmental heritage of the City of Sydney	The Planning Proposal will not adversely impact the heritage significance or setting of this unique area within the Sydney CBD. The urban form resulting from the Planning Proposal is overall considered to respond positively to the heritage context, including through enhancing the sense of spatial enclosure of Chifley Square and reinforcing and retaining and enhancing Martin Place as one of the City's grand civic and ceremonial spaces. Refer to <b>Section 7.7</b> below and <b>Appendix C</b> .	✓
l) to protect, and to enhance the enjoyment of, the natural environment of the City of Sydney, its harbour setting and its recreation areas	The Planning Proposal will positively contribute to the Sydney CBD Skyline, with the potential development sitting comfortably within the backdrop of surrounding towers when viewed from Sydney Harbour and key recreation areas. See <b>Section 7.5</b> .	✓

### Consistency with the Height Objectives

The Planning Proposal's consistency with the objectives for height (South Site only) under the LEP is demonstrated in **Table 10**.

**Table 10 – Consistency with the building height objectives**

Aim	Proposal	Consistency
a) to ensure the height of development is appropriate to the condition of the site and its context	The NSW Government is committed to an unprecedented investment in public transport infrastructure, and relevant to the South Site is the Sydney Metro project. The site's conditions as a future transport hub and destination therefore support building heights of an appropriate scale and capacity that take advantage of these unique circumstances.	✓
b) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas	A transition from Martin Place is achieved for the South Tower to provide a street wall height to Martin Place and setback above that responds to the heritage and spatial context. See <b>Section 7.1 and 7.5</b> for further details.	✓
c) to promote the sharing of views	The View Impact Analysis included at <b>Appendix D</b> demonstrates that the Planning Proposal will not unduly impact on important public views and view corridors, including those from the waterway and foreshores of Sydney Harbour, and key public spaces.	✓

Aim	Proposal	Consistency
d) to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas,	The Precinct is located near the geographic centre of the Sydney CBD and therefore has no bearing on ensuring appropriate height transitions to lower scale adjoining areas.	✓
e) in respect of Green Square: – to ensure the amenity of the public domain by restricting taller buildings to only part of a site, and – to ensure the built form contributes to the physical definition of the street network and public spaces.	N/A – the Site is not located in Green Square.	N/A

### Consistency with the FSR Objectives

The Planning Proposal's consistency with the FSR objectives under the LEP is demonstrated in **Table 11** below.

**Table 11 – Consistency with the FSR objectives**

Aim	Proposal	Consistency
a) to provide sufficient floor space to meet anticipated development needs for the foreseeable future,	There is a recognised need to provide additional employment floor space in the Sydney CBD to meet existing and forecast demands for office premises and jobs growth. This need is identified under various State and Local planning strategies discussed in earlier sections, which highlight the strategic merit in providing additional employment floor space in-line with forecast jobs growth and infrastructure capacity. There is thereby strategic merit in this Planning Proposal that will help address Sydney's needs for the foreseeable future.	✓
b) to regulate the density of development, built form and land use intensity and to control the generation of vehicle and pedestrian traffic	<p>The Planning Proposal does not generate significant additional vehicle or pedestrian traffic numbers due to the co-location of the future planned commercial development and the Sydney Metro and heavy rail stations.</p> <p>The majority of people working on or visiting the Precinct are expected to gain access directly via Martin Place Station, with the next largest group accessing the site via other modes of public transport, most notably buses, ferries (at Circular Quay), the heavy rail station at Wynyard, and light rail along George Street. These people are expected to travel between the other transport services and the Precinct on foot. A large number of these pedestrians are expected to avail themselves of the high amenity and high capacity pedestrian spine of Martin Place, which is ideally suited for this purpose and with which the Precinct intersects. Whilst the additional floor space will generate some additional pedestrians using the off-site network, this number is negligible within the context of the broader Sydney CBD and any impacts in this regard are deemed acceptable.</p>	✓

Aim	Proposal	Consistency
	The regulation of development density and built form/land use intensity for the Precinct needs to recognise the step-change and transformative transport infrastructure project being delivered across the Sydney CBD.	
c) to provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure	This increase in the capacity of public transport in the CBD spurred by the Metro and other existing and planned transport services, enables an increase in the intensity of development in the Precinct. This important relationship between transport capacity and density is recognised in the relevant strategic plans. The delivery of increased commercial floor space is thereby in the right location to capitalise on significant infrastructure investment and the opportunities created by forecast transport capacity, and therefore the Planning Proposal satisfies this objective.	✓
d) to ensure that new development reflects the desired character of the locality in which it is located and minimises adverse impacts on the amenity of that locality,	<p>The Planning Proposal ensures that future towers on the North and South Sites reflect the current and evolving future character of the Martin Place Station Precinct and Central Core of the CBD generally.</p> <p>The approved Metro Station will be an important catalyst for changing the future character of the area. The transformational effect will enhance the locality as one of Sydney's preferred locations for global commerce. It has the capacity to transform what exists today as a series of underutilised poor-quality buildings (other than 50 Martin Place) into an interconnected and coherent Precinct that is a destination in itself. This creates a unique opportunity and responsibility to maximise the capacity of the Precinct commensurate with its strategic significance, whilst still respecting the overall character of the area. Consideration of potential amenity impacts is discussed further below.</p>	✓



## **6.3 Section C – Environmental, Social and Economic Impact**

### **6.3.1 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 Planning Proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats given the Precinct's CBD location.

### **6.3.2 Q8 – Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

A detailed assessment of the environmental impacts of the Planning Proposal is provided in **Section 7.0**. These environmental considerations are those related primarily to urban amenity.

The development being facilitated by the Planning Proposal will be predominantly for commercial uses, with the station components of the integrated development already approved under the terms of the CSSI Approval (SSI 15\_7400). Existing policies, regulations and standards, as well as the conditions of consent for the Sydney Metro are already in place to ensure environmental impacts are mitigated or will be mitigated during the construction phase and eventual use of the development.

### **6.3.3 Q9 – Has the Planning Proposal adequately addressed any social and economic effects?**

The social and economic impacts of the Planning Proposal are addressed in **Section 9.0**. The Planning Proposal will have positive social and economic impacts through supporting a development outcome that is conducive to the strategic economic importance of the Precinct and in creating a large number of employment opportunities, the majority of which will be highly skilled occupations.

## **6.4 Section D – State and Commonwealth Interests**

### **6.4.1 Q10 – Is there adequate public infrastructure for the Planning Proposal?**

This Planning Proposal seeks to capitalise on the significant upgrade of the public transport infrastructure and the opportunities created by the additional transport capacity it brings. It adopts a coordinated approach to delivering the additional office space hand-in-hand with that significant infrastructure investment. This will assist in tackling congestion whilst also addressing the need for further employment floor space. Accordingly, the delivery of the envisaged over-station development is commensurate with the Precinct's unparalleled access to transport infrastructure.

Given the Precinct's location, it is expected that there is capacity, or the ability to augment the capacity, of the other essential infrastructure needed to deliver the project (electricity, water supply, telecommunications, drainage and sewage treatment etc.) enabled by the Planning Proposal. This will be documented in associated development applications.

Section 61 contributions will be payable with this development and will contribute to the provision of other community facilities.

#### **6.4.2 Q11 – State and Commonwealth public authorities to be consulted**

There are a number of key authorities that have been consulted or will be consulted as part of this Planning Proposal process and/or future DA. These key authorities include:

- Transport for NSW (including the Sydney Metro delivery team)
- Department of Planning and Environment
- Office of the Government Architect
- Infrastructure NSW
- Sydney Trains
- Ausgrid
- Office of Environment & Heritage
- Roads and Maritime Services
- Sydney Water
- State Transit Authority – Sydney Buses
- Department of Infrastructure and Regional Development (regarding Obstacle Limitation Surfaces)
- Council of the City of Sydney
- The Greater Sydney Commission

All government agencies and members of the public will also have the opportunity to provide comment on the Planning Proposal as part of its formal exhibition.

## 7.0 Environmental Assessment

This section of the report draws on the work undertaken by specialist consultants and summarises the existing environment of the Precinct. The purpose is to provide an understanding of how the existing physical conditions and features of the land have shaped and informed the Planning Proposal and how, in turn, the proposal potentially impacts on these environmental conditions.

### 7.1 Built Form and Urban Design

As discussed in **Section 6.1**, Tzannes has prepared an Urban Design Study of the Precinct (refer to **Appendix A**). The key output from the Tzannes study is a set of principles under the key areas of movement, open space and built form. These Principles have helped inform this Planning Proposal and the Concept/Stage 1 SSD application, and will also be used to help guide the future detailed design of the commercial buildings on the North and South Sites.

As noted previously, the circumstances and special attributes of the Precinct warrant a review of existing planning controls and built form outcomes, which have largely been in place for decades.

The Tzannes study provides a fresh and detailed investigation of the Precinct, aligning the opportunities of the expanded public transport capacity with improved civic amenity and the long-term sustainability of Sydney as a global business centre. The proposed increase in building height and density also recognises the potential to increase economic activity, driven by the catalytic effect of the enhanced rapid transit network, at this economically strategic location.

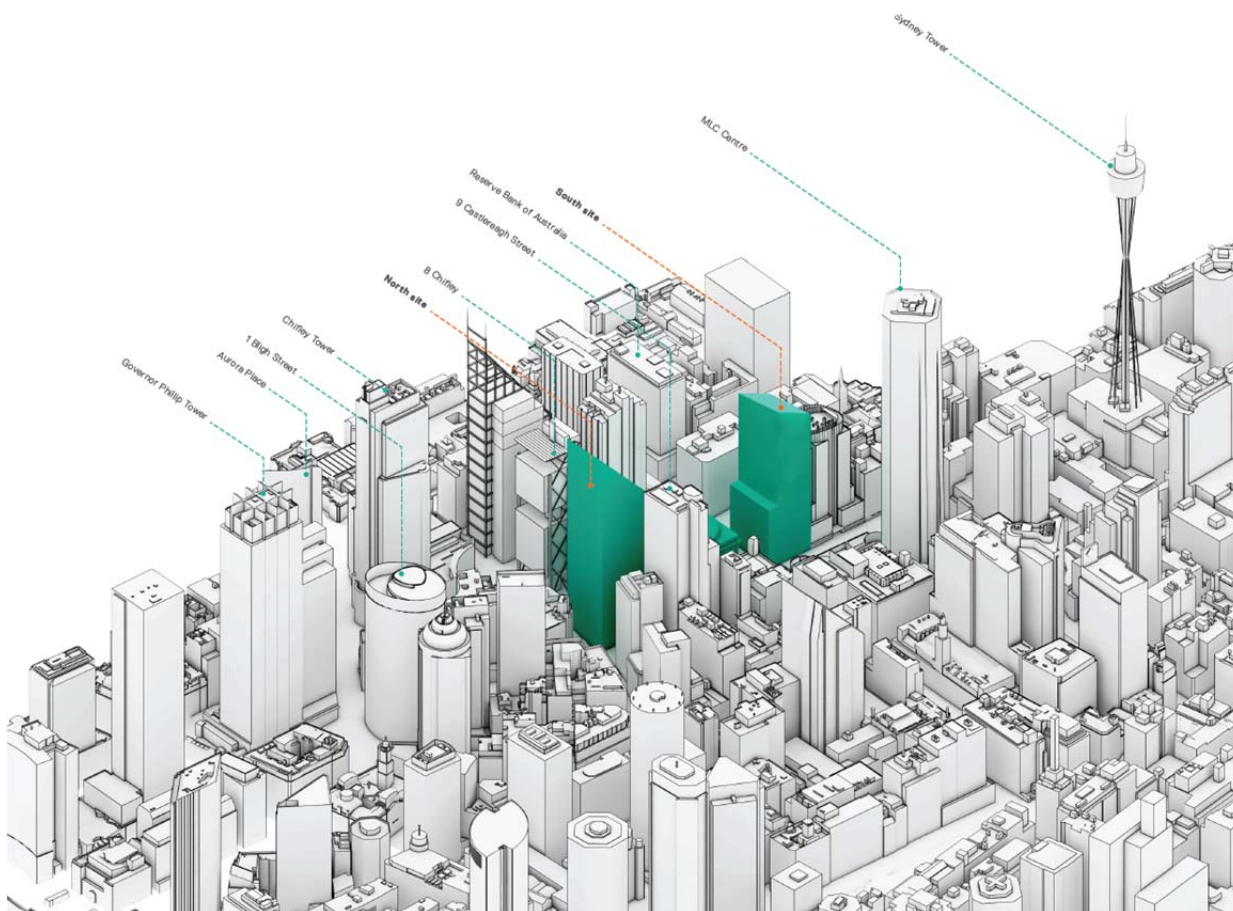
The Planning Proposal therefore seeks to implement the broad conclusions and recommendations of the urban design study, with the Precinct-specific planning principles providing the next tier of appropriate guidelines for the larger office towers made possible by the LEP changes proposed.

#### 7.1.1 Assessment of built form

##### South Site

The key consideration from a built form perspective relates to the proposed amendments to the 55m height control on the South Site.

Given the Site's CBD context, being on the south side of Martin Place and set amongst taller towers (refer to **Figure 61**) and given that the Site is governed by a Sun Access Plane, an increase from 55m to the Sun Access Plane is acceptable in terms of its skyline and shadow impacts. The alternative height in this Planning Proposal would effectively support a tower with a floor plate that is larger and more sustainable in terms of a commercial use, and with a relationship to Martin Place that is no closer than the existing tower on the Site. The dominance of that tower will be mitigated by the requirement in the urban design principles, and inherent in the revised height limit, that the podium levels be brought forward to the Martin Place alignment. At present the existing building is set back from Martin Place by approximately 4.8 metres across all levels. The tower resulting from the Planning Proposal will be setback further than the present building from Martin Place above the podium (by 8m), consistent with the pattern of reduced tower setbacks to the eastern side of the break in Martin Place caused by the MLC Centre.



**Figure 61 – Proposed built form context**

Source: Grimshaw

The proposed amendments to facilitate a larger tower are considered to be positive with respect to:

- Reinforcing the distinctive attributes of Martin Place from Castlereagh Street to Macquarie Street (refer below regarding setbacks);
- Creating a tower form that supports a threshold condition for Martin Place and reinforces its special place within the city fabric (both from a heritage perspective, as a major public transport gateway to the city and special civic space);
- Preserving the important key views along Martin Place of the GPO Clock Tower, western skyline and Sydney Hospital (refer below for further discussion);
- Providing greater opportunities for innovation and flexibility in achieving design excellence (i.e. that a 25m tower setback would arguably stifle design excellence);
- Supporting a tower form of a more appropriate scale and proportion to its podium (Martin Place);
- Allowing the opportunity for a truly integrated below and above ground urban outcome that carries through to the tower;
- Being of a form and floor plate size commensurate with other CBD office buildings and acceptable to the knowledge, finance, and IT other professional services industries; and
- Providing a tower form more appropriate to employment generating land uses than potentially residential land uses (which the “compliant” small tower floor plate would favour).

Martin Place generally is characterised by a disparity of built form, particularly at this eastern end beyond Castlereagh Street. There is a considerable variety of 'positive' and 'negative' spaces created by different setbacks, heights and forms. Some buildings, for example, preserve the historic 150-foot (45m) height limit, whilst others bear no relationship to it. The amendments to the building height for the South Site will permit a tower above the 55 metre maximum street wall. On the north side of Martin Place immediately opposite the South Site the 45m street wall of the historic bank building remains unchanged. This scale and form will be preserved indefinitely as a result of the heritage listing of this building.

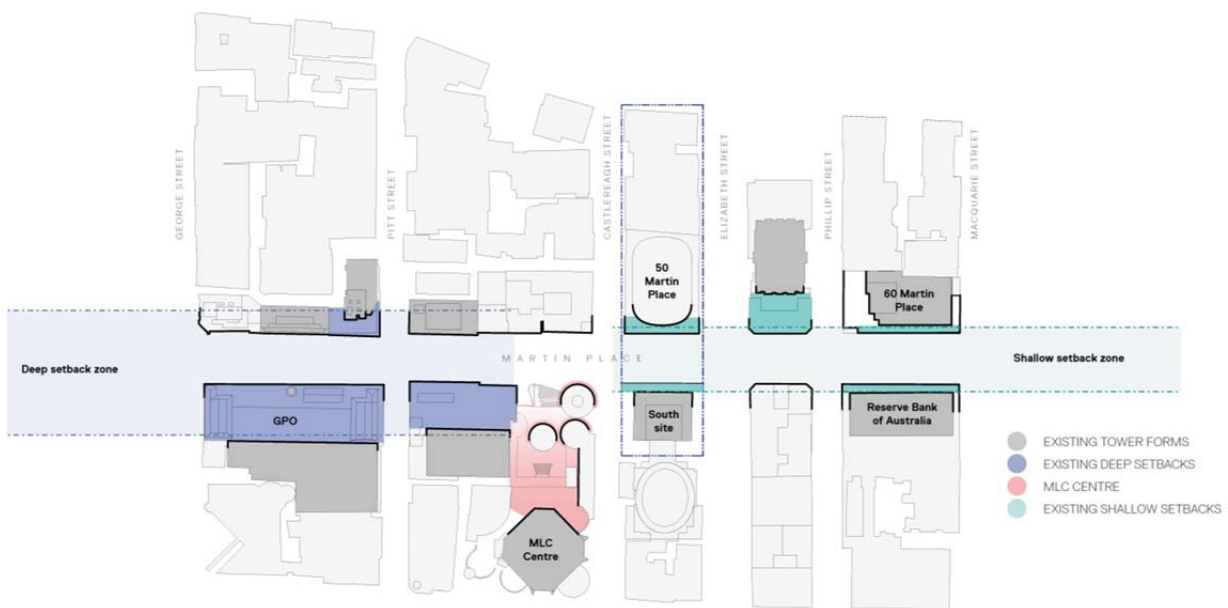
For the South Site and its relationship to Martin Place, the overarching urban design and heritage contribution is to reinstate a strong street wall, built to the Martin Place boundary, and relate it to the height of 50 Martin Place opposite. This effectively encloses the two sides of the space at a similar scale to 50 Martin Place, and completes the walls of Martin Place at this location in a classical and balanced manner. The predominant line of the street wall height can be reinforced by future development that adopts a more "solid" design and materiality of the lower podium, together with a recessed tower envelope that is setback 8m above the Martin Place street wall. The existing building on the South Site does neither of these and sits poorly and incongruously in the Martin Place streetscape.

Establishing a strong podium that respects the solidity of the older heritage buildings along Martin Place, and the provision of a more lightweight tower set back 8m from the boundary to Martin Place is considered a far more positive urban outcome.

The alignment of the South Site tower, set back 8m from Martin Place is generally equivalent to the Reserve Bank tower, also located on the south side of Martin Place at the corner of Macquarie Street (refer to **Figure 62**). This setback reinforces the existing spatial conditions along Martin Place and ameliorates the impact of the break in the spatial definition of Martin Place caused by the MLC Centre.

The Urban Design Report by Tzannes at **Appendix A** more specifically recognises that the MLC Centre rather dramatically breaks the southern street wall of Martin Place (refer to **Figure 62**). On the south side of Martin Place, and either side of the MLC plaza:

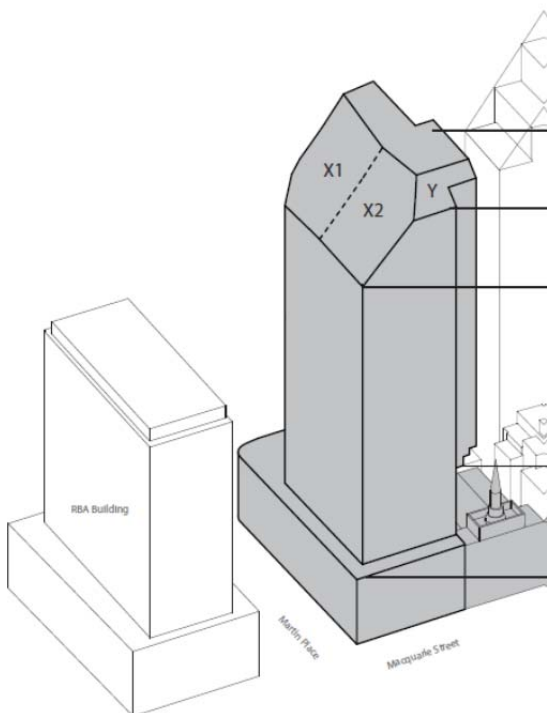
- The break in the street wall caused by the MLC Centre creates two diverse conditions for the southern elevation of Martin Place;
- the towers at the western end generally align with the 25m setback under the existing height controls;
- the towers at the eastern end (including the subject South Site) generally are set back approximately 4.8 metres (except for the heritage building between Elizabeth and Phillip Streets, which has no tower); and
- the predominant setbacks will be largely unchanged as a result of the heritage listing of all the buildings (other than the MLC Centre and the subject South Site).



**Figure 62 – Martin Place setback study**

Source: Grimshaw

Providing further contextual support for the proposed height amendment are the site-specific controls developed for 60 Martin Place. The controls established and fairly recently adopted by Council were also the result of a detailed urban design analysis, with the built form outcome (represented in **Figure 63**) confirming a tower setback to Martin Place of 4.8m. The new height controls for 60 Martin Place reinforce the two very different settings at the eastern and western ends of Martin Place (where the South Site is located within the eastern end).



**Figure 63 – Site specific building envelope developed for 60 Martin Place**

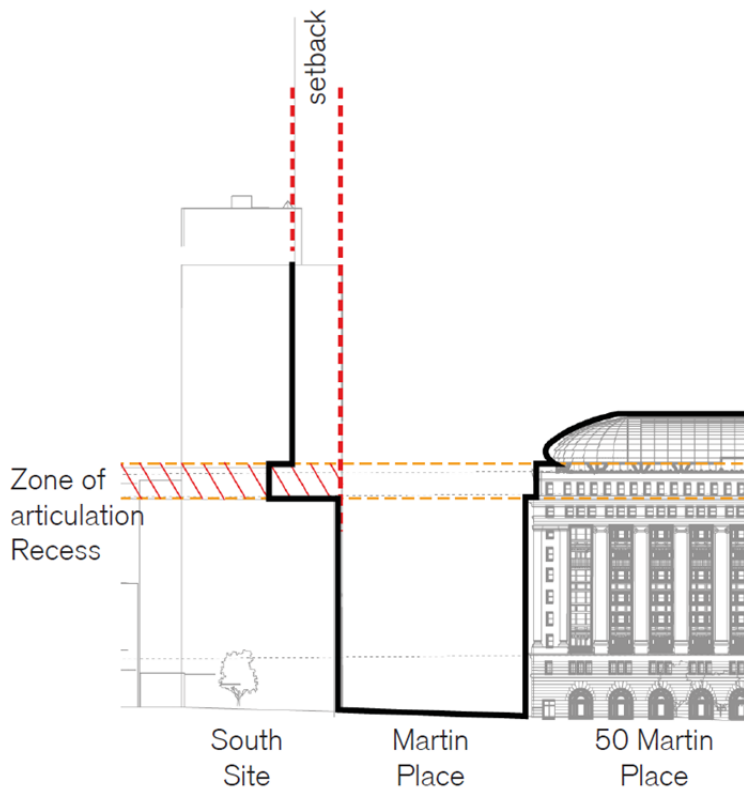
Source: Sydney Development Control Plan 2012

In terms of the South Site and its capacity to accommodate a larger tower, the Tzannes Urban Design Study notes:

- A tower setback to Martin Place should respond to the Reserve Bank Building, provided the podium levels are built to the street alignments, as the view analysis demonstrates that a recessed articulation above the podium, combined with the 8m setback, effectively meets the built form objectives for the precinct and retains views of the GPO clock tower.
- A 8m tower setback to Martin Place for the South Site will provide a more legible urban design response, reinforcing the distinctive attributes of Martin Place, and defining a threshold condition for Martin Place, the Station and the Precinct. It will also reinforce the existing spatial conditions and ameliorate the impact of the break in the spatial definition of Martin Place caused by the MLC Centre.
- Unimpeded by the 25 metre 'setback' created by the 55 metre height limit, the size of the South Site provides an important opportunity to deliver a tower of significant scale that supports the type of office space that is in high demand within 'Global Sydney'.
- Gross Floor Area should be maximised within the proposed envelope for the South Site to allow appropriate built form and façade articulation and to reflect the precinct's very high level of transport accessibility.
- The South Site should maximise its capacity within the constraints of the Sun Access Plane and capitalise on the high level of amenity, the access to public transport and the significance of the location in the financial centre of the City.

The Tzannes Study therefore provides principles to:

- *Provide an 8m setback to Martin Place to respond to the general alignment of the Reserve Bank building and 53 Martin Place as well as the break in the spatial definition of Martin place created by the MLC building;*
- *Provide a zone of articulation between the tower and the podium to better define the spatial quality of Martin Place. This articulation is to be predominantly created by a defined and significant recess in the tower façade;*
- *Articulate the street wall podium from the tower form at street level vantage points by emphasising the expression of volume (rather than mass) through the use of a contrasting light-weight façade material, such as glass; and*
- *Provide an articulated recess between tower and podium to enhance the separation of these elements.*



**Figure 64 – Recess to articulate podium structure and tower to retain street definition of Martin Place**

Source: Tzannes

Other key considerations relevant to the proposed height amendment relate to overshadowing, heritage, views, and wind. These are each addressed separately in following subsections of **Section 7**.

### North Site

Whilst not involving any amendment to the existing building height controls, the proposed increase in FSR for the North Site will permit a larger building within that height, and account for the below ground station-related floor space. The key considerations associated with a larger building are related to the environmental impacts of the above ground built form in terms of overshadowing, heritage, visual and wind impacts (refer below sections). It will also result in increased numbers of people working at the Site, and some additional pedestrian movements and increased economic activity associated with the additional population there.

In terms of the North Site and its ability to accommodate a larger tower, the Tzannes Urban Design Study notes:

- The size of the consolidated North Site provides an important opportunity to deliver a tower of significant scale that supports the type of office space that is in high demand, particularly from larger, international companies and those in the financial and related services sector;
- The Hunter Street alignment of the North Site forms a critical role in the articulation of the built form of the city;
- A larger tower can be positioned in alignment with towers to the east and form a strong southern edge to Chifley and Richard Johnson Squares;



- A larger tower can contribute towards the legibility of the underlying logic and development of the city, marking the point at which the orthogonal city grid (red streets) meets the more organic, topographic structure of the original city to the north of Hunter Street (blue streets - refer to **Figure 65**); and
- The built form of the North Site on Elizabeth and Castlereagh Streets also has distinctive attributes to establish the primacy of the Martin Place Station Precinct in the city and the location of the main egress/ingress points of the Station.



**Figure 65 – Transition of different historic street geometries**

Source: Tzannes

### 7.1.2 Review of the Planning Proposal against historic urban design studies and current planning controls relating to Martin Place

In order to ensure the Sydney Metro at Martin Place, an unanticipated infrastructure initiative, delivers in full, long-term public benefits reflecting the scale and vision of the public investment required to deliver it, Tzannes have sought to establish, where relevant:

- Appropriate interpretations of the current planning controls applying to the Precinct;
- Appropriate modifications of these controls; and
- Appropriate new planning controls.

In doing so, Tzannes have undertaken a review of current planning and design controls relevant to the Martin Place Metro Station Precinct (**Appendix K**). The review has had regard to the major historic urban design studies which underpin the current controls and the interpretation of existing controls by the City of Sydney in the determination of recent development applications.

The review assesses the current planning controls and objectives specific to the amendments sought to the Sydney LEP 2012 for the Martin Place Station Precinct by this Planning Proposal, and in doing so, provides further context for the Urban Design Study dated October 2017 in support of the Planning Proposal. In particular, the review provides an analysis and commentary of earlier urban design studies commissioned by the City of Sydney addressing the built form of Martin Place, namely:

- ‘Civic Design of Martin Place Sydney’ (1984), Gazzard Partners.
- ‘Martin Place Civic Design Study and Masterplan’ (1993), Denton Corker Marshall.
- ‘Martin Place, area of special significance: proposal for Urban Design Development Controls’ (1993), Denton Corker Marshall.
- ‘Martin Place Urban Design Study’ (2015), Gehl Architects.

The findings of this review are provided in **Table 12** below.

**Table 12 – Findings of Tzannes Urban Design and Planning Context Review**

Planning control variation	Finding
<p><b>Issue 1: FSR uplift</b></p>	<p>The intensity of land use proposed is consistent with the City of Sydney objectives for the integration of land use and transport infrastructure, meeting contemporary aspirations for more sustainable urban development.</p> <p>The draft Central Sydney Planning Strategy identifies the shortcomings of existing planning codes in protecting commercial floor space within the CBD and incentivizes its provision through the identification of locations within the CBD where additional height and floor space can be awarded in the process of delivering commercial floor space.</p> <p>The proposed Martin Place Metro Station Precinct design is consistent with the objectives of the Draft Central Sydney Planning Strategy and the Sydney 2030 vision to provide high quality design, the expansion of employment generating uses and the awarding of additional height and/or floorspace in locations that protect the amenity of open spaces within the CBD.</p>

Planning control variation	Finding
<p><b>Issue 2: Tower setback</b></p>	<p>Setbacks and the visibility of tower forms have been a matter of debate with each development proposal that has been considered in the history of Martin Place. Commencing with the Gazzard Report (1984), setbacks from Martin Place have been primarily concerned with protecting and enhancing visibility of the GPO facade and clocktower when viewed from the East.</p> <p>The DCM report (1993) intended to achieve a consistent urban form for Martin Place by proposing a 40m setback that would ensure taller elements were not visible from the public domain of Martin Place and proposed a street width to podium height proportion of 1:1.5 - a proportion that is inconsistent with the existing buildings identified as contributing to the civic character of Martin Place.</p> <p>The Gehl report (2015) proposes that a rich experience of the public realm is characterised by the nature and arrangement of elements that affect the ground plane and pedestrian experience with priority on street alignment and ground floor uses without any discussion of built form above the ground level uses.</p> <p>The City of Sydney Council has consistently confirmed that it is acceptable and desirable for contextually appropriate and well designed tower forms to be visible from the public domain of Martin Place. This view is evident in the provision for a 25m setback for towers above podiums to Martin Place in the Sydney DCP 2005 (and the Sydney LEP 2012 height limits) and reinforced by the recent development approvals at 20 Martin Place with no change to its existing setback (being 0m – whilst noting it was a refurbishment of its existing form) and 60 Martin Place with revised height limit to permit a setback of 4.8m setback.</p> <p>Analysis of the existing built form of Martin Place has established that existing setbacks above podiums of 25m is not a characteristic of Martin Place. As demonstrated in the detailed design of 20 Martin Place and 60 Martin Place, the negative wind impacts of tower forms can be successfully ameliorated by built form and facade design. Both of these developments approved by the City of Sydney have achieved acceptable ground plane environmental conditions with similar or smaller setbacks than those proposed for the Martin Place Metro Station Precinct.</p>
<p><b>Issue 3: Street wall height</b></p>	<p>The 1995 rejection of a DA that included 39 Martin Place centres on a number of design issues of which the tower setback is one element. It notes that that the perception of towers and the definition of an acceptable setback is intimately related to the height of the streetwall and its articulation to achieve a visual separation between podium and tower.</p> <p>Variations to the built form controls for Martin Place in Sydney LEP 2012 and Sydney DCP 2012 have been supported on contextual grounds.</p> <p>This position is articulated by the CoS in its assessment of 60 Martin Place dated 11 September 2014 stating 'It is noted that the height of the podium is contextually appropriate and relates to the height of the podium of the Reserve Bank building, the height of St Stephen's Church and the Sydney Hospital'.</p> <p>The proposed Martin Place Metro Station Precinct design principles for the South Site provides that the podium reflects the height, details and materials of the existing heritage facade of 50 Martin Place. The podium will be compliant with the DCP street frontage height range of 45-55m.</p> <p>Strong definition of the podium combined with setback and articulation that enhances the clear distinction of the tower above the podium achieves the objectives of minimising the visual impact of tower forms in Martin Place.</p>

Planning control variation	Finding
<p><b>Issue 4:</b> <b>Overshadowing</b></p>	<p>The CoS in its design of the Sun Access Planes (SAP) for Martin Place and Hyde Park and subsequent approval and submissions on approvals for developments within the vicinity of Martin Place and Hyde Park have demonstrated a consistent position that acknowledge some additional overshadowing to the ground plane is a necessary part of development within the CBD.</p> <p>In its submissions to the Department of Planning on MP76_009, CityOne Development, the CoS prioritized the protection of solar access to the GPO facade over additional overshadowing to the ground plane of Martin Place.</p> <p>In its approval of 60 Martin Place, the CoS focused on ensuring that the envelope which did not comply with the Martin Place SAP did not materially increase overshadowing to Martin Place rather than enforcing the provisions of the SAP and related controls. This provision has been limited to the overshadowing effects on 14 April at lunch time.</p> <p>In its approval of 148-160 King Street, the CoS confirmed that new shadowing to public spaces, in this case Hyde Park, is acceptable from new development, provided it is compliant with the current SAP. The conclusion to be drawn from the CoS assessments is that where built form is proposed within the specified SAP, some new overshadowing of significant public spaces is acceptable.</p> <p>The proposed Martin Place Metro Station design for the North and South sites are compliant with the Hyde Park and Martin Place SAP. Minor additional overshadowing, consistent with the CoS' approval of 148-160 King street and submissions on One Carrington Street, is accordingly, acceptable to the CoS.</p>

Source: Tzannes

The report concludes that the proposed variations to the Sydney LEP 2012 in relation to Height and FSR by the Planning Proposal, ensure an outcome can be achieved which:

- is not inconsistent with prior recent approvals by the City of Sydney (particularly with regards to tower setback issues relating 60 Martin Place, and the application of overshadowing controls in the case of 1 Carrington Street and 148-160 King Street);
- reflects the predominant built form of Martin Place east of Pitt Street;
- enhances the public open space adjacent to the subject sites in Martin Place and Hunter Street including the MLC Centre forecourt, Chifley Square and Richard Johnson Square (particularly having regard to the Martin Place Station Precinct Proposal);
- enhances the experience of 50 Martin Place and the open space between Castlereagh and Elizabeth Streets on Martin Place (particularly having regard to the Martin Place Station Precinct Proposal);
- completes the unique urban form of Chifley Square and Richard Johnson Squares (particularly having regard to the Martin Place Station Precinct Proposal and the additional FSR on the north site resulting in a zero tower setback to Hunter Street);
- reflects the significance of Martin Place and the Martin Place Metro Station Precinct; and accordingly;
- is in the public interest.

The proposed design of the Martin Place Metro (Precinct) will be a world class exemplar of commercial development integrated with rail infrastructure and will contribute to advancing Sydney, in a global context.

### **7.1.3 How the proposal addresses the recommendations of the Martin Place Urban Design Proposal (1993) prepared by Denton Corker Marshall**

Tzannes have prepared a detailed analysis and commentary of the proposal for Martin Place prepared by Denton Corker Marshall Pty Ltd for the City of Sydney Council entitled *Martin Place, area of special significance: proposal for Urban Design Development Controls (1993)*. Tzannes' detailed analysis and commentary of this proposal can be found in the Urban Design and Planning Context Review in **Appendix K** of this report.

The purpose of Denton Corker Marshall's proposal was to provide advice to the Council on a hierarchy of specific controls to protect and enhance the civic experience of Martin Place, including a boundary definition for a Martin Place Special Area, quantified envelope controls and codified urban design principles.

The two key findings of the Denton Corker Marshall proposal were:

- That controls for Martin Place should be based on an overall rationale of protection and enhancement of the public realm; and
- Confirmation of the validity of draft DCP 1991 controls with the exception of the draft DCP's proposed 15:1 FSR, width to height ratios and 15m tower setback which were deemed inappropriate.

The Denton Corker Marshall proposal for Martin Place also included a number of recommendations:

- Three-tier hierarchy of controls being: development envelopes; block envelopes; and detailed urban design controls.
- Solar access control plane based upon the sun angle at noon on 14 April from a 45m parapet height OR the height of existing heritage buildings to the North of Martin Place.
- The solar access plane establishes the maximum permissible overshadowing of Martin Place irrespective of existing buildings.
- Consistent 45m parapet height up to an absolute maximum of 53m.
- 40m tower setback above parapet seemingly predicated upon the width of the GPO building.
- Symmetrical visual experience of Martin Place controlled by sight lines to the south and sun access plane to the north.
- Building to the street alignment is necessary.
- Heritage listed buildings to be retained as a whole in redevelopment.

The proposal reinforced and elaborated upon the previous *Martin Place Civic Design Study and Masterplan (1993)*, with specific controls aimed at achieving a strong axial experience of Martin Place. It advocated an experience of Martin Place that is free of tower visibility.

The proposal also provided an amenity-based overshadowing control to northern properties, and a podium height and setback to achieve a similar appearance to the southern properties and eliminate visibility of tower elements from within Martin Place. It envisaged a progressive implementation of the proposed height, setback, street wall and building alignment noting the MLC Centre forecourt and steps as a future opportunity for infill development that will reverse the erosion of Martin Place.

The final setback of 25m instituted in the Sydney DCP 1996 reflects an acceptance by council that towers can be visible from within Martin Place.

**The current proposal for the Sydney Metro Martin Place Station Precinct is consistent with the findings of the 1993 study as follows:**

- Solar amenity is defined by sun access planes and is reflected in the proposed maximum height limit to the North and South Sites.
- A strong street wall and parapet is provided which aligns with the proposed maximum heights and heritage building opposite.
- The character of the proposed podium needs to be consistent with the general character of Martin Place.

**7.1.4 How the proposal will protect and enhance Martin Place's civic and ceremonial functions**

The civic and ceremonial functions of Martin Place are described in Section 5.4 of the *Martin Place Thematic History*, attached as Appendix A to the Statement of Heritage Impact prepared by TKD Architects (**Appendix C**). That history notes:

*"In the new (20th) century Martin Place (in the region of the GPO) played a central role in commemorating national events that was second to none in the City. It started with Federation in 1901 and the passing of a grand parade through a specially festooned avenue.... On the outbreak of the first major conflict to confront the nation with the war in Europe in 1914, it was Martin Place where the recruiting station was opened and with the passing of war and coming of commemoration of this national tragedy it was here that the Cenotaph was placed. The Cenotaph provides the focus for ongoing commemoration of Armistice Day, Anzac Day and like events in memory of specific battles. It is a precinct held dear by the RSL and others.*

*Martin Place has also played a role in celebrating royal and gala events and a place to congregate at times of national crises and celebrations. ... Ironically, the pedestrianisation of the precinct has largely seen an end to such large scale festivities."*

The majority of the ceremonial functions in Martin Place take place adjacent to the Cenotaph in the block of Martin Place between George and Pitt Street. Civic functions (such as the Vivid Festival and other concerts) occur elsewhere along Martin Place, generally between Pitt Street and Castlereagh Street.

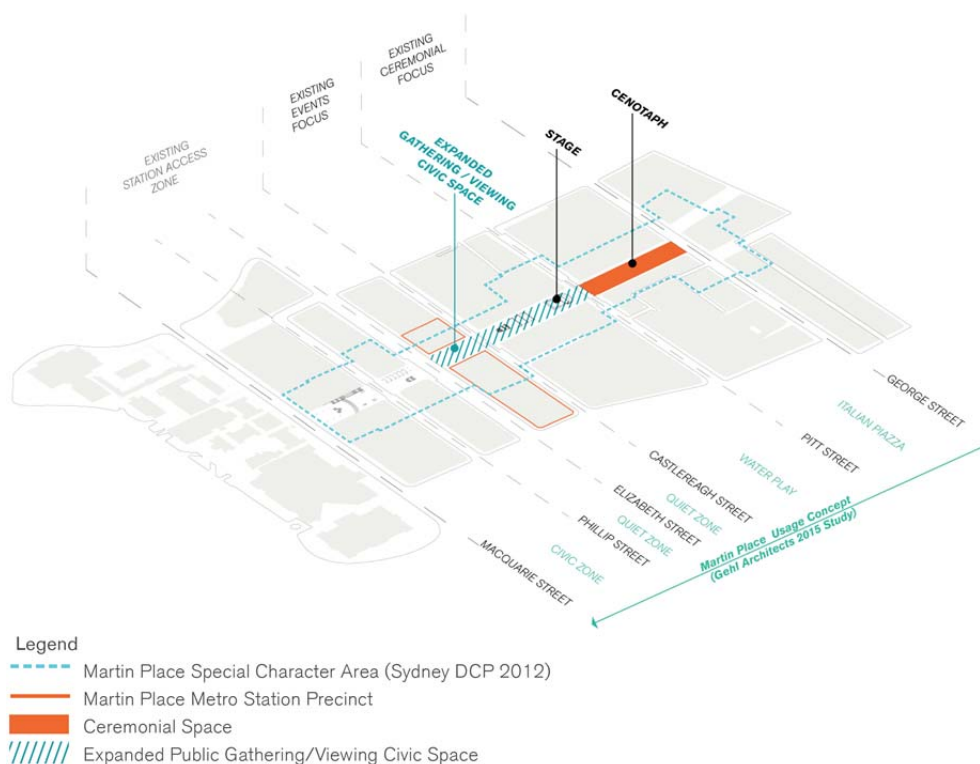
The environmental reports submitted in support of the Planning Proposal demonstrate that there are no significant environmental impacts on this section of the place as a result of the proposal. Furthermore, the Urban Design principles set out in the Urban Design Report are intended to guide the built form of the South Tower to enhance the spatial qualities of Martin Place. The heritage principles prepared aim to ensure that the architectural expression of the new buildings relate to the historic buildings of Martin Place (through façade materials, composition and character) to enhance the special character of Martin Place.

Together, these principles recognise the significance of Martin Place and have been purposefully formulated to ensure that a new building enhances its character and, together with neighbouring historic buildings, provide an appropriate architectural backdrop to public events.

The Planning Proposal will not materially affect or alter the civic and ceremonial role of Martin Place, nor its exposure to view from all major public vantage points. The proposal for the new Metro Place Station and associated OSD will, however:

- significantly improve access to Martin Place for those wishing to attend ceremonies and events, and
- remove the intrusive stairs to the Martin Place rail station providing more usable space for people to congregate and celebrate, and
- better define the space (by building the south tower to the street alignment), and
- provide a range of public amenities from food outlets to public toilets for those attending ceremonies or events in Martin Place.

**Figure 66** below spatially identifies the existing and projected uses of public space within Martin Place.



**Figure 66 - Existing and projected uses of public space within Martin Place**

Source: Tzannes

## 7.2 Suitability of Increased Precinct Capacity / Density

**Table 13** below provides a comparison of the permissible FSR (and resulting GFA) under the Sydney LEP 2012 against the proposed amended FSR (and its resulting GFA) in the Precinct.

Included in the proposed FSR for the North and South Sites is that component of the project that comprises the Martin Place Metro Station. The Metro Station and all associated connections and ancillary uses are classified as Critical State Significant Infrastructure. Even though local environmental planning instruments and their development standards do not apply to CSSI development, GFA used for this purpose or class of development is not excluded from the Sydney LEP 2012 and the standard instrument definition of Gross Floor Area, and must therefore be included in all calculations with SSD or local development. This results in a perverse outcome of effectively penalising projects that incorporate CSSI development by reducing a site's maximum development potential. The proposed FSR has therefore been increased to account for and counteract this penalising effect.

The proposed FSR is the product of urban and architectural design testing, rather than a target figure. This established the appropriate maximum building envelope in terms of its impacts, with the design team then working backwards to nominate a smaller FSR within that theoretical envelope. The smaller FSR allows a reasonably "loose fit" within the envelope, in which there will be sufficient room for the design team to respond at the detailed design stage with an articulated building form.

The resultant FSR derived from this process is within the range of FSRs for similar sites tested by the City as part of its recent *Built Form Capacity Study* (Capacity Study), particularly considering some of the proposed floor space is dedicated to the below ground Metro Station, and not contributing to the above ground envelope or visible FSR.

In the second half of 2016 the City released its 20-year strategic plan, the Central Sydney Planning Strategy (CSPS) along with various studies it undertook to inform that strategy, including the Capacity Study. The Capacity Study provides an important point of comparison for this Planning Proposal. Details of the Council's Capacity Study are set out earlier in **Section 6.2.4** of this report.

**Table 13 – Existing LEP and Planning Proposal FSR/GFA Comparison**

	Site Area	Sydney LEP 2012 FSR	Sydney LEP 2012 max GFA	Planning Proposal FSR	Planning Proposal GFA	Planning Proposal GFA Increase
<b>North Site</b>	6,022sqm	12.5:1 (base + accommodation floor space)	75,275sqm (12.5 x 6,022sqm)	<b>18.5:1<sup>^</sup></b>	111,407sqm <sup>^</sup> (18.5 x 6,022sqm)	36,132sqm (48%) <sup>^</sup>
<b>South Site</b>	1,897sqm	12.5:1 (base + accommodation floor space)	23,712sqm (12.5 x 1,897sqm)	<b>22:1<sup>^</sup></b>	41,734sqm <sup>^</sup> (22 x 1,897sqm)	18,022sqm (76%) <sup>^</sup>
<b>TOTAL</b>	<b>7,916sqm</b>	-	<b>98,987sqm</b>	-	<b>153,141sqm<sup>^</sup></b>	<b>54,154sqm (54.7%)<sup>^</sup></b>

\* includes GFA attributed to existing 50 Martin Place building.

<sup>^</sup> includes GFA attributed to the Sydney Metro CSSI component. Excluding the Metro would reduce the FSR on the North Site to around 17.42:1 and on the South Site to around 20.7:1.



Both the North and South Sites were identified in the Capacity Study as sites with potential increased/strategic capacity (block references 56 and 69 - refer to **Figure 67**) although neither were included in the group of sites subjected to further testing.



**Figure 67 – Built form capacity site identification map**

Source: Central Sydney Planning Strategy + Ethos Urban

The Capacity Study revealed that the main historic statutory barrier to development within Central Sydney (being FSR) should and could be reassessed, and possibly removed, subject to testing on a site by site basis. This is a fundamental shift from setting a generic fixed FSR number in isolation of the locality-specific environmental context and impacts. The alternative approach adopted in Council's Capacity Study (and by the Macquarie design team) sets an appropriate FSR that is the product of an urban design feasibility test.

Under this framework, and as illustrated within **Figure 67** (an extract from the Capacity Study), sites within Central Sydney are capable of achieving FSRs consistent with (and exceeding) those FSRs being proposed under this Planning Proposal (highlighted in red in **Table 14**).

The suitability of the FSR for both sites also needs to be considered in the context that it accounts for/includes below ground station-related floor space.

**Table 14 – Commercial development capacity of identified blocks within the Central Core**

Source: Central Sydney Planning Strategy – Appendix B Built Form Capacity Study (red highlighting by Ethos Urban)

Block Ref	Prevailing Height Control	Maximum Potential Height (RL)	Maximum Potential Height (m)	Total Floor Space sqm (moderate)	FSR (moderate) (x:1)	Total Floor Space sqm (High)	FSR (high) (x:1)
<b>City Core</b>							
26A1	No Additional Overshadowing – Australia Square	215	200	51,723	14.2	59,712	<b>16.4</b>
26A2	No Additional Overshadowing – Australia Square	189	172	51,644	12.7	59,265	14.5
27	No Additional Overshadowing – Australia Square	330	217	84,232	15.2	97,537	<b>17.6</b>
28A	No Additional Overshadowing – Macquarie Place	217	211	116,054	13.9	133,838	<b>16.1</b>
28C	PANS OPS	330	326	99,972	<b>22.9</b>	117,502	<b>26.9</b>
29C	PANS OPS	330	327	59,561	<b>19.3</b>	69,624	<b>22.6</b>
34A	Sun Access Plane – Wynyard Park	216	196	108,377	13.0	124,549	14.9
43B	No Additional Overshadowing - Pitt Street	271	253	67,609	<b>18.3</b>	78,882	<b>21.4</b>
44A	No Additional Overshadowing - Pitt Street	315	302	155,050	<b>22.9</b>	182,246	<b>27.0</b>
46	Sun Access Plane – Wynyard Park	193	184	75,038	13.3	86,322	15.3
55A1	Sun Access Plane – Martin Place	203	190	57,349	13.3	65,994	15.4
54A	No Additional Overshadowing – Martin Place	200	187	98,436	14.2	113,622	<b>16.4</b>
55A2	No Additional Overshadowing – Martin Place	170	151	45,614	10.3	51,702	11.7

The Sydney LEP 2012 also has the following objectives that support additional density:

- Provide sufficient floor space to meet the anticipated needs for the foreseeable future; and
- Provide an intensity of development that is commensurate with the capacity of existing and planned infrastructure.

## Urban Design

Further support for the density increase proposed under this Planning Proposal is found in the Urban Design Study prepared by Tzannes (refer to **Appendix A**), where the identified principle relating to density is:

*'Gross Floor Area should be maximised within the proposed envelope allowing for appropriate built form and façade articulation'*

This principle is based on:

- The Precinct having high levels of transport accessibility;
- The Precinct being highly accessible to pedestrians;
- The Precinct having the potential for high levels of amenity for the occupants;
- The Precinct's location in a predominately commercial district of the city means that the amenity of residential buildings is largely unaffected by the future built form on the Sites;
- The amenity of Martin Place being maintained, given there is no further development potential above 50 Martin Place; and
- The site is located within the primary financial and government district, and this location encourages the maximisation of density to support these uses and consolidate Sydney's ambitions as a financial centre for the Asia Pacific region.

## 7.3 Design Excellence

### 7.3.1 Why the Planning Proposal would create a better design outcome than the current planning controls

The Planning Proposal will set the parameters for a better design outcome (and therefore the highest standard of architectural, urban and landscape design) than the current planning controls, by permitting envelopes that are appropriate in terms of their environmental impact, optimising capacity, maintaining the primacy of Martin Place, and allowing flexibility for building articulation, as discussed further below.

#### **FSR Increases (North and South Site) and Height Increase (South Site only)**

The proposed amendments to planning controls to increase FSR across the precinct, and the proposed increase in height on the South Site will:

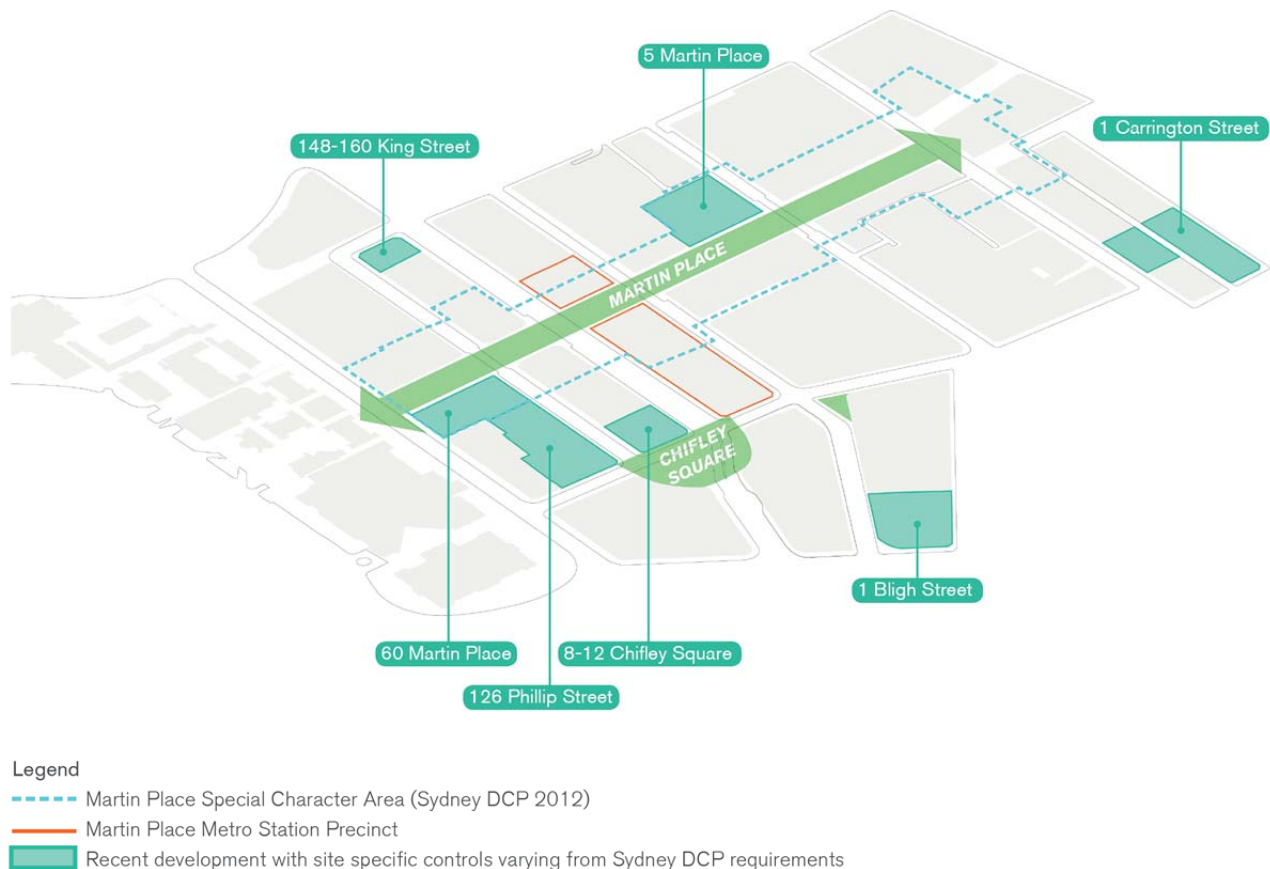
- Allow the feasible redevelopment of the South Site and the delivery of an outcome which would be substantially better than the existing building on the site, which is non-compliant with controls and is considered 'alien' to the desired future character of Martin Place. This is particularly important given the South Site must (and will be) demolished by TfNSW under the terms of the CSSI Consent in order to construct Martin Place Metro Station.
- Allow for more floor space (below ground) that is associated with a significantly enhanced Metro Station experience and facilities, including the new unpaid pedestrian concourse (north-south link), enhanced end of trip facilities, retail / food and beverage outlets, and public spaces at and below ground. This provides a significant public benefit, without adding to the aboveground (visible) bulk, height or scale of the OSD.

- Allow for OSD towers that will be taller and with a better scale relationship to that of the existing and likely future urban context, particularly the north tower's relationship to the Chifley Square / Hunter Street south wall, as well as to the Castlereagh and Elizabeth Street streetscapes, as a result permitting floor space to the extent necessary to achieve this outcome and achieve the tower height up to the Sun Access Plane.
- In the case of the South Site tower, the resultant built form of a larger and taller tower results in an improved urban design outcome, compared to a small footprint 'skinny' tower sitting above a bulky, 55m high podium (envisaged under the current controls). Furthermore the 'compliant' but poorly proportioned 'skinny tower' does not achieve the current maximum permissible FSR, which itself is a poor and arguably negligent design outcome for this site, bearing in mind its CBD Metro Station location and built context. It also results in very small tower floorplates of limited utility in the commercial office market.
- The additional FSR still allows a 'loose fit' of floor space within the proposed envelopes (that are to a large extent a function of the height controls). This creates greater design flexibility to enable better design outcomes for the OSD. For example, to permit podium and tower separation / delineation, setbacks, façade articulation, internal voids and grand station entries.
- The increased FSR will enable greater financial capacity for improved design detailing, quality of materials, station and public domain improvements.
- The increased FSR allows built form to be maximised to the Sun Access Planes. The proposed height of the north tower relates to the height of the existing Deutsche Bank building, with both forming important definitions of and thresholds to Chifley Square.

### **Urban Design and Heritage Principles**

The Planning Proposal (and the associated Urban Design and Heritage Principles) will ensure a better design outcome than the current planning controls for the precinct in the following ways:

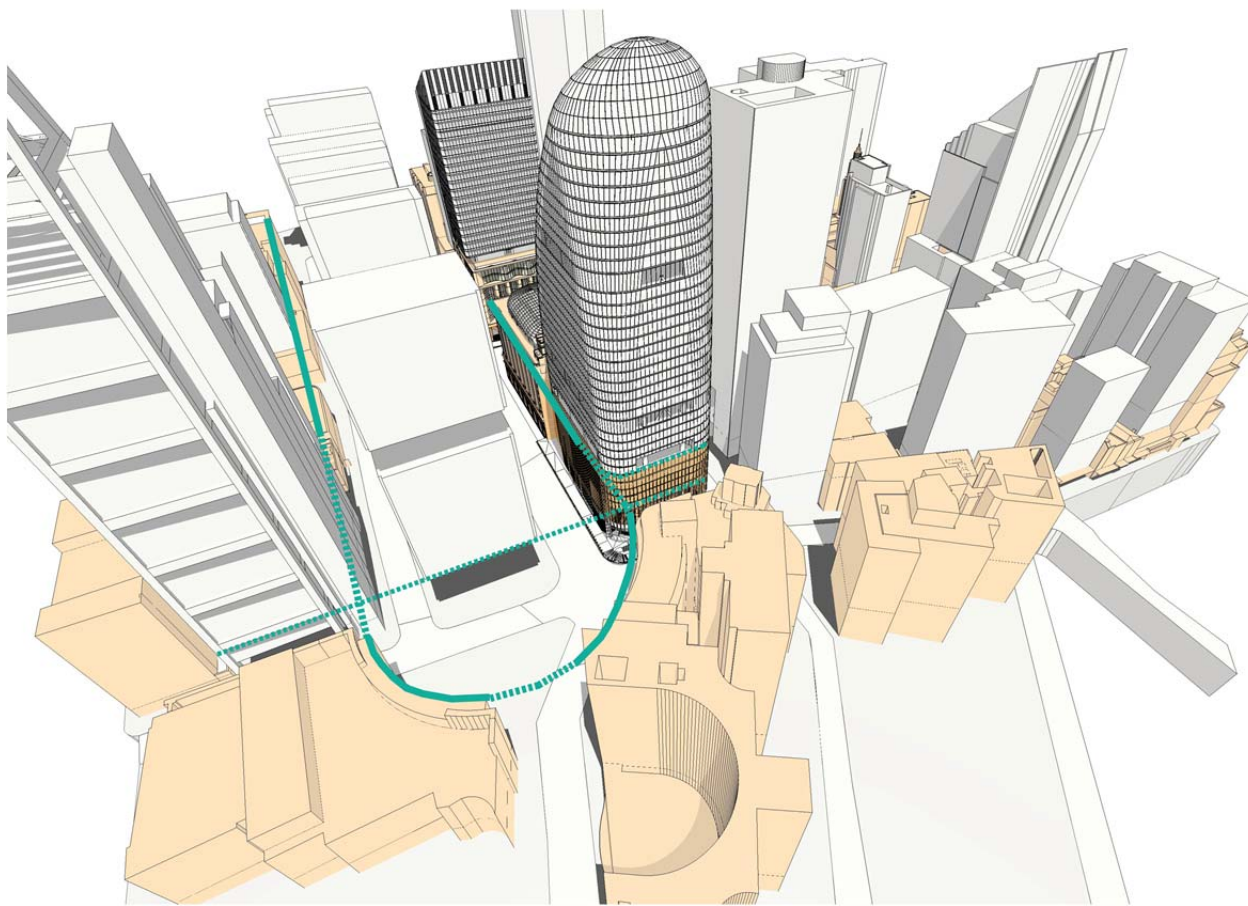
- As the Urban Design and Heritage Principles will provide more detailed, site specific guidelines which operate in addition to the LEP controls, to enhance the distinctive qualities of the precinct in relation to Martin Place, Chifley and Richard Johnson Squares, as well as Elizabeth and Castlereagh Streets. These specific principles were developed to ensure the public benefits of the new Metro Station are fully harnessed by the proposal, as the Metro Station was not envisaged at the time the relevant planning controls were developed. As demonstrated in the figure below, the North and South Site are two of several examples of recent development in this part of the city with site-specific controls which vary from existing LEP and/or DCP requirements.



**Figure 68 – Location of recent and proximate developments with site specific controls varying from general Sydney LEP and/or DCP requirements**

Source: Tzannes

- The zero setback to Hunter Street is a site-specific response related to the predominant zero setback of the towers directly to the east; 8 Chifley and the Deutsche Bank Building, which is made possible by with the propose height as a result of the FSR increase. Compared to the DCP controls which call for an 8m tower setback above podium, the proposed alignment provides an enhanced definition of Chifley Square, Richard Johnson Square and also of the changing street network of Hunter Street. This street is the northern boundary of the north-south orthogonal grid of the city and the southern boundary of the city's original topographic street network.



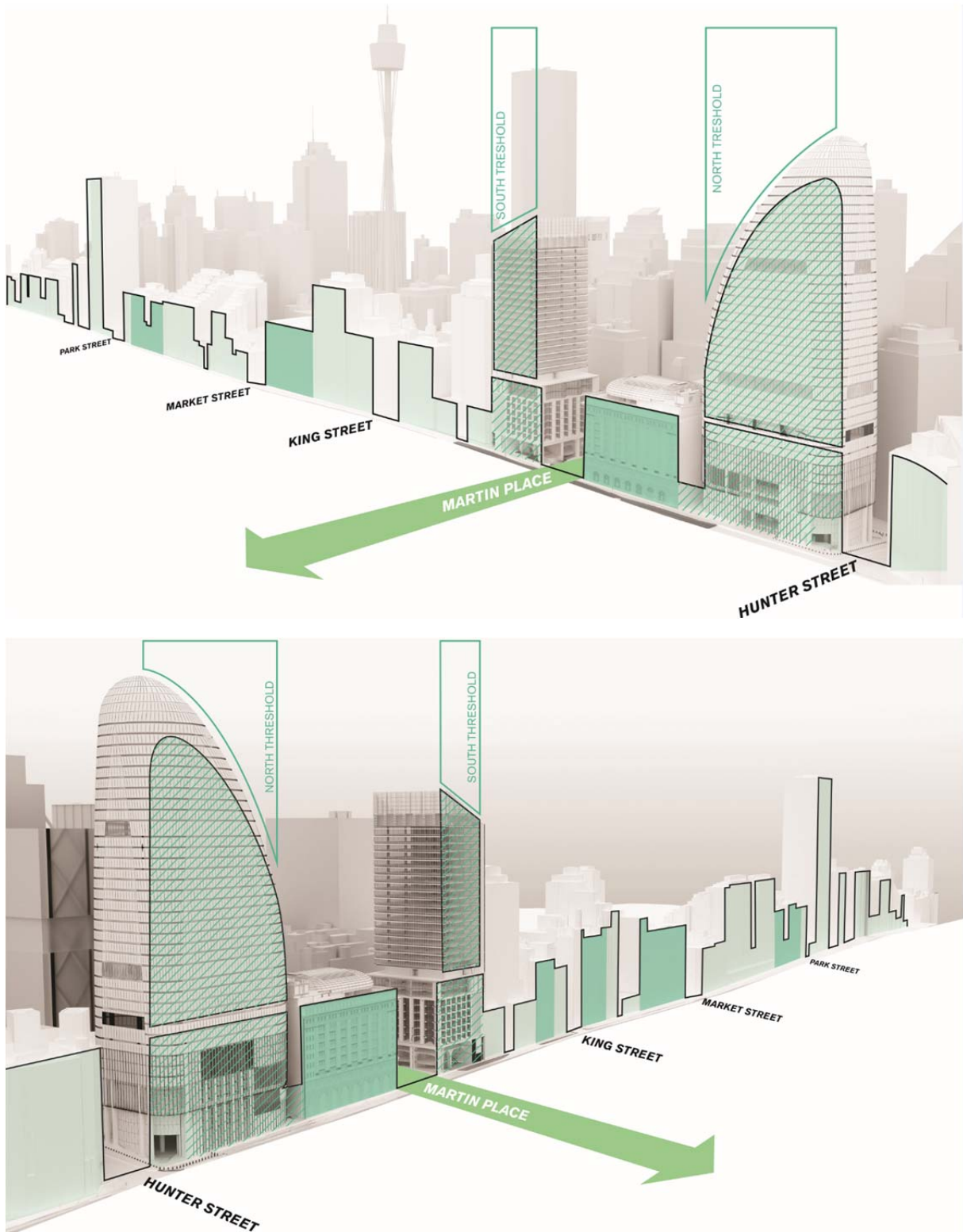
Legend

Key Building Alignment

**Figure 69 – Aerial view of Chifley Square showing key building alignments for the Martin Place Metro Precinct**

Source: Tzannes

- The proposed reduced (8m) setback to Martin Place for the south tower is directly related to its context. It is a recognition of the break in the definition of Martin Place caused by the MLC Centre and the reduced tower setbacks to the east of this break. It is noted that 25m setback envisaged by existing controls is not a consistent or typical setback for the towers of Martin Place and that the intent of this control is to create visual separation between the tower and podium of buildings fronting Martin Place. This separation can be achieved by both the design of the podium and tower as well as the introduction of a recess in the built form of the tower (refer to **Figure 70** below), providing an outcome which relates better to the existing context.
- The zero setbacks to both Elizabeth and Castlereagh Streets play important roles in the urban morphology of this part of the city. These setbacks, in contrast to the typical setbacks of the city, provide distinctive thresholds into major public spaces in the City, Chifley Square and Martin Place. This is particularly important in the case of Martin Place which has a typical street morphology. We note that in the case of the North Site and the threshold to Chifley Square that both 8 Chifley and the Deutsche Bank Building have zero street setbacks for the full height of their towers (refer to **Figure 70** below).



Legend

- Street Wall
- Heritage Facade in Street Wall

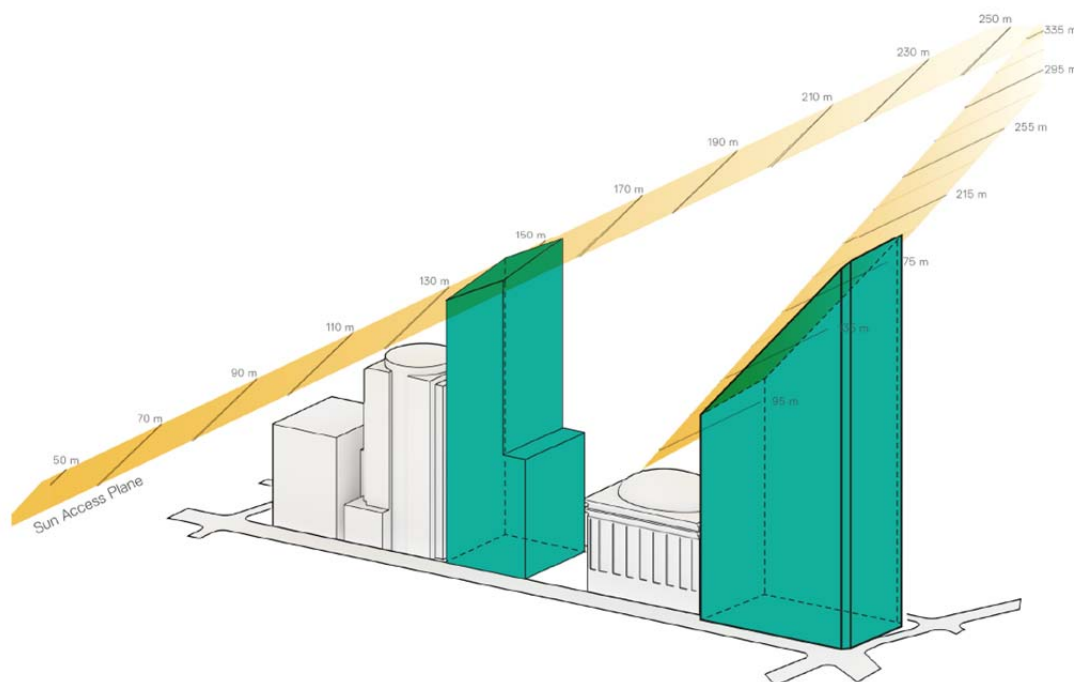
**Figure 70 – Elizabeth (top) and Castlereagh (bottom) street wall noting built form threshold to Martin Place**

Source: Tzannes

## 7.4 Overshadowing and Solar Access

The Planning Proposal preserves the existing Sun Access Planes applying across the Precinct, being those for Martin Place and Hyde Park North<sup>5</sup> (refer to **Figure 71**). The Sun Access Planes play a critical role in protecting the amenity of the CBD, and they effectively prohibit development that breaches them. The City Council's *Built Form Capacity Study* referred has, however, identified a number of potential redevelopment sites affected by the Sun Access Planes that are nevertheless capable of accommodating additional floor space without breaching those planes.

As there are no changes proposed to the Sun Access Planes, and no change to the height limit proposed on the North Site, the focus of potential additional overshadowing impacts is the South Site, where it is proposed to remove the 55m height limit over part of the site. This means that for the South Site the height constraint would be primarily the Hyde Park North Sun Access Plane, as illustrated in **Figure 71** below. The shadow studies in **Appendix E** assess potential overshadowing impacts of both the North and South Sites.



**Figure 71 – Hyde Park and Martin Place Sun Access Planes**

Source: Grimshaw

### South Site

Grimshaw has undertaken a detailed Shadow Study (included at **Appendix E**) of the South Site's revised building height controls in order to understand the potential impacts. This study illustrates shadows generated by the maximum building envelope that complies with the Hyde Park North Sun Access Plane. By not protruding above the Sun Access Plane, the objectives of Clause 6.17 (Sun Access Planes) of the Sydney LEP 2012 are thereby deemed to have been satisfied. Those objectives are:

<sup>5</sup> The modelling of Sun Access Planes accounts for both the requirements of Sydney LEP 2012 and draft amendments to Sydney LEP 2012 (as released in 2016).



(a) to ensure that buildings maximise sunlight access to the public places set out in this clause, and

(b) to ensure sunlight access to the facades of sandstone buildings in special character areas to assist the conservation of the sandstone and to maintain the amenity of those areas.

Some reduction in sunlight to public spaces is inevitable as smaller, older buildings are replaced with new buildings designed to the City's height limits. The City's expanded floor space capacity and its success in terms of economic output, job creation and vitality will compromise solar access, especially during winter months, to some extent. The Council long ago recognised this conflict (competing interests), and accordingly focussed the planning controls on protecting certain important and highly valued public spaces such as Martin Place and Hyde Park. The tool used to achieve what it considered a reasonable or acceptable level of protection of these spaces are the Sun Access Planes, along with the "No Additional Overshadowing controls" applying in some circumstances. These have become enshrined in the Sydney LEP 2012.

The Sun Access Plane for Hyde Park North is a complex set of planes formulated for the moving solar conditions between 10:00am and 2:00pm in midwinter. This is designed to ensure that there is minimal additional overshadowing of this important public space during the key lunchtime period at the "worst case" time of year when the sun is at its lowest angle in the sky. Additional overshadowing before or after this time period is deemed acceptable provided the building fits within the envelope created by the Sun Access Plane.

### Scope of shadow study

The shadow study accounts for the surrounding city buildings and topography, and models:

- For the South Site:
  - Shadows cast by the existing building.
  - The building envelope proposed with Macquarie's Concept SSD Application (SSD 17\_8351), which complies with the existing LEP height control applying to the South Site (being the Hyde Park North Sun Access Plane and 55m height control for that portion of the site within 25 metres of Martin Place) – "*Proposed SSD Envelope*".
  - A building envelope that complies with the proposed new building height regime on the South Site – "*Planning Proposal Envelope*".
  - A building envelope which complies with the existing LEP height controls applying to the South Site (being the Hyde Park North Sun Access Plane and 55m height control for that portion of the site within 25 metres of Martin Place), and complies with the Sydney DCP 2012 8m setback from street frontages for towers above a podium fronting Castlereagh Street and Elizabeth Street – "*LEP/DCP Compliant Envelope*".

Modelling has been carried out at one-hour intervals at 14 April, 21 June, 21 September and 31 August between 9:00am and 3:00pm.

### Summary of impacts

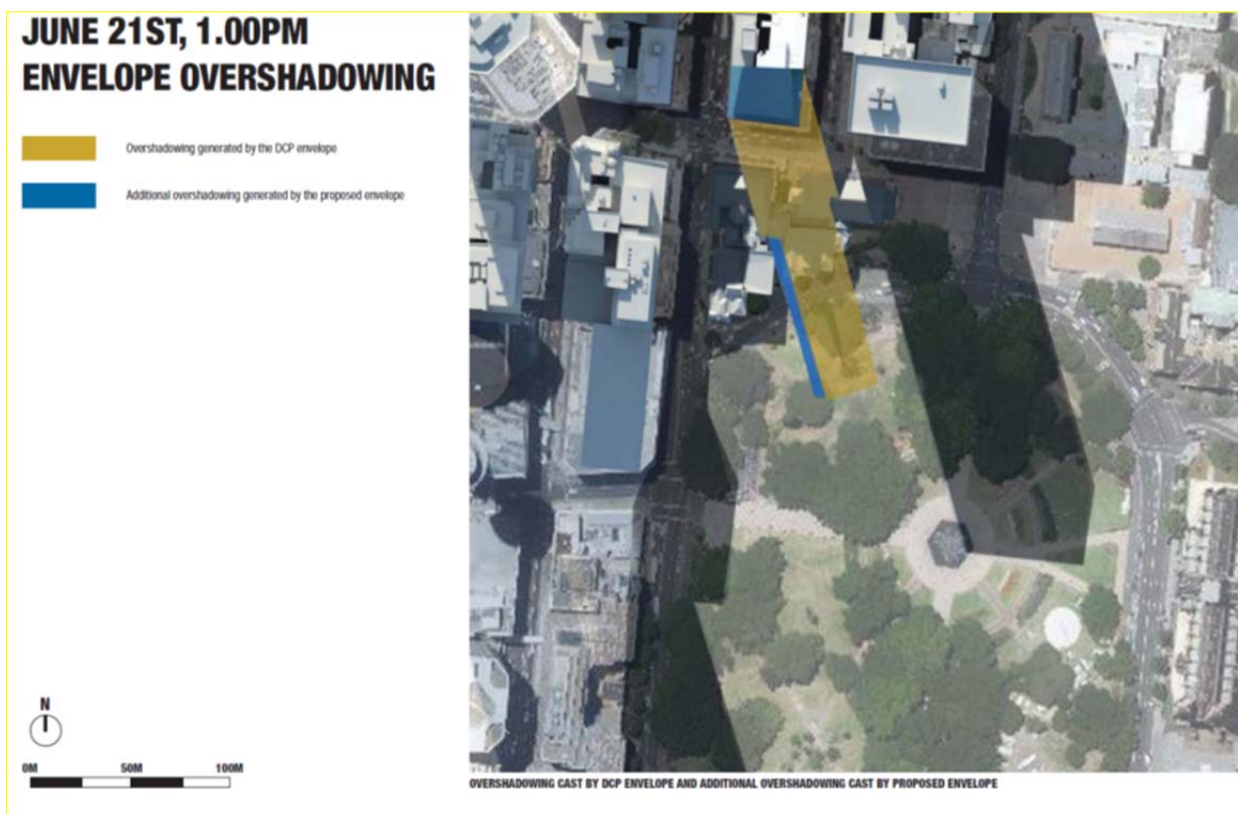
The modelling undertaken of the *LEP/DCP Compliant Envelope* indicates minor additional overshadowing to the public domain on Castlereagh and Elizabeth Streets in all months, in the main limited to between 11am to 12 noon. There would be minor additional shadowing of a small section of Hyde Park North at the "worst case" period of the year (i.e. winter) between 1:30pm and 3:00pm. This impact is considered reasonable given this occurs largely outside the Sun Access Plane's design

period (12:00 – 2:00pm) and the ground level of this section of Hyde Park is already largely in shadow from the trees located in the affected area.

Compared to the *LEP/DCP Compliant Envelope* the modelling of the *Planning Proposal Envelope* reveals that there are negligible additional impacts. The additional shadows either fall onto surrounding streets and roofs/buildings or generally fall within the shadow cast by the *LEP/DCP Compliant Envelope* that is deemed to satisfy the objectives of the controls.

The additional shadows on Hyde Park created by the *Planning Proposal Envelope* also need to be considered in the context of existing surrounding development and future redevelopment proposals. For example, there is a Stage 1 DA approved by the City of Sydney at 148-160 King Street (D/2015/750). Refer to the extract of the approved shadow impacts included in **Figure 72**.

The *Planning Proposal Envelope* shadow will largely fall within the shadow cast by the approved development at 148-160 King Street. As **Figure 72** illustrates, approval of such development proposals reinforces that compliance with the Hyde Park Sun Access Plane can acceptably result in additional shadows being cast. This is permitted by the City’s planning controls as the “No Additional Shadow” controls do not apply to this location.



**Figure 72 – 148-160 King Street approved Hyde Park shadow impacts – 1:00pm**

Source: Kann Finch

**Conclusion**

The proposed amendment to the South Site building height control will result in negligible additional overshadowing to surrounding streets and public spaces, especially Hyde Park North, when compared against existing building height controls for the site. Importantly, the proposal is fully compliant with the Sydney LEP 2012 Sun Access Planes and these will continue to be met, protecting pedestrian amenity derived from sunlight to important civic spaces such as Martin Place and Hyde Park. Therefore, the minor additional overshadowing is considered acceptable on merit.

## 7.5 Visual Analysis

A View Impact Analysis has been prepared by Tzannes (**Appendix D**) to examine the appropriateness of the potential maximum built form envelope resulting from this Planning Proposal. These analyses, which are based on imagery prepared by Arterra, include a variety of close, near and distant public view locations. These view locations were informed from a detailed study of the Precinct and its immediate and distant surrounds, enabling a comprehensive analysis to be undertaken that assesses views from a multitude of places and spaces.

The visual impact analysis assesses the following built form envelopes:

- Existing buildings;
- LEP/DCP Compliant Envelope;
- Proposed SSD DA Envelope (SSD 17\_8351); and
- Planning Proposal Envelope.

### 7.5.1 Visual Assessment

It has been a longstanding strategic position of the Council that views, and view sharing, is a matter of specific importance. The primary concern is the potential impact of development on key views and vistas that are available at the street level and generally from the public domain.

This is enshrined in Sydney DCP 2012 (Section 3.2.1.2), with the following provisions relating to public views:

*(1) Buildings are not to impede views from the public domain to highly utilised public places, parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments including public statues, sculptures and art.*

*(2) Development is to improve public views to parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments by using buildings to frame views. Low level views of the sky along streets and from locations in parks are to be considered.*

The View Impact Analysis at **Appendix D** demonstrates that the envelopes resulting from the Planning Proposal are consistent with these objectives along with achieving other important outcomes, more specifically:

- The envelopes will occupy portions of the skyline beyond the current buildings in the Precinct. The increase in area potentially occupied by the future buildings is considered acceptable in the CBD context as this will not encroach or interrupt any significant views.
- Low, medium and high-level views of the sky along streets and from public domain places (parks etc.) are retained in a variety of contexts.
- Views of heritage buildings within the wider Precinct are maintained due to the additional floor space being accommodated above the podium level (and the general height of the heritage items in the vicinity). For example, existing public domain views to key heritage buildings and places are retained, including 50 Martin Place, City Mutual Life Assurance Building, former “GIO” building, the GPO clock tower, Qantas House, Richard Johnson Square, Chifley Square, the RBA Building, the APA Building, and Martin Place itself.

- The key urban design Principles adopted for the towers will help create a strong identifiable form when viewed within the city skyline and at the local pedestrian level.
- The Planning Proposal responds to the significant heritage character of 50 Martin Place and the Sun Access Plane controls, with the towers carefully positioned having regard to a range of constraints and opportunities.
- The tower positioning for the South Site emphasises the strong and historic street wall character of Martin Place.
- The 8m setback for the South Tower:
  - Is consistent with the pattern of reduced setbacks to the eastern side of the break in Martin Place caused by the MLC Centre when compared to the greater setbacks that are typical to the west.
  - The reduced setback and built form of the tower provides a strong built form to the corner - redefining the importance of Martin Place in response to the MLC Centre.
  - The 8m setback is a typical setback for towers in the city above a street wall defining podium under the DCP. As such this is in alignment with amenity requirements under this document particularly for views of the sky and built form articulation of the tower from the podium.
- The Planning Proposal supports the continued evolution of and change to the city skyline and defines a new density and scale of development that supports the Precinct's role as a major transport hub.

An analysis of the Precinct and its surrounds reveals that it is generally isolated from any nearby sensitive residential receivers. The proposed LEP amendments and the resulting larger building envelopes will not have any direct adverse impact on views from nearby residential dwellings. This also reinforces the Precinct's suitability in accommodating additional employment generating floor space.

### **7.5.2 How the proposal will protect and enhance important vistas including from Martin Place, Elizabeth Street, Hunter Street and Castlereagh Street**

The Planning Proposal accommodates an outcome which ensures important vistas in this section of the city will be protected and enhanced, in particular, east and west views along Martin Place, and views along Elizabeth Street, Hunter Street and Castlereagh Street. In order to demonstrate this, detailed CGIs have been prepared of the proposal's illustrative scheme from these key vistas, and are provided in **Figure 73** to **Figure 76** below.

Although the built form which will follow from the Planning Proposal is larger than the envelopes envisaged by the LEP and the DCP, it is considered that the envelopes described in the Planning Proposal and 'The Urban Design of Sydney Metro Martin Place Station Precinct' are a distinctive response to the specific built form and urban design context. As such they contribute to the legibility and hierarchy of the built form of the City. With the exception of the 25m setback to Martin Place, which is considered not a representative tower setback for the South Site in its context, the setbacks described in the DCP and LEP are City-Wide controls rather than a tailored response to the specific conditions of the precinct.

The figures below clearly demonstrate that the proposal will protect and enhance key vistas and that the proposed building scale is appropriate having regard to these key vistas.



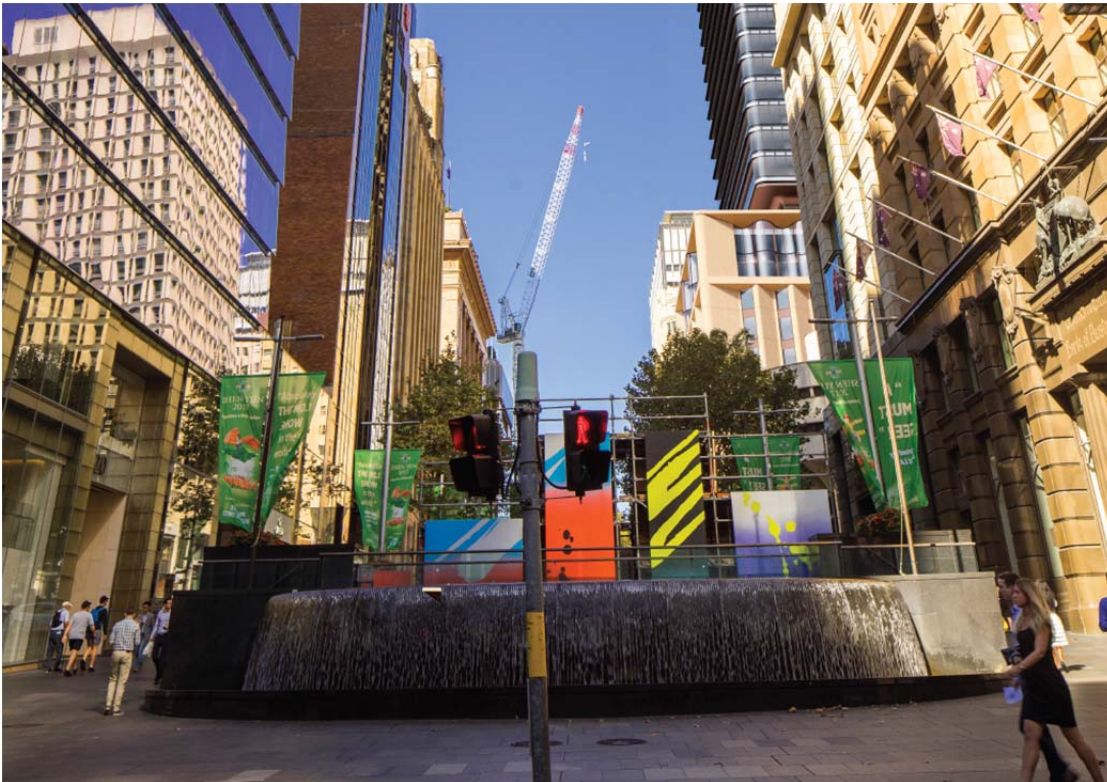
**Figure 73 – View of proposed illustrative scheme from Chifley Square, looking south down Elizabeth Street and Hunter Street**

Source: JPW



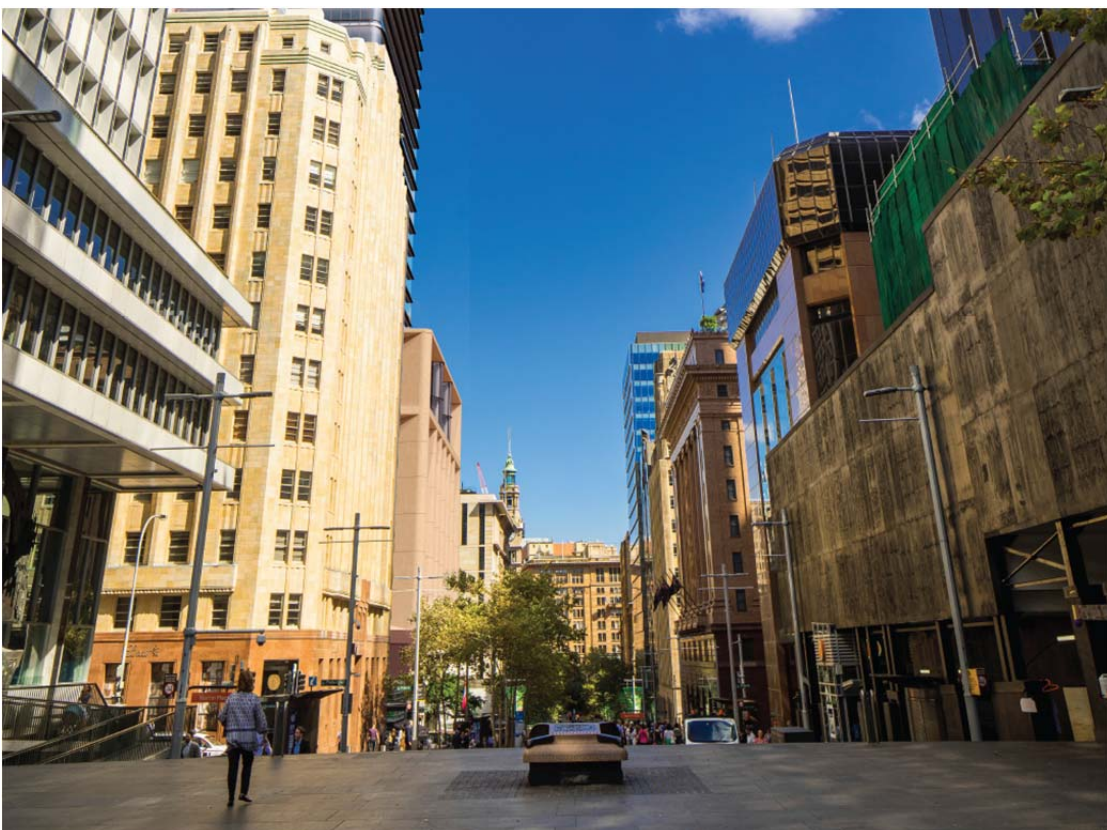
**Figure 74 – View of proposed illustrative scheme from Richard Johnson Square looking south down Castlereagh Street**

Source: JPW



**Figure 75 – View of proposed illustrative scheme east along Martin Place**

Source: Grimshaw



**Figure 76 – View of proposed illustrative scheme west along Martin Place**

Source: Grimshaw

### Protected Views

The Council is progressing its planned amendments to Sydney LEP 2012 with the introduction of new provisions that recognise there are important public views through parks and other well-used spaces that help define Sydney.

Relevantly for Martin Place, there are three (3) key views identified where view corridors are proposed and which will act as prohibitions to development. These new provisions, if adopted, would be similar to Sun Access Planes, where a building is not able to protrude within the protected view corridor. These key views are illustrated within **Figure 77** and relate to views of:

- The GPO Clock Tower;
- The western sky from Martin Place; and
- The Sydney Hospital.



**Figure 77 – Extract of key public views map**

Source: Central Sydney Planning Strategy

As evident from the field **Figure 77** of view along Martin Place for these protected views is either at the eastern and western ends (looking beyond Martin Place) and is very narrow at the centre. The Precinct is located at the narrow point and the proposed building envelopes will have no material impact on these key views as they don't come into the field of view. This is reinforced by the official photographs of the protected views, as contained within Appendix C of the CSPA – refer from **Figure 78** to **Figure 80**.

Therefore, the positioning of the South Site tower 8 metres back from the Martin Place alignment will continue to ensure the protection of these identified key public views.



**Figure 78 – Martin Place western sky protected view**

Source: Central Sydney Planning Strategy



**Figure 79 – GPO Clock Tower protected view**

Source: Central Sydney Planning Strategy



**Figure 80 – Sydney Hospital protected view**

Source: Central Sydney Planning Strategy



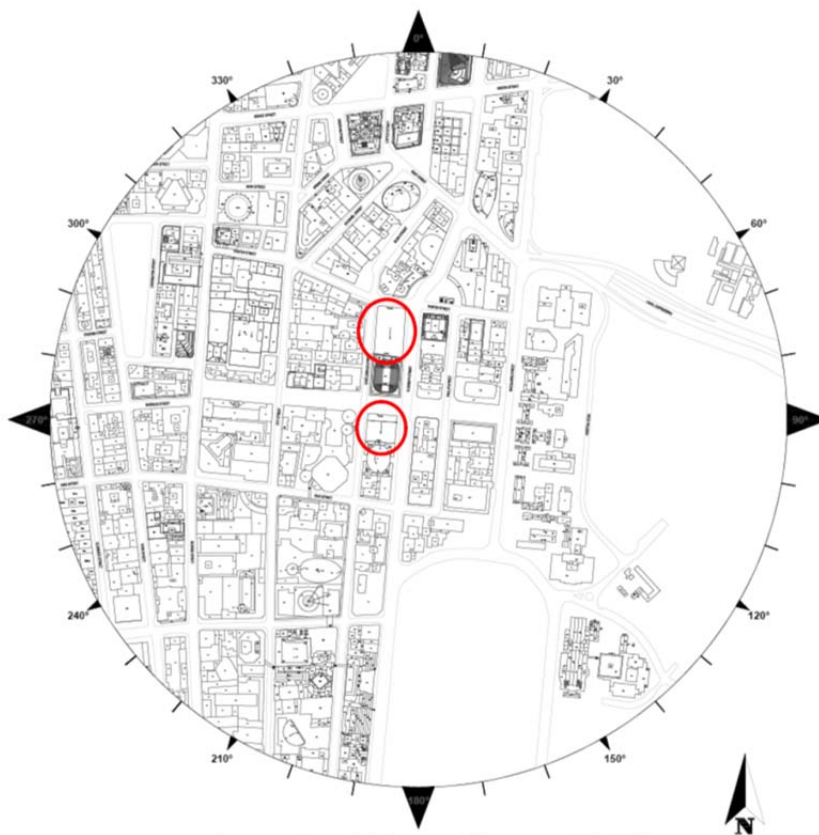
## 7.6 Wind Assessment

An independent review of the proposed envelopes was commissioned to assess the potential wind impacts on the surrounding pedestrian level wind conditions by Cermak Peterka Petersen Pty Ltd (CPP), and is included in **Appendix F**. Pedestrian acceptability of footpaths, entrances, plazas, and terraces (in terms of comfort and amenity) is recognised by TfNSW and Macquarie as an important design parameter, that is fundamental to a successful urban and public domain outcome.

The review involved detailed wind tunnel testing covering a variety of development scenarios with respect to the South Site, including:

- The existing conditions;
- the LEP/DCP Compliant Envelope tested for the solar analysis;
- a 6m tower setback to Martin Place for the South Site (being the Planning Proposal envelope), and the North Site envelope, and a qualitative assessment of an 8m tower setback (refer also to **Appendix F**); and
- a 25m setback to Martin Place, being the Concept Proposal/Stage 1 SSD DA envelope, and the North Site envelope.

CPP are world leaders in the field of wind engineering and have access to its own state of the art wind tunnel. **Figure 81** provides an overview of the extent of the North and South Site and its surrounds that have been tested within the wind tunnel.



**Figure 81 – Wind model extent**

Source: CPP

The conclusions reached by CPP are:

- LEP/DCP Compliant Envelopes change wind patterns in the area, causing some areas to be windier and improving others, compared to existing conditions;
- the modifications to the setbacks under the Planning Proposal Envelope and the Concept Proposal/Stage 1 SSD DA Envelope have a relatively minor impact on wind amenity at the ground plane, with a small improvement in wind conditions at some locations and slight degradation at others.
- the wind comfort levels surrounding the North and South Sites range from pedestrian walking to pedestrian sitting (i.e. all within “acceptable” comfort ranges); and
- excluding locations where existing conditions exceed target levels already, all areas are assessed as suitable for the intended use of space in this section of the City.

Accordingly, the Planning Proposal will generally protect, and in some cases, enhance the wind environment for pedestrians in the precinct. The wind studies undertaken to date will be supplemented by further wind tunnel testing as part of the design development for the detailed design of the buildings. The results of those studies will be submitted with each of the DAs to be lodged. Opportunities to improve upon existing wind conditions, as opposed to simply retaining existing conditions, will be investigated in this regard. This is consistent with the Principles established in the Tzannes Urban Design Study in terms of improving the ground plane amenity of Martin Place, Castlereagh, Elizabeth and Hunter Streets.

## 7.7 Sky View (Daylight) Analysis

A Sky View Factor Assessment has been prepared to investigate the degree of sky that can be seen from key points surrounding the Precinct, when comparing the building envelopes which result from the Planning Proposal to complying building envelopes and existing buildings. Sky views contribute to a sense of openness in the street, and can affect the attractiveness, thermal comfort and levels of light and amenity at ground level.

The *Central Sydney Planning Strategy 2016* (CSPS) establishes a methodology and the baselines for measuring the proportion of sky views available from within the Sydney CBD; termed the Sky View Factor (SVF). SVF is a measure of the obstruction of the sky at any point, quantified as a percentage where 0% is a completely obscured sky and 100% is completely unobscured. SVF can then be applied as an approximation of daylight levels, with the CSPS noting that the SVF range for most streets in Central Sydney is 15-25%; termed the ‘typical SVF’.

This analysis has subsequently been included in the Draft Sydney DCP, which requires the modelling of SVF to address the appropriateness of street setbacks and the resultant daylight levels at the ground plane. Whilst this DCP has not been adopted, the proponent has undertaken SVF modelling in accordance with the baseline established by Council to determine the relative impacts of the proposed building envelopes which would result from the Planning Proposal and in response to Gateway conditions.

Surface Design have completed SVF modelling for 14 key locations surrounding the Precinct addressing the relative impact of the existing buildings, complying building envelopes, proposed SSD DA building envelopes, and the Planning Proposal envelopes. This modelling has been completed in accordance with the City of Sydney Council Guidelines for Sky View Factor Assessment, including the existing SVFs detailed in the CSPS, and is included in **Appendix L**.





The Skyview Assessment was undertaken for 14 points surrounding the North and South Sites. The results for each scenario and location are provided in **Table 16** below.

It is evident from this assessment, that the Planning Proposal Envelope will not alter the sky view thresholds currently enjoyed from streets surrounding the Precinct. Whilst there will be nominal changes in the detailed SVF percentages, the thresholds will remain consistent with the existing environment. Significantly, the relative impacts of the Planning Proposal Envelope when compared to compliant envelopes are minor, confirming that the amendments to the Sydney LEP 2012 will not significantly impact amenity from sky view at the ground plane.

**Table 15 – Sky View Factor Assessment Results**

	Location	Existing	LEP/DCP Compliant Envelope	Stage 1 SSD DA Envelope	Planning Proposal Envelope
1	36 Martin Place	18.00%	16.50%	16.00%	16.00%
2	Corner of Martin place and Castlereagh Street	22.50%	21.50%	21.50%	21.50%
3	37 Martin Place	20.50%	19.50%	17.00%	17.00%
4	Corner of Martin Place and Elizabeth Street	23.50%	23.00%	23.00%	23.50%
5	63 Martin Place	20.00%	18.00%	18.50%	18.00%
6	Richard Johnson Square	14.00%	13.50%	12.50%	12.50%
7	Chifley Square	24.00%	22.50%	22.50%	22.50%
8	20 Elizabeth Street	11.00%	11.00%	9.50%	9.50%
9	7 Elizabeth Street	13.00%	13.00%	12.00%	12.00%
10	9/17 Castlereagh Street	10.00%	9.50%	8.50%	8.00%
11	4 Castlereagh Street	14.00%	11.50%	7.50%	7.50%
12	8/55 Hunter Street	11.00%	10.00%	10.00%	10.00%
13	30 Castlereagh Street	22.50%	20.00%	19.00%	19.00%
14	80-85 Elizabeth Street	19.00%	17.00%	17.50%	17.00%

**Key**

	<15%	Low SVF
	15% - 25%	Typical SVF
	25% - 35%	High SVF
	>35% - 45%	Highest SVF

Source: Surface Design

## 7.8 Heritage

A Statement of Heritage Impact (SHI) has been prepared by TKD Architects and accompanies this report at **Appendix C**. The SHI includes an examination of the thematic history of Martin Place.

This statement also identifies and assesses potential heritage impacts associated with the proposed tower envelopes, and specifically the heritage impacts on the subject Precinct and neighbouring heritage items (refer to **Section 2.5**), their context and setting and significant views.

The statement follows the general guidelines for Statements of Heritage Impact, set out in the NSW Heritage Manual, Heritage Office and Department of Urban Affairs and Planning (1996). The statement also follows the methodology and terminology described in *The Conservation Plan*, Sydney, National Trust of Australia (NSW), 7th edition 2013 by Dr J. S. Kerr and in the Australia ICOMOS Burra Charter, 1999 as described below. The methodology of these documents is combined with the State Heritage Register criteria to formulate an assessment of cultural significance.

The focus of the SHI prepared for the Planning Proposal has been the South Site, aligning with the nature of the changes for this site (being both height and floor space).

### 7.8.1 TKD Architects Heritage Related Development Guidelines

The significance of Martin Place and Chifley Square is exhibited through the development of special character area statements and objectives in the local Sydney LEP 2012 framework. These statements and objectives provide guidance for future development within each area, yet are broad and overarching.

Whilst the Planning Proposal and future resulting development generally aligns with these objectives, it has been considered appropriate to develop more detailed “Heritage related Development Guidelines” specific to both the North and South Sites. These have been developed by TKD Architects (with input by Howard Tanner) to establish key parameters for any future redevelopment in the context of minimising or mitigating heritage impacts.

### 7.8.2 South Site Heritage Conclusions

TKD Architects have concluded that the Planning Proposal seeks to achieve a development of a quality commensurate with the exceptional heritage significance and urban environment of the street. The Planning Proposal is an integral part of a broader vision by Macquarie to provide a world-class commercial, retail and transport development fully integrated with Sydney Metro’s Martin Place station.

The present building is inconsistent with the historic character and urban form of the street. Demolition of the building – approved as part of the Sydney Metro proposal – provides an opportunity for a new structure that better responds to the heritage significance and urban qualities of Martin Place.

TKD Architects advise that the proposed amendments to building height and floor space are acceptable in terms of heritage impact on the basis that:

- The heritage guidelines ensure that a future building on the site maintains and enhances the principal heritage and urban design qualities of Martin Place, specifically:

- the retention and enhancement of Martin Place as one of the City’s grand civic and ceremonial spaces;
  - the retention and enhancement of its urban character, scale and strong linear enclosure;
  - consistency with the prevailing street frontage heights of existing buildings;
  - incorporation of a building setback above the street frontage.
- Potential impacts of the Planning Proposal on the significance of neighbouring heritage items – relating to their streetscape presentation and setting – are generally assessed as neutral, as their visual presence variously within the Martin Place and Elizabeth Street streetscapes will remain largely unchanged.
  - Subject to future detailed design, the proposed LEP amendment will allow for the realisation of a building on the Site which achieves an appropriate balance between commercial viability and the heritage values of Martin Place, while achieving the significant urban design and public benefits of the proposed Sydney Metro and Martin Place Precinct.

### **7.8.3 North Site Heritage Conclusions**

Noting that the Planning Proposal does not seek to amend the building height controls under Sydney LEP 2012, TKD Architects conclude that a future building envelope on the North Site supported through the Planning Proposal is acceptable on the basis that:

- The heritage guidelines ensure the separate identity of the former bank at 50 Martin Place and its visual prominence within these streetscapes are maintained.
- Potential impacts of a future building on the significance of heritage items in the vicinity (relating to their streetscape presentation and setting) are generally considered minor or neutral.
- A new building has the potential to enhance the sense of spatial enclosure of the semi-circular form of Chifley Square through reinforcement of its street edges and the relationship in scale with the former Qantas House and the alignment and scale of existing buildings on the south side of Hunter Street.

## **7.9 Commercial Office Design Requirements**

Office tenants’ requirements for corporate real estate have changed in response to changing work practices. Flexible workplace strategies demand flexible office floor plates and functional efficiency which is more readily accommodated in buildings with larger footprints. The demands of premium tenants include large uninterrupted floor plates, adaptable building structures, flexible building services, well planned space grids and simplified building specifications.

Martin Place is a prestigious location attractive to discerning tenants who favour a highly visible location close to the highest available amenity for their employees. These demanding occupants favour accommodation commensurate with their standing and reputation.

### **South Site**

Delivering a building on the South Site that meets these requirements is therefore considered particularly important because of its smaller footprint and consequently its reduced potential for adaptability as the needs of users change over time. The Planning Proposal through the amendment to the height control supports commercial office tower floor plates that satisfy Premium Grade tenant criteria.

**Figure 82** also highlights that within the City’s built context the proposed South Site building height will allow a future tower that is conventional in scale with other existing towers.



**Figure 82 – Existing and proposed tower footprint study**

Source: Tzannes

## 7.10 Transport, Traffic and Parking

Arup have prepared a Traffic and Parking Report, which is included at **Appendix G**. This report assesses the impact of the additional floor space on transport, traffic and parking considerations.

This report has examined the existing transport conditions of the site, including current (and future) mode share and availability of transport, and then provided an assessment of the potential impact of the redevelopment of the Precinct in accordance with the resulting built form and, more relevantly, the resulting floor space and mix of uses.

The key components of this study are outlined below.

### **7.10.1 Traffic Generation and Road Network**

Consistent with the strategic value of the Precinct as a transport interchange, which favours sustainable modes of transport over private vehicles, minimal car parking is proposed to be provided on either the North or South Sites. There will therefore be a substantial reduction in car parking within the precinct compared to the existing situation.

Traffic generation associated with future development will therefore be limited to servicing, deliveries etc. Arup advise that these increased volumes, compared to existing traffic generated by the existing developments, is expected to be negligible and will occur through-out the day (i.e. not concentrated to peaks).

Accordingly, as the increase in traffic volumes at peak times is expected to be negligible, no impacts on the road network are anticipated when the ultimate development scenario is operational.

The Planning Proposal will support future development with some of the highest levels of public transport accessibility in Australia, with:

- The Sydney Metro and Eastern Suburbs railway line at Martin Place located directly beneath the North and South sites;
- Bus stops and taxi ranks located in Castlereagh Street and Elizabeth Street;
- Future Light rail services running from George Street (350m away); and
- Ferry access from Circular Quay (700m away).

This level of public transport accessibility reinforces the appropriateness of unlocking density and capacity on the North and South Sites.

### **7.10.2 Pedestrian Network**

Arup estimate that the future OSD will have a mode share close to 100% by sustainable means of transport comprising mainly train, bus, cycling, walking and ferry.

The Planning Proposal in enabling an increased capacity of development within the Precinct will generate additional pedestrian movements and consequently impacts on local footpath conditions.

Given the CBD context of the Precinct, and that Martin Place acts as an important spine for pedestrian movement in this part of the CBD, Arup advise that it is expected that there will continue to be a high level of pedestrian amenity provided for access to and from the Precinct.

Further dynamic modelling is also expected to occur as part of the design development and planning for the Sydney Metro project, which will also take into account the OSD and consider how future connections and measures can aid the pedestrian Precinct performance.

## **7.11 Airport Operations**

The Planning Proposal supports the development of towers that will encroach into the Obstacle Limitation Surface (OLS) – triggering a controlled activity under the Airports Act 1996. Therefore, permission from the relevant Department of the Commonwealth, or their delegate, is required.

Strategic Airspace have been commissioned to review these proposed penetrations into the OLS to ascertain their acceptability.

Strategic Airspace advise (refer to **Appendix H**) that the maximum height of future development on both the North and South Sites will be below the relevant flight manoeuvring and air traffic control-related surface constraints of 335m AHD which leaves a vertical margin of more than 100m+ for crane operations associated with the construction.

Strategic Airspace conclude that there is no technical impediment to approval of a future development consistent with the proposed amended building height controls, and consider that an application under the Airports (Protection of Airspace) Regulations, supported by a full aeronautical assessment and safety case would be approved by the Department of Infrastructure and Regional Development.

## 7.12 Sustainability

Macquarie is targeting to design the future buildings to achieve:

- a minimum 6 Star Green Star Office Design and As Built 2015 V1.1 rating; and
- a minimum NABERS Energy 5 Star and NABERS Water 3.5 Star rating.

In the context of existing “B” and “C” grade commercial office buildings located within the Precinct, the Planning Proposal will deliver significantly improved environmental performance and sustainability outcomes.

Further details regarding the proposed overall ESD Strategy to be pursued for the redevelopment of the Precinct is provided within **Appendix I** (prepared by Arup).

Sustainability is also identified in the Tzannes Study as a key objective and Principle within the Urban Design Report, to “*deliver a low carbon future through urban and building design*”.

## 7.13 Social and Economic Effects

### Economic role of the City of Sydney

The Planning Proposal supports a significant financial investment in the renewal and sustained pre-eminence of Martin Place as the commercial heart of the Sydney CBD. The additional floor space provided by the increased building envelope and FSR will help strengthen Sydney’s role as a globally competitive city, by allowing for more business activities and ensuring a superior floorplate for new office accommodation.

The potential for an additional 54,000m<sup>2</sup> (over and above the existing permissible FSR of 12.5:1) of predominantly commercial floor space in future buildings will contribute to Sydney CBD being the principal centre for business, consistent with the objectives of the Metropolitan Centre Zone.

### Employment generation

Under the existing controls base case scenario, future development of the Precinct has the potential to generate some 9,080 jobs (based on a maximum FSR of 12.5:1). The increased floor space capacity enabled by this Planning Proposal has the potential to deliver some 15,000 jobs; an increase of 5,938 jobs or 65%. Refer to **Table 16** for further details.

The additional jobs generated has far reaching economic benefits for Sydney, NSW and Australia more broadly and directly supports the achievement of jobs targets set by Council and the NSW State government.



Table 16 – Potential job creation analysis

	Total GFA (sqm) #	Total NLA (sqm)# π	Job Numbers
<b>Existing development</b>	60,884 North Site 18,465 South Site	53,880 North Site 16,341 South Site	50 Martin Place 2,000 <sup>~</sup> Remaining North Site 1,688* South Site 817*
<b>Precinct TOTAL</b>	79,349 approx.	70,221 approx.	<b>4,505 approx.</b>
<b>Redevelopment under existing controls (12.5:1)</b>	75,275 North Site 23,712 South Site	-	-
<b>OSD under existing controls</b>	68,775 North Site ↗ 21,212 South Site ↗	58,299 18,454	50 Martin Place 2,000 <sup>~</sup> Remaining North Site 4,774 <sup>^</sup> South Site 2,306 <sup>^</sup>
<b>Precinct OSD TOTAL</b>	89,987 approx.	78,270 approx.	<b>9,080 approx.</b>
<b>Redevelopment under Planning Proposal</b>	111,407 North Site 41,734 South Site	-	-
<b>OSD under Planning Proposal</b>	104,907 North Site ↗ 39,234 South Site ↗	90,126 34,133	50 Martin Place 2,000 <sup>~</sup> Remaining North Site 8,752 <sup>^</sup> South Site 4,266 <sup>^</sup>
<b>Precinct OSD TOTAL</b>	144,141 approx.	124,259 approx.	<b>15,018 approx.</b>

# figures include existing GFA of approx. 24,422 / NLA of approx. 20,105 contained within the retained 50 Martin Place building

π NLA is calculated at 87% of GFA, with NLA providing a more accurate figure for estimating job numbers.

\* based on occupancy rates of 1 per 20sqm used by City of Sydney Council within the Central Sydney Planning Strategy, which are informed by the 2012 floor space and employment survey

<sup>^</sup> Assumes OSD for these purposes is 100% commercial and is based on occupancy rates (1 per 8sqm NLA) that correspond with modern, collaborative and flexible workplaces

↗ OSD GFA figures excludes GFA attributed to Martin Place Metro Station, upwards of approx. 6,500sqm North Site and 2,500sqm South Site

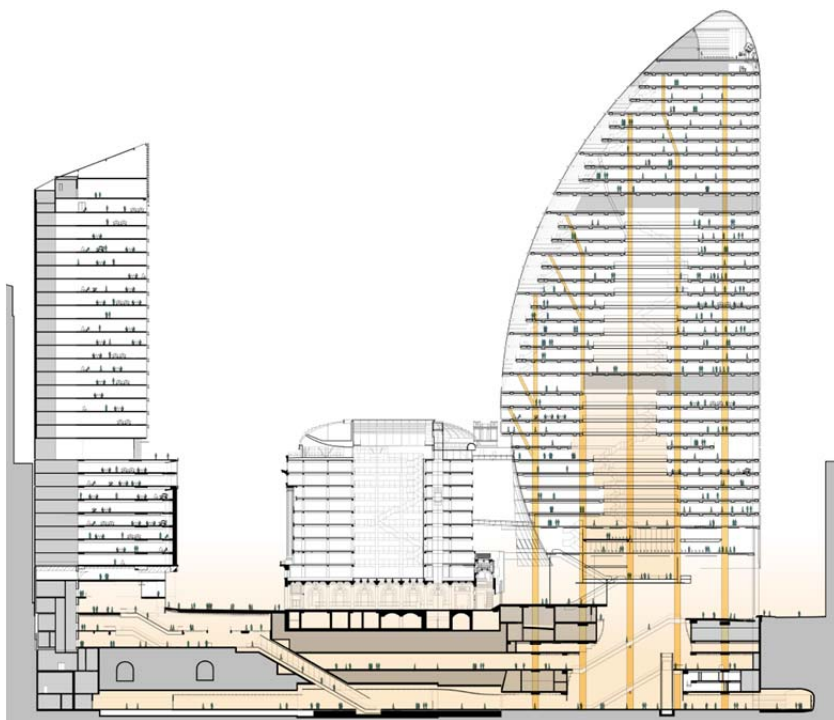
<sup>~</sup> figure represents approx. existing actual job numbers at 50 Martin Place

## Supporting the Cultural Heart of the City

Martin Place is Sydney's premier public plaza and civic assembly or ceremonial space, and with the new Metro Station in particular is highly accessible to key City cultural and government institutions. The prestigious corporate buildings that frame Martin Place are integral to its character and standing in the City, and supporting Martin Place as a destination in its own right. The Planning Proposal supports this important role of Martin Place by providing future prestigious new buildings of sufficient scale and quality to satisfy high end financial and business services companies, as well as provide suitable amenities for the public, including food and beverage outlets overlooking and activating the public spaces.

## 7.14 The Public Interest

The proposed amendments to the Sydney LEP 2012 will contribute towards achieving a world class integrated transport and employment hub in the heart of the Sydney CBD and strengthening Martin Place as an important public destination. Density, height, employment floor space, landmark buildings and public amenities are all outcomes that will be facilitated by this Planning Proposal and the new Metro Station (refer to **Figure 83**).



**Figure 83 – Illustration of an integrated transport and employment outcome at Martin Place**

Source: Grimshaw & JPW

Overall, this Planning Proposal is considered to be in the public interest as:

- It will directly contribute to the economic success of Sydney, NSW, and more broadly Australia.
- It will reinforce Sydney as a global economic powerhouse and leader in attracting new talent.
- The current controls on the site limit its potential and constrain development outcomes less compatible with the existing and desired future character of the Precinct.
- There is excess public transport capacity created by the new Metro infrastructure, and sufficient capacity within other infrastructure to support the Planning Proposal.
- The existing controls are no longer considered satisfactory in meeting the community's expectations for greater densities at the right locations, with acceptable environmental impacts and supported by infrastructure investment.
- It will lead to a re-imagining of a Precinct and foster design flexibility and excellence.
- The level of potential impacts from a public domain/amenity and heritage perspective are minimal and readily able to be improved.

Finally, the new Metro Station represents a significant public investment in transport infrastructure. The additional commercial floor space capitalises off this opportunity and also, in this case, contributes financially to the cost of providing that infrastructure through the Unsolicited Proposal bid. In this regard Macquarie is (subject to progressing through the final stage of the USP process) paying the NSW Government for the development rights for the OSD, with that money directed towards the funding of the Sydney Metro project. This approach aligns with the objectives outlined within Council's CSPPS.

## 8.0 Part 4 – Mapping

The proposed amendment to the Sydney LEP 2012 Height of Buildings Map is provided in **Figure 84** and also at **Appendix J**.

### Height of buildings



**Figure 84 – Proposed height of buildings map (sheet 14)**

Source: Sydney LEP 2012 + Ethos Urban

## 9.0 Part 5 – Community Consultation

Confirmation of the public exhibition period and requirements for the Planning Proposal has been issued as part of the LEP Gateway determination. Community Consultation is required under sections 56(2)(c) and 57 of the EP&A Act. The Planning Proposal must be made publicly available for a minimum of 28 days.

Consultation is required with the following public authorities under Section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant Section 117 Directions:

- Transport for NSW
- Office of the Government Architect
- Infrastructure NSW
- Office of Environment & Heritage
- Roads and Maritime Services
- Department of Infrastructure and Regional Development
- Sydney Airport Corporation
- Civil Aviation Safety Authority
- Airservices Australia
- City of Sydney Council
- The Greater Sydney Commission
- Ausgrid
- Sydney Water

## 10.0 Part 6 – Indicative Project Timeline

Below is an indicative timeline for the Planning Proposal.

- Submission of Planning Proposal to the Department of Planning and Environment: June 2017
- Date of Gateway determination: July 2017
- Commencement and completion dates for public exhibition period: November – December 2017
- Timeframe for government agency consultation (pre-and post-exhibition as required by Gateway determination): November – December 2017
- Timeframe for consideration of submissions: December 2017
- Anticipated date RPA will make the plan: January 2017

## 11.0 Conclusions and Recommendations

This Planning Proposal requests a site-specific amendment to *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) to increase the maximum building height on the South Site and the FSR on the North and South Sites of the Sydney Metro Martin Place Station Precinct (the Precinct).

The main purpose of the Planning Proposal is to facilitate the delivery of two predominantly commercial office towers in a whole-of-Precinct redevelopment, where the towers are fully integrated with the new Metro Station and existing Train Station. The integrated development will be designed and constructed as one building and, critically, scheduled to open at the same time as the Sydney Metro commences operations in 2024. This provides a unique opportunity within a short window of time.

On 9 January 2017, the Minister for Planning approved the Stage 2 Metro application lodged by Transport for NSW (TfNSW) as a Critical State Significant Infrastructure (CSSI) project. The Sydney Metro project also makes provision for future over station development (OSD) on the land already acquired for stations along the route, including at Martin Place.

With the construction of the Sydney Metro (a step change piece of transport infrastructure) there is a fundamental responsibility and reasonable expectation for the development capacity of the Precinct to increase. This is recognised in numerous government planning strategies, and the Planning Proposal responds to this important and unique opportunity.

The Planning Proposal forms part of a comprehensive suite of applications that together are necessary to co-ordinate and deliver an optimum, integrated station/OSD solution for the Precinct. The approvals process is complicated by the fact that the project contains two classes of Development; the CSSI for the Station and the State Significant Development (SSD) for the commercial towers overlapping and above it.

The local planning framework and controls applying to the Precinct were developed and adopted nearly 5 years ago, before any commitment by the NSW Government to deliver the Sydney Metro project. The key LEP controls of zoning, height and FSR have, however, remained largely unchanged for decades. There is now, therefore, a significant disconnect between existing planning controls and the opportunities presented by the transformational Sydney Metro project.

The City of Sydney Council (the Council) has recently released its Central Sydney Planning Strategy (CSPS) which is to be the guiding strategic document for Central Sydney over the next 20 years. Council predicts that under the existing planning controls there will be a shortfall of between 40,000 – 85,000 jobs in Central Sydney. The CSPS responds accordingly, with 10 key “moves” including those designed to position and strengthen Sydney as Australia’s leading global city.

The CSPS also recognises the need to boost the development capacity in the City and the potential to review and increase floor space ratios and heights on appropriate sites in some identified locations, specifically including the North and South Sites.

The subject land is currently zoned B8 Metropolitan Centre under the Sydney LEP 2012, and this Planning Proposal does not change the zoning. Nor does it seek any amendment to the Martin Place and Hyde Park solar access planes that apply to this land and effectively set the upper limits of building height. The heritage listing of 50 Martin Place and the LEP’s protective heritage measures will also remain.

There is an opportunity to amend the height limit on the South Site and the FSR limits on both the North and South Sites to enable the optimum redevelopment of this land and respond to the precinct specific urban design opportunities. In doing so the Planning Proposal maximises the opportunity for additional floor space and jobs creation, and better meets the current strategic planning policies and objectives articulated by all levels of government.

A design-led approach has established the new height and FSR limits, based on sound urban design and heritage conservation principles. A “loose fit” envelope was formulated to allow for greater articulation of the ultimate building design. The FSR was calculated to permit a reasonable amount of floor space that fits comfortably within the envelope.

In contrast the current LEP height and FSR standards, along with the DCP controls, deliver a poorer urban design outcome and building envelopes that don't account for the large amount of floor space below ground in the Metro Station. In the case of the South Site, the 55m height limit will produce very small tower floor plates (of approximately 450m<sup>2</sup>) that are not preferred for office uses. Although they may be viable for residential apartments this use is not considered appropriate under the City's current planning strategies for the commercial core.

The need for the Planning Proposal stems from, and is consistent with, a range of government strategic studies that support accommodating additional jobs in Sydney and the coordinated delivery of increased capacity with infrastructure investment. At their highest level these planning documents are necessarily about enabling the evolution of a growing metropolitan area with sufficient flexibility and resilience to transcend change in the longer term.

The Planning Proposal is the best means to achieve the many stated objectives and intended outcomes for integrated land use and transport planning. Ultimately the Precinct's capacity to enhance employment generation in alignment with substantial infrastructure investment is contingent on some amendments to the Sydney LEP 2012; at least in suitable locations.

The Planning Proposal responds to, and is consistent with the relevant objectives and actions in the key strategic planning strategies and policies at the State, Regional, District and Local levels, including the following:

- *NSW State Plan 2021 – Premier's Priorities;*
- *A Plan for Growing Sydney;*
- *Draft Greater Sydney Region Plan;*
- *Draft Eastern City District Plan;*
- *NSW Long Term Transport Master Plan;*
- *Sydney's Rail Future: Modernising Sydney Trains;*
- *Sydney City Centre Access Strategy;*
- *Sustainable Sydney 2030;*
- *Central Sydney Planning Strategy; and*
- *City North Public Domain Plan, including Martin Place Urban Design Study (2015).*
- *Draft Future Transport Strategy 2056; and*
- *Greater Sydney Draft Services and Infrastructure Plan.*

The Planning Proposal has strategic merit, and satisfies the assessment criteria in the Department of Planning and Environment's *A Guide to Preparing Planning Proposals*.

In particular, it:

*"Responds to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls."*

The Planning Proposal responds to the significant change in public transport and accessibility circumstances associated with the new Martin Place Metro Station. The Sydney Metro is a major public investment in infrastructure that had not been contemplated when the current Sydney LEP 2012 was adopted. Since 2012, the Department of Planning has reviewed and increased its population growth forecasts for the Metropolitan area, including Sydney City.

The Planning Proposal has considerable site-specific merit. The fully integrated nature of the Metro Station, the Martin Place Train Station and the commercial over station development is unique. The Precinct's location in the centre of a Global City reinforces the merit of greater building heights and densities where new buildings can shape the future character of the locality without materially affecting the local environmental amenity.

The Planning Proposal is also consistent with the City Council's local strategic plans as noted. Of particular relevance is the consistency of the Planning Proposal with the recent (2016) Built Form Capacity Study that forms part of the Central Sydney Planning Strategy (CSPS). This study examined where in Central Sydney it may be possible to accommodate greater heights and FSRs than the planning controls currently permit. The North and South Sites in the Precinct are both identified as suitable for consideration.

The Planning Proposal is also consistent with the aims and objectives of the current Sydney LEP 2012, the B8 Metropolitan Centre Zone and the Height and FSR development standards, and in particular the FSR objective:

*"c) to provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure."*

The likely environmental effects arising from the Planning Proposal are related primarily to urban amenity – solar access, wind, visual and heritage impacts in particular. The detailed assessment of those impacts provided in this report demonstrates they are acceptable and capable of being well managed at the detailed building design stage and standard DA process.

The Planning Proposal adequately addresses the key social and economic effects and concludes those effects to be positive, particularly in terms of the ability to deliver additional employment opportunities in highly skilled occupations.

The land the subject of the Planning Proposal is well served by public infrastructure, particularly public transport infrastructure. Other utilities and public infrastructure are readily available and can be augmented to meet the needs of the additional business activities and population arising from the increased density.

There are a number of key government agencies that have already been consulted, or will be consulted, as part of this Planning Proposal process and/or future DA. In particular, the proponent has consulted closely with Transport for NSW and the Sydney Metro project team, due to the many complexities in delivering the future Metro Station as part of the one integrated project. TfNSW as



the landowner of the majority of the land affected by the Planning Proposal, has endorsed the submission of this and the other supporting applications.

All government agencies and members of the public will also have the opportunity to provide comment on the Planning Proposal as part of its formal exhibition.

A comprehensive Urban Design Study of the Precinct has helped inform this Planning Proposal and the Stage 1 SSD application.

The Urban Design Study provides a fresh and detailed investigation of the Precinct, and takes into account the expanded public transport capacity and urban domain improvement opportunities arising from the Sydney Metro Project. It concludes with a range of Precinct-specific urban design Principles to guide the design team through the subsequent stages of design development.

The main consideration from a built form perspective is the proposed amendment to the 55m height limit on the South Site. The existing tower on this Site already substantially breaches that limit, and is setback approximately 4.8 metres from Martin Place across all levels, with a poor relationship to the public domain at the ground plane and in the historic Martin Place streetscape.

The Urban Design Principles and proposed Planning Proposal envelope, on the other hand, will result in a superior urban outcome. The new southern building will have a strong base, built to the street alignment, clearly defined by the street wall height that reflects the heritage building opposite. Above the podium the tower will be setback, by virtue of the revised height controls from Martin Place by 8 metres (as opposed to 25 metres back), responding to the alignment of towers at the eastern end of Martin Place and the break in the spatial definition of Martin Place created by the MLC Centre.

The revised height limit will allow a viable office building to be located on the South Site. Compliance with the existing height limit would have a significant and adverse impact by reducing the area of the tower floor plates to approximately 450 square metres. This floor size is unsuitable for current and likely future commercial users, who typically require upwards of 1,200 to 1,500 square metres per floor.

Given this Precinct is set amongst taller towers, and will remain governed by the Sun Access Plane, overshadowing of the public domain will be minimal. This is confirmed by the shadow studies, which concluded that the proposed amendment to the 55m height limit will result in negligible additional overshadowing to surrounding streets and public spaces, including to Hyde Park North.

On the North Site the proposed increase in FSR will permit a larger building within the envelope defined by the retained heritage building at 50 Martin Place and the Sun Access Plane for Martin Place. In terms of the North Site's ability to accommodate a larger tower, the Urban Design Study notes:

- The size of the consolidated North Site provides an important opportunity to deliver a tower of significant scale;
- The scale of building and floor plates supports the type of office space that is in high demand, particularly from larger companies in the financial and related services sectors;
- A larger tower that touches the ground on its northern (Hunter Street) boundary allows it to align with towers to the east, forming a strong southern edge to Chifley and Richard Johnson Squares;

- A larger tower can contribute towards the legibility of the underlying logic and development of the City, marking the point at which the orthogonal city grid meets the more organic, topographic structure of the original city to the north; and
- The built form on Elizabeth and Castlereagh Streets also has distinctive attributes to establish the primacy of the Precinct in the city and the location of the main egress/ingress points of the Station.

The proposed FSRs are the product of urban and architectural design testing, rather than a target figure. The FSR proposed is less than the theoretical maximum within the envelopes to allow a “loose fit” within which there is sufficient room for an articulated building form. The proposed FSRs that were derived from the site testing process are within the range of FSRs for similar sites tested by the City Council as part of its recent Capacity Study. They also account for the FSR occupied by the Metro Station that is largely located below ground and does not, therefore, impact on the visible envelope.

The View Impact Analysis demonstrates that the Planning Proposal and resulting built form is consistent with the City's planning objectives for protecting public views of important places and heritage buildings. It also concluded that:

- The increase in area of the City skyline potentially occupied by the future buildings is acceptable in the CBD context, as it will not encroach upon or interrupt any significant views.
- Low, medium and high-level views of the sky along streets and from public domain places (parks etc.) are retained in a variety of contexts.
- Views of heritage buildings within the wider Precinct are maintained.
- There is no direct adverse impact on views from nearby residential dwellings.
- There will be no impact on the recognised important public views of the GPO Clock Tower, the western sky from Martin Place, and Sydney Hospital.

The wind tunnel testing found that the general wind amenity at street level will remain similar to existing conditions, and is considered suitable for this area of the City. Further wind studies will be conducted as part of the design development of the future buildings, and opportunities to improve upon existing wind conditions will be investigated as part of that process.

The Statement of Heritage Impact (SHI) prepared by TKD Architects concludes that the proposed amendments to building height and floor space are acceptable in terms of heritage impact on the basis that:

- Potential impacts on the significance of neighbouring heritage items can be managed using the proposed heritage and urban design Principles.
- The impacts on the streetscape presentation and setting of potentially affected heritage items are generally neutral, as their visual presence within the streetscapes will remain largely unchanged.
- An appropriate balance between commercial viability and the heritage values of Martin Place can be achieved.
- The separate identity of the former bank at 50 Martin Place and its visual prominence within these streetscapes can be maintained.

- A sense of spatial enclosure of the semi-circular form of Chifley Square can be achieved through reinforcement of its street edges and the relationship in scale with the other buildings that define this space.

The Arup Traffic and Parking Report notes the strategic value of the Precinct as a transport interchange, which favours sustainable modes of transport over private vehicles. Minimal private car parking is proposed on either the North or South Sites, a significant reduction compared to the existing situation.

Traffic generation associated with future development will be primarily related to service and delivery vehicles. The increased volume of these vehicles is expected to have a negligible impact on the local street system as they will be accommodated on site and spread through-out the day. Overall no adverse impacts on the road network are anticipated as a result of the project.

Over station development up to the height of the Sun Access Planes will encroach into the Obstacle Limitation Surface (OLS), triggering a controlled activity under the Airports Act 1996. These heights are, however, below the relevant flight manoeuvring and air traffic control-related surface constraints of 335m AHD which leaves a vertical margin of more than 100m+ for crane operations during construction. There is no technical impediment to approval of a future development consistent with the existing and proposed height controls for the Precinct, and an application under the Airports (Protection of Airspace) Regulations is likely to be approved.

The economic impacts will be significant and positive. The Planning Proposal and future resulting development presents a large financial investment in the renewal and sustained pre-eminence of Martin Place as the commercial heart of the Sydney CBD. The additional floor space provided by the increased building envelope and FSR will help strengthen Sydney's role as a globally competitive city, by supporting suitable business activity and ensuring superior floor plates for new office accommodation.

On completion, the net additional 54,000sqm will result in an increase of some 5,938 jobs (depending on the ratio of workers to GFA) which is a net increase of approximately 65%. The extra employment opportunities, during and after construction, and their multiplier effects have far reaching economic benefits for the local, state and National economies.

Overall, the Planning Proposal is reasonable, justified and demonstrably in the public interest. In particular:

- It will contribute directly to the economic success of Sydney, NSW and more broadly Australia.
- It will reinforce Sydney as a global economic centre for business, and a leader in attracting new talent.
- There is excess public transport capacity created by the new Metro infrastructure, and sufficient capacity within other infrastructure to support the Planning Proposal.
- It better satisfies community's expectations for greater densities, in the right locations, within acceptable environmental impacts and supported by appropriate infrastructure investment.
- It will lead to a re-imagining of the Precinct and foster design flexibility and excellence; and
- There are no significant adverse impacts from a public domain, environmental amenity and heritage perspective, and any impacts can be readily managed.